



City Council Special Agenda 7/8/2021

Notice is hereby given of a special meeting of the City Council of City of San Angelo to be held July 8, 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. Presentation of recognition for Council Member Miller's and Council Member Thomas's role in the 2021 American Legion's Memorial Golf Tournament

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 City Council June 15, 2021 regular meeting and June 28, 2021 strategic planning workshop minutes (Julia Antilley)
- b. Consider approving a lease agreement between First United Methodist Church in Ballinger and the City of San Angelo for WIC offices and authorizing the City Manager to execute all related documents (Cristina Eureste)
- c. Consider approving an agreement between WIC and Hands Up Interpreting and Consulting and authorizing the City Manager to negotiate and execute all related documents (Cristina Eureste)
- d. Consider a resolution approving annual re-certification for Galilee Community Development Corporation as a Community Housing Development Organization (CHDO) (Bob Salas)
- e. Consider awarding a contract under FC-03-21 to Precision Construction & Roofing of San Angelo in the amount of \$311,921.75 for the complete re-roofing of Barracks 1 & 2 at Fort Concho and authorizing the City Manager to negotiate and execute all related documents (Bob Bluthardt)
- f. Consider awarding ES-04-21 N. Monroe Street Rehabilitation at Brentwood Park to Darnell Construction LLC in the amount of \$1,258,642 and authorizing the City Manager to negotiate and execute all related documents (Kevin Pate)
- g. Consider awarding a Task Order under IDIQ contract ES-06-19 Engineering Services to HDR Inc. in the amount of \$535,250 for design of the 18-inch MLK-Randolph Water Distribution System Main Replacement and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- h. Consider approving a sole source agreement with Trane U.S. Inc. in the amount of \$69,990 and

authorizing the City Manager to negotiate and execute all related documents for replacement equipment, controls, and updated software for the HVAC system (Ron Lewis)

- i. Consider a resolution providing in-kind support for the All Veteran's Council request for an agreement with the City to waive fees for the annual Veteran's Day Parade in 2021 and the two following years of Chief Carter's term of office (Carl White)
- j. Consider ratifying a resolution authorizing the use of sales and use tax funds in an amount not to exceed \$25,000 for professional services to prepare an architectural code study concerning the airport GTE hangar, a project authorized under Chapter 505 of the Local Government Code for Type B Development Corporation; and, authorizing the Board President to negotiate and execute a Memorandum of Understanding with the City of San Angelo for such purposes (Guy Andrews)
- k. Consider a resolution authorizing the City Manager to apply for a Defense Community Infrastructure Program (DCIP) Grant with no expected local match and execute all related documents (Tina Dierschke)
- l. Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for unplanned expenditures (Tina Dierschke)
- m. Consider authorizing the City Manager to negotiate and execute a license use agreement with Richard Bauerlien, Allison Carson Devereaux, and Martin and Marisol Hernandez, to allow for the construction of barrier(s) to restrict traffic through a portion of an adjacent alley, being 3,000-sq ft within Block 122 of the Angelo Heights Addition and north of the 1400 block of W. Beauregard Ave. (Jon James)
- n. Consider approving a professional services Medical Director agreement with Dr. Kelly Koenig to provide services as the Emergency Medical Services Director for the San Angelo Fire Department and authorizing the City Manager to execute all related documents (Brian Dunn)
- o. Second reading of:
 - 1. An ordinance for Z21-05, a rezoning from the Single-Family Residential zoning district to the Neighborhood Commercial zoning district, being 0.30 acres located at 2321 S. Bryant Blvd. and 504 W. Ave. T
 - 2. An ordinance for Z21-06, a request for approval of a rezoning from the Heavy Commercial zoning district to the Heavy Manufacturing zoning district, being 7.353 acres located at 4125 Dan Hanks Ln.
 - 3. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the south side of E. 41st St. between Oaklawn St. and Bowie St.
 - 4. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the north side of E. 44th St. between Oaklawn St. and Bowie St.(Jon James)

6. Regular Agenda

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

- a. Consider approving a proposal to allocate the 2021 CDBG and HOME grant funds for programs

and projects and authorizing the City Manager to execute the applications, required certifications, related documents, and annual funding agreement for the approximate allocation of \$696,269 of CDBG and \$333,605 HOME grant funds (Presentation made by Neighborhood & Family Services Director Bob Salas)

- b. First reading and public hearing of an ordinance amending Chapter 5 Business and Commerce, Article 5.02 Alcohol Beverage Regulations, Section 5.02.005 Sale, Possession or Consumption in Texas Bank Sports Complex (Rio Concho Sports Complex) of the City's Code of Ordinances to include all areas of Texas Bank Sports Complex including the parking lot, unless sold by contracted concessionaire (Presentation made by Parks & Recreation Director Carl White)
- c. First reading and public hearing of:
 - 1. An ordinance for CP21-03, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood to the Commercial Future Land Use on property located at 404 and 412 Preusser St.;
 - 2. An ordinance for Z21-07, a rezoning from the Low-Rise Multifamily Residential zoning district to the Office Commercial zoning district, being 0.880 acres at 404, 412 and 333 Preusser St. (Presentation made by Planning & Development Services Director Jon James)
- d. First reading and public hearing of an ordinance for Z20-03, a rezoning to the Central Business District zoning district from the General Commercial, General Commercial/Heavy Commercial, Office Commercial, Light Manufacturing, Office Warehouse, and Low Rise Multi-Family Residential zoning districts, generally located north of W. Harris Ave.; east of Sante Fe Park; south of W. 4th St.; and west of N. Chadbourne St. (Presentation made by Planning & Development Services Director Jon James)
- e. First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items and grants (Presentation made by Finance Director Tina Dierschke)

7. Closed Session

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

8. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Notification that next meeting, July 20, 2021 will be held in the East Mezzanine of City Hall (72 W. College Ave.)
- c. Discussion of alternate dates for September 21, 2021 Council Meeting
- d. 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 30th day of June 2021, at 5:23 p.m.


Julia Antilley, City Clerk

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

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

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

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

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, June 15, 2021

Present:

Mayor Brenda Gunter
Mayor Pro tem Tom Thompson, SMD 2
Council Member Tommy Hiebert, SMD 1
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzalez, SMD 4
Council Member Lane Carter, SMD 5
Council Member Larry Miller, 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 8:33 a.m. on Tuesday, June 1, 2021 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided, and pledges were led, by San Angelo Police Department Chaplin Ralph Dawkins.

3. Proclamations/Recognitions

No proclamations/recognitions.

4. Public Comment

Citizen Sherley Spears (SMD5) spoke regarding the restrooms for Martin Luther King Park and requested an update.

5. Consent Agenda

- a. Approval of the June 1, 2021 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to enter into a five-year extension of the current Grazing and Agricultural Lease with Jim Thomas and Chad Thomas, d/b/a Thomas Livestock, of 282.94 acres out of EJ Wortham Survey 0001, Abstract 3945, with the understanding at the end of the five-year term the property will be placed for lease at the highest sealed bid (Cynthia Preas)
- c. Authorization of the City Manager to negotiate and execute an amendment to an agreement with Psalm 100 Development, LLC related to the development of land sold to the developer by the City, known as The Palms (Jon James)
- d. Adoption of a resolution allowing the City to accept Federal Property in the form of an aircraft frame burner from GAFB and authorizing the City Manager to execute all related documents (Brian Dunn) (Pg. 262, 2021-069)
- e. Adoption of a resolution to accept a subrecipient grant awarded by Homeland Security in the amount of \$21,000 (Jim Evans) (Pg. 263, 2021-070)
- f. Approval of an amendment renewing the Naming Rights Agreement for the Foster Communications Coliseum between the City of San Angelo, Citywise Marketing, and Foster Communications Co., Inc., and authorizing the City Manager to negotiate and execute all related documents (Sidney Walker)

- g. Adoption of a resolution approving non-monetary in-kind support for the San Angelo Girls Fast-Pitch Association's hosting of the Texas All Stars Tournament, July 8-11, 2021 at the Texas Bank Sports Complex (Brent Casey) (Pg. 264, 2021-071)
- h. Adoption of a resolution approving non-monetary in-kind support for the Downtown San Angelo, Inc. "A Star Spangled Banner Concert" event for the Fourth of July, July 3, 2021 (Brent Casey) (Pg. 265, 2021-072)
- i. Adoption of a resolution authorizing a special event known as "Wake the Desert 2021" and approving variances to City ordinances at Middle Concho Park, July 16-18, 2021 (Brent Casey) (Pg. 266, 2021-073)
- j. Approval of an amendment to the Diversion Facilitation Agreement with Bentwood Country Club L.L.C., and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- k. Ratification of up to \$35,000 for emergency repairs to the Business Resource Center resulting from plumbing and sewage issues and authorizing the Board President to negotiate and execute all related documents (Guy Andrews)

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

6. Regular Agenda

- a. Adoption of a Customer Service Agreement as a supplement to the existing Residential Service Application and Commercial Service Application for water, sewer, and trash service (Presentation made by Assistant Director of Water Utilities Andy Vecellio)

Citizen Anna Bartosh (SMD1) requested clarification on whether homes with septic systems and irrigation systems would be inspected.

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

- b. Discussion and update on Chapter 3 Animal Control, Article 3.10 Free-Roaming Community Cats of the City's Code of Ordinances (Presentation made by Assistant Director of Neighborhood & Family Services Morgan Chegwiddden)

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to approve the item, as presented allocating \$5,000 towards the spay, neuter, release program within known problem community cat colonies, with a communications strategy to accompany the effort. The motion carried unanimously (7) ayes to (0) nays.

- c. Discussion and guidance for amending Chapter 5 Business and Commerce, Article 5.02 Alcoholic Beverages Regulations, Section 5.02.005 Sale, Possession or Consumption in Texas Bank Sports Complex (Rio Concho Sports Complex) of the City's Code of Ordinances (Presentation made by Recreation Manager Brent Casey)

Direction: Brent Casey was directed to bring a first reading of an ordinance to the next council meeting with language to coincide with Option 2 of his presentation to City Council. A communications strategy will also be needed for this item.

- d. First reading and public hearing on:
 - 1. An ordinance for Z21-05, a rezoning from the Single-Family Residential zoning district to the Neighborhood Commercial zoning district, being 0.30 acres located at 2321 S. Bryant Blvd. and 504 W. Ave. T

2. An ordinance for Z21-06, a request for approval of a rezoning from the Heavy Commercial zoning district to the Heavy Manufacturing zoning district, being 7.353 acres located at 4125 Dan Hanks Ln.

3. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the south side of E. 41st St. between Oaklawn St. and Bowie St.

4. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the north side of E. 44th St. between Oaklawn St. and Bowie St.

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

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve all first readings on the item, 6d1 - 6d4, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for unplanned expenditures (Presentation made by Finance Director Tina Dierschke)

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

- f. Discussion and guidance of providing in-kind support for the All Veteran's Council request for a proposed 10-year agreement with the City to waive fees for the annual Veteran's Day Parade (Presentation made by City Manager Daniel Valenzuela)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, giving direction to approve the request for the remainder of Chief Carter's current term of office, this year and two additional years (November 2021, November 2022, and November 2023 parades), as presented. A resolution for in-kind support will be included for approval at the next council meeting.

7. Closed Session

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

8. Follow Up and Administrative Issues

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

No Action Taken on this Item.

- b. Approval of various Board nominations:

Public Art Commission: Raul Ruiz (SMD5) and Elaine Stribling (SMD6), both to first terms ending April 2023

Motion: Council Member Carter made a motion, seconded by Council Member Miller, 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 9:58 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.)

City of San Angelo, Texas
Strategic Planning City Council Workshop
Monday, June 28, 2021

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the Strategic Planning Workshop session of the San Angelo City Council to order at 8:34 a.m. on Monday, June 28, 2021 in the East Mezzanine of City Hall, 72 W. College Avenue, San Angelo, Texas 76903.

2. Public Comment

No public comment.

3. Workshop Itinerary

a. Overview of Planning Workshop (Daniel Valenzuela)

City Manager Daniel Valenzuela gave an overview of the Strategic Planning Workshop Itinerary and introduced the topics for discussion during the workshop.

b. Financial Update – Revenues & Expenses (Tina Dierschke)

Finance Director Tina Dierschke presented budget slides for revenue and expenditures and special funding received under the American Rescue Plan Act (APRA).

Mayor Gunter expressed an interest in using the current ARPA funding for the College Hills Drainage project. Council expressed support with direction to bring the item back as a budget amendment at the next Council meeting.

c. Capital Improvement Priorities (Tina Dierschke/Staff)

Finance Director Tina Dierschke provided copies of the CIP for the Council prior to the meeting.

d. Top 3 Strategic Priorities Update (Staff)

1. Infrastructure

a. Drainage (Shane Kelton, Allison Strube)

b. Streets

c. Water/Wastewater

2. Economic Development (Guy Andrews, Jon James)

a. Development Services

b. Development Projects

c. Commercial Development

d. Industrial Development

3. Public Safety (Chief Carter, Chief Dunn, Tina Dierschke)

a. Police

b. Fire

Information was presented by Executive Director of Public Works Shane Kelton, Director of Water Utilities Allison Strube, Planning and Development Director Jon James, Economic Development Director Guy Andrews, Assistant Police Chief David Howard, and Fire Chief Brian Dunn.

e. Establishing/Confirming Priorities for 2021/2022 (Daniel Valenzuela/Staff)

Mayor Gunter stated that Council has consistently set the same priorities and supported them through the budgeting process and does not believe there is need to change them.

Council Member Thomas stated we need to invest in more quality of life projects and specifically requested the strategic plan from Parks & Recreation for putting permanent restroom facilities in the parks.

4. Follow Up and Administrative Issues

Council Member Hiebert requested a presentation by Human Resources Director Bryan Kendrick covering the overall compensation plan and any related needs and recommendations.

Deputy City Clerk Heather Stastny announced the dates and locations of the July meetings, Thursday July 8th in Council Chambers, and Tuesday July 20th in the East Mezzanine.

5. 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 was adjourned at 11:11 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: Cristina Eureste, WIC Manager, WIC,

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider approving a lease agreement between First United Methodist Church in Ballinger and the City of San Angelo for WIC offices and authorizing the City Manager to execute all related documents (Cristina Eureste)

Summary/History:

The current WIC lease agreement in Ballinger is expiring on June 30, 2021, as the First United Methodist Church was agreeable to a one year term only. The church has reviewed the agreement and is agreeable to entering a new one year agreement with no increase in costs. This is necessary to maintain a satellite clinic presence in Ballinger, which comprises a large portion of our clients served annually.

Financial Impact:

Budgeted funds exist for this item. The lease will be for a one year term with no increase in costs.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Cristina Eureste

Approvals/Reviews:

Cristina Eureste

Bob Salas

Theresa James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cristina Eureste, WIC Manager, WIC,

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider approving an agreement between WIC and Hands Up Interpreting and Consulting and authorizing the City Manager to negotiate and execute all related documents (Cristina Eureste)

Summary/History:

WIC previously had a contract with West Texas Interpreting Network, but they have since moved out of the area. Hands Up Interpreting and Consulting provides the City of San Angelo with services associated with interpreting for persons who are deaf or hard-of-hearing. This is necessary to serve our hearing impaired WIC population.

Financial Impact:

WIC shall be billed at an hourly rate not to exceed \$95/hour with two hours minimum per appointment is required. Budgeted funds exist for this item.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Cristina Eureste

Approvals/Reviews:

Cristina Eureste
Bob Salas
Theresa James
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider a resolution approving annual re-certification for Galilee Community Development Corporation as a Community Housing Development Organization (CHDO) (Bob Salas)

Summary/History:

HUD recommends recertification of CHDOs annually. As stated in the HOME regulations (§ 92.300 (a)(1)), a participating jurisdiction is required to reserve not less than 15% of their HOME allocation for investment in housing to be developed, sponsored or owned by CHDOs.

Galilee CDC meets all HUD CHDO requirements as described below:

- Has a governing board consisting of not less than one-third low-income persons and not more than one-third public officials.
- Has a 503(c)(3) or (c)(4) ruling from the IRS.
- Has demonstrated a capacity for carrying out activities assisted with HOME funds.
- Has a history of serving the community in which the HOME assisted housing is to be located for a minimum of one year.
- Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions or by-laws.

Staff recommends approval in order for Galilee to continue to be designated as the City's CHDO.

Financial Impact:

If not approved, Galilee will not be able to continue to be considered a CHDO and 15% of our HOME grant funds will be returned to HUD.

Other Information/Recommendation:

Attachments:

- | | | |
|----|------------------|-----------------------|
| 1. | CHDO recert 2021 | CHDO recert 2021.docx |
|----|------------------|-----------------------|

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved

Theresa James
Julia Antilley

Approved
Final Approval

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, APPROVING THE RE-CERTIFICATION OF GALILEE COMMUNITY DEVELOPMENT CORPORATION (GALILEE CDC) AS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) ELIGIBLE TO RECEIVE AFFORDABLE HOUSING HOME FUNDS.

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has designated the City of San Angelo, Texas, as a Participating Jurisdiction eligible to receive formula funding from the HOME Program as authorized by Title II of the National Affordable Housing Act of 1990 (PL 101-625), as amended; and

WHEREAS, the City of San Angelo is awarded an annual entitlement under the HOME Investment Partnerships Program; and

WHEREAS, not less than fifteen percent (15%) of HOME funds must be invested in housing to be developed, sponsored or owned by qualified Community Housing Development Organizations (CHDOs); and

WHEREAS, Galilee CDC has previously been certified a CHDO and has satisfied the requirements to be recertified as a CHDO and as such will undertake activities to expand and develop safe, decent and affordable housing for moderate-income households in the City of San Angelo.

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

Having met the requirements for recertification, the City of San Angelo, Texas, approves recertification for Galilee Community Development Corporation as a Community Housing Development Organization (CHDO) and recognizes it as eligible to receive HOME funds for the acquisition, rehabilitation and new construction of single-family homes.

This resolution shall take effect immediately from and after its adoption.

PASSED, APPROVED, AND ADOPTED this 8th day of July, 2021.

CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Bluthardt, Fort Concho Manager, Fort Concho, 325-487-2730

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider awarding a contract under FC-03-21 to Precision Construction & Roofing of San Angelo in the amount of \$311,921.75 for the complete re-roofing of Barracks 1 & 2 at Fort Concho and authorizing the City Manager to negotiate and execute all related documents (Bob Bluthardt)

Summary/History:

The roofs at Barracks 1 & 2 were last replaced in 1995. Since that time, numerous storms and natural deterioration have taken their toll. City staff invited six local contractors to bid; announcements were posted on the city website and in the local newspaper; only one bid was received. However, this bid is comparable to all costs estimates of the past five years.

Financial Impact:

Funding for this project will come from three sources:

- City insurance fund
- Fort Concho capital fund
- Half-cent sales tax fund assigned to Fort Concho Barracks 1 & 2

Other Information/Recommendation:

Staff recommendation is to award the contract to Precision Roofers.

Attachments:

- | | | |
|----|-------------------------|-----------------------------|
| 1. | FC-03-21 Bid Tabulation | FC-03-21 Bid Tabulation.pdf |
|----|-------------------------|-----------------------------|

Presentation:

Robert Bluthardt

Approvals/Reviews:

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



City of San Angelo Purchasing Division

RFB Bid Tabulation

FC-03-21 • Re-roofing Barracks 1 & 2

Wednesday, June 9, 2021 2 p.m.

Precision Construction & Roofing

1	Total Bid	\$	311,921.75
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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider awarding ES-04-21 N. Monroe Street Rehabilitation at Brentwood Park to Darnell Construction LLC in the amount of \$1,258,642 and authorizing the City Manager to negotiate and execute all related documents (Kevin Pate)

Summary/History:

The work includes the rehabilitation of North Monroe Street, drainage culvert installation, and the installation of a 18" wastewater line in the area of Brentwood Park. The existing wastewater line is installed as an aerial through the park. The line has been designed and rerouted such to put the utility underground and not visible through the park.

There was one bid submitted on this project. The bid was advertised on the City's website from May 27, 2021 through June 22, 2021.

Financial Impact:

This project has been budgeted for the current year in Stormwater and Wastewater Capital Funding.

One bid was received, Darnell Construction LLC was the lowest responsible bidder.

Project Contract amount includes a \$1,137,642.00 Base Bid, and a \$121,000 Contingency. Of the Base Bid amount, \$243,155.50 will be Stormwater funding and the remaining \$894,486.50 will be Wastewater funding. Of the contingency \$25,862.10 will be Stormwater funding and the remaining \$95,137.90 will be Wastewater funding based on the work breakdown.

Other Information/Recommendation:

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

Attachments:

- | | | |
|----|-------------------------------------|---|
| 1. | 1-ES-04-21 Bid Table (BT-27EH) (14) | 1-ES-04-21 Bid Table (BT-27EH) (14).pdf |
|----|-------------------------------------|---|

Presentation:

Zeferino Mendoza

Approvals/Reviews:

Charles Michalewicz
Kevin Pate
Shane Kelton
Theresa James

Created/Initiated
Approved
Approved
Approved

Allison Strube
Jeff Tomlinson
Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Approved
Approved
Final Approval

Responses

Success: All data is valid!

					Numeric	
Status	#	Item	Units	Estimated Quantity	Unit Price	Total Cost
Success: All values provided	#0-1	Mobilization	LS	1	\$ 53,475.00	\$ 53,475.00
Success: All values provided	#0-2	6-Inch Concrete Pavement Per Plans	SY	212	\$ 135.00	\$ 28,620.00
Success: All values provided	#0-3	Flowable Fill	CY	70	\$ 165.00	\$ 11,550.00
Success: All values provided	#0-4	28"x20" Corrugated Pipe per Plans	LF	126	\$ 350.00	\$ 44,100.00
Success: All values provided	#0-5	Headwall Concrete Per Plans	CY	2	\$ 13,600.00	\$ 27,200.00
Success: All values provided	#0-6	Endwall Concrete per Plans	CY	6	\$ 4,875.00	\$ 29,250.00
Success: All values provided	#0-7	Concrete Sawtooth Curb & Gutter per Plans	LF	20	\$ 57.00	\$ 1,140.00
Success: All values provided	#0-8	Concrete Valley Gutter per Plans	SY	16	\$ 387.00	\$ 6,192.00
Success: All values provided	#0-9	Concrete Curb & Gutter per Plans	LF	140	\$ 30.00	\$ 4,200.00
Success: All values provided	#0-10	6-Inch Sanitary Sewer PVC Pipe (SDR-35)	LF	173	\$ 65.00	\$ 11,245.00
Success: All values provided	#0-11	6-Inch Sanitary Sewer Clean out	EA	1	\$ 575.00	\$ 575.00
Success: All values provided	#0-12	8-Inch Sanitary PVC Pipe (SDR-35)	LF	40	\$ 98.00	\$ 3,920.00
Success: All values provided	#0-13	18-Inch Sanitary Sewer PVC Pipe (SDR-26)	LF	1896	\$ 245.00	\$ 464,520.00
Success: All values provided	#0-14	60-inch Fiberglass Manhole Type B	EA	13	\$ 7,528.00	\$ 97,864.00
Success: All values provided	#0-15	Trench Safety	LF	1065	\$ 5.00	\$ 5,325.00
Success: All values provided	#0-16	Sanitary Sewer Service Connections	EA	21	\$ 5,230.00	\$ 109,830.00
Success: All values provided	#0-17	Abandon Existing Manhole per Plans	EA	2	\$ 500.00	\$ 1,000.00
Success: All values provided	#0-18	Remove Existing Manhole per Plans	EA	7	\$ 450.00	\$ 3,150.00
Success: All values provided	#0-19	Concrete Encasement per Plans	CY	185	\$ 75.00	\$ 13,875.00
Success: All values provided	#0-20	6-Inch Concrete Cap per Plans	CY	40	\$ 50.00	\$ 2,000.00
Success: All values provided	#0-21	Remove or Abandon with Grout Fill Existing 12-Inch Sanitary Sewer Line per Plans	LF	1885	\$ 8.00	\$ 15,080.00
Success: All values provided	#0-22	Remove or Abandon with Gout Fill Existing 16-Inch Sanitary Sewer Line per Plans	LF	1420	\$ 12.00	\$ 17,040.00
Success: All values provided	#0-23	Permanent Asphalt Repair 1.5-Inch Type D HMAC per Plans	SF	685	\$ 35.00	\$ 23,975.00
Success: All values provided	#0-24	2.0-Inch TYPE D HMAC Overlay w/ Edge Mill per Plans	TON	128	\$ 397.00	\$ 50,816.00
Success: All values provided	#0-25	Traffic Control	LS	1	\$ 9,500.00	\$ 9,500.00
Success: All values provided	#0-26	By-pass Pumping	LS	1	\$ 93,600.00	\$ 93,600.00
Success: All values provided	#0-27	Erosion Control Measures	LS	1	\$ 8,600.00	\$ 8,600.00

\$ 1,137,642.00

Contingency

Success: All values provided	#1-1	Contingency (input Unit Price \$121,000)	EA	1	\$ 121,000.00	\$ 121,000.00
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\$1,258,642.00

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Water Utilities, 325-657-4201

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider awarding a Task Order under IDIQ contract ES-06-19 Engineering Services to HDR Inc. in the amount of \$535,250 for design of the 18-inch MLK-Randolph Water Distribution System Main Replacement and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

Summary/History:

This task order is to design and engineer the replacement and rehabilitation of one of the City's larger, 18-inch, water mains.

The new 18-inch water distribution main is needed to replace the aging and unreliable 18-inch cast iron distribution main starting from Martin Luther King Boulevard (MLK) and 8th Street traveling along MLK and then Randolph Street south until Randolph Street terminates. The pipeline continues due south past the railroad track and terminates at Avenue I. The pipeline is approximately 8,300 feet in length. Major crossings that will require permitted tunneling include US Highway 67, two railroads, and the North Concho River. Based on City GIS website information, there are approximately 50 distribution connections to the existing 18-inch cast iron main that will need to be reconnected to the new 18-inch main, and there are approximately 15 sewer crossings (13 gravity sewer, and 2 pressurized force mains). Franchise utilities such as gas and fiber optic are present along the alignment, and subsurface utility investigation will be required to locate these utilities. The new 18-inch distribution main material will be PVC, and the new main will be 100 percent installed within existing City right-of-way. The service pressure for this main is in the 80 to 100 psi range. The City desires to abandon the existing 18-inch cast iron distribution main in place and evaluate if this main should be grout/concrete filled to avoid future pipe collapse and potential road/surface subsidence.

The project falls within the goals of the Water System Master Plan and in the City's CIP. In this task order HDR, Inc. will perform professional engineering services to design the replacement of the existing waterline.

Financial Impact:

Total task order \$535,250 - budgeted within the Water Capital Funds

Other Information/Recommendation:

Staff recommends that the task order be awarded to HDR Inc. and the City Manager be authorized to execute the any related documents.

Attachments:

- | | |
|---|---|
| 1. Exhibit A MLK_Randolph Scope for Design-Const Services (6-14-21) | Exhibit A MLK_Randolph Scope for Design-Const Services (6-14-21).docx |
|---|---|

Presentation:

Allison Strube

Approvals/Reviews:

Charles Michalewicz

Kevin Pate

Allison Strube

Shane Kelton

Theresa James

Jeff Tomlinson

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Approved

Final Approval

EXHIBIT A

SCOPE OF SERVICES FOR THE 18-INCH MLK-RANDOLPH WATER DISTRIBUTION MAIN REPLACEMENT

PROJECT BACKGROUND

The new 18-inch water distribution main is needed to replace the aging and unreliable 18-inch cast iron distribution main starting from Martin Luther King Boulevard (MLK) and 8th Street traveling along MLK and then Randolph Street south until Randolph Street terminates. The pipeline continues due south past the railroad track and terminates at Avenue I. The pipeline is approximately 8,300 feet in length. Major crossings that will require permitted tunneling include US Highway 67, two railroads, and the North Concho River. Based on City GIS website information, there are approximately 50 distribution connections to the existing 18-inch cast iron main that will need to be reconnected to the new 18-inch main, and there are approximately 15 sewer crossings (13 gravity sewer, and 2 pressurized force mains). Franchise utilities such as gas and fiber optic are present along the alignment, and subsurface utility investigation will be required to locate these utilities. The new 18-inch distribution main material will be PVC, and the new main will be 100 percent installed within existing City right-of-way. The service pressure for this main is in the 80 to 100 psi range. The City desires to abandon the existing 18-inch cast iron distribution main in place and evaluate if this main should be grout/concrete filled to avoid future pipe collapse and potential road/surface subsidence.

PROJECT BREAKDOWN & BASIC SERVICES

This scope of work consists of providing engineering design and construction services for the approximately 8,300 feet of 18-inch pipeline. A map illustrating the approximate alignment of the proposed distribution main replacement is illustrated in **Figure 1**. The general breakdown of the scope of work is separated into six main basic service tasks as follows:

1. Preliminary Design and Preliminary Engineering Report
2. Design Services
3. Bidding Services
4. Engineering Services During Construction
5. Subconsultant Services
6. Project Management

Figure 1 – MLK-Randolph Alignment



1.0 Preliminary Design and Preliminary Engineering Report

- 1.1 Virtual Kickoff Meeting with City Staff and Project Team to confirm Project scope, personnel, lines of communication, and schedule.
 - 1.1.1 **Deliverables:**
 - 1.1.1.1 Schedule
 - 1.1.1.2 Workplan
 - 1.1.1.3 Meeting Agenda
 - 1.1.1.4 Meeting Notes
- 1.2 Gather and review available information including record drawings, GIS, water distribution model, and water master plan.
- 1.3 Perform Level D subsurface utility engineering to locate City and Franchise utilities along the pipeline route.
- 1.4 Document any route change recommendations to minimize disruptions, utility conflicts, or costs in the Preliminary Engineering Report.
- 1.5 Document and layout preliminary plan drawings illustrating the proposed alignment for the 18-inch distribution main.
- 1.6 Prepare Preliminary Opinion of Construction Cost (AACE Class 3 Estimate) and include in the Preliminary Engineering Report.
- 1.7 **Deliverables:**
 - 1.7.1 Draft Preliminary Engineering Report – submit electronic copy to the City of San Angelo.
 - 1.7.2 Final Preliminary Engineering Report – submit final electronic report file and three (3) final hard copies to the City of San Angelo.
- 1.8 **Schedule:** From Notice to Proceed, the duration to complete the Preliminary Design and Preliminary Engineering Report is 120 calendar days.

2.0 DESIGN SERVICES

- 2.1 Surveying
 - 2.1.1 Perform and provide a detailed topographic survey, obtain field information needed for design, and establish horizontal and vertical survey control of the pipeline route established in the Preliminary Engineering Report.
 - 2.1.2 Establish the alignment of the pipeline route in relation to the geographical features and to the City's existing pipelines and easements.

- 2.1.3 Provide horizontal and vertical locations of existing improvements and physical features including fences, property lines, roads, bridges, drainage structures, existing utilities, other structures and railroads located within the ROW and/or the bounds of the pipeline route.
- 2.1.4 Provide general locations of large trees, brush, and wooded areas.
- 2.1.5 The requirements are based on the survey of approximately 8,300 linear feet of pipeline route.
- 2.2 Subsurface Utility Engineering (SUE) for the Pipeline
 - 2.2.1 Provide services to determine location and depth of utilities in within corridor of route alignment.
 - 2.2.2 Contact applicable agencies, perform in-field visual inspection, compare record information with actual field conditions, record added infrastructure and visual discrepancies with the available record drawings, and interview available utility owners for needed clarification, found discrepancies, and details not provided.
 - 2.2.3 Select appropriate geophysical equipment to search for subsurface utilities within project limits, interpret surface geophysics and mark the indications of utilities on the ground surface, and record all marks and correlate data with utility records including any utilities found where ownership type is not available.
 - 2.2.4 Employ vacuum excavation to verify the horizontal and vertical location of the existing utilities at up to forty (40) locations specified on the project. The specific location of each test hole will be identified and marked, at the specific location where the excavation is to take place. Once each utility is located, the utility type, size, material, depth to top and general direction will be recorded. Each test hole will be assigned a unique ID number and will be marked with rebar/cap. Test hole numbers will be painted in the field next to each completed test hole. A survey lath labeled with the test hole ID number and other pertinent utility information will be placed at each test hole location.
- 2.3 Transfer SUE Information to Topographic Survey Files and Consolidate.
- 2.4 Develop Preliminary plan and profile sheets for the route with required modifications due to conflicts found during the survey or SUE tasks.
- 2.5 Initial Review Workshop (Virtual)
 - 2.5.1 After sufficient review period, coordinate the initial review workshop with City and project team to review the documents and discuss comments.
 - 2.5.2 Review and discuss required ROW acquisitions along the route.

- 2.5.3 **Deliverables:**
 - 2.5.3.1 Workshop agenda
 - 2.5.3.2 Meeting notes
 - 2.5.3.3 Comment and resolution log
- 2.6 Geotechnical Investigation
 - 2.6.1 Perform geotechnical borings at 1,500 linear foot intervals along pipe alignment.
 - 2.6.2 Perform geotechnical borings at strategic locations in the vicinity of boring and receiving pits for those portions of the pipeline that will be tunneled. Borings are anticipated to range from 10-feet deep in areas where the pipe is proposed for normal depth installation, 25-feet at the tunneled highway and railroad crossings, and up to 100-feet deep at the North Concho River.
 - 2.6.3 Perform soil laboratory analysis for engineering properties for samples taken.
 - 2.6.4 Consolidate information and prepare a comprehensive geotechnical report to provide recommendations for:
 - 2.6.4.1 Excavation methods
 - 2.6.4.2 Sheet piling, shoring and bracing
 - 2.6.4.3 Groundwater
 - 2.6.4.4 Corrosion potential
- 2.7 60% Design
 - 2.7.1 Incorporate City comments from the initial review workshop and prepare 60% drawings.
 - 2.7.2 Determine areas requiring exploratory excavation (Level A) SUE and incorporate into the 60% design documents. Up to fifty (50) vacuum excavations up to 15' deep will be required, as previously stated in this scope of work.
 - 2.7.3 Preliminary Opinion of Construction Cost. (AACE Class 2 Estimate)

- 2.7.4 **Deliverables:**
- 2.7.4.1 Electronic submission of 60% complete 11"x17" plan and profile drawings for the distribution main.
 - 2.7.4.2 Information to be included in the electronic files will include the following:
 - Topography and surface features 200' wide centered on the pipeline centerline (100' on each side of the proposed pipeline centerline)
 - Street centerlines and intersections
 - Right of way lines
 - Property lines
 - Limits of existing easements
 - Above ground and underground utilities within the limits of the survey.
 - 2.7.4.3 Electronic submission of preliminary specifications.
 - 2.7.4.4 Draft Geotechnical Report
 - 2.7.4.5 Updated Opinion of Construction Cost (AACE Class 2 Estimate)
- 2.8 60% Review Workshop (Virtual)
- 2.8.1 After sufficient review period, coordinate 60% review workshop with the City and project team to review the documents and discuss comments.
- 2.8.2 **Deliverables:**
- 2.8.2.1 Workshop agenda
 - 2.8.2.2 Meeting notes
 - 2.8.2.3 Comment and resolution log
- 2.8.3 **Deliverables:**
- 2.8.3.1 Preliminary easement document and exhibits
 - 2.8.3.2 Surveying required for preparation of legal descriptions and easement documents
- 2.9 ENGINEER will perform field walk of the pipeline alignment to verify and determine conflicts with drawings with existing structures and utilities.
- 2.10 90% Design
- 2.10.1 Incorporate City comments and prepare 90% drawings.
- 2.10.2 Final Detailed Opinion of Construction Cost (AACE Class 1 Estimate).
- 2.10.3 **Deliverables:**
- 2.10.3.1 Electronic submission of 90% complete 11"x17" plan and profile drawings for the distribution main.
 - 2.10.3.2 Final Detailed Opinion of Construction Cost (AACE Class 1 Estimate)

2.11 90% Review Workshop

2.11.1 After sufficient review period, coordinate 90% review workshop with the City and project team to review the documents and discuss comments.

2.11.2 Deliverables:

- 2.11.2.1 Workshop agenda
- 2.11.2.2 Meeting notes
- 2.11.2.3 Comment and resolution log

2.12 Permitting, Archeological, and Environmental Reviews

2.12.1 After incorporating review comments, finalize the 90% documents and coordinate applications and details for submission to the necessary permitting, archeological, and environmental agencies. The following permits and reviews will be required:

- 2.12.1.1 TxDOT crossing Highway 67.
- 2.12.1.2 Railroad crossings for two crossings.
- 2.12.1.3 Texas Commission on Environmental Quality (TCEQ) plan review.
- 2.12.1.4 Notification to the Texas Historical Commission (THC) for their review to determine if an archeological survey is required. An archeological survey is not included in this scope of work, as it is not expected to be required; however the notification application is required before construction can begin.

2.12.2 Deliverables:

- 2.12.2.1 Permit application and appropriate details for the TxDOT crossing.
- 2.12.2.2 Permit applications and details for up to two railroad crossings.
- 2.12.2.3 Permit application for plan review to the TCEQ.
- 2.12.2.4 Notification application to THC.

2.13 Final Bidding Documents

2.13.1 Incorporate 90% comments and prepare final bidding documents for review and approval by the City.

2.13.2 Obtain appropriate City approval signatures on final drawings and specifications.

2.14 **Schedule:** From completion of the Preliminary Design, the duration to complete the Design Services is 180 calendar days.

3.0 Bidding Services

3.1 ENGINEER to provide the following services associated with the advertisement of the project for construction bids and award of the project for construction. This scope is

based on one construction package for the 18-Inch distribution main replacement. It is the ENGINEER's understanding that bid phase services for the 18-Inch MLK-Randolph Distribution Main Replacement Project will occur immediately after completion of the detailed design and permitting process outlined above. Specific services to be performed by ENGINEER and OWNER during the bid phase are as follows:

- 3.1.1 ENGINEER will assist the OWNER's Purchasing Department in the coordination of the bid opening date, time, and place with OWNER.
- 3.1.2 OWNER will reproduce and distribute the contract documents to prospective bidders, suppliers, plan rooms, and agencies. OWNER will maintain a record of prospective bidders and suppliers (plan holders) to who contract documents have been issued.
- 3.1.3 ENGINEER will conduct a non-mandatory pre-bid conference during the advertisement period and:
 - 3.1.3.1 Instruct prospective bidders and suppliers as to the types of information required by the contract documents and the format in which bids should be presented.
 - 3.1.3.2 Review special project requirements and contract documents in general.
 - 3.1.3.3 Receive requests for interpretations or clarifications, which will be issued by addendum.
 - 3.1.3.4 Prepare a summary of the conference and issue by addendum.
- 3.1.4 ENGINEER will interpret construction contract documents and prepare and issue up to three addenda to the construction contract documents.
- 3.1.5 ENGINEER will aid the City by making preliminary tabulation of bids and reviewing bids for completeness.
- 3.1.6 ENGINEER will review and evaluate the qualifications of the apparent low bidder and the proposed major or specialty subcontractor and review equipment and subcontractor questionnaires. The review and evaluation will include such factors as safety records, work completed, equipment that is available for the work, financial resources, technical expertise, and responses from references.
- 3.1.7 ENGINEER will prepare and distribute formal bid tabulation sheets, evaluate bids, and make a written recommendation to the OWNER concerning contract award.
- 3.1.8 After issuance of the OWNER's notice of award, ENGINEER will review Contractor's bonds to acknowledge Contractor submission of required bonds. ENGINEER will not verify the viability or rating of the submitted bonding agency.
- 3.1.9 ENGINEER will prepare conformed documents incorporating all addenda modifications to drawings and specifications.

- 3.1.10 ENGINEER will provide two 22" x 34" sets of the conformed drawings, three 11" x 17" sets of the conformed drawings, and three sets of conformed and signed specifications to the Contractor.
- 3.1.11 ENGINEER will provide two 22" x 34" sets of the conformed drawings, three 11" x 17" sets of the conformed drawings, and three sets of the conformed and signed specifications to the OWNER.
- 3.1.12 **Deliverables:**
 - 3.1.12.1 Pre-Bid Conference Agenda
 - 3.1.12.2 Pre-Bid Conference Summary
 - 3.1.12.3 Addenda
 - 3.1.12.4 Bid Tabulation
 - 3.1.12.5 Award Recommendation Letter
 - 3.1.12.6 Conformed Drawings and Specifications to Contractor and OWNER
- 3.2 **Schedule:** From Bid Advertisement, the duration to complete the bidding phase services through the award to the contractor is 90 calendar days.

4.0 Engineering Services During Construction

- 4.1 ENGINEER will provide office support services during the construction phase of the Project. By performing these services, ENGINEER shall not have authority or responsibility to supervise, direct, or control the Contractor's work or the Contractor's means, methods, techniques, sequences, or procedures of construction. ENGINEER shall not have authority or responsibility for safety precautions and programs incident to the Contractor's work or for any failure of the Contractor to comply with laws, regulations, rules, ordinances, codes, or orders applicable to the Contractor furnishing and performing the work. This scope is based on one construction contract for the 18-Inch MLK-Randolph Distribution Main Replacement Project.
- 4.2 It is the expectation that the OWNER will provide full-time resident field inspection.
- 4.3 Upon successful completion of the Bidding Phase and upon written authorization from OWNER, ENGINEER shall provide the following:
 - 4.3.1 *Pre-Construction Conference* - Participate in a Pre-Construction Conference prior to commencement of Work. Provide a written summary of the meeting to all attendees. The Pre-Construction Conference will include a discussion of the Contractor's tentative schedules, lines of communication, procedures for transmittal and review of the Contractor's submittals, processing payment applications, critical work sequencing, change orders, record documents and the Contractor's responsibilities for safety and first aid.
 - 4.3.2 *Visits to Site and Observation of Construction* - Visit the Project site and Observe construction. In connection with observations of Contractor's work in progress while it is in progress:

- 4.3.2.1 Make visits to the Site at intervals appropriate to the various stages of construction and at OWNER's request (approximately six (6) days of construction observation for the duration of the construction), in order to observe as an experienced and qualified design professional the progress and quality of the Work. Such visits and observations by ENGINEER are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress or to involve detailed inspections of Contractor's work in progress beyond the responsibilities specifically assigned to ENGINEER in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on ENGINEER's exercise of professional judgment as assisted by the OWNER's Resident Project Representative. Based on information obtained during such visits and such observations, ENGINEER will determine in general if Contractor's work is proceeding in accordance with the Contract Documents, and ENGINEER shall keep OWNER informed of the progress of the Work.
- 4.3.2.2 The purpose of ENGINEER's visits to, and representation by the OWNER's Resident Project Representative at the Site, will be to enable ENGINEER to better carry out the duties and responsibilities assigned to and undertaken by ENGINEER during the Construction Phase, and, in addition, by the exercise of ENGINEER's efforts as an experienced and qualified design professional, to provide for OWNER a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. ENGINEER shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, or for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

- 4.3.3 *Clarifications and Interpretations; Field Orders* - Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of, and reasonably inferable from, the Contract Documents. Up to twenty (20) requests for information (RFIs) from the Contractor are anticipated for the Project. A RFI log will be kept. If the RFI log surpasses 20, a contract amendment will be required. If the RFI log surpasses

20, it is anticipated each additional RFI will consume 5 hours for project engineer time, 1 hour for project manager, 1.75 hours for designer, and 1 hour for administrative.

- 4.3.4 *Change Orders and Work Change Directives - Recommend* Change Orders and Work Change Directives to OWNER, as appropriate, and prepare Change Orders and Work Change Directives as required.
- 4.3.5 *Shop Drawings and Samples - Review* and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. ENGINEER has an obligation to meet the Contractor's submittal schedule that has earlier been acceptable to ENGINEER.
- 4.3.6 *Inspections and Tests - Require* such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. ENGINEER's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. ENGINEER shall be entitled to rely on the results of such tests.
- 4.3.7 *Substantial Completion - Promptly* after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with OWNER and Contractor, conduct an inspection to determine if the Work is Substantially Complete, prepare a list of the items to be completed or corrected before final completion of the project (punch list), and submit a summary of the review to the OWNER and the Contractor.
- 4.3.8 *Final Notice of Acceptability of the Work - Conduct* a final inspection to determine if the completed Work of Contractor is acceptable so that ENGINEER may recommend, in writing, final payment to Contractor.
- 4.3.9 *Progress Meetings – When requested* by OWNER or Contractor, attend up to six (6) construction meetings between ENGINEER, OWNER, and Contractor. Provide written summary of each meeting to attendees.
- 4.3.10 *Duration of Construction Phase - The Construction Phase* will commence with the execution of the first Construction Agreement for the Project or any part thereof and will terminate upon written recommendation by ENGINEER for final payment to Contractors.

4.3.11 *Limitation of Responsibilities* - ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing any of the Work. ENGINEER shall not be responsible for failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.

4.3.12 *Post Construction* - Prepare a set of reproducible record drawings showing record information which is considered significant based on the as-built drawings, shop drawings, and other record documents furnished by the Contractor which were annotated by the Contractor to show changes made during construction. Provide one reproducible full-size drawing set, three half-size drawings sets, and one electronic copy (both Autodesk Civil 3D and Adobe® PDF format) to OWNER.

4.4 **Schedule:** From Notice to Proceed to the contractor, the duration to complete the construction phase services is 360 calendar days.

5.0 Subconsultant Services

5.1 Subconsultant services for the Project are as follows:

5.1.1 *Surveying* - Perform and provide a detailed topographic survey, obtain field information needed for design, and establish horizontal and vertical survey control of the Preferred Route.

5.1.2 *Geotechnical Investigations* – Provide geotechnical investigations as directed by the engineering along the pipeline route and provide report with findings and recommendations.

5.1.3 *Subsurface Utility Engineering* - Provide services to determine location and depth of utilities within corridor of preferred route alignment.

5.1.4 *Material Testing Services* - Provide on-call services to the OWNER for material testing.

6.0 Project Management Services

6.1 Develop project guide, project schedule, and detailed work plan, and distribute to City and Project Team.

6.2 ENGINEER will provide project management duties throughout all phases of the Project as described in the following:

6.2.1 *Project Administration* – Provide monthly accounting/invoice preparation and review, subconsultant management, project guide, progress tracking, filing,

mailing, copying, updates to OWNER, participate in routine internal progress meetings, and maintain an issues log.

6.2.2 Project Control – Project management, telephone correspondence, cost, schedules, and document control.

6.2.3 Progress Monitoring – ENGINEER's administrative and management personnel will review this project to monitor project progress.

6.3 Schedule: From Notice to Proceed to the ENGINEER for this Project, the duration to complete the Project Management Services is 750 calendar days.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ron Lewis, Facilities Maintenance Manager, Facilities Maintenance, 325-481-2773

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider approving a sole source agreement with Trane U.S. Inc. in the amount of \$69,990 and authorizing the City Manager to negotiate and execute all related documents for replacement equipment, controls, and updated software for the HVAC system (Ron Lewis)

Summary/History:

The Trane HVAC equipment and control system were installed during the Renovation Project of City Hall and the Community Development Building between 2010 and 2012. All air handlers and fan coil units are still operating properly. The control system and software communicate directly with each of 13 air handlers and over 80 fan coil units. An additional 9 air handlers and 38 fan coil units and controls were installed for the Auditorium renovation in 2015-2016. Several of the control devices have reached end of life for both replacement parts and software support. Therefore, we are requesting approval of funds that have been included in the most recent CIP Program in advance in order that we might get equipment ordered and received and replacement / installation scheduled prior to failure of our current equipment.

Financial Impact:

These replacement parts, new control equipment and software upgrades include all associated labor in the amount of \$69,990 and are all proprietary and compatible with the existing Trane equipment and control system.

Other Information/Recommendation:

Attachments:

1. City of San Angelo BAS Upgrade Proposal 06282021 City of San Angelo BAS Upgrade Proposal 06282021.pdf

Presentation:

Ron Lewis

Approvals/Reviews:

Ron Lewis
Theresa James
Jeff Tomlinson
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval



WE MAKE BUILDINGS WORK BETTER FOR LIFE.™



Trane U.S. Inc. dba Trane
4200 North Sylvania Ave
Fort Worth, TX 76137

June 28, 2021

Project Name: City of San Angelo BAS Upgrade

Executive Summary:

The existing Building Automation System at City of San Angelo consist of three Building Control Unit (BCU) controller, one Tracer SC, and Tracer ES Enterprise Interface. Trane proposes upgrading the existing BCU with a Tracer SC+ Controller and the Tracer ES to Tracer Ensemble.

The BCU is obsolete with only replacement parts available and the price of these parts continues to increase. At some point, these parts will not be available. By replacing the BCU with a Tracer SC+ Controller, this will reduce risk and downtime if the BCU or Summit Workstation were to fail.

The following information is a scope of service that follows Trane’s recommendations above. Thank you for being a valued partner and client of Trane Company and we look forward to taking care of you!

Scope of Service

- 1. At the beginning of project commencement, Trane will provide a system checkout and diagnostics testing of the Trane controls system to check the integrity and operability of the system. Any deficiencies will be reported to the City of San Angelo staff prior to resuming the controls upgrade.
- 2. Tracer ES conversion to Tracer Ensemble
 - a. Install Tracer Ensemble on City of San Angelo provided virtual server
 - b. Reuse existing Tracer ES licensing and programming
 - c. Update Tracer ES software to Tracer Ensemble
- 3. Replace BCU with Tracer SC+ Controllers
 - a. Backup existing Summit database
 - b. Replace the (3) BCU with (3) Tracer SC+ Controllers with Lon Modules. This will allow communication with existing Lontalk devices.
 - c. Reuse the existing enclosures for the Tracer SC+ Controller
 - d. Convert existing CPL programming in the existing BCU and convert to TGP2 into the new Tracer SC+ Controller
- 4. Update existing Tracer SC Controller to Tracer SC+ Controller.
- 5. Create web-based graphical interface for (3) newly installed Tracer SC+ Controllers and (1) existing Tracer SC Controller on Tracer Ensemble server.
- 6. Commission newly installed control system.
- 7. Trane will update as built drawings to reflect the changes and modifications to the network and control panel.
- 8. This includes all project management and includes 8 hours on-site owner training for City of San Angelo staff.

PRICING \$ 69,990.00 USD

Clarifications:

- 1. Applicable taxes are not included and will be added to the invoice. If tax exemption certificates are provided, taxes will not be included.
- 2. Any service not listed is not included.
- 3. This proposal does not include repair to any deficiencies found that were deficient prior to beginning this upgrade and not caused by Trane during the upgrade.
- 4. Work will be performed during normal Trane business hours unless otherwise noted.
- 5. This proposal is valid for 30 days from proposal date.

I appreciate the opportunity to earn your business, and look forward to helping you with all of your service needs. Please contact me if you have any questions or concerns.

Sincerely,

Geoff VanHook – Account Manager
Rusty Reeves – Account Manager

This agreement is subject to Customer’s acceptance of the attached Trane Terms and Conditions – Quoted Service.

CUSTOMER ACCEPTANCE

Authorized Representative

Printed Name
Title _____
Purchase Order _____
Acceptance Date _____
Trane License Number:

TERMS AND CONDITIONS – COMMERCIAL INSTALLATION

“Company” shall mean Trane Canada ULC for Work performed in Canada, and Trane U.S. Inc. for Work performed in the United States.

1. Acceptance; Agreement. These terms and conditions are an integral part of Company's offer and form the basis of any agreement (the “Agreement”) resulting from Company's proposal (the “Proposal”) for the commercial goods and/or services described (the “Work”). **COMPANY'S TERMS AND CONDITIONS ARE SUBJECT TO PERIODIC CHANGE OR AMENDMENT.** The Proposal is subject to acceptance in writing by the party to whom this offer is made or an authorized agent (“Customer”) delivered to Company within 30 days from the date of the Proposal. If Customer accepts the Proposal by placing an order, without the addition of any other terms and conditions of sale or any other modification, Customer's order shall be deemed acceptance of the Proposal subject to Company's terms and conditions. If Customer's order is expressly conditioned upon Company's acceptance or assent to terms and/or conditions other than those expressed herein, return of such order by Company with Company's terms and conditions attached or referenced serves as Company's notice of objection to Customer's terms and as Company's counter-offer to provide Work in accordance with the Proposal and the Company terms and conditions. If Customer does not reject or object in writing to Company within 10 days, Company's counter-offer will be deemed accepted. Customer's acceptance of the Work by Company will in any event constitute an acceptance by Customer of Company's terms and conditions. This Agreement is subject to credit approval by Company. Upon disapproval of credit, Company may delay or suspend performance or, at its option, renegotiate prices and/or terms and conditions with Customer. If Company and Customer are unable to agree on such revisions, this Agreement shall be cancelled without any liability, other than Customer's obligation to pay for Work rendered by Company to the date of cancellation.

2. Pricing and Taxes. Unless otherwise noted, the price in the Proposal includes standard ground transportation and, if required by law, all sales, consumer, use and similar taxes legally enacted as of the date hereof for equipment and material installed by Company. Tax exemption is contingent upon Customer furnishing appropriate certificates evidencing Customer's tax exempt status. Company shall charge Customer additional costs for bonds agreed to be provided. Equipment sold on an uninstalled basis and any taxable labor/labour do not include sales tax and taxes will be added. Following acceptance without addition of any other terms and condition of sale or any other modification by Customer, the prices stated are firm provided that notification of release for immediate production and shipment is received at the factory not later than 3 months from order receipt. If such release is received later than 3 months from order receipt date, prices will be increased a straight 1% (not compounded) for each one-month period (or part thereof) beyond the 3 month firm price period up to the date of receipt of such release. If such release is not received within 6 months after date of order receipt, the prices are subject to renegotiation, or at Company's option, the order will be cancelled. Any delay in shipment caused by Customer's actions will subject prices to increase equal to the percentage increase in list prices during that period of delay and Company may charge Customer with incurred storage fees.

3. Exclusions from Work. Company's obligation is limited to the Work as defined and does not include any modifications to the Work site under the Americans With Disabilities Act or any other law or building code(s). In no event shall Company be required to perform work Company reasonably believes is outside of the defined Work without a written change order signed by Customer and Company.

4. Performance. Company shall perform the Work in accordance with industry standards generally applicable in the area under similar circumstances as of the time Company performs the Work. Company may refuse to perform any Work where working conditions could endanger property or put at risk the safety of persons. Unless otherwise agreed to by Customer and Company, at Customer's expense and before the Work begins, Customer will provide any necessary access platforms, catwalks to safely perform the Work in compliance with OSHA or state industrial safety regulations.

5. Payment. Customer shall pay Company's invoices within net 30 days of invoice date. Company may invoice Customer for all equipment or material furnished, whether delivered to the installation site or to an off-site storage facility and for all Work performed on-site or off-site. No retention shall be withheld from any payments except as expressly agreed in writing by Company, in which case retention shall be reduced per the contract documents and released no later than the date of substantial completion. Under no circumstances shall any retention be withheld for the equipment portion of the order. If payment is not received as required, Company may suspend performance and the time for completion shall be extended for a reasonable period of time not less than the period of suspension. Customer shall be liable to Company for all reasonable shutdown, standby and start-up costs as a result of the suspension. Company reserves the right to add to any account outstanding for more than 30 days a service charge equal to 1.5% of the principal amount due at the end of each month. Customer shall pay all costs (including attorneys' fees) incurred by Company in attempting to collect amounts due and otherwise enforcing these terms and conditions. If requested, Company will provide appropriate lien waivers upon receipt of payment. Customer agrees that, unless Customer makes payment in advance, Company will have a purchase money security interest in all equipment from Company to secure payment in full of all amounts due Company and its order for the equipment, together with these terms and conditions, form a security agreement. Customer shall keep the equipment free of all taxes and encumbrances, shall not remove the equipment from its original installation point and shall not assign or transfer any interest in the equipment until all payments due Company have been made.

6. Time for Completion. Except to the extent otherwise expressly agreed in writing signed by an authorized representative of Company, all dates provided by Company or its representatives for commencement, progress or completion are estimates only. While Company shall use commercially reasonable efforts to meet such estimated dates, Company shall not be responsible for any damages for its failure to do so.

7. Access. Company and its subcontractors shall be provided access to the Work site during regular business hours, or such other hours as may be requested by Company and acceptable to the Work site' owner or tenant for the performance of the Work, including sufficient areas for staging, mobilization, and storage. Company's access to correct any emergency condition shall not be restricted. Customer grants to Company the right to remotely connect (via phone modem, internet or other agreed upon means) to Customer's building automation system (BAS) and or HVAC equipment to view, extract, or otherwise collect and retain data from the BAS, HVAC equipment, or other building systems, and to diagnose and remotely make repairs at Customer's request.

8. Completion. Notwithstanding any other term or condition herein, when Company informs Customer that the Work has been completed, Customer shall inspect the Work in the presence of Company's representative, and Customer shall either (a) accept the Work in its entirety in writing, or (b) accept the Work in part and specifically identify, in writing, any exception items. Customer agrees to re-inspect any and all excepted items as soon as Company informs Customer that all such excepted items have been completed. The initial acceptance inspection shall take place within ten (10) days from the date when Company informs Customer that the Work has been completed. Any subsequent re-inspection of excepted items shall take place within five (5) days from the date when Company informs Customer that the excepted items have been completed. Customer's failure to cooperate and complete any of said inspections within the required time limits shall constitute complete acceptance of the Work as of ten (10) days from date when Company informs Customer that the Work, or the excepted items, if applicable, has/have been completed.

9. Permits and Governmental Fees. Company shall secure (with Customer's assistance) and pay for building and other permits and governmental fees, licenses, and inspections necessary for proper performance and completion of the Work which are legally required when bids from Company's subcontractors are received, negotiations thereon concluded, or the effective date of a relevant Change Order, whichever is later. Customer is responsible for necessary approvals, easements, assessments and charges for construction, use or occupancy of permanent structures or for permanent changes to existing facilities. If the cost of such permits, fees, licenses and inspections are not included in the Proposal, Company will invoice Customer for such costs.

10. Utilities During Construction. Customer shall provide without charge to Company all water, heat, and utilities required for performance of the Work.

11. Concealed or Unknown Conditions. In the performance of the Work, if Company encounters conditions at the Work site that are (i) subsurface or otherwise concealed physical conditions that differ materially from those indicated on drawings expressly incorporated herein or (ii) unknown physical conditions of an unusual nature that differ materially from those conditions ordinarily found to exist and generally recognized as inherent in construction activities of the type and character as the Work, Company shall notify Customer of such conditions promptly, prior to significantly disturbing same. If such conditions differ materially and cause an increase in Company's cost of, or time required for, performance of any part of the Work, Company shall be entitled to, and Customer shall consent by Change Order to, an equitable adjustment in the Contract Price, contract time, or both.

12. Pre-Existing Conditions. Company is not liable for any claims, damages, losses, or expenses, arising from or related to conditions that existed in, on, or upon the Work site before the Commencement Date of this Agreement (“Pre-Existing Conditions”), including, without limitation, damages, losses, or expenses involving Pre-Existing Conditions of building envelope issues, mechanical issues, plumbing issues, and/or indoor air quality issues involving mold/mould and/or fungi. Company also is not liable for any claims, damages, losses, or expenses, arising from or related to work done by or services provided by individuals or entities that are not employed by or hired by Company.

13. Asbestos and Hazardous Materials. Company's Work and other services in connection with this Agreement expressly excludes any identification, abatement, cleanup, control, disposal, removal or other work connected with asbestos, polychlorinated biphenyl (“PCB”), or other hazardous materials (hereinafter, collectively, “Hazardous Materials”). Customer warrants and represents that, except as set forth in a writing signed by Company, there are no Hazardous Materials on the Work site that will in any way affect Company's Work and Customer has disclosed to Company the existence and location of any Hazardous Materials in all areas within which Company will be performing the Work. Should Company become aware of or suspect the presence of Hazardous Materials, Company may immediately stop work in the affected area and shall notify Customer. Customer will be exclusively responsible for taking any and all action necessary to correct the condition in accordance with all applicable laws and regulations. Customer shall be exclusively responsible for and, to the fullest extent permitted by law, shall indemnify and hold harmless Company (including its employees, agents and subcontractors) from and against any loss, claim, liability, fees, penalties, injury (including death) or liability of any nature, and the payment thereof arising out of or relating to any Hazardous Materials on or about the Work site, not brought onto

the Work site by Company. Company shall be required to resume performance of the Work in the affected area only in the absence of Hazardous Materials or when the affected area has been rendered harmless. In no event shall Company be obligated to transport or handle Hazardous Materials, provide any notices to any governmental agency, or examine the Work site for the presence of Hazardous Materials.

14. Force Majeure. Company's duty to perform under this Agreement is contingent upon the non-occurrence of an Event of Force Majeure. If Company shall be unable to carry out any material obligation under this Agreement due to an Event of Force Majeure, this Agreement shall at Company's election (i) remain in effect but Company's obligations shall be suspended until the uncontrollable event terminates or (ii) be terminated upon 10 days notice to Customer, in which event Customer shall pay Company for all parts of the Work furnished to the date of termination. An "Event of Force Majeure" shall mean any cause or event beyond the control of Company. Without limiting the foregoing, "Event of Force Majeure" includes: acts of God; acts of terrorism, war or the public enemy; flood; earthquake; tornado; storm; fire; civil disobedience; pandemic insurrections; riots; labor/labour disputes; labor/labour or material shortages; sabotage; restraint by court order or public authority (whether valid or invalid), and action or non-action by or inability to obtain or keep in force the necessary governmental authorizations, permits, licenses, certificates or approvals if not caused by Company; and the requirements of any applicable government in any manner that diverts either the material or the finished product to the direct or indirect benefit of the government.

15. Customer's Breach. Each of the following events or conditions shall constitute a breach by Customer and shall give Company the right, without an election of remedies, to terminate this Agreement or suspend performance by delivery of written notice: (1) Any failure by Customer to pay amounts when due; or (2) any general assignment by Customer for the benefit of its creditors, or if Customer becomes bankrupt or insolvent or takes the benefit of any statute for bankrupt or insolvent debtors, or makes or proposes to make any proposal or arrangement with creditors, or if any steps are taken for the winding up or other termination of Customer or the liquidation of its assets, or if a trustee, receiver, or similar person is appointed over any of the assets or interests of Customer; (3) Any representation or warranty furnished by Customer in this Agreement is false or misleading in any material respect when made; or (4) Any failure by Customer to perform or comply with any material provision of this Agreement. Customer shall be liable to Company for all Work furnished to date and all damages sustained by Company (including lost profit and overhead)

16. Indemnity. To the fullest extent permitted by law, Company and Customer shall indemnify, defend and hold harmless each other from any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, resulting from death or bodily injury or damage to real or tangible personal property, to the extent caused by the negligence or misconduct of their respective employees or other authorized agents in connection with their activities within the scope of this Agreement. Neither party shall indemnify the other against claims, damages, expenses or liabilities to the extent attributable to the acts or omissions of the other party. If the parties are both at fault, the obligation to indemnify shall be proportional to their relative fault. The duty to indemnify will continue in full force and effect, notwithstanding the expiration or early termination hereof, with respect to any claims based on facts or conditions that occurred prior to expiration or termination.

17. Limitation of Liability. NOTWITHSTANDING ANYTHING TO THE CONTRARY, IN NO EVENT SHALL COMPANY BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT CONSEQUENTIAL, OR PUNITIVE OR EXEMPLARY DAMAGES (INCLUDING WITHOUT LIMITATION BUSINESS INTERRUPTION, LOST DATA, LOST REVENUE, LOST PROFITS, LOST DOLLAR SAVINGS, OR LOST ENERGY USE SAVINGS, EVEN IF A PARTY HAS BEEN ADVISED OF SUCH POSSIBLE DAMAGES OR IF SAME WERE REASONABLY FORESEEABLE AND REGARDLESS OF WHETHER THE CAUSE OF ACTION IS FRAMED IN CONTRACT, NEGLIGENCE, ANY OTHER TORT, WARRANTY, STRICT LIABILITY, OR PRODUCT LIABILITY). In no event will Company's liability in connection with the provision of products or services or otherwise under this Agreement exceed the entire amount paid to Company by Customer under this Agreement.

18. Patent Indemnity. Company shall protect and indemnify Customer from and against all claims, damages, judgments and loss arising from infringement or alleged infringement of any United States patent by any of the goods manufactured by Company and delivered hereunder, provided that in the event of suit or threat of suit for patent infringement, Company shall promptly be notified and given full opportunity to negotiate a settlement. Company does not warrant against infringement by reason of Customer's design of the articles or the use thereof in combination with other materials or in the operation of any process. In the event of litigation, Customer agrees to reasonably cooperate with Company. In connection with any proceeding under the provisions of this Section, all parties concerned shall be entitled to be represented by counsel at their own expense.

19. Limited Warranty. Company warrants for a period of 12 months from the date of substantial completion ("Warranty Period") commercial equipment manufactured and installed by Company against failure due to defects in material and manufacture and that the labor/labour furnished is warranted to have been properly performed (the "Limited Warranty"). Trane equipment sold on an uninstalled basis is warranted in accordance with Company's standard warranty for supplied equipment. **Product manufactured by Company that includes required startup and is sold in North America will not be warranted by Company unless Company performs the product start-up.** Substantial completion shall be the earlier of the date that the Work is sufficiently complete so that the Work can be utilized for its intended use or the date that Customer receives beneficial use of the Work. If such defect is discovered within the Warranty Period, Company will correct the defect or furnish replacement equipment (or, at its option, parts therefor) and, if said equipment was installed pursuant hereto, labor/labour associated with the replacement of parts or equipment not conforming to this Limited Warranty. Defects must be reported to Company within the Warranty Period. Exclusions from this Limited Warranty include damage or failure arising from: wear and tear; corrosion, erosion, deterioration; Customer's failure to follow the Company-provided maintenance plan; refrigerant not supplied by Trane; and modifications made by others to Company's equipment. Company shall not be obligated to pay for the cost of lost refrigerant. Notwithstanding the foregoing, all warranties provided herein terminate upon termination or cancellation of this Agreement. No warranty liability whatsoever shall attach to Company until the Work has been paid for in full and then said liability shall be limited to the lesser of Company's cost to correct the defective Work and/or the purchase price of the equipment shown to be defective. Equipment, material and/or parts that are not manufactured by Company are not warranted by Company and have such warranties as may be extended by the respective manufacturer. **THE WARRANTY AND LIABILITY SET FORTH IN THIS AGREEMENT ARE IN LIEU OF ALL OTHER WARRANTIES AND LIABILITIES, WHETHER IN CONTRACT OR IN NEGLIGENCE, EXPRESS OR IMPLIED, IN LAW OR IN FACT, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND/OR OTHERS ARISING FROM COURSE OF DEALING OR TRADE. COMPANY MAKES NO REPRESENTATION OR WARRANTY EXPRESS OR IMPLIED REGARDING PREVENTION BY THE WORK, OR ANY COMPONENT THEREOF, OF MOLD/MOULD, FUNGUS, BACTERIA, MICROBIAL GROWTH, OR ANY OTHER CONTAMINATES. COMPANY SPECIFICALLY DISCLAIMS ANY LIABILITY IF THE WORK OR ANY COMPONENT THEREOF IS USED TO PREVENT OR INHIBIT THE GROWTH OF SUCH MATERIALS.**

20. Insurance. Company agrees to maintain the following insurance while the Work is being performed with limits not less than shown below and will, upon request from Customer, provide a Certificate of evidencing the following coverage:

Commercial General Liability	\$2,000,000 per occurrence
Automobile Liability	\$2,000,000 CSL
Workers Compensation	Statutory Limits

If Customer has requested to be named as an additional insured under Company's insurance policy, Company will do so but only subject to Company's manuscript additional insured endorsement under its primary Commercial General Liability policies. In no event does Company waive its right of subrogation.

21. Commencement of Statutory Limitation Period. Except as to warranty claims, as may be applicable, any applicable statutes of limitation for acts or failures to act shall commence to run, and any alleged cause of action stemming therefrom shall be deemed to have accrued, in any and all events not later than the last date that Company or its subcontractors physically performed work on the project site.

22. General. Except as provided below, to the maximum extent provided by law, this Agreement is made and shall be interpreted and enforced in accordance with the laws of the state or province in which the Work is performed, without regard to choice of law principles which might otherwise call for the application of a different state's or province's law. Any dispute arising under or relating to this Agreement that is not disposed of by agreement shall be decided by litigation in a court of competent jurisdiction located in the state or province in which the Work is performed. Any action or suit arising out of or related to this Agreement must be commenced within one year after the cause of action has accrued. To the extent the Work site is owned and/or operated by any agency of the Federal Government, determination of any substantive issue of law shall be according to the Federal common law of Government contracts as enunciated and applied by Federal judicial bodies and boards of contract appeals of the Federal Government. This Agreement contains all of the agreements, representations and understandings of the parties and supersedes all previous understandings, commitments or agreements, oral or written, related to the subject matter hereof. This Agreement may not be amended, modified or terminated except by a writing signed by the parties hereto. No documents shall be incorporated herein by reference except to the extent Company is a signatory thereon. If any term or condition of this Agreement is invalid, illegal or incapable of being enforced by any rule of law, all other terms and conditions of this Agreement will nevertheless remain in full force and effect as long as the economic or legal substance of the transaction contemplated hereby is not affected in a manner adverse to any party hereto. Customer may not assign, transfer, or convey this Agreement, or any part hereof, or its right, title or interest herein, without the written consent of the Company. Subject to the foregoing, this Agreement shall be binding upon and inure to the benefit of Customer's permitted successors and assigns. This Agreement may be executed in several counterparts, each of which when executed shall be deemed to be an original, but all together shall constitute but one and the same Agreement. A fully executed facsimile copy hereof or the several counterparts shall suffice as an original.

23. Equal Employment Opportunity/Affirmative Action Clause. Company is a federal contractor that complies fully with Executive Order 11246, as amended, and the applicable regulations contained in 41 C.F.R. Parts 60-1 through 60-60, 29 U.S.C. Section 793 and the applicable regulations contained in 41 C.F.R. Part 60-741; and 38 U.S.C. Section 4212 and the applicable regulations contained in 41 C.F.R. Part 60-250 Executive Order 13496 and Section 29 CFR 471, appendix A to subpart A, regarding the notice of employee rights in the United States and with Canadian Charter of Rights and Freedoms Schedule B to the Canada Act 1982 (U.K.) 1982, c. 11 and applicable Provincial Human Rights Codes and employment law in Canada.

24. U.S. Government Work.

The following provision applies only to direct sales by Company to the US Government. The Parties acknowledge that all items or services ordered and delivered under this Agreement are Commercial Items as defined under Part 12 of the Federal Acquisition Regulation (FAR). In particular, Company agrees to be bound only by those Federal contracting clauses that apply to "commercial" suppliers and that are contained in FAR 52.212-5(e)(1). Company complies with 52.219-8 or 52.219-9 in its service and installation contracting business.

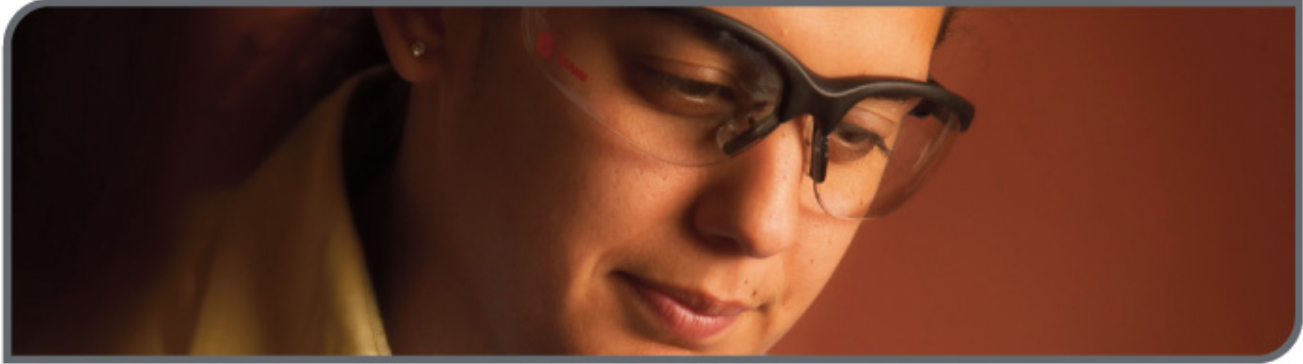
The following provision applies only to indirect sales by Company to the US Government. As a Commercial Item Subcontractor, Company accepts only the following mandatory flow down provisions: 52.219-8; 52.222-26; 52.222-35; 52.222-36; 52.222-39; 52.247-64. If the Work is in connection with a U.S. Government contract, Customer certifies that it has provided and will provide current, accurate, and complete information, representations and certifications to all government officials, including but not limited to the contracting officer and officials of the Small Business Administration, on all matters related to the prime contract, including but not limited to all aspects of its ownership, eligibility, and performance. Anything herein notwithstanding, Company will have no obligations to Customer unless and until Customer provides Company with a true, correct and complete executed copy of the prime contract. Upon request, Customer will provide copies to Company of all requested written communications with any government official related to the prime contract prior to or concurrent with the execution thereof, including but not limited to any communications related to Customer's ownership, eligibility or performance of the prime contract. Customer will obtain written authorization and approval from Company prior to providing any government official any information about Company's performance of the work that is the subject of the Proposal or this Agreement, other than the Proposal or this Agreement.

25. Limited Waiver of Sovereign Immunity. If Customer is an Indian tribe (in the U.S.) or a First Nation or Band Council (in Canada), Customer, whether acting in its capacity as a government, governmental entity, a duly organized corporate entity or otherwise, for itself and for its agents, successors, and assigns: (1) hereby provides this limited waiver of its sovereign immunity as to any damages, claims, lawsuit, or cause of action (herein "Action") brought against Customer by Company and arising or alleged to arise out of the furnishing by Company of any product or service under this Agreement, whether such Action is based in contract, tort, strict liability, civil liability or any other legal theory; (2) agrees that jurisdiction and venue for any such Action shall be proper and valid (a) if Customer is in the U.S., in any state or United States court located in the state in which Company is performing this Agreement or (b) if Customer is in Canada, in the superior court of the province or territory in which the work was performed; (3) expressly consents to such Action, and waives any objection to jurisdiction or venue; (4) waives any requirement of exhaustion of tribal court or administrative remedies for any Action arising out of or related to this Agreement; and (5) expressly acknowledges and agrees that Company is not subject to the jurisdiction of Customer's tribal court or any similar tribal forum, that Customer will not bring any action against Company in tribal court, and that Customer will not avail itself of any ruling or direction of the tribal court permitting or directing it to suspend its payment or other obligations under this Agreement. The individual signing on behalf of Customer warrants and represents that such individual is duly authorized to provide this waiver and enter into this Agreement and that this Agreement constitutes the valid and legally binding obligation of Customer, enforceable in accordance with its terms.

1-26.251-10(0315)
Supersedes 1-26.251-10(0614)



Safety



Trane's Safety Standard

Trane is committed to providing a safe work environment for all employees and to preventing accidents in its business operations. To accomplish our objectives Trane has instituted safety programs, procedures and training that incorporate a progressive approach to injury prevention.

Proven Safety Success

Trane's safety culture in North America is unparalleled in the building services industry and has demonstrated proven results via continuous reduction of injury rates.

Trane Injury Rates v. Industry Competitors

Since 2003 the US Bureau of Labor Statistics records reflect Trane's Total Recordable Rate (TRIR) and Days away from work (DAFW) rate have been significantly lower than HVAC repair and maintenance contractors and Specialty Trade contractors (construction). Trane's safety culture in America is unparalleled in the building services industry and has demonstrated proven results via continuous reduction of injury rates.

Trane's incident (OSHA) rates are consistently 50-70% below the industry average. This outstanding safety achievement is the end result of the rigorous team oriented approach to our safety program that creates accountability and empowerment in all employees and management and fuels our institutional safety culture. This is the key to our continual improvement.

Safety Tools, Training & Expertise

Trane's service and contracting technicians are not only among the most skilled in the industry they are also extensively trained in safe work procedures. Our technicians receive safety training, equipment, tools, procedures, and management support to identify jobsite hazards and take appropriate measures to prevent personal injuries. The resources available to Trane technicians include:

- Safety Training – 20 hrs per year, including classroom and web-based platforms.
 - Topics include, but are not limited to, Lockout/Tagout, Confined Space Entry, Hazard Communication, Respiratory Protection, Hearing Conservation, Excavations, Scaffolding, Rigging, Powered Industrial Truck operation, Ladders, Vehicle Safety, Fire Protection, PPE, Emergency Response, First Aid / CPR.
- Electrical Safety – NFPA 70E compliant – electrical PPE; flame-resistant clothing; training.
- Fall Protection – full complement of fall arrest and fall restraint equipment for each technician.
- Ergonomics – custom-designed for HVAC field technicians, includes training, material handling equipment and procedures.





Safety Tools, Training & Expertise (continued)

- Smith System Safe Driving Program – Trane's safety Managers are certified instructors; safety Managers train technicians; 1-800 "How's My Driving?" stickers are located on the back of service vehicles.
- USDOT compliance – technicians scheduled within Material of Trade and Hours of Service limits and are fully qualified under Department of Transportation rules for driving commercial motor vehicles with GVWR >10,000 and 26,000 lbs.
- Refrigerant Management – Service technicians are trained to manage refrigerant in accordance with U.S. EPA rules using a sophisticated electronic tracking system developed by Trane.
- Empowerment - Technicians are empowered with full management support to address safety hazards as they see fit. If ever in doubt about how to do a job or task safely, the technician is required to ask a qualified person for assistance before proceeding with work.

Management Leadership and Commitment

Accident prevention is a primary responsibility of management at Trane. Trane's safety culture is based on the following management principles:

- Leadership at the local level manages the local organization's safety performance.
- Management is financially accountable for safety performance.
- Local management is actively engaged in risk reduction activities and training and manages safety performance outcomes.
- Management clearly communicates to all Trane employees their safety expectations and strongly enforces compliance with those expectations.
- Employees are held accountable when they fail to meet safety expectations.

Local management and supervisory personnel at the local level are responsible for implementation of the following safety program elements:

- The Safety Management System developed by Trane – developed in accordance with OHSAS 18001.
- Audits and Inspections – Supervisors, Middle and Upper Managers must conduct field inspections. Corporate Safety conducts detailed compliance and management systems audits.
- Company safety compliance programs – ensure that they are fully implemented.
- Safety and environmental performance – tracked using a Balanced Scorecard with leading and lagging indicators and metrics.
- Subcontractor Qualification – implement this process to promote safety and safety plan compliance on multi-employer job sites.
- Six Sigma and Lean – use these productivity tools to enhance safety on job sites.
- Drug and Alcohol Policy – mandatory DOT required for-cause and post-accident testing after recordable injuries and property damage.
- Motor Vehicle Records Search – annual checking of driving records of employees driving company vehicles.

Jobsite Safety Equals Customer Value

At Trane safety is part of our culture for every employee. What this means to our customers is fewer job site accidents and the delays and liability concerns that come along with them. What this means to our staff is greater confidence in the practices and procedures they use on the job and the pride that comes from working for one of the premier service organizations in the world. Tighter safety standards and fewer accidents can also lead to better on-time project completion and higher quality results.

When you use Trane Building Services to install, maintain or upgrade your building systems you will take full advantage of our superior safety program, low incident rates and subcontractor safety management procedures. These help you manage project risk more effectively than you could using multiple contractors or even a single prime contractor with a less impressive safety record.



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider a resolution providing in-kind support for the All Veteran's Council request for an agreement with the City to waive fees for the annual Veteran's Day Parade in 2021 and the two following years of Chief Carter's term of office (Carl White)

Summary/History:

Council discussed at June 15, 2021 meeting approving parades through Chief Carter's current term, through the November 2023 parade.

Financial Impact:

The estimated non-monetary value based on the 2020 parade route is estimated at \$3,385 based on the following:

Permit fee: \$35.00

Barricade fees: \$550.00

Police officer fees: \$2,800.00 (25 officers)

*Labor, overtime, and other fees would likely escalate over 10 years and the number of required police staff would likely increase with more participants. The expenses above are based on the existing parade route and the corresponding number of barricades and officers required.

Refundable deposits would also normally be required and the value of those deposits is \$600.00

A Certificate of Insurance (COI) is still required and must be acquired before the parade. The COI is not a fee, rather it protects the City, Veterans' organization, as well as participants and spectators. This is a hard cost and difficult to estimate.

Staff recommends that the Veterans' organization secure the COI for the parade at their expense.

Other Information/Recommendation:

Attachments:

1. Res Veteran's Day Parade

Res Veteran's Day Parade.docx

Presentation:

Carl White

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING FUNDING TO THE ALL VETERANS COUNCIL TO SUPPORT THE 2021-2023 VETERAN'S DAY PARADE AND DECLARING A PUBLIC PURPOSE.

WHEREAS, Veterans Day is a federal holiday that allows us all to remember and thank veterans for the sacrifices they made for our Country; and

WHEREAS, one of the ways San Angelo has historically honored our veterans is through a Veteran's Day Parade; and

WHEREAS, the All Veterans Council has requested that the City of San Angelo partner with them and waive permit fees, barricade fees, and police officer fees for the event through November 2023; and

WHEREAS, the Chief of Police agrees to waive all fees related to police officers' time working the parade; and

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

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

Part 1: That the City of San Angelo is authorized to provide in-kind donations to the All Veteran's Council for the purpose of hosting the 2021 through 2023 Veteran's Day Parades in the form of waiver of permit fees, barricade fees, and police officer fees.

Part 2: That public events honoring our country and recognizing our veterans is good for the morale of our community and constitutes a valid public purpose to justify the funding of this event.

Part 3: That the All Veteran's Council shall provide a report to the City Operations department at the conclusion of the event documenting the success of the event.

PASSED and APPROVED THIS 8th day of July, 2021.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider ratifying a resolution authorizing the use of sales and use tax funds in an amount not to exceed \$25,000 for professional services to prepare an architectural code study concerning the airport GTE hangar, a project authorized under Chapter 505 of the Local Government Code for Type B Development Corporation; and, authorizing the Board President to negotiate and execute a Memorandum of Understanding with the City of San Angelo for such purposes (Guy Andrews)

Summary/History:

The City of San Angelo - Mathis Field Regional Airport entered into an Agreement with Centurion Planning and Design for Airport Planning services under RFP AP-01-18. Recent economic development opportunities at the airport necessitate a study to determine the logistical and financial implications of developing the GTE hangar for business activity, including, but not limited to, aircraft maintenance, aircraft storage, office space, and education.

Therefore, the City of San Angelo Development Corporation Board of Directors determined that it was in the mutual interest of COSADC and the City of San Angelo to enlist Centurion's services to perform a facilities use and architectural study of the GTE Hangar. The COSADC Board of Directors authorized a Memorandum of Understanding that provides up to \$25,000 for the City to carry out the study.

Financial Impact:

The funding for the study would draw from Future Projects (700-0700).

Other Information/Recommendation:

Staff recommends authorizing the Memorandum of Understanding by and between the City of San Angelo Development Corporation and the City of San Angelo and authorizing the Board President and City Manager, respectively, to negotiate and execute all related documents.

Attachments:

Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez
Guy Andrews
Theresa James
Tina Dierschke

Created/Initiated
Approved
Approved
Approved

Brandon Dyson
Theresa James
Julia Antilley

Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Manager to apply for a Defense Community Infrastructure Program (DCIP) Grant with no expected local match and execute all related documents (Tina Dierschke)

Summary/History:

The Department of Defense and the Office of Local Defense Community Cooperation is providing an opportunity for states and local governments or not-for-profit, member owned utility services to obtain funding with no expected local match to address deficiencies in community infrastructure supportive of military installations. The City of San Angelo has identified a project in coordination with Goodfellow Air Force Base that directly supports the parameters of the available, competitive grant.

Details on the proposed project are attached.

Financial Impact:

Total Grant Proposal: \$1,700,000

Local Match: \$0

Other Information/Recommendation:

Due to the constrained timeline in place for applying for this grant opportunity, City staff recommends authorizing the City Manager to apply for this Federal Funding Opportunity grant and to negotiate and execute any documents necessary to partner with AEP to accomplish the grid project.

Attachments:

- | | |
|--|--|
| 1. DCIP FFO 2021 | DCIP FFO 2021.pdf |
| 2. 2021-06-14 DCIP Endorsement Letter Draft_V3 | 2021-06-14 DCIP Endorsement Letter Draft_V3.docx |
| 3. Distributed Generation Resiliency Narrative | Distributed Generation Resiliency Narrative.docx |
| 4. DCIP 2021 Electricity | DCIP 2021 Electricity.docx |
| 5. DCIP 2021 Location Map | DCIP 2021 Location Map.pdf |
| 6. Resolution DCIP funding 8 MW | Resolution DCIP funding 8 MW.docx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke
Shane Kelton
Theresa James

Created/Initiated
Approved
Approved

Tina Dierschke
Julia Antilley

Approved
Final Approval

DEPARTMENT OF DEFENSE
Announcement of Federal Funding Opportunity

AGENCY: Office of Local Defense Community Cooperation, Department of Defense

ACTION: Federal Funding Opportunity

SUMMARY: This Federal Funding Opportunity announces an opportunity to obtain funding from the Office of Local Defense Community Cooperation (formerly the Office of Economic Adjustment) to assist States and local governments, and not-for-profit, member-owned utility services in addressing deficiencies in community infrastructure supportive of a military installation under the Defense Community Infrastructure Program. This notice includes proposal requirements, the deadline for submitting proposals, and the criteria that will be used to competitively select proposal respondents to apply for a grant from the approximately \$60 million available in Fiscal Year 2021 appropriations for this Program. The Fiscal Year 2021 National Defense Authorization Act established the following order of prioritization for community infrastructure projects under the Defense Community Infrastructure Program: enhancement of military value, enhancement of military installation resilience, and enhancement of military family quality of life. The Deputy Secretary of Defense approved this program on May 14, 2021. Proposals submitted under this notice must be construction-ready (able to “turn dirt”) within the first 12 months after award of a grant. Funds awarded through a grant are then available for expenditure within five (5) years from the date of the grant award, and all disbursements for expenditures must be concluded before the end of that five (5) year period.

The Office of Local Defense Community Cooperation may directly provide awards under this notice for projects owned by a State, local government, or a not-for-profit, member-owned utility service, or it may transfer funds to another Federal agency for award to one of these eligible entities. Entities other than those identified above as eligible to receive direct funding under this notice may partner with an eligible entity for project proposals.

SUPPLEMENTARY INFORMATION:

a. Federal Awarding Agency: Office of Local Defense Community Cooperation, Department of Defense.

b. Funding Opportunity Title: Defense Community Infrastructure Program.

c. Announcement Type: Federal Funding Opportunity.

d. Catalog of Federal Domestic Assistance (CFDA) Number: 12.600.

e. Key Dates: The Office of Local Defense Community Cooperation will hold a pre-proposal webinar at 3 p.m. EDT on or about June 2, 2021 to review the goals and objectives of this Federal Funding Opportunity notice and answer questions from interested respondents. Details about participation in this pre-proposal webinar are available on OLDCC.gov at the Defense Community Infrastructure Program link (<https://OLDCC.gov/defense-community-infrastructure-pilot-program-dcip>). Complete proposals for Defense Community Infrastructure Program grants must be received by the Office of Local Defense Community Cooperation by 5 p.m. PDT on July 12, 2021 (the Proposal Deadline). Proposals will be screened to ensure they are complete and from eligible entities. Complete proposals from eligible entities will be referred to a Defense Community Infrastructure Program review panel to evaluate against the criteria in Section E. to establish a ranked listing and provide to either the Under Secretary of Defense (Acquisition and Sustainment), or the Assistant Secretary of Defense (Energy, Installations and Environment) if confirmed at that time, for approval. Once approved, the listing will be provided to the Director, Office of Local Defense Community Cooperation, for invitation of a formal grant application on

or about August 13, 2021. All grant agreements must be countersigned prior to or about September 23, 2021, so appropriated funds can be obligated no later than September 30, 2021.

A. PROGRAM DESCRIPTION

Section 2391(d) of Title 10, United States Code (10 U.S.C. 2391), authorizes the Secretary of Defense to, “make grants, conclude cooperative agreements, and supplement funds available under Federal programs administered by agencies other than the Department of Defense, for projects owned by a State or local government, or a not-for-profit, member-owned utility service to address deficiencies in community infrastructure supportive of a military installation.” On May 14, 2021, the Deputy Secretary of Defense approved the Office of Local Defense Community Cooperation to implement this program with the eligibility criteria and grant process provided under this notice.

This notice identifies the criteria established for the selection of community infrastructure projects, noting most projects will likely reflect some combination of attributes that will enhance: (i) military value; (ii) military installation resilience; and/or, (iii) military family quality of life (including whether the impact of the community infrastructure on alleviating installation commuter workforce issues and the benefit of schools or other local infrastructure located off of a military installation that will support members of the armed forces and their dependents residing in the community) at a military installation.

The Consolidated Appropriations Act for Fiscal Year 2021 (PL 116-260) provides \$60 million to the Office of Local Defense Community Cooperation for this program, and these funds expire if they are not obligated prior to September 30, 2021.

Project proposals must include the endorsement of the local installation commander representing the installation benefitting from the proposed project, and will be competitively scored across review criteria identified in Section E., paragraph 1. of this notice. Local installation endorsement letters, among other information, should indicate the installation’s willingness to support the local community’s execution of the project (including the possible technical review of required National Environmental Policy Act environmental planning documents for the proposed project).

Federal funds may supplement, but cannot substitute for or otherwise supplant other available public funds that are available for the proposed project, including funds from the Defense Access Roads Program, U.S. Department of Transportation grants, etc. School construction projects cannot be for public schools on military installations that are identified on the Secretary of Defense 2018 Public Schools on Military Installations Prioritized List.

B. FEDERAL AWARD INFORMATION

Proposals will be scored by a Defense Community Infrastructure Program review panel against the selection criteria provided in Section E., paragraph 1., of this notice. The Office of Local Defense Community Cooperation will accept proposals through Grants.gov for the Defense Community Infrastructure Program through 5 p.m. PDT on July 12, 2021 (the Proposal Deadline). The Office of Local Defense Community Cooperation will invite successful respondents to complete a grant application on or about August 13, 2021, on the basis of their proposal’s ranking by a Defense Community Infrastructure Program review panel. To receive an award, an eligible respondent must submit both a successful proposal and an acceptable grant application.

No award under this program may exceed \$20 million, nor be less than \$250,000. Individual proposals requesting more than \$20 million will not be accepted for review, and all proposed projects must result in a complete and useable project. The final amount of each award will be determined by the Office of Local Defense Community Cooperation based on the recommendation of a Defense Community Infrastructure Program review panel, subject to the availability of appropriations, and due diligence in

applying the provisions of Title 2 of the Code of Federal Regulations, Part 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS (2 C.F.R. 200).

Proposed projects in rural areas, including a city, town, or unincorporated area that have a population of not more than 100,000 inhabitants, will not be required to provide match funding. Project areas asserting rural eligibility must state explicitly in their proposal their status as a rural project area.

Projects in non-rural areas, including a city, town, or unincorporated area that has a population greater than 100,000 inhabitants must agree to contribute 30% or more of the funding for the proposed project.

Projects regardless may be eligible for a match funding waiver on the basis of national security needs or importance. In such instances, the proposer must assert in their proposal the basis for this waiver, including a signed statement from the cognizant Military Department Secretary (or if one is not confirmed, the Acting Military Department Secretary) attesting to the national security need / importance of the proposed project.

The total amount of funds available for awards may be reduced by amounts required to reimburse costs for program oversight and administrative services secured from non-Department of Defense Federal agencies. Project cost overruns are the responsibility of the recipient. Recipients of grant funding under this program will be subject to terms and conditions in the course of undertaking their project, including conformance with an agreed upon "Project Development Schedule." The Office of Local Defense Community Cooperation may terminate an award for non-performance, including failure to comply with the agreed upon Project Development Schedule, all grant terms and conditions, and /or where the Grantor determines the circumstances of the awarded project deviate from the information provided in the project proposal. All grants will be administered in accordance with 2 C.F.R. 200. Awards are subject to compliance with the National Environmental Policy Act. Entities invited to be applicants for grants under the Defense Community Infrastructure Program are responsible for providing information required to satisfy the National Environmental Policy Act, Council on Environmental Quality regulations, and any required state or local environmental regulations.

Awards under this notice will be issued in the form of a grant agreement in accordance with 31 U.S.C. 6302 and 6304.

C. ELIGIBILITY INFORMATION

1. Eligible Proposers

Eligible proposers include state or local governments and not-for-profit, member-owned utility services owning infrastructure outside of, but supporting, a military installation. Entities other than those identified above as eligible to receive direct funding under this notice may partner with an eligible entity for project proposals. The term military installation means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such a term does not include any facility owned solely by the U.S. Coast Guard or those that would exclusively benefit a Coast Guard facility.

2. Cost Sharing or Matching

Proposed projects in rural areas, including a city, town, or unincorporated area that has a population of not more than 100,000 inhabitants, will not be required to provide match funding. Project areas asserting rural eligibility must state explicitly in their proposal their status as a rural project area.

Projects in non-rural areas, including a city, town, or unincorporated area that has a population greater than 100,000 inhabitants must agree to contribute 30% or more of the funding for the proposed project.

Projects regardless may be eligible for a match funding waiver on the basis of national security needs or importance. In such instances, the proposer must assert in their proposal the basis for this waiver, including a signed statement from the cognizant Military Department Secretary attesting to the national security need / importance of the proposed project.

These matching funds may not count as non-Federal match for other project funding, and the ability to use other Federal funds as a non-Federal match contribution will be determined by the authority and appropriation providing those funds as well as whether the relevant Grantor provides approval. Funding proposed as a source for the non-Federal share must be incurred and expended either within the proposed project period commencing from the date of award or no earlier than the date of enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, August 13, 2018.

3. Eligible Projects

Eligible community infrastructure projects are any complete and useable transportation project, school, hospital, police, fire, emergency response, or other community support facility; or water, wastewater, telecommunications, electric, gas, or other utility infrastructure project, that:

- support a military installation;
- are owned by a state or local government or a not-for-profit, member-owned utility service;
- will enhance military value, military installation resilience or military family quality of life at the supported military installation (definitions for these enhancements are provided in Section E., paragraph 1.);
- endorsed by the local installation commander representing the installation benefitting from the proposed project; and,
- are construction-ready.

Proposed projects enhancing military family quality of life, where applicable, should specify how the impact of the enhancement project on community infrastructure alleviates installation commuter workforce issues and the benefit of schools or other local infrastructure located off of a military installation that will support members of the armed forces and their dependents residing in the community.

Proposers are specifically encouraged to highlight how / whether the project proposed supports broader efforts towards minimizing potential interruptions to the mission, including energy resiliency, and other efforts to better sustain the local mission.

The Fiscal Year 2021 National Defense Authorization Act established the following order of prioritization for infrastructure projects under the Defense Community Infrastructure Program: 1) enhancement of military value; 2) enhancement of military installation resilience; and, 3) enhancement of military family quality of life. A project is construction-ready if construction of the project may commence (turn dirt) within 12 months of award, and all necessary final design and planning, development of bid solicitation documentation, Federal and state/local environmental planning, site control, confirmation of the availability of project funding, and local permitting actions are sufficiently complete.

Eligible activities include only hard construction and renovation costs outside of local installation property (defined as property not owned by the local installation or any component of the Department of Defense), including reasonable allowances for contingencies, and capital equipment affixed to the real

property with a depreciable life of not less than 7 years. Soft planning costs required for the planning, design and execution of the proposed project are allowable as a source for non-Federal match. However, all costs must have been incurred after the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, August 13, 2018.

4. Eligible Costs

Eligible costs include, but are not limited to, project administration, inspection, construction, utilities, and contingency costs required to execute the project as well as capital equipment affixed to the real property with a depreciable life of not less than 7 years. Soft planning costs required for the planning, design and execution of the proposed project are allowable as a source for non-Federal match. However, all costs must have been incurred and expended after the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, August 13, 2018.

Proposals that meet the aforementioned eligibility conditions will be scored by a Defense Community Infrastructure Program review panel against the selection criteria provided in Section E., paragraph 1 of this notice. The highest-ranking proposals will be invited to be applicants to submit formal grant applications, and grant awards will be made to successful applicants until the available appropriations are exhausted.

D. Proposal and Submission Information

1. Address to Request Application Package

Proposals must be submitted electronically as described in Section D., paragraph 4.

2. Content and Form of Proposal Submission

Each interested respondent must submit a complete proposal through Grants.gov not later than the Proposal Deadline date (see Section D., paragraph 4). Grants.gov requires all proposers to complete the Standard Form 424. Please refer to the instructions provided with the Grants.gov Federal Funding Opportunity on how to complete the Standard Form 424.

A proposal may not exceed 20 pages (single-sided, single-spaced with 1-inch margins, 11 point Times New Roman font, and including all maps, drawings and attachments—excepting the Standard Form 424, the independent cost estimate to validate the proposed project budget, and documents evidencing the project is construction-ready, the pages for which do not count towards this 20-page total) and shall include the following information:

A. Point of Contact: Name, phone number, e-mail address, and organization address of the respondent's primary point of contact;

B. Installation Need: A summary of the installation need, including which enhancement the proposal primarily addresses—military value, military installation resilience, or military family quality of life—and how the installation need degrades military value, military installation resilience, or military family quality of life at the local installation. Please refer to Section E., paragraph 2. for how military value will be considered in the scoring of all proposals. Information on this need must also include an assessment of the likely beneficiaries from the project, and specifically an assessment of the extent to which the total installation population of military service members and/or their families will benefit (e.g., 0-100% of the population). Proposers are also encouraged to highlight how / whether the project proposed supports broader efforts towards minimizing potential interruptions to the mission, including energy resiliency, and other efforts to better sustain the local mission;

C. Installation Endorsement: A letter of endorsement from the Commander of the local installation that includes (i) the existing conditions at the local installation to be impacted by development of the proposed project (and the extent to which the proposed project enhances the existing conditions), (ii) assessment of impact to the local installation should the proposed project not proceed, and (iii) a comparison of how those existing conditions rank against other military value, military installation resilience, or military

family quality of life infrastructure issues impacting the local installation. Local installation endorsement letters, among other information, should indicate the installation's willingness to support the local community's execution of the project (including the possible technical review of required National Environmental Policy Act environmental planning documents for the proposed project);

D. Project Description: A description of the proposed Defense Community Infrastructure Program project, including an explanation how the project addresses the installation need;

E. Project Engineering Information: A demonstration of the technical feasibility of the construction project;

F. Project Parties: Identification of other parties involved in the project to include contemplated grant sub-recipients as defined by 2 C.F.R. 200.1;

G. Grant Funds and other Sources of Funds: An overview and commitment of all funding sources, including non-Federal match source funding identified, requested under this notice, financial commitments for other Federal and non-Federal funds needed to complete the project (including any eligibility of Federal funds to be counted as the non-Federal share), documentation confirming the availability of committed funding (prior to confirmation of a grant award) and demonstrating that the requested funds do not supplant other available funds, and acknowledgement any cost overruns will be the obligation of the proposer. Proposing entity must also state its capability to obtain a surety bond as backstop ensuring successful completion of the project should cost overruns occur or other unforeseen financial impacts;

H. Uses of Construction Project Funds: The uses of project funding, including a total project cost estimate with major cost elements broken out for project administration, inspection, construction, utilities, and contingency costs. Soft planning costs required for the planning, design and execution of the proposed project are allowable as a source for non-Federal match. However, all costs must have been incurred after the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, August 13, 2018. All proposals shall include an independent cost estimate to validate the proposed project budget as well as and an explanation why a proposed project is not otherwise eligible for consideration under any existing Federal program (e.g., Defense Access Roads Program, Federal Transportation formula funding, etc.);

I. Project Development Schedule: A sufficiently detailed project schedule, including discussion of the project execution strategy as well as identification of milestones such as final permitting and compliance (if required), design and contracting, land acquisition and site control (if needed), start of construction and end of construction, demonstrating that the project can commence within 12 months upon receipt of a grant and that the grant funds will be spent steadily and expeditiously once the project commences, and completed no later than 5 years following the obligation of Federal funds;

J. Environmental Approvals: Indicate the status (e.g., receipt or reasonably anticipated receipt) of all environmental approvals necessary for the construction project to proceed to construction on the timeline specified in Section D., paragraph 2.I., Project Development Schedule, including all Federal, State, and local requirements, and completion of an appropriate environmental impact analysis in accordance with the National Environmental Policy Act (required);

K. State and Local Planning: If applicable, the inclusion of the construction project in the relevant State, metropolitan, and local planning documents, or a certification from the appropriate agency (e.g., Metropolitan Planning Organization) that the project will be included in the relevant planning document. The proposer should demonstrate that conformance with state and local planning requirements is attainable within 12 months of grant award;

L. Grants Management: Evidence of the intended recipient's ability and authority to manage grants;

M. Submitting Official: Documentation that the Submitting Official is authorized by the proposer to submit a proposal and subsequently apply for assistance;

N. National Security Waiver Attestation (if appropriate): In instances where a waiver from local match is being requested due to national security needs / importance, a signed statement from the cognizant Military Department Secretary (or if one is not confirmed, the Acting Military Department Secretary) attesting to the national security need / importance of the proposed project; and

O. Attachments: In compliance with the overall application page limit (notwithstanding the length of the independent cost estimate to validate the proposed project budget and documents evidencing the project is construction-ready).

Proposals must be complete upon submission and proposals deemed to be incomplete will not be reviewed. To the extent practicable and subject to the page count restrictions of the proposal, the Office of Local Defense Community Cooperation encourages respondents to provide data and evidence of all project merits in a form that is publicly available or verifiable. At a minimum, for the purposes of Section E., paragraph 1., criteria d), respondents should include written affirmation that the proposed project meets the construction-ready standards identified in the proposal section.

3. Unique Entity Identifier and System for Award Management (SAM)

Each proposer invited to be an applicant for a grant is required to: (a) provide a valid Dun and Bradstreet Universal Numbering System (DUNS) number; (b) be registered in SAM before submitting its application; and, (c) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The Office of Local Defense Community Cooperation may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Office of Local Defense Community Cooperation is ready to issue a Federal award, the Office of Local Defense Community Cooperation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

4. Submission Dates and Times

The Office of Local Defense Community Cooperation will hold a pre-proposal webinar at 3 p.m. EDT on or about June 2, 2021, to review the goals and objectives of the Federal Funding Opportunity and answer questions from interested respondents. Details about participation in this pre-proposal webinar are available on OLDCC.gov at the Defense Community Infrastructure Program link (<https://OLDCC.gov/defense-community-infrastructure-pilot-program-dcip>). Complete proposals for Defense Community Infrastructure Program grants must be received by the Office of Local Defense Community Cooperation through Grants.gov by 5 p.m. PDT on July 12, 2021, (the Proposal Deadline). After being screened to ensure proposals are from eligible proposers and are complete, all proposals will be scored by a Defense Community Infrastructure Program review panel against the criteria to establish an overall ranked listing and provide to either the Under Secretary of Defense (Acquisition and Sustainment), or the Assistant Secretary of Defense (Energy, Installations and Environment) if confirmed at that time, for approval. Once approved, the listing will be provided to the Director, Office of Local Defense Community Cooperation, for invitation of a formal grant application on or about August 13, 2021, accounting for the amount of the available appropriation based on the proposal rankings.

5. Intergovernmental Review

This program is eligible for coverage under Executive Order 12372, "Intergovernmental Review of Federal Programs," issued with the desire to foster intergovernmental partnership and strengthen Federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. The official list of those entities is available at: <https://www.whitehouse.gov/wp-content/uploads/2019/02/SPOC-February-2019.pdf>. Applicants located in States that provide a designated entity should contact them for more information on the process. States that do not provide a designated entity have chosen not to participate in the intergovernmental review process. Applicants located in States without a designated entity may submit the proposal directly. Funding is subject to the National Environmental Policy Act, and compliance with the National Environmental Policy Act is required.

6. Funding Restrictions

See Section C., paragraph 3., for information on eligible projects.

Federal funds may supplement and cannot substitute for or otherwise supplant other available public or private funds such as Defense Access Roads Program, Transportation grants, etc. School construction projects cannot be for public schools on military installations that are identified on the Secretary of Defense 2018 Public Schools on Military Installations Prioritized List.

7. Other Submission Requirements

Key Dates: The Office of Local Defense Community Cooperation will hold a pre-proposal webinar at 3 p.m. PDT on or about June 2, 2021, to review the goals and objectives of the Federal Funding Opportunity notice and answer questions from interested respondents. Details about participation in this pre-proposal webinar are available on OLDCC.gov at the Defense Community Infrastructure Program link (<https://OLDCC.gov/defense-community-infrastructure-pilot-program-dcip>). Complete proposals for Defense Community Infrastructure Program grants must be received by the Office of Local Defense Community Cooperation through Grants.gov by 5 p.m. PDT on July 12, 2021, (the Proposal Deadline). After being screened to ensure proposals are from eligible proposers and are complete, all proposals will be ranked by a Defense Community Infrastructure Program review panel and the Director, Office of Local Defense Community Cooperation, will assign project managers, inviting grant applications on or about August 13, 2021, following approval of the ranked proposals, and accounting for the amount of the available appropriation based on the proposal rankings.

E. APPLICATION REVIEW INFORMATION

1. Selection Criteria

Upon validating the eligibility of the interested respondent to apply for assistance, a Defense Community Infrastructure Program review panel, comprised of the military services, the Secretary of Defense, and the Office of Local Defense Community Cooperation, will rank proposals. A final proposal ranking will be provided to either the Under Secretary of Defense (Acquisition and Sustainment) or the Assistant Secretary of Defense (Energy, Installations and Environment) if confirmed at that time, for approval. Once approved, the listing will be provided to the Director, Office of Local Defense Community Cooperation, for invitation of a formal grant application. The proposed scoring criteria, with relative weights (the more responsive the proposal is to a need in these areas, the higher the score), are:

- a) (Consideration of military value.) Military value reflects the readiness and mission criticality of a particular installation. Each proposal will receive a score based on an already established military value ranking found in Military Department documents listed in Section E., paragraph 3. of this notice. The fact any proposed infrastructure project must not be on military-owned land, but be beneficial to a local installation, necessitates the embrace of a non-arbitrary value already in the public domain that is widely accepted (5-25 points);
- b) (What is the enhancement being proposed?) The extent to which a proposed project enhances the:
 - (i) military value (1) through preservation of training areas suitable for maneuver by ground, naval, or air forces to guarantee future availability of such areas to ensure the readiness of the Armed Forces, (2) through preservation of military installations in the United States as staging areas for the use of the Armed Forces in homeland defense missions, (3) through preservation of military installations throughout a diversity of climate and terrain areas in the United States for training purposes, (4) based on the impact on joint warfighting, training and readiness, and / or (5) based on contingency, mobilization, and future total force requirements at both existing and potential receiving locations to support operations and training;
 - (ii) resiliency of an installation to withstand extreme weather events, environmental conditions, and / or man-made events that would otherwise adversely affect the readiness and mission of that

installation; or

(iii) military family quality of life (including the impact of the community infrastructure on alleviating installation commuter workforce issues and the benefit of schools or other local infrastructure located off of a military installation that will support members of the armed forces and their dependents residing in the community). Where there are instances military value, military installation resilience, and military family quality of life are interwoven and collectively enhance the readiness and local mission, the proposal must state what is the primary enhancement (0-45 points);

c) (Is the proposed project “construction-ready?”) The extent to which the proposed project is “construction-ready” and feasible:

(i) proposed project development schedule evidencing ability to commence construction within twelve (12)-months of funding, including necessary final design and planning, development of bid solicitation documentation, completed Federal and state / local environmental planning, site control, and completed local permitting actions;

(ii) immediate availability of any non-Federal match funding; and,

(iii) reasonable, allowable, and allocable project budget, including costs are supported by third party cost validation of cost estimates.

For each of the following six (6) actions for which attestation / evidence is found in proposals demonstrating the construction-readiness of a project, the Defense Community Infrastructure Program review panel will assign points: 1. Final design and planning, 2. Development of bid solicitation documentation, 3. Federal and state/local environmental planning, 4. Site control, 5. Confirmation that non-Federal project funding is firmly committed and immediately available for expensing, and 6. Local permitting actions. (0-20 points); and

d) (Why is the enhancement project needed?) The need for the proposed project and impacts to the readiness and mission of the installation if the project is not undertaken, factoring in the assessment of the local installation endorsement letter on (i) the existing conditions of the issue and (ii) how those existing conditions impact the local mission and readiness (0-10 points).

2. Scoring Considerations

The Department recognizes the distinct military value provided by both service-unique functions and those functions that are performed by more than one service. Accordingly, the Secretary previously established a process wherein the Military Departments are responsible for analyzing their service-unique functions, while Joint Cross-Service Groups, which include representatives from each of the military services, analyze the common business-oriented support functions. As such, the Defense Community Infrastructure Program review panel will defer to previous Military Department products identifying service-unique functions as well as Joint Cross-Service Groups identifying business-oriented support functions when considering military value of proposed project enhancements across all local installations. Section E., paragraph 3. of this notice lists the most current Military Department products identifying installation (facility) military value assessments to be used by the Defense Community Infrastructure Program review panel.

Scoring on criterion a) will be based on the previously established military value expressed as the installation’s quartile placement among its respective Service’s overall value (top 25% - 25 points, top 50% - 20 points, top 75% - 15 points, 100% - 10 points, or installation with no value score - 5 points) (5 - 25 points).

Scoring on criterion b) will be based on the choice of one criteria as the primary enhancement value for this Defense Community Infrastructure Program review panel and the review panel member’s affirmation that the enhancement associated with that value is appropriately identified / categorized. Projects that would score in more than one enhancement category will be assigned the score associated with the highest value enhancement, but only one value may be assigned for criterion b). Total points available

for exceptional, medium and low enhancement scores will vary based on the primary enhancement affirmed by the panel for military value, military installation resilience, and military family quality of life projects.

3. Military Department Documents Ranking Military Value by Installation

The following Department of Defense and Military Department documents will serve as reference for the assessment of scores for criteria a) as well as for the Defense Community Infrastructure Program review panel.

- Department of Defense Base Closure and Realignment Report, Vol I, III-XII, May 2005
- Department of the Army Analysis and Recommendations BRAC 2005, Volume III, May 2005
- Department of the Navy Supplemental Information to Volume IV of Department of Defense Base Closure Report (Department of the Navy Analyses and Recommendations), 20 May 2005
- Department of the Air Force Analysis and Recommendations BRAC 2005, Volume V, May 2005

4. Review and Selection Process

The composition of a Defense Community Infrastructure Program review panel, to include other Department of Defense and Military Department staff with technical proficiencies and relevant experience, will be finalized after the Proposal Deadline, based on the number and nature of proposals received. The Defense Community Infrastructure Program review panel will score all proposals against the Selection Criteria and provide a final ranked listing to either the Under Secretary of Defense (Acquisition and Sustainment), or the Assistant Secretary of Defense (Energy, Installations and Environment) if confirmed at that time, for approval. Once approved, the listing will be provided to the Director, Office of Local Defense Community Cooperation, to invite of a formal grant application on or about August 13, 2021, and award funding consistent with the ranked proposals on or about September 16, 2021. Recipients will need to accept the terms and conditions of these awards prior to or about September 23, 2021, so the funds can be obligated prior to September 30, 2021. Proposers invited to submit grant applications must also evidence steps to obtain a surety bond as a contingency against project cost overruns or other unforeseen financial impacts that might result in an unfinished project. Members of the Defense Community Infrastructure Program review panel will be subject to a non-disclosure agreement until released from the non-disclosure agreement by the Office of Local Defense Community Cooperation.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

In the event a grant is awarded, the successful applicant (Non-Federal Entity or Grantee) will receive a notice of award in the form of a grant agreement, signed by the Director, Office of Local Defense Community Cooperation (Grantor), on behalf of the Department of Defense. The grant agreement will be transmitted electronically. Grants must be awarded and the Grantee must accept the terms and condition of an award prior to or about September 23, 2021, so the funds can be obligated prior to September 30, 2021. Once obligated, the funding remains available for expenses for up to five (5) years, as approved by the Office of Local Defense Community Cooperation in the grant terms and conditions. Grantees will need to ensure Federal fund drawdowns are proportional to the non-Federal match portion for the total approved project budget.

2. Administrative and National Policy Requirements

Any grant awarded under this program will be governed by the provisions of the Office of Management and Budget circulars applicable to financial assistance and the Department of Defense's implementing regulations in place at the time of the award. A Grantee receiving funds under this opportunity and any consultant or pass-thru entity operating under the terms of a grant shall comply with all Federal, State,

and local laws applicable to its activities. Federal regulations that will apply to an Office of Local Defense Community Cooperation grant include administrative requirements and provisions governing allowable costs as stated in:

- 2 C.F.R. part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”
- 2 C.F.R. part 1103, “Interim Grants and Cooperative Agreements Implementation of Guidance in 2 C.F.R. part 200, “Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards”
- 2 C.F.R. part 25, “Universal Identifier and System for Award Management”
- 2 C.F.R. part 170, “Reporting Sub-award and Executive Compensation Information”
- 2 C.F.R. part 180, Office of Management and Budget Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement), as implemented by the Department of Defense in 2 C.F.R. part 1125, Department of Defense Non-procurement Debarment and Suspension
- 32 C.F.R. part 28, “New Restrictions on Lobbying”
- Additional requirements applicable to construction awards include compliance with: National Environmental Protection Act (NEPA), National Historic Preservation Act, Buy American Act and Hire American Act

3. Reporting Performance

The Office of Local Defense Community Cooperation requires performance reports in intervals no less frequent than annual nor more frequent than quarterly except in unusual circumstances, for example, where more frequent reporting is necessary for effective monitoring or could significantly affect deliverables. The Office of Local Defense Community Cooperation’s notice of award will include a schedule to identify reporting type, frequency, and due dates. All performance reports will be submitted electronically. The following provides the required criteria for construction grant performance reports:

- The Office of Local Defense Community Cooperation will rely upon onsite technical inspections and certified percentage of completion data to monitor progress under awards and sub-awards for construction. The Office of Local Defense Community Cooperation may require additional performance reports when considered necessary.
- Significant developments. Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, the Grantee must inform the Office of Local Defense Community Cooperation as soon as the following types of conditions become known:
 - Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
 - Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.
 - The Office of Local Defense Community Cooperation retains the right to make site visits as warranted.

The final performance report will be due 90 calendar days after the period of performance end date. The final performance report must contain a summary of activities for the entire grant period. All required deliverables should be submitted with the final performance report. If a justified request is submitted by a Grantee, the Office of Local Defense Community Cooperation may extend the due date for any performance report.

Awards including acquisition or improvement to real property or personal property will be subject to the Office of Local Defense Community Cooperation Federal interest as well as property standards as specified in 2 C.F.R. 200.

Federal funds obligated through these grants awards won't be disbursed until: liquidity of non-Federal share of the approved project is evidenced; adequate performance bond for construction activity is posted; all signed sub-recipient agreements for any sub-recipient activity are provided; and, site control commensurate with the life of the approved enhancement is evidenced.

Evidence submitted by the non-Federal entity demonstrating completion of the project is required. Examples of such evidence include occupancy permits, operational licenses and permits, titles, etc.

4. Financial

The Grantee will submit an Office of Management and Budget Standard Form 425, "Federal Financial Report," electronically to the Office of Local Defense Community Cooperation. Submission due dates will be provided in the Office of Local Defense Community Cooperation's notice of award. Interim financial reports are required annually. The final financial report is due 90 days after the period of performance end date. Grantees will need to ensure their drawdown of Federal grant funds is proportional to the Federal / non-Federal share of the project total cost, ensuring non-Federal funds are expended proportional to amount of non-Federal funding in the project.

5. Post Award Reporting Requirements

The Grantee must comply with the post award reporting requirements reflected in Appendix XII to 2 C.F.R. 200-Award Term and Condition for Recipient Integrity and Performance Matters.

G. Federal Awarding Agency Contacts

Please access the Defense Community Infrastructure Program link on the Office of Local Defense Community Cooperation homepage (<https://OLDCC.gov/defense-community-infrastructure-pilot-program-dcip>) for general information about both the Defense Community Infrastructure Program and the proposal solicitation period. Requests for further information or for help with problems related to this program should be directed to: Mr. Daniel Glasson, Office of Local Defense Community Cooperation, 2231 Crystal Drive, Suite 520, Arlington, VA 22202-3711. Office: (703) 697-2130 or (if on Telework) (571) 733-7467. Email: daniel.l.glasson.civ@mail.mil.

The Office of Local Defense Community Cooperation homepage address is: <https://OLDCC.gov>.

H. OTHER INFORMATION

SUMMARY: This Federal Funding Opportunity announces an opportunity to obtain funding from the Office of Local Defense Community Cooperation (formerly the Office of Economic Adjustment) to assist States and local governments, and not-for-profit, member-owned utility services in addressing deficiencies in community infrastructure supportive of a military installation under the Defense Community Infrastructure Program. This notice includes proposal requirements, the deadline for submitting proposals, and the criteria that will be used to competitively select proposal respondents to apply for a grant from the approximately \$60 million available in Fiscal Year 2021 appropriations for this Program. The Fiscal Year 2021 National Defense Authorization Act established the following order of prioritization for community infrastructure projects under the Defense Community Infrastructure Program: enhancement of military value, enhancement of military installation resilience, and enhancement of military family quality of life. The Deputy Secretary of Defense approved this program on May 14, 2021. Proposals submitted under this notice must be construction-ready (able to "turn dirt") within the first twelve (12) months after award of a grant. Funds awarded through a grant are then

available are for expenditure within five (5) years from the date of the grant award, and all disbursements for expenditures must be concluded before the end of that five (5) year period.

The Office of Local Defense Community Cooperation may directly provide awards under this notice for projects owned by a State, local government, or a not-for-profit, member-owned utility service, or it may transfer funds to another Federal agency for award to one of these eligible entities. Entities other than those identified above as eligible to receive direct funding under this notice may partner with an eligible entity for project proposals.

SUPPLEMENTARY INFORMATION:

- a. Federal Awarding Agency: Office of Local Defense Community Cooperation, Department of Defense.
- b. Funding Opportunity Title: Defense Community Infrastructure Program.
- c. Announcement Type: Federal Funding Opportunity.
- d. Catalog of Federal Domestic Assistance (CFDA) Number: 12.600.

Dated: May 18, 2021.



DEPARTMENT OF THE AIR FORCE
17TH TRAINING WING (AETC)
GOODFELLOW AIR FORCE BASE TEXAS

9 June 2021

MEMORANDUM FOR DOD OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION

FROM: 17 TRW/CC

SUBJECT: Defense Community Investment Program (DCIP)

1. I fully endorse the city of San Angelo's proposal to request DCIP funds to build two interconnection points that would enable two-way transfer of energy between the Goodfellow Air Force Base's (AFB) micro-grid and San Angelo's powergrid, via American Electric Power. This is my top priority due to the critical impact it has on the 17th Training Wing's people and training mission.
2. San Angelo, Texas is home to 2,713 joint service and civilian permanent party members, 561 veterans, and 3,049 family members. The city also hosts 2,662 military students daily. The proposed interconnection project would improve the resiliency of both Goodfellow AFB and San Angelo, by allowing flexible power distribution to prevent regular rolling blackouts caused by the summer's extreme heat and other catastrophic events, such as winter storm Uri. The recent winter storm created a mass blackout that put 87 percent of Goodfellow AFB's population, who reside off base, at risk of cold-related injuries, dehydration, and susceptibility to diseases. Furthermore, the lack of heat resulted in freeze damage totaling \$1.7 million and an additional \$21,900 to repair frozen pipes across the 13 facilities.
3. Furthermore, Goodfellow Air Force Base is home to the 17th Training Wing, which oversees 38 courses and graduates approximately 14,000 joint fire protection, and joint intelligence, surveillance, and reconnaissance professionals for the United States Space Force, Air Force, Marine Corps, Navy, and Army annually, and 56 International Intelligence Military Officers from among 17 countries annually. The proposed interconnection points would improve Goodfellow Air Force Base's military value by creating a resilient power system that can isolate the base's micro-grid and maintain mission execution during a city or state power outage. This will help to achieve our National Defense Strategy priorities - build a more lethal force, strengthen alliances, and attract new partners.
4. I have no doubt the approval of this proposal will further solidify an already strong community partnership and will successfully contribute to military value and resiliency of Goodfellow Air Force Base, as well as contribute to the electrical resiliency of the City of San Angelo during times when the Texas electrical power grid is under stress.

ANDRES R. NAZARIO, Colonel, USAF
Commander

Distributed Generation Resiliency

Goodfellow Air Force Base provides joint service training for professionals in Intelligence, Surveillance, and Reconnaissance (ISR) to include imagery analysis, linguists, cryptologists, and all source analysts. Goodfellow is also home for the DoD's only firefighting academy, where all students from all military services are trained as first responders. The installation consists of 183 facilities with over 2.26MSF with a \$1.1B plant value graduating over 14,000 joint service students annually. It is also noted that 350 KSF of training space is dedicated for intel training in secure compartmented information facilities (SCIFs), the largest number of facilities in the command. If there is a loss in electrical power to Goodfellow, the economic impact is well over \$75K per hour and the loss in training negatively impacts the quality of INTEL and Cyber warriors sent to operational commands.

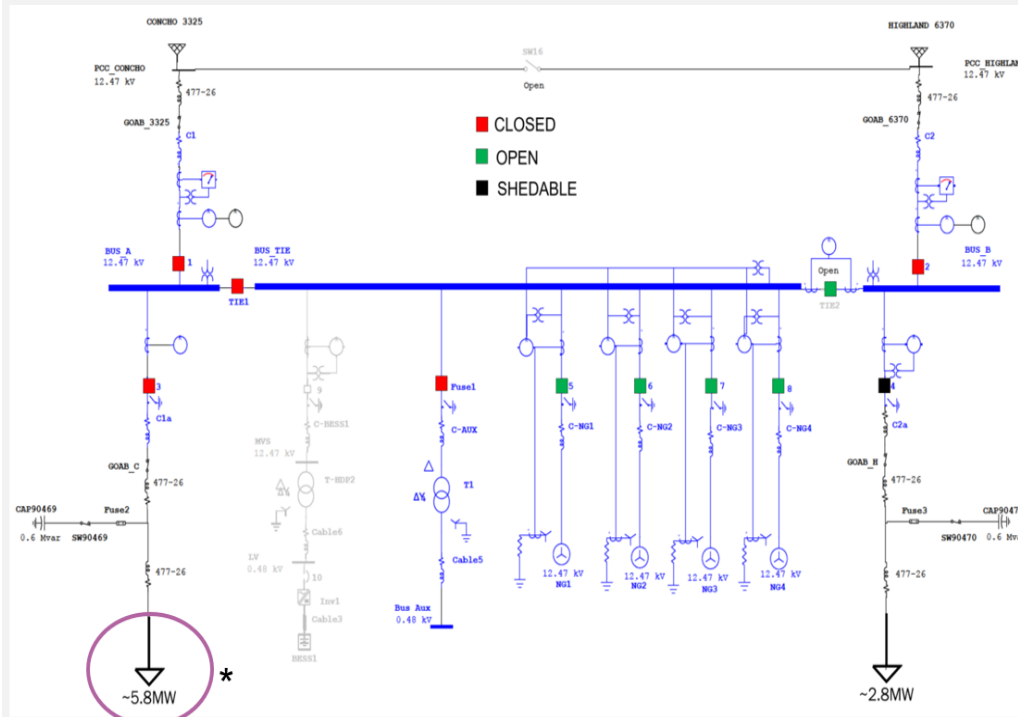
American Electric Power (AEP) Texas North transports and distributes electric power to Goodfellow AFB through three sub-stations: Concho, Highland, and Ben Ficklin. The Concho and Highland substation feeds enter the Goodfellow AFB on its northwest perimeter. The Concho electric feed accounts for approximately 53% of the installation's load and the Highland electric feed accounts for approximately 33% of the load. The Ben Ficklin substation feed enters at the south of the installation providing approximately 14% of the base load. The south feed also provides some redundancy and allows for electrical loop feeding of Goodfellow's distribution system, if there is a failure at the two northwest electrical feeds.

Goodfellow's distribution system downstream of the three substations has been privatized and is maintained and operated by AEP under a utility privatization (UP) contract through the Defense Logistics Agency (DLA). These three 12.47KV lines distribute power to approximately 156 pad mounted, loop fed transformers across the installation.

ECM 10.01 Distributed Generation

SIEMENS

Normal State



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Page 1

12.08.2020

Resilient Main-Tie-Tie-Main Switchgear

- Primary Selective - each source (Highland and Concho) will be the preferred source for its respective bus section and the alternate source for the other bus section.
- Will support critical functions from either one of the (2) utility sources and/or onsite generation (island mode).
- Simple - Islanding detection, decoupling, and synchronization at (1) location. Will not require additional downstream switchgear and midpoint reclosers throughout the primary distribution.

Concurrently Maintainable

- Switchgear design will facilitate maintenance on a planned basis without interrupting critical missions at GAFB.

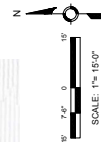
Safety

- Will include arc flash incident energy reduction relays
- Will provide AEP Operations center with the visibility in to the GAFB distribution/generation that they currently do not have

*Ben Fickland and Concho loads combined. Note – Ben Fickland feeder net capacity < 8MW



1 MECHANICAL SITE PLAN



PROJECT LOCATION
GOODFELLOW AIR FORCE BASE
AIR BASE IN TOM GREEN COUNTY, TEXAS

Good Fellow AFB
Microgrid ES&C

SITE PLAN

Doc	12/16/20
Date	AS NOTED
Project	
Schedule	
Max	20/20-172

M-100

**A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO PARTNER WITH AEP AND
GOODFELLOW AIR FORCE BASE (GAFB) IN A PROPOSAL FOR
FUNDING FROM THE OFFICE OF LOCAL DEFENSE COMMUNITY
COOPERATION FOR THE INTERCONNECTION OF 8 MW OF
ELECTRICAL GENERATION WITH THE GRID SERVING THE CITY.**

WHEREAS, the Office of Local Defense Community Cooperation, Department of Defense has announced an opportunity for funding to assist local governments in improving community infrastructure supportive of military installations; and

WHEREAS, GAFB and the City have identified a \$1,7000,000 project to interconnect 8 MW of electrical generation with the electrical grid of the City; and

WHEREAS, the City Council is supportive of any collaboration with GAFB that is supportive of the mission of the base; and

WHEREAS, the City will require a partnership with AEP to gain access to the physical infrastructure necessary to accomplish the interconnection to the grid; and

WHEREAS, the City will make all efforts to partner and collaborate with AEP on accomplishing this project for the benefit of GAFB.

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

Part 1. That, the City Manager is hereby authorized to negotiate and execute any documents necessary for the submission of a proposal to the Office of Local Defense Community Cooperation for funding necessary to improve the infrastructure supportive of GAFB, particularly in securing the interconnection of 8 MW of electrical generation through the electrical grid serving the City.

Part 2. That the City Manager is hereby authorized to negotiate and execute any documents necessary to partner with AEP to accomplish grid project.

Part 3. That the City of San Angelo remains committed to continued support and collaboration with GAFB.

PASSED, APPROVED and ADOPTED on this the 8th day of July, 2021.

ATTEST:

CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

Tina Dierschke, Director of Finance

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for unplanned expenditures (Tina Dierschke)

Summary/History:

This proposed amendment contains the following items (additional information attached):

- Gexa Energy

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|-----------------------------|----------------------------------|
| 1. | FIN Budget Amendment 7.8.21 | FIN Budget Amendment 7.8.21.pptx |
| 2. | BA Memos ALL | BA Memos ALL.pdf |
| 3. | Ordinance | Ordinance.docx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



City Council

July 8, 2021

Budget Amendment

Tina Dierschke

Budget amendment

General Fund	Revenue	Expense
Marginal Sales Tax	\$423,423	
General Fund		\$423,423
Water		\$198,849
Water Reclamation		\$101,311

Stay Connected



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[Twitter.com/CityofSanAngelo](https://twitter.com/CityofSanAngelo)



[YouTube.com/CityofSanAngelo](https://www.youtube.com/CityofSanAngelo)



info@cosatx.us



Memo

To: Tina Dierschke, Finance Director
From: Ryan Gaddy, Assistant Finance Director
Date: 06/15/21
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Pay electricity expenditures relating to ancillary charges from Winter Storm Uri.

Source of Funding:

Water and Wastewater fund balances and current year excess sales tax

Funding previously approved? If so, by City Manager or City Council and when?

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Marginal Sales Tax	0	423,423	423,423
Expense:			0
General Fund	0	423,423	423,423
Water	0	198,849	198,849
Water Reclamation	0	101,311	101,311

Additional Comments:

Any assistance from FEMA or reimbursement from Gexa would then be returned to those funds either on a prorated or actual basis depending on the terms set forth.

ORDINANCE 2020-121

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021, FOR UNPLANNED EXPENDITURES.

WHEREAS, the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2020-2021 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 15th day of June, 2021, and finally PASSED on this 8th day of July, 2021

ATTEST:

THE CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

Exhibit A

**City of San Angelo
Proposed Budget Amendment**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
			-
101	423,423	423,423	-
260		198,849	(198,849)
270		101,311	(101,311)
	\$423,423	\$723,583	\$(300,160)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Ancillary Charges from Winterstorm Uri	101	423,423	423,423	-
	260		198,849	(198,849)
	270	-	101,311	(101,311)
		\$423,423	\$723,583	\$(300,160)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to negotiate and execute a license use agreement with Richard Bauerlien, Allison Carson Devereaux, and Martin and Marisol Hernandez, to allow for the construction of barrier(s) to restrict traffic through a portion of an adjacent alley, being 3,000-sq ft within Block 122 of the Angelo Heights Addition and north of the 1400 block of W. Beauregard Ave. (Jon James)

Summary/History:

The applicants have expressed concerns to City Staff and the City Council, including Council Member Lane Carter (SMD#5), about vehicular traffic coming from commercial businesses immediately south through the alley behind their homes. They raised concerns that these vehicles are using the alley to cut through, creating heavy traffic volumes, high noise levels, excessive speeding, etc.

City Operations and the Planning Division recommended to the applicant this option to obtain an encroachment approval. The encroachment would restrict access to vehicular traffic to and from the portion of the alley adjacent to the residential homes (the north 150 feet).

Financial Impact:

Applicants will be solely responsible for purchase, construction, and maintenance of barrier(s) and any signage.

Other Information/Recommendation:

Staff recommends that City Council APPROVE the request, subject to three (3) conditions of approval:

- 1) That final locations and number of barriers are limited to within the north 150 feet of the alley and approved by City Operations and Planning;
- 2) That these barrier(s) remain unlocked at all times, have appropriate signage, and should not restrict nor hinder access for the City or private utility providers; and,
- 3) That the applicants are responsible for the purchase, construction/installation, and maintenance of barriers and signage.

Attachments:

- | | | |
|----|-------------|-----------------|
| 1. | application | application.pdf |
| 2. | aerial map | aerial map.pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher

Jon James

Brandon Dyson

Jon James

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval



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



Application for Right-of-way Encroachment

Section 1: Basic Information

Name of Applicant(s): Martin Hernandez Manoel Hernandez
RICHARD BAUERKEIN Allison Devereaux

☒ Owner

☐ Representative (Affidavit Required)

1415 W. WATKINS SAN ANGELO TX
Mailing Address City State

76901
Zip Code

325-840-7169
Contact Phone Number

Contact E-mail Address

ALL RESIDENTIAL NORTH HOLE BLOCK 123 ANGELO HEIGHTS ADDITION
Subject Property Address City State Zip Code

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

Lot Size: _____ Zoning: _____

Encroachment Type:

- ☐ Surface or Aerial Easement (for physical encroachments such as walls, awnings and canopies but where no activities taking place)
- ☒ Sidewalk Use License (no physical encroachments but where area to be used for activities— i.e. tables, chairs, patio tables, retail display)
- ☐ Both (physical encroachments such as awnings and canopies and where area to be used for activities)

Section 2: Site Specific Details

General Description of Location*: NORTH PART OF HOLE IN BLOCK 123
ANGELO HEIGHTS ADDITION

Reason for Encroachment*: TO STOP THROUGH VEHICLE TRAFFIC -
SAFETY & SECURITY REASONS

*Use attachment if necessary.

Section 3: Applicant's acknowledgement

(By checking the boxes you indicate that you understand the following regulations)

- ☒ An application for Right-of-way Encroachment may only be made by the owner of the adjacent property, or an authorized representative of the property owner.
- ☒ No application will be processed if a zoning violation exists on the adjacent property, unless such processing is authorized by City Council. Use of the encroachment area and adjoining property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of a zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.

Mark H. Muelhaupt

Effective May 1, 2019

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

Rick S. Baerke
Signature of applicant or authorized representative

5/5/21
Date affirming the truth of the above statement.

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: ____/____/____

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

Date of hearing by City Council: ____/____/____ Date of hearing by City Council: ____/____/____

Reviewed/Accepted by: _____

This traffic affects our quality of life and causes a livability issue for our residential neighborhood. We are entitled to a feeling of well-being, security, safety, cleanliness and peace of mind in our residential neighborhood. We do not have this. We feel our residential neighborhood is insecure and that we are exposed to traffic that exposes us to unnecessary worries and fears that have a negative impact on our neighborhood and how safe we feel. The traffic impacts our daily lives and has to stop.

We are reaching out to you as our representative as City Councilman for SMD 5 to stop this traffic.

We would ask you please don't reference law enforcement.

Sincerely,

Richard Beverlin
Rick Morning

Beecher Goodwin

Beecher Goodwin

Amber Mign

Jana Goodwin

Mark Flach

Reta Settemire

Mark Harg

Wif Huntz

don H

Danise Petersen

Lane Carter
San Angelo City Council SMD 5

Dear Mr. Carter:

We are neighbors in block 122 in Angelo Heights Addition and there is a problem with primary traffic going through the alley of our residential neighborhood. We want it stopped. The traffic is coming from Joe's Ice House, the liquor store that is on the corner of Beauregard and Madison Streets (property size is 70' X 88") This property abuts no alley, addresses 1402 and 1418 Beauregard adjoin the alley and neither have buildings that need service vehicle access to the alley. The alley isn't a laned roadway and isn't what it is used for -Primary traffic not secondary traffic uses regularly established streets. This is cut-through traffic that uses the alley for a short cut and should be at a street intersection.

Texas Transportation Code Sec. 541.302- "Alley" means a street that:

- (A) is not used primarily for through traffic; and
- (B) provides access to rear entrances of buildings or lots along a street.

San Angelo Code of Ordinances:

Alleys: Minor traveled ways which are used primarily for vehicular **service** access to the back or the side of properties otherwise abutting on a street.

There is more than adequate access to the liquor store from Beauregard and Madison Streets, there isn't any impedance of right-of-way, the traffic has the same right-of-way everyone has- named streets. This traffic doesn't have legal right of ingress or egress to the alley.

The heavy traffic volume in the alley is day and night with vehicles stopping and the occupants getting out, flashing headlights at night, high noise levels, loud music, throwing out trash, excessive speeding and even verbal abuse. The trash includes all types of liquor and beer bottles, scratch off gambling tickets, beer and liquor packaging, cigarette packages and butts which Code Compliance makes us responsible for.

Lane Carter
San Angelo City Council SMD
5

1/13/2021

Dear Mr. Carter:

Please find enclosed in the envelope an SD card with 372 videos for verification of the through traffic in Block 122. The videos were taken the week of 1/6/21 to 1/12/21 - which shows that on 1/11/21 a Sunday, when the liquor store is closed, there was only one video event to prove the traffic is coming from the liquor store. The traffic is unacceptable and has to stop.

In addition, the City of San Angelo advised that the maintenance of the alley is the responsibility of the adjoining property owners. In the recent past there have been two times that paving has been done on the alley that wasn't requested by the owners. Someone is taking care of our business and we would like to know who made the paving request, the reason for the request and who authorized the paving be done. Would you know anything about this?

I would like to request a meeting at your earliest convenience regarding other information that is relevant to our request to stop the alley traffic..

Please call Richard Bauerlein at 325-340-7169 at your earliest convenience or come by 1415 West Harris.

Sincerely,

Richard Bauerlein

CHECKLIST FOR RIGHT-OF-WAY ENCROACHMENT

Each Right-of-way Encroachment Application shall obtain the following information:

- ☐ Completed application form
- ☐ A notarized Affidavit from the property owner, if different from the applicant
- ☐ Required \$450.00 application fee payable to "City of San Angelo"
- ☐ Specific details of request (Proposed buildings, structures, awnings, canopy, patio, signs, their sizes and dimensions, and reasons for request)
- ☐ Field Notes / Legal Meets-and-Bounds Description of Encroachment Area encompassing boundaries of encroachment area. Physical improvements such as walls, canopies and awnings require surveyor's seal. A surveyor's seal may be waived for minor improvements such as light fixtures, signs, and other fixtures as determined by City Attorney's Office)
- ☐ Survey or Site Plan drawn to scale showing the entirety of the encroachment area and adjoining property, including all dimensions (length and width) of these areas and setbacks to property lines, including setbacks between the encroachment area and edge of street/street curb.
- ☐ Elevations showing all views of proposed development or redevelopment, in full, including structure height, vertical clearance (distance from bottom of structure to ground), accurate colors and materials to be used, including any approved renderings from the DHRC or Planning Director if required.
- ☐ Certificate of Insurance (C.O.I.) for Sidewalk Use Licenses (to be reviewed and approved by City's Risk Management Division if City Council approves the encroachment request.
- ☐ Other details that will assist City Council to understand the request, such as photographs, etc.

I certify that all general requirements as listed above have been provided, in addition to all project-specific requirements. I understand that not providing all of this information may result in an incomplete application and delay the consideration of my project for approval.

Applicant

Date



Click to start
drawing
(Press CTRL to
enable
snapping)



Right-Of-Way Encroachment

1400 Blk. W. Beauregard Ave.

Council District: Lane Carter - District 5

Neighborhood: Central

Scale: 1" approx. = 85 ft

Legend

Subject Properties: 

Current Zoning: **RS-2**

Requested Zoning Change: **N/A**

Vision: **Neighborhood**



N. of 1400 Blk W. Beauregard Ave, 0.068 ac.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Consent Item

Caption:

Consider approving a professional services Medical Director agreement with Dr. Kelly Koenig to provide services as the Emergency Medical Services Director for the San Angelo Fire Department and authorizing the City Manager to execute all related documents (Brian Dunn)

Summary/History:

The San Angelo Fire Department has a medical director to oversee protocols for Emergency Medical Services. This individual is a certified Emergency room physician. Our current medical director is stepping down at the end of his contract on July 31, 2021. The new medical director will be Dr. Kelly Koenig. The contract pays \$2,000 per month to the medical director. These funds are already budgeted within our normal operational budget.

Financial Impact:

Cost is \$24,000 per year which is budgeted in account #101-9000-422.03-20

Other Information/Recommendation:

Attachments:

Presentation:

Brian Dunn

Approvals/Reviews:

Brian Dunn	Created/Initiated
Brian Dunn	Approved
Theresa James	Approved
Jeff Tomlinson	Approved
Tina Dierschke	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: July 8, 2021

Item type: Consent Item

Caption:

Second reading of:

1. An ordinance for Z21-05, a rezoning from the Single-Family Residential zoning district to the Neighborhood Commercial zoning district, being 0.30 acres located at 2321 S. Bryant Blvd. and 504 W. Ave. T
2. An ordinance for Z21-06, a request for approval of a rezoning from the Heavy Commercial zoning district to the Heavy Manufacturing zoning district, being 7.353 acres located at 4125 Dan Hanks Ln.
3. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the south side of E. 41st St. between Oaklawn St. and Bowie St.
4. An ordinance approving the abandonment of a 2,250-sq ft (15' x 150') alley on the north side of E. 44th St. between Oaklawn St. and Bowie St.

(Jon James)

Summary/History:

All of the referenced cases have been combined and will be presented together. All of these cases have been recommended by staff and recommended for approval unanimously by the Planning Commission. In addition, none of these cases have seen any opposition from surrounding neighbors or other members of the public.

One public hearing will be held for all items and these may be approved with one motion.

Additional information for each case can be found in the attached Staff Reports.

Financial Impact:

N/A

Other Information/Recommendation:

On May 17, 2021, Planning Commission unanimously recommended APPROVAL of the above cases by a vote of 5-0 for all of these cases.

Item 5 was approved subject to three conditions as presented, modifying condition #2 to require a replat within 36 months of Council's decision (from 18 months).

Item 6 was approved subject to four conditions as presented.

On June 15, 2021, City Council unanimously APPROVED the above cases by a vote of 7-0.

Attachments:

- | | | |
|----|-----------------------|-----------------------------|
| 1. | Ordinance (Z21-05) | DRAFT Ordinance Z21-05.docx |
| 2. | Staff Report (Z21-05) | Z21-05_Staff Report .pdf |

- | | | |
|----|--|--|
| 3. | Ordinance (Z21-06) | Ordinance (Z21-06).docx |
| 4. | Staff Report (Z21-06) | Staff Report (Z21-06).pdf |
| 5. | Ordinance (Alley-Abandon_Lake View Blk 58 (1) | Ordinance (Alley-Abandon_Lake View Blk 58 (1).pdf |
| 6. | Staff Report (Alley-Abandon_Lake View Blk 58) | Staff Report (Alley-Abandon_Lake View Blk 58).pdf |
| 7. | Ordinance (Alley-Abandon - Lake View Blk. 34 (1) | Ordinance (Alley-Abandon - Lake View Blk. 34 (1).pdf |
| 8. | Staff Report (Alley Abandonment - Block 34) | Staff Report (Alley Abandonment - Block 34).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **LOCATED AT 2321 SOUTH BRYANT BOULEVARD AND 504 WEST AVENUE T BEING 0.398 ACRES FROM THE SINGLE FAMILY RESIDENCE (RS-1) ZONING DISTRICT TO NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT**; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-05: 2321 South Bryant Boulevard/504 West Avenue T

WHEREAS, on the 17th day of May, 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 Zoning Districts; and,

WHEREAS, on the 15th day of June, 2021, the City Council held a public hearing on Z20-05, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real properties being Lots 7 & 8, Block 4, La Villita Heights; City of San Angelo, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED on the **15th day of June, 2021**, and finally ADOPTED on this the **8th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

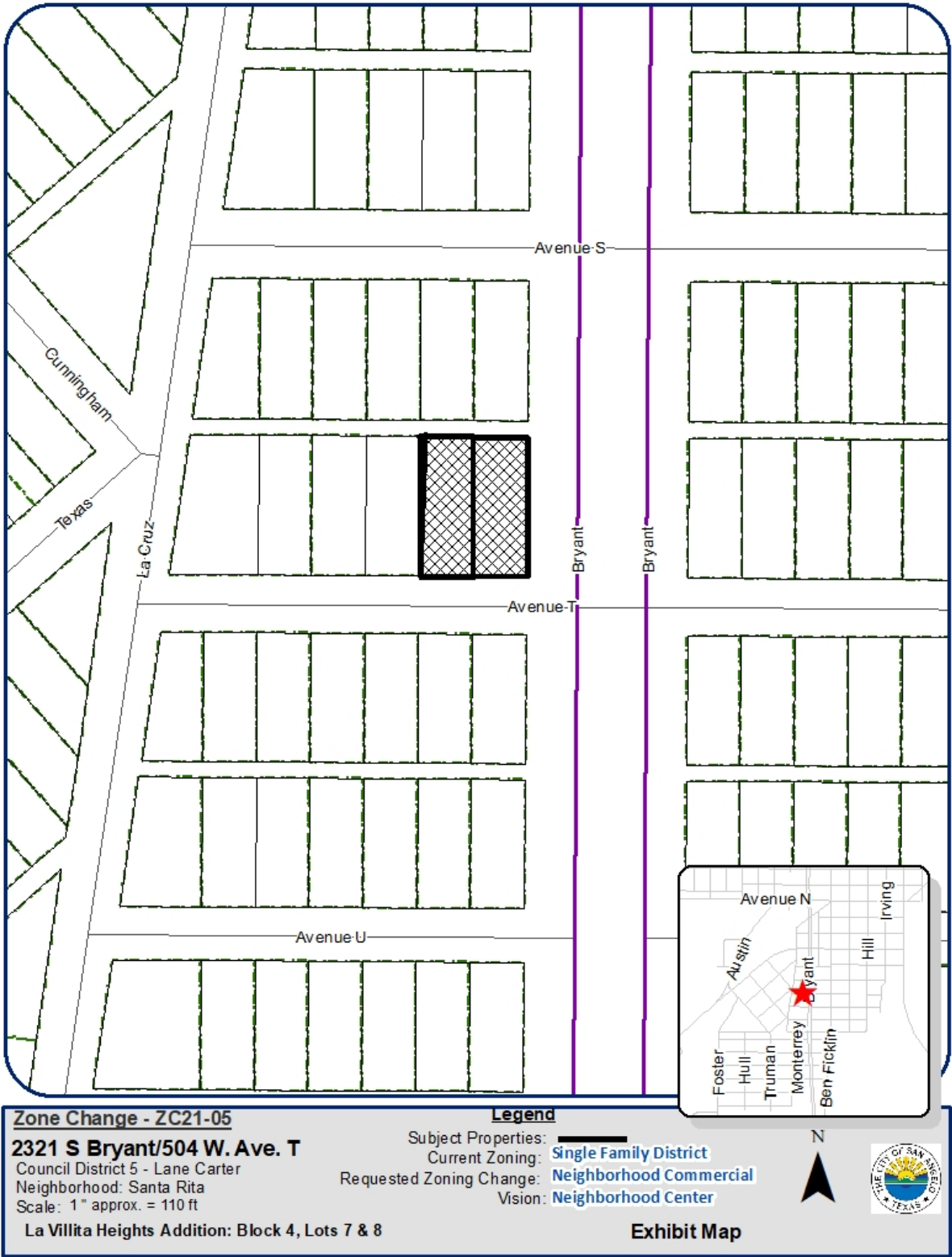
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

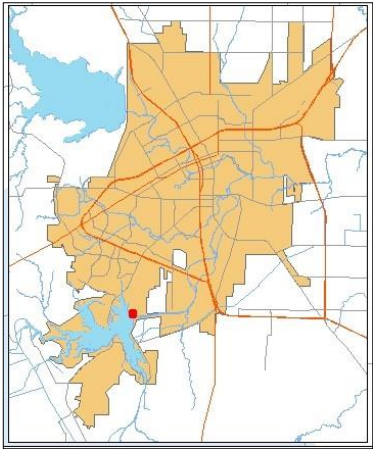
Theresa James, City Attorney

EXHIBIT "A"



CITY COUNCIL –June 15, 2021
STAFF REPORT



APPLICATION TYPE:		CASE:	
Rezoning		Z21-05: 2321 South Bryant Boulevard/504 West Avenue T	
SYNOPSIS:			
A request for approval of a rezoning from the Single Family (RS-1) zoning district to the Neighborhood Commercial (CN) Zoning District. The applicant is proposing to use an existing structure that historically was a bakery and restaurant. The applicant's grandmother ran the bakery/restaurant from the 1980's. She is supportive of his grandson caring on the family legacy. Since this building has been closed for a while it cannot continue as a legal conditional use and must be rezoned.			
LOCATION:		LEGAL DESCRIPTION:	
2321 South Bryant Boulevard/504 West Avenue T		La Villita Heights, Block 4, Lots 7 & 8	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Rio Vista Neighborhood	CN	Commercial	0.398 acres
THOROUGHFARE PLAN:			
<u>South Bryant Boulevard</u> – State Highway: Four lanes with a turn lane, 150 ft. of right of way, 80 ft. of pavement.			
NOTIFICATIONS:			
16 notifications were mailed within a 200-foot radius of the property on April 30, 2021. No response was received in favor or against for the case.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Single Family (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District. At the May 17, 2021, Planning Commission meeting they voted 5-0 to recommend APPROVAL of the rezoning.			
PROPERTY OWNER/PETITIONER:			
Applicant: Daniel Avila/COSA			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 Sherry.bailey@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 Neighborhood Commercial is in keeping with the Future Land Use of the City's Comprehensive Plan which is designated Neighborhood Center land use. "Neighborhood Centers take on a more pedestrian friendly character and are more integrated with and connected to their surroundings, and cluster buildings to generate synergies between complementary uses." The proposed use, neighborhood restaurant, meets 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 Neighborhood Commercial District will apply, including commercial and retail uses. 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 remodeling of this structure 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 commercial in nature. The restaurant is intended to be a walkup service area or a drive through, so there is minimal anticipated impacts to the surrounding area. The frontage of the structure is on S. Bryant Blvd. but the main entrance may be off of W. Ave. T. The site lends itself to walkability also.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The subject property has been a restaurant for many years. Changing its use back should not be difficult and should not be much of a change. This entire area is in transition and moving more towards commercial.
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 commercial area.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Commercial areas that service local neighborhoods are rare. Although this area is off of South Bryant Boulevard and will pull activity from that busy street it is also intended to meet local area needs and as such will meet a community need for this area.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* 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. This area backs up to a larger church site with a Fellowship Hall and meeting area. A major General Commercial area begins just one block north.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Single Family (RS-1) Zoning District to Neighborhood Commercial Zoning District (CN).

Planning Commission

Sherry Bailey, Principal Planner, presented the case. She explained that the building at the immediate corner has been a bakery and restaurant since the 1970s. She indicated that of the 12 notices that were mailed, Staff did not receive any responses in favor or against. She then outlined staff's rationale to approve the case on the grounds that the proposed zoning is still intended to be commercial that serves the neighborhood; that the zoning is adjacent to the same zoning district *on the rest of the block; that the residential across the street has a mixed use type; and that the use is compatible with the surrounding area.*

Commissioner Uherik why there is a restaurant on the property if it was zoned for residential. Ms. Bailey responded that the property was always zoned RS-1, and when the commercial use went away for several years and wanted to be reinstated, a zone change was required.

Chair Stribling opened public comment.

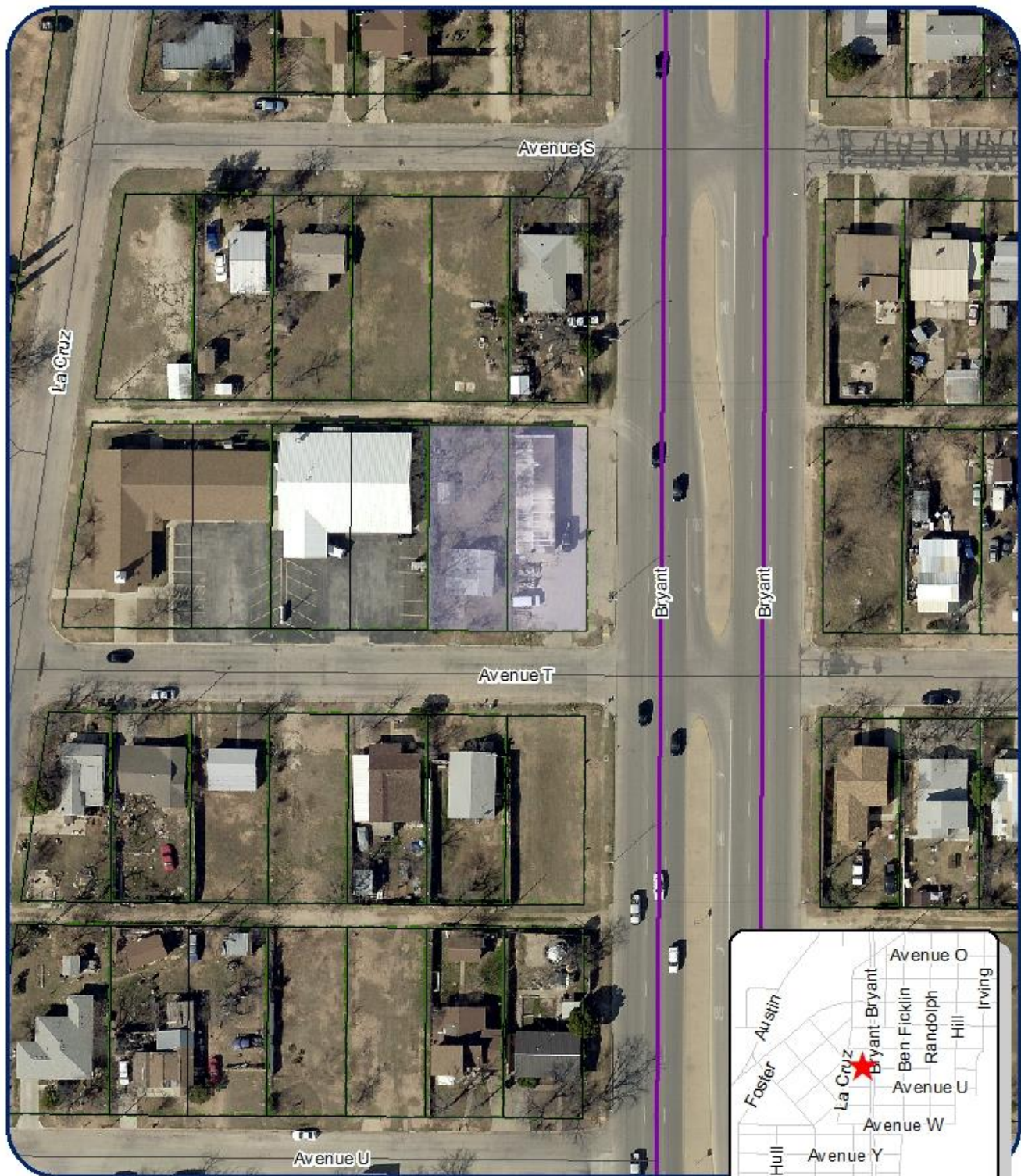
Rachel Avila, the applicant, indicated that the house on the second lot has burned down. She indicated that her father owned the property and she did not know how the zoning was residential but has paid property taxes for commercial. She requested approval of the zone change to CN.

Chair Stribling closed public comment.

Commissioner Uherik made a motion to RECOMMEND APPROVAL of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.30 acres located at 2321 S. Bryant Blvd and 504 W. Avenue T. Commissioner Davis seconded the motion. The motion carried unanimously 5-0

Attachments:

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



Zone Change - ZC21-05

2321 S. Bryant & 504 W. Ave. T

Council District 5 - Lane Carter
Neighborhood: Santa Rita
Scale: 1" approx. = 80 ft

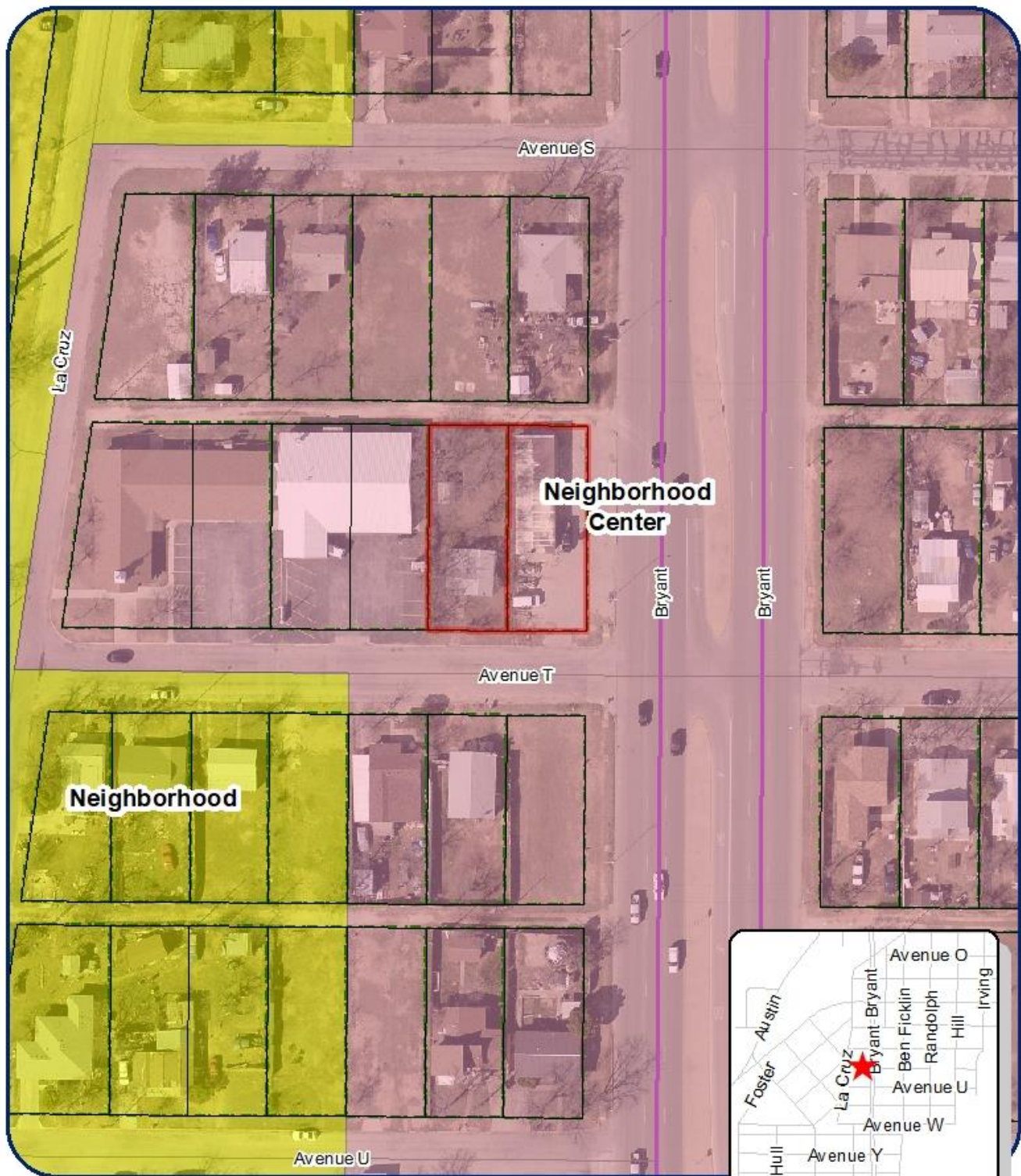
La Villita Heights Addition: Block 4, Lots 7 & 8

Legend

Subject Properties: **Single Family District**
Current Zoning: **Neighborhood Commercial**
Requested Zoning Change: **Neighborhood Center**
Vision: **Neighborhood Center**



Aerial Map



Scale: 1" approx. = 80 ft

La Villita Heights Addition: Block 4, Lots 7 & 8

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

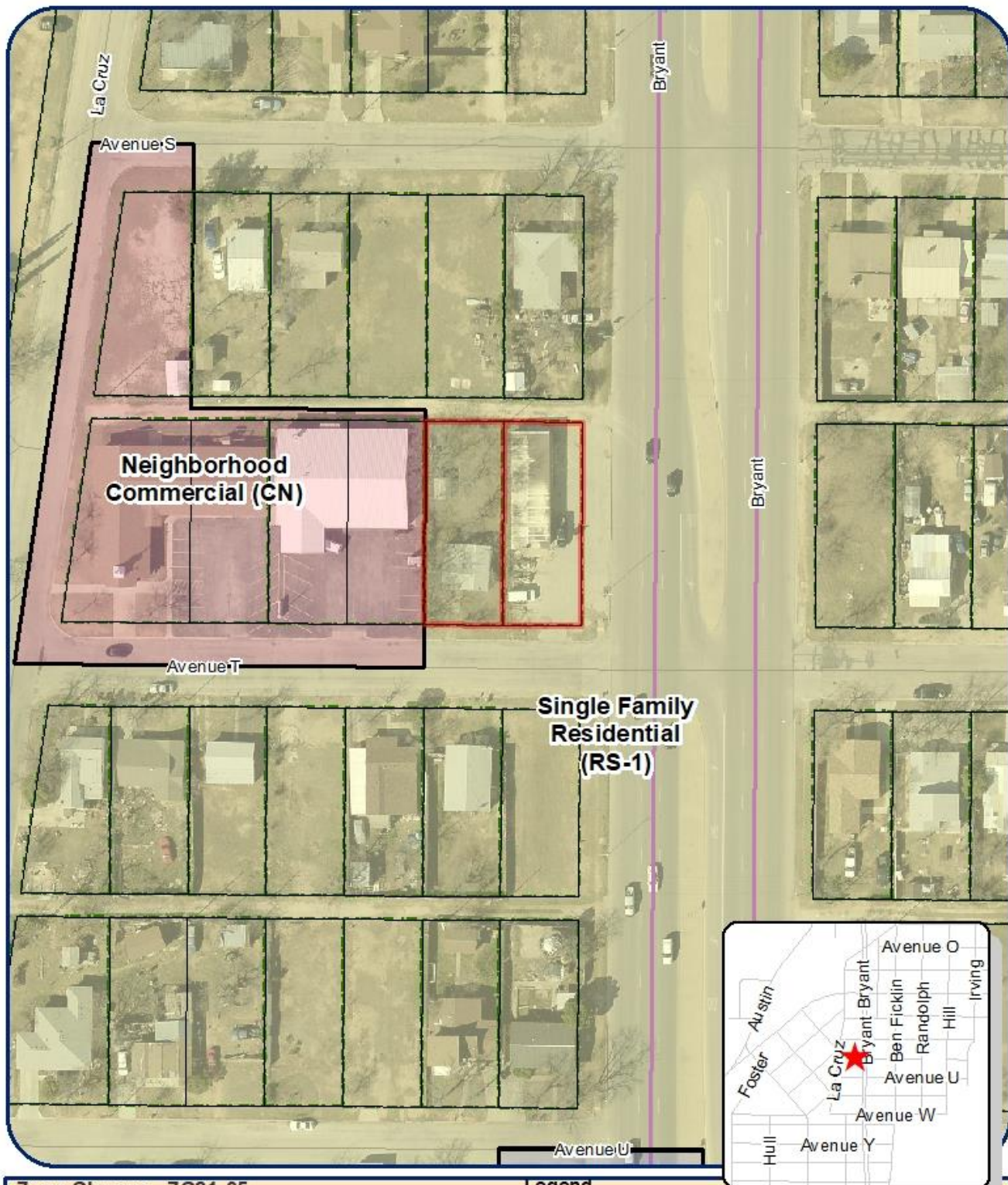
Single Family District

Neighborhood Commercial

Neighborhood Center

Future Land Use





Zone Change - ZC21-05

2321 S. Bryant & 504 W. Ave. T

Council District 5 - Lane Carter
 Neighborhood: Santa Rita
 Scale: 1" approx. = 80 ft

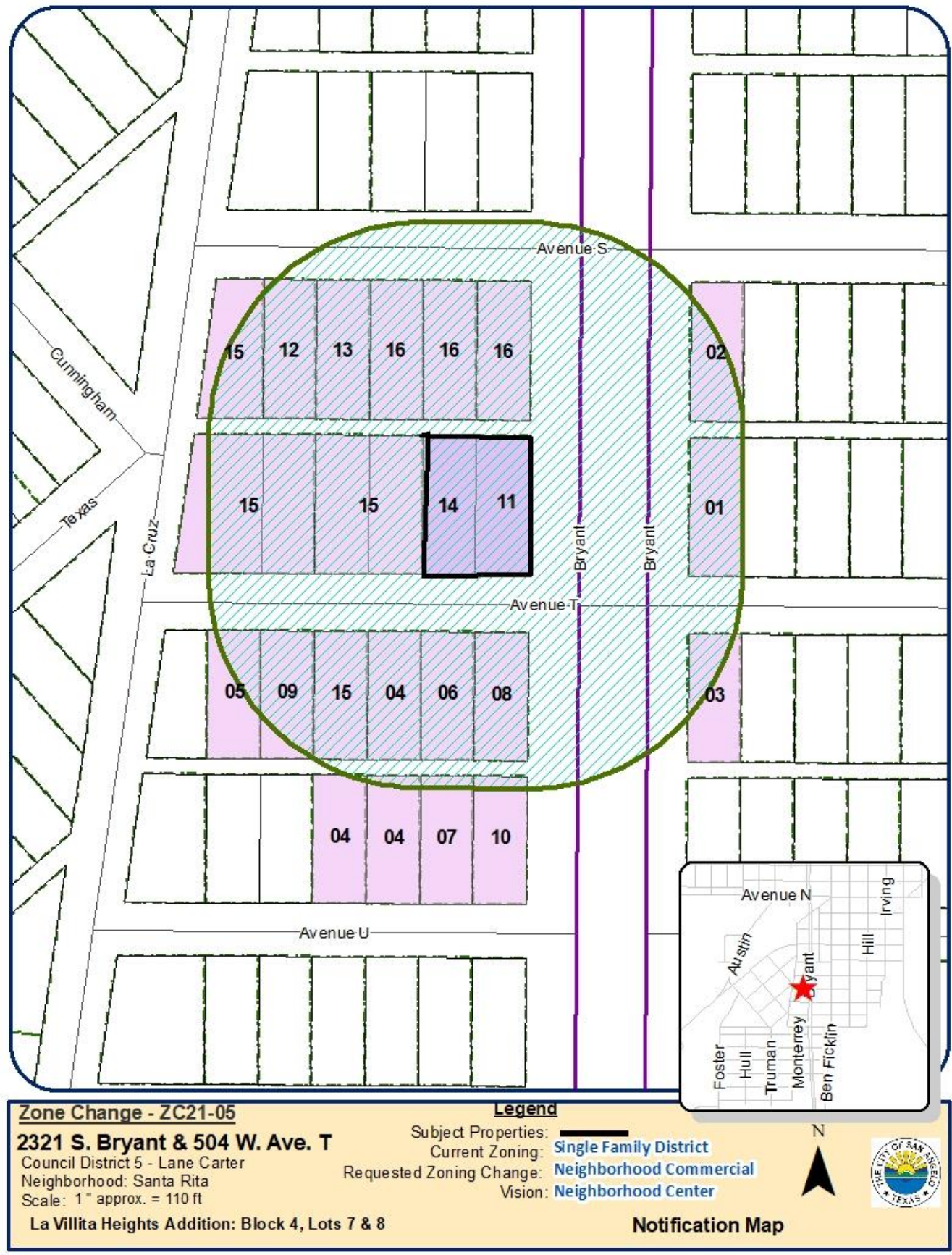
La Villita Heights Addition: Block 4, Lots 7 & 8

Legend

Subject Properties: **Single Family District**
 Current Zoning: **Neighborhood Commercial**
 Requested Zoning Change: **Neighborhood Center**
 Vision: **Neighborhood Center**



Existing Zoning Map



Photos of Site and Surrounding Area



2321 South Bryant Blvd. existing access curb cut off Bryant.



504 W. Ave. T. Second property that is included in the rezoning. It back up to 2321 S. Bryant Blvd.



**Church property on W. Ave. T adjacent to 504 W. Ave. T.
This property is CN to the end of the block.**



Residential property across the street from 2321 S. Bryant and 504 W. Ave. T.

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): Daniel J. Anla
☐ Owner ☐ Representative (Notarized Affidavit Required)
 Mailing Address: 2327 Wilson San Angelo TX 76901
 City State Zip Code
 Contact Phone Number: 325-482-7234 Contact E-mail Address: danielanla0904@gmail.com
 Subject Property Address: 2321 S. Bryant San Angelo TX 76903
 City State Zip Code
 Legal Description (can be found on property tax statement or at www.tamgreencad.com): LA Villa Heights ADDN BLK 4 LOT 7

Existing Zoning: mer. Proposed Zoning: Restaurant Lot size: 0.149 acres
RS-1 CN
 (Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Restaurant / LA villa bakery / Julios chips & salsa
Then was tile shop
 *Proposed Use of Property: Restaurant
 *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.

Daniel Avila

Owner Name (Print)

D. Avila

Signature

Company/Organization (If Applicable)

4/13/21
4/18/21

Date

Representative Name (Print)

Signature

Company/Organization

4/13/21

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 4 / 13 / 21

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: 5 / 17 / 21 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



AFFIDAVIT
Owner Permission-To-Named-Representative

STATE OF TEXAS
COUNTY OF TOM GREEN

Section 1: Owner, Property, and Representative Information

I, Rachel Villarreal Avila (Garcia) make this affidavit and hereby on oath state the following:
Print Property Owner Name

I, being the ☒ sole ☐ partial owner of the following property:

2321 S. Bryant Blvd San Angelo Texas 76905 325 812 8218 rvavila1945@gmail.com
Property Address City State Zip Code Contact Number E-mail Address

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

LA Villita Heights ADDN BIK 4 LOT 7

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

Rachel V Avila
(Please print) Representative's Organization or Entity

Signed this the 13 day of April, 2021.

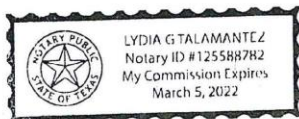
Rachel V Avila
Signature of the Property Owner

Section 2: Notary Public Information

BEFORE ME, the undersigned authority, this day personally appeared ^{LT} Rachel Villarreal Avila and
Name

on oath stated that the facts hereinabove stated are true to the best of Her knowledge or belief.
His/Her

SWORN TO AND SUBSCRIBED before me on this the 13 day of April, 2021.



Lydia G. Talamantez
Notary Public, State of Texas

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: **4125 DAN HANKS LANE; LOCATED SOUTHEAST OF CRISTOVAL ROAD AND SOUTH CHADBOURNE STREET, BEING 7.353 ACRES,** FROM THE HEAVY COMMERCIAL (CH) ZONING DISTRICT TO THE HEAVY MANUFACTURING (MH) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-06: 4125 Dan Hanks Lane

WHEREAS, on the 17th day of May, 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 Heavy Manufacturing (MH) Zoning District; and,

WHEREAS, on the 15th day of June, 2021, City Council held a public hearing on Z21-06, 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 HEAVY MANUFACTURING (MH) Zoning District:

The real properties located southeast of Cristoval Road and South Chadbourne Street, being the east 400 feet of Tracts C and D and all of Tract E in the Old Cristoval Road Industrial Park, Section Two, comprising 7.353 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 **15th day of June, 2021**, and finally PASSED, on this the **8th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

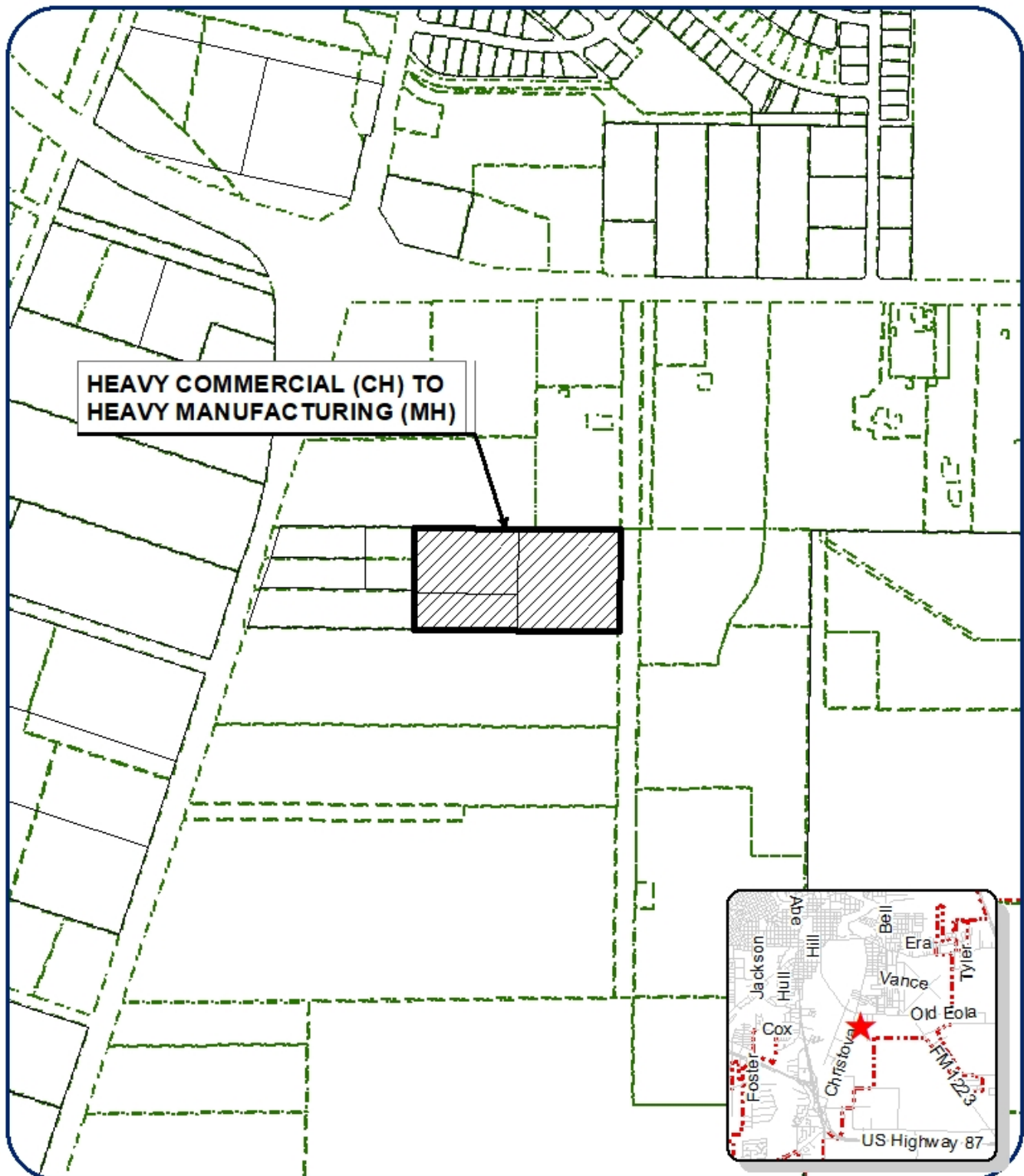
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Rezoning

Z21-06: 4125 Dan Hanks Lane

Council District: Tommy Hiebert - District 1

Neighborhood: Glenmore

Scale: 1" approx. = 500 ft

4125 Dan Hanks Lane, 7.353 ac.

Legend

Subject Properties: 
Current Zoning: **CH**
Requested Zoning Change: **MH**
Vision: **Industrial**



CITY COUNCIL – JUNE 15, 2021
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z21-06: 4125 Dan Hanks Lane	
SYNOPSIS:			
The applicant has applied for a rezoning on the subject properties from the Heavy Commercial (CH) Zoning District to the Heavy Manufacturing (MH) Zoning District. The applicant is a chemical manufacturing company that currently leases the property immediately west, 3820 Christoval Road, but is seeking to relocate onto the new properties. The business manufactures and processes chemicals which requires Heavy Manufacturing (MH) Zoning. The subject properties include three tracts, one legally platted Tract E in the Old Christoval Road Industrial Park, Section Two subdivision, and the other two remainders of Tracts C and D. Staff has communicated to the applicant that any new development on the remainder tracts would require replatting the lots, but this would not affect the proposed rezoning.			
LOCATION:		LEGAL DESCRIPTION:	
Southeast of Christoval Road and South Chadbourne Street		Tract E and the east 400' of Tracts C and D in Old Christoval Road Industrial Park, Section Two	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	CH	Industrial	7.353 acres
THOROUGHFARE PLAN:			
<i>Dan Hanks Lane</i> - Urban Collector Street, Required: 60' right-of-way, 50' pavement; Provided: 80' right-of-way, 24' pavement (complied at time of platting).			
NOTIFICATIONS:			
10 notifications for Z21-06 were mailed within a 200-foot radius on May 3, 2021. One response was received concerning drainage but was neither for nor against the request. This letter was forwarded to Engineering Services and does not pertain to the rezoning.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Heavy Commercial (CH) Zoning District to the Heavy Manufacturing (MH) Zoning District, being approximately 7.353 acres, located at 4125 Dan Hanks Lane, as identified on the attached maps.			
PROPERTY OWNER/PETITIONER:			
Owner: Patterson Drilling Company Petitioner: Special Materials Company (VP Charlie Neale)			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

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

1. **Compatible with Plans and Policies. *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The proposed rezoning is located within an area designated on the Future Land Use Plan as “Industrial” in the City’s Comprehensive Plan. This industrial area encompasses 1.5 square miles between Christoval Road to the west; South Chadbourne Street to the north; and south past W. Loop 306. The properties are surrounded by other industrial or heavy commercial uses including a drywall business, construction contractor, truck accessories, and towing company to the west; oilfield services, construction company, and energy company to the north; a compression services company to the east; and a windmill company to the south. The Industrial policies recommend to “cluster industrial and intensive agricultural businesses into several large areas by specifying boundaries within which such uses may be incentivized to locate, remain and thrive, while establishing increased business diversity.” The subject property is located in the center of this industrial cluster which has existed since the 2009 Strategic Plan update to the Comprehensive Plan. Therefore, Planning staff believe that the proposed business and rezoning is appropriate in this location, surrounded by industrial uses in either direction.
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 chemical manufacturing company is a permitted use in the MH zoning which allows the “manufacture and processing of chemicals”, a subsidiary of heavy manufacturing in the Zoning Ordinance. Manufacturing activities will include repackaging of bulk containers, blending biocide solutions, and diluting and dissolving of chemicals, all of which fit within heavy manufacturing (MH). As indicated, the applicant currently operates the same business from the property immediately west, 3820 Christoval Road, which is zoned MH and allows the use. The three properties encompass a total of 7.353 acres, providing adequate space to comply with all zoning setbacks, required parking, etc. The MH zoning requires a 25-foot front yard setback facing Dan Hanks Lane and the nearest building is approximately 50 feet from the front property line in compliance. According to the Tom Green County Appraisal District, the entire site contains 10,300 sq. ft. of warehousing/storage floor area, and 4,080 sq. ft. of office area. Warehousing and storage requires 1 parking space/1,000 sq. ft. (10 parking spaces) and the offices require 1 parking space/500 sq. ft. (8 parking spaces), a total of 18 spaces. There are currently 22 paved parking spaces on the property in compliance, and there is ample space for additional parking to accommodate any future expansions. While the zoning ordinance requires parking to paved, Section 511.H.1 of the Zoning Ordinance allows for vehicle storage and equipment areas to be an all-weather surface, so long as it is not used for customer or employee parking.
3. **Compatible with Surrounding Area. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*** As indicated, the proposed use and zoning are

compatible with the surrounding area which is exclusively industrial or heavy commercial uses. Since the subject area was designated Industrial in the Comprehensive Plan, first in 2003 and later expanded in 2009, a series of rezonings have taken place to allow industrial uses (Z10-12 – 3820 Christoval Road – from CH to ML); and Z13-27 (3710 Christoval Road, 4001 and 4003 S. Chadbourne Street – from ML, CH, and R&E to ML). Further, the subject property has remained CH since 1978 with a conditional use option for ML, allowing heavy commercial uses. There is an existing multi-family residential apartment complex to the northwest, but staff believes that the subject rezoning is appropriate given it is buffered from the housing complex by an energy company and that the MH zoning is located in an area that has been designated for industrial uses for almost twenty years.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The previous use was an oilfield company, and the property is currently vacant. The proposed business requires the MH zoning because of its processing and manufacturing of chemicals. Staff believes that rezoning to MH is appropriate given the surrounding area includes mainly intense industrial uses already. Further, San Angelo City Council, at the recommendation of staff, approved the MH zoning immediately to the west in 2010 (Z10-12), where the applicant currently operates.
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.* While any manufacturing use has the potential for negative environmental impacts, this is one reason that specific areas are designated for such uses, typically away from non-industrial uses. As noted above, this proposed rezoning is within a larger area specifically designated for industrial activity and is an appropriate location for such uses. At the request of staff, the applicant has provided a summary of their proposed manufacturing activities. These were discussed with City staff including the Fire Marshal, Permits, Engineering, and Planning on Thursday, April 22, 2021:
 - Noise – the loudest noise will be a tractor or truck at 95db on occasion (approx. noise of a motorcycle);
 - Traffic – anticipated 6 inbound truck trips/day; 11 outbound truck trips per day; 20 other vehicles from contractors, suppliers per day;
 - Odor and Smoke – vapor recovery used to limit odor when unloading chemicals; no smoke;
 - Dust and Vibration – from operations are only a few feet from source inside buildings only; no significant vibration;
 - Sewage – None. All rinsate collected and recycled into finished products; hazardous materials recycled or collected for disposal.

Staff believes that environmental impacts should be minimal, based on any allowed use following industry practices and environmental regulations.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning staff believe that there is a demonstrated community need for this business. According to the applicant, the business will provide employment for San Angelo residents. It will also provide an additional industrial tax base, and necessary products for the oilfield sector helping the local economy.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The property is a short drive to the intersection of Christoval Road and South Chadbourne Street, both urban arterial streets designed to carry large traffic volumes. The current development patterns would not change, with continued access being provided from Dan Hanks, a public road that was dedicated to the City in 1988.

Planning Commission Recommendation:

On May 17, 2021, the Planning Commission recommended unanimous **APPROVAL** by a 5-0 vote of a rezoning from the Heavy Commercial (CH) Zoning District to the Heavy Manufacturing (MH) Zoning District, being approximately 7.353 acres, located at 4125 Dan Hanks Lane, as identified on the attached maps. **The following is the complete excerpt of the draft minutes from the May 17, 2021 meeting for this case:**

Jeff Fisher, Principal Planner, presented the proposed rezoning. He explained that the applicant was proposing to change the zoning on the property from CH to MH, and that of the 10 notices that were mailed, only one response was received regarding drainage but was neither in favor nor opposed to this case. He indicated that he would forward that response to Engineering for review. Mr. Fisher explained that the applicant currently operates their business from the property immediately to the west at 3820 Christoval Road, and requires more space, desiring to relocate to the subject property. He then shared photos of the site and surrounding area. Mr. Fisher explained that the chemical mixing component of the applicant's business is what required the MH zoning. Mr. Fisher outlined Staff's recommendation to approve the proposed rezoning on the grounds that it is surrounded by industrial uses; is located within a 1.5 square mile industrial designated cluster in the Comprehensive Plan; that there is adequate space on the property to comply with zoning and parking requirements; that the use is compatible with surrounding industrial uses and a rezoning from CH to MH on the property where the applicant is now operating (Z10-12); and that there will be no significant environmental effects, and that noise, traffic and odor will be minimal per the information provided by the applicant, and that there should not be any outdoor uses. Mr. Fisher also noted that the applicant met with Staff in advance at a pre-development meeting to outline their proposed development.

Chair Stribling opened public comment.

Charlie Neale, who works with SMC Global, the applicant, mentioned that the company's plan is to conduct the same business as what they are doing now immediately to the west.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to **RECOMMEND APPROVAL** of a rezoning from the Heavy Commercial (CH) Zoning District to the Heavy Manufacturing (MH) Zoning District, being 7.353 acres located at 4125 Dan Hanks Lane. Commissioner Ionita seconded the motion. The motion carried unanimously, 5-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** a rezoning from the Heavy Commercial (CH) Zoning District to the Heavy Manufacturing (MH) Zoning District, being approximately 7.353 acres, located at 4125 Dan Hanks Lane, as identified on the attached maps.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Response Letter
Applicant's Rationale for Approval
Applications



Rezoning

Z21-06: 4125 Dan Hanks Lane

Council District: Tommy Hiebert - District 1

Neighborhood: Glenmore

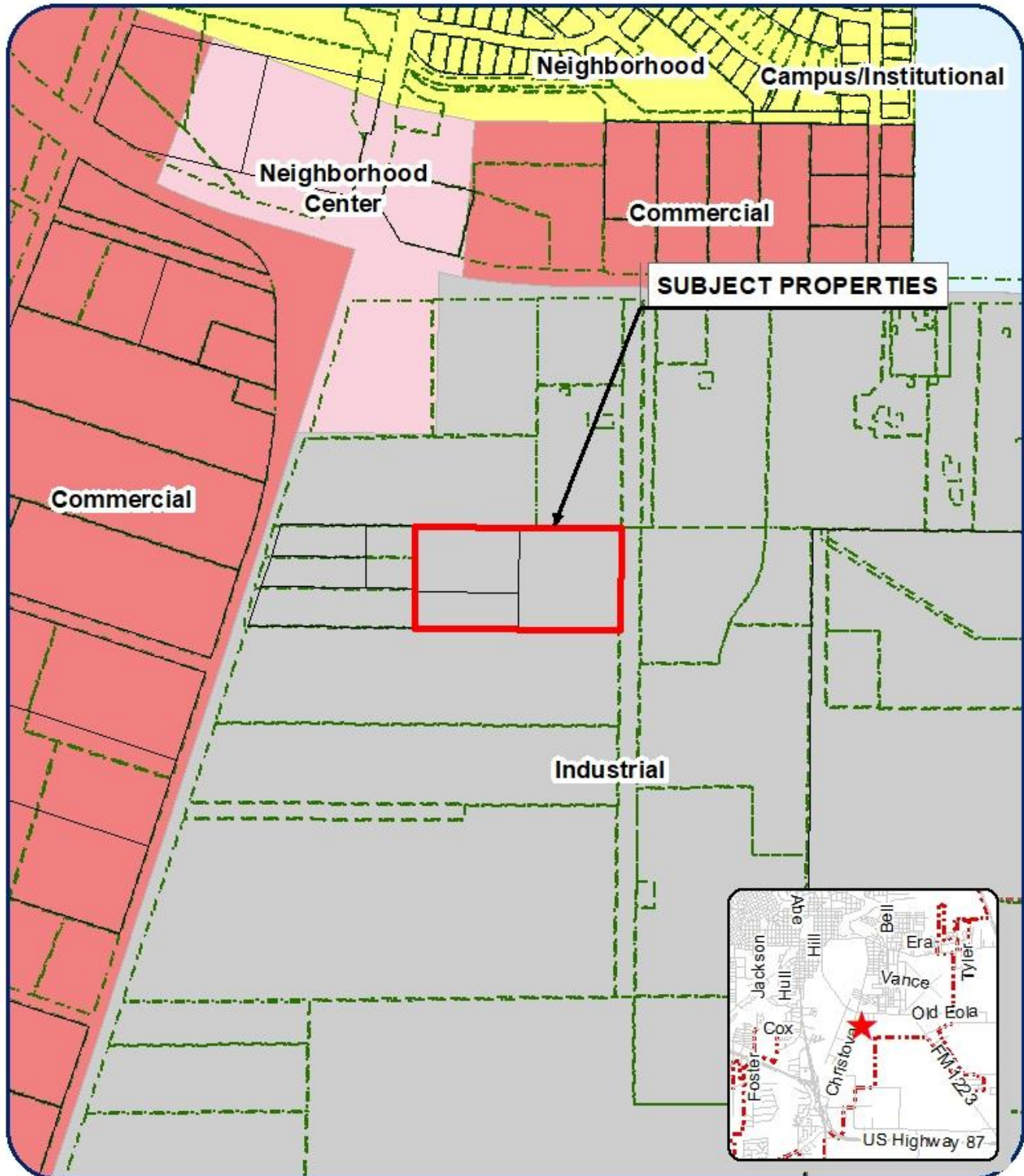
Scale: 1" approx. = 500 ft

4125 Dan Hanks Lane, 7.353 ac.

Legend

Subject Properties: 
Current Zoning: **CH**
Requested Zoning Change: **MH**
Vision: **Industrial**





Rezoning

Z21-06: 4125 Dan Hanks Lane

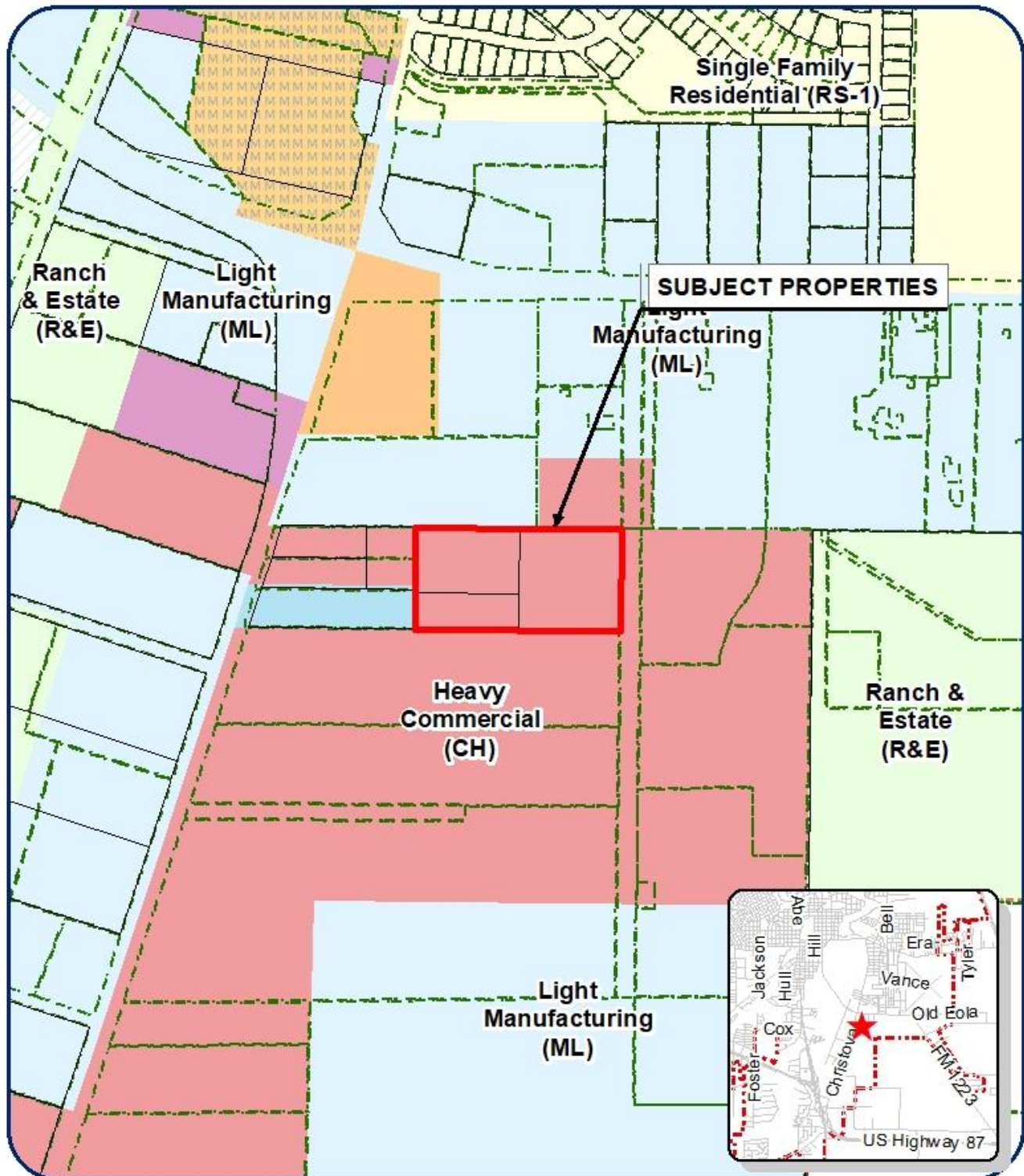
Council District: Tommy Hiebert - District 1
Neighborhood: Glenmore
Scale: 1" approx. = 500 ft

4125 Dan Hanks Lane, 7.353 ac.

Legend

Subject Properties: —
Current Zoning: CH
Requested Zoning Change: MH
Vision: Industrial





Rezoning

Z21-06: 4125 Dan Hanks Lane

Council District: Tommy Hiebert - District 1

Neighborhood: Glenmore

Scale: 1" approx. = 500 ft

4125 Dan Hanks Lane, 7.353 ac.

Legend

Subject Properties: —
Current Zoning: CH
Requested Zoning Change: MH
Vision: Industrial



Photos of Site and Surrounding Area

NORTH OF CHRISTOVAL ROAD



EXISTING LOCATION (3820 CHRISTOVAL RD)



NORTH ON DAN HANKS LANE



SOUTH ON DAN HANKS LANE



NORTHWEST AT SUBJECT PROPERTY



SOUTHEAST AT SUBJECT PROPERTY



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

() IN FAVOR

() IN OPPOSITION

REASON(S) I am not in favor or oppose. The problem I have is water runoff
from PLOT (6) and this needs to be addressed and fixed. When it rains the
WATER from this plot (6) floods my plot (3). It has flooded my shops several
times and is washing away the dirt causing erosion. WATER retention needs
to be addressed and fixed.

NAME: Randy and Melody Crooks
Shop:

ADDRESS: 3800 Christoval Road

Home: 2701 Christoval Road

San Angelo, TX 76903

San Angelo, TX 76903

SIGNATURE: Melody Crooks

Z21-06: 4125 Dan Hanks Lane
property owner number: 3

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

Applicant's Rationale for Approval

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 zone change is compatible with the comprehensive plan. This chemical manufacturing company is in line with the types of businesses that should set within the Vision Plan Map's industrial area. The zone change will allow an existing industrial business to expand, which is in line with the Comprehensive Plan.

2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.

The proposed change from CH to MH is consistent with the zoning ordinance.

The Applicant currently leases an abutting property to the west of the Subject Property that is already zoned MH. The Subject Property is also further away from any residential housing that its existing location.

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 zone change is compatible with the surrounding industrial area. It will assist in allowing the area's existing uses to expand in scale, and in allowing for ancillary needs of expanding businesses, such as on-site professional offices for the industrial sector.

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

No changed conditions known.

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

The zone change will not result in adverse effect on natural environment, as the intended use by Applicant is already in effect at Applicant's current location to the west of and abutting the Subject Property.

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

Economic development for San Angelo requires the expansion of existing industrial businesses, just like Applicant. Such expansion will result in more jobs in the area, many of which will help elevate the standard of living in San Angelo through higher paying jobs.

- _____
- _____
- _____
7. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.
- The existing Comprehensive Plan seeks to keep industrial activity and businesses away from Downtown San Angelo and from visitor traffic. The zone change at this location is in line with the Plan.
- _____
- _____
- _____

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): Special Materials Company (VP Charlie Neale, Local Counsel Amy Zeltman)

☐ Owner

☒ Representative (Notarized Affidavit Required)

44 North Main Street

Lambertville

New Jersey

08530

Mailing Address

City

State

Zip Code

225-933-1502 (Neale), 325-895-8030 (Zeltman)

cneale@smc-global.com; amyz@ghtxlaw.com

Contact Phone Number

Contact E-mail Address

4125 Dan Hanks Ln.

San Angelo

Texas

76904

Subject Property Address

City

State

Zip Code

Acres: 7.353, Blk: 2, Subd: OLD CRISTOVAL IND PK-C&S, EAST 400' OF TRACTS C & D & ALL OF TRACT E SEC 2

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

Existing Zoning: CH Heavy Commercial Proposed Zoning: MH Heavy Manufacturing Lot size: 7.353 ac (320,297 sf)

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

Section 2: Site Specific Details

Existing Use of Property: The property is primarily used as a storage and maintenance site for Patterson-UTI Drilling Company LLC, in support of the pressure pumping, land drilling, and oilfield services business of the owner and its affiliates.

*Proposed Use of Property: Manufacture of specialty chemicals used in various industries, including the oil and gas industry.

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

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

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

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

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

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

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

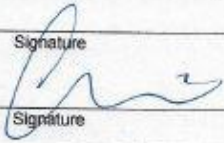
☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Charlie Neale, VP		Special Materials Company	4/8/2021
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



AFFIDAVIT
Owner Permission-To-Named-Representative

STATE OF TEXAS
COUNTY OF TOM GREEN

Section 1: Owner, Property, and Representative Information

I, Patterson-UTI Drilling Company LLC, make this affidavit and hereby on oath state the following:
Print Property Owner Name

I, being the ☒ sole ☐ partial owner of the following property:

4125 Dan Hanks Ln. San Angelo TX 76904 281-765-7100 / Andy.Smith@patterson-uti.com
Property Address City State Zip Code Contact Number E-mail Address

Legal Description of Location (can be found on property tax statement or at www.tomgreencad.com):
Acres: 7.353, Blk: 2, Subd: OLD CHRISTOVAL IND PK-C&S, EAST 400' OF TRACTS C & D & ALL OF TRACT E SEC 2

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

Special Materials Company

(Please print) Representative's Organization or Entity

Signed this the 8th day of April, 2021.

[Signature]
Signature of the Property Owner

CFO, on BEHALF OF PATTERSON-UTI DRILLING COMPANY LLC

Section 2: Notary Public Information

BEFORE ME, the undersigned authority, this day personally appeared Andy Smith, CFO and
Name

on oath stated that the facts hereinabove stated are true to the best of his knowledge or belief.
His/Her

SWORN TO AND SUBSCRIBED before me on this the 8th day of April, 2021.



[Signature]
Notary Public, State of Texas

AN ORDINANCE PROVIDING FOR ABANDONMENT AND VACATION OF A PORTION OF AN ALLEY RIGHT-OF-WAY COMPRISING OF APPROXIMATELY 0.052 ACRES (2,250 SQUARE FEET) WITHIN BLOCK 58 OF THE LAKE VIEW ADDITION; LOCATED SOUTH OF EAST 41ST STREET; WEST OF BOWIE STREET; NORTH OF EAST 40TH STREET; AND EAST OF OAKLAWN STREET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that the public alley right-of-way within Block 58 of the Lake View Addition, Tom Green County, Texas, is no longer needed for public use and therefore deems it advisable to abandon said portion of alley right-of-way; and,

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

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

SECTION 1: The public alley right-of-way located in the City of San Angelo, comprising of approximately 0.052 acres (2,250 square feet) of alley right-of-way within Block 58 of the Lake View Addition, Tom Green County, Texas, more particularly described and depicted in **Exhibit “A,”** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

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

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

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

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

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

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

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

INTRODUCED on the **15th day of June, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **8th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

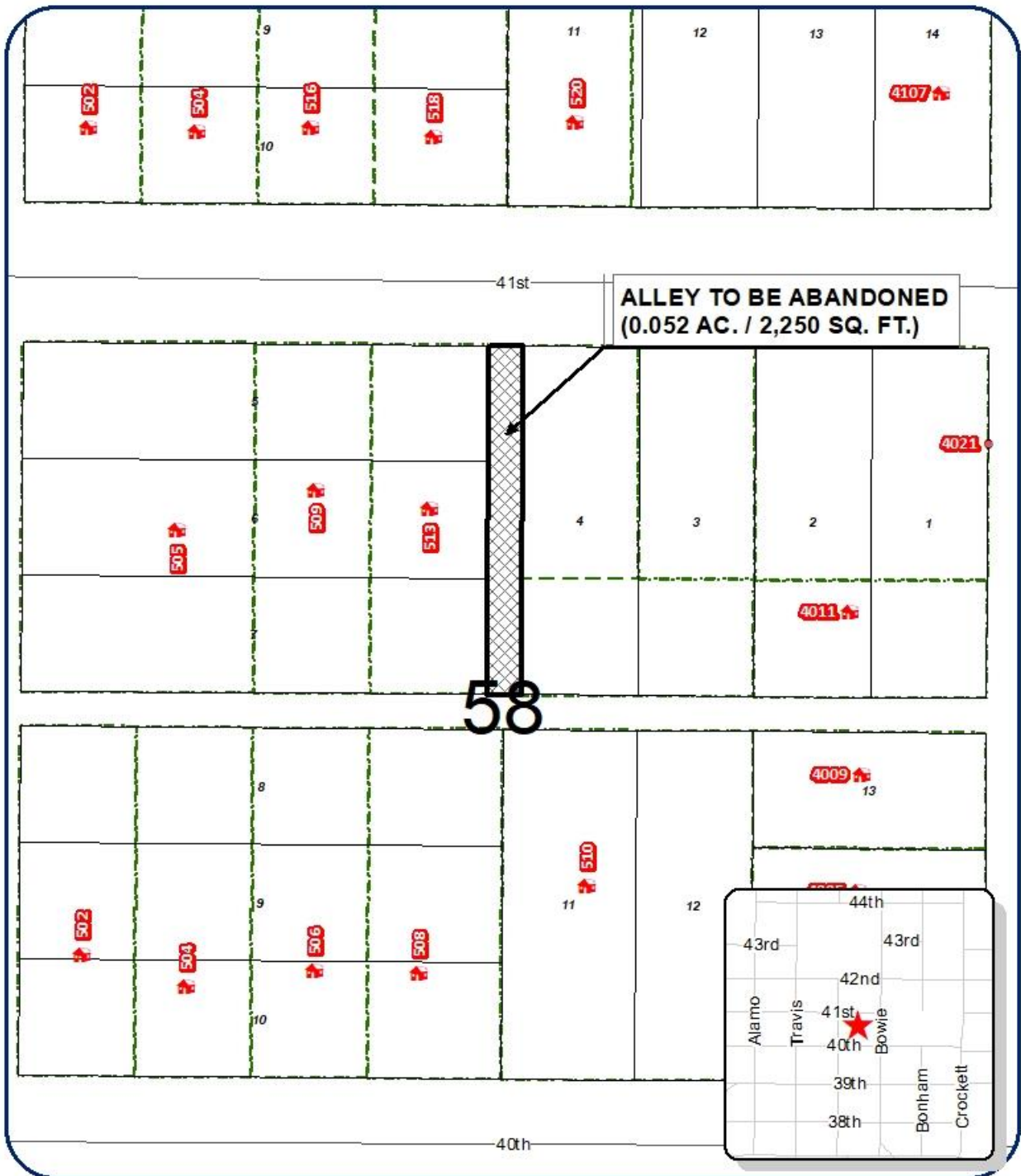
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Alley Abandonment

500 Block of E. 41st St.

Council District: Tom Thompson - District 2

Neighborhood: Lake View

Scale: 1" approx. = 55 ft

0.052 acres south of E. 41st St between Oaklawn St and Bowie St

Legend

Subject Properties:

Current Zoning: **RS-1**

Requested Zoning Change: **N/A**

Vision: **Neighborhood**



CITY COUNCIL – June 15, 2021

STAFF REPORT



APPLICATION TYPE:		CASE:	
Alley Right-of-way Abandonment		500 Block of E. 41 st Alley-Abandonment	
SYNOPSIS:			
The applicant has requested the abandonment of a 15' x 150' unpaved alley within Block 58 of the Lake View Addition. The purpose of the abandonment is to add additional land to erect a carport. The applicants owns the properties on both sides of the alley, and are requesting to abandon the entire alley.			
LOCATION:		LEGAL DESCRIPTION:	
South of East 41 st Street; west of Bowie Street; north of East 40 th Street; and east of Oaklawn Street		Being a 2,250-sq.ft. alley within Block 58 of the Lake View Addition	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #2 – Tom Thompson Lake View Neighborhood		RS-1 – Single-Family Residential	Neighborhood
			SIZE:
			0.052 acres
THOROUGHFARE PLAN:			
N/A. Alley was approved as part of the Lake View Addition, filed for record September 11, 1908 with the Tom Green County Clerk.			
STAFF RECOMMENDATION:			
Staff recommends <u>APPROVAL</u> of the Alley Right-of-Way Abandonment request, subject to three Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Bobbie Root/Nathan Englehart			
STAFF CONTACT:			
Cooper Carroll Intern - Planning & Development Services (325) 657-4210 cooper.carroll@cosatx.us			

Public Comments:

City Staff circulated to all relevant municipal departments, as well as public and private utility companies. There are no City services within the alley area to be abandoned. The City's Operations Department expressed their support for the alley abandonment as it is undeveloped and not being used by the City.

Frontier and Atmos responded and indicated they had no objections. All other utility companies did not respond.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and conducted a site visit to the property on April 29, 2021, to determine the appropriateness of abandoning this public alley right-of-way.

- *Traffic patterns:* Planning Staff believe that existing or anticipated traffic patterns would not be negatively affected if the alley was abandoned and sold to adjacent owner which owns properties on both sides of the alley. A site visit confirms that the alley is unpaved (caliche or grass) and there are no rear access drives to abutting land owners or rear garages or carports.
- *Utilities:* There are no City utilities in the alley. Water lines are located along E 41st Street and E 40th Street. Sewer lines are located along the alleyway that runs between Oaklawn Street and Bowie Street which also runs parallel to East 41st and E 40th Streets.
- *Community Impact:* The City sent abutting alley owners, and those within 200 feet, a notice of the meeting. There have been no responses to date.
- *Public benefit:* The abandonment of this alley will not be detrimental to the surrounding neighborhood. The alley abandonment would prove to increase the benefit of the land owner because she could adjoin her to properties into one and allow her to place a new carport in the abandoned area.

Planning Commission Recommendation:

On March 15, 2021, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 to approve the Alley Right-of-Way Abandonment. The following is the complete excerpt of the draft minutes from the May 17, 2021, meeting for this case:

Cooper Carroll, Planning Intern, presented the case. He indicated that the applicant wanted to place a carport to the side of the existing house which triggered the request. Mr. Carroll outlined Staff's rationale for approval on the grounds that there are no negative affects; that the alley remains unpaved and there are no rear garages or carports that access the alley; that there are no City or private utilities in the alley' and there were no responses from utility companies or neighbors. He explained that of the 18 notices that were mailed, there were no responses received in favor or against. He concluded his presentation by outlining the three conditions of approval as requested.

Chair Stribling opened public comment.

Ms. Root, the applicant, asked when the property needed to be replatted.

Commissioner Davis indicated that the plat had to be approved and recorded within 18 months.

Ms. Carroll corrected this condition, confirming that the plat was not required until 36 months from this approval.

Ms. Root asked for clarification on the process.

Jon James, Planning and Development Services Director, indicated that in addition to this approval, the applicant would have to obtain City Council approval for this abandonment; pay an assessment formula; then obtain approval and record the replat. He explained that once all the conditions are fulfilled, she could then obtain a building permit.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of a request to approve the abandonment of a 2,250-square foot (15' x 150') alley on the south side of East 41st Street between Oaklawn Street and Bowie Street, subject to three conditions as presented. Commissioner Davis seconded the motion. The motion carried unanimously 5-0.

Recommendation:

Staff's recommendation is to:

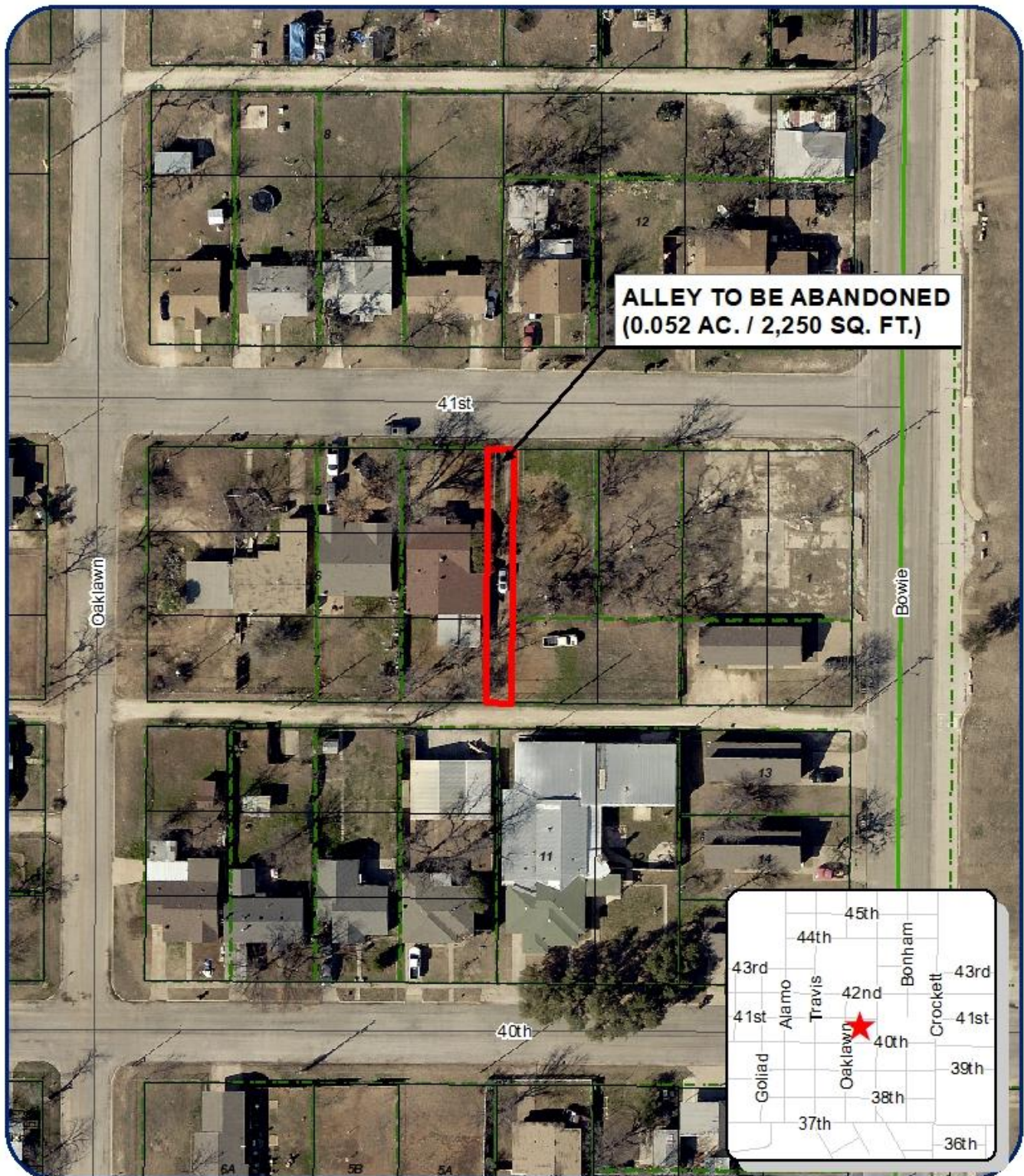
Recommend **APPROVAL** of the proposed abandonment and vacation of a 15-foot wide by 150-foot long, 0.052-acre (2,250-square foot) public alley; generally located south of East 41st Street; west of Bowie Street; north of East 40th Street; and east of Oaklawn Street; **subject to three Conditions of Approval:**

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.
2. Per the Schedule of Fees and Charges adopted by City Council Resolution 2020-004, dated January 7, 2020, payment shall be remitted, per the assessment formula, for all of the abandoned alley right-of-way.

3. After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Alley Abandonment Exhibit
Applicant Letter
Application



Alley Abandonment

500 Block of E. 41st St.

Council District: Tom Thompson - District 2

Neighborhood: Lake View

Scale: 1" approx. = 75 ft

0.052 acres south of E. 41st St between Oaklawn St and Bowie St

Legend

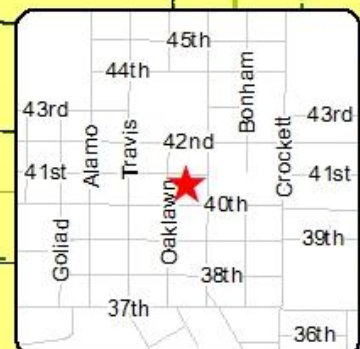
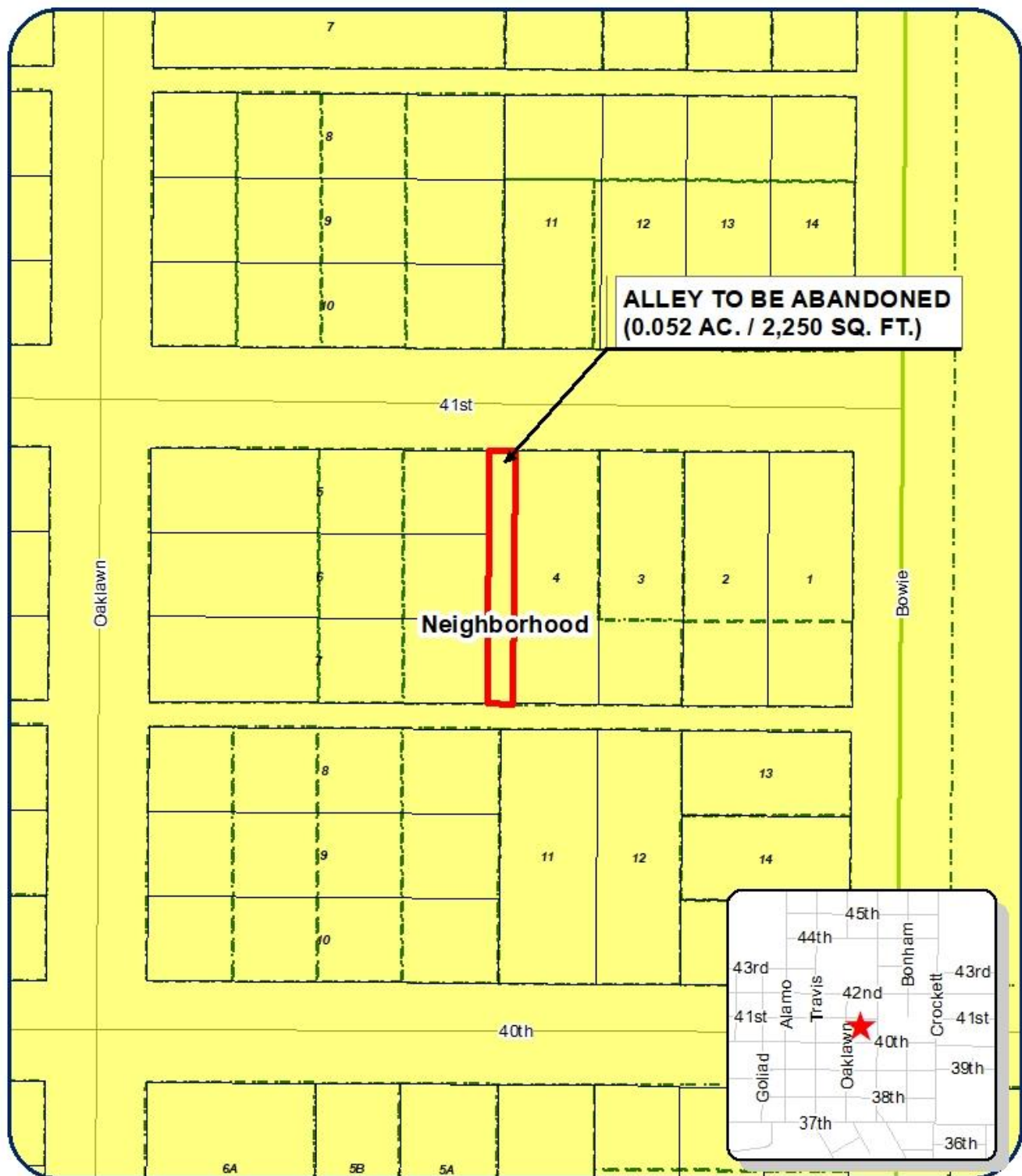
Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood





Alley Abandonment

500 Block of E. 41st St.

Council District: Tom Thompson - District 2

Neighborhood: Lake View

Scale: 1" approx. = 75 ft

0.052 acres south of E. 41st St between Oaklawn St and Bowie St

Legend

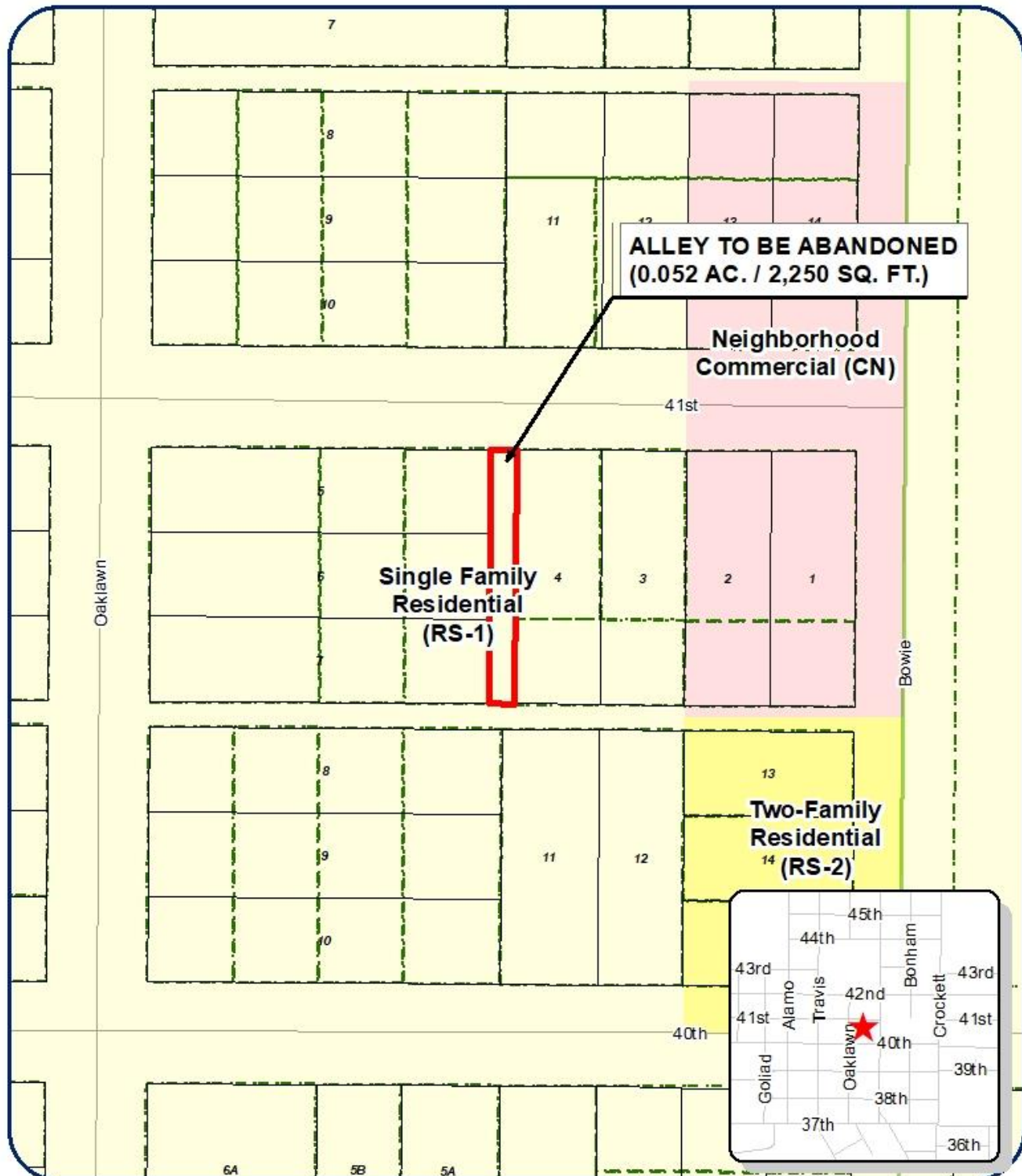
Subject Properties:

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood





Alley Abandonment

500 Block of E. 41st St.

Council District: Tom Thompson - District 2

Neighborhood: Lake View

Scale: 1" approx. = 75 ft

0.052 acres south of E. 41st St between Oaklawn St and Bowie St

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: N/A

Vision: Neighborhood



Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Bobbie Root Nathan Englehart

☒ Owner

☐ Representative (Affidavit Required)

513 E 41st San Angelo Tx 76903
Mailing Address City State Zip Code

571-354-3988 hordami@verizon.net
Contact Phone Number Contact E-mail Address

513 E 41st San Angelo Tx 76903
Subject Property Address City State Zip Code

0.172, Blk 58 Sub Lake View Addition E 50' of lots 5-7
Legal Description (can be found on property tax statement or at www.tcomptrecad.com)

Lot Size: 0.172 Zoning: _____

Section 2: Site Specific Details

Subdivision Name: Lake View Addition

Lots and/or Blocks Affected*: Lots 3,4,5,6,7

General Description of Location*: Alley runs between 5,6,7 and 3,4

Reason for Abandonment*: To use as a driveway and add a
carport. To connect the property as one

*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.

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

4-14-2021
Date

Bobbie Root
Printed name of licensee or authorized representative

BOBBIE ROOT
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 4, 14, 21

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

Date of hearing by Planning Commission: 5, 17, 21 Date of hearing by City Council: 6, 15, 21

Reviewed/Accepted by: _____

Effective January 3, 2017

Section 3: Applicant's acknowledgement

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

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

4/15/21
Date

Nathaniel L Englebert
Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: ____/____/____

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

Date of hearing by Planning Commission: ____/____/____ Date of hearing by City Council: ____/____/____

Reviewed/Accepted by: _____

AN ORDINANCE PROVIDING FOR ABANDONMENT AND VACATION OF A PORTION OF AN ALLEY RIGHT-OF-WAY COMPRISING OF APPROXIMATELY 0.052ACRES (2,250 SQUARE FEET) WITHIN BLOCK 34 OF THE LAKE VIEW ADDITION; LOCATED NORTH OF EAST 44TH STREET; WEST OF BOWIE STREET; SOUTH OF EAST 46TH STREET; AND EAST OF OAKLAWN STREET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that the public alley right-of-way within Block 34 of the Lake View Addition, Tom Green County, Texas, is no longer needed for public use and therefore deems it advisable to abandon said portion of alley right-of-way; and,

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

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

SECTION 1: The public alley right-of-way located in the City of San Angelo, comprising of approximately 0.052 acres (2,250 square feet) of alley right-of-way within Block 34 of the Lake View Addition, Tom Green County, Texas, more particularly described and depicted in **Exhibit “A,”** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

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

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

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

1. 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.

2. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.

3. After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

4. The applicant shall provide as part of the replat a minimum 15-foot, unobstructed sewer main easement to the satisfaction of the city's engineers.

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

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

SECTION 7: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Clerk is hereby authorized and directed to certify a copy

of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **15th day of June, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **8th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

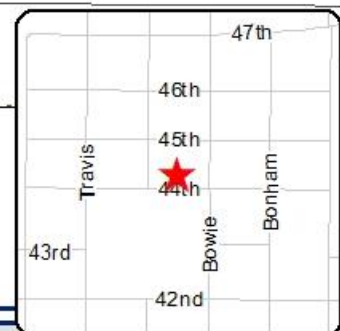
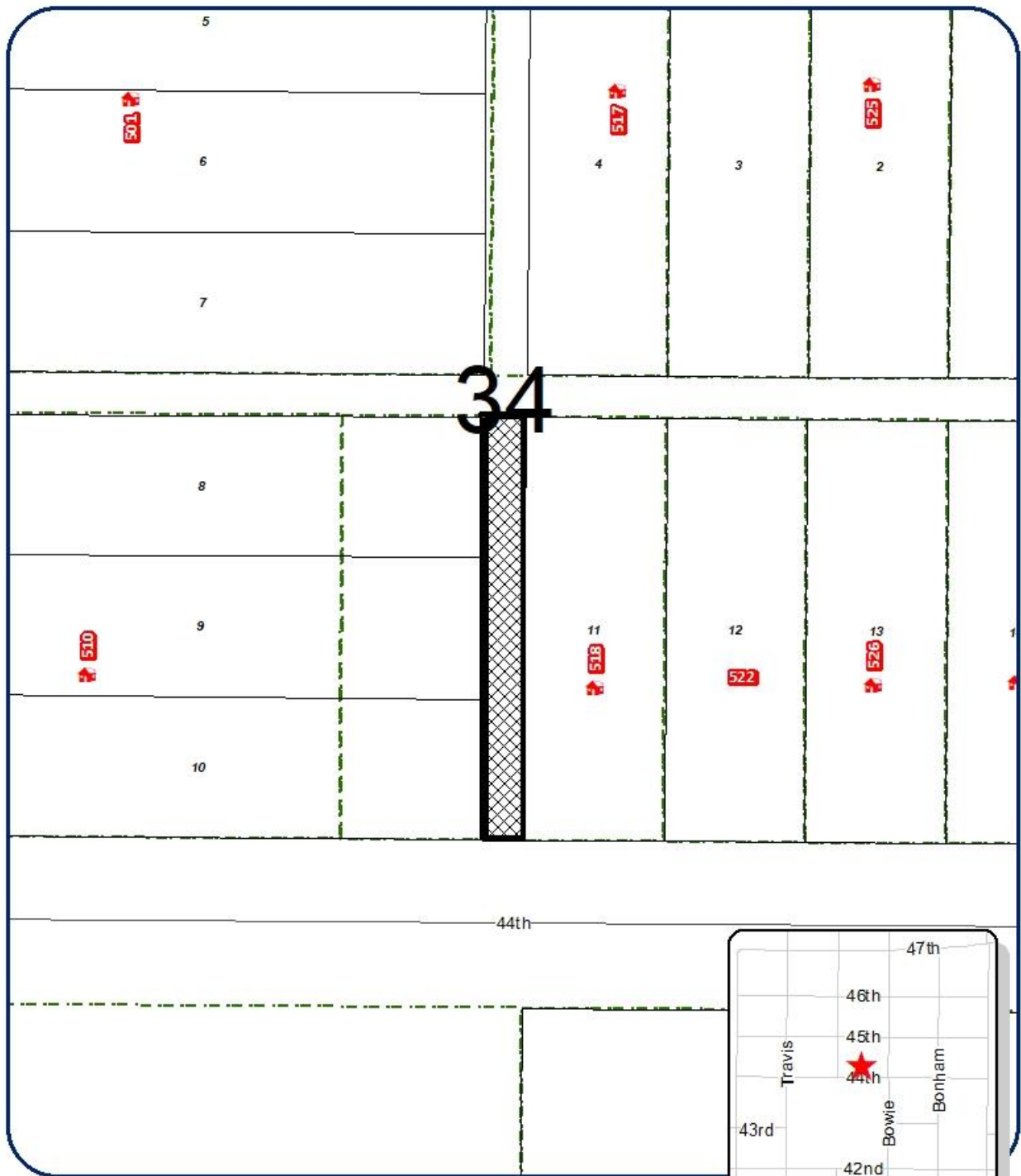
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Location Map ROW Abandonment

Alley - 518 East 44th Street

Council District 2 - Tom Thompson

Neighborhood: Lakeview

Scale: 1" approx. = 45 ft

15 ft. by 150ft. alley adjacent to Lots 8-10 & 11, Blk. 34, Lakeview Addition

Legend

Subject Properties:

Current Zoning: **Single Family (RS-1) Zoning District**

Requested Zoning Change: **Abandonment of alley**

Vision: **Neighborhood**

N



Alley Identification

CITY COUNCIL – June 15, 2021

STAFF REPORT



APPLICATION TYPE:		CASE:	
Alley Right-of-way Abandonment		500 Block of E. 44 th Street Alley-Abandonment	
SYNOPSIS:			
The applicant has requested the abandonment of a 15' x 150' unpaved alley within Block 34 of the Lake View Addition. Reasons for the request include no public use of the alley, and the area is an unimproved unmaintained area.			
LOCATION:		LEGAL DESCRIPTION:	
North of East 44 th Street; west of Bowie Street; south of East 45 th Street; and east of Oaklawn Street		Being a 0.172 acres, Lot 11, located within Block 34 of the Lake View Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Lake View Neighborhood	RS-1 – Single-Family Residential	Neighborhood	0.172 acres
THOROUGHFARE PLAN:			
N/A. Alley was approved as part of the Lake View Addition, filed for record September 11, 1908 with the Tom Green County Clerk.			
NOTIFICATIONS:			
6 notifications mailed directly adjacent the proposed abandonments on May 1, 2021. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends <u>APPROVAL</u> of the Alley Right-of-Way Abandonment request, subject to four Conditions of Approval . At their May 17, 2021 Planning Commission meeting the Commission voted 5-0 to approve the Abandonment, subject to four Conditions .			
PROPERTY OWNER/PETITIONER:			
Calixto A. Rodriguez/ Beatriz Alvarado Hernandez			
STAFF CONTACT:			
Cooper Carroll/Sherry Bailey Intern/Principal Planner (325) 657-4210 sherry.bailey@cosatx.us			

Additional Information:

There is a city sewer line located within the alley subject to abandonment, the City's Operations Department would require a 15' unobstructed easement in the form of a condition of approval of the abandonment.

Public Comments:

City Staff circulated to all relevant municipal departments, as well as public and private utility companies. The City does have a sewer line within the alley area to be abandoned. The City's Operations Department expressed their support for the alley abandonment but an easement would be required to be unobstructed (no buildings, structures, or fences allowed) and a minimum of 15 feet wide. There were no other responses from private utility companies.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and conducted a site visit to the property on May 3, 2021, to determine the appropriateness of abandoning this public alley right-of-way.

- *Traffic patterns:* Planning Staff believe that existing or anticipated traffic patterns would not be negatively affected if the alley was abandoned and sold to adjacent land owners. A site visit confirms that the alley is unpaved (caliche or grass) and there are no rear access drives to abutting land owners or rear garages or carports.
- *Utilities:* There is a 6" city sewer line within the alley area to be abandoned. Other water and sewer lines are located along Bowie Street and East 44th Street. If a 15' unobstructed easement would be provided as a condition of approval City staff would support the alley abandonment.
- *Community Impact:* The City had sent abutting alley owners and those within 200 feet public notice of the meeting. There have been no responses to date. As a condition of approval, Planning Staff recommends that all abutting owners comply with the abandonment requirements within 12 months of approval.
- *Public Benefit:* The Planning Division believes that the abandonment of this alley would not prove to be detrimental to the public benefit of the surrounding neighborhood. The alley abandonment would prove to increase the benefit of the applicant because she is already maintaining the subject right-of-way.

Recommendation:

Staff's recommendation is to:

Recommend **APPROVAL** of the proposed abandonment and vacation of a 15-foot wide by 150-foot long, 0.052-acre (2,250-square foot) public alley; generally located North of East 44th Street, west of Bowie Street, south of East 45th Street; and east of Oaklawn Street; more specifically located between Lots 8-11 within Block 34 of the Lake View Addition, **subject to four Conditions of**

Approval:

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.
2. The applicant shall provide as part of the replat a minimum 15-foot, unobstructed sewer main/utility easement to the satisfaction of the city's engineers.
3. 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.
4. After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Alley Abandonment Exhibit
Applicant Letter
Application



Location Map ROW Abandonment

Alley - 518 East 44th Street

Council District 2 - Tom Thompson

Neighborhood: Lakeview

Scale: 1" approx. = 60 ft

15 ft. by 150ft. alley adjacent to Lots 8-10 & 11, Blk. 34, Lakeview Addition

Legend

Subject Properties:

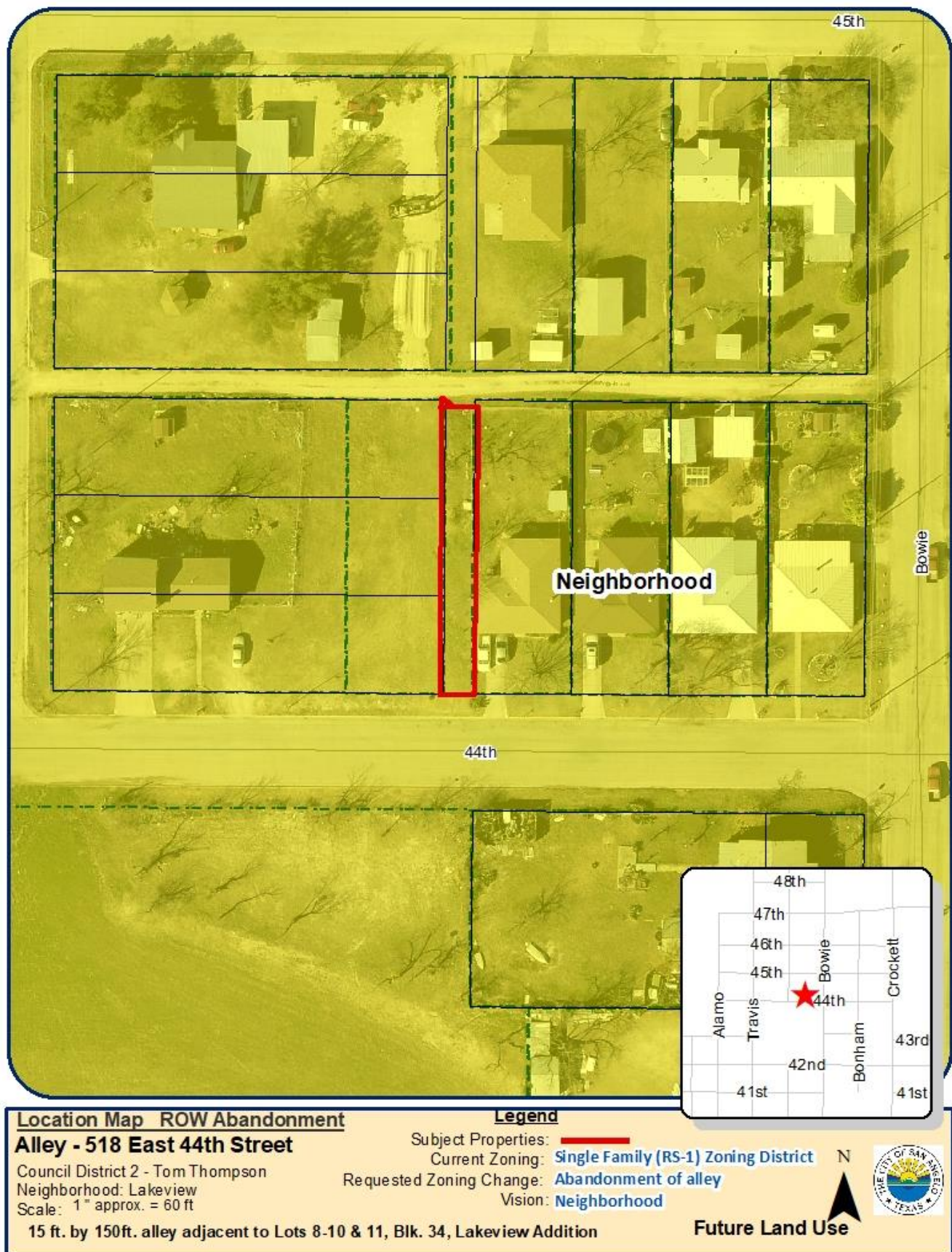
Current Zoning: **Single Family (RS-1) Zoning District**

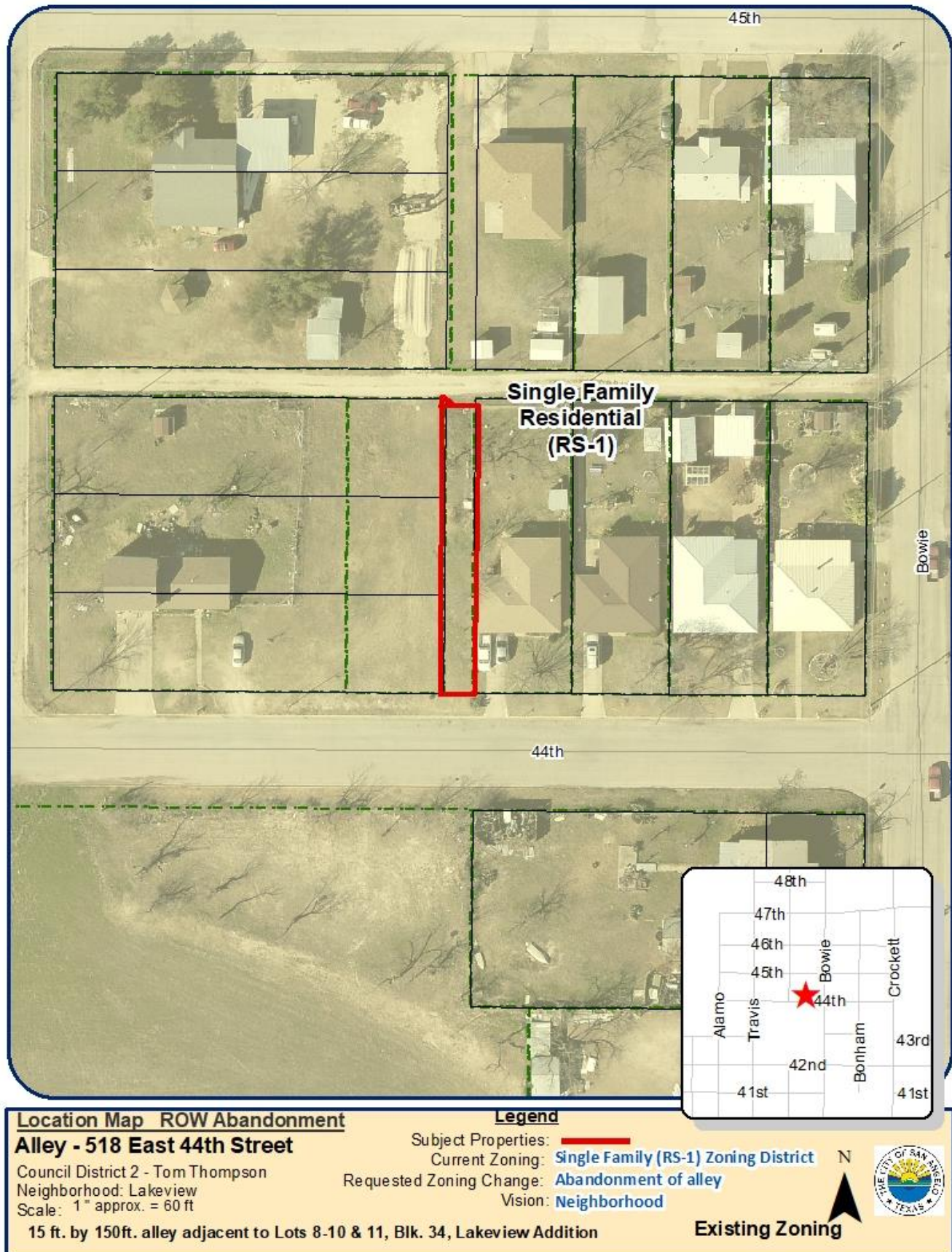
Requested Zoning Change: **Abandonment of alley**

Vision: **Neighborhood**



Aerial Map







Alley area request for abandonment adjacent to 518 East 44th Street



Area on the west adjacent to proposed alley abandonment.

Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Calixto A. Modiguez Beatriz Alvarado Hernandez

☒ Owner ☒ Representative (Affidavit Required)

518 E 44th San Angelo TX 76903
Mailing Address City State Zip Code

830-212-3741 830-308-0674 CalixtoA.Modiguez85@Gmail.com
Contact Phone Number Contact E-mail Address

Subject Property Address City State Zip Code

Abandoned alley

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

Lot Size: 10 FT Zoning: RS-1

Section 2: Site Specific Details

Subdivision Name: Lakeview Addition

Lots and/or Blocks Affected: Lot 11, Block 34

General Description of Location: Alley directly west of 518 E 44th

Reason for Abandonment: to expand existing lot

*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.

Calixto A. Rodriguez Beatriz Alvarado Hernandez 4-15-2021

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

Date

Calixto A. Rodriguez Beatriz Alvarado Hernandez

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: ____/____/____

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

Date of hearing by Planning Commission: ____/____/____ Date of hearing by City Council: ____/____/____

Reviewed/Accepted by: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Regular Item

Caption:

Consider approving a proposal to allocate the 2021 CDBG and HOME grant funds for programs and projects and authorizing the City Manager to execute the applications, required certifications, related documents, and annual funding agreement for the approximate allocation of \$696,269 of CDBG and \$333,605 HOME grant funds (Presentation made by Neighborhood & Family Services Director Bob Salas)

Summary/History:

Staff requests approval of a proposal to allocate the 2021 CDBG and HOME grant funds to programs and projects outlined in the attached proposed allocation worksheet, and authorize the City Manager to execute the application for Program Year 2021 funding, required certifications and any other related documents, to include the annual funding agreement with HUD and file all documents with HUD. The City expects to receive \$681,269.00 of CDBG funds and \$306,605.00 of HOME grant funds from the U.S. Department of Housing and Urban Development (HUD) for Grant Year 2021. In addition, the City expects to receive approximately \$15,000 of CDBG program income and \$27,000 of HOME program income and prior year funds for a total of \$1,029,874.00 to be allocated for the 2021 grant program year.

If approved, the allocation proposal will be documented in the Annual Action Plan that will ultimately be forwarded to HUD as the City's petition for federal funds. All projects and programs are subject to federal regulations and must meet one of three national objectives: benefit to low/moderate income individuals, elimination of slum and blight, and urgent need.

Financial Impact:

Approval of the proposed grant allocations will impact budget by \$1,029,874 of which \$987,874.00 will be new funding. Program income and prior year funds will be allocated to projects and programs, but these funds do not increase the annual budget.

Other Information/Recommendation:

Attachments:

- | | |
|--|--|
| 1. Proposed allocation worksheet - council | Proposed allocation worksheet - council.xlsx |
|--|--|

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas
Theresa James

Created/Initiated
Approved

Tina Dierschke
Theresa James
Julia Antilley

Approved
Final Approval
Final Approval

City of San Angelo 2021 CDBG Projects Funding Worksheet

CDBG Federal Entitlement	681,269
Program Income: Housing Rehab Loans	15,000
Total Available to Allocate	696,269

	Prior Year Allocation	Proposed Allocation
CDBG Administration	116,000	137,000
Hsg Rehab Admin	112,000	118,000
Hsg Rehab Program - Blitz	168,323	144,669
Emergency Repairs	125,000	115,000
Debt Payment Services	139,339	136,600
Code Compliance	38,000	45,000
Total Allocations		696,269

City of San Angelo 2020 HOME Projects Funding Worksheet

HOME Federal Entitlement	306,605
Program Income: Revitalization Loans	12,000
Prior Year Funds Available	15,000
Total Available to Allocate	333,605

	Prior Year Allocation	Proposed HOME Allocation
HOME Admin ($\leq 10\%$ EN+ PI)	75,666	31,860
CHS - Neigh Revitalization(Down Pmt)	117,397	71,745
MHMR - TBRA	75,000	75,000
Galilee CDC (CHDO Set-Aside)	135,000	155,000
	Total	333,605

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 5 Business and Commerce, Article 5.02 Alcohol Beverage Regulations, Section 5.02.005 Sale, Possession or Consumption in Texas Bank Sports Complex (Rio Concho Sports Complex) of the City's Code of Ordinances to include all areas of Texas Bank Sports Complex including the parking lot, unless sold by contracted concessionaire (Presentation made by Parks & Recreation Director Carl White)

Summary/History:

Requesting public hearing and first reading to change Sec. 5.02.005 Sale, possession or consumption in Texas Bank Sports Complex (Rio Concho Sports Complex) based on direction given by City Council at the June 15, 2021 meeting. Currently it reads no alcohol may be brought into the fenced in areas of Texas Bank Sports Complex. We are requesting to add other areas of the complex to include the parking lot and park located inside the complex.

Financial Impact:

Not allowing participants to consume alcohol after their games in the parking lot may lower the number of teams participating in league play.

Other Information/Recommendation:

Park and Recreation Board had concerns with the entire complex being added to include no alcohol. Some of the concerns were campers that spend the night in the complex parking lot during tournaments.

Attachments:

- | | |
|--|--|
| 1. Alcohol Current Ordinance | Alcohol Current Ordinance.pdf |
| 2. Ord restricting alcohol at Sports complex | Ord restricting alcohol at Sports complex.docx |

Presentation:

Carl White

Approvals/Reviews:

Brent Casey	Created/Initiated
Robert Bluthardt	Approved
Carl White	Approved
Theresa James	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

ARTICLE 5.02 - ALCOHOLIC BEVERAGES REGULATIONS

Footnotes:

--- (1) ---

State Law reference— *Regulation of alcoholic beverages generally, V.T.C.A., Alcoholic Beverage Code; local regulation of alcoholic beverages, V.T.C.A., Alcoholic Beverage Code, sec. 109.31 et seq.*

DIVISION 1. - GENERALLY

Sec. 5.02.001 - Definitions

The terms "alcoholic beverage," "liquor," "beer" and "wine and vinous liquor" as used in this article have the same meanings as the definitions provided in the Texas Alcoholic Beverage Code, section 1.04, Tex. Codes Ann.

(1959 Code, sec. 5-2-1; 1996 Code, sec. 5.101)

Sec. 5.02.002 - Penalty

Any person who violates any provision of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as provided for in section 1.01.009 of this code. Each day of such violation shall constitute a separate offense

(1996 Code, sec. 5.110; Ordinance adopted 5-2-00)

Sec. 5.02.003 - Hours of sale restricted

No person who may engage in the sale of beer or other alcoholic beverages within the corporate limits of the city shall offer for sale or sell any beer or other alcoholic beverages within the corporate limits of the city on Sunday between the hours of 2:00 a.m. and 12:00 noon and on all other days at any time between the hours of 2:00 a.m. and 7:00 a.m.

(1959 Code, sec. 5-2-6; 1996 Code, sec. 5.106)

State Law reference— Hours of sale and consumption, V.T.C.A., Alcoholic Beverage Code, ch. 105.

Sec. 5.02.004 - Proof of violation of hours of sale

Proof of the consumption of beer or other alcoholic beverages between the hours of 2:15 a.m. and 12:00 p.m. the following on Sundays or between the hours of 2:00 a.m. and 7:00 a.m. the following on any other day of the week in the sale of beer or other alcoholic beverages in the city shall be prima facie evidence that beer or other alcoholic beverages have been sold by such person in violation of this article.

Sec. 5.02.005 - Sale, possession or consumption in Texas Bank Sports Complex (Rio Concho Sports Complex)

- (a) It shall be unlawful for any person, firm, company, organization or corporation to sell, consume or possess, or to permit or to promote the selling, consuming or possessing, of any alcoholic beverage within or upon the fenced-in areas of the quadrangles of the Texas Bank Sports Complex in the city.
- (b) It shall be an affirmative defense to the prohibition of this section that a person, firm, company, organization or corporation secured a permit, contract, lease or other form of written permission from the parks and recreation department permitting utilization of the city's concessionaire for the selling, promoting, consuming or possessing of alcoholic beverages for a specific event within one or more designated quadrangles of the Texas Bank Sports Complex and that the sale, promotion, consumption or possession of alcohol occurred at the time of the specific event and within such quadrangle or quadrangles as described in the permit, contract, lease or other form of written permission from the parks and recreation department. The permit, contract, lease or other form of written permission from the parks and recreation department shall be limited to specific events, on specific dates, for specified hours and within one or more specific quadrangles of the Texas Bank Sports Complex, and shall be conditioned upon compliance with the Texas Alcoholic Beverage Code and applicable municipal ordinances.
- (c) The parks and recreation department for the city shall adopt a policy and regulations, and a form for application for permit, contract, lease or other form of written permission authorizing utilization of the city's concessionaire for the sale, consumption or possession of alcoholic beverages within the quadrangles of the Texas Bank Sports Complex for specific events during adult tournaments and permitted special events only when no youth league or youth tournament play is occurring.
- (d) The premises of the Texas Bank Sports Complex quadrangles include the fields, spectator areas and concession areas within each fenced-in quadrangle, located within the area bounded on the east by the East Angelo Draw, on the south by the North Concho River, on the west by Bell Street, and on the north by St. Ann Street, in the city.

(Sec. 2, Ordinance adopted 7-19-11)

Secs. 5.02.006—5.02.030 - Reserved

DIVISION 2. - LICENSE

Sec. 5.02.031 - Required

It shall be unlawful for any person to manufacture or brew any alcoholic beverage, liquor, beer or wine and vinous liquor for the purpose of sale, or to import into this city, or to distribute, or to sell, any alcoholic beverage, liquor, beer, or wine and vinous liquor for the purpose of sale within this city without having first obtained the appropriate license from the finance director as herein provided, which license shall at all times be displayed in some conspicuous place within the licensed place of business.

(1959 Code, sec. 5-2-2; 1996 Code, sec. 5.102; Ordinance 2018-044 adopted 4-3-18)

Sec. 5.02.032 - Fees

The finance director is authorized to collect a license fee of one-half the state permit fee as shown in appendix A, section A3.015 of this code.

(1959 Code, sec. 5-2-3; 1996 Code, sec. 5.103; Ordinance 2018-044 adopted 4-3-18)

State Law reference— Local fee authorized on alcoholic beverage permits, V.T.C.A., Alcoholic Beverage Code, sec. 11.38; local fee authorized on alcoholic beverage licenses, V.T.C.A., Alcoholic Beverage Code, sec. 61.36.

Sec. 5.02.033 - Prohibited licenses

No license authorizing the sale of any alcoholic beverage, liquor, beer or wine and vinous liquor shall be issued to any dealer where the place of business of any such dealer is within the corporate limits of the city and is within 300 feet of any tax-supported elementary or secondary public school. The measurement of the distance between the place of business where alcoholic beverages are sold and the public school shall be in a direct line from the property line of the public school to the property line of the place of business, and in a direct line across intersections. Provided that this section shall not apply to any dealer whose place of business is within 300 feet of any tax-supported elementary or secondary public school as of the date of the adoption of this article, or to any of their successors.

(1996 Code, sec. 5.104; Ordinance adopted 5-2-00; Ordinance 2018-044 adopted 4-3-18)

State Law reference— Sales near church, school or hospital, V.T.C.A., Alcoholic Beverage Code, sec. 109.33.

Sec. 5.02.034 - Term

Any license issued under the terms of this article shall be for a two-year period and shall be nontransferable.

(1959 Code, sec. 5-2-5; 1996 Code, sec. 5.105; Ordinance 2018-044 adopted 4-3-18)

Sec. 5.02.035 - Revocation

The city council is hereby authorized and empowered to revoke the license of any person engaged in the business or occupation of selling, distributing or disposing of beer or other alcoholic beverages after giving such person ten days' notice of a hearing and after holding such hearing for the purpose of determining whether or not such license should be revoked; provided, however, that such power of revocation shall be exercised under the following conditions:

- (1) When disorderly or immoral practices are permitted on the premises.
- (2) Where such person sells or offers for sale any beer or other alcoholic beverages in violation of the terms of this article or of the Texas Alcoholic Beverage Code, or consumes or permits any other person to consume beer or other alcoholic beverages on the premises in violation of the terms of this article or of the Texas Alcoholic Beverage Code.

(1959 Code, sec. 5-2-9; 1996 Code, sec. 5.109; Ordinance 2018-044 adopted 4-3-18)

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 5 “BUSINESS AND COMMERCE”, ARTICLE 5.02 “ALCOHOLIC BEVERAGES REGULATIONS”, DIVISION 1 “GENERALLY”, SECTION 5.02.005 “SALE, POSSESSIN OR CONSUMPTION IN TEXAS BANK SPORTS COMPLEX (RIO CONCHO SPORTS COMPLEX), PROVIDING FOR SEVERABILITY; AND CREATING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo has an ordinance the regulates the sale, possession, and consumption of alcohol within the City of San Angelo, and

WHEREAS, there is a desire to limit the sale, possession, and consumption of alcohol at the Texas Bank Sports Complex (Rio Concho Sports Complex, and

WHEREAS, it is necessary to amend the ordinance in order to regulate the sale, possession, and consumption of alcohol in this manner.

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

SECTION 1. THAT Chapter 5, Article 5.02, Division 1, Section 5.02.005 of the San Angelo Code of Ordinances is hereby modified as follows:

“Sec. 5.02.005 - Sale, possession or consumption in Texas Bank Sports Complex (Rio Concho Sports Complex)

(a) It shall be unlawful for any person, firm, company, organization or corporation to sell, consume or possess, or to permit or to promote the selling, consuming or possessing, of any alcoholic beverage within any area of the Texas Bank Sports Complex in the city including the fenced-in areas of the quadrangles of the Complex, the picnic and play areas at the Complex, and any parking lots serving the Complex.

(b) It shall be an affirmative defense to the prohibition of this section that a person, firm, company, organization or corporation secured a permit, contract, lease or other form of written permission from the parks and recreation department permitting utilization of the city's concessionaire for the selling, promoting, consuming or possessing of alcoholic beverages for a specific event within one or more designated quadrangles of the Texas Bank Sports Complex and that the sale, promotion, consumption or possession of alcohol occurred at the time of the specific event and within such quadrangle or quadrangles as described in the permit, contract, lease or other form of written permission from the parks and recreation department. The permit, contract, lease or other form of written permission from the parks and recreation department shall be limited to specific events, on specific dates, for specified hours and within

one or more specific quadrangles of the Texas Bank Sports Complex, and shall be conditioned upon compliance with the Texas Alcoholic Beverage Code and applicable municipal ordinances.

(c) The parks and recreation department for the city shall adopt a policy and regulations, and a form for application for permit, contract, lease or other form of written permission authorizing utilization of the city's concessionaire for the sale, consumption or possession of alcoholic beverages within the quadrangles of the Texas Bank Sports Complex for specific events during adult tournaments and permitted special events only when no youth league or youth tournament play is occurring.

(d) The premises of the Texas Bank Sports Complex quadrangles include the fields, spectator areas and concession areas within each fenced-in quadrangle, located within the area bounded on the east by the East Angelo Draw, on the south by the North Concho River, on the west by Bell Street, and on the north by St. Ann Street, in the city.”

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

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

INTRODUCED with public hearing on the 8th day of July, 2021 and finally **PASSED, APPROVED AND ADOPTED** on this the 20th day of July, 2021.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Regular Item

Caption:

First reading and public hearing of:

1. An ordinance for CP21-03, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood to the Commercial Future Land Use on property located at 404 and 412 Preusser St.;
2. An ordinance for Z21-07, a rezoning from the Low-Rise Multifamily Residential zoning district to the Office Commercial zoning district, being 0.880 acres at 404, 412 and 333 Preusser St. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

This property is owned by the Concho Valley Home for Girls, Inc. and will be transferred to the Alcohol and Drug Abuse Council's Adolescent Residential Substance Abuse Treatment and Office Division which will work with both boys and girls at this site.

Financial Impact:

N/A

Other Information/Recommendation:

This item was heard by the Planning Commission on May 17, 2021 and reheard on June 21, 2021 and was approved unanimously by the Commission both times.

Attachments:

- | | |
|--|---|
| 1. Ordinance (CP21-03) | Ordinance (CP21-03).docx |
| 2. Ordinance (Z21-07) | Ordinance (Z21-07).docx |
| 3. CP21-03&Z21-07_Staff Report revised | CP21-03&Z21-07_Staff Report revised.pdf |

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS, BEING 0.880 ACRES **LOCATED AT 404, AND 412 PREUSSER STREET , CHANGING FROM NEIGHBORHOOD TO COMMERCIAL LAND USE** PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-21-03

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

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

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

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

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

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

The real properties generally located at 404 and 412 Preusser Street, more particularly described as approximately 0.880 acres being Frary Addition, Lots 11 to 14, Block 5; South 140 feet of Lot 20 & South 140 feet of the East 20.13 feet of Lot 19, Block 5; Lot 8, Block 5, City of 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 **8th day of July, 2021**, and finally ADOPTED on this the **20th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT “A



Location Map CP21-03 & ZC21-07

404, 412 & 333 Preusser Street

Council District 3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 125 ft

Frary Addition; Blk. 5, Lot 8; S140 ft.

of Lot 20 & S20.13 ft. of Lot 19, Blk. 5; Blk. 8 Lot 11-14 being 1.141 acres

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision

RM-1

Commercial Office (CO)

Neighborhood & Downtown



**Comprehensive Plan
Zoning District Exhibit Map**

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **LOCATED AT 333, 404 & 412 PREUSSER STREET BEING 1.141 ACRES FROM THE LOW-RISE RESIDENTIAL (RM-1) ZONING DISTRICT TO OFFICE COMMERCIAL (CO) ZONING DISTRICT**; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-07: 333, 404 & 412 Preusser Street

WHEREAS, on the 21st day of June, 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 Zoning Districts; and,

WHEREAS, on the 8th day of July, 2021, the City Council held a public hearing on Z21-07, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real properties being Frary Addition, Lots 11 to 14, Block 5; S140 ft. of Lot 20 & S140 ft. of E20.13 ft. of Lot 19 Block 5; Lot 8, Block 5; City of San Angelo, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED on the **8th day of July, 2021**, and finally ADOPTED on this the **20th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Location Map CP21-03 & ZC21-07

404, 412 & 333 Preusser Street

Council District 3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 125 ft

Frary Addition; Blk. 5, Lot 8; S140 ft.
of Lot 20 & S20.13 ft. of Lot 19, Blk. 5; Blk. 8 Lot 11-14 being 1.141 acres

Legend

Subject Properties:

RM-1

Current Zoning:

Commercial Office (CO)

Requested Zoning Change:

Neighborhood & Downtown

Vision:

N



**Comprehensive Plan
Zoning District Exhibit Map**

CITY COUNCIL – JULY 8, 2021
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP21-03 & Z21-07: 404 & 412 Preusser Street, 333 Preusser Street	
SYNOPSIS:			
<i>This case was reheard by the Planning Commission due to an inadvertent error that resulted in two property owners not receiving notice of the hearing on the first hearing date.</i> A request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to Commercial Future Land Use on the subject property located at 404 and 412 Preusser Street, and a request for approval of a rezoning from the Low Rise Multiple Family Residence (RM-1) Zoning District to the Office Commercial (CO) Zoning District, being 0.888 acres, located at 404 & 412 Preusser Street and 333 (331) Preusser Street			
LOCATION:		LEGAL DESCRIPTION:	
404 and 412 Preusser Street and 333 Preusser Street		Frery Addition, Lots 11 to 14, Block 5; S140 ft. of Lot 20 & S140 ft. of E20.13 ft. of Lot 19 Block 5; Lot 8, Block 5	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD: District 3 – Harry Thomas Neighborhood: Ft. Concho East	RM-1	Neighborhood & Commercial	1.141 acres
THOROUGHFARE PLAN:			
<u>Preusser Street</u> – Urban local Street, Required 50’ min. ROW (100’ existing), 40’ pavement width (70’ existing) <u>North Emerick Street</u> - Urban Local Street, Required 50’ min. ROW (100’ existing), 40’ pavement width (40’ existing)			
NOTIFICATIONS:			
38 notifications were mailed within a 200-foot radius of the property on April 29, 2021. One responses received in favor and one against, to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a request to approve a Comprehensive Plan amendment to Commercial for 0.880 acres and the rezoning to Office Commercial (CO) for 1.141 acres for 404, 412 Preusser Street and 333 (331) Preusser Street.			
PROPERTY OWNER/PETITIONER:			
Owner: Concho Valley Home for Girls Inc. Petitioner: Owner			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information:

In 1992 the Children's Advocacy Center of Tom Green County petitioned the City and received a rezoning for their property a block away from the subject property to change their zoning from multifamily to Commercial Office. The present Concho Valley Home for Girls Inc. is now requesting the same action for the same reason. They are working with adolescents in both a residential and a non-residential capacity. Now they have determined that a more comprehensive approach is to transfer their properties at 404, 412 Preusser Street and 333 (331) Preusser Street to the Alcohol and Drug Abuse Council's Adolescent Residential Substances Abuse Treatment and Office division to better address the needs of today's adolescents, including girls. They would like to accomplish this process similar to what was established back in 1992 so that a comprehensive service center providing residential and counseling services can be established for both boys and girls. The facilities will provide 24 hour residential support and counseling as well as a follow along service. The two existing residential facilities are backed up by the offices also available on site at 414 Preusser Street. This area is immediately adjacent to General Commercial/Heavy Commercial (CG/CH) zoning and the Central Business District (CBD). There is an apartment complex next door to 333 Preusser Street and one across the street to both the 333 Preusser house and 404 Preusser Street. The intensity of uses will not be impacted by this change in zoning designation, it will simply be more in keeping with the nature of the services being offered.

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 Office Commercial zoning will be consistent with the Commercial Future Land Use in the City's Comprehensive Plan. The applicant is wanting to rezone from the Low Rise Multiple Family (RM-1) to Office Commercial which is more compatible with the uses the applicant's organization has been moving toward. The proposed rezoning is a good example of a mix of uses that are compatible within an area.
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 zoning is a mix of commercial uses, including multiple family, generally on a smaller scale that separate residential from the more intense use areas along Preusser. The proposed commercial zoning of Office Commercial accommodates what is being done at the site while still allowing for the residential component. It is a good mix in a transitional area.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** As indicated earlier, this area is offices,

apartment complexes and then rapidly moves into more commercial uses. The proposed commercial zoning off office along with the existing residential treatment is actually more protective of the few remaining single family homes in the area and the smaller two and three apartment lots.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* With the growth of the City and the development that is starting to occur in the Downtown area the proposed change in zoning is reflective of an attempt buffer and yet accommodate.
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.* As the development of this area continues, the natural area has been impacted substantially and some accommodation has been developed in the amount of green spaces and parks in the area.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believes there is a demonstrated community need for the adolescent services being offered by the new owners of these properties. This is a good example of the community rising to meet a developing need in one of the best ways possible.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The proposed zoning will result in a logical and orderly development pattern while still providing for choice and flexibility.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a request for a Comprehensive Plan amendment from Neighborhood Future Land Use to the Commercial Land Use, being 0.881 acres and **APPROVAL** of a request for rezoning from the Low Rise Multiple Family (RM-1) Zoning District to the Office Commercial (CO) Zoning District, being 1.141 acres for the property located at 404 and 412 Preusser Street and 333(331) Preusser Street.

Planning Commission:

May 17, 2021 meeting –

Sherry Bailey, Principal Planner, presented both cases, indicating that the applicant wants to operate a drug and alcohol rehab facility for both women and men. She indicated that she received one letter in favor, and none against, and that Staff suggested rezoning to CO as there is another property nearby also zoned CO. She then outlined staff's rationale to approve both cases on the grounds that the Future

Land Use of Commercial is the most reasonable land use adjacent to residential development; that the zoning provides a buffer between residential and more intense commercial and industrial uses; that the property to the north and west is also zoned CO; that there is a change in the area towards more commercial uses; and that drug and alcohol abuse is a growing problem, and therefore, there is a community need for this use.

Chair Stribling opened public comment.

Mr. Stephen McLaughlin, on the board of directors for Concho Valley Home for Girls, the applicant, indicated that there is a growing need for more residential treatment facilities and is partnering with the Alcohol and Drug Abuse Council for Concho Valley (ADACCV).

Chair Stribling closed public comment.

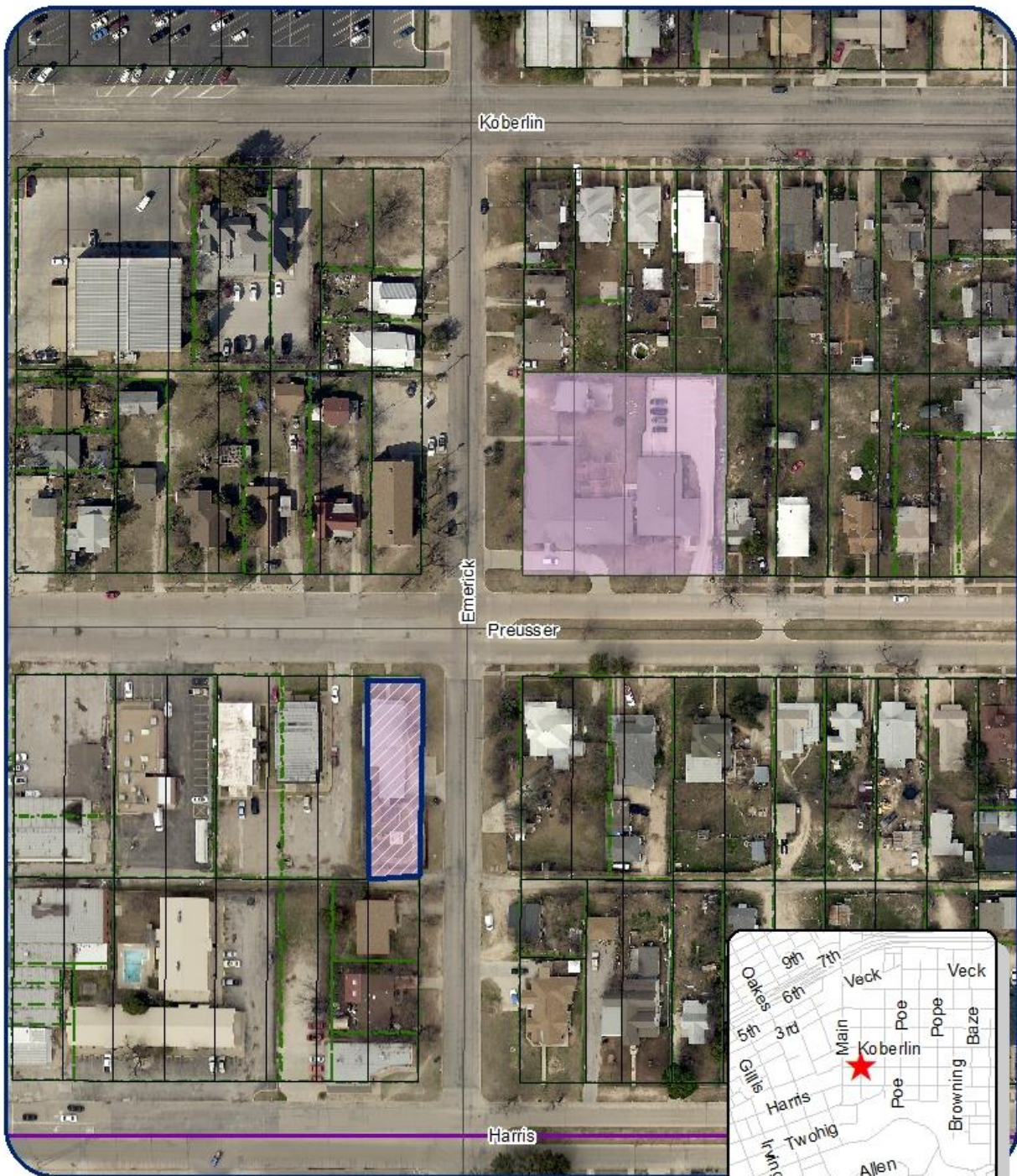
Commissioner Davis made a motion to RECOMMEND APPROVAL of CP21-03, a request for an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood to the Commercial Future Land Use on the subject property located at 404 and 412 Preusser Street; and RECOMMENDED APPROVAL of Z21-07, a rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, being 0.880 acres at 404, 412 and 331 Preusser Street. Commissioner Uherik seconded the motion. The motion carried unanimously 5-0.

June 17, 2021 meeting -

All members present voted unanimously to **RECOMMENDED APPROVAL** of CP21-03 and Z21-07. The motion carried 6-0.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application



Location Map ZC21-07

404, 412 & 331 Preusser Street

Council District 3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 125 ft

Frary Addition; Blk. 5, Lot 8, Blk. 8 Lot 11-14 being 1.125 acres

Legend

Subject Properties:

Current Zoning: **RM-1**

Requested Zoning Change: **Commercial Office (CO)**

Vision: **Neighborhood & Downtown**

N



Aerial Map



Location Map CP21-03 & Z21-07

404, 412 & 333 Preusser Street

Council District 3 - Harry Thomas
Neighborhood: Ft. Concho East
Scale: 1" approx. = 125 ft

Frary Addition; Blk. 5, Lot 8; S140 ft.
of Lot 20 & S20.13 ft. of Lot 19, Blk. 5; Blk. 8 Lot 11-14 being 1.141 acres

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

RM-1

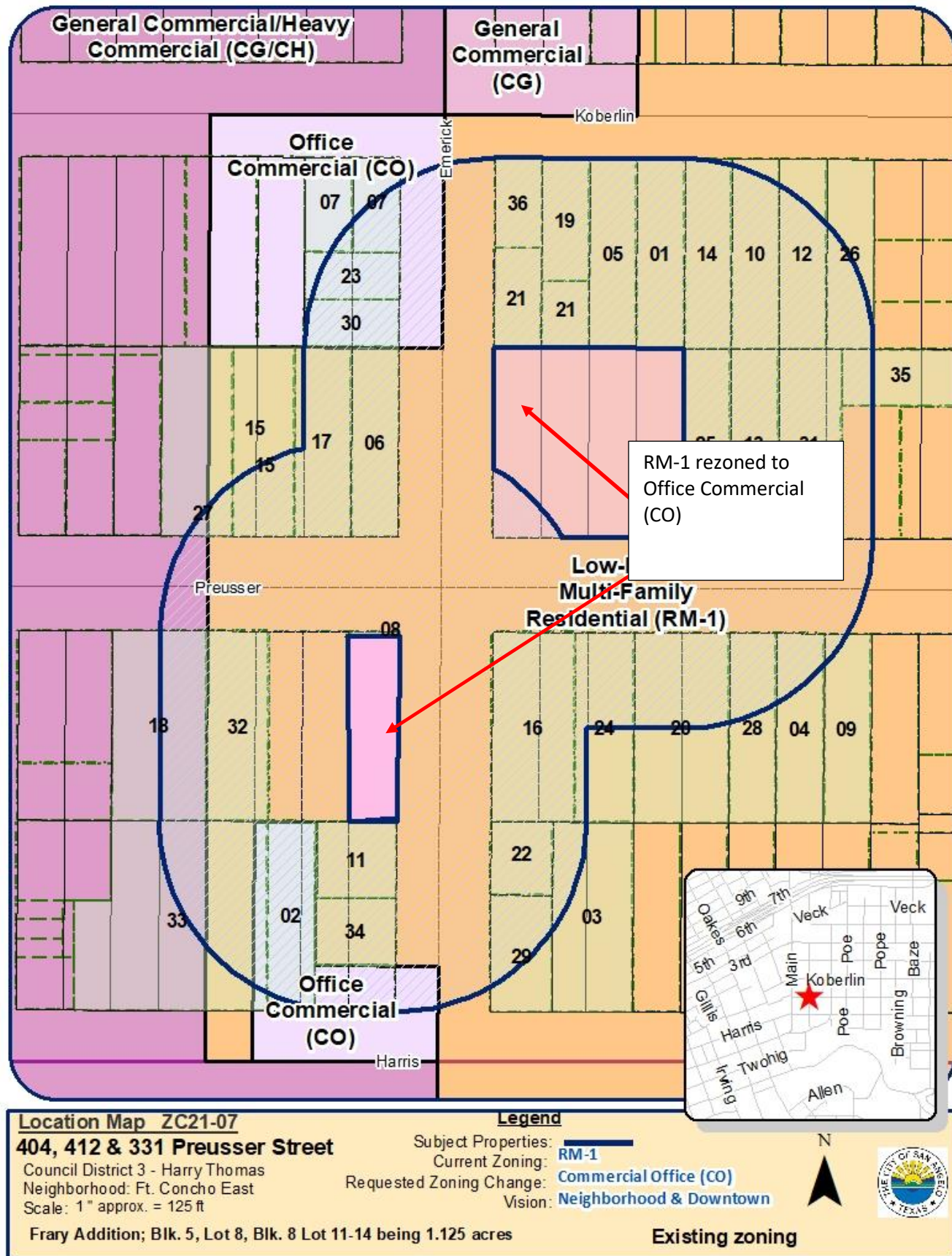
Commercial Office (CO)

Neighborhood & Downtown

N



**Comprehensive Plan
Zoning District Exhibit Map**



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): Concho Valley Home For Girls

☐ Owner ☒ Representative (Notarized Affidavit Required)

PO Box 3772 San Angelo TX 76902
Mailing Address City State Zip Code

325-212-0647 lindsayt.0711@gmail.com
Contact Phone Number Contact E-mail Address

404, 412, 331 Preusser San Angelo TX 76903
Subject Property Address City State Zip Code

Lot Size: less than 1 Acre Zoning: RS1

Section 2: Site Specific Details

Existing Use of Property: 404: Residential Home for Girls, 412: Office, 331: Children's Emergency Shelter

Proposed Use of Property: Transfer to the Alcohol and Drug Abuse Council to be used for Adolescent Residential Substance Abuse Treatment and Office.

Existing Comprehensive Plan Land Use Designation: RS1

Requested Comprehensive Plan Land Use Designation: R4 Commercial

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

These properties were donated to the Concho Valley Home for Girls to serve youth in the Concho Valley.

Many factors have contributed to a continued low census at both the Girls Home and Emergency Shelter.

The Board of Directors is committed to our properties serving the most youth in the Concho Valley as possible.

We are aware of a great need for adolescent substance abuse treatment in the Concho Valley and feel

the Alcohol and Drug Abuse Council of the Concho Valley (ADACCV) is best equipt to meet those needs.

Multiple key community stakeholders have expressed a need for adolescent treatment in our community for the past several years.

ADACCV now has an opportunity to create an adolescent treatment program in San Angelo which can serve the entire Concho Valley.

The Tom Green County Juvenile Probation Department utilizes several adolescent facilities for the treatment of substance use disorders,

however the facilities are far from San Angelo and often do not have beds available for our youth.

As a preliminary estimate, ADACCV anticipates offering residential adolescent treatment to 10-15 males and 10-15 females based on facility square footage rules and regulations set by the Texas Administrative Code and Texas Health and Human Services Commission.

In addition, ADACCV anticipates employing 10-20 staff members to provide 24 hour awake coverage for the program.

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement

Please initial the following:

☒ 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.

☒ 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.

☒ 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).

☒ 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.

☒ 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.

☒ 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.

☒ 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.

☒ 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.

Lindsay Tipton
Signature of licensee or authorized representative

4/16/2021
Date

Lindsay Tipton
Printed name of licensee or authorized representative

Corcho Valley Home for Girls
Name of business/Entity of representative

FOR OFFICE USE ONLY:

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

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

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

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

Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Concho Valley Home for Girls

☐ Owner ☒ Representative (Notarized Affidavit Required)

PO Box 3772 San Angelo TX 76902
Mailing Address City State Zip Code
325-212-0647 lindsayt.0711@gmail.com
Contact Phone Number Contact E-mail Address
404, 412, 331 Preusser San Angelo TX 76903
Subject Property Address City State Zip Code

404: Acres: 0.880, Lot: 11 TO 14 HOUSE, Blk: 8, Subd: FRARY ADDITION, 412: Acres: 0.261, Blk: 8, Subd: FRARY ADDITION, S140' OF LOT 20 & S140' OF E20.13' OF LOT 19

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

331: Lot: 8, Blk: 5, Subd: FRARY ADDITION

Existing Zoning: RS1 Proposed Zoning: R4 Commercial Lot size: Less than 1 Acre

(Zoning Map available on City Maps)

Section 2: Site Specific Details

Existing Use of Property: 404: Residential Home for Girls, 412: Office, 331: Children's Emergency Shelter

*Proposed Use of Property: Transfer to the Alcohol and Drug Abuse Council to be used for Adolescent Residential Substance Abuse Treatment and Office.

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 www.cosatx.us/planning

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Lindsay Tipton	<i>Lindsay Tipton</i>	Concho Valley Home for Girls	4/14/2021
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ - ____

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ ____

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

Sign Deposit \$37.50

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

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

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

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

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

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

Publication date: ____/____/____

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

Photos



Residential facility at 404 Preusser Street



Offices at 412 Preusser Street with parking in the back.



333 Preusser Street a residential facility.



Apartments across the street.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z20-03, a rezoning to the Central Business District zoning district from the General Commercial, General Commercial/Heavy Commercial, Office Commercial, Light Manufacturing, Office Warehouse, and Low Rise Multi-Family Residential zoning districts, generally located north of W. Harris Ave.; east of Sante Fe Park; south of W. 4th St.; and west of N. Chadbourne St. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

On May 17, 2021, the Planning Commission recommended that the rezoning be approved, but requested that Staff contacting the five owners of property that would become nonconforming with this rezoning. All five requested to be removed from the proposed CBD. One owner of a property that had been removed earlier, 328 W. 3rd St., asked to remain part of the rezoning and so this property has been included.

Planning Staff presented the rezoning request at the April 19, 2021, Planning Commission Meeting. This request had the proposed CBD expanding north to Houston Harte Expressway and west to include three large properties (Chevrolet, Hyundai, and Motel 6) adjacent to Sante Fe Park, a total of 84 properties on approximately 67 acres. At the meeting, several Commissioners raised concerns about industrial zoned properties losing their allowed uses if rezoned to CBD, and asked Staff to do further research and tabled the rezoning to this meeting.

Based on the input from the Commission, Staff scaled back the request to 53 properties on approximately 29 acres. At the May 17, 2021 Meeting, the Planning Commission asked Staff to contact the properties that Staff was aware would be non-conforming if rezoned CBD. Staff telephoned all of these owners and several requested that they be removed from the CBD. Per the recommendation of staff, and the Planning Commission, all properties whose owners were opposed have been removed from this request.

The attached Staff Report shows the latest map of which properties are recommended to be rezoned to CBD.

Financial Impact:

N/A

Other Information/Recommendation:

On March 20, 2020, the Planning Commission DENIED this request by a vote of 4-2 with Chair Stribling, and Commissioners Uherik, Brooks, and Self voting to deny; and Commissioners Spano and Smith voting in favor.

Staff subsequently revised the proposal based on the input from the Commissioners and brought this item back for reconsideration.

On April 19, 2021, the Planning Commission TABLED this request by a vote of 6-1, with Commissioner Spano voting against, to allow Staff to conduct more research.

On May 17, 2021, the Planning Commission recommended APPROVAL of this request by a vote of 5-0, but requested that before City Council, Staff contact those owners with uses that could become non-conforming if rezoned CBD. As noted above, those properties whose owners expressed opposition were removed from this request.

Attachments:

- | | | |
|----|-----------------------|----------------------------|
| 1. | Staff Report (Z20-03) | Staff Report (Z20-03).docx |
| 2. | Ordinance (Z20-03) | Ordinance (Z20-03).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY COUNCIL – JULY 8, 2021
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z20-03: CBD (Northwest)	
SYNOPSIS:			
A request for approval of a rezoning to the Central Business District (CBD) Zoning District from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Office Commercial (CO), Light Manufacturing (ML), Office Warehouse (OW), and Low Rise Multi-Family Residential (RM-1) Zoning Districts, on approximately 29 acres generally located north of West Harris Avenue; east of Sante Fe Park; south of West 4th Street; and west of North Chadbourne Street. See additional information below.			
LOCATION:		LEGAL DESCRIPTION:	
Northwest Downtown		Being approximately 29 acres generally located north of West Harris Avenue; east of Sante Fe Park; south of West 4 th Street; and west of North Chadbourne Street.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #3 – Harry Thomas Downtown Neighborhood		General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Office Commercial (CO), Light Manufacturing (ML), Office Warehouse (OW), Low Rise Multi-Family Residential (RM-1)	Downtown
			+/- 27.6 acres
THOROUGHFARE PLAN:			
<u>Abe St, Koenigheim St, N Bryant Blvd, N Chadbourne St, West Harris Ave</u> – Urban Arterial Streets <u>W College Ave, W 1st St, W 2nd St, W 3rd St, W 4th St, Martin Luther King Dr, Farr St, N Irving St, Gillis St</u> – Urban Local Streets			
NOTIFICATIONS:			
Staff mailed 50 letters to affected property owners and 47 to owners within 200 feet on June 21, 2021 and have not received any responses to date. On May 17, 2021, the Planning Commission recommended approval 5-0. On April 19, 2021, the Planning Commission voted 6-1 to <u>table</u> the rezoning to this meeting and therefore, no new mailed notifications were required to the original affected property owners or those within 200'. Two letters received in support from affected property owners were presented at the April 19, 2021 meeting, and two letters were received in support from owners within 200' of the original CBD request (Three opposition letters were also presented at the April 19, 2021 meeting from owners within 200' but none of these opposed are relevant now as the properties referenced are no longer part of the proposed rezoning).			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning to the <u>Central Business District (CBD) Zoning District</u> .			
PETITIONER:			
COSA			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Ext. 1550 jeff.fisher@cosatx.us			

May 17, 2021 Planning Commission Meeting: The Planning Commission approved the request subject to Staff contacting the 5 nonconforming property owners listed further below under the heading “nonconforming properties”. All 5 requested to be removed from the proposed CBD zoning and Staff has removed them from the proposed CBD. One property owner, 328 W. 3rd St. part of the proposed rezoning at the March 2021 Planning Commission, asked to remain in the CBD and so this property has been included. The following is an excerpt from the May 17, 2021, Planning Commission Minutes:

A request for approval of a rezoning to the Central Business District (CBD) Zoning District from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Office Commercial (CO), Light Manufacturing (ML), Office Warehouse (OW), and Low Rise Multi-Family Residential (RM-1) Zoning Districts, on approximately 29 acres generally located north of West Harris Avenue; east of Sante Fe Park; south of West 4th Street; and west of North Chadbourne Street.

Jeff Fisher, Principal Planner, presented the case. He indicated this item was presented at the April Planning Commission and after further research, Staff has scaled back the proposed CBD expansion area. He explained one reason for this was several industrially-zoned property owners did not want to be in the CBD, and also the CBD limited outdoor storage on these properties to 10% as opposed to unlimited outdoor storage. He further explained that three other properties, two car dealerships and a hotel west of Abe Street, and properties north of 4th Street were also removed. In total, Mr. Fisher explained that the total number of properties affected went from 84 down to 53. He also added there was one owner that wanted to be zoned CBD.

Mr. James explained that Staff would be good with the one property 328 W. 3rd Street being added to the CBD.

Chair Stribling asked about the Palmer Feed properties.

Mr. James responded that all of these properties remain outside the CBD at the request of Winn Palmer, except for 214 and 216 West 3rd Street which he asked to bring into the CBD.

Commissioner Uherik asked what parts of CBD zoning is more beneficial to owners.

Mr. Fisher responded that ML properties require 25-foot front yard setbacks where CBD allow 0-foot setbacks.

Chair Stribling asked of the 53 property owners to be rezoned, if Staff has spoken to the property owners.

Mr. Fisher responded that letters were sent as required per State Law.

Chair Stribling asked to clarify if most of the lots are single-family homes.

Mr. Fisher responded that most of these are either single-family or retail commercial properties.

Chair Stribling asked how many properties were non-conforming.

Mr. Fisher showed a map of non-conformities and explained what these uses are.

Chair asked what would happen to these businesses if they are rezoned CBD.

Mr. James explained that they would be grandfathered and allowed to continue as is.

Commissioner Davis asked to clarify that the grandfathering only applies to existing footprints and that they could not expand without a new approval.

Mr. James responded this was correct.

Commissioner Davis asked if Staff has spoken to these customers.

Mr. Fisher responded that Staff have not spoken to these owners but that notices were mailed last year when the case began and this time around also.

Mr. James explained that Staff would be willing to contact these owners before taking this item to Council.

Vice Chair Jackson made a motion to **RECOMMEND APPROVAL** of a request for approval of a rezoning to the Central Business District (CBD) Zoning District from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Office Commercial (CO), Light Manufacturing (ML), Office Warehouse (OW), and Low Rise Multi-Family Residential (RM-1) Zoning Districts, on approximately 29 acres generally located north of West Harris Avenue; east of Sante Fe Park; south of West 4th Street; and west of North Chadbourne Street. Vice Chair Jackson seconded the motion. The motion carried unanimously 5-0.

Proposed changes by Staff since the April 19, 2021 Planning Commission Meeting:

- **Removal of properties north of W. 3rd Street and west of Martin Luther King Drive:** These properties are primarily zoned Light Manufacturing (ML) containing uses that require large amounts of outdoor storage that would exceed the maximum 10% if rezoned to CBD.
- **Removal of all properties north of W. 4th Street and east of Farr Street:** Staff is also recommending that these properties which are exclusively zoned ML are not included in the CBD given their limited space and large amounts of outdoor storage required. Also, removing these would be consistent with several of these applicant's request to scale back the proposed Downtown Design District (Z21-06) also presented to the Commission on April 19, 2021 to mainly south of 4th Street. While eventually many of these properties are likely to change to commercial and mixed uses, Staff believes that for the present time, most of this area remains industrial and any future rezoning can be at the timing and request of the property owners.

- **Removal of auto dealerships and hotel west of N. Abe St.** The Abe-Koenigheim commercial corridor provides a prominent entry into the City of San Angelo and a gateway towards downtown. While auto dealerships are appropriate businesses in this General Commercial / Heavy Commercial (CG/CH) zoning, these are not typically suited for downtown CBD properties which support smaller retail stores, boutiques, professional offices, and residential properties. Staff also requests the motel in between these two auto dealerships remains CG/CH to avoid an irregular jog with CBD in between CG/CH zoning.
- **Addition of 214 and 216 W. 3rd Street (Palmer Feed property).** Palmer Feed has submitted plans for a large warehouse building on this double frontage property and does not meet the 25-foot front yard setback in the ML zoning from Farr Street. Rezoning this property to CBD would allow their warehouse to meet the CBD front setback (0 feet/no setback) and allow the warehouse to remain a permitted use (also allowed in CBD).

Non-Conforming Properties:

At the March 16, 2020 Planning Commission Meeting when the rezoning was first proposed, several concerns were raised by property owners of properties currently zoned Light Manufacturing (ML) who were subject to the proposed change. These were primarily concerned that their current uses would not be allowed in CBD (i.e. manufacturing), or would require a conditional use (i.e. industrial service). They also raised concerns about limits to outdoor storage in the CBD not to exceed the greater of 1,000 square feet or 10% of the total site area, whereas ML zoning allowed unlimited outdoor storage. Staff reassessed the area on April 5, and May 5, 2021, to ensure there were no significant changes since 2020, including checking for any non-conformities – new uses that are currently allowed but would not be allowed if rezoned to CBD:

Existing in 2020:

- 10 W. 3rd St. (Industrial Service - electrical contractor) – not allowed in CBD, no Conditional Use option;
- 85 W. 4th St. (Industrial Service – roofing company) – not allowed in CBD, no Conditional Use option, exceed 10% outdoor storage from visual inspection;
- 235 W. 3rd St. (Industrial Service – electrical contractor) – not allowed in CBD, no Conditional Use option

Newly discovered in 2021:

- 202 Martin Luther King Drive and 240 W. 2nd St. (Major Vehicle Repair) - allowed in CBD with a Conditional Use;
- 226, 230, and 236 W. 2nd St. owned by same owner (Landscape Contractor/Maintenance – Industrial Service) allowed in CBD with a Conditional Use

In conclusion, all of these existing nonconforming uses would be allowed to continue (legal non-conforming) in their current footprint with CBD rezoning. However, all of them would require a Conditional Use from the Planning Commission to expand.

Rezoning: Section 213(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at a minimum, seven (7) factors in determining the appropriateness of any rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The subject area has been identified as Downtown Future Land Use since the 2009 update to the City's Comprehensive Plan. The goal of the Downtown designation is to reinforce downtown San Angelo "as the principal commercial service and cultural center in the region." The Downtown policies include considering the expansion of CBD zoning in these areas to allow for greater variety of residential housing types, as well as the elimination of incompatible CG/CH zoning. Staff believes that the proposed CBD expansion will achieve all of these policy objectives. As indicated, extensive research and visits through the surrounding area confirm that most of the properties are comprised of uses already allowed by right in the CBD district. Eliminating the heavy use zoning would protect nearby residential areas and retail commercial areas from incompatible forms of development that would be allowed in some existing zoning districts in this area. Staff believes this will encourage further investment, development, and expansion of the downtown, encourage new retail businesses, and more mixed-use (i.e. commercial with residential) development which is allowed in the CBD zoning district and encouraged by the City's adopted plans.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The CBD zoning has additional benefits as compared to other zoning districts, which include a full exemption from parking requirements, exemption from front yard setback requirements (allow a building to be built up to the front property line), and floor area ratio of 3.2 (gross floor area of all buildings on a lot divided by the total lot area). These more flexible standards encourage redevelopment and expansion on downtown lots which may contain legal non-conforming structures that would otherwise not be able to meet current setbacks or parking requirements. *Included at the end of the staff report are abbreviated use tables to compare the allowed uses within the current zoning districts and the proposed Central Business District as well as a short sample of the development standards for each district.*
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The properties are located within an area that is currently comprised of mixed uses of commercial and residential. The existing development fits in with the existing mixed use development pattern, and would allow continuation of existing businesses and household living.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The subject properties have been part of the Downtown Future Land Use designation since the 2009 Comprehensive Plan update, and were identified as part of the Future Land Use CBD extension in the original 2003 Comprehensive Plan. Staff believes it is time to rezone these properties to CBD to be consistent with the Plan and to stimulate growth and investment in

this area. The flexibility in the CBD standards, in particular exemption from parking and reduced setbacks, allow new development while still encouraging re-development. For this proposed rezoning, Staff has left out the properties where owners had objected in March 2020 when the rezoning was initially brought forward.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The rezoning is anticipated to have little to no adverse impact on the natural environment. Most of the redevelopment of this area would come from reuse and rehabilitation of existing structures. In fact, it is largely accepted that denser downtown development is more environmentally sustainable, as compared to more sprawling sub-urban development patterns.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Allowing this area to rezone to the Central Business District would allow existing businesses to continue to serve the community while also allowing household living for an expanded mixed use area. One owner has already taken this initiative by rezoning a property zoned Light Manufacturing (ML) to CBD (Z21-02). The recent Housing Study indicated an unmet demand for downtown housing that this rezoning would help to encourage.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the subject area is mixed with commercial and residential. Approving the rezoning will allow for more areas for denser, urban development that is typical of downtown and is compatible with trends and development patterns in the area.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** a rezoning to the Central Business District (CBD) Zoning District from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Office Commercial (CO), Light Manufacturing (ML), Office Warehouse (OW), and Low Rise Multi-Family Residential (RM-1) Zoning Districts, on approximately 27.6 acres generally located north of West Harris Avenue; east of Sante Fe Park; south of West 4th Street; and west of North Chadbourne Street (see attached maps).

Attachments:

Response Letters	Aerial Map
Table 1 - Allowed CBD Uses versus Other Districts	Future Land Use Map
Table 2 – Not allowed in CBD versus Other Districts	Zoning Map
Development Standards	Non-conformity Map
	Notification Maps
	Photographs

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.

040921

(☒)

IN FAVOR

(☐)

IN OPPOSITION

REASON(S)

MAY HELP / ENCOURAGE REVITALIZATION OF DOWN TOWN

NAME: RONALD KURTZ

ADDRESS: 2426 LOXFORD LANE

ALPHARETTA, GA. 30009

SIGNATURE: Ronald Kurtz

Z20-03 (CBD Northwest): North of West Harris Avenue; east of Sante Fe Park;
south of West Houston Harte Expressway; and west of North Chadbourne Street

property owner number: 47

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

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

(✓)

IN FAVOR

()

IN OPPOSITION

040921

REASON(S)

NAME:

Louis Perez

ADDRESS:

112 W. College Ave.

San Angelo, TX 76903

SIGNATURE:

Louis A. Perez

Z20-03 (CBD Northwest): North of West Harris Avenue; east of Sante Fe Park;
south of West Houston Harte Expressway; and west of North Chadbourne Street

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 telephone number 325-657-4210.
The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

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

(☒) IN FAVOR (☐) IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

SIGNATURE: Guy McFarland

Z20-03 (CBD Northwest): North of West Harris Avenue; east of Sante Fe Park;
south of West Houston Harte Expressway; and west of North Chadbourne Street

property owner within 200 feet number: 33

041421

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.

From: info@cosatx.us [mailto:info@cosatx.us]
Sent: Monday, April 26, 2021 4:54 PM
To: Fisher, Jeff <jeff.fisher@cosatx.us>
Subject: CBD zoning

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

Message submitted from the <City of San Angelo, TX> website.

Site Visitor Name: Bruce Davison
Site Visitor Email: davisonba@gmail.com

just watched the April 4th meeting WE am complete opposition to removing the lots on 3rd and 4th st west of Palmers feed from the CBD zone

Principle officer of Jackson 15 @ 328 west 3rd
Property owner 108 w 5th
BRUCE DAVISON



Mon 4/26/2021 5:11 PM

B DAVISON <davisonba@gmail.com>

Re: CBD zoning

To:  Fisher, Jeff

 You replied to this message on 4/27/2021 9:51 AM.

 Message  [image001.jpg](#) (4 KB)

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

We we like them to stay in the CBD zoning we are opposed to unlimited outside storage and large truck parking.
addresses 318 314 304 on 3rd st and lots adjacent on 4th

On Mon, Apr 26, 2021, 4:56 PM Fisher, Jeff <jeff.fisher@cosatx.us> wrote:

Bruce, did you mean you want the lots to stay zoned the way they are, and not CBD; or you want them rezoned to CBD? And you can specify the addresses of these lots?

Thanks,

Jeff

Table 1 - Allowed CBD Uses versus Other Districts

Blue = allowed by right; Orange = with conditional use or special use; Red = not allowed

Use Category	Short Definition (see also Chap. 8)		R	C	C	C	CG	O	M	C
		M	O	G	H	/	W	L	B	
		1				CH			D	
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Residential										
Group Living	residential occupancy that does not meet the definition of "household living"	*	-	-	-	S	S	S	-	-
Household Living	residential occupancy of a dwelling by a "household"	*	A	C	C	C	C	C	C	A
Recovery Facility, Alcohol and Drug	residential programs that provide care and training or treatment for psychiatric, alcohol or drug problems	*	-	A	A	A	A	A	A	A
Institutional and Civic										
College	institutions of higher learning	*	-	A	A	-	A	A	-	A
Community Services	public, nonprofit, or charitable uses providing service to the community		C	A	A	-	A	A	C	A
Day Care	care, protection and supervision for children or adults on a regular basis	*	A	A	A	-	A	A	C	A
Detention Facilities	facilities for detention of incarcerated people		-	-	S	S	S	S	S	S
Golf Course, Golf Driving Range	facilities for golf, including practice areas	*	S	S	S	S	S	S	S	S
Hospital	medical or surgical care, with overnight care		-	C	C	C	C	C	C	C
Parks and Open Areas	natural areas consisting mostly of vegetative landscaping, outdoor recreation, gardens, etc.		A	A	A	A	A	A	A	A
Religious Institutions	meeting areas for religious activities		C	A	A	A	A	A	A	A
Safety Services	public safety and emergency services		C	A	A	A	A	A	A	A
School	kindergarten-grade 9 public or private		A	A	A	-	-	-	-	A
School	high school public or private		C	A	A	-	-	-	-	A
Special Event, Type 1	fund-raising, business promotion, special and seasonal events	*	A	A	A	A	A	A	A	A
Special Event, Type 2	carnival, concert, circus, fair or festival	*	-	-	A	A	A	A	A	A
Utilities, Basic	infrastructure that needs to be located in or near the area where the service is provided		A	A	A	A	A	A	A	A

Use Category	Short Definition (see also Chap. 8)		R	C	C	C	CG	O	M	C
		M	O	G	H	/	W	L	B	
		1				CH			D	
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Commercial										
Alcoholic Beverages Sales for On-Premises Consumption (added to Use Table 2003)	establishment where alcoholic beverages are sold for consumption on the premises, except for certain restaurants where such beverages are provided as a supplemental service	*	-	-	C	C	C	-	C	A
Auto and Boat Dealer	sales of cars, light trucks and boats	*	-	-	A	A	A	A	A	A
Bed & Breakfast	a single-family dwelling offering overnight accommodations	*	C	A	A	C	A	C	C	A
Campground/ Recreational Vehicle Park	temporary, often overnight accommodations for camping units and recreational vehicles		-	-	S	S	S	S	S	-
Mobile Food Units	Defined in Texas Food Establishment Rules		-	A	A	A	A	A	A	A
Office	activities in an office setting focusing on business, government, professional, medical or financial services		-	A	A	-	A	A	A	A
Parking, Commercial	parking not accessory to an allowed use, fees may be charged		-	A	A	A	A	A	A	A
Recreation and Entertainment, Outdoor	large commercial uses that provide continuous recreation or entertainment		-	-	S	-	S	-	S	S
Rental, Equipment	firms leasing or renting heavy vehicles, equipment and machinery under 3.5 tons to the public, may also provide product repair	*	-	-	C	A	A	C	A	C

Use Category	Short Definition (see also Chap. 8)		R	C	C	C	CG	O	M	C
		M	O	G	H	/	W	L	B	
		1				CH			D	
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Retail Sales and Service	firms involved in the sale or [of] new or used products to the public, may provide personal services, entertainment or product repair	*	-	C	A	C	A	-	C	A
Self-Service Storage	uses providing separate storage areas for individuals or businesses	*	C	C	A	A	A	A	A	A
Short-Term Rental	A single-family dwelling offering overnight accommodations	*	C	C	C	C	C	C	C	A
Vehicle Repair	service to passenger vehicles, light or medium trucks, other consumer motor vehicles, generally, the customer does not wait at site while service is being performed	*	-	-	C	A	A	C	A	C
Vehicle Service, Limited	direct services to vehicles where the customer generally waits nearby while the service is performed	*	-	C	A	A	A	A	A	A
Vehicle Wash	automatic or non-automatic facilities for washing vehicles		-	-	A	A	A	A	A	A
Veterinary Clinics, Small Animals	offices and clinics for small, non-hoofed animals		-	C	A	A	A	A	A	A

Use Category	Short Definition (see also Chap. 8)		R	C	C	C	CG	O	M	C
		M	O	G	H	/	W	L	B	
		1				CH			D	
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Industrial										
Industrial Service	firms servicing industrial, business or consumer machinery, equipment, products or byproducts		-	-	C	A	A	A	A	C
Manufacturing and Production, Light	firms involved in assembly, light manufacturing, processing, fabrication, or packaging of goods	*	-	-	-	-	#	-	A	-
# See "other" use categories for certain light manufacturing allowed in CG/CH districts.										
Manufacturing, Craft by Artisan	processing and/or fabrication goods made ready for sale to consumers, on-site or elsewhere, where processing or fabrication is of substantially low intensity with an emphasis on handiwork	*	-	-		A	A	A	A	A
Warehouse and Freight Movement	firms involved in storage or movement of goods	*	-	-	C	A	A	A	A	A
Waste-Related Use	uses that receive recycled materials or wastes for disposal on-site or transfer to another location, uses that collect sanitary wastes, or that produce goods or energy from composting	*	-	C	C	C	C	C	C	C
Wholesale Trade	firms involved in sale, lease, or rental of products for industrial, institutional, or commercial business	*	-	-	C	A	A	A	A	A

Use Category	Short Definition (see also Chap. 8)		R	C	C	C	CG	O	M	C
		M	O	G	H	/	W	L	B	
		1				CH			D	
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Other										
Agriculture	raising or producing plants		-	-	-	-	-	-	C	-
Animal Kennel	facilities for overnight care of animals, except horses		-	-	-	C	C	C	C	-
Entertainment Event, Major	activity or structure that draws large numbers of people to specific events		-	-	S	S	S	S	S	S
Firearms Range	indoor or outdoor facilities for discharging firearms	*	-	-	S	S	S	S	S	S
Horse Boarding and Riding Academy	overnight care of horses, with or without related equestrian facilities		-	-	-	C	C	C	C	-
Mining	extraction of mineral or aggregate resources for off-site use		-	-	-	-	-	-	C	-
Passenger Terminals	facilities for the arrival or departure of airplanes, trains or buses		-	-	C	C	C	C	C	C
Plant Nursery	facilities producing flowers, shrubs, horticultural or household plants for retail or wholesale trade		-	-	-	A	A	A	A	-
Telecommunications Facilities	devices and supporting elements necessary to produce electromagnetic radiation operating to produce a signal	*	C	C	C	C	C	C	A	C
Any Use(s) Deemed Appropriate	only where such uses(s) can provide effective transition between less restrictive and more restrictive zoning districts	*	S	S	S	S	S	S	S	S
Food and beverage processing; drug processing, tobacco manufacture; building materials processing; light metal fabrication; jewelry fabrication; processing and fabrication of optical and scientific instruments; artificial limb fabrication; broom fabrication; manufacture of wearing apparel including boots and shoes; bags and mattress manufacture	certain light manufacturing uses not allowed in either CG or CH Districts, but which are allowed in CG/CH Districts and also where light manufacturing is generally allowed		-	-	-	-	A	-	A	-

Table 2 – Not allowed in CBD versus Other Districts

Use Category	Short Definition (see also Chap. 8)		R M 1	C N	C O	C G	C H	CG /CH	O W	M L	C B D
* = Specific Use Regulations May Apply. See Article 4.											
A = Allowed / C = Conditional / S = Special Use											
Residential											
Group Living	residential occupancy that does not meet the definition of "household living"	*	-	-	-	-	S	S	S	-	-
Household Living	residential occupancy of a dwelling by a "household"	*	A	C	C	C	C	C	C	C	A
Recovery Facility, Alcohol and Drug	residential programs that provide care and training or treatment for psychiatric, alcohol or drug problems	*	-	-	A	A	A	A	A	A	A
Institutional and Civic											
College	institutions of higher learning	*	-	-	A	A	-	A	A	-	A
Community Services	public, nonprofit, or charitable uses providing service to the community		C	A	A	A	-	A	A	C	A
Day Care	care, protection and supervision for children or adults on a regular basis	*	A	A	A	A	-	A	A	C	A
Detention Facilities	facilities for detention of incarcerated people		-	-	-	S	S	S	S	S	S
Golf Course, Golf Driving Range	facilities for golf, including practice areas	*	S	S	S	S	S	S	S	S	S
Hospital	medical or surgical care, with overnight care		-	-	C	C	C	C	C	C	C
Parks and Open Areas	natural areas consisting mostly of vegetative landscaping, outdoor recreation, gardens, etc.		A	A	A	A	A	A	A	A	A
Religious Institutions	meeting areas for religious activities		C	A	A	A	A	A	A	A	A
Safety Services	public safety and emergency services		C	A	A	A	A	A	A	A	A
School	kindergarten-grade 9 public or private		A	A	A	A	-	-	-	-	A
School	high school public or private		C	A	A	A	-	-	-	-	A
Special Event, Type 1	fund-raising, business promotion, special and seasonal events	*	A	A	A	A	A	A	A	A	A
Special Event, Type 2	carnival, concert, circus, fair or festival	*	-	-	-	A	A	A	A	A	A
Utilities, Basic	infrastructure that needs to be located in or near the area where the service is provided		A	A	A	A	A	A	A	A	A
Commercial											
Alcoholic Beverages Sales for On-Premises Consumption (added to Use Table 2003)	establishment where alcoholic beverages are sold for consumption on the premises, except for certain restaurants where such beverages are provided as a supplemental service	*				C	C	C		C	A
Auto and Boat Dealer	sales of cars, light trucks and boats	*	-	-	-	A	A	A	A	A	A
Bed & Breakfast	a single-family dwelling offering overnight accommodations	*	C	A	A	A	C	A	C	C	A

Use Category	Short Definition (see also Chap. 8)		R M 1	C N	C O	C G	C H	CG / CH	O W	M L	C B D
* = Specific Use Regulations May Apply. See Article 4.											
A = Allowed / C = Conditional / S = Special Use											
Campground/ Recreational Vehicle Park	temporary, often overnight accommodations for camping units and recreational vehicles		-	-	-	S	S	S	S	S	-
Mobile Food Units	Defined in Texas Food Establishment Rules			A	A	A	A	A	A	A	A
Office	activities in an office setting focusing on business, government, professional, medical or financial services		-	A	A	A	-	A	A	A	A
Parking, Commercial	parking not accessory to an allowed use, fees may be charged		-	C	A	A	A	A	A	A	A
Recreation and Entertainment, Outdoor	large commercial uses that provide continuous recreation or entertainment		-	-	-	S	-	S	-	S	S
Rental, Equipment	firms leasing or renting heavy vehicles, equipment and machinery under 3.5 tons to the public, may also provide product repair	*	-	-	-	C	A	A	C	A	C
Retail Sales and Service	firms involved in the sale or [of] new or used products to the public, may provide personal services, entertainment or product repair	*	-	A	C	A	C	A	-	C	A
Self-Service Storage	uses providing separate storage areas for individuals or businesses	*	C	C	C	A	A	A	A	A	A
Short-Term Rental	A single-family dwelling offering overnight accommodations	*	C	C	C	C	C	C	C	C	A
Vehicle Repair	service to passenger vehicles, light or medium trucks, other consumer motor vehicles, generally, the customer does not wait at site while service is being performed	*	-	-	-	C	A	A	C	A	C
Vehicle Service, Limited	direct services to vehicles where the customer generally waits nearby while the service is performed	*	-	A	C	A	A	A	A	A	A
Vehicle Wash	automatic or non-automatic facilities for washing vehicles		-	C	-	A	A	A	A	A	A
Veterinary Clinics, Small Animals	offices and clinics for small, non-hoofed animals		-	A	C	A	A	A	A	A	A
Industrial											
Industrial Service	firms servicing industrial, business or consumer machinery, equipment, products or byproducts		-	-	-	C	A	A	A	A	C

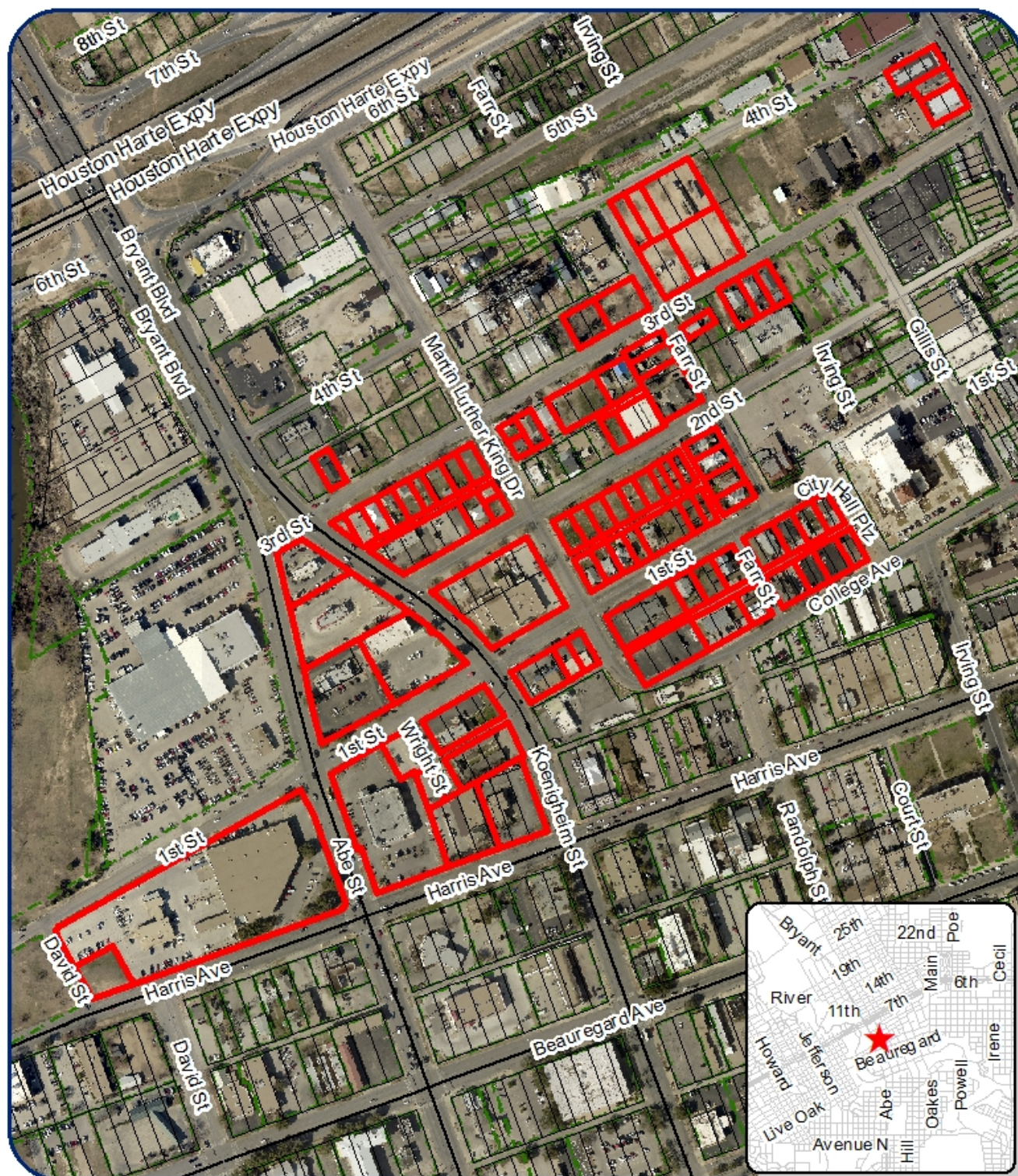
Use Category	Short Definition (see also Chap. 8)	R M 1	C N	C O	C G	C H	CG / CH	O W	M L	C B D
* = Specific Use Regulations May Apply. See Article 4.										
A = Allowed / C = Conditional / S = Special Use										
Manufacturing and Production, Light	firms involved in assembly, light manufacturing, processing, fabrication, or packaging of goods	*	-	-	-	-	#	-	A	-
# See "other" use categories for certain light manufacturing allowed in CG/CH districts.										
Manufacturing, Craft by Artisan	processing and/or fabrication goods made ready for sale to consumers, on-site or elsewhere, where processing or fabrication is of substantially low intensity with an emphasis on handiwork	-	-	-	A	A	A	A	A	A
Warehouse and Freight Movement	firms involved in storage or movement of goods	-	-	-	C	A	A	A	A	A
Waste-Related Use	uses that receive recycled materials or wastes for disposal on-site or transfer to another location, uses that collect sanitary wastes, or that produce goods or energy from composting	*	-	C	C	C	C	C	C	C
Wholesale Trade	firms involved in sale, lease, or rental of products for industrial, institutional, or commercial business	*	-	-	-	C	A	A	A	A
Other										
Agriculture	raising or producing plants	-	-	-	-	-	-	-	C	-
Animal Kennel	facilities for overnight care of animals, except horses	-	-	-	-	C	C	C	C	-
Entertainment Event, Major	activity or structure that draws large numbers of people to specific events	-	-	-	S	S	S	S	S	S
Firearms Range	indoor or outdoor facilities for discharging firearms	*	-	-	-	S	S	S	S	S
Horse Boarding and Riding Academy	overnight care of horses, with or without related equestrian facilities	-	-	-	-	C	C	C	C	-
Mining	extraction of mineral or aggregate resources for off-site use	-	-	-	-	-	-	-	C	-
Passenger Terminals	facilities for the arrival or departure of airplanes, trains or buses	-	-	-	C	C	C	C	C	C
Plant Nursery	facilities producing flowers, shrubs, horticultural or household plants for retail or wholesale trade	-	-	-	-	A	A	A	A	-
Telecommunications Facilities	devices and supporting elements necessary to produce electromagnetic radiation operating to produce a signal	*	C	C	C	C	C	C	A	C

Use Category	Short Definition (see also Chap. 8)		R M 1	C N	C O	C G	C H	CG / CH	O W	M L	C B D
* = Specific Use Regulations May Apply. See Article 4.											
A = Allowed / C = Conditional / S = Special Use											
Any Use(s) Deemed Appropriate	only where such uses(s) can provide effective transition between less restrictive and more restrictive zoning districts	*	S	S	S	S	S	S	S	S	S
Food and beverage processing; drug processing, tobacco manufacture; building materials processing; light metal fabrication; jewelry fabrication; processing and fabrication of optical and scientific instruments; artificial limb fabrication; broom fabrication; manufacture of wearing apparel including boots and shoes; bags and mattress manufacture	certain light manufacturing uses not allowed in either CG or CH Districts, but which are allowed in CG/CH Districts and also where light manufacturing is generally allowed		-	-	-	-	-	A	-	A	-

Development Standard	Districts							
	CN	CO	CG	CH	CG/CH	OW	ML	CBD
Minimum Lot Area (sq. ft.)	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Minimum Lot Dimensions (ft.) (width x depth)	50 X 80	50 X 80	50 X 80	50 X 80	50 X 80	50 X 80	50 X 80	50 X 80
Minimum Front Yard (ft.)	25	25	25	25	25	25	25	exempt
Minimum Side/Rear Yard (ft.)	None required unless abutting* residential district or use, where minimum of 10 feet required							
Maximum Floor Area Ratio	0.6	2	2	2	2	0.8	2	3.2
Maximum Height (ft.)	35	-	-	35	-	35	-	-

Development Standard	Districts	
	RM-1	
Minimum Lot Area (sq. ft.)		
Single-Family Unit	5,000	
Zero Lot Line or Twinhome Unit	2,500	
Townhouse Unit	1,875	
Multifamily Project or Group Home	7,000	
Minimum Lot Dimensions (ft.) (width x depth)		
Single-Family/Two-Family Unit	50x100	
Zero Lot Line or Twinhome Unit	40x60	
Townhouse Unit	25x75	
Multifamily Project or Group Home	60x100	
Minimum Front Yard (ft.)		
Single-Family/Two-Family Unit	25	Arterial Street 25'
Zero Lot Line or Twinhome Unit	15	
Townhouse Unit	15	
Multifamily Project or Group Home	25	
Minimum Side Yard (ft.)		
Single-Family/Two-Family Unit	5	
Zero Lot Line or Twinhome Unit	0/10	
Townhouse Unit	0/10	
Multifamily Project or Group Home	10	
Minimum Rear Yard (ft.)		
Single-Family/Two-Family Unit	20	
Zero Lot Line or Twinhome Unit	10	
Townhouse Unit	10	
Multifamily Project or Group Home	20	
Maximum Floor Area Ratio	0.75	
Maximum Height (ft.) (stories)	35 (2 1/2)	
Maximum Density (units/gross acre)	25	

Aerial Map



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties:

Current Zoning: CG, CG/CH, CO, ML,

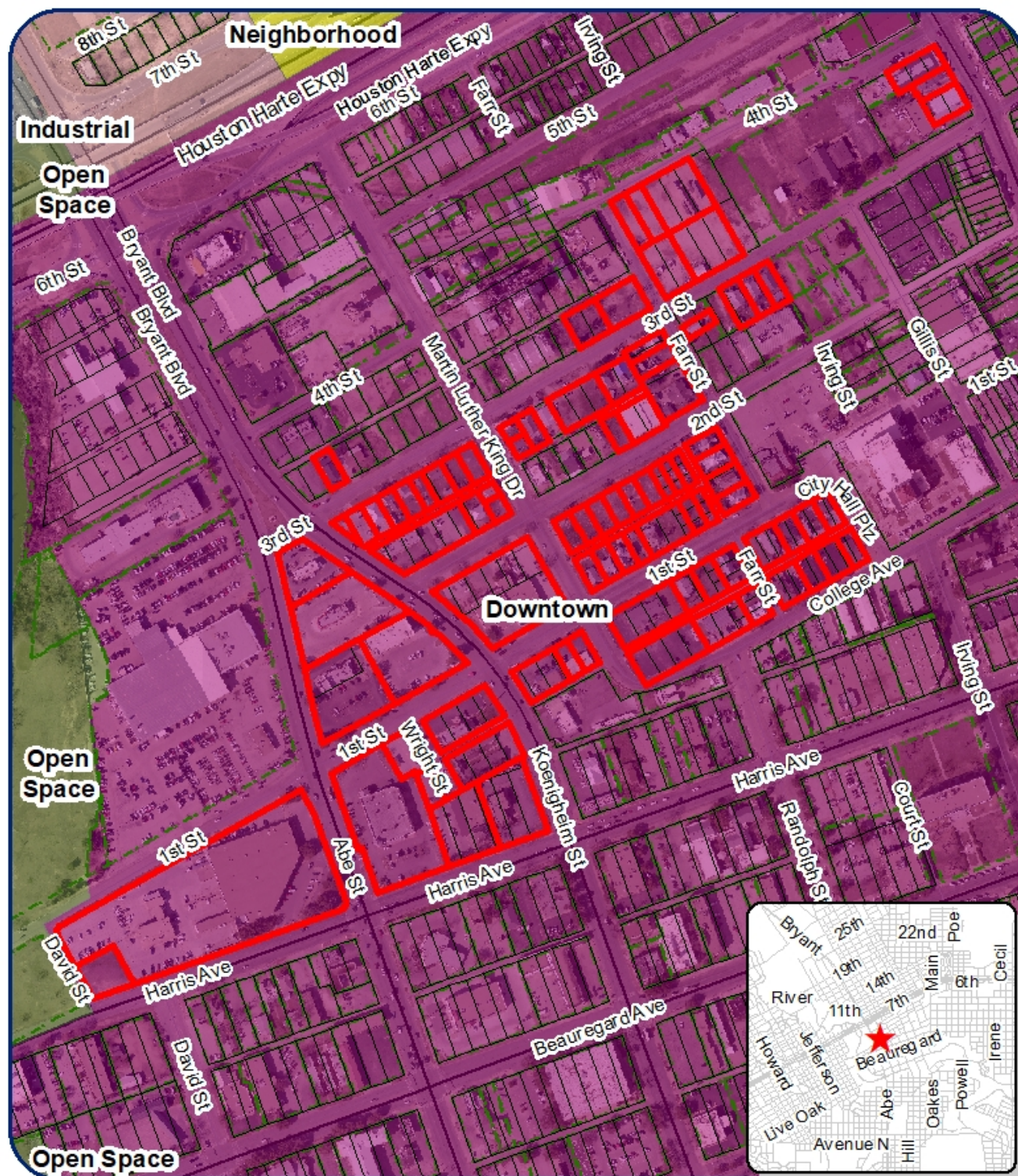
OW, RM-1

Requested Zoning Change: CBD

Vision: Downtown



Future Land Use Map



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties: —

Current Zoning: CG, CG/CH, CO, ML,

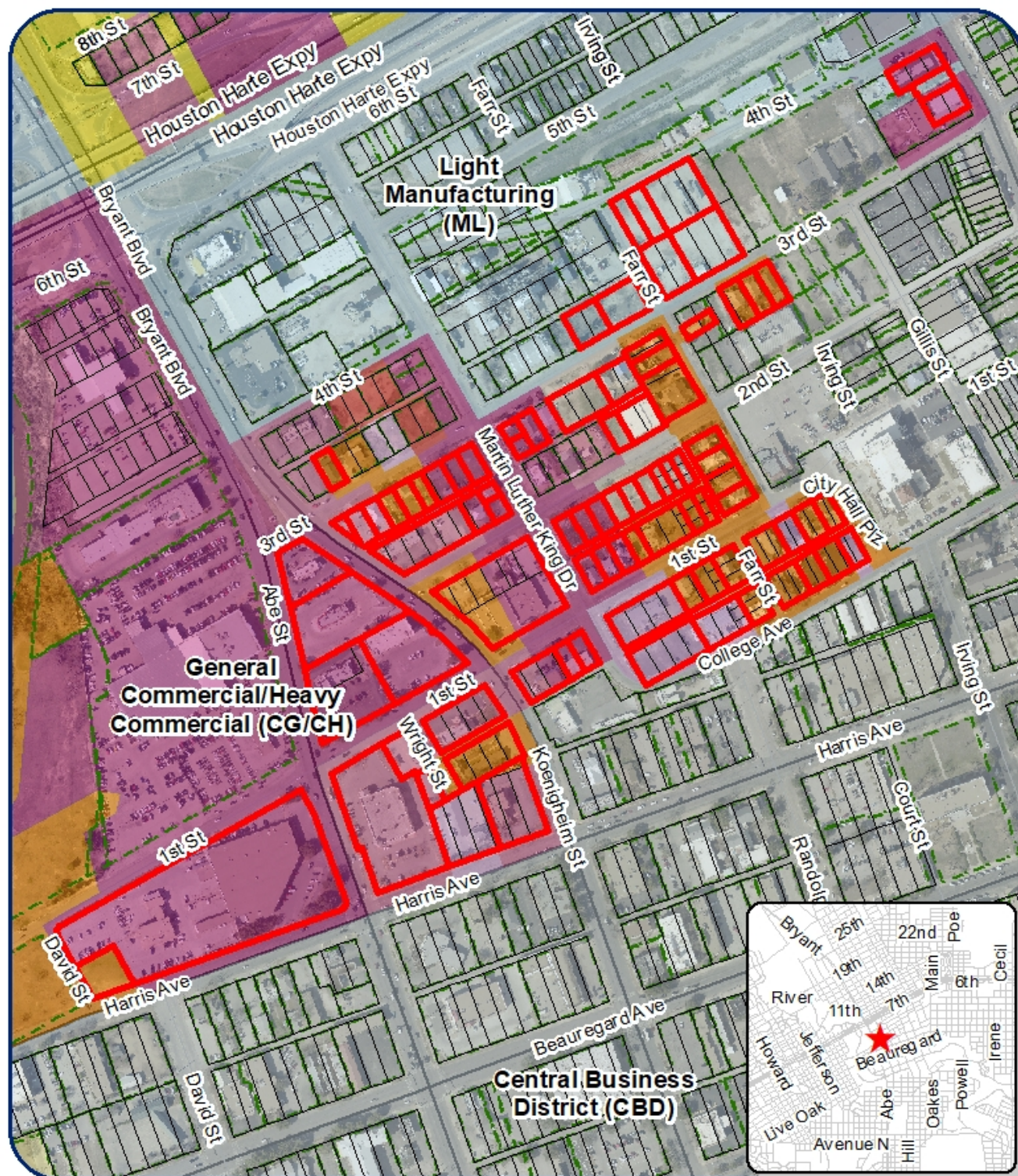
OW, RM-1

Requested Zoning Change: CBD

Vision: Downtown



Zoning Map



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties: —

Current Zoning: CG, CG/CH, CO, ML,

OW, RM-1

Requested Zoning Change: CBD

Vision: Downtown



Non-conformities Map



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 175 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties: █

Current Zoning: CG, CG/CH, CO, ML,

OW, RM-1

Requested Zoning Change: CBD

Vision: Downtown



Proposed CBD Rezoning (July 8 City Council)

50 Properties, 27.6 acres



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties:

Current Zoning: **CG, CG/CH, CO, ML,**

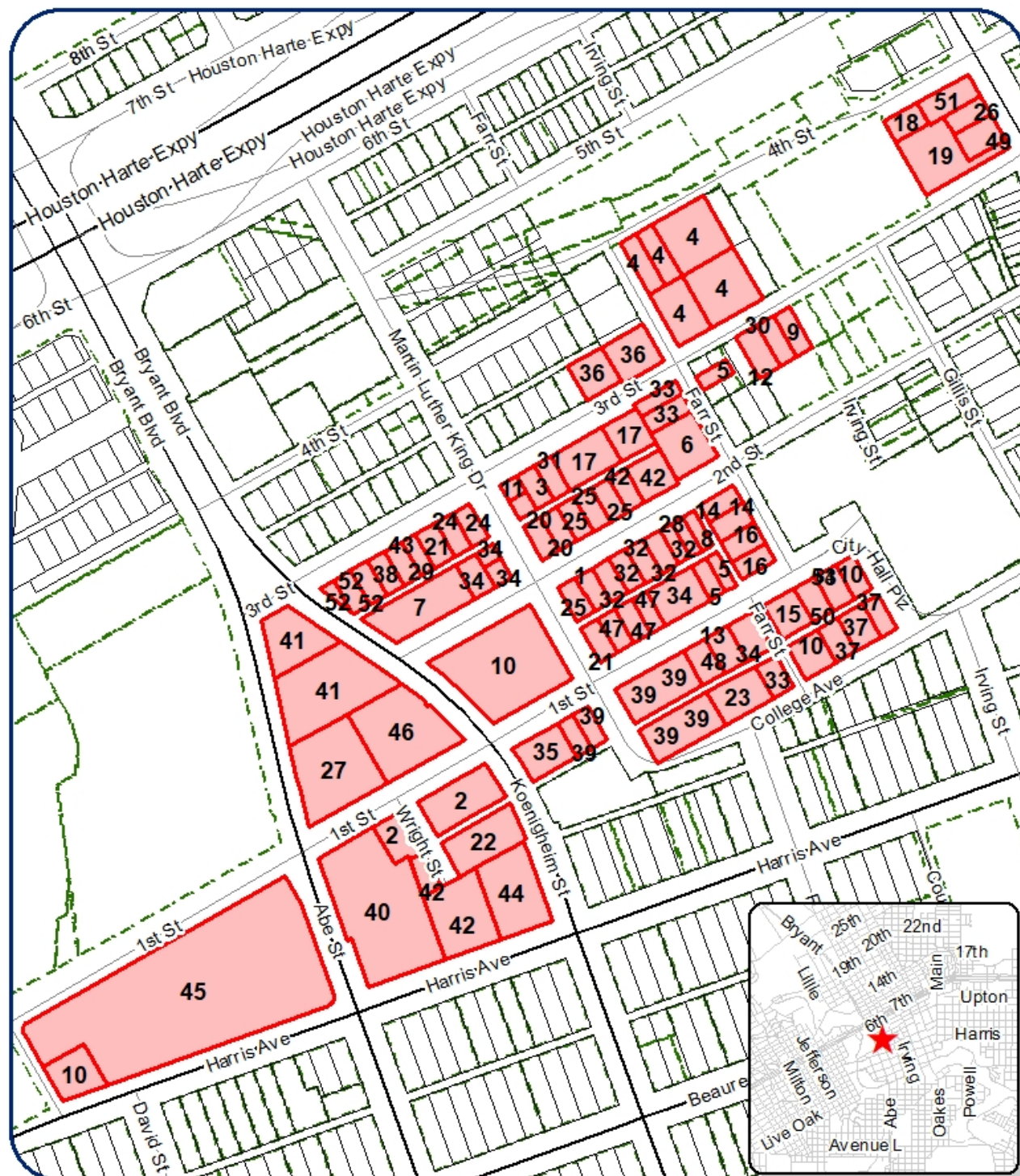
OW, RM-1

Requested Zoning Change: **CBD**

Vision: **Downtown**



Proposed CBD Rezoning (May 17 Planning Commission)
53 Properties, 29 acres



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 325 ft

Between Harris Ave; Santa Fe Park; W. 5th St; and N. Chadbourne St.

Legend

Subject Properties:

Current Zoning: **CG, CG/CH, CO, ML,**

OW, RM-1

Requested Zoning Change: **CBD**

Vision: **Downtown**



Proposed CBD Rezoning (May 17 Planning Commission)
84 Properties, 67 acres



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown & Reagan

Scale: 1" approx. = 400 ft

Legend

Subject Properties:

Current Zoning: **CG, CG/CH, CH, CO, ML,**

OW, RM-1

Requested Zoning Change: **CBD**

Vision: **Downtown**

Between Harris Ave; Santa Fe Park; H. Harte Expressway; and N. Chadbourne St.



Photos



Post Office



Retail and auto dealer along N Abe St.



Retail and office along W 1st St.



Household living along W 1st St.



Art Gallery W 1st St.



W 2nd St.



Martin Luther King Dr.



Existing electric contractor



Existing church building W 3rd St.



Existing contractor's yard W 3rd St.



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: **APPROXIMATELY 27.6 ACRES LOCATED NORTH OF WEST HARRIS AVENUE; EAST OF SANTA FE PARK; SOUTH OF WEST 4TH STREET; AND WEST OF NORTH CHADBOURNE STREET**, TO THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT FROM THE GENERAL COMMERCIAL (CG), GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH), OFFICE COMMERCIAL (CO), LIGHT MANUFACTURING (ML), OFFICE WAREHOUSE (OW), AND LOW RISE MULTI-FAMILY RESIDENTIAL (RM-1) ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-03: CBD Northwest

WHEREAS, on the 17th day of May, 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 Rezoning; and,

WHEREAS, on the 8th day of July, 2021, City Council held a public hearing on Z20-03, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real properties located north of West Harris Avenue; east of Santa Fe Park; south of West 4th Street; and west of North Chadbourne Street, comprising approximately 27.6 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 **8th day of July, 2021**, and finally PASSED, on this the **20th day of July, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

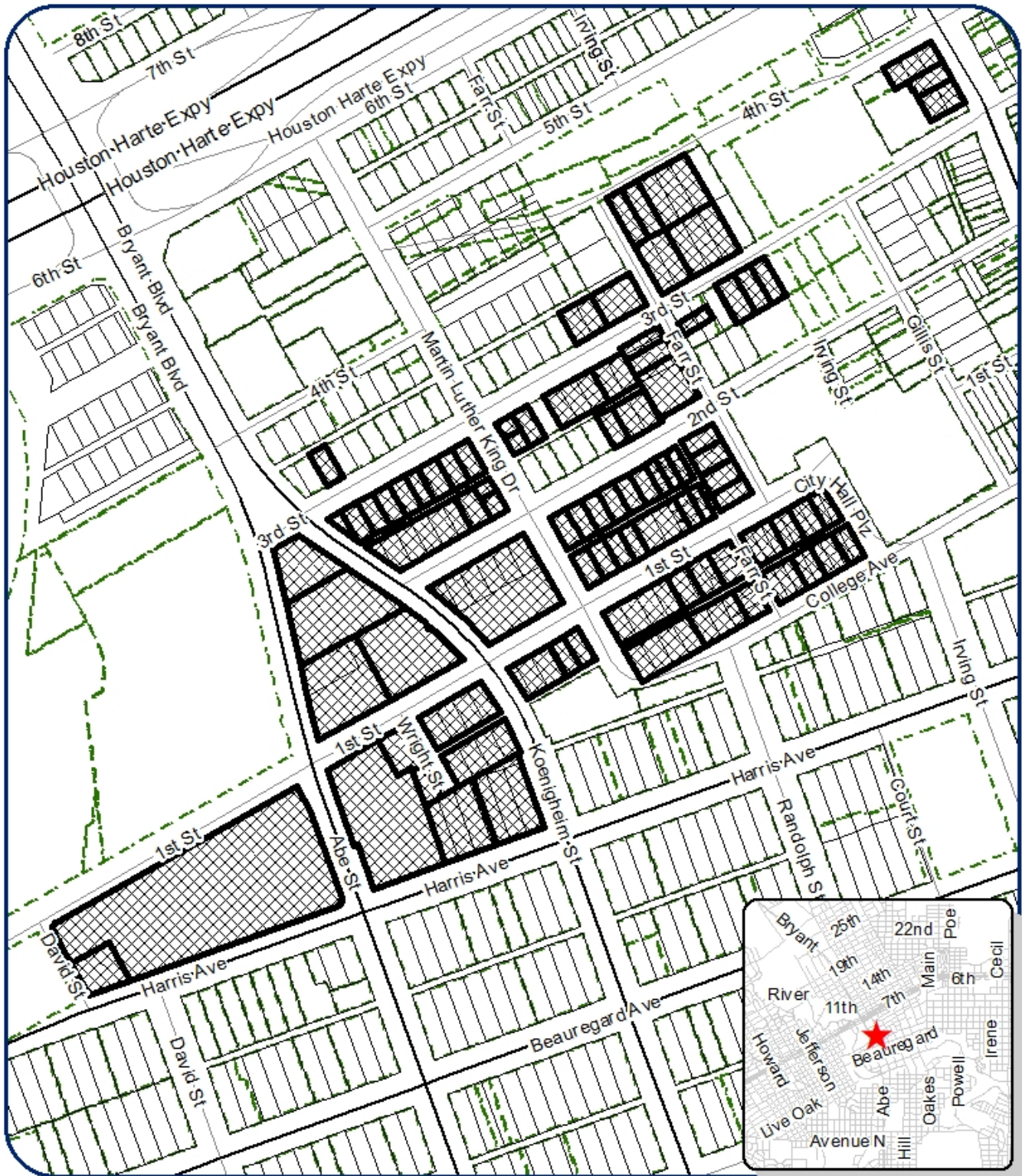
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Z20-03: CBD Northwest

Northwest Downtown

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

Between Harris Ave; Santa Fe Park; W. 4th St; and N. Chadbourne St.

Legend

Subject Properties:

Current Zoning: **CG, CG/CH, CO, ML,**

OW, RM-1

Requested Zoning Change: **CBD**

Vision: **Downtown**



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 8, 2021

Item type: Regular Item

Caption:

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

Summary/History:

This proposed amendment contains the following item (additional information attached):

- American Rescue Plan
- Equipment Replacement

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|-------------|-----------------|
| 1. | BA Memo ALL | BA Memo ALL.pdf |
| 2. | Ordinance | Ordinance.docx |

Presentation:

Tina Dierschke

Approvals/Reviews:

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

Memo

To: Tina Dierschke, Finance Director

From: Ryan Gaddy, Assistant Finance Director

Date: 07/08/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for grant funding from the American Rescue Plan Act of 2021

Source of Funding:

U.S Department of Treasury

Funding previously approved? If so, by City Manager or City Council and when?

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Grant Revenue	0	16,650,136	16,650,136
College Hills Drainage*	0	8,000,000	8,000,000
Available for Assignment	0	8,650,136	8,650,136
			0
			0
			0

Additional Comments:

*Exact amount needed for College Hills drainage work will be allocated once the project has been bid out.

Memo

To: Tina Dierschke, Finance Director
From: Ryan Kramer, Senior Fleet Manager
Date: 06/29/21
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for revenue generated for hail damage total losses and past and future auction proceeds for FY21

Source of Funding:

Insurance and auction proceeds

Funding previously approved? If so, by City Manager or City Council and when?

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Auction Proceeds	65,000	130,000	195,000
Insurance Proceeds	71,121	185,000	256,121
Expense:			0
Equipment Replacement	203,573	315,000	518,573
			0

Additional Comments:

ORDINANCE 2020-121

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021, FOR CAPITAL ITEMS and GRANTS

WHEREAS, the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2020-2021 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 8th day of July 2021, and finally PASSED on this 20th day of July, 2021.

ATTEST:

THE CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

Exhibit A

**City of San Angelo
Proposed Budget Amendment**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
Intergovernmental	16,650,136	16,650,136	-
Equipment Replacement	315,000	315,000	-
	\$16,965,136	\$16,965,136	\$ -

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
College Hills drainage and future projects	American Rescue Plan Act	16,650,136	16,650,136	-
Equipment Replacement	Auction and insurance proceeds	315,000	315,000	-
		\$16,965,136	\$16,965,136	\$ -