City Council Agenda
11/2/2021

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held November 2, 2021 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. **Call to Order**
2. **Chaplain Prayer & Pledges**
3. **Proclamations/Recognitions**
   a. Proclamation supporting the Right to Life for all San Angeloans
   b. Proclamation of November 2021 as National Adoption Month
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 October 19, 2021 City Council regular meeting minutes (Julia Antilley)
   b. Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent on the following properties:
      1. 2562 Sleepy Hollow
      2. 6638 Knickerbocker Rd. (Cynthia Preas)
   c. Consider declaring 1841-sq ft of land, being a peninsula adjoining Lot 16, Block 1, Group Nine, Lake Nasworthy Addition, surplus for the purpose of disposing of surplus property for the fair market value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the surplus property by Special Warranty Deed to the adjacent property owners, reserving unto the City of San Angelo all mineral interests, surface and ground water rights (Cynthia Preas)
   d. Consider rejecting the bid received for FS-05-21 Police Boat pursuant to Texas Local Government Code 252.043(f) (Ryan Kramer)
   e. Consider awarding HR-01-21 Voluntary Benefits to Securian at no cost to the City for a three year term with two additional one-year term extensions, and authorizing the City Manager to negotiate and execute all related documents (Veronica Sanchez)
   f. Consider approving Amendment #2 Rehabilitate Terminal Apron to AP-01-21 Airport Engineering Services with Jviation, a Woolpert Company, in the amount of $446,381.76 and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)

g. Consider approving the purchase of one tractor and shredder from Deere & Company (San Angelo, TX) through Sourcewell Contract #110719-JDC in the amount of $85,157.15, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)

h. Consider authorizing the City Manager to negotiate and execute a personal services contract and all related documents with Avenu Insights & Analytics, LLC for Auditing Services for Hotel Occupancy Taxes, Franchise Fees, and Utility Services (Ryan Gaddy)

i. Consider ratifying approval of an agreement with Mammoth Services, LLC for roof rehabilitation at the Business Resource Center through TIPS Contract #210205 in the amount of $188,688 and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

j. Consider ratifying approval of an insurance agreement by and between the City of San Angelo Development Corporation and Sam Tambunga Insurance providing for insurance coverage at the Business Resource Center and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

k. Consider ratifying approval of a Non-Professional Services (Electrical Repair and Maintenance) Agreement by and between the City of San Angelo Development Corporation and MC Electric and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

l. Consider ratifying approval of a Non-Professional Services (Pest Control) Agreement by and between the City of San Angelo Development Corporation and Bug Express and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

m. Consider ratifying approval of a Non-Professional Services (Landscaping Services) Agreement by and between the City of San Angelo Development Corporation and Pullig Contracting Company and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

n. Consider a resolution to grant University Food Services, on behalf of Angelo State University, a variance from Article 5.02.033 of the City Code of Ordinances, to allow the sale of alcoholic beverages, beer, and wine at 2235 S. Jackson St., a property within 300-ft of a public school (Jon James)

o. Consider authorizing the Fire Department to enter into a Service Agreement with US Digital Designs to maintain and service the Fire Station Alerting system for one year with the option to extend for four one-year terms at $35,092.37 annually (Patrick Brody)

p. Consider a resolution allowing the Fire Department to accept a donation of one Kestrel 3000 pocket weather meter from Texas Forest Service, with an estimated value of $159 (Johnny Fisher)

q. Second reading of an ordinance to update the budget ordinance to modify the Fire department position classifications (Brian Dunn)

6. Regular Agenda

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

a. Consider a resolution allowing the adjacent property owner to remove a tree in the public right-of-way adjacent to 17 W. Beauregard Ave. per Section 7.02.034 of the City Code of Ordinances (Presentation made by Planning & Development Services Director Jon James)

b. First reading and public hearing of an ordinance for Z21-12, a rezoning from the Neighborhood Commercial to the General Commercial zoning district, being approximately 0.209 acres, located at 3017 Southwest Blvd. (Presentation made by Planning & Development Services Director Jon James)

c. Consider the following:
1. Ratifying the Development Corporation's resolution approving a project under Chapters 501 and 505 of the Texas Local Government Code utilizing Sales and Use Tax funds in an amount not to exceed $3,000,000 to fund improvements to airport facilities, including the GTE Hangar, pursuant to a public-private partnership agreement with Skyline Aviation, Inc., and authorizing the Board President to negotiate and execute all related documents; and further authorizing the following in conjunction with the project:
a. Appointing the Director of Economic Development or their designee to act as the Development Corporation's authorized representative under the public-private partnership agreement with Skyline Aviation, Inc.; and
b. Authorizing COSADC Board President to negotiate and execute a lease agreement between the Development Corporation and the City of San Angelo for lease of the property located at 8534 Hangar Rd.; and
c. Pursuant to Section 505.1561 of the Texas Local Government Code, authorizing the COSADC Board President to negotiate and execute a lease agreement between the Development Corporation and Skyline Aviation, Inc. for sublease of the property located at 8534 Hangar Rd.
2. Authorizing the City Manager to negotiate and execute a lease agreement between the Development Corporation and the City of San Angelo for lease of the property located at 8534 Hangar Rd. (Presentation made by Economic Development Director Guy Andrews)

d. Presentation of the Master Drainage Plan findings by HDR Engineering and possible direction (Presentation made by Public Works Executive Director Shane Kelton and HDR Engineering Program Manager Curtis Beitel)

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 and possible action regarding items discussed in Closed Session, if needed

b. Announcements and consideration of Future Agenda Items

9. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 28th day of October 2021, at 3:32 p.m.

Julia Antilley, City Clerk

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

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

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

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

Proclamation

The City Council of San Angelo strives to further pursue wholeheartedly the vision of being the Texas standard for opportunity, prosperity, and quality of life.

The City Council of San Angelo supports the right to life for all San Angelo citizens, beginning in the womb and throughout the individual's lifespan. This involves standing against all injustice, giving awareness and attention to issues that affect our citizens, and advocating for a better San Angelo in all facets.

The City Council of San Angelo believes the protection of all human life is important to the people of the City of San Angelo.

The City Council of San Angelo believes human life begins at conception and continues, uninterrupted, until the moment of natural death.

The City Council of San Angelo believes all human life must be protected.

The City Council hereby makes a committed effort to support and protect the health, welfare, and life of all residents within the city of San Angelo, from conception until natural death, by standing in support of the Texas Legislature's commitment to life through the implementation of legislation protecting unborn human life.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim San Angelo as a city

SUPPORTIVE OF ALL EFFORTS TO PROMOTE LIFE

within our community from the time of conception and call upon all residents to work to create a community where all life is respected, and all families are supported, providing the structure for all to live peacefully in unity.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 2nd day of November, 2021.

_____

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

All children deserve a safe place to live and grow, and each year many Texas children find a forever home thanks to adoptive families. In Tom Green County, there are many children currently in foster care awaiting a forever family to bring them home.

During the month of November, communities across the country come together to observe National Adoption Month to encourage and complete the adoptions of children in foster care and to celebrate the families who choose to adopt.

The City of San Angelo recognizes National Adoption Month in support of the adoptive families here in our own community and encourages others to open their hearts to children in need of loving and permanent homes.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim November 2021 as

NATIONAL ADOPTION MONTH

and call on all citizens to remember the children and families who have joined their lives through the miracle of adoption; open their hearts and minds to the idea of opening their own homes to children in need; and congratulate the new families to be formed during National Adoption Month.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 2nd day of November, 2021.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, October 19, 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 Lane Carter, SMD 5

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 8:30 a.m. on Tuesday, October 19, 2021 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided by San Angelo Police Department Chaplain Gary Jenkins. Pledges were led by San Angelo Police Department Chaplain Marcella Jenkins.

3. Proclamations/Recognitions

The City of San Angelo Animal Services and Concho Valley Paws were proclaimed as a No Kill Community for fiscal year 2021.

October 23-31, 2021 was proclaimed as Red Ribbon Week.

4. Public Comment

Citizen Lyleann Thee (SMD2) spoke regarding early treatment options for Covid-19.

Citizen Kimberly Mull (SMD5) spoke in favor of making San Angelo a sanctuary city for the unborn.

5. Consent Agenda

a. Approval of the October 5, 2021 City Council regular meeting minutes (Julia Antilley)

b. Authorization of the sole source purchase from PureAir Filtration, LLC for media to be used at the Water Treatment Plant in the amount of $60,221 budgeted in fiscal year 2022 and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

c. Extension of a software service agreement with Neptune Technology Group and its vendor Core & Main for web hosted meter collector data software platform for 3 additional years (Year 1 pricing of $1.08 per meter, Year 2 pricing of $1.11 per meter, Year 3 pricing $1.14 per meter with estimated annual payments of $40,500, $41,625, and $42,750, respectively) and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

d. Authorization of the City Manager to reject all bids received for RFB WU-09-21 Warehouse Inventory (Allison Strube)

e. Award of FS-07-21 Half Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of $590,000, for the purchase of 15 units with the option to purchase 3 additional units, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)

f. Approval of Change Order #2 to ES-01-21 Southwest Boulevard Improvement Project to Reece Albert, Inc. increasing the total contract amount by $381,942.12, bringing the new contract total to $7,044,837.11, and authorizing the City Manager to negotiate and execute all related documents (Mitchell Gatlin)

DRAFT

g. Approval of an amendment to the Air Race 1 Venue and License Agreement to allow for Air Races to occur at the San Angelo Regional Airport in 2022 and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)

h. Authorization of the City of San Angelo to enter into a Memorandum of Option to Purchase Supplemental Easement with, and granting a supplemental easement to, American Electric Power (AEP) and accepting payments for such and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

i. Adoption of a resolution authorizing the Public Works Department to apply for an American Rescue Plan Act Economic Adjustment Assistance Opportunity grant for a two block section of the Chadbourne Street Reconstruction project that requires a 20% funding match (Shane Kelton) **(Pg. 414, 2021-115)**

j. Authorization of the Public Works Department to apply for a Highway Safety Improvement Project Grant requiring a 10% local match for Signalization Safety Upgrades and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

k. Adoption of a resolution amending the Budget Policy to align with the Budget Ordinance (Tina Dierschke) **(Pg. 415, 2021-116)**

l. Adoption of a resolution supporting the State of Texas opioid settlement and adopting the allocation method set forth in the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet in which the City of San Angelo is allocated $536,509 (Tina Dierschke) **(Pg. 427, 2021-117)**

m. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for reimbursed expenses (Tina Dierschke) **(Pg. 478, 2021-118)**

n. Award of the following purchases for the Fire Department and authorizing the City Manager to negotiate and execute all related documents:
1. FS-09-21 Ambulance Chassis to Jim Bass Ford (San Angelo, TX) in the amount of $89,414 per fiscal year, for the purchase of two units
2. Ambulance Boxes to Frazer, Ltd. using HGAC Contract #AM10-20 in the amount of $310,862 for fiscal year 2022 for the purchase and installation of two ambulance modules (Patrick Brody)

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

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve item 5f, as presented by Operations Assistant Director Patrick Frerich. The motion carried unanimously (5) ayes to (0) nays.

6. Regular Agenda

a. Approval of Buyboard Contract 597-19 for the purchase of one street sweeper from Tymco, Inc., in the amount of $286,209, utilizing Stormwater Fund balance (Presentation made by Fleet Services Manager Ryan Kramer) **(Pg. 481, 2021-119)**

Motion: Council Member Carter made a motion, seconded by Council Member Thomas, to approve item as presented. The motion carried unanimously (5) ayes to (0) nays.

b. Approval of the purchase of 0.34 acres of property adjacent to the Kids' Kingdom playground from Vosburg Place Partnership et al in a total amount not to exceed $47,500, utilizing General Capital Fund balance, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Parks and Recreation Director Carl White) **(Pg. 484, 2021-120)**

DRAFT

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays.

c. First reading and public hearing to update the budget ordinance to modify the Fire department position classifications (Presentation made by Fire Chief Brian Dunn)

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve item as presented. The motion carried unanimously (5) ayes to (0) nays.

7. Closed Session

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

a. Section 551.071 - Consultation with Attorney regarding potential settlements related to the Loss Review Committee

b. Section 551.071 - Consultation with Attorney regarding Miller et al v. Webber et al

8. Follow Up and Administrative Issues

a. Consideration and possible action regarding items discussed in Closed Session, if needed

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to authorize the City Manager to negotiate and settle Miller et al v. Webber et al for an amount not to exceed $125,000. The motion carried unanimously (5) ayes to (0) nays.

b. Approval of various board nominations:
Airport Advisory Board: Mark Clark (SMD3) to a first full term and Robert Frank (SMD5) to a third term, both ending October 2023
Zoning Board of Adjustment: Julie Efferson (Mayor Pro tem - Alternate 2) to an unexpired term ending January 2023

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

No Action Taken on this Item.

9. Adjournment

Consensus: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting. The motion carried unanimously (5) ayes to (0) nays.

There being no further business, the meeting adjourned at 9:57 a.m.

THE CITY OF SAN ANGELO, TEXAS:

_____
Brenda Gunter, Mayor

ATTEST:

_____
Julia Antilley, City Clerk

DRAFT

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.)

DRAFT

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent on the following properties:
1. 2562 Sleepy Hollow
2. 6638 Knickerbocker Rd. (Cynthia Preas)

Staff Recommendation:

Approve

Summary/History:

The following Tenants are delinquent in paying annual Lake Nasworthy residential lot lease fees:
1. 2562 Sleepy Hollow; annual lease fee due May 1; unpaid balance - $2,940; tenant agreed to make reasonable payments, but failed to do so;
2. 6638 Knickerbocker Rd; Gayla S. Cook; annual lease fee due July 1; total amount due including late fees - $1,260.00; to date no payments have been received.

All reasonable collection efforts made by the Real Estate Division have failed. Collection efforts included certified mailings to Tenant and their lender (if any).

Notices have been mailed yearly since 2019 notifying Tenants of the increase in their annual lease fees for those at market value.
The 2019 notice provided tenants with their actual annual lease fee as follows:
1. 2019 annual lease fees would remain at 1.5% of the appraised value, again Tenants were provided with their specific annual lease fee;
2. 2020 the annual lease fee would increase to 2% of the appraised value;
3. 2021 & 2022 the annual lease fee would go to 4% of the appraised value; and
4. 2023 the annual lease fee moves to 6% of the appraised value.
The Notices have always been specific to the Tenant and included the estimated annual lease fees amounts.

January 2021 the Real Estate Division again mailed notices to Tenants and provided the specific annual lease fee due in 2021. To assist Tenants in budgeting the annual rent increase, we advised they could begin making monthly payments. The Notice included Tenants account number, telephone number to call to discuss their account (Real Estate) or make monthly credit card payments (Water Billing), and mailing address to the Water Billing Division. Real Estate Division also begin sending invoices 4 months before the due date, again providing adequate notice of annual lease fees.

The Real Estate Division has worked with a number of Tenants who contacted our department and are making regular monthly payments.

It is the recommendation of the Real Estate Division that the City Attorney's Office terminate the Lake Nasworthy Residential Lot Lease and begin the eviction process on the lake residential lot leases for failure to pay 2021 annual lease fees.

Funding Source(s):

Financial Impact:

Unpaid revenue to Water Utilities and the City of San Angelo totaling $4,200.

Other Information/Recommendation:

Staff recommends the City Attorney be authorized to terminate the Lake Nasworthy Residential Lot Leases and begin eviction proceedings against the Tenant for non-payment of annual lease fee.

Attachments:

Presentation:

Cynthia Preas

Approvals/Reviews:

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider declaring 1841-sq ft of land, being a peninsula adjoining Lot 16, Block 1, Group Nine, Lake Nasworthy Addition, surplus for the purpose of disposing of surplus property for the fair market value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the surplus property by Special Warranty Deed to the adjacent property owners, reserving unto the City of San Angelo all mineral interests, surface and ground water rights (Cynthia Preas)

Staff Recommendation:

Approve

Summary/History:

This small narrow strip of land is a peninsula adjoining Lot 16, Block 1, Group Nine, Lake Nasworthy Addition to the west and surrounded by Lake Nasworthy to the north, east and south.

The Water Utilities Director has declared the property surplus and is agreeable to conveying the small narrow strip of land to the adjacent property owners, Kenneth Adrian Perret II and Christi R. Perret.

Funding Source(s):

Financial Impact:

No cost to the City, profit of $9,757 to Water Utilities, and the property will be added to the tax roll.

Other Information/Recommendation:

Staff recommends the sale be approved.

Attachments:

1.	Peninsula - 1902 S Concho Dr	Peninsula - 1902 S Concho Dr.pdf
2.	Map Surplus Property	Map Surplus Property.pdf

Presentation:

Cynthia Preas

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved

Allison Strube	Approved
Shane Kelton	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

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0 15 30 FEET 60 GRAPHIC SCALE 120

SKG ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT
706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
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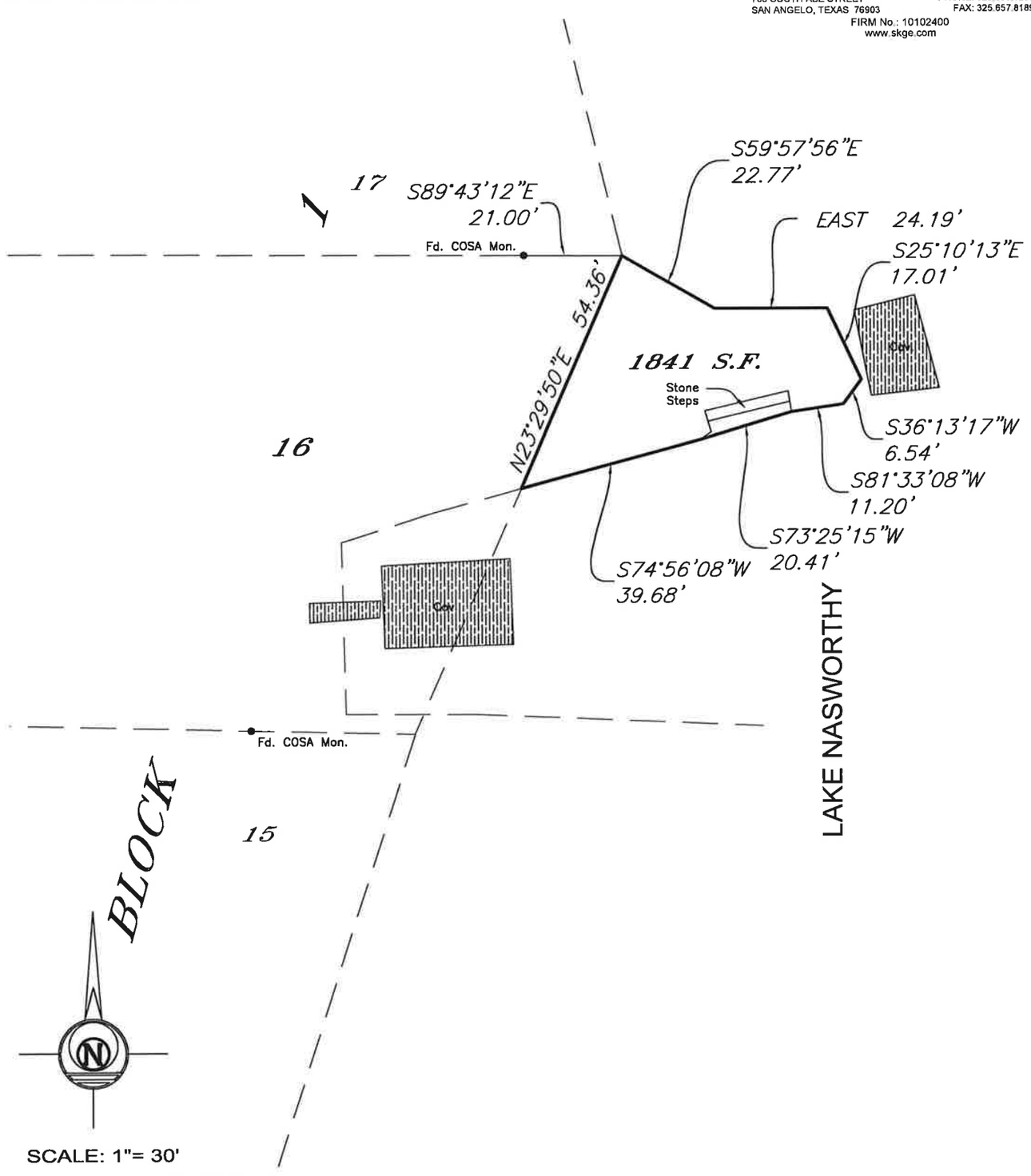

SCALE: 1"= 30'

BEARINGS ARE BASED UPON THE PLAT OF RECORD.

1902 SOUTH CONCHO DRIVE

PLAT SHOWING A SURVEY OF 1841 SQUARE FEET OF LAND A PART OF LAKE NASWORTHY ADJOINING LOT 16, BLOCK 1, LAKE NASWORTHY ADDITION, GROUP NINE, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET E, SLIDE 159, PLAT RECORDS OF TOM GREEN COUNTY, TEXAS. SEE ATTACHED FIELD NOTES.

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

This survey is prepared for the exclusive use and benefit of the parties listed. Use of this survey by a third party may not be transferred or assigned. Not valid without the original signature and seal of a Registered Professional Land Surveyor.

Surveyed on the ground September 22, 2021.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

Surplus Property

1841 Square Feet Adjoining Lot 16, Block 1, Lake Nasworth Addition

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Ryan Kramer, Sr. Fleet Manager, Fleet Services, 325-657-4329

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider rejecting the bid received for FS-05-21 Police Boat pursuant to Texas Local Government Code 252.043(f) (Ryan Kramer)

Staff Recommendation:

Approve

Summary/History:

Bids were requested and received for the purchase of one Police Boat. One response was received (Bryan Marine, Bryan, TX). Staff is requesting the rejection of this bid due to the submitted price exceeding the allocated budget for this item.

Staff requested the rejection of the original bid for this item on July 20, 2021 in order to revise the specifications to obtain a bid that better met the needs of the Department. Specifications were revised and the bid republished as FS-05-21.

This RFB was sent to multiple vendors, with one response received.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Staff recommends rejecting the bid received for FS-05-21 Police Boat.

Attachments:

1. Bid Tab FS-05-21 — 00 Bid Tab FS-05-21.pdf

Presentation:

Ryan Kramer

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Patrick Frerich	Approved

Shane Kelton	Approved
Tracy Fincher	Approved
Theresa James	Approved
Jeff Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

City of San Angelo Purchasing Division

RFB Bid Tabulation

FS-05-21 • Police Boat

Wednesday, September 15, 2021 2:00 p.m.

			Bryan Marine Inc.		
#	Item	Quantity Required	Unit Price	Comment	Total Cost
#1-1	New/Unused Center Console Boat for Pol	1	$ 69,999.00	new	$ 69,999.00
#1-2	Engine Guard	1	$ 895.95	new	$ 895.95
#1-3	200 HP Engine Upgrade	1	$ 3,500.00	new	$ 3,500.00
#1-4	Hydraulic Steering	1	$ -	Standard	$ -
#1-5	Hydraulic Jack Plate	1	$ -	Standard	$ -
#1-6	Power Pole	1	$ 2,500.00	new	$ 2,500.00
#1-7	Boarding Ladder	1	$ -	Standard	$ -
#1-8	Live Scope	1	$ 4,000.00	soner & live scope	$ 4,000.00
#1-9	Delivery	1	$ 1,000.00	dealer	$ 1,000.00
#1-10	Make and Model Quoted	0	$ -	2022 Sea Ark BXT220	$ -
#1-11	Delivery Lead Time	0	$ -	10 to 12 months	$ -

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor:	Bryan Kendrick, Director of Human Resources/Risk Management, Human Resources/Risk Management, 325-657-4221
Meeting Date:	November 2, 2021
Item type:	Consent Item

Caption:

Consider awarding HR-01-21 Voluntary Benefits to Securian at no cost to the City for a three year term with two additional one-year term extensions, and authorizing the City Manager to negotiate and execute all related documents (Veronica Sanchez)

Staff Recommendation:

Approve

Summary/History:

Bids were requested on September 30th and received by October 14, 2021. The City's consultant Holmes Murphy has provided the Scoring Sheet and Analysis (both attached). Since plan designs were very similar, Securian came in as the highest rated and lowest priced option that offered the City no participation requirements and no pre-existing conditions limitations.

Funding Source(s):

Financial Impact:

There are no costs to the City.

Other Information/Recommendation:

Staff recommends selection of Securian.

Attachments:

1.	City of San Angelo - 2022 VB Scoring Sheet	City of San Angelo - 2022 VB Scoring Sheet.pdf
2.	City of San Angelo - VB ANALYSIS	City of San Angelo - VB ANALYSIS.pdf

Presentation:

Veronica Sanchez

Approvals/Reviews:

Bryan Kendrick	Created/Initiated
Theresa James	Approved
Jeff Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

City of San Angelo - Voluntary Benefits (Accident and Critical Illness)
2022 Score Sheet

Holmes Murphy
Scorer

Proposing Vendor	Plan Design and Administration Services- 40 Points	Fees, Renewals, and Guarantees - 40 Points	References - 10 pts	Adherence to the terms and conditions of the RFP - 10pts	Total Score	Comment
Aflac	38	25	0	10	73	Very high rates, no references provided
BCBS	35	30	10	10	85	Participation requirements, Pre-ex exclusions
Cigna	40	30	10	7	87	No stand-alone CI
Hartford	35	35	10	7	87	Participation requirement, No stand-alone CI
Lincoln	30	35	10	7	82	Participation requirement, pre-ex exclusion, No stand-alone CI
Securian	38	40	10	7	95	No stand-alone CI
Standard	30	38	0	7	75	Participation requirements, no references provided, No stand-alone CI

HOLMES MURPHY

THINKING AHEAD

CITY OF SAN ANGELO

VOLUNTARY ACCIDENT AND CRITICAL ILLNESS MARKETING RESULTS

OCTOBER 2021

Neither Holmes Murphy nor the Holmes Murphy Compliance Team engages in the practice of law, meaning we provide neither legal advice nor legal opinions.

While Holmes Murphy strives to help our clients maintain compliance with all laws relating to employee benefits, the information contained in this presentation is not and should not be construed to constitute legal advice.

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VOLUNTARY BENEFITS - MARKETING ANALYSIS

- **Marketed Voluntary Accident, Critical Illness and Critical Illness with Cancer Benefits – RFP bids returned on October 14, 2021**
- **7 responses were received**
  - Aflac
  - BCBS
  - Cigna
  - Hartford
  - Lincoln
  - Securian
  - Standard
- **Asked vendors to quote benefits as close to current as possible and provide best and final on the initial bid**
- **When vendors submitted multiple options, Holmes Murphy showed the options closest to current plans**

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VOLUNTARY BENEFITS RFP - HIGH LEVEL SUMMARY

	Aflac	BCBS	Cigna	Hartford	Lincoln	Securian	Standard
Accident	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Critical Illness	Yes	Yes	**No***	**No***	**No***	**No***	**No***
Critical Illness with Cancer	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Vendors quoted only Critical Illness with Cancer

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ACCIDENT PLAN – BENEFIT HIGHLIGHTS

	Aflac	BCBS	Cigna	Hartford	Lincoln	Securian	Standard
Benefit Waiting Period	None	None	None	None	None	None	None
Participation Requirements	**None**	10 enrolled	**None**	10%	15%	**None**	10 enrolled
Are organized sports covered?	No	**Yes**	**Yes**	**Yes**	Only for children	**Yes**	**Yes**
Standard Turn Around for Claims Payment	**4 days**	**5-7 days**	10 days	**3 days**	No answer	10 days	No answer
Payment Examples							
Accident Hospital Care Lodging	$150	**$250**	$150	$150	$150	**$250**	$200
Air Ambulance	$900	$1,500	**$2,000**	$1,000	$1,125	$750	$800
X-Ray	$50	$50	**$250**	**$250**	$30	**$250**	$50
Laceration - Sutures 2-6"	$150	$250	$200	$125	$35 - $400	**$400**	$200
Concussion	**$350**	$150	$200	$200	$150	$200	$150
Closed upper arm fracture	$875	$375	**$2,750**	$1,000	$875	$1,500	$550

ACCIDENT PLAN - RATES

	Aflac	BCBS	Cigna	Hartford	Lincoln	Securian	Standard
Employee	$11.48	$8.07	$7.61	$7.84	$7.59	$5.66	$5.34
Employee + Spouse	$18.74	$13.46	$13.16	$12.39	$12.40	$8.96	$8.49
Employee + Child	$23.74	$15.38	$19.35	$13.54	$13.30	$11.50	$10.62
Employee + Family	$31.00	$24.21	$25.30	$21.14	$18.05	$16.48	$16.56

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CRITICAL ILLNESS PLAN - RATES AND HIGHLIGHTS

Monthly Cost: EXAMPLE RATES	Aflac	BCBS
Individual / Age 30 / Non Tobacco	$10.40	$4.22
Individual / Age 50 / Non Tobacco	$24.45	$13.18
Spouse / Age 30 / Non Tobacco	$13.22	$6.26
Spouse / Age 50 / Non Tobacco	$29.20	15.38
Plan Features		
Participation Requirements	**None**	15%
Benefit Waiting Period	None	None
Maximum Employee Election	**$30,000**	$20,000
Guarantee Issue Limits	**$30,000**	$20,000
Pre-Existing Conditions Limitations	**Waived**	12/12
Wellness Benefit amount	**$50**	**$50**

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CRITICAL ILLNESS PLAN WITH CANCER – PLAN HIGHLIGHTS

PLAN FEATURES	Aflac	BCBS	Cigna	Hartford	Lincoln	Securian	Standard
Participation Requirements	**None**	15%	**None**	**None**	**None**	**None**	**None**
Benefit Waiting Period	**None**	**None**	**None**	**None**	**None**	**None**	**None**
Maximum Employee Election	**$30,000**	$20,000	**$30,000**	$20,000	$20,000	$20,000	**$30,000**
Guarantee Issue Limits	**$30,000**	$20,000	**$30,000**	$20,000	$20,000	$20,000	**$30,000**
Pre-Existing Conditions Limitations	**None**	12/12	**None**	**None**	3/6/12	**None**	**None**
Wellness Benefit amount	**$50**	**$50**	**$50**	**$50**	None	**$50**	**$50**

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CRITICAL ILLNESS PLAN WITH CANCER - RATES

Monthly Cost: EXAMPLE RATES	Aflac	BCBS	Cigna	Hartford	Lincoln	Securian	Standard
Individual / Age 30 / Non Tobacco	$11.80	$8.28	$8.98	$7.07	$7.86	$4.56	$7.60
Individual / Age 50 / Non Tobacco	$27.78	$27.78	$30.54	$23.91	$36.50	$24.20	$35.60
Spouse / Age 30 / Non Tobacco	$13.22	$10.26	$14.12	$12.31	$7.86	$7.42	$7.60
Spouse / Age 50 / Non Tobacco	$29.20	$29.92	$46.40	$38.20	$36.50	$35.76	$35.60

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VOLUNTARY BENEFITS – RECOMMENDATION/NEXT STEPS

- **If the City prefers to maintain a separate Critical Illness plan that doesn't include Cancer coverage, Holmes Murphy recommends moving to Blue Cross Blue Shield, pending contact with references.**
- **If the City accepts moving to a single option Critical Illness plan that includes Cancer coverage, Holmes Murphy recommends moving to Securian Financial, pending contact with references**
- **Holmes Murphy will work with purchasing (if necessary) to inform winning bidder and expedite implementation process**

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider approving Amendment #2 Rehabilitate Terminal Apron to AP-01-21 Airport Engineering Services with Jviation, a Woolpert Company, in the amount of $446,381.76 and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)

Staff Recommendation:

Approve

Summary/History:

This project is to provide the design, project management, and grant administration to rehabilitate 700sq/ft of the terminal ramp approaching Gate 2 and to replace all the joint seal on the entire terminal ramp. This section of the ramp is breaking up and no longer meets FAA standards.

The design work of this project will be covered under a combination of our FY2019 entitlement grant (Grant 39) and FY21 entitlements (Grant 44). Construction will be bid out and expended from FY2021 entitlements (Grant 44).

Funding Source(s):

Financial Impact:

This project will be funded using our remaining FY2019 Entitlement grant money (Grant 39). Remaining balance of $434,565.10 and Grant 44 remaining balance of: $1,112,701.

We will have a 10% PFC matching share on the remainder of Grant 39.
Grant 44 is fully funded by the FAA.

We have already budgeted these funds in previous years.

Funding Breakout:

Grant 39
$391,108.59 FAA
$43,456.51 PFC

Grant 44
$11,816.66 FAA

TOTAL: $446,381.76

Other Information/Recommendation:

Attachments:

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson	Created/Initiated
Theresa James	Approved
Jeff Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Ryan Kramer, Sr. Fleet Manager, Fleet Services, 325-657-4329

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider approving the purchase of one tractor and shredder from Deere & Company (San Angelo, TX) through Sourcewell Contract #110719-JDC in the amount of $85,157.15, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)

Staff Recommendation:

Approve

Summary/History:

Council approval is requested for the purchase of one tractor and shredder for mowing to replace equipment that is beyond its useful life. This equipment will be utilized by the Stormwater Department. This Department uses these machines to maintain vegetation within storm drain areas as required.

The requested purchase will be made from Deere & Company (South Plains Implement, San Angelo, TX).

Funding Source(s):

Financial Impact:

This $85,157.15 purchase is budgeted in Fiscal Year 2022.

Other Information/Recommendation:

Staff recommends approving the purchase of one tractor and shredder from Deere & Company (San Angelo, TX) through Sourcewell Contract #110719-JDC.

Attachments:

1. City of San Angelo 5100E and Cutter — City of San Angelo 5100E and Cutter.pdf

Presentation:

Ryan Kramer

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeff Tomlinson	Approved

Tina Dierschke	Approved
Julia Antilley	Final Approval

JOHN DEERE

A Purchase Order or Letter of Intent is required for all orders.

To expedite the delivery of equipment, the below information must be included on your Purchase Order or Letter of Intent.

For any questions, please contact:

Joey Sanchez

South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853

Tel: 915-764-2263
Fax: 915-764-2956
Email: jsanchez@spitractor.com

- ☐ Vendor: Deere & Company
  2000 John Deere Run
  Cary, NC 27513
- ☐ Contract name and number
- ☐ Signature
- ☐ Shipping address
- ☐ Billing address
- ☐ Membership number (if applicable)
- ☐ Tax exempt certificate (if applicable). Must be made out to Deere & Company.

If information is not included, the Purchase Order or Letter of Intent will be returned.

The John Deere Government Sales Team

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853
915-764-2263
Admin@spitractor.com

Quote Summary

Prepared For:
City Of San Angelo
TX

Delivering Dealer:
South Plains Implement, Ltd.
Joey Sanchez
18770 Alameda
Tornillo, TX 79853
Phone: 915-764-2263
jsanchez@spitractor.com

Quote ID: 25473768
Created On: 20 October 2021
Last Modified On: 25 October 2021
Expiration Date: 19 November 2021

Equipment Summary	Selling Price		Qty		Extended
JOHN DEERE 5100E Cab Utility Tractor **Contract:** Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70) **Price Effective Date:** October 19, 2021	$ 59,640.91	X	1	=	$ 59,640.91
JOHN DEERE FC15R Flex Wing Rotary Cutter **Contract:** Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70) **Price Effective Date:**	$ 25,516.24	X	1	=	$ 25,516.24
Equipment Total					**$ 85,157.15**

* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	$ 85,157.15
Trade In	
SubTotal	**$ 85,157.15**
Est. Service Agreement Tax	$ 0.00
Total	$ 85,157.15
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 85,157.15**

Salesperson : X _____

Accepted By : X _____

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853
915-764-2263
Admin@spitractor.com

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 25473768 **Customer Name:**

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853
915-764-2263
Admin@spitractor.com

JOHN DEERE 5100E Cab Utility Tractor

Hours:

Stock Number:

Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70)

Selling Price *
$ 59,640.91

Price Effective Date: October 19, 2021

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
697GP	5100E Cab Utility Tractor	1	$ 66,908.00	19.00	$ 12,712.52	$ 54,195.48	$ 54,195.48
	Standard Options - Per Unit						
0202	United States	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
0409	English	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
1381	12F/12R PowrReverser Transmission - 540/540E	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
2050	Standard Cab	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
2120	Air Suspension Seat	1	$ 768.00	19.00	$ 145.92	$ 622.08	$ 622.08
3025	Deluxe Cornerpost Exhaust	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
3330	Triple Stackable Rear Deluxe SCV's with Lever Control	1	$ 924.00	19.00	$ 175.56	$ 748.44	$ 748.44
3420	Dual Stackable Mid Valves with Joystick Control	1	$ 1,344.00	19.00	$ 255.36	$ 1,088.64	$ 1,088.64
5914	19.5L - 24 In. 10PR R4 Bias	1	$ -445.00	19.00	$ -84.55	$ -360.45	$ -360.45
6040	MFWD (Four Wheel Drive)	1	$ 0.00	19.00	$ 0.00	$ 0.00	$ 0.00
6114	12.5/80 - 18 In. 6PR I3 (R4 Type) Bias	1	$ -801.00	19.00	$ -152.19	$ -648.81	$ -648.81
	Standard Options Total		**$ 1,790.00**		**$ 340.10**	**$ 1,449.90**	**$ 1,449.90**
	Dealer Attachments/Non-Contract/Open Market						
SJ12143	Horn Kit	1	$ 22.32	19.00	$ 4.24	$ 18.08	$ 18.08
AL80126	Rear Mirror Mechanical - Left	1	$ 204.44	19.00	$ 38.84	$ 165.60	$ 165.60
AL80127	Rear Mirror Mechanical - Right	1	$ 204.44	19.00	$ 38.84	$ 165.60	$ 165.60
AL222926	Antenna	1	$ 139.58	19.00	$ 26.52	$ 113.06	$ 113.06

Selling Equipment

Quote Id: 25473768 **Customer Name:**

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853
915-764-2263
Admin@spitractor.com

AL232067	Radio - AM/FM, Bluetooth Ready, and Satellite Capable	1	$ 722.89	19.00	$ 137.35	$ 585.54	$ 585.54
RE229427	Backup alarm kit	1	$ 184.80	19.00	$ 35.11	$ 149.69	$ 149.69
R127764	Weight, front suitcase 43 kg (95 lb) quantity of one	10	$ 140.91	19.00	$ 26.77	$ 1,141.37	$ 1,141.37
R262449	Front Weight Support, 55kg (121 lb)	1	$ 567.78	19.00	$ 107.88	$ 459.90	$ 459.90
SU57513	Weight, Rear Wheel - 150 kg (330lb)	2	$ 513.70	19.00	$ 97.60	$ 832.19	$ 832.19
Open Market	Hardware for Weights	1	$ 450.00	19.00	$ 85.50	$ 364.50	$ 364.50
	Dealer Attachments Total		**$ 4,932.75**		**$ 937.22**	**$ 3,995.53**	**$ 3,995.53**
	Value Added Services Total		**$ 0.00**			**$ 0.00**	**$ 0.00**
Total Selling Price			**$ 73,630.75**		**$ 13,989.84**	**$ 59,640.91**	**$ 59,640.91**

JOHN DEERE FC15R Flex Wing Rotary Cutter

Equipment Notes:

Hours:

Stock Number:

Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70)

Price Effective Date:

Selling Price *
$ 25,516.24

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
22F0P	FC15R Flex Wing Rotary Cutter	1	$ 31,804.00	24.00	$ 7,632.96	$ 24,171.04	$ 24,171.04
	Standard Options - Per Unit						
0202	United States	1	$ 0.00	24.00	$ 0.00	$ 0.00	$ 0.00
1210	Torsional Suspension	1	$ 0.00	24.00	$ 0.00	$ 0.00	$ 0.00
2540	Outward Rotation	1	$ 0.00	24.00	$ 0.00	$ 0.00	$ 0.00
3035	6 Foam-Filled Tires - (Double center, single on wings) - Severe duty ag tires	1	$ 424.00	24.00	$ 101.76	$ 322.24	$ 322.24

Selling Equipment

Quote Id: 25473768 **Customer Name:**

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
South Plains Implement, Ltd.
18770 Alameda
Tornillo, TX 79853
915-764-2263
Admin@spitractor.com

3511	540 RPM Driveline - Cat 6	1	$ 0.00	24.00	$ 0.00	$ 0.00	$ 0.00
3602	540 RPM - 125 HP Gearbox - Commercial duty	1	$ 0.00	24.00	$ 0.00	$ 0.00	$ 0.00
5140	Swivel Hitch	1	$ 525.00	24.00	$ 126.00	$ 399.00	$ 399.00
5290	Suspended Tongue	1	$ 821.00	24.00	$ 197.04	$ 623.96	$ 623.96
	Standard Options Total		**$ 1,770.00**		**$ 424.80**	**$ 1,345.20**	**$ 1,345.20**
	Value Added Services Total		**$ 0.00**			**$ 0.00**	**$ 0.00**
Total Selling Price			**$ 33,574.00**		**$ 8,057.76**	**$ 25,516.24**	**$ 25,516.24**

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to negotiate and execute a personal services contract and all related documents with Avenu Insights & Analytics, LLC for Auditing Services for Hotel Occupancy Taxes, Franchise Fees, and Utility Services (Ryan Gaddy)

Staff Recommendation:

Approve

Summary/History:

Proposals were received from Avenu Insights & Analytics, LLC and Azavar Audit Solutions, Inc. A selection committee evaluated and ranked the two proposals submitted. The committee included Tina Dierschke - Director of Finance, Ryan Gaddy - Assistant Director of Finance, Michael Muncey - Internal Auditor, and Eren Zamora, Cash & Debt Analyst. Based on the committee's evaluation and scoring, Avenu was selected as the best qualified firm to represent the City based on the company's professional services capabilities, extensive municipality experience, and strong references from most major cities in Texas.

In addition, Avenu performed audits of the City's Hotel Occupancy Tax collections in 2010 and 2016 with the following results:

2010: 29 properties audited; $76,705 additional tax found; $17,300 fees
2016: 15 properties audited; $68,024 additional tax found; $26,139 fees

Funding Source(s):

Financial Impact:

Audit services fees for Hotel Occupancy Tax are based on $1,800 per property audited. Staff proposes a Not To Exceed amount of $50,000 with the use of excess Hotel Occupancy Tax revenue reimbursed by findings from the audit.

Audit services fees for Franchise Fee reviews are based on $8,500 per franchisee audited plus 30% contingency fee of additional fees recovered (the $8,500 would be removed from any findings prior to the 30% calculation). There are currently no plans for a Franchise Fee review.

Audit services fees for Utility Billing Services audits are $25,000, plus 25% of the credits and refunds generated from the audit. There are currently no plans for a Utility Services billing audit.

Other Information/Recommendation:

Staff recommends awarding the contract for Audit Services for Hotel Occupancy Tax, Franchise Fees, and Utility Services to Avenu Insights & Analytics, LLC.

The City of San Angelo Audit Committee endorsed the selection of Avenu to perform audits for Hotel Occupancy Tax, Franchise Fee, and Utility Services Billings in its quarterly meeting on Tuesday, October 26.

Attachments:

1.	FIN-02-21 - Auditing Services for HOT, Franchise Fees, and Utility Services	FIN-02-21 - Auditing Services for Hotel Occupancy Taxes, Franchise Fees, and Utility Services - Scoring Summary (3).xlsx

Presentation:

Ryan Gaddy

Approvals/Reviews:

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

FIN-02-21 - Auditing Services for Hotel Occupancy Taxes, Franchise
Scoring Summary

Active Submissions

Supplier	Total / 100 pts	pleteness and Confor / 20 pts	proach and Methodolo / 30 pts	ations and Organizatio / 20 pts	Fee Schedule / 15 pts
NSIGHTS AND ANALYT	91.75	20	27.5	18.5	11.5
avar Government Solutio	87.5	20	25	17	12.75

References / 15 pts
14.25
12.75

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider ratifying approval of an agreement with Mammoth Services, LLC for roof rehabilitation at the Business Resource Center through TIPS Contract #210205 in the amount of $188,688 and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

Carlisle Syntec Systems (San Antonio, Texas) installed the membrane roof at the Business Resource Center in 2011. Over time, various weather events (e.g., rain and hail) deteriorated the roof, allowing water intrusion into various areas of the building, including the training room. Additionally, the stucco on the façade is failing, allowing water intrusion into the front lobby area and conference spaces.

Staff requested an inspection from Carlisle in 2020. They recommended contracting with an authorized local provider to prevent voiding the existing warranty. Their authorized local provider is Mammoth Services, LLC. In 2021, Mammoth Roofing performed preliminary repairs to address the issues identified in Carlisle's initial inspection. However, subsequent deterioration warrants additional repair.

Therefore, Staff recommends contracting with Mammoth Roofing through The Interlocal Purchasing System (TIPS) contract 210205 to perform the necessary repairs and mitigate further loss or property damage.

Funding Source(s):

Financial Impact:

Funding for this project will draw from Contingencies (700-0700-800.07-50).

Other Information/Recommendation:

Staff recommends ratifying approval of an agreement by and between the City of San Angelo Development Corporation and Mammoth Services, LLC for roof and stucco repairs at the Business Resource Center and authorizing the Board President or their designee to execute all necessary documents.

Attachments:

1.	clean	clean.JPG
2.	Faded	Faded.jpg
3.	labeled	labeled.JPG

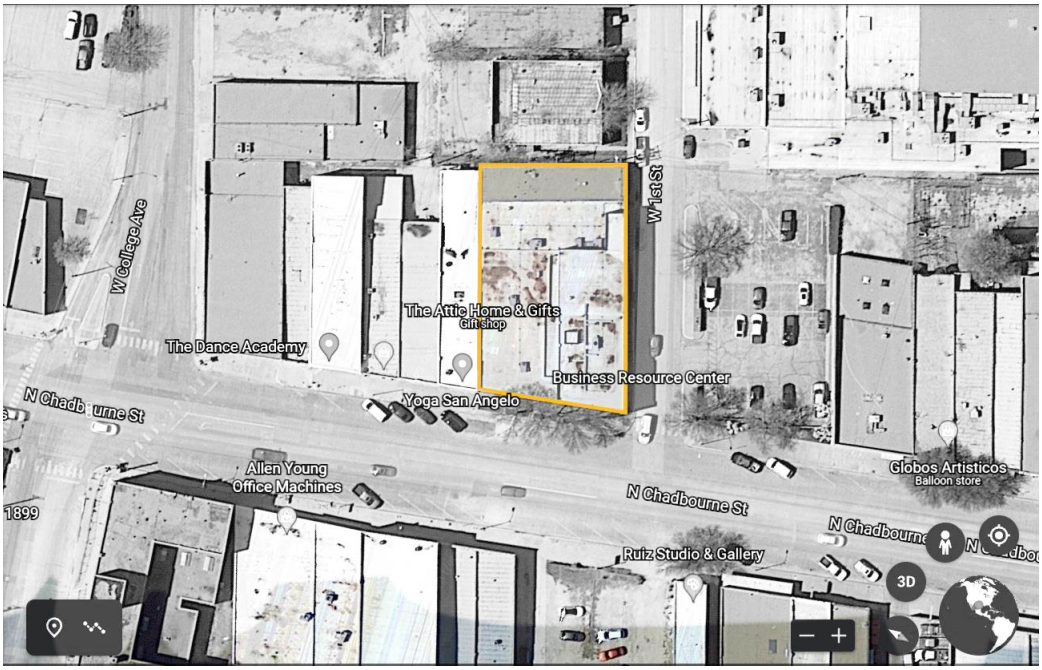
4.	Proposal- COSA -Insurance Copy	Proposal- COSA -Insurance Copy.pdf
5.	with approx measurements	with approx measurements.JPG

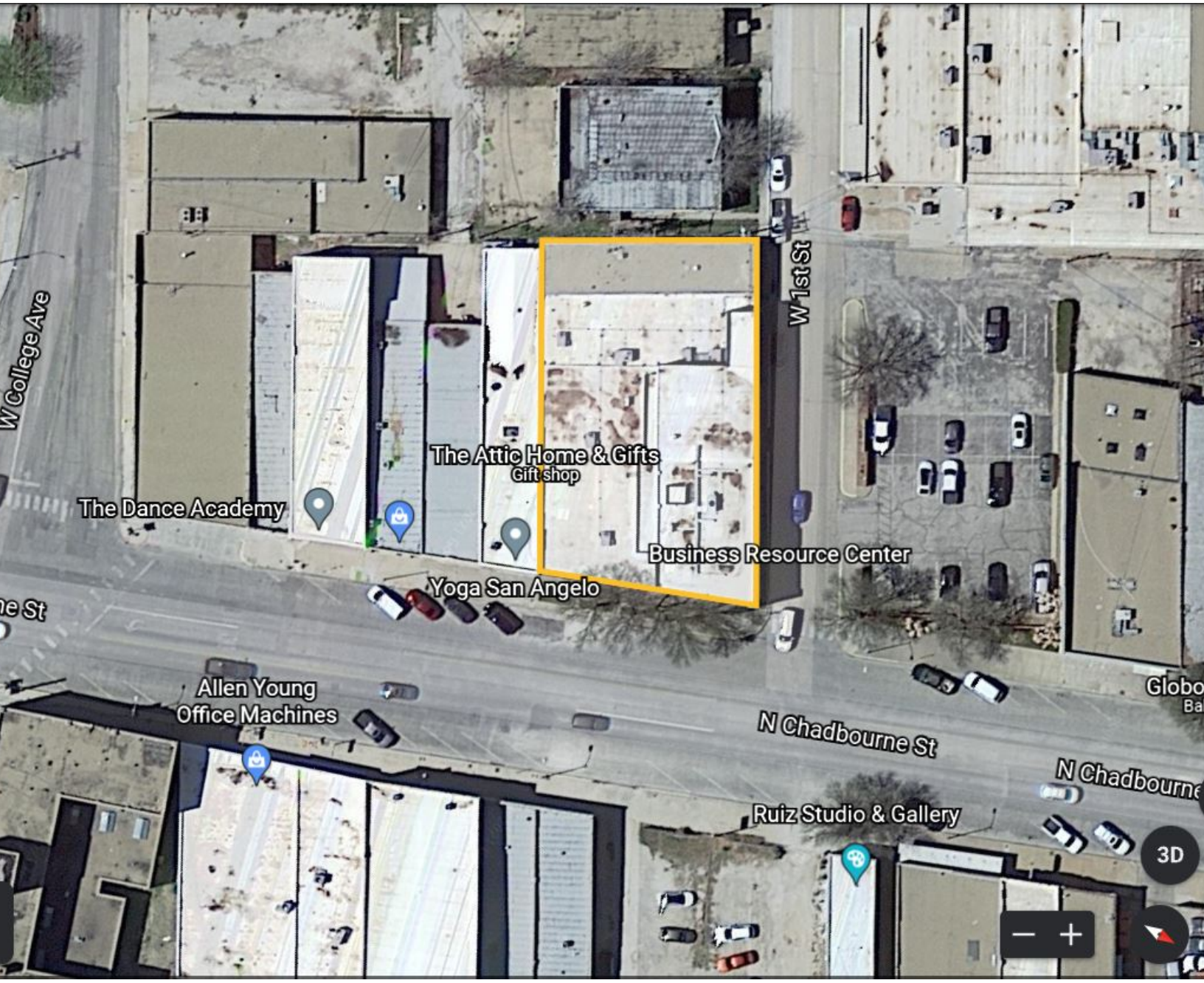
Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval


W College Ave
W 1st St
The Attic Home & Gifts
Gift shop
The Dance Academy
Business Resource Center
Yoga San Angelo
N Chadbourne St
Allen Young
Office Machines
N Chadbourne St
Globos Artisticos
Balloon store
1899
Ruiz Studio & Gallery
3D


W College Ave
W 1st St
The Attic Home & Gifts
Gift shop
The Dance Academy
Business Resource Center
Yoga San Angelo
Allen Young
Office Machines
N Chadbourne St
Ruiz Studio & Gallery
3D

PROPOSAL

Job #: 21_1021

10/20/2021

Prepared by:
Mammoth Roofing Services
(325) 218-4448
4005 Christoval Road San Angelo TX 76904

Prepared for:
Small Business Development Center
69 N. Chadbourne St.
San Angelo, TX 76903

Scope of Work:

13,000 sq. ft.

1. Remove all roofing down to the roof deck and haul away all debris
2. Remove 13,000 sq ft of 4” ISO insulation
3. Install one layer of 4” poly ISO insulation mechanically attached
4. Install a 60 mill TPO membrane roof system over the entire roof area.
5. Remove and replace 580 ft of 24 gauge steel coping 1” stretch out. Colored Kynar metal finish.
6. Flash eight AC curbs.
7. Install 180 ft of walk pad along existing roof walk areas.
8. Remove and replace and flash 10 pipe jack flashings
9. Remove and replace 10 pitch pocket flashings.
10. Remove and replace 60 ft of 24 gauge metal edge flashing.
11. Remove and replace 260 ft of wall 4” 24 gauge steel counter flashing
12. Remove and replace 40ft of 6” steel painted gutter.
13. Lift 8 AC units and roof under.
14. 20-yr NDL warranty
15. Provide 8 30-yard dumpsters for debris.

Cost Estimate *Payment Terms: As agreed upon* ***Plus Tax***
$188,688.00

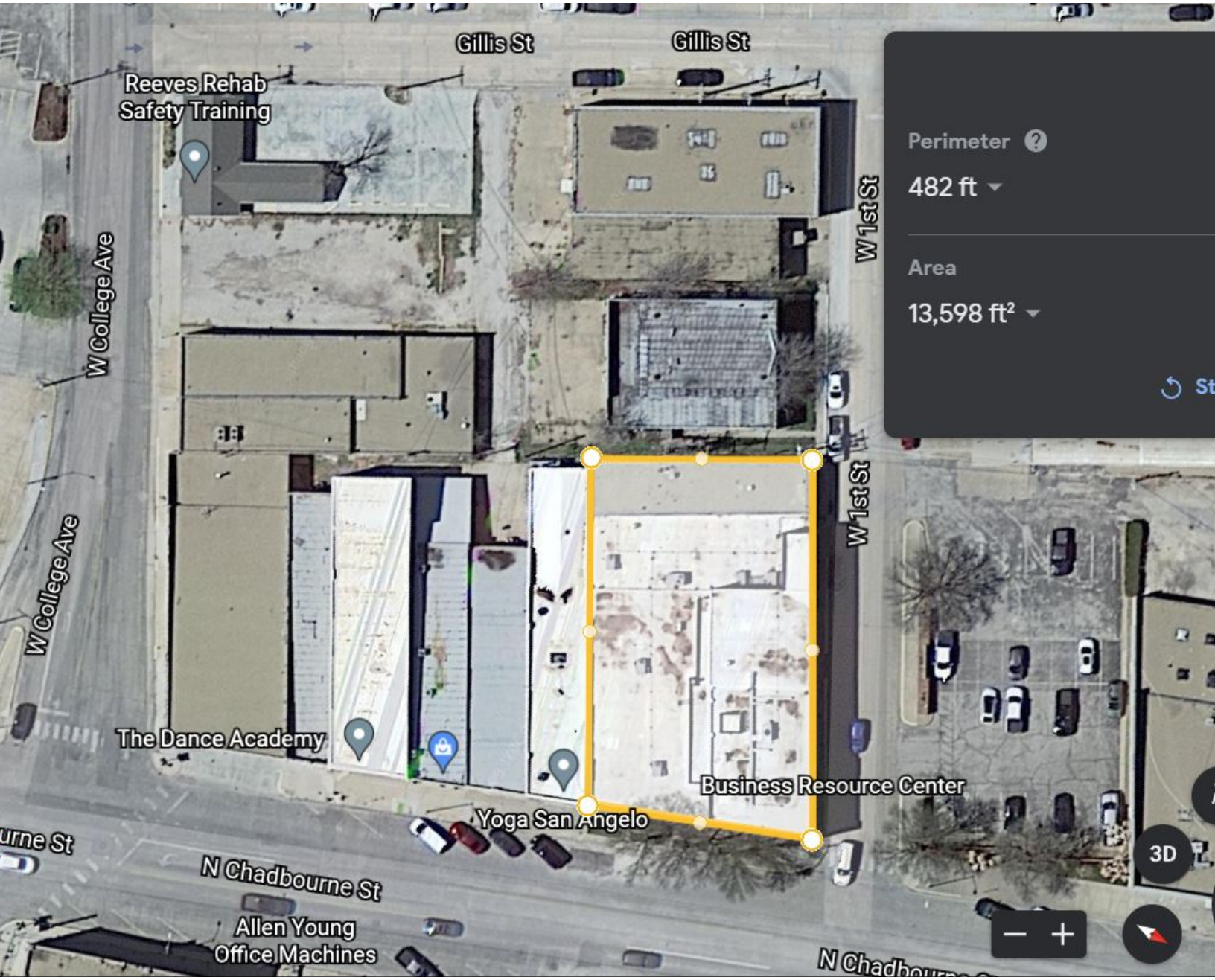
_____

Owner/Authorized Representative

_____

Mammoth Authorized Representative

By signing above, you are agreeing to receive the services above and are an authorized representative to make business decision for the property addressed above.


Gillis St
Gillis St
Reeves Rehab
Safety Training
W College Ave
W College Ave
W 1st St
W 1st St
Perimeter
482 ft
Area
13,598 ft²
The Dance Academy
Business Resource Center
Yoga San Angelo
N Chadbourne St
Allen Young
Office Machines
3D

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider ratifying approval of an insurance agreement by and between the City of San Angelo Development Corporation and Sam Tambunga Insurance providing for insurance coverage at the Business Resource Center and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

COSADC Staff solicited proposals for General Insurance Coverage. We received proposals from PK Kelly, Sam Tambunga, and Mr. Insurance. After reviewing all proposals, Staff recommends selecting Sam Tambunga Insurance as our provider. This Policy will insure the Business Resource Center located at 69 N. Chadbourne Street.

Funding Source(s):

Financial Impact:

Insurance coverage for the Business Resource Center is budgeted in account 700-0700-411.05-21 (Insurance - Liability).

Other Information/Recommendation:

Staff recommends approval of an insurance agreement by and between the City of San Angelo Development Corporation and Sam Tambunga Insurance and authorizing the Board President or their designee to execute all necessary documents.

Attachments:

1. COSADC Quote — COSADC Quote..pdf

Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Proposal of Insurance
10/13/2021

Prepared For:

City of San Angelo Development Corp
69 N CHADBOURNE ST
SAN ANGELO, TX 76903
(325) 653-7197

Agency Name:

Sam Tambunga Insurance, LLC
2408 W Ave N
San Angelo, TX 76904
325-944-3400

Submission Number: 4370757

Coverage and Premium Summary Information

Product	Premium
CNA Connect®	$7,895.88
Property	$7,879.00
Liability	$9.00
State Taxes, Assessments and Surcharges	$7.88
Commercial Umbrella	$404.00
Total Coverage Premium	**$8,299.88**
Includes Terrorism Risk Insurance Act Premium	**$121.00**

A down payment is needed to bind the policy based on the pay plan selected. Please select a pay plan and complete the attached EFT form.

Acknowledged and Accepted by

_____ **On** _____
(Signature of the Insured) **(Date)**

Coverage bound for 30 days, Effective

_____ **By** _____
(Date) **(Authorized Representative)**

This is for informational purposes only. It does not represent an offer of coverage. The dollar amounts are estimates and are not actual premiums. This potential insured is subject to additional requirements that may affect the insurability of the account or the estimated premiums. Only a policy can provide the actual coverages, conditions, exclusions, premiums, and deductibles.

Coverage:	**CNA Connect®**	**Account Name:**	**City of San Angelo Development Corp**
Underwritten by:	**NATIONAL FIRE INSURANCE (20478)**	**Policy Period:**	**11/05/2021 - 11/05/2022**

Policy Information

SIC: 86110 - ASSOCIATIONS-CIVIC, NOT FOR PROFIT

Primary Risk State: TX **#PT Employees:** 0 **#FT Employees:** 1

PROPERTY

Policy Deductible **$2,500**
Co-Insurance **Waived**

Policy Coverage	Limit	Deductible/ Retention*	Premium
Business Income & Extra Expense	12 Months Actual Loss Sustained		$21.00
Business Income & Extra Expense - Newly Acquired Property	$250,000		Included
Business Income & Extra Expense Dependent Property	$10,000	24 hours	Included
Employee Dishonesty	$25,000	$250	Included
Expediting Expenses	$25,000	Policy Level	Included
Fixed Policy Expenses			$140.00
Forgery & Alteration	$25,000	Policy Level	Included
Identity Theft/Recovery Services	$25,000	$250	Included
Terrorism Risk Insurance Act Premium			$117.00

The Following Coverages Apply To Each Location

Coverage	Limit	Deductible/ Retention*	Premium
Appurtenant Buildings And Structures	$50,000	Policy Level	Included
Arson & Theft Reward	$5,000	None	Included
Civil Authority	4 weeks	24 hours	Included
Claim Data Expense	$5,000	Policy Level	Included
Fire Department Service Charge	$25,000	None	Included
Fire Protective Equipment Discharge	$10,000	Policy Level	Included
Newly Acquired or Constructed Building	$1,000,000	Policy Level	Included
Newly Acquired or Constructed Business Personal Property	$250,000	Policy Level	Included
Non Owned Detached Trailers	$5,000	Policy Level	Included
Outdoor Property	$10,000	Policy Level	Included
Personal Effects	$25,000	Policy Level	Included
Personal Property of Others	Included in BPP Limit	Policy Level	Included
Pollutant Clean Up & Removal	$25,000 Annual Total	Policy Level	Included
Preservation of Property	BPP Limit up to 90 days	Policy Level	Included
Signs	Included	Policy Level	Included
Spoilage - Consequential Loss	Included in BPP Limit	Policy Level	Included
Temporary Relocation of Property	$50,000 up to 90	Policy Level	Included

* Specific deductibles may apply to certain causes of loss. See policy for additional details.

Coverage:	**CNA Connect®**	**Account Name:**	**City of San Angelo Development Corp**
Underwritten by:	**NATIONAL FIRE INSURANCE (20478)**	**Policy Period:**	**11/05/2021 - 11/05/2022**

	days		
Tenant Glass	Included in BPP Limit	Policy Level	Included
Theft Damage to Rented Property	Included in BPP Limit	Policy Level	Included

* Specific deductibles may apply to certain causes of loss. See policy for additional details.

Coverage:	**CNA Connect®**	**Account Name:**	**City of San Angelo Development Corp**
Underwritten by:	**NATIONAL FIRE INSURANCE (20478)**	**Policy Period:**	**11/05/2021 - 11/05/2022**

Location: 001

Address: 69 N CHADBOURNE ST
SAN ANGELO, TX 76903

Construction: Masonry Non-Combustible
Protection Class: 1 **Year Built:** 1977
Sprinklered: Yes **Sq Footage:** 14486

Class Description: ASSOCIATIONS - CIVIC, NOT FOR PROFIT

Coverage	Limit	Deductible/ Retention*	Premium
Building	$2,202,000	Policy Level	$7,141.00
Inflation Guard	3%	Policy Level	$111.00
Business Personal Property (BPP)	$172,000	Policy Level	$279.00
Seasonal Increase	25%	Policy Level	Included
Business Personal Property- Off Premises	$172,000	Policy Level	Included

Other Location Coverages	Limit	Deductible/ Retention*	Premium
Accounts Receivable	$25,000	None	Included
Building Glass		Policy Level	Included
Debris Removal	25% + $25,000	Policy Level	Included
Electronic Data Processing	$50,000	Policy Level	Included
Electronic Data Processing - In Transit	$25,000	Policy Level	Included
Equipment Breakdown	$2,374,000	Policy Level	$57.00
Pollutants	$25,000	Policy Level	Included
Expediting Expenses	$25,000	Policy Level	Included
Fine Arts	$25,000	Policy Level	Included
Money Orders & Counterfeit Paper	Included in BPP Limit	Policy Level	Included
Money and Securities	Included in BPP Limit	Policy Level	Included
Ord/Law - Demo. Incr. Cost Constr.	$25,000	Policy Level	Included
Outdoor Trees, Shrubs, Plants, Lawns	$3,000	Policy Level	Included
Sewer & Drain Backup	$25,000	Policy Level	$13.00
Targeted Hacker Attack	$25,000	Policy Level	Included
Valuable Papers and Records	$25,000	Policy Level	Included
Wind and Hail Deductible		2%	Included

Location #001 Property Premium: **$7,601.00**

Total Property Premium: **$7,879.00**

* Specific deductibles may apply to certain causes of loss. See policy for additional details.

Coverage:	**CNA Connect®**	**Account Name:**	**City of San Angelo Development Corp**
Underwritten by:	**NATIONAL FIRE INSURANCE (20478)**	**Policy Period:**	**11/05/2021 - 11/05/2022**

LIABILITY

Policy Coverage	**Limit**	**Deductible/ Retention***	**Premium**
Additional Insureds:			Included
Blanket Additional Insured - Liability Extension			Included
Damage To Premises Rented To You	$1,000,000		Included
Employment Practices Fiduciary Liability	$10,000		Included
Retroactive Date : 11/05/2019			$9.00
General Liability			
Each Occurrence	$1,000,000		Included
Personal And Advertising Injury	$1,000,000		Included
Products Completed Operations Aggregate	$2,000,000		Included
General Aggregate	$2,000,000		Included
Medical Expense	$10,000		Included

Location Information

Location: 001

Location Address: 69 N CHADBOURNE ST
SAN ANGELO, TX 76903

Class Code	**Description**	**Exposure**
65121BB	ASSOCIATIONS - CIVIC, NOT FOR PROFIT	7 Members

Total Liability Premium: **$9.00**

* Specific deductibles may apply to certain causes of loss. See policy for additional details.
*** - Retention

Coverage:	CNA Connect® - Forms/Endorsements	Account Name:	City of San Angelo Development Corp
Underwritten by:	NATIONAL FIRE INSURANCE (20478)	Policy Period:	11/05/2021 - 11/05/2022

FORMS/ENDORSEMENTS

Form Number and Name		Edition Date
CNA62823XX	Notice To Policyholders Jurisdictional Inspections	07/01/2017
CNA62854TX	For Our Texas Commercial Lines Policyholders	07/01/2015
CNA76858TX	Texas Notice	07/01/2013
CNA79203XX	Exclusion - Access or Disclosure of Confidential	06/01/2014
CNA80103XX	Primary and Non Contributory - Other Ins Condition	09/01/2014
CNA81751XX	Cap on Losses from Certified Acts of Terrorism	03/01/2015
CNA81758XX	PHN - Offer of Terrorism Disclosure of Premium	01/01/2021
CNA85098XX	Additional Exclusion - Associations	06/01/2016
CNA85710XX	Unmanned Aircraft Exclusion Endorsement	06/01/2016
CNA95404XX	CNA Coverpage Form	03/01/2019
CNA96151TX	POLICY HOLDER NOTICE - FLOOD INSURANCE - TEXAS	09/01/2019
CNA98553XX	Communicable Disease Exclusion Endorsement	05/01/2020
SB146801J	Businessowners Special Property Coverage Form	10/01/2019
SB146802F	Business Income and Extra Expense	10/01/2019
SB146803A	Seasonal Increase	01/01/2006
SB146804A	Arson and Theft Reward	01/01/2006
SB146805B	Claim Data Expense	06/01/2016
SB146806B	Debris Removal	01/01/2008
SB146807F	Employee Dishonesty	10/01/2019
SB146808A	Expediting Expenses	01/01/2006
SB146809C	Fine Arts	07/01/2009
SB146810A	Fire Department Service Charge	01/01/2006
SB146811A	Fire Protective Equipment Discharge	01/01/2006
SB146812D	Forgery and Alteration	10/01/2019
SB146813B	Newly Acquired or Constructed Property	01/01/2008
SB146814B	Ordinance or Law	03/01/2006
SB146815A	Outdoor Trees, Shrubs, Plants and Lawns	01/01/2006
SB146816A	Pollutant Clean Up and Removal	01/01/2006
SB146817A	Preservation of Property	01/01/2006
SB146818A	Temporary Relocation of Property	01/01/2006
SB146819A	Water Damage, Other Liquids, Solder, Molten Damage	01/01/2006
SB146820C	Accounts Receivable	06/01/2011
SB146821A	Appurtenant Buildings and Structures	01/01/2006
SB146822A	Building Glass	01/01/2006
SB146823C	Business Income Extra Expense - Dependent Property	10/01/2019
SB146824B	Business Income Extra Expense-Newly Acquired Locs	01/01/2008
SB146825C	Business Personal Property Off Premises	06/01/2011
SB146826C	Civil Authority	10/01/2019
SB146827F	Electronic Data Processing	06/01/2011
SB146828E	Equipment Breakdown	04/01/2014
SB146830B	Money Orders and Counterfeit Paper Currency	01/01/2008
SB146831B	Nonowned Detached Trailers	06/01/2011
SB146832B	Ordinance or Law-Increased Period of Restoration	01/01/2008
SB146833A	Outdoor Property	01/01/2006
SB146834A	Personal Effects	01/01/2006
SB146835A	Signs	01/01/2006
SB146836A	Spoilage Consequential Loss	01/01/2006
SB146837A	Theft Damage to Rented Property	01/01/2006
SB146838C	Valuable Papers and Records	06/01/2011
SB146839F	Sewer or Drain Back Up	06/01/2011

Coverage:	CNA Connect® - Forms/Endorsements	Account Name:	City of San Angelo Development Corp
Underwritten by:	NATIONAL FIRE INSURANCE (20478)	Policy Period:	11/05/2021 - 11/05/2022

SB146871B	Windstorm or Hail Deductible	01/01/2008
SB146932G	Blanket Additional Insured - Liability Extension	10/01/2019
SB146936A	Inflation Guard	01/01/2006
SB147023A	Fungi / Mold / Mildew / Yeast / Microbe Exclusion	01/01/2006
SB147039F	Texas Changes	11/01/2018
SB147056B	Policy Holder Notice - Texas	08/01/2015
SB147075A	Economic and Trade Sanctions Condition	01/01/2006
SB147079A	War Liability Exclusion	01/01/2006
SB147080B	Exclusion - Silica	10/01/2019
SB147082E	Businessowners Common Policy Conditions	04/01/2014
SB147083C	Fungi/Mold/Mildew/Yeast/Microbe Exclusion	10/01/2019
SB147084B	Fungi, Wet Rot, Dry Rot and Microbe Exclusion	07/01/2009
SB147086B	Loss Payable Provisions	04/01/2010
SB147088A	Exclusion - Asbestos	01/01/2006
SB147089A	Employment - Related Practices Exclusion	01/01/2006
SB300000D	Businessowners Liability Coverage Form	04/01/2014
SB300081D	Exclusion of Coverage for Special Events	06/01/2011
SB300129C	Targeted Hacker Attack	10/01/2019
SB300139C	Protective Safeguards	04/01/2014
SB300441A	Fiduciary Liability CoverageForm	01/01/2007
SB300449A	Single Limit of Insurance Endorsement	01/01/2007
SB300450A	Employment Practices Liability Coverage Form	01/01/2007
SB300456A	Concurrent Causation, Earth Movmnt, Water Excl Chg	07/01/2007
SB300596A42	Identity Theft/Recovery Services Endorsement	01/01/2008
SB300849A	Recd and Distribution of Material or information	07/01/2009
SB301001B	Policy Holder Notice - Texas	07/01/2016

Account Name: City of San Angelo Development Corp

NOTICE OF TERRORISM COVERAGE AND DISCLOSURE OF PREMIUM

The Terrorism Risk Insurance Act, as extended and reauthorized ("Act"), established a program within the United States Department of the Treasury, under which the federal government shares, with the insurance industry, the risk of loss from certain future acts of terrorism and in the case of workers compensation coverage, acts of war. This Act applies when the Secretary of the Treasury certifies that an event meets the definition of an act of terrorism, which is an act committed by an individual or individuals to coerce the government or population of the United States, that results in aggregate losses of $5 million or more.

In accordance with this Act, we are required to continue to offer you coverage for losses resulting from an act of terrorism that is certified under the federal program. The policy's other provisions will still apply to such an act.The premium for this coverage will be disclosed for each coverage part as shown on the quote proposal provided by your agent.

This premium is included in, and is not in addition to, the premium shown in the Account Premium.

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

The United States Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 80% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed $100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds $100 billion.

Further, this coverage is subject to a limit on our liability, pursuant to the federal law where, if aggregate insured losses attributable to terrorist acts certified under the Act exceed $100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds $100 billion, and in such case insured losses up to that amount are subject to pro rata allocation with procedures established by the Secretary of the Treasury.

Coverage:	**Commercial Umbrella**	**Account Name:**	**City of San Angelo Development Corp**
Underwritten by:	**CONTINENTAL CASUALTY COMPANY (20443)**	**Policy Period:**	**11/05/2021 - 11/05/2022**

COMMERCIAL UMBRELLA

	Limit
Policy Coverage	
Limit of Liability	$1,000,000
Retained Limit	$10,000
Schedule of Underlying Coverage	
General Liability Limit	$1,000,000
Total Umbrella Premium including Certified Acts of Terrorism Premium:	**$404.00**
Total Umbrella Premium:	**$404.00**

** For an accurate Umbrella premium indication, all underlying policies should first be finalized. A change in the underlying Connect and/or Auto policy may impact the Umbrella premium.

Account Name: City of San Angelo Development Corp

NOTICE OF TERRORISM COVERAGE AND DISCLOSURE OF PREMIUM

The Terrorism Risk Insurance Act, as extended and reauthorized ("Act"), established a program within the United States Department of the Treasury, under which the federal government shares, with the insurance industry, the risk of loss from certain future acts of terrorism and in the case of workers compensation coverage, acts of war. This Act applies when the Secretary of the Treasury certifies that an event meets the definition of an act of terrorism, which is an act committed by an individual or individuals to coerce the government or population of the United States, that results in aggregate losses of $5 million or more.

In accordance with this Act, we are required to continue to offer you coverage for losses resulting from an act of terrorism that is certified under the federal program. The policy's other provisions will still apply to such an act.The premium for this coverage will be disclosed for each coverage part as shown on the quote proposal provided by your agent.

This premium is included in, and is not in addition to, the premium shown in the Account Premium.

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

The United States Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 80% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed $100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds $100 billion.

Further, this coverage is subject to a limit on our liability, pursuant to the federal law where, if aggregate insured losses attributable to terrorist acts certified under the Act exceed $100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds $100 billion, and in such case insured losses up to that amount are subject to pro rata allocation with procedures established by the Secretary of the Treasury.

Account Name: City of San Angelo Development Corp

Direct Bill Options
CNA's Direct Bill Plans puts you in control of making premium payments that best fits your budget.

YOU DECIDE HOW YOUR PAYMENTS ARE MADE...

- Repetitive EFT: Sign up for Repetitive Electronic Funds Transfer (EFT) and have payments automatically withdrawn from your bank account. This option saves you money by reducing the amount of the installment fee.
- Pay by Check: Send a check with your remittance stub in the envelope enclosed with your bill.
- Pay by Phone: Call toll-free 877-276-7507

The chart below illustrates how you may be billed based upon the bill plan you select. The due date(s) and minimum amount(s) due shown below were calculated based on the anticipated effective date of your policy provided as part of the quote process. These dates and amounts may change based on when your new policy is processed.

Total Annual Projected Premium: $8,300.00			
		Connect(BOP) Umbrella	$7,896.00 $404.00
Bill Plan	**Payment Schedule and Minimum Amount(s) Due**	**Installment Fees**	
Annual	11/05/21 - $8,300.00		☐
33% Down, 3 Equal	Down Payment: $2,744.00 (11/05/21) Installments: $1,852.00 Installment Dates: 02/05/22; 05/05/22; 08/05/22	$7.00 per Installment	☐
25% Down, 7 Equal	Down Payment: $2,081.00 (11/05/21) Installments: $888.00 Installment Dates: 12/05/21; 01/05/22; 02/05/22; 03/05/22; 04/05/22; 05/05/22; 06/05/22	$7.00 per Installment	☐
25% Down, 9 Equal	Down Payment: $2,081.00 (11/05/21) Installments: $691.00 Installment Dates: 12/05/21; 01/05/22; 02/05/22; 03/05/22; 04/05/22; 05/05/22; 06/05/22; 07/05/22; 08/05/22	$7.00 per Installment	☐
Semi-Annual	Down Payment: $4,983.00 (11/05/21) Installments: $3,317.00 Installment Dates: 05/05/22	$7.00 per Installment	☐

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider ratifying approval of a Non-Professional Services (Electrical Repair and Maintenance) Agreement by and between the City of San Angelo Development Corporation and MC Electric and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

COSADC Staff solicited bids for Electrical Repair and Maintenance services at the Business Resource Center. We received bids from MC Electric, Legacy Electric, and RM Electrical. After reviewing all proposals, Staff recommends awarding a services agreement to MC Electric.

The initial term of the Agreement is one year with four one-year extension options. Total expenditures under this agreement will not exceed $50,000.

Funding Source(s):

Financial Impact:

Electrical repair and maintenance expenses are budgeted as a line item in the Economic Development (Fund 700) Building and Grounds Maintenance Account (700-0700-411.04-31).

Other Information/Recommendation:

Staff recommends ratifying approval of an Electrical Repair and Maintenance Services Agreement by and between the City of San Angelo Development Corporation and MC Electric and authorizing the Board President or their designee to execute all necessary documents.

Attachments:

1. MC Elec Quote — MC Elec Quote.pdf

Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved

Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

MC Electric
Company Name

1

Hourly Rates

		Regular	Overtime	Holiday
A.	Masters Rate	$ 60.00	$ 90.00	$ 120.00
B.	Journeyman	$ 50.00	$ 75.00	$ 100.00
C.	Apprentice	$ 45.00	$ 67.50	$ 90.00
D.	Laborer/Helper	$ N/A	$	$
E.	Backhoe	$ N/A	$	$
F.	Ditching Machine	$ N/A	$	$
G.	Man-lift	$ 25.00hr	$	$
H.	Excavator	$ N/A	$	$

Time of day Regular Hourly Rate Begins: 8 AM TO 5 PM

Time of day Overtime Hourly Rate Begins: 5 PM TO 8 AM

We agree to serve as a secondary vendor, if not selected as the Primary Vendor: [✓] Yes [ ] No

2

Materials, Profit and Overhead (MPO)

Materials, supplies, equipment and equipment rentals shall be invoiced at bidders cost plus 25 (%) percent

(Equipment and/or equipment rentals shall be invoiced as a separate line item)

3 After Hours Contact No.: 325-227-1128

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider ratifying approval of a Non-Professional Services (Pest Control) Agreement by and between the City of San Angelo Development Corporation and Bug Express and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

COSADC Staff solicited bids for Pest Control services at the Business Resource Center. We received bids from Bug Express, MDK Services, and Hi Tech Pest Defense. After reviewing all proposals, Staff recommends awarding a services agreement to Bug Express.

The cost of services is $85 per quarterly treatment ($340 annually). The Agreement would automatically renew each year unless terminated in writing by either party.

Funding Source(s):

Financial Impact:

Pest Control services are a budgeted item in the Economic Development (Fund 700) Building and Grounds Maintenance Account (700-0700-411.04-31).

Other Information/Recommendation:

Staff recommends ratifying approval of a Non-Professional Services Agreement by and between the City of San Angelo Development Corporation and Bug Express and authorizing the Board President or their designee to execute all necessary documents.

Attachments:

1. Bug Express — Bug Express.pdf

Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved

Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

BUG EXPRESS
"We Deliver Results"
2210 Austin St. • San Angelo, TX 76903
Office (325) 653-0069 • Fax (325) 944-0009
TPCL 12054A

Licensed and Regulated by the
Texas Department of Agriculture

P.O. Box 12847, Austin Texas 78711-2847
866-918-4481
Fax: 888-232-2567

PEST CONTROL SERVICE AGREEMENT

SERVICE ADDRESS			BILLING (i f different)		
NAME: City of San Angelo - Business Resource Center			NAME		
ADDRESS: 69 N. Chadbourne			ADDRESS - EMAIL: nora.nevarez@cosatx.us		
CITY: San Angelo	ST: TX	ZIP: 76903	CITY	ST	ZIP
PHONE#: 653-7197	WORK#: Norm		PHONE#	WORK#	

Standard Service	Complete Coverage
☒ Brown Banded Roach	☐ Carpet Beetles
☒ German Roach	☐ Clothes Moth
☒ Smokey Brown Roach	☐ Outdoor Fire Ants
☒ Oriental Roach	☐ Indoor Ticks
☒ Mice	☐ Outdoor Ticks
☒ Rats	☐ Indoor Fleas
☒ Silverfish	☐ Outdoor Fleas
☒ House Ants	☐ Carpenter Ants
☒ Black Widow Spiders	☐ Scorpions
☒ Brown Recluse Spider	☐ Exterior Only
☒ Indoor Fire Ant Control	☐ _____
☒ Wasps	
☒ Pillbugs	
☒ Indoor Crickets	
☒ Earwigs	
☒ Millipedes	
☐ Other	
☐ _____	

Service Period

☐	☐	☐
Jan	Feb	Mar
Apr	May	June
July	Aug	Sept
Oct	Nov	Dec
☐	☐	☒
Monthly	Bi-Monthly	Quarterly

Service Charges

$ 85.00 Initial service — EXEMPT plus tax

$ 85.00 Each service — EXEMPT plus tax

Preferred time of service

Special Instructions:

Basic Int/Ext service of all offices, conference rooms, breakrooms, and storage rooms

One time equipment charge if rodent stations are needed.

Bug Express Pest Control will service the premises at least once each MONTH/QUARTER in order to control pests checked above. If additional service is needed by the customer between the regular service visits, service will be performed at no additional cost to the customer.

This agreement does not provide for the control of bees, bed bugs, or wood destroying insects, i.e. Termites, Wood Boring Beetles, Carpenter Ants.

Greg Martin — 9/30/2021

Representative Signature — Date — Customer Signature — Date

SATISFACTION GUARANTEED

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Bug Express Inc

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☒ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
2210 Austin St.

Requester's name and address (optional)

6 City, state, and ZIP code
San Angelo TX 76903

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
☐☐☐ - ☐☐ - ☐☐☐☐

or

Employer identification number
42 - 1584803

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** Bridget Carr **Date ▶** 5/28/21

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
PK Kelley Insurance Agency
2009 W Beauregard Ave
San Angelo TX 76901

CONTACT NAME: Pam Young
PHONE (A/C, No, Ext): (325) 224-8000 FAX (A/C, No): (325) 223-8855
E-MAIL ADDRESS: pam@quotepk.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Markel Insurance Co	
INSURER B: West American Insurance Co	44393
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Bug Express Inc.
2210 Austin
San Angelo TX 76903

COVERAGES **CERTIFICATE NUMBER:** CL215401352 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:			PCP8453-01	06/04/2021	06/04/2022	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
							Blanket Addl Insured	$
B	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY			BAW58198043	12/09/2020	12/09/2021	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
							Uninsured motorist	$ 1,000,000
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

CERTIFICATE HOLDER
City of San Angelo-Business Resource Center
69 N. Chadbourne
San Angelo TX 76903

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Pam Young

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider ratifying approval of a Non-Professional Services (Landscaping Services) Agreement by and between the City of San Angelo Development Corporation and Pullig Contracting Company and authorizing the Board President or their designee to execute all related documents (Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

COSADC Staff solicited bids for Landscaping services at the Industrial Park. We contacted four vendors and received three proposals. After reviewing all proposals, Staff recommends awarding a services agreement to Pullig Contracting Company.

The Agreement with Pullig is on a per-acre basis and would not exceed $7,500 annually. Staff recommends awarding an agreement for one year with two options to extend for a period of one year each. The Agreement would provide for price escalations to accommodate changes in costs (e.g., fuel) and mowing areas (due to property sales or brush clearing). The estimated amount of this Agreement over the three year period would not exceed $22,500.00. Any subsequent increase up to $50,000 would require board approval.

Funding Source(s):

Financial Impact:

Landscaping at the Industrial Park is budgeted in account 700-0705-411.04-31.

Other Information/Recommendation:

Staff recommends ratifying approval of a services agreement with Pullig Contracting Company and authorizing the Board President to execute all necessary documents.

Attachments:

1. Mowing EXHIBIT 2021 — Mowing EXHIBIT 2021.jpg
2. Phase 2 Mowing Exhibit — Phase 2 Mowing Exhibit.pdf

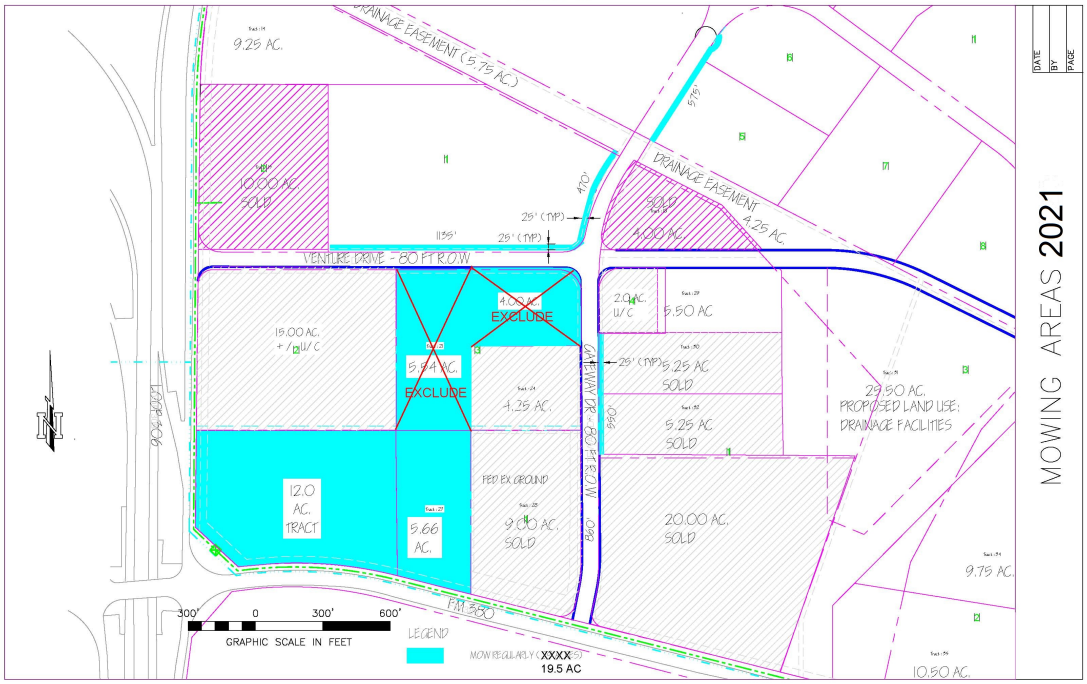
Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

EXHIBIT "A"


DRAINAGE EASEMENT (5.75 AC.)
9.25 AC.
10.00 AC. SOLD
470'
25' (TYP)
1135'
25' (TYP)
VENTURE DRIVE - 80 FT R.O.W.
DRAINAGE EASEMENT 4.25 AC.
SOLD 4.00 AC.
19.00 AC. + / U/C
4.00 AC. EXCLUDE
5.84 AC. EXCLUDE
4.25 AC.
2.0 AC. U/C
5.50 AC
25' (TYP)
5.25 AC SOLD
5.25 AC SOLD
GATEWAY DR - 80 FT R.O.W.
660'
29.50 AC. PROPOSED LAND USE: DRAINAGE FACILITIES
12.0 AC. TRACT
5.66 AC.
FED EX GROUND
9.00 AC. SOLD
20.00 AC. SOLD
9.75 AC.
LOOP 306
F.M. 350
300' 0 300' 600'
GRAPHIC SCALE IN FEET
LEGEND
MOW REGULARLY (XXXX)
19.5 AC
10.50 AC.
DATE
BY
PAGE
MOWING AREAS 2021

Mowing Map Phase 2

Write a description for your map.

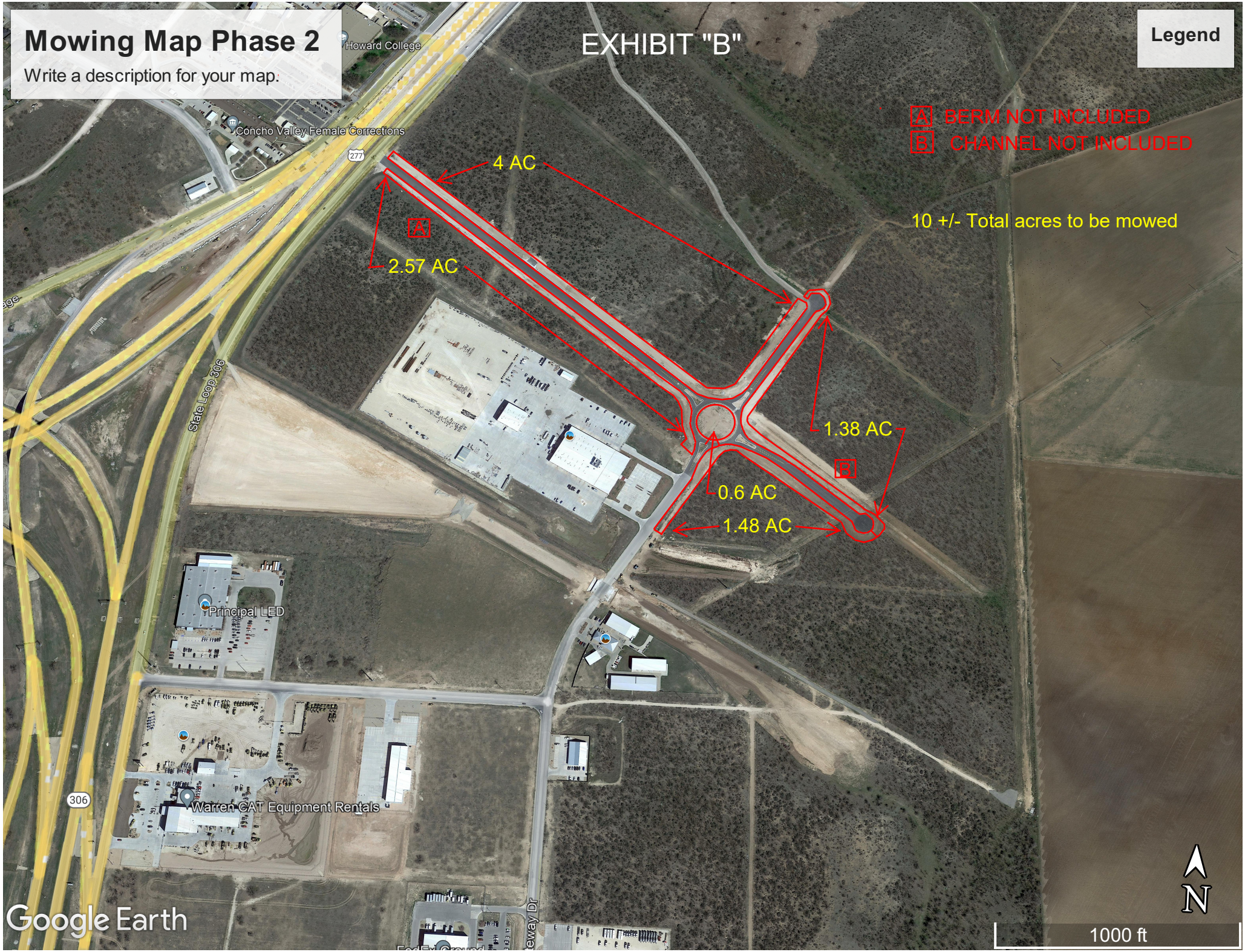
EXHIBIT "B"

Legend

A BERM NOT INCLUDED

B CHANNEL NOT INCLUDED

10 +/- Total acres to be mowed



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325-657-4210

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider a resolution to grant University Food Services, on behalf of Angelo State University, a variance from Article 5.02.033 of the City Code of Ordinances, to allow the sale of alcoholic beverages, beer, and wine at 2235 S. Jackson St., a property within 300-ft of a public school (Jon James)

Staff Recommendation:

Approve

Summary/History:

University Food Services, a third-party concessionaire for Angelo State University, was denied a license to sell alcohol from the Texas Alcoholic Beverage Commission (TABC) due to the requested property being within 300 feet of a public school (Crockett Elementary and Glenn Middle School).

The Texas Alcohol and Beverage Code allows the City Council to approve a variance from this requirement based on a finding of one of the following:

a) enforcement of the regulation in a particular instance is not in the best of the public;
b) constitutes waste or inefficient use of land or other resources;
c) creates an undue hardship on an applicant for a license or permit;
d) does not serve its intended purpose;
e) is not effective or necessary; or
f) for any other reason; and after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

The intent of this provision is to protect areas around schools from the potential negative impacts of retail alcohol sales. Given the unique nature of a university campus and alcohol sales as part of on-campus events, as opposed to traditional retail sales, staff believes that it is in the best interest of the public to approve the variance.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval of the requested variance.

Attachments:

1.	University Food Services Inc. TABC Denial	University Food Services Inc. TABC Denial.pdf
2.	ASU Variance Request Letter (from email)	ASU Variance Request Letter (from email).pdf
3.	Resolution--ASU Alcohol Sales Variance	Resolution--ASU Alcohol Sales Variance.docx

Presentation:

Jon James

Approvals/Reviews:

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

TEXAS ALCOHOLIC BEVERAGE COMMISSION
Texans Helping Businesses & Protecting Communities

ON-PREMISE PREQUALIFICATION PACKET

L-ON (5/2021)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13
Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.
All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. ***www.tabc.texas.gov/laws/code_and_rules.asp***

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number
☐ Reinstatement ☐ Reinstatement and Change of Trade Name License/Permit Number
☐ Change of Location ☐ Change of Location and Trade Name License/Permit Number

2. Type of On-Premise License/Permit
- ☒ **BG** Wine and Beer Retailer's Permit
- ☐ **BE** Beer Retail Dealer's On-Premise License
- ☐ **BL** Retail Dealer's On-Premise Late Hours License
- ☐ **BP** Brewpub License
- ☐ **V** Wine & Beer Retailer's Permit for Excursion Boats
- ☐ **MB** Mixed Beverage Permit
- ☐ **O** Private Carrier's Permit **–Brewpubs (BP) with a BG only**
- ☐ **LB** Mixed Beverage Late Hours Permit
- ☐ **MI** Minibar Permit
- ☐ **CB** Caterer's Permit
- ☒ **FB** Food and Beverage Certificate
- ☐ **PE** Beverage Cartage Permit
- ☐ **RM** Mixed Beverage Restaurant Permit with FB
- ☐ **E** Local Cartage Permit - **Wine/Beer retailers (BG) Only**

3. Indicate Primary Business at this Location
☒ Restaurant ☐ Sporting Arena, Civic Center, Hotel ☐ Bar
☐ Grocery/Market ☐ Sexually Oriented ☐ Miscellaneous _____

4. Trade Name of Location (Name of restaurant, bar, store, etc.)
University Food Services Inc.

5. Location Address
2235 S. Jackson

City	County	State	Zip Code
San Angelo	Tom Green	TX	76906

6. Mailing Address
511 W 7th Street

City	State	Zip Code
Austin	TX	78701

7. Business Phone No. | Alternate Phone No. 325-944-1888 | E-mail Address richard.gonzalez@compass-usa.com

OWNER INFORMATION

8. Type of Owner
- ☐ Individual
- ☐ Partnership
- ☐ Limited Partnership
- ☐ Limited Liability Partnership
- ☒ Corporation
- ☐ Limited Liability Company
- ☐ Joint Venture
- ☐ Trust
- ☐ City/County/University
- ☐ Other _____

9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)
University Food Services Inc.

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact **phone and email are mandatory and must be active and updated regularly**. If additional information is needed, it will be requested from this contact person. **Delays in responding to requests may delay the processing and approval of your permit/license.**

10. Contact Person: Jessica Reedy Sole (BrackinSchwartz PLLC) | Relation to Business: Licensing Professional for Client

Phone (mandatory): 512-549-8908 | Email (mandatory): jessica@txliquorlaw.com

TABC DATESTAMP

11. Are you, the applicant, a veteran-owned business?	☐ Yes ■ No
12. Are you, the applicant, a Historically Underutilized Business (HUB)?	☐ Yes ■ No

13. As indicated on the chart, enter the individuals that pertain to your business type:
(For additional space, use Form L-OIC)

Individual/Individual Owner	Limited Liability Company/All Officers or Managers
Partnership/All Partners	Joint Venture/Venturers
Limited Partnership/All General Partners	Trust/Trustee(s)
Corporation/All Officers	City, County, University/Official

Last Name	First Name	MI	Title
Riddle Jr.	David	R.	Pres/ExecVP/Treas/Dir
Slear	Daniel		Secretary

MEASUREMENT INFORMATION
Section 109.31 et seq.

14. Will your business be located within 300 feet of a church or public hospital?	☐ Yes ■ No

NOTE: *For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.*

15. Will your business be located within 300 feet of any private/public school, day care or child care facility?	☐ Yes ■ No
If "YES," are the facilities located on different floors or stories of the building?	☐ Yes ☐ No

NOTE: *For private/public schools, day care centers and child care facilities, measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.*

NOTE: *For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.*

NOTE: *If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.*

16. Will your business be located within 1,000 feet of a private school?	☐Yes ■ No
17. Will your business be located within 1,000 feet of a public school?	☐Yes ■ No

60-DAY SIGN

18. If required under Section 11.391 and 61.381, provide exact date the required sign was posted at the location.	Exact Date (MM/DD/YYYY)

ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE ☐
I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.

All required forms have been completed.	■ Yes ☐ No
I have reviewed all forms to ensure they are complete.	■ Yes ☐ No
I have obtained all required local and state certifications (pages 3-5).	■ Yes ☐ No
All application packets have been notarized.	■ Yes ☐ No
Phone numbers and email address for contact person are up to date.	■ Yes ☐ No
All additional documentation as required by the application packets is attached.	■ Yes ☐ No
If required, out of state criminal history checks are attached (PHS #7).	☐ Yes ☐ No ■ N/A
Certification of publication in local newspaper has been completed (page 5).	■ Yes ☐ No ☐ N/A
A copy of the newspaper publication is attached (page 5).	■ Yes ☐ No ☐ N/A

WARNING AND SIGNATURE	IF APPLICANT IS SHOWN AS:	WHO MUST SIGN:
	Proprietorship	Individual Owner
	Partnership	Partner
	Corporation	Officer
	Limited Partnership	General Partner
	Limited Liability Partnership	General Partner
	Limited Liability Company	Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT NAME David R. Riddle Jr. **SIGN HERE** [signature]

TITLE Pres/ExecVP/Treas/Dir

Before me, the undersigned authority, on this 8th day of July, 20 21, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE [signature]
NOTARY PUBLIC

SEAL

NOTARY PUBLIC STATE OF TEXAS
KIMBERLY GAINES
Notary Public, State of Texas
ID# 13007519-4
My Commission Expires
JANUARY 13, 2023

CERTIFICATE OF CITY SECRETARY FOR MB, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the city secretary or clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by ordinance.

I hereby certify on this_____ day of_____, 20_____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a **"wet"** area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

☐ **MB** Mixed Beverage Permit
☐ **MB/FB (RM)** Mixed Beverage Restaurant Permit with Food and Beverage Certificate (MB must also hold a Food and Beverage Certificate)
☐ **BG/FB** Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)
☐ **BG** Wine and Beer Retailer's Permit - **Election for given location was held for:**
  ☐ legal sale of beer/wine (17%) on-premise ***AFTER*** Sept. 1, 1999
  ☐ legal sale of beer/wine (14%) on-premise ***BEFORE*** Sept. 1, 1999
☐ **BE** Beer Retail Dealer's On-Premise License

OR

☒ **I hereby refuse on this** 30 **day of** September**, 20**21 **to certify this location.**

SIGN HERE [signature]
City Secretary/Clerk

San Angelo, **TEXAS**
City

SEAL THE CITY OF SAN ANGELO

CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT LB & BL

Chapters 29 & 70 et seq.

I hereby certify on this_____ day of_____, 20_____, that one of the below is correct:

☐ The governing body of this city has by ordinance authorized the sale of ***mixed beverages*** between midnight and 2:00 A.M.; or

☐ The governing body of this city has by ordinance authorized the sale of ***beer*** between midnight and _____ A.M.; or

☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or

☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

OR

☐ **I hereby refuse on this _____ day of _____, 20____ to certify this location.**

SIGN HERE _____ _____, **TEXAS**

City Secretary/Clerk City

S E A L

CERTIFICATE OF COUNTY CLERK FOR MB, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by order.

I hereby certify on this_____ day of_____, 20_____, that the location for which the license/permit is sought is in a **"wet"** area and is not prohibited by any valid order of the Commissioner's Court.

☐ **MB** Mixed Beverage Permit

☐ **MB/FB (RM)** Mixed Beverage Restaurant Permit with Food and Beverage Certificate (FB must also hold a Food and Beverage Certificate)

☐ **BG/FB** Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)

☐ **BG** Wine and Beer Retailer's Permit - **Election for given location was held for:**

- ☐ legal sale of beer/wine (17%) on-premise ***AFTER*** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise ***BEFORE*** Sept. 1, 1999

☐ **BE** Beer Retail Dealer's On-Premise License

OR

☐ **I hereby refuse on this _____ day of _____, 20____ to certify this location.**

SIGN HERE _____ _____ **COUNTY**

County Clerk

S E A L

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT LB & BL

Chapters 29 & 70 et seq

I hereby certify on this _____ day of _____, 20_____, that one of the below are correct:

☐ The Commissioner's Court of the county has by order authorized the sale of ***mixed beverages*** between midnight and 2:00 A.M.; or

☐ The Commissioner's Court of the county has by order authorized the sale of ***beer*** between midnight and _____ A.M.; or

☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or

☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

OR

☐ **I hereby refuse on this _____ day of _____, 20____ to certify this location.**

SIGN HERE _____ _____ **COUNTY**

County Clerk

S E A L

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of _____, 20_____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN HERE _____ **FIELD OFFICE** _____

S E A L

PUBLISHER'S AFFIDAVIT FOR MB, LB, RM, BP, BG, BE, BL & V

Section 11.39 and 61.38

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE Click here to see example of newspaper publication
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
Publisher or designee certifies attached notice was published in newspaper stated on dates shown.		
Signature of publisher or designee		
Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		
S E A L		

Certification of Location Suitability for Sale of Alcoholic Beverages to be Consumed On-Premises (cont.)

TO: **City Clerk and/or Finance Department**

FROM: **Planning Department**

COMPLIES

- The subject property is located in a zoning district where the sale of alcoholic beverages for on-premise consumption (with or without food) is generally allowed by right, and the subject property complies with all other applicable regulations* stipulated in the San Angelo Code of Ordinances pertinent to the sale of alcoholic beverages.

- The subject property is not located in a zoning district where the sale of alcoholic beverages for on-premise consumption (with or without food) is generally allowed by right, but specific approval for such alcoholic beverage sales is now in effect for this property and in accordance with the Zoning Ordinance. The subject property also complies with all other applicable regulations* stipulated in the San Angelo Code of Ordinances pertinent to the sale of alcoholic beverages.

- The subject property is not located in a zoning district where the sale of alcoholic beverages for on-premise consumption (with or without food) is generally allowed, nor has specific approval for such alcoholic beverage sales been granted in accordance with the Zoning Ordinance, but the business at this location meets the requirements for the issuance of a food and beverage certificate** from the Texas Alcoholic Beverage Commission as acknowledged (on the front page) by the licensee or an authorized representative. The subject property also complies with other applicable regulations* stipulated in the San Angelo Code of Ordinances pertinent to the sale of alcoholic beverages.

- The subject property is not located in a zoning district where the sale of alcoholic beverages for on-premise consumption (with or without food) is generally allowed, nor has specific approval been granted for such alcoholic beverage sales in accordance with the Zoning Ordinance, nor is the business at this location believed to meet requirements for the issuance of a food and beverage certificate** from the Texas Alcoholic Beverage Commission, but this property was lawfully occupied by an establishment where such alcoholic beverage sales occurred at some time during the past 365 days (affidavit attached). Such an establishment is thereby considered a legally nonconforming use where alcoholic beverages may again be sold for consumption on these premises, so long as the subject property complies with all other applicable regulations* in the San Angelo Code of Ordinances pertinent to the sale of alcoholic beverages.

DOES NOT COMPLY

_X The subject property does not comply with applicable standards for the sale of alcoholic beverages (to be consumed on-premises) as stipulated in the Zoning Ordinance or elsewhere in the San Angelo Code of Ordinances, and any such sales of alcoholic beverages cannot be considered a legally nonconforming use on this property. Alcoholic beverage sales should not, therefore, be allowed on this subject property.

Comments: The measurement of the 300 feet (separation distance-sale of alcohol is property line to property line. So even though the Junnell Center itself is over 300 from the school building, the property on which it sits is closer than 300 feet to the property on which the school sits. Therefore, it does not meet our ordinance standards. However, the state law does allow the City Council to approve a variance. So our suggestion will be to send them a denial, but suggest that they write a letter requesting the City Council to vary that provision in this case. (Sec. 5.02.033 - Prohibited licenses)

Signature

9-29-21
Date

Zack Rainbow, Planning Manager
Printed Name and Title

* See Article 5.100 in the San Angelo Code of Ordinances.

** pursuant to Section 25.13 of the Texas Alcoholic Beverage Code.

City of San Angelo, Texas
Planning Division

Certification of Location Suitability for Sale of Alcoholic Beverages to be Consumed On-Premises

Name of Licensee: Jessica Reedy Sole (BrackinSchwartz PLLC)

Mailing Address: 517 W 17th St **Telephone:** 512-549-8908

City/State/Zip: Austin/TX/78701 **Fax/other:**

Business Name: University Food Services Inc./ASU

Address of Business Location: Junnel Center/ASU Campus/2235 S. Jackson, San Angelo, TX 79606

Legal Description of Business Location*: Abst: A-1641 S-0176.25, Survey: J MC NEESE, 20.233 ACRES INCLUDING ABOND S 1/2 OF STREET RIGHT-OF-WAY. JUNELL CENTER / ASU CAMPUS

* use attachment, if necessary

Zoning of Business Location: Residential Single-RS1

If the subject property is located where the sale of alcoholic beverages for on-premise consumption is not generally allowed by the Zoning Ordinance or other applicable regulations stipulated in the San Angelo Code of Ordinances, has this property been actively used for selling alcoholic beverages (to be consumed on-premises) at some period of time during the past 365 days?

– No – Yes (affidavit required)

If the answer to the above question is no, then does the business at this location meet requirements for the issuance of a food and beverage certification from the Texas Alcoholic Beverage Commission, pursuant to Section 25.13 of the Texas Alcoholic Beverage Code?

–X No – Yes

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

9-29-21
Date

Zack Rainbow, Planning Manager
Printed name of licensee or authorized representative

Back of page to be completed by Planning Department staff only.

Dear Mr. Rainbow,
I am respectfully requesting consideration for a variance of Sec. 5.02.033 – Prohibited license, allowing Angelo State University the permission to sell alcoholic beverages (to be consumed on – premises) in the Junell Center/Stephens Arena during regularly scheduled university events. Please do not hesitate to contact me should you have any questions or require additional information. Thank you in advance.

Sincerely,

Joe Munoz
Senior Executive Assistant to the President
and General Counsel
Angelo State University

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, AUTHORIZING A VARIANCE FROM THE CITY CODE OF ORDINANCES, ARTICLE 5.02 "ALCOHOLIC BEVERAGE REGULATIONS", SECTION 5.02.033 "PROHIBITED LICENSES"; TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES, BEER, AND WINE WITHIN 300 FEET OF A TAX-SUPPORTED ELEMENTARY OR SECONDARY PUBLIC SCHOOL; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Angelo State University (herein referred to as the "Dealer") is the Owner of an approximate 70-acre property in the J. McNeese Survey No. 176.25, Abstract No. 1641, located at 2235 S. Jackson Street, in the City of San Angelo, Tom Green County, Texas (hereinafter referred to as the "Property"); and,

WHEREAS, on September 30, 2021, University Food Services Inc., a third party concession was denied a license to sell alcohol from the Texas Alcoholic Beverage Commission "TABC" due to the Dealer being within 300 feet of a tax-supported elementary or secondary public school; and,

WHEREAS, the Texas Alcohol and Beverage Code, subsection (e) of Section 109.33 "Sales Near School, Church or Hospital", allows the City of San Angelo to grant a variance to Section 5.02.033 of the City Code of Ordinances, where it determines that a) enforcement of the regulation in a particular instance is not in the best interest of the public; b) constitutes waste or inefficient use of land or other resources; c) creates an undue hardship on an applicant for a license or permit; d) does not serve its intended purpose; e) is not effective or necessary; or f) for any other reason; and after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community; and,

WHEREAS, the City of San Angelo has determined that the sale of alcohol satisfies 109.33(e), criterion a) above, that enforcement of the regulation in this particular instance is not in the best interest of the public; and;

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

Section 1. The City Council grants the requested variance, allowing the Dealer and any third party concession, on behalf of and authorized by the Dealer, to sell alcoholic beverages, beer, and wine, from the subject Property as identified on Exhibit "A" attached hereto, within 300 feet of a tax-supported public elementary school, provided all required licensing is obtained;

Section 2. Authorization is conditioned upon all alcohol being sold as part of university-sponsored events on the Property;

Section 3. Authorization is conditioned upon Dealer and/or third party concession obtaining all required licensing including TABC license(s);

Section 4. Authorization is conditioned upon Dealer and/or third party concession obtaining all required permits and being in compliance with all relevant City codes and ordinances;

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

Section 6. This Resolution shall be effective from and after the date of adoption.

PASSED, APPROVED and ADOPTED on this 2nd day of November, 2021.

THE CITY OF SAN ANGELO

_____

Brenda Gunter, Mayor

ATTEST:

_____

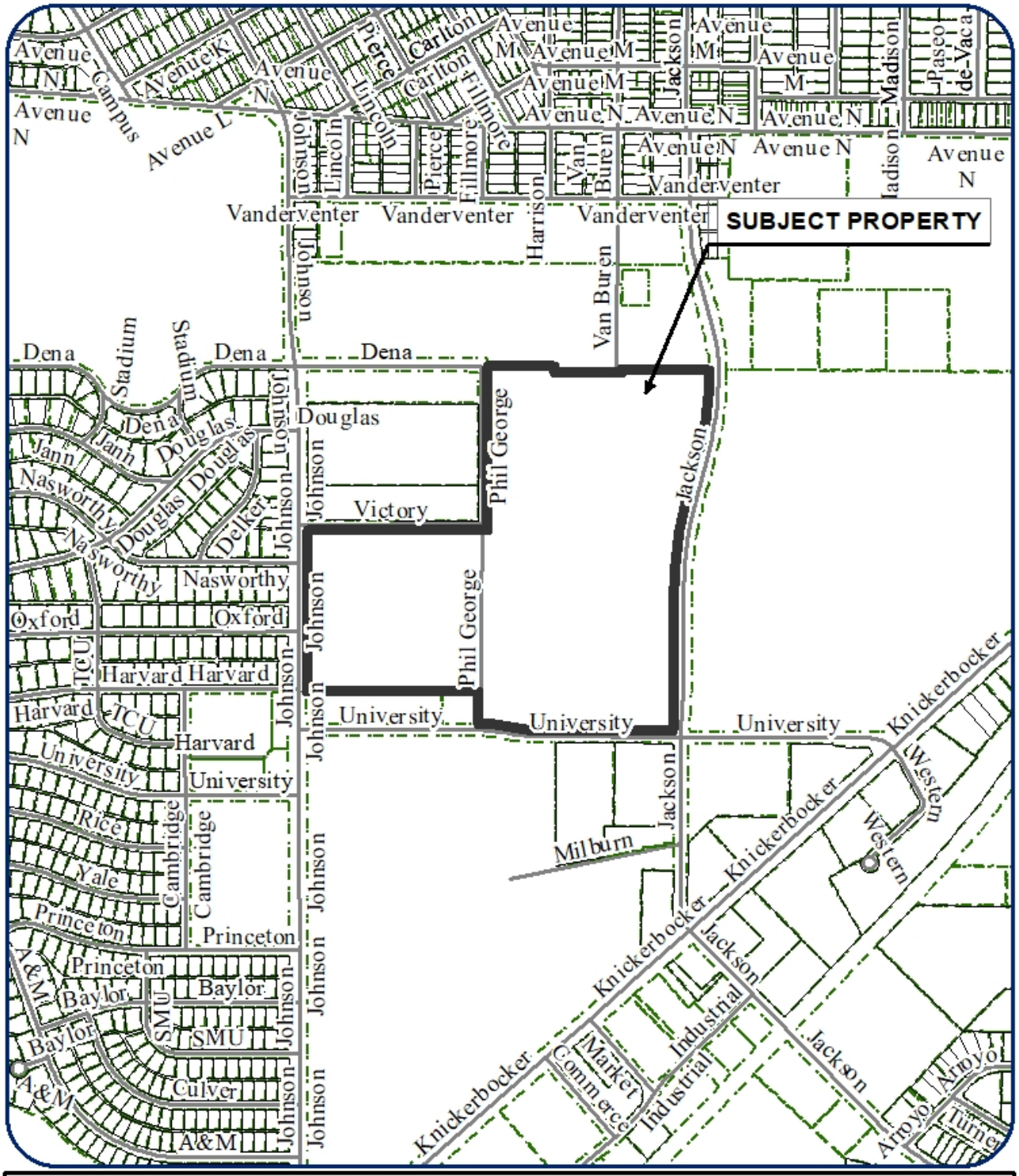
Julia Antilley, City Clerk

Approved as to Form:

_____

Theresa James, City Attorney

Exhibit "A"



Variance from Alcohol Sales Setback

Angelo State University

Council District: Lane Carter - District 5
Neighborhood: ASU - College Hills
Scale: 1 " approx. = 700 ft

2235 S. Jackson St.

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: N/A
Vision: Campus/Instutitional

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider authorizing the Fire Department to enter into a Service Agreement with US Digital Designs to maintain and service the Fire Station Alerting system for one year with the option to extend for four one-year terms at $35,092.37 annually (Patrick Brody)

Staff Recommendation:

Approve

Summary/History:

The Fire department is requesting authorization to enter into a service agreement contract with US Digital Designs for the purpose of maintaining and servicing our Fire Station Alerting system. The contract is a one year term with the option to extend 4 additional one year terms. The costs associated with this contract are $35,092.37 annually (5 year total $175,461.85).

Funding Source(s):

Financial Impact:

Annual service agreement costs budgeted for in operational account:
101-9000-422-03.32 in the amount of $35,092.37.

Five year contract amount $175,461.85.

Other Information/Recommendation:

Attachments:

Presentation:

Patrick Brody

Approvals/Reviews:

Patrick Brody	Created/Initiated
Brian Dunn	Approved
Bucky Hasty	Approved
Theresa James	Approved

Jeff Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Consider a resolution allowing the Fire Department to accept a donation of one Kestrel 3000 pocket weather meter from Texas Forest Service, with an estimated value of $159 (Johnny Fisher)

Staff Recommendation:

Approve

Summary/History:

Texas Forest Service has donated a Kestrel 3000 pocket weather meter to the Fire Department. This item will be used for our Texas Intrastate Fire Mutual Aid System deployments (TIFMAS). The estimated value of this donation is $159.00.

Funding Source(s):

Financial Impact:

There is no fiscal impact for this item.

Other Information/Recommendation:

Attachments:

1. Resolution Accepting donation of Kestrel 3000 pocket weather meter — Resolution Accepting donation of Kestrel 3000 pocket weather meter.docx

Presentation:

Johnny Fisher

Approvals/Reviews:

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

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL ACCEPTING A DONATION OF A KESTREL 3000 POCKET WEATHER METER FROM THE TEXAS FOREST SERVICE WITH AN ESTIMATED VALUE OF $159

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

WHEREAS, the Texas Forest Service wishes to donate to the City of San Angelo Fire Department a Kestrel 3000 pocket weather meter with an estimated value of $159; and

WHEREAS, the donation will enhance the mission of the San Angelo Fire Department.

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

Part 1: That the City of San Angelo hereby accepts the donation of the Kestrel 3000 pocket weather meter from the Texas Forest Service.

Part 2: That the donation shall be used solely by the San Angelo Fire Department.

PASSED and APPROVED THIS 2nd Day of November, 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: Kimberly Holle, Budget Manager, Fire Department, 325-657-4211

Meeting Date: November 2, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance to update the budget ordinance to modify the Fire department position classifications (Brian Dunn)

Staff Recommendation:

Approve

Summary/History:

The San Angelo Fire Department would like to change the classification of one of the Driver positions to that of Lieutenant. I have 2 Lieutenants and a Driver at the Training Center currently. If we change the Driver position to a Lieutenant we can place 1 Lieutenant which is an officer on each shift to help perform QA/QI (Quality Assurance Quality Inspection) on all PCR's (Patient Care Reports). The Texas Administrative Code (TAC) requires that EMS providers perform QA/QI on their runs to insure that the department is meeting the requirements set forth by the department and the state.

The salary difference is $9,036 per year. The assignment pay for these individuals will cover that difference and there won't be assignment pay for them since they are back on shift. There is a zero cost to the city we are just moving resources around for better efficiency. We hope that with better documentation our EMS revenues will experience a higher collection rate and generate more funds. Please review the attachment for duties the position will perform.

Funding Source(s):

Financial Impact:

There is no financial impact to the City, only a change in position counts. See Exhibit "D" for additional information.

Other Information/Recommendation:

This will adjust the authorized position counts for the Fire Department in Exhibit "D" of the budget ordinance.

Attachments:

1.	2021 10.19 Ordinance - Fire position counts	Ordinance Amendment Adding Fire Lt.docx
2.	Admin Lt	Admin Lt.docx

Presentation:

Brian Dunn

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Brian Dunn	Approved
Theresa James	Approved
Veronica Sanchez	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, TO DELETE A SAN ANGELO FIRE DEPARTMENT DRIVER POSITION AND ADD A LIEUTENATNT POSITION

WHEREAS, in the 2021-2022 adopted budget for the City of San Angelo, the City Council approved 50 Fire Engineers or Drivers and 20 Fire Lieutenants as shown on Exhibit D in the adopted budget, and

WHEREAS, the Chief of the San Angelo Fire Department wishes to reallocate positions within the Fire Department to allow for a Lieutenant to be on each shift to help perform Quality Assurance/Quality Inspection on all Patient Care Reports for the shift; and

WHEREAS, with the reduction in assignment pay for the positions, there will be zero cost to the City for this change.

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

The City's budget for fiscal year 2021-2022 be amended by changing **Exhibit "D"** as follows:

"Classification plan for authorized positions:

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	~~20~~21
Fire Engineer (or Driver)	~~50~~49
Fire Fighter	90
Fire Department – Civil Service Subtotal	**179**
Police Chief	1
Assistant Chief	2
Police Lieutenant	7
Police Sergent	28
Police Officer	142
Police Department – Civil Service Subtotal	**180**
Civilians	**616**
Total Staffing Levels	**975"**

(Signature Page to Follow)

INTRODUCED with public hearing on the 19th day of October 2021, and finally PASSED on this 2nd day of November 2021.

ATTEST:

_____
Julia Antilley, City Clerk

THE CITY OF SAN ANGELO, TEXAS:

_____
Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

_____
Tina Dierschke, Finance Director

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

ADMIN LIEUTENANT

- Responsible for QA/QI after Station Officers perform primary evaluation
- Responsible for delivering Training Center designated training to their individual shift
- Available to help Training Center with some training evolutions and skills performance on duty days (should be scheduled in advance)
- Assist with EMS supplies and inventory dispersion
- ISO (Incident Safety Officer)- Availability After Normal Hours
- Instructor 1
- Officer 1
- CPR Instructor
- Administer EMS competencies and specialized training
- Follows up and helps with ensuring compliance Fire/EMS
- Assists troubleshooting minor issues with ESO and hardware
- Triage Officer

A Lieutenant must apply and be selected for this position. This will be assigned by the Fire Chief's committee. The position will answer to the Assistant Chief of Operations.

The position shall not be a part of the minimum manning calculation.

One Admin Lieutenant shall be assigned to each shift.

Other duties may be assigned by the Fire Chief.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325-657-4210

Meeting Date: November 2, 2021

Item type: Regular Item

Caption:

Consider a resolution allowing the adjacent property owner to remove a tree in the public right-of-way adjacent to 17 W. Beauregard Ave. per Section 7.02.034 of the City Code of Ordinances (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Deny

Summary/History:

The applicant is in the process of purchasing 17 West Beauregard Avenue, currently owned by the International Association of Firefighters Local 886. The applicant is requesting permission from the City Council to remove the large tree in front of the property in the city right-of-way. Article 7.02.034 of the City Code of Ordinances gives full and complete control to the Mayor and City Council over all trees growing within the confines of the city limits which are outside of property lines of the respective lots, plots and tracts.

In the application, the applicant details reasons for the request, including that the tree roots are damaging the sidewalk and planter box as well blocking view of a future business sign. She has indicated that she is willing to plant a new tree in a different location if this request is approved (see additional correspondence).

Staff believes that the planter box and sidewalk could be repaired without having to remove the tree. A future sign would be visible to pedestrians and traffic from the west or east, just not looking straight at the property from the front. A projecting sign is allowed under the City's sign ordinance, which could give some additional visibility.

The City's Comprehensive Plan (adopted in 2003) and the Strategic Update (adopted in 2009) have policies that encourage streetscaping downtown, including street trees, as part of overall beautification efforts. In addition, street trees provide economic, climate, and other benefits, which is why staff is very hesitant to recommend removal of any street trees, especially in the downtown, without very good justification. Finally, this particular tree was planted decades ago and is a large, established tree, providing shade and beautification that would be hard to replace.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends denial of this request.

Attachments:

1.	17 W Beauregard Ave (Resolution)	17_W_Beauregard Ave (Resolution).docx
2.	17 W Beauregard Ave (Indemnity Agreement)	17_W_Beauregard Ave (Indemnity Agreement).docx
3.	Application for Tree Removal - final	Application for Tree Removal_final.pdf
4.	17 W Beauregard (Additional Correspondence)	17 W Beauregard (Additional Correspondence).pdf
5.	Owner Permission	Owner Permission.pdf
6.	aerial map	aerial map.pdf

Presentation:

Jon James

Approvals/Reviews:

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, TO ALLOW BABIASH SISTERS LLC TO REMOVE A CERTAIN TREE WITHIN THE WEST BEAUREGARD AVENUE PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Babiash Sisters, LLC is the owner of 17 West Beauregard Avenue located on the south side of West Beauregard Avenue between South Irving Street and South Chadbourne Street; identified as Part of Lots 13 and 18 in Block 8 of the San Angelo Addition to the City of San Angelo, Tom Green County, Texas (hereinafter referred to as the "Property"); and

WHEREAS, the Owner seeks to make improvements to the property and occupy the building for a retail store; and

WHEREAS, the Owner seeks to remove the existing tree and planter in front of the property in the West Beauregard Avenue right-of-way; and

WHEREAS, Section 7.02.034, San Angelo Code of Ordinances, gives full and complete control to the Mayor and City Council over all trees growing within the confines of the city limits which are outside of property lines of the respective lots, plots and tracts; and

WHEREAS, The Property is situated within an area that the Mayor and City Council have control over trees per Section 7.02.034, San Angelo Code of Ordinances; and

WHEREAS, in accordance with Section 7.02.034, San Angelo Code of Ordinances, the Owner requests permission from the City Council to remove that certain tree within the West Beauregard Avenue public right-of-way in front of the Property, and identified on Exhibits "A" and "B" attached hereto, in order to facilitate development of the Property.

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

Section 1. The City Council authorizes the Owner to remove that certain tree and planter box within the West Beauregard Avenue public right-of-way abutting the Property, as identified on Exhibits "A" and "B" attached hereto.

Section 2. This Authorization shall not extend permission to remove additional trees along public rights-of-way which abut the Property.

Section 3. Authorization is conditioned upon Owner providing the City of San Angelo with a tree replacement plan to the satisfaction of City Engineer and Planning Director that includes repair of the sidewalk, and one of the following: a) installation of a new tree and planter in the same location or different accepted location; b) installation of new greenery and smaller plants in the same location or different accepted location; or c) other landscape improvements as agreed upon by the Owner and City.

Section 3. Authorization is conditioned upon the Owner being responsible for all repairs and associated costs; and a final site inspection by City Operations;

Section 3. Authorization is conditioned upon Owner providing the City of San Angelo with an executed release and hold harmless agreement in substantially the form attached hereto.

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

Section 6. This Resolution shall be effective from and after the date of adoption.

PASSED, APPROVED and ADOPTED on this 2nd day of November, 2021.

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

ATTEST:

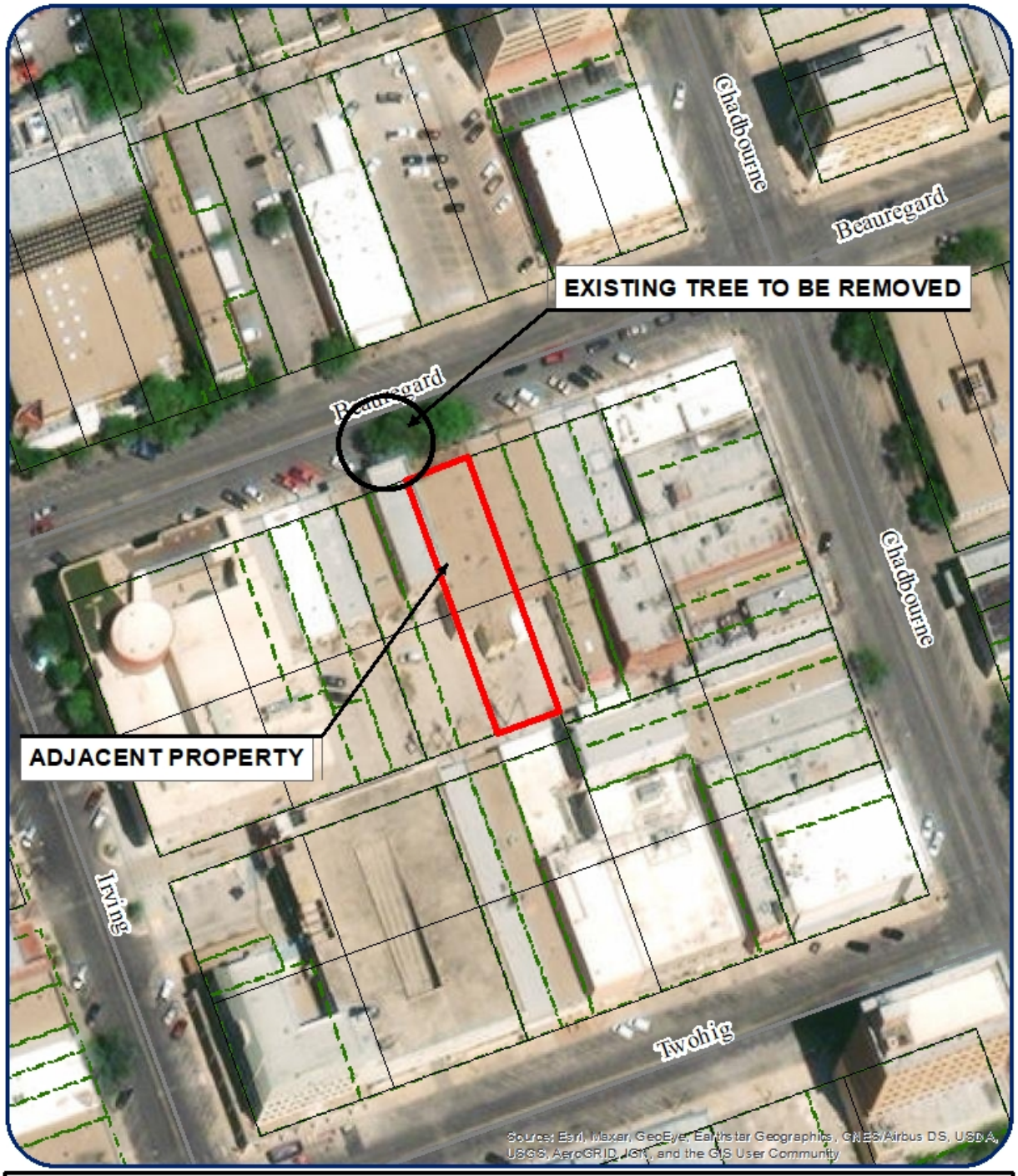
_____
Julia Antilley, City Clerk

Approved as to Form:

_____
Theresa James, City Attorney

Exhibit "A"

Tree to be removed along W. Beauregard Ave. R.O.W.



Tree Removal in City Right-Of-Way

Babiash Sisters LLC

Council District: Harry Thomas - District 3
Neighborhood: Downtown
Scale: 1 " approx. = 89 ft

17 W. Beauregard Ave.

Legend

Subject Properties:
Current Zoning: CBD
Requested Zoning Change: N/A
Vision: Downtown

N

Exhibit "B"

Tree location

RELEASE OF LIABILITY, HOLD HARMLESS AND INDEMNITY AGREEMENT

Releasor: Babiash Sisters, LLC

Releasee: City of San Angelo, Texas, and its council members, board and commission members, officials, agents, guests, invitees, consultants and employees

Premises: Sidewalk area and street right of way along West Beauregard Avenue, adjacent to Property owned by Releasor addressed as 17 West Beauregard Avenue, and described as Part of Lots 13 and 18 in Block 8 of the San Angelo Addition to the City of San Angelo, Tom Green County, Texas.

Warranty: The undersigned warrants that they have the proper authority to execute this Release of Liability, Hold Harmless and Indemnity Agreement.

Purpose: Releasee is providing consent in the form of a Resolution of the City Council for the City of San Angelo, for Releasors to remove a tree in the public sidewalk area and street right-of-way adjacent to Releasor's property (the "Benefit").

Consideration for Release: In consideration for receiving the above-described consent from the Releasee for the Benefit, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Releasor agrees not to sue Releasee, releases Releasee from any liability, and agrees to hold harmless and indemnify Releasee as herein provided.

Covenant Not to Sue and Release: Releasor hereby COVENANTS NOT TO SUE Releasee, and WAIVES, RELEASES and DISCHARGES Releasee from any and all liability, penalty, claim, demand, action and cause of action whatsoever arising out of or relating to any loss, property damage, personal injury or death that may be sustained by Releasor, or Releasor's officers, employees, agents or contractors, WHETHER OR NOT CAUSED BY THE NEGLIGENCE OF THE RELEASEE, or otherwise, in the performance of the described Benefit.

Indemnification: Releasor further AGREE TO INDEMNIFY AND HOLD HARMLESS the RELEASEE from any claim, loss, liability, damage or costs, including court costs and reasonable attorney's fees, that may be incurred by Releasee or due directly or indirectly to performance by Releasee of the Benefit referred to hereinabove, WHETHER CAUSED BY THE NEGLIGENCE IN WHOLE OR PART OF THE RELEASEE, or otherwise.

DATED and effective from and after _____ day of_____ _____, 2021.

Signatures on following page.

RELEASOR:

Babiash Sisters, LLC

By:_____ _____

Michelle Babiash,
Managing Partner

_____

October 7, 2021

To Whom It May Concern,

We are requesting a tree be removed at 17 W. Beauregard.

We have several reasons why we feel that it is important to remove the tree:

- The current trees roots are causing the sidewalk to be uneven in several places, therefore, making the sidewalk a hazard to those walking by and those who would potentially come into the building. For someone in a wheel chair the uneven sidewalk would make a wheel chair very hard to maneuver even with or especially without the aid of another person.
- The planter that is around the tree is broken and cracked, aesthetically, it looks bad but most importantly, the planter is also used at times for a garbage can, a bed and a toilet.
- The tree is blocking the view of the entrance of the building from those passing by whether on foot or in car, as well as those dining at Zero One Ale House.
- The tree casts a shadow over the store front , making the entrance dark with visibility almost none. The tree also casts a shadow over sidewalk, making the uneven concrete even more of a hazard.
- The tree is in the way of having any kind of sign that would be visible and for retail space, having signage and a beautiful store front is imperative to retail space. The tree blocks the store front with its trunk, as well as the top of the building that ordinarily would house a sign. It is close to the building so a sign and/or an awning would not fit and/or be seen.

Our intent is to open a frozen yogurt/candy store. With the renovation of several stores along Beauregard and the newly redone Chadbourne Street, we are excited to bring another great element to Downtown San Angelo. Our research has shown that a beautiful, bright store front with easy to see signage is critical to retail sales. We have spoken with our SBDC advisor and it is of their opinion that a well-lit, visible space is essential to a successful retail business. We have had a local tree expert come out to take a look. It is of their opinion that even if we trim the tree, it will still block the view of the entrance (the diameter of the trunk is about three feet). Because there are so many large limbs, the tree will still cast a shadow of the entrance, front and sidewalk and be too close to the front of the building for a sign/awning.

We know that trees are important to our environment and we will do our part to use plants and greenery to replace what we took out (in a smaller manner). We also know that to have a vibrant downtown, it needs to consist of buildings that are being used and not vacant. It needs to have a variety of things that will bring locals and visitors downtown. With a library,

restaurants, art, lodging, retail, a yogurt/candy store will just add another great reason for people to visit our great downtown.

I would not request this if I did not truly feel that the tree would not hinder our business; from a safety point of view, as well, as a monetary point of view. I hope that you can trust us from our past business ventures, that we have done the research and we strongly believe that we cannot achieve our goals with the existing tree. We want this business to be just as successful as our others and to be another great reason for visitors to come downtown.

I have attached:

Storefront research

Photos of existing tree, planter, uneven sidewalk and the front of building

A sketch we have had done by Henry Schmidt (this is not totally completed yet). We will be adding planters to the front entrance that will have greenery in them

A photo of what we'd like for the building front to look like and an idea of what the interior of the store will look (photos from Pinterest)

Thank in you advance for your help with this,

Michele Babiash

(325) 277-2915

THE POWER OF SUCCESSFUL STOREFRONTS

There is no doubt first impressions count when creating customer relationships, and for retail businesses your storefront often represents that critical first point of contact. Everyday, countless people walk our streets and malls, passing hundreds of stores. And every storefront is competing for the attention of those potential customers—the goal of your storefront design is at best to beckon buyers inside, or at least to create a memorable impression that triggers a future visit. A striking storefront sign can make the difference between a successful and unsuccessful business.

www.clearleddisplays.com/blog/post/9/The_importance_of_storefront_branding/

First Impressions – The Importance Of Storefront Design In Attracting Customers

Like in any new relationship first impressions count, only one shot to make a great one. As a business, this step is critical in the acquisition of new customers. Customers today, in most cases, have multiple choices when looking to buy a product. So, your business must stand out, but it must also maintain that experience in every store.

The storefront is the first and last opportunity your business has to convert that passerby into a customer. If your storefronts are poorly designed, differ from one another or offer little in the way of a 'preview', then that customer is given no reason to come inside.

Visibility is key.

Most storefronts aren't next to the carpark where a potential customer is going to leave their vehicle. Often times, it's quite a distance away, as well as adding the fact the car park isn't very well lit. For your stores one of the most important aspects of design should be visibility. Lighting is critical to the success of attracting new customers. Use a tried and tested approach and design when it comes to lighting.

www.youngupstarts.com/

The Importance of Storefront Setup for Your Retail Business

by Sarah Kaminski 3 min read May 7, 2020

MARKETING

Because of the immense popularity of online shopping, you may find yourself underestimating the power of your storefront. However, think of it this way: how many times have you drifted into a shop just because the window display caught your eye? If you found yourself thinking that you do that frequently, that is exactly the point. You should never undersell your storefront, as it is one of the most efficient ways to draw in new customers.

Attract Window Shoppers

Window shoppers are incredibly common – after all, people like to just stroll around the street or the mall and check out what's in store. People who are waiting for someone are also very likely to keep themselves occupied by glancing into different stores, and making a good impression on them is the best way to draw them in.

Some people walk in just to browse but end up making a purchase, and others will remember what they have seen and will come back when they have the funds to make a purchase. Either way, you want to make sure you get people inside your store so that you can make sales to them.

Introduce Yourself

Even people who have never heard of your brand or have never seen you online will be drawn into your store by a great storefront display. Because your advertising methods are not reaching them any other way, it is essential that you use the time they are in your store to make an incredible impression on them and make them remember you. Don't make the mistake of believing that you need to be famous for people to stop by and take a look – your displays will do more for attracting street crowds than any online ad can.

Your Own Advertising

Your storefront is your best advertisement, so instead of investing in a lot of other marketing channels, you can invest a bit more time and effort in your storefront, especially if you are located in an area with heavy foot traffic. Even if that's not the case, you should still make an effort to catch the eyes of passersby and let them know you are there.

Keep it Visible

One of the most important aspects of creating an attractive storefront is lighting it well. You'll need to find a way to balance the atmosphere you want to create with a clear display that accentuates the products you are selling. Along with the products, you will also want to make sure that signs promoting discounts are clear.

When designing your storefront, you will also want to keep in mind the demographic that you are trying to appeal to. Something colorful will more likely attract a younger audience, while a chic and classic design will appeal to an older demographic.

Get Creative

If your store is set among a host of other shops, you will need to do something to stand out in the crowd and catch people's eye. You can try out a thematic design that will highlight certain items you have in stock or you can add an extra entertainment element and have real models in the windows, wearing your clothes or sitting on your furniture.

Anything goes, as long as it is in line with your brand voice.

Keep it Consistent

When changing your displays, make sure you do so at every location you may have as well as your website. By doing this, you will send a consistent message to all of your shoppers at the same time.

You don't want someone to walk into one of your stores and be greeted by a completely different atmosphere than they've faced the same day at a different

location. You want your shoppers to remember you, but you don't want that memory to be on of confusion because you sent mixed messages with multiple different displays.

Final Thoughts

Your storefront is an amazing space that you can use not only to display your products, but also to get to know your shoppers and interact with them. Get a little bit creative with your designs, try out different things, and see how your customers react. Don't just shove anything in your display, hoping for the best, and don't try to copy someone else either. As long as you are true to yourself and utilize your window space well, you should have no trouble attracting the right crowd.

short url:
https://bsng.us/8is

by Sarah Kaminski // Sarah Kaminski is a freelance writer and social media marketer. She works with a number of small businesses to build their brands through more engaging marketing and content.

https://businessingmag.com/11044/marketing/storefront-setup

Store Appearance is Critical to Retail Sales

- February 9, 2016

A store's physical appearance matters — and it does so significantly, according to several recent consumer surveys. The data shows that consumers form an opinion of a business based on physical presence, which heavily influences their decision whether or not to shop at a location.

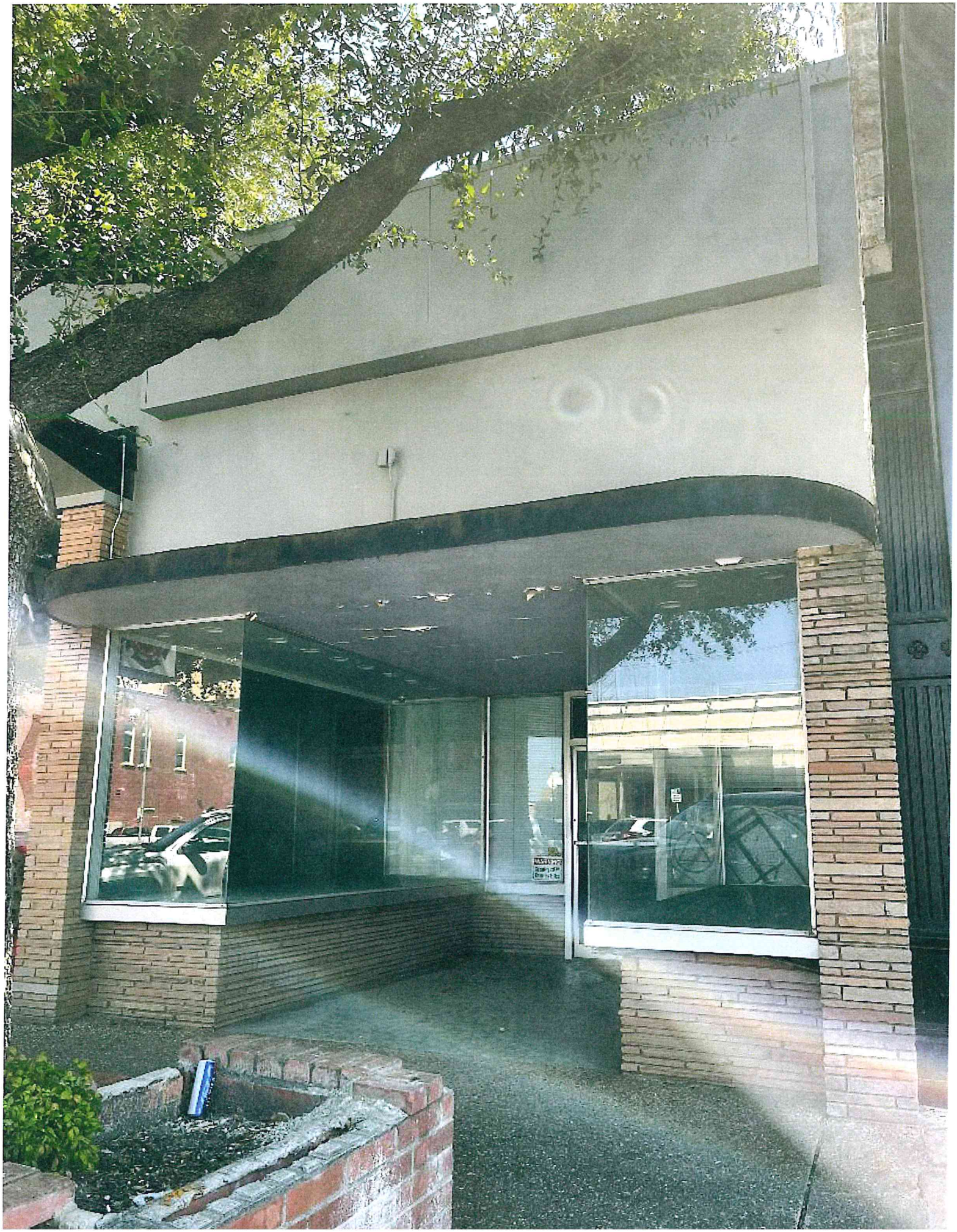
With 95% of consumers reporting that exterior appearance is important in selecting a store to shop, the survey results suggest that retailers across the board, from restaurants to big-box outlets, should focus on the external presentation of their location to ensure there are satisfied customers inside.

More than two-thirds of consumers say they have avoided a place of business based on its external appearance, which could drastically impact your company's bottom line.

So what can you do to ensure your customers return and have a positive impression? At the very least, your organization should evaluate the external presentation of your stores as part of you overall marketing efforts. And ask yourself these three questions:

- What message is our business sending to potential customers?
- Are we turning potential customers away without knowing it?; and
- Is the environment of our location consistent with our target customers' expectations?

We've created this useful graphic to illustrate the findings in this survey:



From:	michele babiash
To:	Fisher, Jeff; James, Jon
Cc:	director@dtsa.org
Subject:	17 W Beauregard
Date:	Monday, October 25, 2021 3:46:55 PM

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

I am requesting the tree in front of 17 W Beauregard be removed. There are several safety issues with the tree and the issues that it is causing. The roots are causing the sidewalk to crack and be uneven in several places. I have sent photos but if you have not been out to the location, please take the time to walk it yourself. The sidewalk is unsafe for someone who is just walking along with no child or health issues. However, if you were pushing a stroller or in a wheelchair, the concerns are even more. In some places the sidewalk differs in height so much that you cannot push a stroller without having to lift the front end over the raised concrete (I have witnessed a lady pushing a stroller and it coming to an abrupt halt because of the sidewalk, the child was jerked inside the stroller and the lady got the handle of the stroller plunged into her stomach). There is no way a person in a wheelchair could maneuver over the sidewalk safely. From an ADA standpoint I am certain that this would not pass. If a person in a wheelchair was cruising along and got stopped on the uneven concrete, they could possibly fall face forward, chair and all, if they were strapped in or fall out of the chair if they were not strapped in. From an insurance company perspective, I am expecting this to be a huge issue. I am not certain if an insurance company will insure a business in this location with the sidewalk the way it is.
I have attached a video of someone trying to maneuver an uneven sidewalk in a wheelchair, as you can see this is a huge concern.

https://www.way2gocortland.org/post/sidewalk-challenges-highlighted

Sidewalk challenges highlighted - way2go

Cortland resident Crystal Brehm navigates her wheelchair along local sidewalks with a smile on her face that belies the danger many of them pose to her. Brehm, 40, who has Multiple Sclerosis and Cerebral Palsy and has used a wheelchair as her only source of mobility since

www.way2gocortland.org

Per the Firemans Association, a few years ago someone tripped on the sidewalk and a broke a hip. Not that long ago a lady fell on the uneven sidewalk and broke her arm.

I realize that trees are important and I do not take this lightly. With keeping the safety of pedestrians in mind, I feel very adamant about the fact that we need to remove the tree.

I have other reasons to believe that removing the tree would be best but above all safety is my number one concern. We will be planting another tree and are open to ideas as to where we can do that.

As you all know, I love downtown and I don't do things on a whim when it comes business decisions. I have researched, taken photos, sit and watched people walk that stretch of sidewalk. In my opinion after weighing the options, I feel strongly that taking the tree out in front of 17 W Beauregard is the best option for the safety of our community.

I appreciate your time and consideration,

Michele Babiash

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

From: michele babiash
To: Fisher, Jeff; James, Jon
Subject: 17 W Beauregard
Date: Monday, October 25, 2021 2:41:22 PM

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

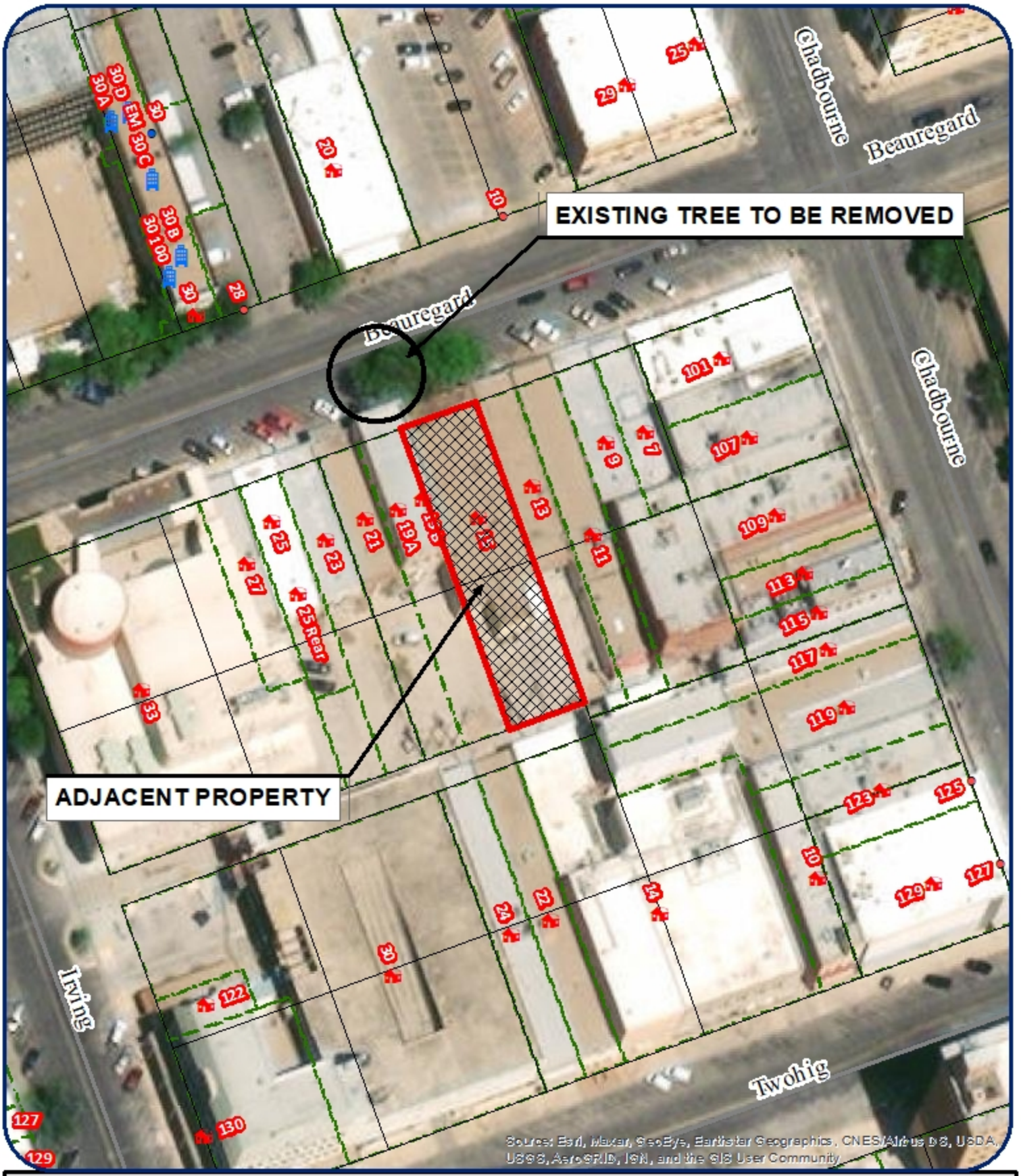
From: San Angelo FF Association <saffa.local886@gmail.com>
Date: October 24, 2021 at 2:53:48 PM CDT
To: Jody and Michele Babiash <ocfirehouse@hotmail.com>
Subject: Re: Tree Removal

As the current owner of 17 W. Beauregard, the San Angelo Fire Fighters Association gives permission to Babiash Sistrs LLC' to remove the tree in front of the building.

Mason Matthews
President
San Angelo Firefighters Asoocitaion

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary,

privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.



Tree Removal in City Right-Of-Way

Babiash Sisters LLC

Council District: Harry Thomas - District 3
Neighborhood: Downtown
Scale: 1 " approx. = 75 ft

17 W. Beauregard Ave.

Legend

Subject Properties:
Current Zoning: CBD
Requested Zoning Change: N/A
Vision: Downtown

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325-657-4210

Meeting Date: November 2, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z21-12, a rezoning from the Neighborhood Commercial to the General Commercial zoning district, being approximately 0.209 acres, located at 3017 Southwest Blvd. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Approve

Summary/History:

The applicant has submitted an application for a zone change from CN to CG to allow a more intensive commercial use of the property. The requested General Commercial district is consistent with the existing zoning adjacent to the property both to the north and west of the subject property.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On October 18th, 2021, the Planning Commission recommended approval by unanimous vote, 6-0.

Attachments:

1.	Staff Report (Z21-12) - CC	Staff Report (Z21-12) - CC.docx
2.	Ordinance (Z21-12)	Ordinance (Z21-12).docx

Presentation:

Jon James

Approvals/Reviews:

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

STAFF REPORT: Z21-12

Planning Commission: October 18, 2021
City Council 1st reading: November 2, 2021
City Council 2nd reading: November 16, 2021

APPLICATION TYPE:	CASES
Zone Change	Z21-12: 3017 Southwest Blvd.

SUMMARY:

The applicant has submitted an application for a zone change from CN to CG to allow a more intensive use of the property. The requested General Commercial district is consistent with the existing zoning adjacent to the property both to the north and west of the subject property.

LOCATION:	LEGAL DESCRIPTION:
3017 Southwest Boulevard	Lot: 8, Blk: 12, Subd: COLLEGE HILLS WEST ADDN, SECTION 6 BLOCK 12 REPLAT *SMOKERS

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
District #6 – Larry Miller Sunset Neighborhood	CN to CG	Commercial	0.209 acres

NOTIFICATIONS:

12 notifications for Z21-12 were mailed on September 29, 2021 to properties within a 200-foot radius of the subject property.

STAFF RECOMMENDATION:

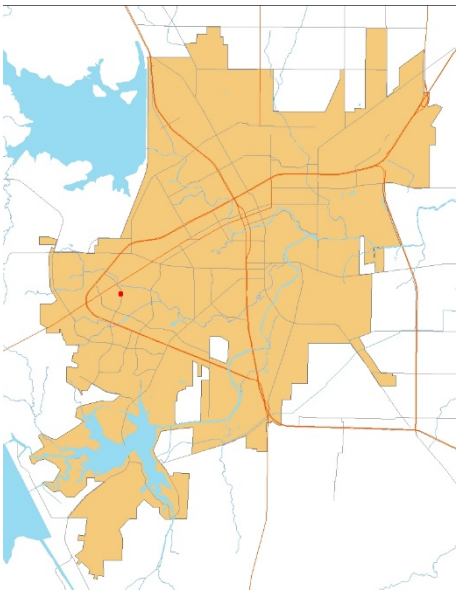
Staff recommends **APPROVAL** of a zone change from Neighborhood Commercial (CN) to General Commercial (CG) for the lot located at 3017 Southwest Boulevard, 0.209 acres in size.

PROPERTY OWNER/PETITIONER:

Property Owner: Allen Jenkins
Applicant: SODO Management Inc.

STAFF CONTACT:

Rafael Alvarado
Planner
(325) 657-4210, Extension 1533
rafael.alvarado@cosatx.us



Comprehensive Plan Amendments and Zone Changes: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 below.

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 would not have any implication on the comprehensive plan due to the current future land use (Vision Plan) already identified as commercial. The vision plan corresponds with the intended commercial use.

2. **Consistent with Zoning Ordinance.** ***Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*** The proposed zone change would incur a change on the 3017 Southwest Blvd property from a Neighborhood Commercial (CN) district zone to a General Commercial (GC) district zone. This change would increase the intensity and level of commercial activity that this lot would be subject to. The maximum and minimum standards for CG district zone would already be met since the lot meets the requirements for the CN district zone, which has the same lot size requirements (sec. 502 in Exhibit A: Zoning Ordinance).

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 CG zone will be compatible with the adjacent land uses. This is especially true considering that currently the CN zones total 1.93 acres and would be reduced to 1.72 after the proposed change. Meanwhile, the adjacent CG district zone is approximately ~65 acres making it the dominant land use in this area. This change is consistent with the future land use designation of commercial as well.

4. **Changed Conditions.** ***Whether and the extent to which there are changed conditions that require an amendment.*** The increase in maximum district standards open up the opportunity for the lot to an increase in use, size, and intensity.

5. **Effect on Natural Environment.** ***Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*** Staff does not anticipate any negative environmental impacts. The increase in commercial intensity would open up the possibility for more uses. There is also no intended outdoor use, therefore its noise would be contained within the establishment.

6. **Community Need.** ***Whether and the extent to which the proposed amendment addresses a demonstrated community need.*** Increasing the commercial activity in this area across the street (Southwest Boulevard) from the residential district (RS-1) would allow a wider range of commercial uses, potentially bringing missing amenities to the 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.*** Changing the zoning district for this property would not have a significant development change since it would merely match the larger adjacent

CG district predominant in the area. Furthermore, as sec. 304 in Exhibit A: Zoning Ordinance states, the intent of the CN district zone is to serve relatively small residential zones and the routine commercial needs of these areas. The Sunset neighborhood can possibly be considered as a relatively small residential neighborhood since it is flanked by minor arterials on either side (Southwest Blvd to the West and S College Hills Blvd to the East). Nevertheless, it is adjacent to neighborhoods ASU – College Hills to the north and Vista del Arroyo to the East. Thus, the collection of residential areas should not have an implication on the intensity of commercial uses along the fringe of this residential core. Lastly, the connectivity in the roadway is adequately serviced by the minor arterial Southwest Blvd.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** of a zone change from Neighborhood Commercial (CN) to General Commercial (CG) for the lot located at 3017 Southwest Boulevard, 0.209 acres in size.

Attachments:

- Aerial Map
- Zoning Map
- Vision Plan Map (Future Land Use)
- Public Notice Map
- Site Visit photo: front
- Site Visit photo: front right
- Site Visit photo: rear right
- Site Visit photo: rear left
- Site Visit photo: front left

Zone Change

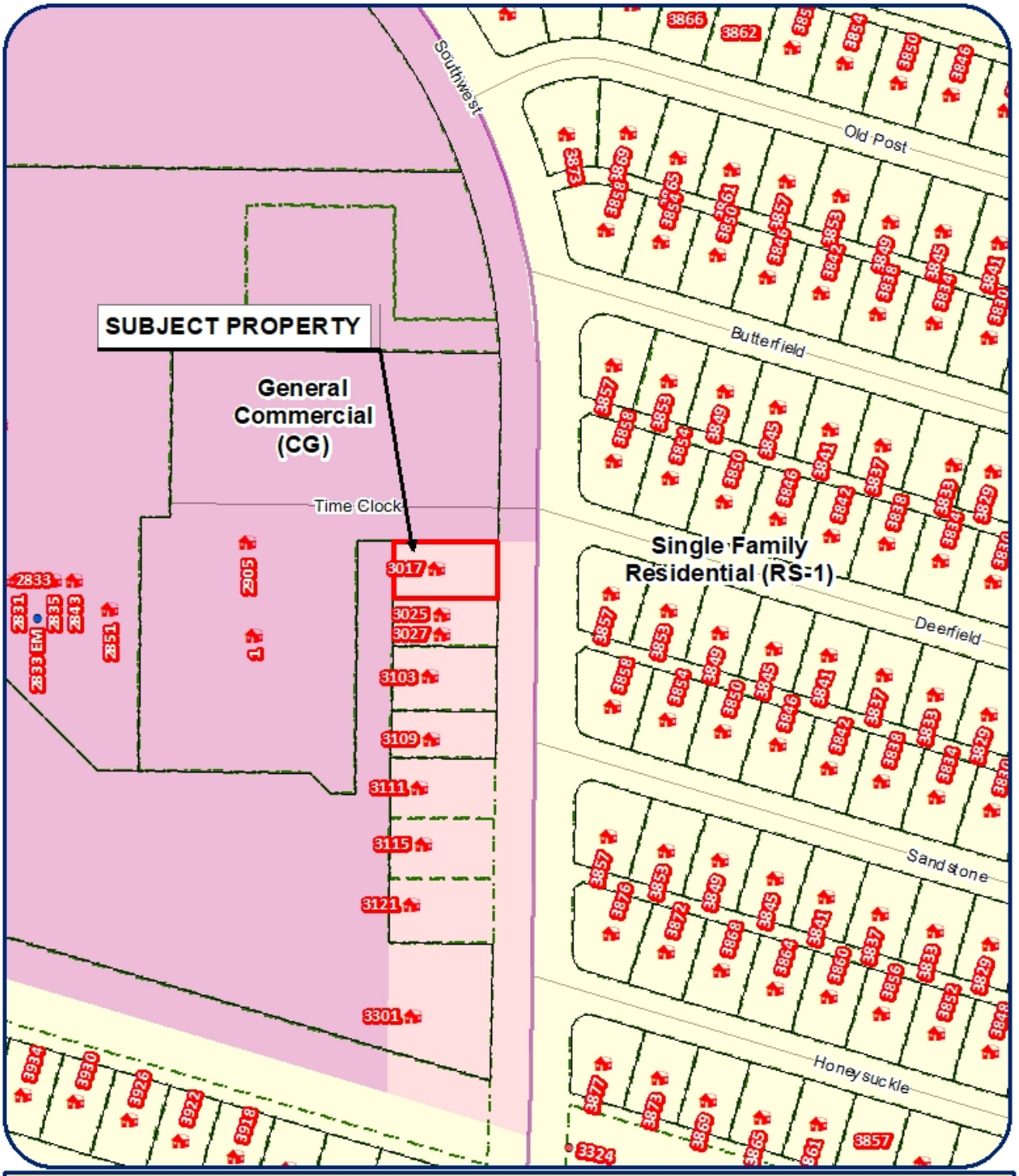
Z21-12: 3017 Southwest Boulevard

Council District: Larry Miller - District 6
Neighborhood: Sunset
Scale: 1 " approx. = 157 ft

Legend

Subject Properties:
Current Zoning: CN
Requested Zoning Change: CG
Vision: Commercial

N



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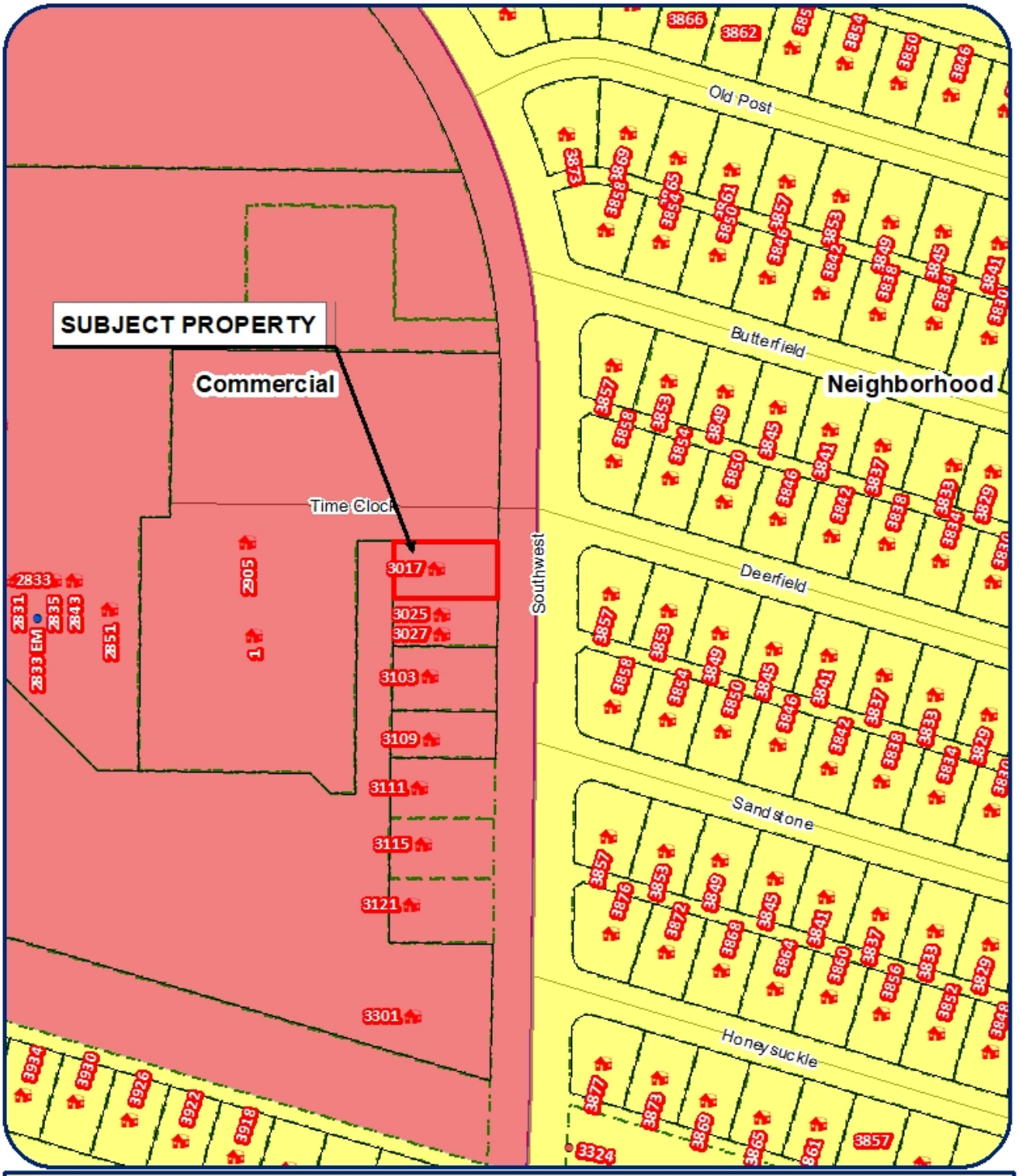

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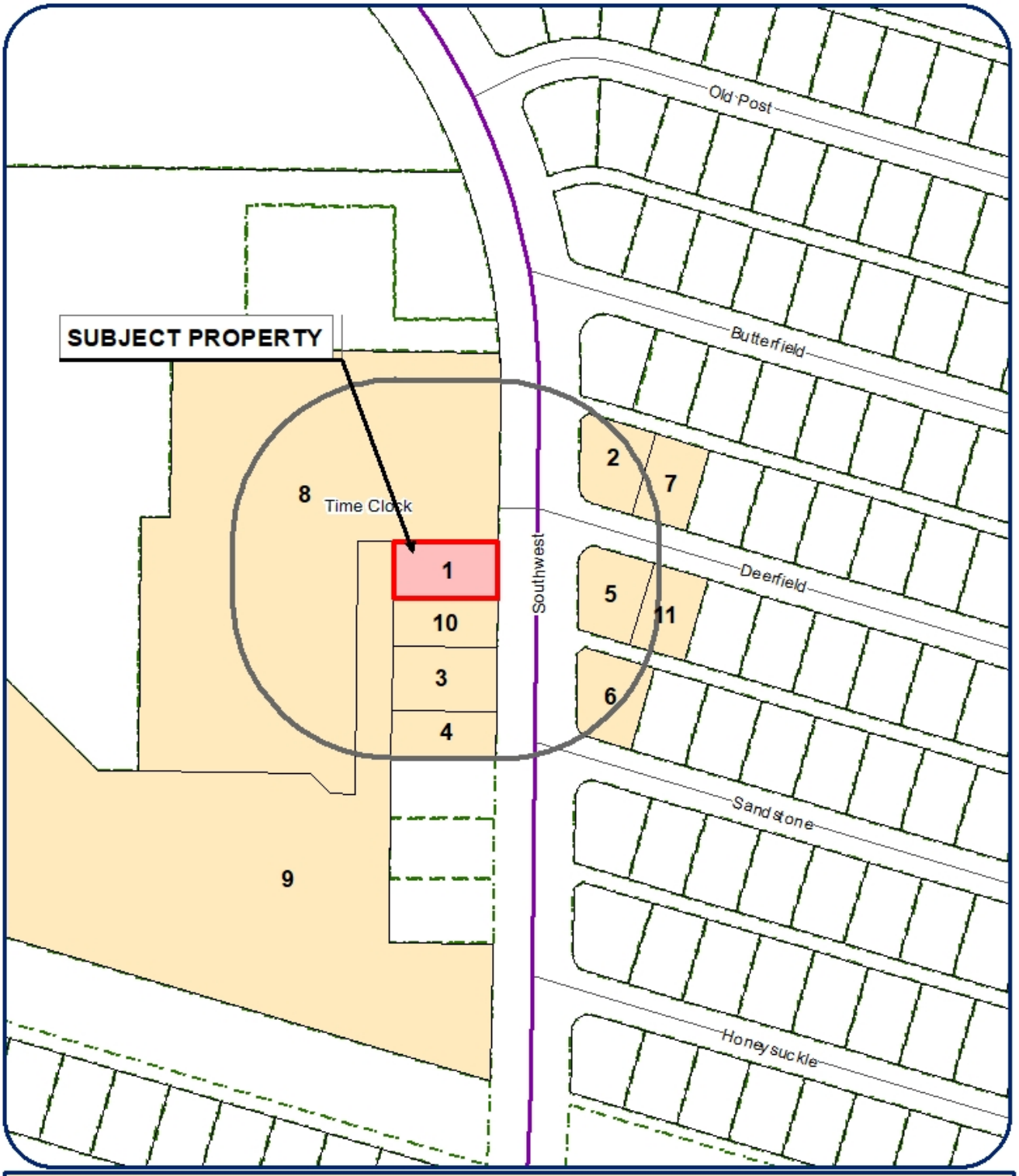


Zone Change

Z21-12: 3017 Southwest Boulevard

Council District: Larry Miller - District 6
Neighborhood: Sunset
Scale: 1 " approx. = 157 ft

Legend

Subject Properties:
Current Zoning: CN
Requested Zoning Change: CG
Vision: Commercial

N

Photos of Site and Surrounding Area

Discount Tobacco Imported Cigars
Beer / Wine TO GO
OPEN
3017
NOTICE
Zoning Request Pending
(972) 557-4210
WARNING

Discount Tobacco Imported Cigars
Beer / Wine TO GO
3017
OPEN
OPEN

TREMOR

Discount Tobacco
Imported Cigars
Beer / Wine TO GO
OPEN
3017

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: **3017 SOUTHWEST BLVD, BEING A TOTAL OF 0.209 ACRES;** FROM THE NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-12: 3017 Southwest Boulevard

WHEREAS, on the 18th day of October, 2021, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed General Commercial (CG) Zoning District; and,

WHEREAS, on the 2nd day of November, 2021, City Council held a public hearing on Z21-12, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real properties located at 3017 Southwest Boulevard, being Lot 8 in a Re-plat of a part of block 12, section 6 College Hills West Addition to the 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 in **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 **2nd day of November, 2021,** and finally PASSED, on this the **16th day of November, 2021.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

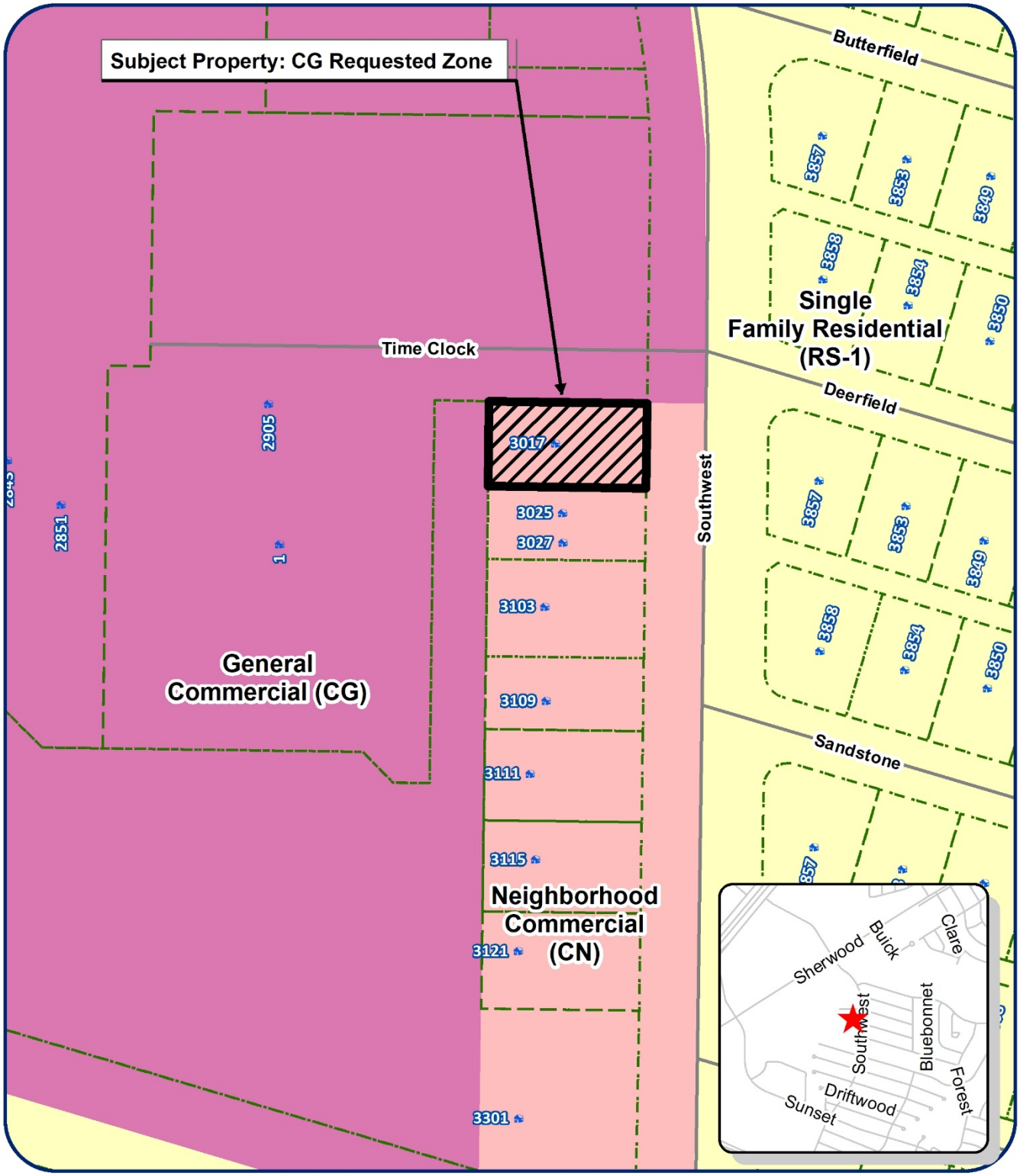
ATTEST:

APPROVED AS TO FORM:

_____
Julia Antilley, City Clerk

_____
Theresa James, City Attorney

EXHIBIT A



Zone Change Map

Z21-12: 3017 Southwest Boulevard
Council District: Larry Miller - District 6
Neighborhood: Sunset
Scale: **1 " approx. = 104 ft**

Legend

Subject Properties:
Current Zone District: **CN**
Requested Zone District: **CG**
Vision Plan: **Commercial**

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 2, 2021

Item type: Regular Item

Caption:

Consider the following:
1. Ratifying the Development Corporation's resolution approving a project under Chapters 501 and 505 of the Texas Local Government Code utilizing Sales and Use Tax funds in an amount not to exceed $3,000,000 to fund improvements to airport facilities, including the GTE Hangar, pursuant to a public-private partnership agreement with Skyline Aviation, Inc., and authorizing the Board President to negotiate and execute all related documents; and further authorizing the following in conjunction with the project:
a. Appointing the Director of Economic Development or their designee to act as the Development Corporation's authorized representative under the public-private partnership agreement with Skyline Aviation, Inc.; and
b. Authorizing COSADC Board President to negotiate and execute a lease agreement between the Development Corporation and the City of San Angelo for lease of the property located at 8534 Hangar Rd.; and
c. Pursuant to Section 505.1561 of the Texas Local Government Code, authorizing the COSADC Board President to negotiate and execute a lease agreement between the Development Corporation and Skyline Aviation, Inc. for sublease of the property located at 8534 Hangar Rd.
2. Authorizing the City Manager to negotiate and execute a lease agreement between the Development Corporation and the City of San Angelo for lease of the property located at 8534 Hangar Rd. (Presentation made by Economic Development Director Guy Andrews)

Staff Recommendation:

Approve

Summary/History:

Skyline Aviation, Inc. is a fixed-base operator at the San Angelo Regional Airport. Skyline requested Economic Development Assistance to rehabilitate infrastructure at San Angelo Regional Airport. Staff negotiated with Skyline and determined that a Public-Private Partnership (P3) is a feasible approach for this project.

The Project will include:
- Renovation of the GTE Hangar (8534 Hangar Road)
- Construction of a new general use parking lot
- Construction of a new rental car parking lot
- Rehabilitation of the commercial apron next to the Hangar
- Construction of office and conference space next to the Hangar

Under the Development Agreement, Skyline will assume responsibility for the Project costs and serve as Construction Manager At-Risk. COSADC will reimburse eligible project expenses up to $3,000,000. Skyline Aviation agreed to provide a minimum funding match of $1,500,000 for this project.

Under the Development Agreement, the Board of Directors would delegate an Authorized Representative from COSADC

to approve documents related to the project on behalf of the Corporation.

Further, under Chapter 505 of the Texas Government Code, the Development Corporation will enter into an Agreement with the City of San Angelo to acquire a leasehold interest in the GTE Hangar and will subsequently sublease the property to Skyline Aviation, Inc. as required under the Act. We will divide revenue with the City of San Angelo until $1,000,000 is repaid to the Corporation, after which time the City will take over the lease and retain 100 percent of the proceeds.

Funding Source(s):

Financial Impact:

The total project cost will not exceed $3,000,000 of sales and use tax funds.

Other Information/Recommendation:

Staff recommends authorizing the use of sales tax funds in an amount not to exceed $3,000,000 for the aforementioned project, authorizing the Board President to negotiate and execute all necessary documents and further authorizing the following in conjunction with the Project: Appointing the Director of Economic Development or their designee to act as the Development Corporation's authorized representative under the public-private partnership agreement with Skyline Aviation, Inc.; and Authorizing execution of a lease agreement between the Development Corporation and the City of San Angelo for lease of the property located at 8534 Hangar Road, San Angelo, Texas 76904; and Pursuant to Section 505.1561 of the Texas Local Government Code, authorizing execution of a lease agreement between the Development Corporation and Skyline Aviation, Inc. for sublease of the property located at 8534 Hangar Road, San Angelo, Texas 76904.

Attachments:

Presentation:

Guy Andrews

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Approved
Brandon Dyson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Charles Michalewicz, Engineer, Public Works, 325-657-4201

Meeting Date: November 2, 2021

Item type: Regular Item

Caption:

Presentation of the Master Drainage Plan findings by HDR Engineering and possible direction (Presentation made by Public Works Executive Director Shane Kelton and HDR Engineering Program Manager Curtis Beitel)

Staff Recommendation:

Direction from Council

Summary/History:

In 2000, the City developed a Master Drainage Plan that assessed the city's storm runoff and identified and prioritized the top drainage problems in the city at that time. A list of 25 projects were prioritized and more fully developed with options for mitigation and estimated costs of the mitigation efforts.

Since that time, three of the prioritized projects have been implemented. Additionally, the City has grown substantially through residential and commercial development since the 2000 Master Drainage Plan was completed. This, along with changes to State and Federal regulations and funding opportunities, incentivized Staff to seek an update to the 2000 Master Drainage Plan.

The City contracted with HDR Engineering to provide engineering analysis to the entire city and determine the most current drainage problem. Working with Staff, HDR identified and prioritized the top drainage problem areas and developed solutions and estimated costs of construction to alleviate the flooding problems.

This item includes a presentation of the final draft of the updated Master Drainage Plan and will inform Council of the Engineer's finding as well as seek any direction and guidance for Staff as the update plan is finalized.

Funding Source(s):

Financial Impact:

RFQ ES-04-19 Master Drainage Plan Update was awarded to HDR Engineering on July, 07, 2019. Funding was provided by fiscal year 2019 Stormwater Funds.

Other Information/Recommendation:

Attachments:

Presentation:

Shane Kelton

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeff Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval