City Council Agenda
11/01/2016

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on November 1, 2016 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. **Prayer and Pledge**
3. **Proclamations/Recognitions**
   a. Council Member Charlotte Farmer for winning the Elected Women of Excellence Award for 2016 from the National Foundation for Women Legislators
   b. Proclamation declaring November 17, 2016 as the second annual "Empty Bowls Event" in San Angelo to be received by Mary Herbert Regional Director of Texas Hunger Initiative San Angelo.
   c. Proclamation declaring the month of November as "Veterans Appreciation Month" in San Angelo to be received by Friends of Fairmont Historical Cemetery.
4. **Public Comment**

Issues or items that are not on the agenda may be raised by the public at this time. Citizens should speak from the podium, begin by stating their name and limit remarks to less than five minutes. Council members may request that a discussed item be placed on a future agenda. The Council takes public comment on all Regular Agenda items during the discussion of those items.

5. **Consent Agenda**
   a. Consider approving the October 18, 2016 City Council regular meeting minutes (B.Kendrick)
   b. Consider awarding FS-05-17 Asphalt Recycler to Cooper Equipment Co., utilizing Buyboard contract #424-13 in an amount of $171,855, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents. (R.Kramer)
   c. Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties: (C.Preas)
      1.) N 50' Lots 9 & 10, Block 35, Miles Addition; 916 N Irving; Habitat for Humanity ($1,500)
      2.) S 1/2 Lots 9 & 10, Block 35, Miles Addition; 914 N Irving; Habitat for Humanity ($1,500)
      3.) Lot 7, D H Cathey Addition; Habitat for Humanity ($750)
      4.) Lot 7, Block 76, Miles Addition; 126 W. 10th St; Habitat for Humanity ($750)
      5.) N 62' Lot 7 & N 62'W 1/2 Lot 8, Block 2, Hillcrest Addition; 117 W 26th St; Medellin ($750)

d. Consider approving a new 40-year lake lot residential lease with the following Tenant (C.Preas):
1.) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy Addition
2.) Lot 50, Group Shady Point, Lake Nasworthy Addition

e. Consider authorizing the City Manager to execute an Easement and Right of Way to AEP Texas North Company (C. Preas)

f. Consider authorizing the sale of the following Lake Nasworthy property to current residential lot lease holder for the appraised value: (C. Preas)
Lot 10, Block 1, Group 14, Lake Nasworthy Addition; 2458 Fisherman's Road ($123,000)

g. Consider approving the Analysis of Impediments to Fair Housing Choice covering the period of October 1, 2016 thru September 30, 2020 (B.Salas)

h. Consider adopting a resolution authorizing staff to submit a bid to host the 2019 Texas Recreation and Park Society (TRAPS) Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation and Park Association (C.White)

i. Consider a resolution allowing the City Manager or his designee to negotiate and execute a contract with the Chamber of Commerce Convention & Visitors Bureau allocating Hotel Occupancy Tax fund (T.Dierschke)

j. Consider approving an emergency facilities repair contract with A&D Plumbing in the amount of $67,500 from budgeted funds and authorizing City Manager to negotiate and execute all related documents (S.Walker)

k. Second Reading for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres. (J. James)

l. Second Reading for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres. (J. James)

m. Second reading and consider adopting an ordinance amending chapter 10, “Traffic Controls”, Article 10.04 “Stopping, Standing and Parking”, section 10.04.009 “Angle Parking Zones” of the Code of Ordinances, providing for severability and an effective date (R.Ward)

n. Second reading and consider adopting an ordinance amending the 2016-2017 budget for grants, contributions and capital projects (M.Chegwidden)

6. Regular Agenda

a. Presentation of report from the Chamber of Commerce Economic Development Council and the Convention & Visitors Bureau (CVB) - (Presentation by CVB Vice President Pamela Miller and Chamber Vice President for Economic Development Michael Looney)

b. First reading and Public Hearing on an Ordinance amending Chapter 5 "Business and Commerce" of the Code of Ordinances by adding Article 5.11 "Credit Access Businesses".

c. Presentation on feedback received from waste collection survey and public forums regarding possible changes to waste collection service. (Presentation by Operations Director Shane Kelton)

d. First public hearing and consideration of an ordinance amending Appendix A Fee Schedule, Article A4.000, Section A4.002 "Garbage, weeds, junk, and unsanitary conditions abatement fees" of the City of San Angelo Code of Ordinances to change the administrative fee from $150 to $90 per non-complied violation assessed to the property owner of a lot, tract or parcel of land for the cost of abatement under section 7.02.070 of the Code of Ordinances - (Presentation by Assistant Neighborhood Services Director James Flores)

e. First Reading and Public Hearing for Case Z16-07, an Ordinance approving a request for a rezoning from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for property generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, on 30.00 acres (Presentation by Planning & Development Director Jon James)

f. A resolution by the City of San Angelo City Council finding a public necessity for street improvements to Twin Mountain Drive between April street and Tarin street; approving specifications prepared by the City Engineer for such street improvements; and approving an estimate of the total cost of such improvements, including the proportion of such total proposed to be assessed against owners of abutting property in accordance with article 4.08 of the city code of ordinances; and setting a public hearing on the proposed assessment. (Presentation by City Engineer Russell Pehl)

g. Discussion of Data Monitoring System implementation status for City Fleet - (Presentation by Fleet Services Superintendent Ryan Kramer)

h. First public hearing and consideration of an ordinance amending Chapter One "General Provisions" of the Code of Ordinances by amending Section 1.04 through 1.09 (Presentation by City Attorney Theresa James and City Clerk Bryan Kendrick; requested by Council Member Thomas)

i. Discussion and consideration of approving the Tax Increment Reinvestment Zone (TIRZ) board recommendations for funding under the Fall 2016 TIRZ Incentives Policy for the following applications: (a) 1313 North Bryant; (b) 601 W. 11th; (c) 38 N. Chadbourne; (d) 204 S. Oakes; (e) 35 E. Concho; (f) 220 MLK; (g) 204 S. Chadbourne; (h) 12 N. Chadbourne; (i) 19 E. Concho Ave; (j) 114 S. Chadbourne; (k) 138 W. Concho Ave. (Presentation by Planning & Development Services Director Jon James)

7. Closed Session

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

a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
   1. 2013 Sealcoating Program Contract
   2. Templeton Construction, Inc.
   3. Alsay, Inc.

b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding:
   1. Assignment of water rights on the Ford Ranch
   2. West Texas Water Partnership
   3. Short Term Rentals on City leased properties
   4. Insurance Services Organization Rating

c. Section 551.072 Deliberations about Real Property

d. Section 551.074(1) to deliberate the annual performance evaluation of the City Manager.

8. Follow Up and Administrative Issues

a. Consider items discussed in Executive/Closed Session, if needed

b. Consider approving the following Board nomination:
   Airport Advisory Board: Fred Key (SMD1) to a 6th full term ending October 2020

c. Consider re-appointment of Council Member Charlotte Farmer for a two year term to the Ports-to-Plains Advisory Board

d. Consider appointing a member of the City Council to the MHMR Nominating Committee

e. 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 the City Hall of the City of San Angelo, Texas, on the 28th day of October 2016, at 11:00 a.m.

_____
Bryan Kendrick, City Clerk

All agenda items are subject to action. All contracts/agreements are presented in substantially the attached form. 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.

City Council meetings are broadcast on Channel 17-Government Access at 10:30 A.M. and 7:00 P.M. every day for two weeks beginning on the Thursday after each meeting.

Recognition

City Council Member Charlotte Farmer won the Elected Women of Excellence Award for 2016 by the National Foundation for Women Legislators

Ms. Farmer has lived in San Angelo since 1977. During that span, her tireless efforts in an array of public and civic service include the board of the Ports-to-Plains Alliance as well as two terms each on the Civic Events Board and on the Public Housing Authority board. She has also served on a multitude of City committees dedicated to concerns such as investments, the renovations of the municipal swimming pool and of the Concho River, the half-cent sales tax, budgets and park revitalization.

In 2005, Ms. Farmer was elected to represent Single Member District 6 on the City Council, winning re-election five times. In addition to her City Council responsibilities, she has two grown children, six grandchildren and two great-grandchildren and still finds the time to be a member of Glen Meadows Baptist Church.

Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, on behalf of the City Council, do hereby recognize and applaud

City Council Member Charlotte Farmer

***for** her dedication and positive determination for making a difference in our community*

***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 1st day of November, 2016.*

_____

Dwain Morrison
Mayor of the City of San Angelo

Proclamation

The Texas Hunger Initiative is a collaborative, capacity-building project focused on ensuring that every Texas has access to three nutritious meals a day, seven days a week and further develops strategies to end hunger through research, policy, education, community organizing and community development

The Empty Bowls Project is an international grassroots effort to raise both money and awareness in the fight to end hunger

Many people and families, including one in four children, in San Angelo are considered "food insecure" because they may not know from where their next meal is coming

The Wesley Trinity Daily Bread Soup Lunch Program, conceived in 1984 out of the concern for God's less fortunate and homeless, provides nourishing hot meals at noon Monday through Saturday every week of the year for children, women and men, who would not otherwise have a sustaining meal on a daily basis. The "Soup Kitchen" as it is known provides an average of 200 meals each day with the help of 125 volunteers

Community members are invited to the Empty Bowls Event to enjoy a simple meal of soup and bread on November 17, 2016, at the Cactus Hotel with soup being donated by a variety of restaurants, and as part of the $25 ticket price, guests will get the opportunity to win door prizes and to choose a handcrafted pottery bowl made by local and area artists to take home as a reminder that there are still many empty bowls in the world, including those in our local community

Simply put, Empty Bowls is a community-wide event to ensure that fewer people in San Angelo go home to an "empty bowl,"

Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim November 17, 2016 as the second annual

"Empty Bowls Event"

In San Angelo, Texas, as a way of educating the citizens about the ways we can work together to make our region food secure.

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 1st day of November, 2016*

_____

Dwain Morrison
Mayor of the City of San Angelo

Proclamation

.

The freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history

Since the establishment of the original 13 states, Americans have been willing to fight and die to preserve their individual rights guaranteed in the United States Constitution and the Bill of Rights

We owe a great debt to those who have served in defense of this nation

Throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual

For many, that sacrifice has ended in permanent injury or death, yet their spirit remains in the continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world

In honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of a people dedicated to the principles of freedom and democracy

***NOW, THEREFORE, I**, Dwain Morrison, Mayor of the City of San Angelo, on behalf of the entire City Council, do hereby proclaim the month of November 2016 as*

"VETERAN'S APPRECIATION 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 1st day of November, 2016.*

_____

Dwain Morrison
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, October 18, 2016

Present:

Mayor Dwain Morrison
Council Member Bill Richardson, SMD 1
Council Member Marty Self, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

1. Call to Order

With a quorum of the City Council Members present, Mayor Morrison called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, October 18, 2016 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Ron Guzman, Minister with West Angelo Church of Christ; and the pledges were led by Evan Barta and Makya Elkins from Cornerstone Christian School.

3. Proclamations/Recognitions

Oct. 24-28, 2016 was proclaimed "Red Ribbon Week" and was received by Concho Valley CARES Program Coordinator & Outreach Coordinator LaTonya Smith

Fort Concho Cavalry riders Ron Perry and Rick Dill were recognized

October 2016 was proclaimed "Pink Out Concho Valley" and was received by Dr. Linda Ross, Regional Director of the Laura W. Bush Institute for Women's Health at Angelo State

4. Public Comment

Citizen Steve Hampton expressed concerns related to cleaning/maintenance of Loop 306, particularly around the areas under construction.

5. Consent Agenda

a. Approval of the October 4, 2016 City Council regular meeting minutes
b. Approval of awarding WU-05-16 Water Meter Inventory bid to HD Supply Waterworks (San Angelo, TX) for commercial and residential water meter inventory supplies in the amount of $500,000 annually budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents
c. Approval of awarding RFB OP-01-17 Modular Office Building to Ramtech Building Systems from Buyboard Contract #463-14 in the amount of $125,516, budgeted for purchase FY2017, and authorizing the City Manager or designee to execute any related documents
d. Adoption of a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties:
    1) Mineola Addition, Block 12, Lot 4; 835 W. 16th St; Cerda ($750)
    2) Miles Addition, Block 70, Lot 3; 211 W. 13th St; Habitat for Humanity ($750)

DRAFT

3) Miles Addition, Block 70, Lot 12; 214 W. 12th St; Habitat for Humanity ($750)

e. Approval of authorizing the sale of the following Lake Nasworthy properties to current residential lake lot lease holders for the appraised values:
   1) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy; 6650 Knickerbocker Rd ($26,300)
   2) Lot 48, Block 7, Section 2, Group Shady Point, Lake Nasworthy; 1924 Shady Point Circle Dr ($56,182)

f. Cancellation of considering a resolution authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 180 days delinquent) on the following property: Jerry Dean Clements ($1,182): Lot 130, Group Shady Point, Lake Nasworthy Addition

g. Approval of an Interlocal Agreement with Tom Green County for the support of City of San Angelo Emergency Management Operations in the amount of $85,500 and authorizing City Manager to negotiate and execute all related documents

h. Approval of an agreement with the Concho Valley Council of Governments-Area Agency on Aging for the Senior Service Nutrition Congregate meal program in the estimated amount of $116,163.48 and authorizing City Manager to negotiate and execute all related documents

i. Adoption of a resolution authorizing the City Manager to negotiate and execute required documents that record the Economic Development Administration's interest in the fire training center

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the consent agenda, with the exception of item 5f which has been cancelled. The motion carried unanimously (6) ayes to (0) nays.

6. Regular Agenda

a. Approval of First Reading and Public Hearing for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres
A presentation was made by Planning & Development Services Director Jon James

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

b. Approval of First Reading and Public Hearing for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres
A presentation was made by Planning & Development Director Jon James

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

c. Approval of matters relating to a conceptual master plan for a botanical garden in Civic League Park and the removal of three specific trees causing maintenance issues with the International Water Lily Collection
A presentation was made by Parks Senior Manager Roger Havlak

DRAFT

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

d. Approval of First public hearing of an ordinance amending chapter 10, "Traffic Controls", Article 10.04 "Stopping, Standing and Parking", section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, providing for severability and an effective date
A presentation was made by Traffic Operations Superintendent Ryan Ward

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

e. Approval of the proposed Change Order No. 3 for Annex Finish Out to the Lee Lewis Construction contract as Construction Manager at Risk (CE 02-14) for completion of the annex and proposed additional work, all to be funded by the project budget; and authorizing the City Manager to execute said change order
A presentation was made by Construction Manager David Knapp

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve Change Order No. 3, as presented. The motion carried unanimously (5) ayes to (0) nays, with Council Member Self abstaining from the discussion and vote.

f. First public hearing and introduction of an ordinance amending the 2016-2017 budget for grants, contributions and capital projects
A presentation was made by Budget Manager Morgan Chegwidden

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the ordinance, as presented. The motion carried unanimously (6) 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(2) to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding the West Texas Water Partnership~~
b. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
   1) ~~2013 Sealcoating Program Contract~~
   2) ~~Templeton Construction, Inc.~~
   3) Alsay, Inc.
c. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding:
   1) ~~Assignment of rights Hickory wellfield property~~
   2) The Martifer Hirschfeld agreement
d. Section 551.072 Deliberations about Real Property

8. Follow Up and Administrative Issues

DRAFT

a. Consider items discussed in Executive/Closed Session, if needed

No action was taken on this item.

b. Postponement of Considering re-appointment of Council Member Charlotte Farmer for a two year term to the Ports-to-Plains Advisory Board

Consensus of City Council was to postpone this item until the next City Council Meeting.

c. Announcements and consideration of Future Agenda Items

Council Member Gonzales asked for an item related to the Bulk Trash pickup at the next meeting.

9. Adjournment

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

There being no further business, the meeting was adjourned at 10:51 a.m.

THE CITY OF SAN ANGELO

_____

Dwain Morrison, Mayor

ATTEST:

_____

Bryan Kendrick, City Clerk

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

DRAFT

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Ryan Kramer, Fleet Services Superintendent, Fleet Services, (325) 657-4329

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider awarding FS-05-17 Asphalt Recycler to Cooper Equipment Co., utilizing Buyboard contract #424-13 in an amount of $171,855, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents. (R.Kramer)

Summary/History:

A Buyboard quote was requested for the purpose of purchasing an asphalt recycler for use by the Street and Bridge Division in performing Water and Sewer utility trench repair. This equipment allows for the City to recycle old asphalt paving into a usable hot-mix product for street patching, thus cutting street repair supply costs considerably during the life of the machine and providing a longer lasting and more effective patch. The asphalt recycler is part of a comprehensive restructuring of the street repair process as a result of Council's street priority.

The purchase will be made from Cooper Equipment Company (San Antonio). One unit has been budgeted in FY17 through Water/Sewer Funding.

Staff recommends award of Asphalt Recycler to Cooper Equipment Co. (San Antonio, TX).

Financial Impact:

Staff recommends award of FS-05-17 Asphalt Recycler to Cooper Equipment Co. utilizing Buyboard contract #424-13 in an amount of $171,855. This is a budgeted expenditure.

Other Information/Recommendation:

Staff recommends award of Asphalt Recycler to Cooper Equipment Co. (San Antonio, TX).

Attachments:

Presentation:

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved

Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties: (C.Preas)
1.) N 50' Lots 9 & 10, Block 35, Miles Addition; 916 N Irving; Habitat for Humanity ($1,500)
2.) S 1/2 Lots 9 & 10, Block 35, Miles Addition; 914 N Irving; Habitat for Humanity ($1,500)
3.) Lot 7, D H Cathey Addition; Habitat for Humanity ($750)
4.) Lot 7, Block 76, Miles Addition; 126 W. 10th St; Habitat for Humanity ($750)
5.) N 62' Lot 7 & N 62'W 1/2 Lot 8, Block 2, Hillcrest Addition; 117 W 26th St; Medellin ($750)

Summary/History:

The subject properties were auctioned at Sheriff's Sale. No offers were received causing subject properties to be struck-off to the City as Trustee for itself and the other taxing entities.

Financial Impact:

Upon approval: (1) The City will retain a $500 Administration Fee; (2) the balance will be distributed according to the judgment or tax warrant on the Sheriff's Return; and (3) Property will be reinstated back onto tax roll.

Other Information/Recommendation:

Upon approval: (1) The City will retain a $500 Administration fee; (2) The City, as Trustee will no longer be responsible for maintenance of the property; (3) The balance will be distributed according to the judgment or tax warrant on the Sheriff's Return; and (4) Property will be reinstated back onto tax roll.

Attachments:

1.	Property Analysis Miles, N Pt Lts 9 &10	Property Analysis Miles Blk 35, N Pt 9-10.pdf
2.	Map, Miles Addtn, N Pt Lots 9 & 10	Map, Miles, Blk 35, N Pt Lts 9-10.pdf
3.	Property Analysis, Miles S Pt Lots 9 & 10	Property Analysis Miles Blk 35, S Pt 9 _ 10.pdf
4.	Map, Miles Addtn, S Pt Lots 9 & 10	Map, Miles, Blk 35, S Pt 9-10.pdf
5.	Property Analysis D H Cathey Addtn	Property Analysis D H Cathey.pdf
6.	Map, D H Cathey Addtn	Map D H Cathey Addtn.pdf
7.	Property Analysis, Miles Addtn, Lt 7, Blk 76	Property Analysis Lot 3, Blk 70, Miles.pdf
8.	Map, Miles Addtn, Lt 7, Blk 76	Map Miles, Lot 7, Blk 76.pdf
9.	Property Analysis Hillcrest Addtn	Property Analysis Hillcrest.pdf
10.	Map, Hillcrest Addtn	Map Hillcrest, Blk 2.pdf
11.	Resolution	Tax Resale Resolution - Nov. 1, 2016.docx

Presentation:

None

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: North 50 feet of Lots 9-10, Block 35, Miles Addition, City of San Angelo, tom Green County, Texas, as described in deed recorded in Volume 231, Page 594, Deed Records, Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: C-14-0229-TAX

Location: 916 N Irving St

City of San Angelo, et al.
vs. Unknow Heirs of Nolene McGill Taylor

Tax ID Number: Acct #19-34200-0035-009-00

Judgment Date: October 26, 2015

Date of Sheriff's Sale: July 5, 2016

Sheriff's Deed Recorded: July 15, 2016

Years Held in Trust **3 mo**

Adjudge Value: $ 3,500.00 **Urban Redevelopment Program?** **NO**

Amount of Offer: $ 1,500.00

Purchaser: Habitat for Humanity

	Amounts Due Fees	Judgment	Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
Administration Fee	$500.00		$500.00	0.00%		**$500.00**
Maintenance Fee	$45.00		$45.00	70.00%		**$31.50**
District Clerk	$300.00		$300.00	70.00%		**$210.00**
Sheriff's Fee	$100.00		$100.00	70.00%		**$70.00**
Attorney Fee	$395.00		$395.00	70.00%		**$276.50**
Municipal Liens		$9,245.26		4.25%		**$392.63**
Taxes		$456.91		4.24%		**$19.37**
Total	$1,340.00	$9,702.17	$1,340.00		$0.00	$1,500.00
Actual Total Amt Due		$11,042.17				
Amount Remaining						

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

916 N Irving/Pt Lts 9-10, Blk 35, Miles Addtn

October 6, 2016

Ownership Parcels

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

Web AppBuilder for ArcGIS

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: The South one-half (1/2) of Lots 9 and 10, Block 35, Miles Addition, City of San Angelo, Tom Green County, Texas, according to the plat recorded in Volume 3, Page 169, Plat Records, Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: C-15-0061-TAX

Location: 914 N Irving St

City of San Angelo, et al.
vs. Jack McGill

Tax ID Number: Acct #19-34200-0035-08-00

Judgment Date: May 10, 2016

Date of Sheriff's Sale: July 5, 2016

Sheriff's Deed Recorded: July 15, 2016

Years Held in Trust **3 mo**

Adjudge Value: $ 4,510.00

Urban Redevelopment Program? **NO**

Amount of Offer: $ 1,500.00

Purchaser: Habitat for Humanity

	Amounts Due Fees	Judgment	Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
Administration Fee	$500.00		$500.00	0.00%		**$500.00**
Maintenance Fee	$45.00		$45.00	86.00%		**$38.70**
District Clerk	$207.00		$207.00	86.00%		**$178.02**
Sheriff's Fee	$100.00		$100.00	86.00%		**$86.00**
Attorney Fee	$395.00		$395.00	86.00%		**$339.70**
Municipal Liens		$4,300.77		6.37%		**$274.13**
Taxes		$1,309.71		6.37%		**$83.45**
Total	$1,247.00	$5,610.48	$1,247.00		$0.00	$1,500.00
Actual Total Amt Due		$6,857.48				
Amount Remaining						

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

914 N Irving/S Pt Lts 9-10, Blk 35, Miles Addtn

October 6, 2016

Ownership Parcels

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

Web AppBuilder for ArcGIS

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 12, D. H. Cathey Subdivision , an addition to the City of San Angelo, Tom Green County, Texas, as described in Volume 624, Page 480, Deed Records of Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: B-05-0219-T

Location: 318 Bowie

City of San Angelo, et al.
vs. Juan T. Diaz

Tax ID Number: Acct #05-17300-0000-007-00

Judgment Date: March 21, 2007

Date of Sheriff's Sale: March 4, 2008

Sheriff's Deed Recorded: April 7, 2008

Years Held in Trust **8 yrs 6 mo**

Adjudge Value: $ 3,265.00 **Urban Redevelopment Program?** **NO**

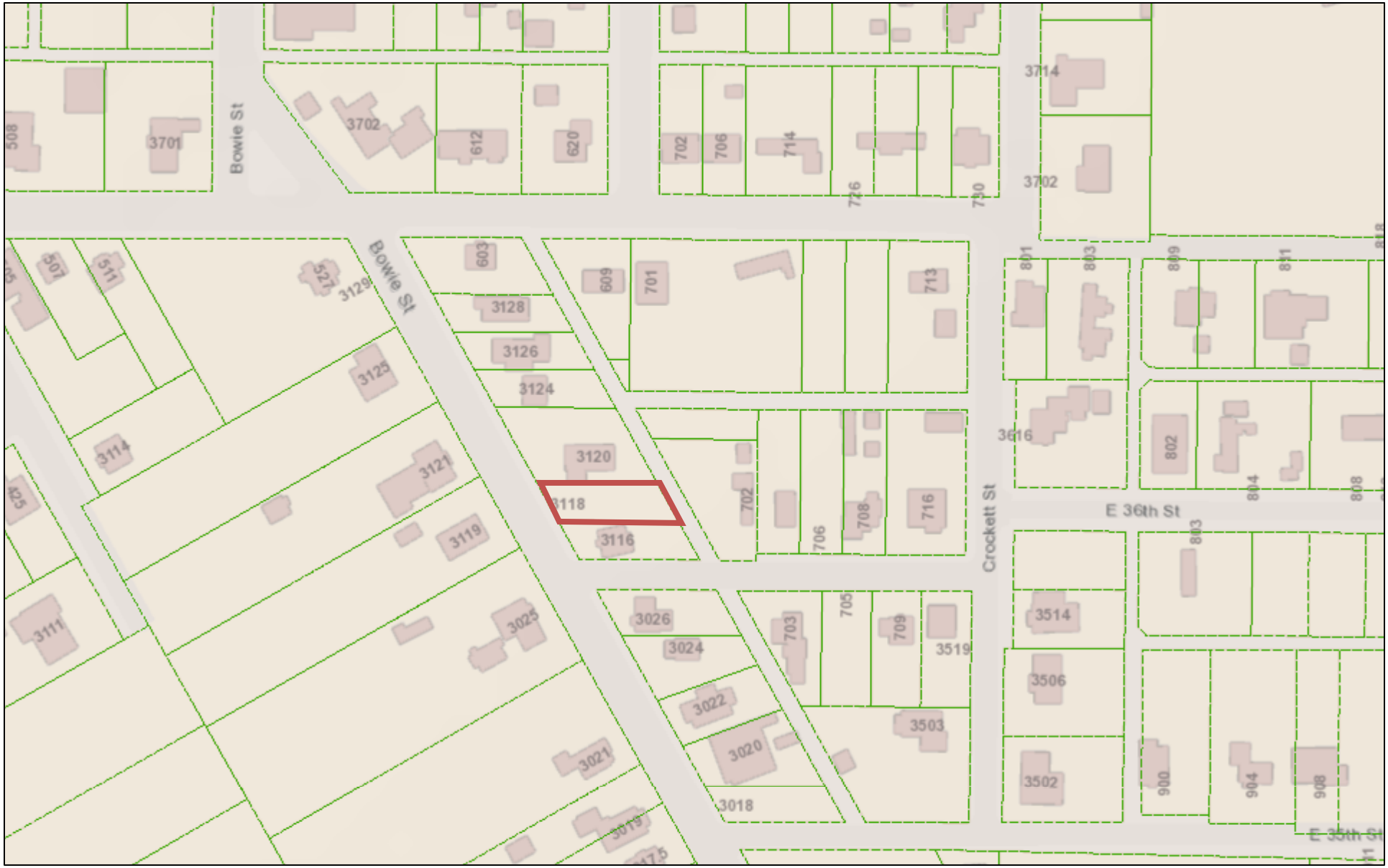
Amount of Offer: $ 750.00

Purchaser: Habitat for Humanity

	Amounts Due Fees	Judgment	Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
Administration Fee	$500.00		$500.00	0.00%		**$500.00**
Maintenance Fee	$765.00		$765.00	13.00%		**$99.45**
District Clerk	$355.00		$355.00	13.00%		**$46.15**
Sheriff's Fee	$100.00		$100.00	13.00%		**$13.00**
Attorney Fee	$275.00		$275.00	13.00%		**$35.75**
Municipal Liens				2.00%		**$0.00**
Taxes		$2,535.00		2.20%		**$55.65**
Total	$1,995.00	$2,535.00	$1,995.00		$0.00	$750.00
Actual Total Amt Due		$4,530.00				
Amount Remaining						

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

3118 Bowie St/ Lot 7, D H Cathey Addtn



October 5, 2016

Ownership Parcels

1:2,257

0 0.0175 0.035 0.07 mi

0 0.03 0.06 0.12 km

Web AppBuilder for ArcGIS

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 7, Block 76, Miles Addition, City of San Angelo, Tom Green County, Texas, as described in deed recorded in Volume 226, Page 506, Deed Records of Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: B--03-0086-T

Location: 126 W. 10th Street

City of San Angelo, et al.
vs. James Morrow

Tax ID Number: Acct #19-34200-0076-007-00

Judgment Date: February 27, 2006

Date of Sheriff's Sale: March 6, 2007

Sheriff's Deed Recorded: March 27, 2007

Years Held in Trust **9 yrs 6 mo**

Adjudge Value: $ 2,500.00 **Urban Redevelopment Program?** **NO**

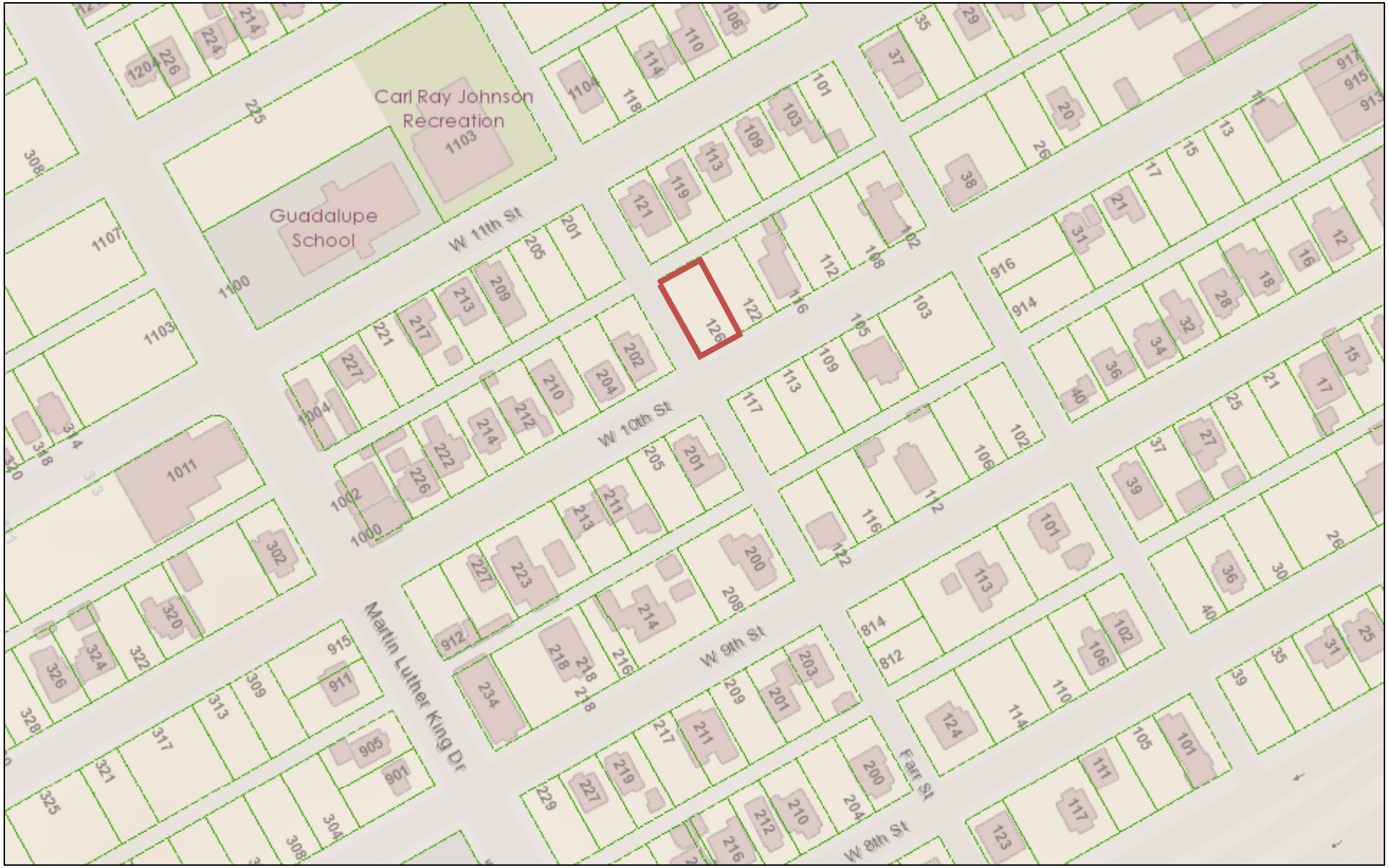
Amount of Offer: $ 750.00

Purchaser: Habitat for Humanity

	Amounts Due Fees	Judgment	Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
Administration Fee	$500.00		$500.00	0.00%		**$500.00**
Maintenance Fee	$855.00		$855.00	12.00%		**$102.60**
District Clerk	$450.00		$450.00	12.00%		**$54.00**
Sheriff's Fee	$100.00		$100.00	12.00%		**$12.00**
Attorney Fee	$345.00		$345.00	12.00%		**$41.40**
Municipal Liens				0.00%		**$0.00**
Taxes		$3,743.03		1.07%		**$40.00**
Total	$2,250.00	$3,743.03	$2,250.00		$0.00	$750.00
Actual Total Amt Due		$5,993.03				
Amount Remaining						

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

Lot 7, Blk 76, Miles Addtn



October 18, 2016

Ownership Parcels

1:2,257

0 0.0175 0.035 0.07 mi

0 0.03 0.06 0.12 km

Web AppBuilder for ArcGIS

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description:	The North 62.00 feet of Lot 7 and the North 62.00 feet of the West one-half of Lot 8, Block 2, Hillcrest Addition, City of San Angelo, Tom Green County, Texas, as described in Volume 740, Page 10, Official Public Records of Real Property of Tom Green County, Texas.
Improved/Unimproved	Unimproved
Tax Suit Number:	B-07-0242-T
Location:	117 W. 26th Street
City of San Angelo, et al.	Janie Valdez
vs.	
Tax ID Number:	Acct #15-27500-0002-009-00
Judgment Date:	April 27, 2009
Date of Sheriff's Sale:	March 2, 2010
Sheriff's Deed Recorded:	March 25, 2010

		Years Held in Trust	**6 yrs 5 mo**
Adjudge Value:	$ 4,768.00	**Urban Redevelopment Program?**	**NO**
Amount of Offer:	$ 750.00		
Purchaser:	Filiberto Medellin and wife, Maria Medellin		

	Amounts Due Fees	Judgment	Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
Administration Fee	$500.00		$500.00	0.00%		**$500.00**
Maintenance Fee	$585.00		$585.00	12.00%		**$70.20**
District Clerk	$293.00		$293.00	12.00%		**$35.16**
Sheriff's Fee	$100.00		$100.00	12.00%		**$12.00**
Attorney Fee	$365.00		$365.00	12.00%		**$43.80**
Municipal Liens						**$0.00**
Taxes		$4,009.14		2.22%		**$88.84**
Total	$1,843.00	$4,009.14	$1,843.00		$0.00	$750.00
Actual Total Amt Due		$5,852.14				
Amount Remaining						

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

117 W 26th St/Hillcrest Addtn, Blk 2, Pt Lots 7-8

October 6, 2016

Ownership Parcels

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

Web AppBuilder for ArcGIS

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

WHEREAS, by Sheriff's Sale, the properties described below were struck-off to the City of San Angelo, Trustee, pursuant to a delinquent tax foreclosure decree of the 119th and 340th Judicial Districts, Tom Green County, Texas; and

WHEREAS, offers have been made for the purchase of said properties pursuant to Section 34.05, Texas Tax Code Ann.(Vernon, 1982); and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO that its Mayor, Dwain Morrison, is hereby authorized to execute a Tax-Resale (quitclaim) Deed conveying the described real properties to the following as specified below, all of the right, title, and interest of the City of San Angelo, and all other taxing units interested in the tax foreclosure judgment, located in San Angelo, Tom Green County, Texas:

Conveying to:

Habitat for Humanity of San Angelo ($1,500)

North 50 feet of Lots 9-10, Block 35, Miles Addition, City of San Angelo, Tom Green County, Texas, as described in Volume 231, Page 594, Deed Records of Tom Green County, Texas. Acct. #19-34200-0035-009-00

Habitat for Humanity of San Angelo ($1,500)

The South one-half (1/2) of Lots 9 and 10, Block 35, Miles Addition, City of San Angelo, Tom Green County, Texas, according to the plat recorded in Volume 3, Page 169, Plat Records, Tom Green County, Texas. Acct. #19-34200-0035-008-00

Habitat for Humanity of San Angelo ($750)

Lot 7, Block 76, Miles Addition, City of San Angelo, Tom Green County, Texas, and described in deed recorded in Volume 226, Page 506, Deed Records of Tom Green County, Texas. Acct. #19-34200-0076-007-00

Habitat for Humanity of San Angelo ($750.00)

Lot 7, D. H. Cathey Subdivision, an addition to the City of San Angelo, Tom Green County, Texas, as described in Volume 624, Page 480, Deed Records of Tom Green County, Texas. Acct. #05-17300-0000-007-00

Filiberto Medellin and Maria Medellin ($750)

The North 62.00 feet of Lot 7 and the North 62.00 feet of the West one-half of Lot 8, Block 2, Hillcrest Addition, City of San Angelo, Tom Green County, Texas, as described in Volume 740, Page 10, Official Public Records of Real Property of Tom Green County, Texas. Acct. #15-27500-0002-009-00

APPROVED AND ADOPTED ON THE _____DAY OF _____, 2016.

THE CITY OF SAN ANGELO

Attest:

_____
Dwain Morrison, Mayor

_____
Bryan Kendrick, City Clerk

Approved As to Content:

_____
Cindy S. Preas, Real Estate Manager

Approved As to Form:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider approving a new 40-year lake lot residential lease with the following Tenant (C.Preas):
1.) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy Addition
2.) Lot 50, Group Shady Point, Lake Nasworthy Addition

Summary/History:

Tenant requests a new lease necessary for financing purposes.

Tenant is in good standing as to all lease obligations.

Financial Impact:

1.) Lot 111, Block 9, Section 2, Group Shady Point
Current Lease expires: December 31, 2016
Current Yearly Lease Fee: $540

New Lease expires: October 31, 2056
New Yearly Lease Fee: Based on appraised value

2.) Lot 50, Group Shady Point
Current Lease: operating month-to-month
Current Yearly Lease Fee: $521

New Lease expires: October 31, 2056
Current Yearly Lease Fee: Based on appraised value

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

None

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an Easement and Right of Way to AEP Texas North Company (C. Preas)

Summary/History:

AEP Texas North Company has requested an easement containing 0.037 acres, and being part of Lot 9, Block 165, Angelo Heights Addition, San Angelo, Tom Green County, Texas.
A portion of Lot 9 was utilized for the realigned US Hw67; the portion not used for highway purposes was purchased by the City on October 31, 1974. This property is not needed for a City project.

Financial Impact:

None

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. Map AEP Easement area — Map AEP easement.pdf

Presentation:

None

Approvals/Reviews:

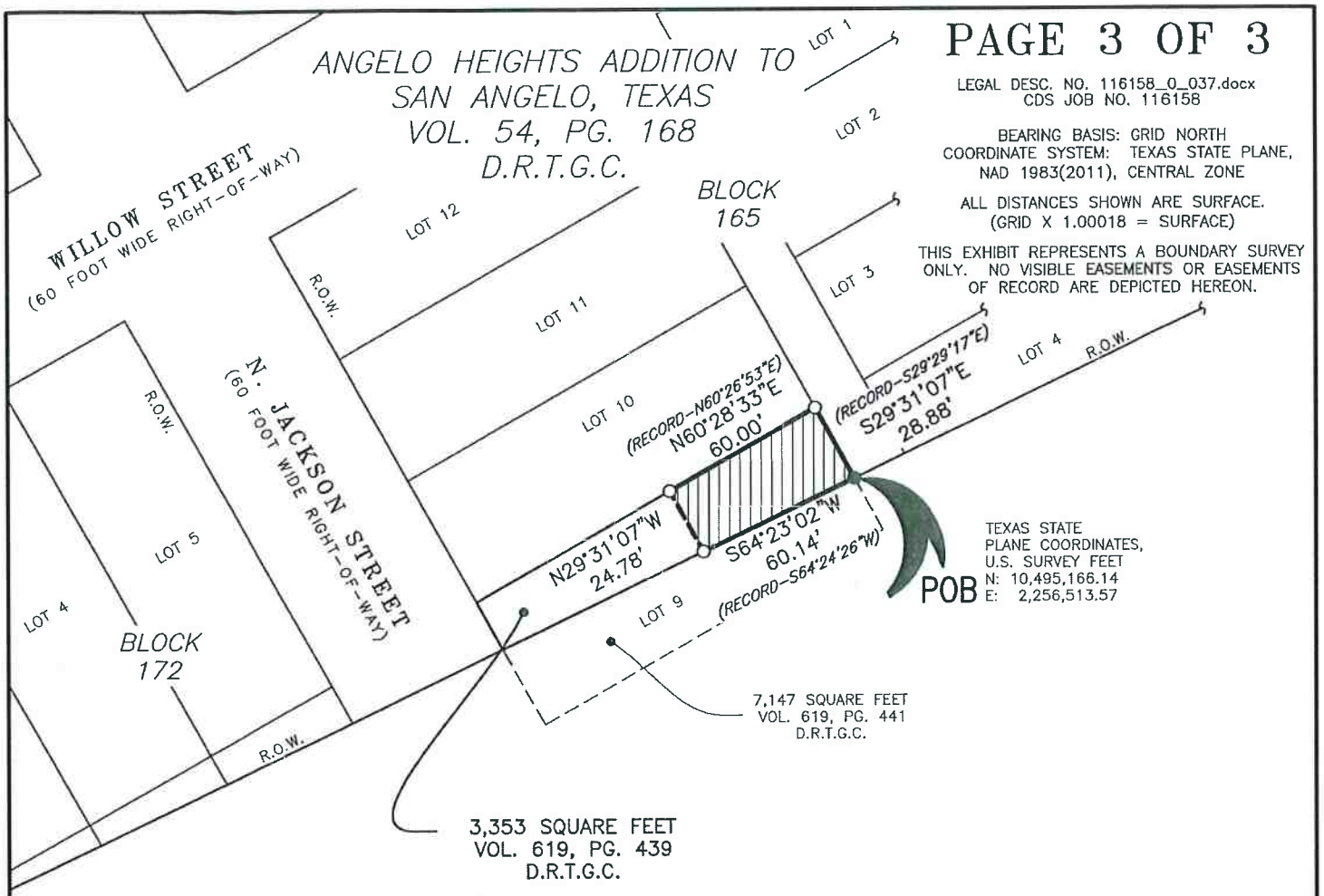
Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

LEGAL DESC. NO. 116158_0_037.docx
CDS JOB NO. 116158

BEARING BASIS: GRID NORTH
COORDINATE SYSTEM: TEXAS STATE PLANE, NAD 1983(2011), CENTRAL ZONE

ALL DISTANCES SHOWN ARE SURFACE.
(GRID X 1.00018 = SURFACE)

THIS EXHIBIT REPRESENTS A BOUNDARY SURVEY ONLY. NO VISIBLE EASEMENTS OR EASEMENTS OF RECORD ARE DEPICTED HEREON.



EDWARD SCHMIDT SURVEY
SECTION 1882, ABSTRACT 1852

U.S. HIGHWAY 67
(VARYING WIDTH RIGHT-OF-WAY)

LEGEND

- O — 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
- ◉ — FOUND TYPE II TxDOT BRASS DISK IN CONCRETE
- ℄ — PROPERTY LINES
- R.O.W. — RIGHT-OF-WAY
- D.R.T.G.C. — DEED RECORDS OF TOM GREEN COUNTY
- *(RECORD)* — RECORD CALL TAKEN FROM VOLUME 619, PAGE 349, D.R.T.G.C.

STATE OF TEXAS
REGISTERED
JOHN T. KUBALA
4505
PROFESSIONAL LAND SURVEYOR
10/12/16

60' 30' 0 60'

0.037 OF AN ACRE TRANSMISSION LINE EASEMENT AEP TEXAS NORTH COMPANY EDWARD SCHMIDT SURVEY SECTION 1882, ABSTRACT 1852 TOM GREEN COUNTY, TEXAS

CDS muery
ENGINEERS • SURVEYORS
3411 MAGIC DRIVE SAN ANTONIO, TEXAS 78229 • O (210) 691-1111 F (210) 591-5555
TBPE FIRM F-1733 • TBPLS FIRM 10064500

DRAWN BY:	DATE:
K. HOHN	OCTOBER 12, 2016
DRAWING NAME: 116158_0_037 AC.dwg	

AEP AMERICAN ELECTRIC POWER

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider authorizing the sale of the following Lake Nasworthy property to current residential lot lease holder for the appraised value: (C. Preas)
Lot 10, Block 1, Group 14, Lake Nasworthy Addition; 2458 Fisherman's Road ($123,000)

Summary/History:

If the sale is approved at the appraised value, a title examination will be performed and legal staff will prepare a Real Estate Contract of Sale, Special Warranty Deed and Surrender of Lease, as previously approved by City Council.

Financial Impact:

Upon approval, proceeds from the sale of residential lake lots will be placed in the Lake Nasworthy Trust Fund.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. Appraisal Summary 2458 Fishermans Rd 2458 Fisherman's Road Lot 10, Group 14 Appraisal Summary.pdf

Presentation:

None

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN APPRAISAL REPORT
OF

A SINGLE-FAMILY LAKE LOT
LOCATED AT 2458 FISHERMAN'S ROAD
LEGALLY DESCRIBED AS LOT 10, BLOCK 1,
GROUP 14, LAKE NASWORTHY ADDITION
SAN ANGELO, TEXAS

PREPARED FOR:

CITY OF SAN ANGELO
REAL ESTATE DIVISION
OFFICE OF THE CITY ATTORNEY
72 W COLLEGE
SAN ANGELO, TEXAS 76903

PREPARED BY:

ROBERT W. STRIBLING, MAI
AND
CHARMAINE SMITH
STRIBLING-PROBANDT APPRAISALS
502 SOUTH KOENIGHEIM, SUITE 3B
SAN ANGELO, TEXAS 76903

AS OF:

OCTOBER 18, 2016

STRIBLING-PROBANDT APPRAISALS

Real Estate Appraisers & Consultants

ROBERT W. STRIBLING, MAI
VICTOR R. PROBANDT, ARA
CHARMAINE SMITH
ERIC PROBANDT

502 SOUTH KOENIGHEIM, SUITE 3B
SAN ANGELO, TEXAS 76903

PH: 325-658-2773
FAX: 325-659-4192

PLEASE REFER TO
OUR FILE №

October 21, 2016

R16-1010

Ms. Kathy Wilkinson, Property Specialist
City of San Angelo
Real Estate Division
Office of the City Attorney
72 W College Street
San Angelo, Texas 76903

Re: An appraisal of the leased fee interest of a single-family residential lake lot located at 2458 Fisherman's Road, City of San Angelo, Tom Green County, Texas.

Dear Ms. Wilkinson:

At your request, we have completed an appraisal report on the above referenced property. As such, it summarizes the data, reasoning, and analyses that were used in the appraisal process to develop our opinion of value. Some of the supporting documentation concerning the data, reasoning, and analyses is retained in our appraisal file. Robert W. Stribling and Charmaine Smith have inspected the subject property, and we believe all data gathered by us is from reliable sources.

On April 15, 2014 the City of San Angelo (City) approved an ordinance (Page 355, Volume 105, #2014-04-044) that, in part, states that annual rent (effective January 1, 2017) will be based on "appraised market value of the land multiplied by a factor of 0.015." Additionally, annual rent based on appraised market value will at no time be less than $700 per year.

Without adequate arms length comparable leases, market rent can be estimated by using the formula: fee simple market value x market capitalization rate = market rent. The City ordinance cited above creates a below market rent because 0.015 is below the historical and current market capitalization rate for land.

Therefore, the ordinance results in the creation of a positive leasehold value (tenant's interest) and diminishment (relative to fee simple market value) of the leased fee value (City's interest).

Our client, the City of San Angelo, has requested that we estimate the City's interest in the subject lot under the hypothetical condition that annual rent (effective January 1, 2017) is based upon the formula, fee simple market rent x 0.08 = annual rent, rather than the current ordinance that states annual rent will be based on fee simple market value x 0.015 = annual rent.

The City acknowledges that utilizing the hypothetical condition results in a value of the City's interest that is greater than the value of the City's interest without the hypothetical condition.

Reference is made to the addenda of this report for a copy of the subject lease as well as the instructions provided to us by the City. Reference is also made to various sections throughout the body of the report for appropriate definitions relating to Leased Fee Value and Hypothetical Condition.

It is our conclusion, subject to the Contingent, Limiting and Hypothetical Conditions and the lease agreement located in the addenda of this report and based upon the accompanying report that the leased fee market value of the subject property, as of October 18, 2016, was:

ONE HUNDRED TWENTY-THREE THOUSAND DOLLARS

($123,000)

We appreciate the opportunity of preparing this work for you. If we may be of further assistance, please feel free to contact us.

Respectfully Submitted,

Charmaine Smith

Robert W. Stribling, MAI
TX-1321617-G

Charmaine Smith
TX-1328495-R

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bob Salas, Neighborhood Services Director, Community and Housing Support, 325-655-0824

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider approving the Analysis of Impediments to Fair Housing Choice covering the period of October 1, 2016 thru September 30, 2020 (B.Salas)

Summary/History:

HUD requires that every participating jurisdiction that receives federal Community Development Block Grant (CDBG) or Home Investment Partnership (HOME) grants conduct an analysis of local conditions that impede citizens' choice to fair housing. The City partnered with Angelo State University to conduct such a study which requires Council approval. The analysis of impediments or AI, coincides with the five year Consolidated Plan approved earlier in the year.

Once approved, staff will forward to HUD for their review and approval.

Financial Impact:

No direct fiscal impact. Future Annual Action Plans will address resources that can be applied toward priorities outlined in the AI.

Other Information/Recommendation:

Staff recommends approval of the AI.

Attachments:

1. Analysis of Impediments to Fair Housing Choice AI - 2016.pdf

Presentation:

Approvals/Reviews:

Bob Salas	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

Analysis of Impediments to Fair Housing Choice

for

The City of San Angelo, Texas

October 1, 2016

Prepared by

Community & Housing Support Division

Neighborhood & Family Services Department

52 W. College

San Angelo, Texas 76903

(in partnership with)

Community Development Initiatives, Angelo State University

II. Executive Summary

This Analysis of Impediments to Fair Housing Choice (AI) examines policies and practices that may limit San Angelo area residents' ability to choose housing in an environment free from discrimination. The U.S. Department of Housing and Urban Development (HUD) requires entitlement jurisdictions to develop action plans to overcome the effects of identified impediments to fair housing choice. Therefore, the AI is the necessary first step in the Fair Housing Planning process. HUD wants entitlement jurisdictions to become fully aware of the existence, nature, extent, and causes of all fair housing problems and resources available to solve them.

The City of San Angelo in coordination and partnership with Community Development Initiatives at Angelo State University (CDI ASU) conducted research on various issues affecting fair housing to include demographics, zoning, and transportation. Additionally, the team interviewed key officials and citizens and held public meetings to obtain citizen input. The work included a comprehensive review of current information and data that impacts availability and accessibility of housing in San Angelo. The review also included an assessment of conditions (public and private) that affect and impede housing choice and included the following:

Impediments to fair housing are defined as follows*: "Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin."* Fair Housing Planning Guide (HUD), Volume 1.

Specifically, the research and review included the following:

- A review of demographic patterns in San Angelo (using census and other readily available and accurate data), especially patterns that may indicate whether protected classes are concentrated within specific areas of the city.

- A review of data on the degree of segregation.

- A review of local laws and ordinances, to include zoning issues that may affect the availability of housing for minorities, families with children, and people with disabilities.

- A review of public policies and actions that prevent the extension of housing and community development resources to areas which have a large concentration of minorities or people with disabilities.

- A review of how administrative actions influence the location of public transportation and the inhibition or concentration of housing and social services for people with disabilities.

- A review of private sector practices that affect the sale or rental of housing and real estate practices.

Over the past several years, San Angelo has seen some disturbing trends that will have negative effects on housing availability especially for low income and elderly citizens. These include:

- Income not keeping up with cost of living
    - Median household income $42K
        - Down from $44K in 2013
    - 17% below poverty
        - Up from 11% in 2000
- Gap between housing affordability and income growing
    - Cost burden increasing – paying more than 30% of income for housing
        - Owners = 21%
        - Renters = 42%
    - 12% of renters pay 50% or more
- Aging of San Angelo
    - 17% of population SSAN eligible
    - Aging housing stock

While these trends will not necessarily create impediments in and of themselves, they will certainly exacerbate the impediments that do exist in our community.

Our research did not find any laws or ordinances, policies, nor governmental actions that may negatively affect the availability of housing for minorities, families with children, and people with disabilities or prevent extension of affordable housing in neighborhoods where there are large concentration of minorities or citizens with disabilities. Research also found that public city transportation and social services are adequate to support people with disabilities.

However, research did identify private sector aversion to affordable housing in high opportunity areas of the city as exemplified by the outcry created when a Low Income Housing Tax Credit project was proposed in such a high opportunity neighborhood. Research also found a growing trend toward segregation based on racial and ethnic makeup of households and families in certain neighborhoods.

While there are many impediments that affect housing choice to some degree, the team discovered that the major barriers to affordable housing in San Angelo are <u>lack of financial resources</u> and all the implications that are associated with that condition. Low income persons will have a difficult time finding affordable housing, defined as housing that costs less than 30% of gross income. Education and job training may provide a way to higher income and better living conditions for some low income families. However, elderly and disabled individuals are often unable to increase their income or improve their living conditions through these means. In addition to inadequate income and credit worthiness, there are other issues that may indirectly affect fair housing choices. A growing elderly population, racial and ethnic divergences, and slow economic growth are examples.

III. Community Participation Process

To obtain data for the analysis of potential impediments to fair housing, the city partnered with ASU CDI and consulted with numerous stakeholders to include:

- Habitat for Humanity
- Public Housing Authority
- NAACP
- Metropolitan Planning Organization
- MHMR of the Concho Valley
- Concho Valley Homeless Planning Coalition
- Community Housing Development Organization (CHDO), Galilee CDC
- Esperanza Health Clinic
- Concho Valley Council of Governments
- Local banking officials

Results of the consultations, interviews, meetings, and surveys were compiled to further identify potential impediments to fair housing.

Public hearings, annual neighborhood public meetings, and annual assessments were also conducted by the Community & Housing Support Division to identify community needs. Through these events, the city was able to garner input on what citizens feel are impediments to fair housing and with support from ASU CDI, the city was able to compare anecdotal input from citizens to fact based data derived from the census and other sources to ultimately identify impediments.

These meetings also served as strategic planning sessions and further served to identify needs and priorities in these neighborhoods as well as throughout the city. From this information the Community & Housing Support staff identified priorities which were then presented to the City Council at public hearings for consideration.

To publicize these events the city published and posted notices in both English and Spanish. Press releases were distributed to all local media for coverage. Additionally, requests for public service announcements were made to all local media. The Citizen Participation Plan further outlines the city's efforts to garner citizen input. The plan is available in both English and Spanish and posted on the city's website.

Public comments from these events yielded the following major inputs:

- While most stated that fair housing in San Angelo has improved, some were dissatisfied with the pace of progress
- Very few have experienced direct discrimination in obtaining housing in the past five years. Two individuals knew of someone who did experience housing discrimination
- Citizens identified the following major barriers to fair housing:

- Low income levels
- Concentration of affordable housing in certain areas
    - Need more affordable housing in high opportunity areas
- Poor credit histories of minority borrowers
- Limited/lack of local organizations devoted to fair housing investigation/testing
- Landlord screening

All comments, views, and recommendations were accepted.

IV. Analysis

A: Population Demography

San Angelo increased in population by 5.4 percent from 88,439 to 93,200 between the 2000 and 2010 decennial counts. The Census Bureau's 2014 American Community Survey estimates an additional 4.3 percent increase to 97,207. This suggests growth of 9.9 percent in San Angelo's population from the start of the new century through 2014 (see Table 1).[1]

Table 1
Race & Ethnicity in San Angelo

Race & Hispanic Ethnicity	2000		2010		2014	
	Number	Percent	Number	Percent	Number	Percent
White, non-Hispanic	52,934	59.9	50,663	54.4	50,607	52.1
Black, non-Hispanic	4,185	4.7	3,887	4.2	4,060	4.2
Hispanic	29,321	33.2	35,862	38.5	39,512	40.7
Other, non-Hispanic	1,999	2.3	2,788	3.0	3,028	3.1
Total Population	88,439	100.0	93,200	100.0	97,207	100.0

Sources: Data for 2000 and 2010 is from the Summary Files, Table DP1, for the respective decennial census counts. The 2014 data is from American Community Survey, 2014 1 Year Sample, Table C03002.

Non-Hispanic whites and Hispanics form the largest ethnic components, comprising 52.06 percent and 40.65 percent respectively of the 2014 population estimate. Hispanics increased in population by nearly 35 percent since the year 2000; 10.2 percent since 2010.

The white non-Hispanic population decreased in contrast. A decline of approximately 2,327 since the turn of the century means the white non-Hispanic majority of the city's population has fallen

[1] A separate total population assessment from the Census Bureau's Population Estimates Program sets San Angelo's population size at 100,450 for the year 2015. This implies 13.6% increase since the year 2000; 7.8% since 2010. See US Census Bureau, 2015 Population Estimates, Annual Estimates of the Resident Population for Incorporated Places of 50,000 or More.

from nearly 60 percent in 2000 to 52 percent in 2014. Non-Hispanic blacks have also slightly declined as a population segment, falling from 4.7 percent in 2000 to 4.2 percent in 2014.

Other non-Hispanic minority groups (Asians form the largest of these groups) comprise only a small (3.1%) segment of the estimated 2014 population. However, these groups exhibit a rapid rate of increase with a 51.5 percent growth from 1,999 in the 2000 decennial count to an estimated 3,028 in 2014.

Foreign born residents make up slightly more than seven percent of the city's population according to the 2014 estimate from the American Community Survey. This suggests little change since the 2010 decennial census count. During the decade 2000-2010, however, the decennial census counts show a 32 percent increase in the local foreign born population (see Table 2).

Table 2
Citizenship & Poverty among Foreign Born Residents

Population	2000			2010			2014		
	No.	Pct.	Poverty Rate	No.	Pct.	Poverty Rate	No.	Pct.	Poverty Rate
Foreign born	5,590	6.3	18.9	7,382	7.9	20.1	7,460	7.7	10.2
Naturalized citizen	2,555	45.7	15.6	3,799	51.5	10.6	4,099	55.0	9.5
Not a citizen	3,035	54.3	21.7	3,583	48.5	30.2	3,361	45.0	11.2

Sources: Data for the year 2000 is from tables DP-2 and PCT051 of Summary Files 3 and 4 of the 2000 Decennial Census; 2010 data derives from tables B05001 and B17025 of the 2010 American Community Survey, 1 Year Sample; and the 2014 data comes from tables B05001 and B17025 of the 2014 American Community Survey, 1 Year Sample.

More than half of the foreign born residents in San Angelo are naturalized citizens according to both the 2010 Decennial Census and the 2014 American Community survey estimate. This represents an increase from the 2000 census count which indicated a 45.7 percent rate of naturalization.

Census counts in both 2000 and 2010 indicated a higher rate of poverty among the foreign born than among the city's residents overall. The 2000 census pegged the overall rate at 15 percent, while recording 18.9 percent for the foreign born. The 2010 differential narrowed to 19.7 percent citywide compared to 20.1 percent among foreign born residents. American Community Survey estimates for 2014 suggest the poverty among foreign born residents has fallen below the overall population by a margin of 10.2 to 15.2 percent respectively. Across the years, the poverty rate among the non-citizen segment of the foreign born population has been consistently higher than naturalized citizens.

The vast majority of foreign born residents in San Angelo originate from three world regions: Latin American, followed by Asia, and then Europe. Mexico is the most frequent country of origin by far, although the numbers of foreign born residents from other nations in Central and South America, as well as from Asia, have increased noticeably since the beginning of the century (see Table 3).

Table 3
Origins of Foreign Born Residents

Population	2000		2010		2014	
	Number	Percent	Number	Percent	Number	Percent
Total:	5,590	100.0	6,785	100.0	6,443	100.0
Europe	473	8.5	586	8.6	445	6.9
Asia	560	10.0	906	13.4	810	12.6
Latin America	4,427	79.2	5,036	74.2	5,097	79.1
Caribbean	53	0.9	108	1.6	29	0.5
Mexico	4,236	75.8	4,676	68.9	4,722	73.3
Other Central America	91	1.6	152	2.2	155	2.4
South America	47	0.8	100	1.5	191	3.0
Other world regions	130	2.3	257	3.8	91	1.4

Sources: Data for the year 2000 is table PCT020 of Summary File 3 of the 2000 Decennial Census; 2010 and 2014 data derives from tables B05007 of the 2006-2010 American Community Survey, 5 Year Sample and the 2010-2014 American Community Survey, 5 Year Sample.

Limited English proficiency is most likely to occur among Spanish-speaking foreign residents according to Census Bureau estimates. Table 4 reports that the 2000 Decennial Census was able to assess levels of English proficiency for 4,148 foreign born residents of the city who speak Spanish as their primary language at home. Among these, 1,667 (40.2%) were considered limited in English proficiency.

Table 4
Limited English Proficiency in the Foreign Born Population

Language Spoken at Home	2000			2006-2010			2010-2014		
	No.	Limited English	Pct.	No.	Limited English	Pct.	No.	Limited English	Pct.
Spanish	4,148	1,667	40.2	4,783	2,446	51.1	4,742	2,159	45.5
Asian and Pacific Island languages	392	41	10.5	535	99	18.5	522	101	19.3

Other languages	235	0	0.0	717	223	31.1	337	166	49.3

Sources: Data for the year 2000 is from table PCT039 of Summary File 4 of the 2000 Decennial Census; 2010 and 2014 data derives from table B16005 of the 2006-2010 and 2010-2014 American Community Survey, 5 Year Samples.

An estimated 51.1 percent of foreign born Spanish-speakers were limited in English according to the 2006-2010 American Community Survey, while the 2010-2014 American Community Survey indicated 45.5 percent. Smaller numbers of foreign born residents speak Asian or other world languages at home, and, generally speaking, smaller percentages of these populations are limited in English proficiency.

Table 5
Linguistically Isolated Households by Language Spoken at Home

Language Spoken at Home	2000			2006-2010			2010-2014		
	No.	Limited English	Pct.	No.	Limited English	Pct.	No.	Limited English	Pct.
Spanish	9,614	1,580	16.4	9,808	1,599	16.3	9,920	1,307	13.2
Asian and Pacific Island languages	314	38	12.1	394	104	26.4	273	41	15.0
Other languages	641	44	6.9	766	85	11.1	336	85	25.3

Sources: Data for the year 2000 is from table PCT042 of Summary File 4 of the 2000 Decennial Census; 2010 and 2014 data derives from table B16002 of the 2006-2010 and 2010-2014 American Community Survey, 5 Year Samples.

Lack of proficiency in use of English at the individual level, as depicted in Table 4, is most likely to affect access to fair housing choice indirectly by potentially impeding an individual's success in education, training, or occupational performance. Table 5 illuminates a more direct potential effect stemming from a form of household isolation.

A linguistically isolated household is defined as a household with no member age 14 or over who speaks either English only, or speaks English "very well." Such households, in other words, include no adolescent or adult members with the ability to represent the household in proficient English discourse or narrative.

In contrast to the individual level, where lack of English proficiency focuses on the city's foreign born, Spanish speaking populations, linguistic isolation of households is proportionately more equally distributed among non-English-speaking households. According to the 2010-2014 American Community Survey, for instance, only 13.2 percent of Spanish-speaking households are linguistically isolated. This compares to 15 percent of households speaking Asian and Pacific Island languages and 25 percent of those speaking other non-English languages. Moreover, the

percentage of isolated households speaking Asian, Pacific Island, and other languages manifests an increasing trend since the 2000 Decennial Census (see Table 5).

After the 2000 Decennial Census, the Census Bureau responded to questions concerning its classification and measurement of disabilities. The core issue was that census items focused on the presence of specific conditions, rather than the impact of disabling conditions on the basic functioning of individuals. The Bureau introduced a new set of questions in the 2008 American Community Survey.

Table 6
Disability by Age Groups in the Non-Institutionalized Population

Age Groups and Type of Disability*	2008			2010			2014		
	Total	Disabled	Percent	Total	Disabled	Percent	Total	Disabled	Percent
Age 5 - 17	**15,889**	**1,407**	**8.9**	**14,853**	**923**	**6.2**	**16,382**	**1,511**	**9.2**
Hearing		0	0.0		55	6.0		256	16.9
Vision		37	2.6		55	6.0		576	38.1
Cognitive		1,286	91.4		863	93.5		1,281	84.8
Ambulatory		140	10.0		115	12.5		256	16.9
Self-care		358	25.4		260	28.2		346	22.9
Age 18 - 64	**49,518**	**4,884**	**9.9**	**51,233**	**5,590**	**10.9**	**56,064**	**7,388**	**13.2**
Hearing		858	17.6		864	15.5		1,707	23.1
Vision		762	15.6		938	16.8		1,685	22.8
Cognitive		1,992	40.8		2,555	45.7		3,491	47.3
Ambulatory		2,306	47.2		3,689	66.0		3,991	54.0
Self-care		645	13.2		832	14.9		1,846	25.0
Independent living		1,261	25.8		1,969	35.2		2,915	39.5
Age 65 & Over	**11,390**	**4,953**	**43.5**	**13,186**	**4,726**	**35.8**	**13,835**	**6,066**	**43.8**
Hearing		1,744	35.2		2,544	53.8		2,694	44.4
Vision		1,061	21.4		1,160	24.5		1,528	25.2
Cognitive		1,015	20.5		1,264	26.7		1,340	22.1
Ambulatory		3,572	72.1		2,680	56.7		4,006	66.0
Self-care		801	16.2		931	19.7		1,587	26.2
Independent living		2,123	42.9		1,726	36.5		2,438	40.2
All Age 5 & Over	**76,797**	**11,244**	**14.6**	**79,272**	**11,239**	**14.2**	**86,281**	**14,965**	**17.3**

Sources: Data for all years derives from table S1810 of the 2008, 2010, and 2014 American Community Survey, 1 Year Samples.
*Individuals may experience more than one functional type of disability. Consequently, the sum of the reported frequencies for the disability types is greater than the total number of disabled persons in each age group. Likewise, the sum of the percentages for the types of disability is larger than 100%.

Since the Bureau's disability data for 2008 and subsequent years should not be compared to previous disability information, Table 6 reports results from the 2008, 2010, and 2014 American Community surveys. San Angelo's disabled population increased slightly from 14.6 to 17.3 percent of residents age 5 and over between 2008 and 2014.[2]

Of course, disability varies according to age, with the elderly population manifesting the highest rate at 43.8 percent in 2014. On the other hand, the working-age population, ages 18-64, is the segment that accounts for the increased overall rate of disability between 2008 and 2014. Disability troubled 9.9 percent of the city's working age population in 2008 compared to 13.2 percent in 2014. However, more than half (52.5%) of the 7,388 disabled adults of working-age in 2014 were active participants in the labor force. Five years earlier, in 2010, the Census Bureau estimated that only about one-third (32.3%) of the city's 5,590 disabled, working-aged adults were labor force participants.[3]

There is also significant variation in age-specific types of functional disabilities as depicted in Table 6. Disabled children age 5-17, for instance, are much more likely to experience cognitive disabilities than are adult age groups. The adult groups, especially seniors, have higher rates of ambulatory difficulties by contrast.

The median age of the city's population reduced from 32.8 to 31.6 years between the 2000 Decennial Census and the 2014 American Community Survey estimate.[4] The slight shift toward a younger population was driven by a combination of the rapid growth in the Hispanic population and a notable increase in the working-age population between 18 and 64 years.

Growing numbers of Hispanics shifts the city's median age because Hispanics are generally younger than the white non-Hispanic residents. In 2014, for instance, there was a 10 year difference between the median age of Hispanics (27.5) and non-Hispanic whites (37.6). At the same time, the estimated working-age population of nearly 60,000 was about 12 percent larger than in the year 2000.

The only age group growing more rapidly is seniors (age 65 & over). This group increased by 18 percent from 12,211 to 14,383 between the year 2000 and 2014. Ironically, elders are the city's most rapidly growing age group, even as the median age of the population moved in a slightly younger direction.

---

[2] San Angelo's 2014 rate of 17.3% compares to a Texas rate of 12.6% and a national rate of 13.4% for residents age 5 and over.

[3] The Labor force participation data are from Table B18120 of the 2011 and 2014 American Community Surveys, 1 Year Samples.

[4] The median age for the year 2000 is reported in table DP-1, Summary File 1 of the 2000 Decennial Census. The 2014 value is from table S0101 of the 2014 American Community Survey, 1 Year Sample.

Table 7 details these changes in the age distribution of the city's population, while also depicting changes in gender composition. Primarily because of a surge of more than 4,000 men and boys between 2010 and 2014, the sex-ratio changed from 95 to 105 males per 100 females. The male population comprised a slight 51 percent majority of the city's population in 2014.

Table 7
Gender and Age of the Population

Gender & Age Groups	2000		2010		2014	
	Total	Percent	Total	Percent	Total	Percent
Male	**42,395**	**100.0**	**45,344**	**100.0**	**49,765**	**100.0**
Under 18	11,683	27.6	11,091	24.5	12,335	24.8
18-64	25,927	61.2	28,922	63.8	31,353	63.0
65 & over	4,785	11.3	5,331	11.8	6,077	12.2
Female	**46,044**	**100.0**	**47,856**	**100.0**	**47,442**	**100.0**
Under 18	11,167	24.3	10,711	22.4	10,870	22.9
18-64	27,451	59.6	29,629	61.9	28,266	59.6
65 & over	7,426	16.1	7,516	15.7	8,306	17.5
All	**88,439**	**100.0**	**93,200**	**100.0**	**97,207**	**100.0**
Under 18	22,850	25.8	21,802	23.4	23,205	23.9
18-64	53,378	60.4	58,551	62.8	59,619	61.3
65 & over	12,211	13.8	12,847	13.8	14,383	14.8

Sources: Data for 2000 and 2010 derives from table P12, Summary File 1 of the 2000 and 2010 Decennial Censuses. Data for 2014 is from table B01001 of the 2014 American Community Survey, 1 Year Sample.

Changes in dependency ratios are also associated with the trends detailed in Table 7. The child dependency ratio (the number of children under 18 per 100 people in the working-ages 18-64) fell from 43 in the year 2000 to 37 in 2010; then it reverted back to 39 by 2014. On the other hand, the old-age dependency ratio (the number of seniors 65 and over per 100 people in the working ages 18-64) dropped slightly from 23 to 22 between 2000 and 2010; then moved up to 24 in 2014.

The average San Angelo household had 2.54 members in 2014. The average family included 3.14 members. These estimates from the American Survey were slightly up from the decennial census counts in 2000 and 2010.[5]

San Angelo has a lower proportion of households headed by married couples than does the nation or the State of Texas. In 2014, the American Community Survey estimated that 50 percent of Texas and 48 percent of the nation's households were led by married couples. San Angelo's proportion was 43 percent. Similarly, the percentage of married couples living in a household with their own

[5] The 2000 Decennial Census reported an average household size of 2.48 and an average family size of 3.08. The corresponding averages from the 2010 Decennial Census were slightly lower at 2.45 and 3.05 respectively.

children (including children by birth, marriage, or adoption) is somewhat lower in San Angelo.[6] Such "traditional families" not only occupy a comparatively smaller proportion of San Angelo households; as depicted in Table 8, they also represent a declining share of local families over time.[7]

Table 8
Household Composition

Household Type	2000		2010		2014	
	Number	Percent	Number	Percent	Number	Percent
Nonfamily Household	11,333	33.2	13,207	36.6	15,143	42.0
Single Person	9,755	28.6	10,752	29.8	13,229	36.7
Married Couples	17,242	50.6	15,975	44.2	15,615	43.3
With Own Children	7,909	23.2	6,151	17.0	6,326	17.5
Female Head, No Husband	4,286	12.6	5,124	14.2	3,956	11.0
With Own Children	2,701	7.9	2,903	8.0	1,933	5.4
Other Families	1,239	3.6	1,811	5.0	1,337	3.7
Total	34,100	100.0	36,117	100.0	36,051	100.0

Sources: Data for 2000 derives from table P010, Summary File 1 of the 2000 Decennial Censuses. Data for 2010 is from table QT-P11, Summary File 1 of the 2010 Decennial Census. The 2014 data is in tables B11016 and B25115 of the 2014 American Community Survey, 1 Year Sample.

Interestingly, the city does not have a particularly high percentage of female, single-parent families. In 2014, the American Community Survey indicated that 5.4 percent of San Angelo households are occupied by female heads with their own children. This compares to 8.2 percent for Texas in 2014; 7.0 percent for the United States.

Moreover, the San Angelo proportion of female, single parent households has declined from 7.9 percent in the 2000 Decennial Census to 5.4 percent from the 2014 American Community Survey. However, the potential of falling into poverty represents a much greater obstacle for female, single-parent families than for married couples with children. The available Census Bureau data indicates that 41 percent of female, single parent families in the city live in poverty. This compares to only eight percent of married couples with children.[8]

[6] The San Angelo proportion of 17.5% for 2014 in Table 8 compares to estimates of 22% for Texas and 18% for the United States.
[7] Corresponding to these observations is evidence of a higher rate of divorce in San Angelo compared to Texas and the U.S. For instance, the 2010-2014 American Community Survey, 5 Year Sample indicates that 13.8% of San Angelo residents over age 14 are divorced. The parallel percentages are 10.9% for both Texas and the nation.
[8] Poverty rates calculated from data reported in table C17023 of the 2014 American Community Survey, 1 Year Sample.

The most rapidly growing types of households in the city are those occupied by single persons and various combinations of nonfamily, unrelated individuals. Single person households grew by 36 percent from 9,755 in the year 2000 to 13,229 in 2014. Nonfamily households (including single persons) increased by 34 percent over the same time. Like female, single parent families, nonfamily households run much higher risks of falling into poverty.[9]

B: Segregation and its Determinants

Race, Hispanic Ethnicity, and Increasing Segregation

Non-Hispanic whites comprise the majority of residents in the city, and in most census tract neighborhoods as well. Since the year 2000, however, Hispanics have consistently combined with other minority populations to form the majority in seven of the city's 20 residential census tracts (see Table 9).[10]

Hispanics alone comprise the majority in five of these neighborhoods including tract 2 - Lake View, tract 4 – Reagan, tract 7 - East San Angelo, tract 9 - Fort Concho, and tract 14 - Rio Vista. Hispanics combine with blacks and members of other non-Hispanic minority groups to make up the majority two other neighborhoods, tract 12 – Angelo Heights and tract 18 – Blackshear and Downtown.[11]

The city's minority-majority neighborhoods are evolving over time through increased geographical concentration of minority group households and individuals. The most dramatic example of this process may be tract 2 – Lake View, which converted from a 62 percent non-Hispanic white majority in the 2000 census count to a 55 percent majority Hispanic area in the 2010-2014 American Community Survey. Angelo Heights (tract 12) also converted from non-Hispanic white majority to a minority-majority neighborhood over this time. Three other census tract neighborhoods listed in Table 9 saw proportional increases in their minority-majority populations between the year 2000 and 2014.

The dissimilarity index data items in Table 9 provide the strongest evidence of increasing geographical segregation by race and Hispanic ethnicity in San Angelo. The index of dissimilarity is a standard statistical way of measuring the evenness of two groups in the distribution of

[9] Calculations based on table C17017 of the 2014 American Community Survey, 1 Year Sample, indicate that 24% of local nonfamily households compared to 11 percent of family households live in poverty.

[10] Two additional census tracts that are more recent minority-majority areas are the Paulann: tract 3 and Belaire: tract 8.02 areas. These are not includes as minority-majority neighborhoods for the purposes of the report because of their more recent transitional characteristics. The seven areas include in the minority-majority neighborhoods have been more consistently populated by minorities since the year 2000.

[11] This is true especially of the Blackshear portion of tract 18. The Census Bureau created this tract for the 2010 decennial count by combining two previously separate tracts 5 – Blackshear and 6 – Downtown. The 2000 Decennial Census tabulated Hispanics as a 54% majority in tract 5. White non-Hispanics were a 52% majority in tract 6.

population across component geographic sections that make up a larger area. The census tracts within a city provide an appropriate application of the dissimilarity index.[12]

Table 9
Race, Hispanic Ethnicity & Segregation

Race, Hispanic Ethnicity & Majority-Minority Neighborhoods	2000		2006-2010		2010-2014	
	Percent	Dissimilarity Index	Percent	Dissimilarity Index	Percent	Dissimilarity Index
White, non-Hispanic	**59.9**		**54.5**		**52.5**	
Lake View: Tract 2	62.1		43.2		42.1	
Reagan: Tract 4	29.4		18.9		17.4	
Blackshear: Tract 5/18	13.8		13.4		23.3	
East San Angelo: Tract 7	31.9		30.9		23.6	
Fort Concho, Tract 9	27.6		33.5		26.0	
Angelo Heights: Tract 12	53.1		38.6		40.0	
Rio Vista: Tract 14	41.0		46.2		41.0	
Black, non-Hispanic	**4.3**	**30.4**	**4.1**	**46.2**	**4.5**	**42.1**
Lake View: Tract 2	3.8		5.1		1.6	
Reagan: Tract 4	4.7		1.5		3.9	
Blackshear: Tract 5/18	31.3		34.3		27.5	
East San Angelo: Tract 7	4.7		2.7		4.4	
Fort Concho, Tract 9	1.8		0.0		0.8	
Angelo Heights: Tract 12	6.5		7.2		6.8	
Rio Vista: Tract 14	4.0		1.3		2.2	
Hispanic	**33.4**	**37.0**	**38.9**	**38.3**	**40.5**	**37.2**
Lake View: Tract 2	32.6		49.7		54.9	
Reagan: Tract 4	64.2		79.0		78.7	
Blackshear: Tract 5/18	53.4		50.3		48.4	
East San Angelo: Tract 7	61.4		64.6		71.9	
Fort Concho, Tract 9	68.8		62.0		71.2	
Angelo Heights: Tract 12	38.3		50.2		47.6	
Rio Vista: Tract 14	53.4		50.1		56.1	

[12] The index of dissimilarity method begins by calculating the proportion of the citywide population of a specified group (e.g. Hispanics) that lives in each census tract. The same calculations are then completed for a second comparison group (e.g. non-Hispanic whites). This is followed by summing the absolute values of the differences between the specified and comparison groups (e.g. the sum of the absolute values of the proportions of Hispanics and non-Hispanic whites in each census tract). Finally, the sum of the differences is divided by 2 to derive the measured index of dissimilarity. See "Racial Residential Segregation Measurement Project," Population Studies Center, University of Michigan, retrieved June 13, 2016: http://enceladus.isr.umich.edu/race/calculate.html.

Other, non-Hispanic	**4.3**	**11.7**	**2.7**	**28.0**	**3.6**	**23.8**
Lake View: Tract 2	3.3		2.9		1.9	
Reagan: Tract 4	3.2		1.2		0.0	
Blackshear: Tract 5/18	3.4		3.7		1.4	
East San Angelo: Tract 7	3.3		1.9		0.1	
Fort Concho, Tract 9	3.2		0.0		3.2	
Angelo Heights: Tract 12	3.7		5.8		7.4	
Rio Vista: Tract 14	2.8		2.9		0.7	

Sources: Data for 2000 is from the table P004, Summary File 1 of the 2000 Decennial Census. The 2006-2010 and 2010 -2014 data is from table B03002 of the American Community Survey, 5 Year Samples for the corresponding years.

The dissimilarity index outcomes in Table 9 compare the distribution of San Angelo's minority group populations with the majority non-Hispanic white population across the 20 residential census tracts within the city.[13] It is appropriate to interpret the results as percentages of one of the two groups that would have to move to a different census tract in order to have a distribution that matches the citywide proportions of the groups. For instance, the dissimilarity index for Hispanics in the year 2000 mathematically means that 37 percent of San Angelo's Hispanic or non-Hispanic white population would have had to move in order to achieve a 59.9/33.4 percent split between the two groups in each of the city's census tracts.

The primary reason for observing dissimilarity index scores is to facilitate monitoring of changes in the geographic concentration or dispersion of population groups. Thus, a trend toward increasing index scores comparing racial or ethnic minority groups to the majority group is accurate evidence of geographic segregation of groups over time.

The evidence in San Angelo indicates that very little has taken place since the year 2000 to change the 37-38 percent level of segregation between Hispanics and non-Hispanic whites. However, the separation between whites and blacks in the city has grown by nearly 12 percent (from 30.4 to 42.1 percent) since 2000. The dissimilarity index results comparing whites to other non-Hispanic minority groups also point to increased segregation.

Table 10 provides evidence of other dimensions of geographic concentration that correspond to the segregation of racial and ethnic minorities in the city. In the year 2000, for instance, the seven census tract neighborhoods with high concentrations of Hispanics and other minorities also were home to more than half (55.2%) of the foreign-born population, as well as about 57 percent on San Angelo's non-citizens. Moreover, these percentages ballooned to more than 60 percent in the 2010-2014 American Community Survey.

[13] In order to focus on the civilian, non-institutionalized population, census tract 15 – Goodfellow AFB is not included as a residential tract in the calculation of the dissimilarity index results.

A trend toward increased concentration of linguistically isolated households with no members over age 13 who speak English well is also evident. The seven minority-majority census tract neighborhoods included 35 percent of the city's households in 2000, but 59 percent of all language isolated households were in these locales. The 2010-2014 American Community Survey shows the same neighborhoods with 34 percent of households citywide, but 61 percent of the linguistically isolated households.

Table 10
Geographic Concentration of the Foreign-Born Population and Linguistically Isolated Households

Population & Households	2000			2010-2014		
	Number	Percent	Concentration *	Number	Percent	Concentration *
Total Households	34,420	100.0	34.6	36,468	100.0	33.6
Language other than English spoken at home	10,615	30.8	50.6	10,656	29.2	54.1
Linguistically Isolated	1,656	4.8	58.6	1429.0	3.9	61.4
Foreign-Born Population	5,584	100.0	55.2	6512.0	100.0	60.4
Non-Citizens	3029	54.2	56.5	3566.0	54.8	64.0

Sources: Data for the year 2000 is table PCT020 of Summary Files 3 and PCT042 of Summary File 4 of the 2000 Decennial Census; 2014 data derives from tables B05007 and B16002 the 2010-2014 American Community Survey, 5 Year Sample.
*Concentration reports the percentage of geographic concentration in San Angelo's seven majority-minority neighborhoods including tract 2 - Lake View, tract 4 – Reagan, tract 7 - East San Angelo, tract 9 - Fort Concho, tract 12 – Angelo Heights, tract 14 - Rio Vista, and tract 18 – Blackshear and Downtown.

Adults with low level educational attainment are also geographically concentrated into San Angelo's seven minority-majority neighborhoods. Nearly 54,000 people age 25 and over lived in the city during 2000. According to the 2000 decennial count, more than half (52%) of these adults (27,986) had a high school diploma or less education, and nearly half (47.2%) were residentially concentrated into the city's seven minority-majority census tracts (Table 11).

Table 11
Geographic Concentration of Residents with High School or Less Education

Educational Attainment	2000		2006-2010		2010-2014	
	Percent	Concentration*	Percent	Concentration*	Percent	Concentration *
Population Age 25 & Over	**52.0**	**47.2**	**48.9**	**51.2**	**49.4**	**48.3**
Lake View: Tract 2		6.6		6.7		6.5

Reagan: Tract 4		10.9		11.7		10.5
Blackshear: Tract 5/18		2.5		3.8		4.1
East San Angelo: Tract 7		7.0		6.8		6.2
Fort Concho, Tract 9		5.0		6.0		4.4
Angelo Heights: Tract 12		9.4		10.0		10.1
Rio Vista: Tract 14		5.8		6.1		6.5

Sources: Data for 2000 is from the table P037, Summary File 3 of the 2000 Decennial Census. The 2006-2010 and 2010-2014 data is from table B15002 of the corresponding American Community Survey, 5 Year Samples.
*Concentration reports the percentage of geographic concentration in city's seven majority-minority neighborhoods.

Census Bureau data covering the period from 2006-2014 indicate the citywide population of people with a high school education or less declined slightly to hover around 49 percent in the 2006-2010 and 2010-2014 samples of the American Community Survey. However, there was no corresponding decline in the level of geographical concentration within the city. The 2006-2010 American Community Survey suggests that 51.2 percent of the least educated adult population was concentrated in the seven minority-majority neighborhoods. The 2010-2014 data indicates a 49.4 percent level of geographic concentration.

Income, of course, is related to education, as well as to the other forms of geographic concentration described. Consequently, consistent household income inequalities have stabilized between the seven minority-majority neighborhoods and the rest of the city (Table 12).[14]

Table 12
Geographic Concentration of Low Income Households

Household Income	2000		2006-2010		2010-2014	
	Dollars*	Percent of City Median	Dollars*	Percent of City Median	Dollars*	Percent of City Median
Median	**23,546**	**73.3**	**27,709**	**69.9**	**31,143**	**72.7**
Lake View: Tract 2	30,655	95.4	36,162	91.3	38,766	90.5
Reagan: Tract 4	23,377	72.7	28,663	72.4	31,521	73.6
Blackshear: Tract 5/18	13,875	43.2	18,482	46.7	20,640	48.2
East San Angelo: Tract 7	21,714	67.6	26,925	68.0	29,706	69.3
Fort Concho, Tract 9	19,628	61.1	25,429	64.2	29,041	67.8
Angelo Heights: Tract 12	31,071	96.7	30,086	75.9	38,679	90.3
Rio Vista: Tract 14	24,504	76.2	28,214	71.2	29,650	69.2

[14] A related note is that four of the seven minority-majority census tracts (Lake View, tract 2; East San Angelo; tract 7; Fort Concho, tract 9; and Blackshear – Downtown, tract 18) are 2016 designated Qualified Census Tract (QCTs). A QCT is a tract where least 50 percent of households have an income less than 60 percent of the area median gross income or have a poverty rate of at least 25 percent. The main benefit is that QCTs may receive a larger allocation under the Low Income Housing Tax Credit (LIHTC) program. QCT designation is also a factor in the Small Business Administration's HUB Zones. See "Increasing Opportunity in LIHTC," retrieved June 10, 2016: https://www.huduser.gov/portal/pdredge/pdr_edge_frm_asst_sec_050415.html.

Sources: Data for 2000 is from the table HCT012, Summary File 3 of the 2000 Decennial Census. The 2006-2010 and 2010-2014 data is from table B19013 of the corresponding American Community Survey, 5 Year Samples.
*All reported dollar amounts were inflation-adjusted by the Census Bureau.

San Angelo's median household income reported in 2000 Decennial Census was $32,616. Table 12 compares the median incomes of households in the seven minority-majority census tracts with this citywide median. Households in Angelo Heights – tract 12 -- had a median income of $31,071 or 96.7 percent to the citywide value. At the other end of the scale, the median in Blackshear – tract 5 -- in the 2000 census was $13,875 or just 43.2 percent of the citywide amount.

Remarkably, the proportional differences in median household income between the city and the minority-majority neighborhoods remained stable, showing little variation, even as the community endured the economic recession of 2008 and enjoyed the oil-boom recovery in the aftermath. Overall, the minority-majority neighborhoods had a median household income equal to 73.3 percent of the city's $31,071 median in the year 2000. There was little change in the corresponding 72.7 proportion for the five years between 2010 and 2014.[15]

Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)

The US Department of Housing and Urban Development (HUD) defines a R/ECAP as a census tract with a majority of racial and ethnic minority group population (i.e. a minority-majority tract), and a family poverty rate of at least 40 percent.[16] San Angelo has seven minority-majority census tracts as described in the previous section. One is a current R/ECAP. One other tract is a former R/ECAP.

Table 13 depicts the family poverty rates of the city's seven current minority-majority census tracts since the year 2000. The Blackshear area (then census tract 5) reflected the HUD R/ECAP definition as the new century commenced. Minority groups comprised 86 percent of the neighborhood population according to the 2000 decennial count, and the family poverty rate was 43 percent.

The Blackshear area continues to feature a large majority-minority population according to the 2010-2014 American Community Survey. However, the financial standing of area families has

[15] The Census Bureau produces a Gini Index to measure degrees of income inequality between households within a specified geographical area. Gini Index ranges from 0, indicating perfect equality between households to 100, showing perfect inequality which would result from only one household receiving all the income. San Angelo's Gini Index for 2006 was 46. It declined to 41 with the onset of the recession in 2008. As the oil-driven recover set in, the Gini Index climbed to 49 in 2011, then receded to 43 in 2012, and climbed again to 56 (the highest level of measured inequality) in 2014.

[16] Actually, the definition provides the family poverty rate qualification may be set lower than 40% if 300% of the average family poverty rate across the city's census tracts is below that threshold. The product of that computation is 1.33% greater than 40% for San Angelo based on the 2010-2014 American Community Survey results for family poverty rates in the census tracts.

improved, dropping the poverty rate to an estimated 30 percent level. At the same time, however, the East San Angelo neighborhood (tract 7) has evolved into another area reflecting R/ECAP features. The most recent five-year American Community Survey reports the family poverty rate is 43 percent, combined with a 76 percent minority-majority population.[17]

Table 13
Racially & Ethnically Concentrated Areas of Poverty

Majority-Minority Neighborhoods	2000		2006-2010		2010-2014	
	Percent Minority	Family Poverty	Percent Minority	Family Poverty	Percent Minority	Family Poverty
Lake View: Tract 2	37.9	13.3	56.8	18.4	57.9	21.9
Reagan: Tract 4	70.6	18.9	81.1	28.5	82.6	19.8
Blackshear: Tract 5/18	86.2	43.3	86.6	39.5	76.7	30.0
East San Angelo: Tract 7	68.1	28.3	69.1	33.5	76.4	42.8
Fort Concho, Tract 9	72.4	26.3	66.5	19.0	74.0	13.1
Angelo Heights: Tract 12	46.9	10.9	61.4	14.8	60.0	10.2
Rio Vista: Tract 14	59.0	21.0	53.8	24.0	59.0	32.5

Sources: Data for 2000 is from the table P004, Summary File 1 and table P090, Summary File 3 of the 2000 Decennial Census. The 2006-2010 and 2010 -2014 data is from tables B03002 and S1702 of the American Community Survey, 5 Year Samples for the corresponding years.

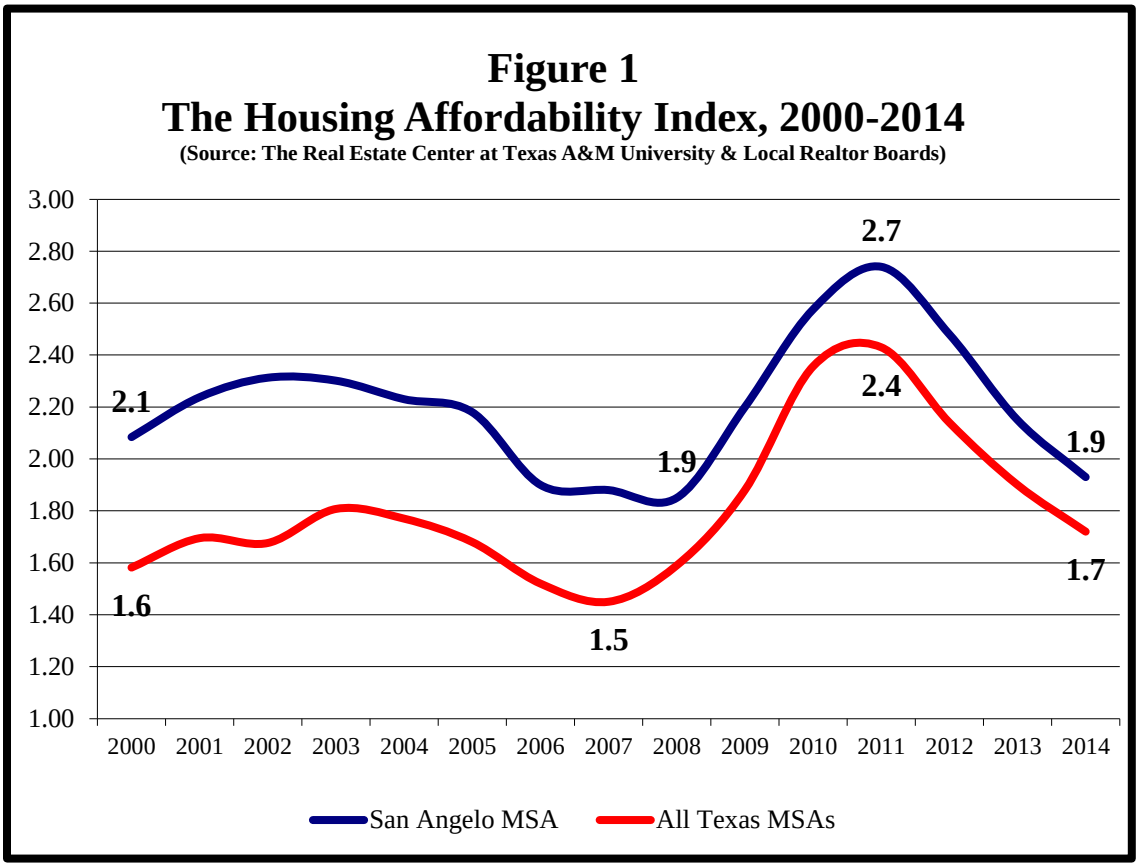
C: Determinants of Segregation and R/ECAP Areas

The Real Estate Center at Texas A&M University and Local Realtor Boards collaborate to produce the annual Housing Affordability Index (HAI) scores for the Metropolitan Statistical Areas (MSAs) of the state. The HAI estimates affordability of housing in a local market by calculating the ratio of median family income to the amount of income required to qualify for an 80 percent, fixed-rate mortgage for purchase of a median-priced home. If the result is a value of one, then the median family income is equal to the amount needed to mortgage a median priced home. The more the HAI ratio rises above one, the less affordable the median priced home is to families with median income.[18]

[17] A recent analysis of income data from the Internal Revenue Service identified the San Angelo Metropolitan Statistical Area (MSA), including Tom Green and Irion counties, as the 10th most unequal MSA in the nation. The analysis indicates the average reported income of the top 1 percent ($1,645,923) is 40.9 times greater than the average of the other 99 percent ($40,287). Midland is the only Texas MSA with more inequality. See Estelle Sommeiller, Mark Price, and Ellis Wazeter, "Income inequality in the U.S. by state, metropolitan area, and county," (June, 2016), retrieved June 19, 2016: http://www.epi.org/publication/income-inequality-in-the-us/.

[18] Of course, when the HAI falls below one, then the median priced home becomes more affordable. For complete information and results for the HAI, see the Real Estate Center at Texas A&M University: https://www.recenter.tamu.edu/data/housing-activity/#/thai.

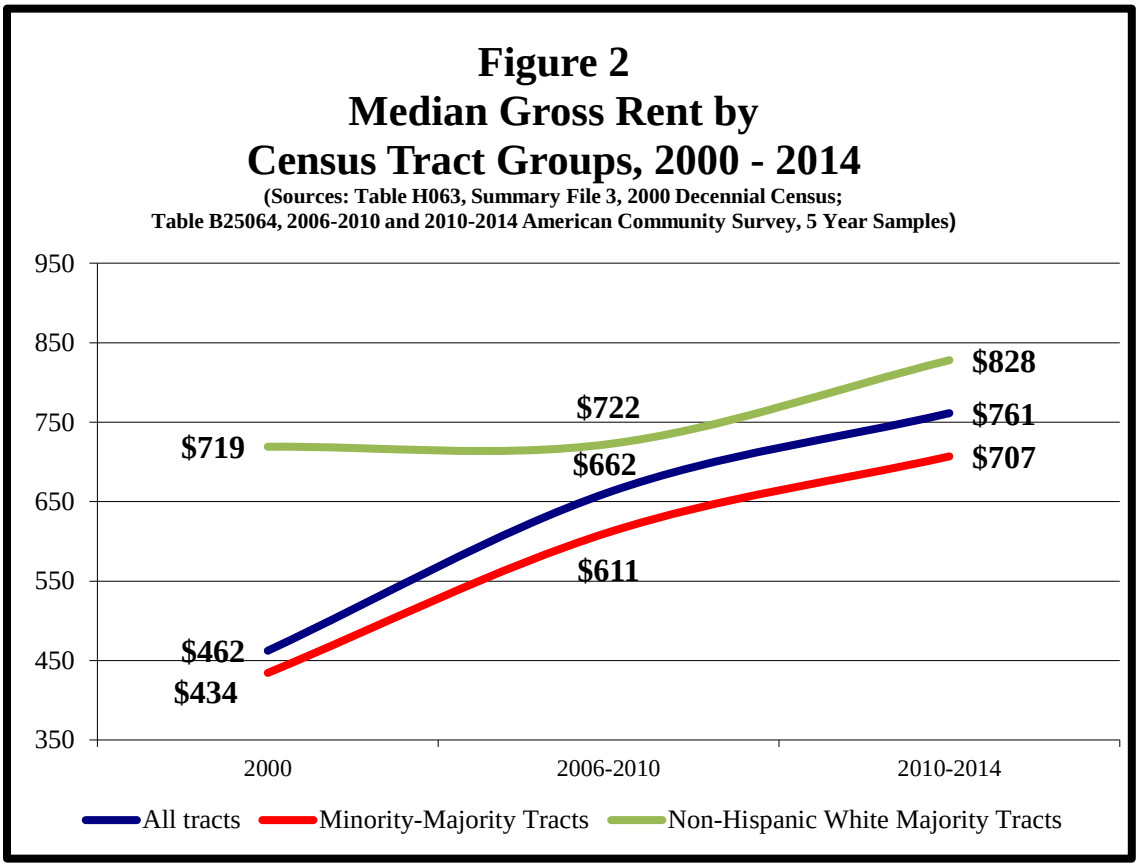
Figure 1 compares the HAI for the San Angelo MSA with all MSAs in Texas. The results highlight two important observations. First, the city and its surrounding area have a less affordable housing market than Texas metro areas in general. That is, the local HAI ratio has been larger than the corresponding number for Texas metros every year since the beginning of the century.



Secondly, the years in the aftermath of the 2008 recession in the local economy triggered the most challenging, least affordable housing market conditions in the city's recent history. The HAI for San Angelo MSA ranged from a low of 1.9 in 2008 to a high of 2.7 in 2011. San Angelo's average HAI for the 2008 – 2014 time frame was 2.3. After the 1.9 HAI ratio in 2008, it took until 2014 to reach that level of affordability again.

The impact of the housing boom in the early years of the new century and the consequent 2008 recession is also apparent in San Angelo's home ownership rates. The 2000 Decennial Census count shows 59 percent of households across the city were owner-occupied. Later, the 2006-2010 American Community Survey 5 Year Sample indicated an ownership rate of 66 percent across all the city's census tracts. The 2010-2014 American Community Survey shows home ownership dropping back to again to 59 percent.

The recession and subsequent oil-driven recovery clearly created increased demand in the city's rental housing market. Figure 2 depicts the consequent rise of gross rents across the city. Two observations are seminal to impeding fair housing choice.



First, the gap in median gross rents between the city's minority-majority and non-Hispanic white majority areas closed from a $285 differential in 2000 to a difference of $121 in the 2010-2014 time frame. Secondly, it was constant rapid increase of rents in Minority-majority areas that closed the gap. Between 2000 and the 2006-2011, median rents in the minority-majority areas increase by 41 percent, followed by another 16 percent increase over the 2006-2010 and 2010-2014 five-year sample estimates. The corresponding percentages for the non-Hispanic white areas of the city are 0.4 percent for the 2000 to 2006-2010 comparison and 15 percent for 2006-2010 to 2010-2014.

Another method of assessing affordability in local housing markets focuses on portions of household income used to pay monthly housing costs. The advantage of this method is that it is possible to develop separate assessments for the local home ownership market as well as the rental market.[19] The Census Bureau identifies owner and renter occupied households in terms of the proportions of household income they pay for the cost of housing. Households paying 30 percent

[19] Costs for homeowners include any monthly mortgage payments plus the cost of basic utilities. Gross rent, including utilities, is the cost for renters.

or more of gross income are defined as "cost burdened." Table 14 reports the percentages of cost burdened owner-occupied households in the seven minority-majority tracts since the year 2000.

Table 14
Cost Burdened Homeowners in the Majority-Minority Census Tracts

Neighborhoods	2000		2006-2010		2010-2014	
	Owners	30%+ Cost Burden	Owners	30%+ Cost Burden	Owners	30%+ Cost Burden
Lake View: Tract 2	1,107	16.3	1,229	25.7	1,147	16.7
Reagan: Tract 4	1,424	20.9	1,651	26.1	1,484	19.5
Blackshear: Tract 5/18	215	31.6	375	25.9	433	28.6
East San Angelo: Tract 7	748	21.3	866	21.7	727	16.5
Fort Concho, Tract 9	527	15.2	705	37.5	530	19.1
Angelo Heights: Tract 12	1,665	21.0	1,685	19.5	1,733	24.4
Rio Vista: Tract 14	760	24.9	945	25.9	878	21.4

Sources: Data for 2000 is from the table H094, Summary File 3 of the 2000 Decennial Census. The 2006-2010 and 2010 - 2014 data is from table B25101 of the American Community Survey, 5 Year Samples for the corresponding years.

The average percent of burdened owners in these areas was 20.5 percent in the 2000 Decennial Census compared to 27 and 20.7 percent respectively for the 2006-2010 and 2010-2014 American Community Survey 5 Year Samples. The corresponding averages for non-Hispanic white areas of the city are 15, 18.7, and 18 percent.

Levels of cost burdened householders in the minority-majority neighborhood rental markets are much higher as depicted in Table 15. Indeed, sizeable proportions of renters (ranging as high as 30 percent in the Rio Vista -Tract 14 neighborhood for 2006-2010) have had gross rents amounting to half or more of the household income.

Table 15
Cost Burdened Renters in the Majority-Minority Census Tracts

Neighborhoods	2000			2006-2010			2010-2014		
	Renters	30%+ Cost Burden	50%+ Cost Burden	Renters	30%+ Cost Burden	50%+ Cost Burden	Renters	30%+ Cost Burden	50%+ Cost Burden
Lake View: Tract 2	378	28.6	14.0	366	41.8	6.8	467	58.2	19.1
Reagan: Tract 4	748	40.5	22.3	549	44.4	30.6	617	47.5	24.1
Blackshear:	321	37.4	18.4	394	40.4	12.9	514	46.7	12.5

Tract 5/18									
East San Angelo: Tract 7	801	34.5	14.5	738	37.4	21.7	761	54.1	22.5
Fort Concho: Tract 9	598	40.0	19.6	722	50.4	25.6	533	33.2	15.4
Angelo Heights: Tract 12	814	34.6	19.0	870	54.8	24.8	1,042	51.3	27.3
Rio Vista Tract 14	1,030	32.2	17.3	1,103	41.9	30.0	1,372	45.0	16.0

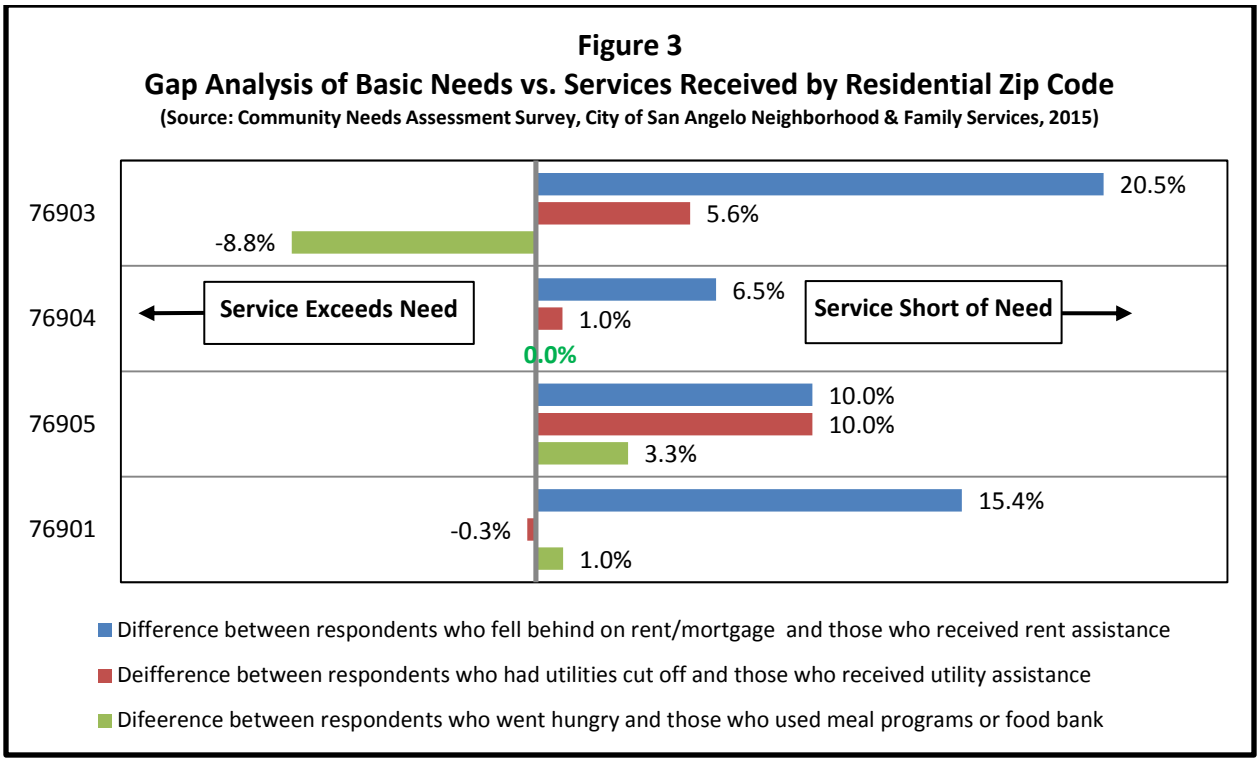
Sources: Data for 2000 is from the table H069, Summary File 3 of the 2000 Decennial Census. The 2006-2010 and 2010 -2014 data is from table B25070 of the American Community Survey, 5 Year Samples for the corresponding years.

Overall, an average of 35.4 percent of minority-majority neighborhood renters were cost burdened in the year 2000, and an average of 18 percent paid half or more of income for housing. These averages climbed to 45 and 24 percent for the 2006-2010 period. They changed little to 48 and 20 percent during 2010-2014. Moreover, the levels of cost burdened renter households in the non-Hispanic white majority areas of the city are not significantly lower.[20] High risks of being burdened by rents exceeding 30 percent, or even 50 percent of household income, have become too normal in the San Angelo rental market.

Shortage of Housing Assistance Services

A Community Needs Assessment Survey was completed during the spring of 2015 by Angelo State University on behalf of the City of San Angelo Neighborhood and Family Services division. The survey collected information from 309 residents. Figure 3 presents results of a gap analysis between basic needs of households and provision of services to meet them in various parts of the city.

[20] An average 35% of renters in majority non-Hispanic white areas had a 30% or higher cost burden in the 2000 Decennial Census. This proportion changed to 44.2% and 44.8% for the 2006-2010 and 2010-2014 time frames. The numbers with a 50% or higher cost burden were 15%, 20% and 21% respectively.



Respondents included 72 (23.3%) residents from the 76903 zip code area; home to the vast majority of people living in the minority-majority census tracts. Another 110 (35.6%) respondents were in the 76904 zip code including many of the non-Hispanic white neighborhoods with the majority of the city's upper income households. Residents of the 76901 and 76905 zip codes numbered 122 (39.5%) respondents.[21]

Separate items in the survey asked respondents whether they had experienced certain basic needs such as going hungry during the past year. Other questions asked whether they had used certain public or charitable services designed to help address the same basic needs. The gap analysis in Figure 3 measures the differentials between percentages who reported having basic needs on the one hand, and those reporting the use of services on the other. Negative percentages indicate a higher frequency service use than experiencing the corresponding need. For instance, 8.8 percent fewer respondents in the 76903 area said they experienced hunger than reported using meal or food bank services. On the other hand, 5.6 percent more respondents in the area said they had utilities cut off than reported receiving utility assistance.

Of course, residents of the city's minority-majority neighborhoods, represented by the 76903 zip code in the gap analysis, are much more likely to experience unmet basic household needs than those living in higher income non-Hispanic white neighborhoods such as those represented in the

[21] Five of the 309 respondents to the survey did not identify their zip code.

76904 area.[22] More importantly, those in the 76903 zip code have higher degrees of need unmet by the available services.

This is especially true of housing services. Among respondents living in the 76903 area, one in every four (25%) reported falling behind on rent or mortgage payments within the past year. Only 4.5 percent reported receiving assistance. The gap in service was 20.5 percent. Indeed, shortage of rental and housing assistance is the only one of the three types of unmet need depicted in Figure 3 that is found in all residential zip code areas of the city.

Patterns of Community Opposition to Affordable Housing

The 2015 Neighborhood and Family Services Community Needs Assessment revealed another pattern underscoring the differences between the residents in the minority-majority and non-Hispanic white majority neighborhoods with higher income levels. On one hand, there are identifiable priorities for city government action that are largely shared among residents. For instance, more than 60 percent of respondents in all four residential zip codes say they "strongly agree" with street paving as a community project. Residents in all parts of the city give similarly high priority to sidewalk projects and demolition efforts to clear uninhabitable structures.

However, the survey also revealed significant divergence of opinion and prioritization on affordable rental and housing projects, rehabilitation projects, and home buyer assistance programs. In general, support for these types of projects is tepid, at best, in all neighborhoods. However, while 32 percent of 76903 respondents reported strong agreement with housing rehabilitation projects, only 14 percent of 76904 residents agreed. Divergent opinion between respondents in the 76903 and 76904 parts of the city was especially evident,

Unfortunately, these diverging views clashed in dispute during the spring of 2015 when City Council was asked for a resolution of support for a proposed Low Income Housing Tax Credit (LIHTC) project which was then in competition with other proposals for part of the Texas allocation. The selected site for the Outlook at Valleyview project was a location in the heart of the 76904 zip code. The idea of a low-income rental apartment complex in the area produced a noteworthy "not-in-my-back-yard" response in the nearby Southland and Bentwood Country Club neighborhoods.[23] Council resolved to support the Outlook project, which competed unsuccessfully for and LIHTC allocation.

[22] In fact, the survey asked respondents about six different life events that express needs in households, including losing a job, inability to pay for prescriptions, going hungry, falling behind on rent or mortgage, foreclosure, and having utilities cut off. An average of 17.1% of respondents in the 76903 area reported experiencing these events. This compares to just 6.4% in the 76904 zip code. An average of 15% from the 76901 and 76905 areas reported experiencing these events.

[23] See "Proposed development stirs debate," San Angelo *Standard Times* (March 5, 2015): A1, A5. Also, *Affordable Housing Town Hall,* City of San Angelo (February 12, 2015): https://www.youtube.com/watch?v=NKIsKUCf23w.

D. Opportunity Indicators

Table 16 provides key insights into the importance of the differences between San Angelo's minority-majority and non-Hispanic white majority neighborhoods as underscored in previous sections. The key insights are summarized in the form of three statistical indicators measuring levels of exposure to poverty, the quality of education, and labor market engagement in the various neighborhoods.

Community Development Initiatives at ASU created the indicators depicted in Table 16 based on methods recommended by the U.S. Department of Housing and Urban Development as part of its Affirmatively Furthering Fair Housing (AFFH) mission.[24] The agency recommends the indicators because existing research shows they affect individual life outcomes of residents in a small geographic area such as a census tract or neighborhood.

Admittedly, statistical indicators cannot capture everything of importance to the well-being of individuals and families in a given neighborhood environment. Instead, the intent is to gauge certain neighborhood features that are known to create disparities in exposure of particular groups to fundamental factors that affect opportunities for personal economic gain and connection to the wider community. Table 16 is titled Opportunity Indicators for this reason.

The focus of these particular indicators is limited to measureable factors linked to neighborhood, census tract geographies. For example, the quality of education measure is focused on 4th grade passrates for reading and math which provide windows into the quality of elementary schools tied to neighborhoods through Elementary School Attendance Zones.[25] The measure does not capture the quality of education at higher secondary levels of schooling, which is important to the community's well-being, but less geographically tied to specific neighborhoods.

Similarly, data used for the poverty and labor market engagement factors in Table 16 are from the 2010-2014 American Community Survey 5 Year Sample because this census product provides estimates at census tract levels. The most recent single year of data is more current, but the single year samples enable demographic estimates for only large geographic areas such as cities, counties, or states

[24] The Department of Housing and Urban Development actually recommends five "Access to Opportunity" indices. ASU Community Development Initiatives was able to adapt three of the five indices to available data relevant to the local community and its neighborhoods. Two recommended indices covering transportation and health topics could not be created because of limitations on available data relate to the neighborhoods of the city. For a review of the recommended methods, see Affirmatively Furthering Fair Housing (AFFH) Data Documentation, Office of Policy Development & Research, U.S. Department of Housing and Urban Development (December, 2015): retrieved January 30, 2016: https://www.huduser.gov/portal/affht_pt.html#affhassess-tab.

[25] School Attendance Zones for San Angelo Independent School District are available at: http://www.saisd.org/schools/AttendanceZones.asp.

Table 16
Opportunity Indicators

Minority-Majority Neighborhoods

Name: Tract	Poverty Rate	Comparison to U.S.	Pct. Rank	Grade 4 Reading &Math Scores	Comparison to Texas	Pct. Rank	Labor Market Engagement	Pct. Rank
Lake View: Tract 2	25.6	10.0	78.9	63.5	-8.5	10.5	-12.8	36.8
Reagan: Tract 4	23.2	7.6	73.6	59.1	-12.9	0.0	-32.0	10.5
Blackshear: Tract 5/18	36.2	20.6	94.7	63.9	-8.1	21.0	-47.5	0.0
East San Angelo: Tract 7	41.9	26.3	100.0	74.1	2.1	57.8	-32.5	5.2
Fort Concho, Tract 9	16.0	0.4	57.8	77.5	5.5	68.4	-30.8	15.7
Angelo Heights: Tract 12	13.5	-2.1	42.1	61.9	-10.1	5.2	-12.0	47.3
Rio Vista: Tract 14	27.4	11.8	89.4	76.3	4.3	63.1	-21.4	26.3

Non-Hispanic White Majority Neighborhoods

Name: Tract	Poverty Rate	Comparison to U.S.	Pct. Rank	Grade 4 Reading &Math Scores	Comparison to Texas	Pct. Rank	Labor Market Engagement	Pct. Rank
Riverside: Tract 1	12.7	-2.9	36.8	63.5	-8.5	10.5	-27.6	21.0
Paulann: Tract 3	26.9	11.3	84.2	68.4	-3.6	31.5	-15.1	31.5
Glenmore: Tract 8.01	12.5	-3.1	31.5	93.0	21.0	100.0	-4.6	63.1
Belaire: Tract 8.02	17.5	1.9	68.4	64.5	-7.5	26.3	-12.1	42.1
Santa Rita: Tract 10	14.3	-1.3	47.3	90.0	18.0	94.7	18.2	100.0
Bluffs Tract 11.01	15.5	-0.1	52.6	87.5	15.5	78.9	-2.2	73.6
Central: Tract 11.02	11.2	-4.4	26.3	69.1	-2.9	36.8	-4.3	68.4
ASU-College Hills: Tract 13.01	16.1	0.5	63.1	74.0	2.0	52.6	-5.4	57.8
Sunset: Tract 13.03	8.4	-7.2	10.5	70.0	-2.0	42.1	4.7	78.9
Vista del Arroyo: Tract 13.04	9.3	-6.3	15.7	70.0	-2.0	42.1	-7.3	52.6
Southland: Tract 17.06	9.3	-6.3	15.7	87.5	15.5	78.9	12.3	84.2
Bonham: Tract 17.07	6.9	-8.7	5.2	87.5	15.5	78.9	12.9	89.4
Bentwood-Nasworthy: Tract 17.08	4.8	-10.8	0.0	78.0	6.0	73.6	16.7	94.7

Sources: Community Development Initiatives at ASU created the Opportunity Indicators based on similar methods recommended in *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*, Office of Policy Development & Research, U.S. Department of Housing and Urban Development (December, 2015): retrieved January 30, 2016: https://www.huduser.gov/portal/affht_pt.html#affhassess-tab. Data used for the indicators is from the tables S1701, B20001 and B23006 of the 2010-2014 American Community Survey 5 Year Sample; and from the Texas Performance Reporting System, Texas Education Agency: http://tea.texas.gov/perfreport/tprs/index.html.

Reading from left to right, the first three data columns in Table 16 give useful insight into levels of exposure to poverty by children, families and others living in different parts of the city. The middle three columns inform the quality of education in neighborhood elementary schools. The final two data columns on the right of the table report the labor market engagement indicator. The table is divided into two panels; a top panel reporting data on the city's majority-minority neighborhoods and a bottom panel with data on the white non-Hispanic areas.

Exposure to Poverty

The first data column in Table 16 provides the poverty rate for the majority-minority neighborhoods (top panel) and the white non-Hispanic majority areas (bottom panel). The extremes are in East San Angelo with a high rate of 41.9 percent compared to the Bentwood-Nasworthy census tract with a low rate of 4.8 percent. The average poverty rate in the minority-majority areas is 26.3 percent. It is 12.7 percent for the white non-Hispanic tracts.

The basic data for each of the three indicators (exposure to poverty, quality of education, and labor market engagement) is benchmarked against parallel data for larger encompassing geographic areas. In the case of exposure to poverty, the benchmark is the comparison of each neighborhood to the U.S. poverty rate (the second data column). The national poverty rate reported in the 2010-2014 American Community Survey was 15.6 percent. Thus, the highest local tract comparison to the U.S. benchmark was East San Angelo with its neighborhood poverty rate 26.3 percent higher than the national rate. Again, Bentwood-Nasworthy was the other extreme with a tract level poverty rate 10.8 percent lower than the national benchmark.

The final, perhaps most insightful, element of the exposure to poverty indicator is in the third column labeled "Pct. Rank." This column applies a 0-100 point scale (i.e. a percent scale) to rank each of neighborhood's poverty rate relative to the others. Of course, the extremes (0 and 100 percent) go to Bentwood-Nasworthy (0 percent) and East San Angelo (100 percent).

The key to grasping neighborhood differences in poverty is to recognize the relatively higher percent ranks of the minority-majority areas. Their average 76.6 percent rank means households, families, and children living in these seven city neighborhoods are approximately 77 percent more likely than people in Bentwood-Nasworthy to experience day-to-day exposure to poverty conditions.

Quality of Neighborhood Elementary Schools

The "Grade 4 Reading & Math Scores" in Table 16 report the combined average rate of satisfactory or higher level performance on the 2014-15 State of Texas Assessments of Academic Readiness (STAAR) reading and mathematics tests for fourth graders in the elementary schools serving the city's census tract neighborhoods.[26] Community Development Initiatives at ASU constructed the

[26] The combined averages are the average of the reading and mathematics pass-rates for the schools linked to each census tract neighborhood by virtue of the SAISD Elementary School Attendance Zones. The combined

following crosswalk between the city's residential census tracts and the San Angelo ISD Elementary School Attendance Zones to identify schools serving the various neighborhoods:

Neighborhood	Tract	Elementary School Attendance Zone(s)
Riverside	1	Goliad
Lake View	2	Goliad
Paulann	3	Bradford, Holiman
Reagan	4	Reagan, Bradford
Fort Concho- East	7	Holiman, San Jacinto
Glenmore	8.01	Glenmore
Belaire	8.02	Belaire
Fort Concho	9	Fort Concho
Santa Rita	10	Santa Rita
Bluffs	11.01	McGill, Bonham
Central	11.02	McGill, Alta Loma, Austin
Angelo Heights	12	Alta Loma, Fannin, Austin
ASU - College Hills	13.01	Crockett
Sunset	13.03	Bowie
Vista del Arroyo	13.04	Bowie
Rio Vista	14	Crockett, Lamar
Southland	17.06	Bonham
Bonham	17.07	Bonham
Bentwood - Nasworthy	17.08	Lamar
Blackshear - Downtown	18	Fannin, San Jacinto, Reagan

Fort Concho Elementary School achieved the highest combined average grade four reading and math pass rate (77.5%) among the schools serving the city's minority-majority neighborhoods. This particular school is the district's only magnet school, serving gifted and talented students citywide as well as the Fort Concho neighborhood.

Overall, schools serving the minority-majority neighborhoods attained an average fourth grade reading and math pass rate of 68 percent.[27] This is four percent lower than the benchmark pass-rate of 72 percent for fourth graders across Texas. It contrasts with the average 77.2 percent pass-rate for the schools serving the non-Hispanic white majority areas of the city; an average that is 5.2 percent above the statewide benchmark.

average is weighted for 4th grade student enrollment for census tract neighborhoods served by more than one elementary school. The pass-rates used for the various schools reflect the performance of the so-called "Accountability Subset" of students, defined as students who had been enrolled and tested in the school district during the previous academic school year.

[27] This falls to 66.5% if we exclude the Fort Concho magnet school from the computation.

Again, the percent rank column for the quality of schools compares the results for each particular neighborhood to the other tracts on a 0-100 point scale. The average rank for schools serving the seven minority-majority neighborhoods is 32.3. The average for the white non-Hispanic areas of the city is 57.5.

Labor Market Engagement

The "Labor Market Engagement" column in Table 16 summarizes the gaps between San Angelo's neighborhoods and national benchmarks on three key factors related to effective participation in the labor force. The three factors include the labor force participation rate, the employment rate, and the proportion of workers age 25 and who bring a college degree or higher level of education to the workforce. All neighborhood and national benchmark data on these factors is from the 2010-2014 American Community Survey 5 Year Samples.

To illustrate the computation, the 2010-2014 American Community Survey reported a labor market participation rate of 60.1 percent for the Lake View (tract 2) neighborhood. It also showed a 97.7 percent employment rate for the neighborhood, and it identified 10.1 percent of workers age 25 and over with college degrees or higher education. The corresponding national benchmarks for the factors were 63.5, 90.8, and 26.4 percent respectively. The gaps between Lake View and the national benchmarks were -3.4, +6.9 and -16.3. The sum of these, depicted for Lake View in Table 16, is -12.8.

Of course, negative numeric results for a given neighborhood indicate that its labor force is less engaged than the national labor force, at least as measured on the basis of the combination of labor force participation, employment rate, and college level educational attainment among workers. Fifteen of San Angelo's 20 census tract neighborhoods had negative results, including all seven of the city's minority-majority areas.

The average labor market engagement gap for the minority-majority sections is -27. The comparable average for white non-Hispanic areas is -1.1. The average percent ranks, comparing each neighborhood to the others, is 20.3 for the minority-majority sections and 65.9 for the white non-Hispanic parts of town.

E. Summary of Demographic Findings

The demography of San Angelo shows a city evolving toward a minority-majority population. In fact, the current projections of the Texas State Demographer suggest this will occur in Tom Green

County sometime between 2025 and 2038.[28] San Angelo comprises the vast majority of the county population.

At the same time, however, the analysis shows a city geographically re-segregating on the basis of race and ethnicity. Currently, white non-Hispanics make up about 53 percent of the city's population. At the same time, Hispanics and other minority groups compose majorities ranging from 58 to 83 percent in seven majority-minority neighborhoods. High concentrations of the foreign born, linguistically isolated, lesser educated, lower income residents live in these minority-majority tracts.

Local housing market dynamics, a shortage of housing assistance programming for both renters and home owners, and lack of public support for prioritizing increased housing or neighborhood revitalization services have created an indifferent environment toward the re-segregation trend. The effects of poverty remain stronger in the minority-majority sections; lower performing neighborhood schools serve the areas, and levels of labor market engagement are among the lowest in the city.

F. Local laws & ordinances affecting fair housing choices

The majority of existing housing units in San Angelo lie within the RS-1 (Single Family Residence) Zoning District. The RS-1 classification has a minimum lot size of 5,000 square feet, with a minimum frontage of 50 feet. Lots are required to be 100 feet in depth, and houses have a height restriction of 35 feet. Such lots are additionally required to have building lines of five feet from the side lot boundaries and front building lines 25 feet from the street. The City permits floor area in single family homes to comprise up to 40% of each home's total lot area. San Angelo's Zoning Ordinance requires no minimum dwelling size in any of its residential Zoning classifications. Most types of residential dwelling may be built within the City so long as each type of dwelling is located in an appropriately zoned district and built in accordance with the applicable provisions for that District.

One Zoning limitation identified by the Planning Department staff as potentially restricting housing is the limitation on the placement of mobile or manufactured homes within most residential Zoning districts. Existing mobile and manufactured homes are scattered in the older areas of the City, mostly as a result of less restrictive policies and regulatory practices employed decades ago. On many, but not all, of these individual lots where mobile and manufactured housing was previously allowed, existing homes may be removed and replaced with newer models. Except in these instances, mobile and manufactured housing may now only be installed in areas where they are permitted by zoning regulations, provided that such homes are installed on an

[28] Texas Population Projections Program, Texas Demographic Center, retrieved June 30, 2016: http://txsdc.utsa.edu/Data/TPEPP/Projections/.

approved foundation, and provided that the utility lines and connections comply with the applicable regulations. A permit is required for the installation of a mobile or manufactured home. State laws prohibit cities from requiring modification of a state or HUD Code compliant manufactured home. The City's Zoning Ordinance and building codes do not establish minimum dwelling sizes, regulate shape, or dictate specific exterior wall or roof finishes which might conflict with this prohibition.

In the past, Special Use Permits (SUP) were issued without regard to the effect on neighborhoods. One such instance was a SUP for a junk yard in a predominately African American neighborhood which is a violation of the City's zoning policies. However, the City rectified the situation by lifting the SUP and is currently pursuing action for the landowner to clean up the area.

The quality of pedestrian infrastructure is an important element of a community's livability and quality of life. It is a key element in the choice of walking to work and other activities, including access to public transit stops. Specifically, sidewalks play a key role in allowing people to walk safely. Low income households are the least likely to have access to a car for commuting to work and school, or accessing other amenities. Many such households depend on walking to reach these destinations. Yet, the City of San Angelo's Land Development and Subdivision Ordinance does not generally require sidewalks within new or existing neighborhoods. Lack of sidewalk construction, both historically and under current policy, creates barriers to mobility and accessibility in neighborhoods.

A zero-lot-line house is a type of housing on smaller lots where the house can be built at or very near the property line. Examples of this type of housing include rowhouses, garden homes, patio homes, and townhomes. The City's zoning ordinance includes a Zoning District (RS-3) that allows for this higher density single-family housing. With reduced land area, the land costs for these homes are lower resulting in lower housing costs. The City has seen an increase in new construction of these types of lots. However, they are still a minority of new construction and there are relatively few areas currently zoned for this type of development, making their development sporadic and underutilized.

The City of San Angelo's 2009 Comprehensive Plan update identifies several goals within the "Neighborhoods" section that support affordable housing development in the City. Among these goals are: (1) "Promote vibrant and viable neighborhoods" in a manner "where neighborhood diversity and security [are achieved] by encouraging a mix of age, income, and housing choices within San Angelo's neighborhoods; and (2) "Promote neighborhood organization and outreach" with "particular emphasis placed on reaching out to non-English speakers and other people who may not normally participate" and fostering "community participation in city planning by developing strategies to encourage participation by underrepresented residents and stakeholders." The City Council has identified the need to update the City's Zoning Ordinance to address the goals outlined in the Comprehensive Plan. This is something City staff envisions in the coming years.

G. Public policies

A review of public policies and actions did not identify any issues that prevent the extension of housing and community development resources to areas which have a large concentration of minorities or people with disabilities. In fact, the City developed a Neighborhood Revitalization Plan (NRP) that focuses resources in areas of the city in need of revitalization. Following the plan has resulted in great improvements including several Low Income Housing Tax Credit projects, dozens of newly constructed homes, and hundreds of rehabilitated dwellings.

The City Council and City staff support programs and projects in minority concentrated areas, and the City adheres to all federal and state ADA requirements. Indeed, a large portion of the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Grant funds that the City receives annually are earmarked for projects in these neighborhoods and to assist disabled homeowners with emergency repairs of their homes. In addition, the Public Housing Authority ensures that all of their properties are ADA compliant.

H. Public transportation

Planning objectives of the San Angelo Metropolitan Planning Organization in concert with the City of San Angelo, Texas Department of Transportation and the Concho Valley Transit District are centered on making transportation safer with greater access to mobility options for everyone within the urbanized area, including areas with concentration of low income, disabled, and minority citizens.

Transportation in our city is a lifeline that connects people with employment, medical care, education, and their surrounding community. All people benefit from accessing viable transportation solutions. As a result, in order to develop transportation plans that are responsive to the needs and priorities of a diverse population, it is essential to have a process in place that effectively engages the public, fully integrates their feedback, analyzes the benefits and burdens of various alternatives, and recommends the most equitable solutions.

With an intentional focus on the more vulnerable populations the citizens are assured equal access to this planning process and to the products of such planning. Therefore the City of San Angelo, TxDOT, CVTD and the MPO have long been aware of these essential and life giving links. The disadvantaged of our city have been given additional attention so as not to isolate those that desperately need transportation alternatives.

The Concho Valley Transit District (CVTD) is a political subdivision of Texas that Texas Transportation Code Chapter 458 authorizes, and therefore receives state funds for transit services. CVTD serves as a rural transit district (RTD) for 12 counties in central and western Texas, including Coke, Concho, Crockett, Irion, Kimble, McCulloch, Menard, Reagan, Schleicher, Sterling, Sutton, and Tom Green Counties. In 2006, CVTD took over the responsibility from the

City of San Angelo to provide public transportation for the San Angelo urbanized area (UZA), starting to serve as an urban transit district (UTD) as well. As a RTD, CVTD operates demand-response service (known as Thunderbird) in rural areas of Tom Green County and all of the rest 11 counties. CVTD develops a fixed schedule for each county to provide regular out-of- county bus service. As a UTD, CVTD operates fixed-route service (known as TRANSA) and ADA paratransit service for persons with disabilities within the city limit of San Angelo, and Thunderbird for the San Angelo UZA outside the city limit. In addition, CVTD contracts with American Medical Response to provide non-emergency medical transportation for eligible residents in the entire Concho Valley Region. CVTD also partners with several local agencies and organizations, such as Foster Grandparents, Senior Companion and Area Agency on Aging, to provide transit services to their clients.

I. Private sector practices affecting fair housing choices

While research was unable to identify systematic impediments to fair housing from banking and other institutions based on protected classes, standard loan practices such as screening for creditworthiness typically leave out lower income citizens which affects residents of minority-majority neighborhoods and elderly. The inability to obtain home loans coupled with a shortage of affordable housing create impediments to fair housing for many residents.

On top of increased difficulty to obtain home loans, landlords have steadily increased rents which is driving up the number of rental households that are experiencing a cost burden. In addition, the City's Public Housing Authority has reported a decreasing number of landlords that participate in rent assistance voucher programs which also adds to the lack of affordable housing problem.

As mentioned earlier, citizens living in high opportunity neighborhoods have an aversion to subsidized housing in their neighborhoods exemplified by the Outlook at Valleyview LIHTC project proposal that saw a great deal of opposition. While the City Council voted to support the project, residents aggressively campaigned to have the project denied. This "NIMBY" attitude will continue to isolate low income citizens and drive them to live in minority-majority neighborhoods. This compounds inability to obtain housing outside these neighborhoods and limits the City's ability to develop integrated mixed income neighborhoods.

V. Fair housing priorities and goals

To promote community and economic development, eliminate homelessness, provide affordable housing, and revitalize neighborhoods, it important for the City to focus on removing barriers impeding fair housing. The following activities will steer the City towards achieving fair housing goals:

- Continue funding for programs such as TBRA, home rehabilitation, gap financing and other home purchasing assistance programs, and self-sufficiency programs related to housing to bridge the financial gap for LMI households

- Encourage job training programs for LMI persons to increase their ability to be sustainable in housing
- Encourage job creation to provide jobs for LMI persons (with increased services to special populations including the disabled, veterans, and victims of domestic violence) to increase their ability to be sustainable in housing
- Supporting fair housing education for consumers, lenders, real estate agents, landlords, and all individuals providing housing services
- Supply community education tools to non-English speaking residents in both cities
- Make available, information regarding federal housing assistance programs and resources
- Encourage the production of additional housing, including units for "aging in place" to increase greater choice
- Target communities with high percentages of low and moderate income persons to fund affordable housing
- Update the City's Zoning Ordinance to address the goals outlined in the Comprehensive Plan that support affordable housing and encourage development of integrated, diverse, and safe neighborhoods.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider adopting a resolution authorizing staff to submit a bid to host the 2019 Texas Recreation and Park Society (TRAPS) Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation and Park Association (C.White)

Summary/History:

Staff recommends adoption of a resolution authorizing us to submit a bid to host the 2019 Texas Recreation and Park Society (TRAPS) Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation and Park Association.

Hosting this event has a direct economic impact, highlights our city to leaders across Texas and the Southwest and utilizes our facilities to their highest level.

The City of San Angelo successfully hosted this same event in 2008.

We would work closely with the San Angelo Convention and Visitors' Bureau on the bid.

Submitting the bid and coordinating and hosting the event take staff time, but it also brings about 1,000 visitors to our city for at least 4 days, 3 nights with an estimated direct economic impact of at least $300,000.

Staff is active with TRAPS, our professional organization. We currently have 6 active staff as members of TRAPS. Some of our members have served on various committees as well as served a total of 8 years on the board of directors.

If adopted, staff would submit a bid early in November. The bid would be considered by TRAPS. If we are selected, we would help plan and coordinate the event and host it in late February to mid March of 2019 at the McNease Convention Center and other City sites.

Financial Impact:

There is no direct cost for passing this resolution. It does commit staff time to coordinate and host the event as well as provide the convention meeting and event spaces at no cost.

Estimated direct economic impact for hosting this event is at least $300,000.

Other Information/Recommendation:

Attachments:

1.	Resolution of Committment to host TRAPS conference	17-023_PR_Resolution of Committment for hosting TRAPS Conference 2019 revised.doc

Presentation:

None

Approvals/Reviews:

Carl White	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL DEDICATING RESOURCES TO SUPPORT THE BID FOR THE 2019 TEXAS RECREATION AND PARK SOCIETY INSTITUTE AND EXPO SUBMITTED BY THE CITY OF SAN ANGELO AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Recreation and Park Society (TRAPS) is seeking bids to host the 2019 Annual Institute and EXPO; and

WHEREAS, the City Parks and Recreation Department is submitting a bid to host this event in the City of San Angelo; and

WHEREAS, a component of the bid requirements is that the bid submission shall contain a resolution by the governing body dedicating the necessary resources to support the bid; and

WHEREAS, through this resolution the City of San Angelo is authorized to submit a bid to host the 2019 Texas Recreation and Park Society (TRAPS) Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation & Park Association, and

WHEREAS, the City of San Angelo acknowledges the criteria and requirements specified in the site selection criteria for bid to host the Annual TRAPS Institute.

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

THAT, the City Council endorses the bid submission and is committed to providing the necessary resources to perform all functions consistent with the bid to host the 2019 Texas Recreation and Park Society Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation & Park Association.

(Signature Page to Follow)

PASSED, APPROVED and ADOPTED on this the ____ day of _____, 2016.

CITY OF SAN ANGELO

By: _____
Dwain Morrison, Mayor

ATTEST:

By: _____
Bryan Kendrick, City Clerk

Approved as to Content:

_____
Carl White, Director
Parks & Recreation Department

Approved as to Form:

_____
Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider a resolution allowing the City Manager or his designee to negotiate and execute a contract with the Chamber of Commerce Convention & Visitors Bureau allocating Hotel Occupancy Tax fund (T.Dierschke)

Summary/History:

City staff is requesting the City Council consider a resolution allowing staff to negotiate terms of the Chamber of Commerce Convention and Visitors Bureau contract for use of Hotel Occupancy Tax (HOT) dollars.

The City of San Angelo levied the hotel occupancy tax for the operation of convention facilities, the promotion of tourism, and the improvement of the arts. Current contracts and ordinances allocation is as follows:

- 48% of tax receipts to City of San Angelo Civic Events;
- $865,000 to the Convention & Visitors Bureau;
- 5% to the San Angelo Cultural Affairs Council;
- $50,000 to City of San Angelo Fort Concho; and
- $50,000 to City of San Angelo Texas Bank Sports Complex
- $37,500 to Downtown San Angelo, Inc.

The current tax rate is 7% for the City of San Angelo. The state levies an additional 6%. No change is proposed to the tax levy.

Financial Impact:

The current budget and proposed contract would allocate $865,000 to the Convention & Visitors Bureau for the 12 months October 1, 2016 to September 30, 2017.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1.	CVB Resolution	17-010_FIN_FY 2017 CVB Resolution.docx
2.	CVB Contract	FY 2017 CVB Contract.pdf

Presentation:

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved

Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SAN ANGELO CHAMBER OF COMMERCE, INC. ("CHAMBER") TO MANAGE AND OPERATE THE SAN ANGELO CONVENTION AND VISITORS BUREAU ("VISITORS BUREAU") AND PROVIDE RELATED SERVICES TO ENCOURAGE, PROMOTE AND SOLICIT TOURISM AND CONVENTIONS FOR THE CITY; APPROVING AN OPERATING BUDGET FOR FY2017 FOR THE VISITORS BUREAU; AND, ALLOCATING HOTEL OCCUPANCY TAX FUNDS FOR SAID SERVICES.

WHEREAS, City owns a coliseum, an auditorium, parks, sports facilities, and a convention center that are used to promote tourism, to host conventions, meetings, and sporting events, and to encourage and facilitate cultural events for the citizens of San Angelo; and,

WHEREAS, the Chamber, through its staff and membership, promotes, organizes, sponsors, advertises, and supports tourism, conventions, athletic events, hunting and fishing, boat and water sports, bus tours, festivals, summits, workshops, reunions, competitions, symposia, clinics, conferences, and similar events, and also operates a visitor's center within its offices; and,

WHEREAS, the Chamber in the past has provided services for management and operation of the Visitors Bureau and related services to encourage, promote and solicit tourism and conventions for the City; and,

WHEREAS, the Chamber is therefore uniquely situated to promote tourism and the convention and hotel industry through its various activities and through its relationships with other persons and entities in San Angelo and the Concho Valley; and

WHEREAS, the Council has reviewed and approved the FY 2017 operating budget of Eight Hundred Sixty-Five Thousand and No/100 Dollars ($865,000.00) presented by the Chamber to provide management of the Visitors Bureau and related services for promotion and solicitation of tourism and conventions for the City;

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

The City Manager is hereby authorized and directed to execute a Convention and Visitors Bureau Contract with the San Angelo Chamber of Commerce, Inc. for operation and management of the San Angelo Convention and Visitors Bureau and to provide related services to encourage, promote and solicit tourism and conventions for the City, in substantially the attached form, including that Eight Hundred Sixty-Five Thousand and No/100 Dollars ($865,000.00) of the City's Hotel Occupancy Tax funds for fiscal year 2017 be allocated to fund the Chamber budget for the services to be rendered under

the contract with the provision that any unutilized funds from the City for fiscal year 2017 be reimbursed to the City.

PASSED and APPROVED THIS _____ DAY OF _____, 2016.

CITY OF SAN ANGELO, TEXAS

ATTEST:

_____
Dwain Morrison, Mayor

_____
Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

_____
Tina Dierschke, Director of Finance

_____
Theresa James, City Attorney

CONVENTION AND VISITORS BUREAU CONTRACT

STATE OF TEXAS §
§
COUNTY OF TOM GREEN §

This *Convention and Visitors Bureau Contract* ("Contract") is between the City of San Angelo, Texas, a home rule municipal corporation ("City") acting herein by and through its duly authorized City Manager, and the San Angelo Chamber of Commerce, Inc. a Texas non-profit corporation ("Chamber") acting herein by and through its duly authorized President, is effective as of October 1, 2016 ("the Effective Date").

WHEREAS, City owns a coliseum, an auditorium, parks, sports facilities, and a convention center that are used to promote tourism, to host conventions, meetings, and sporting events, and to encourage and facilitate cultural events for the citizens of San Angelo;

WHEREAS, Chamber, through its staff and membership, promotes, organizes, sponsors, advertises, and supports tourism, conventions, athletic events, hunting and fishing, boat and water sports, bus tours, festivals, summits, workshops, reunions, competitions, symposia, clinics, conferences, and similar events, and also operates a visitor's center within its offices;

WHEREAS, Chamber is therefore uniquely situated to promote tourism and the convention and hotel industry through its various activities and through its relationships with other persons and entities in San Angelo and the Concho Valley, including but not limited to the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants; advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the City of San Angelo and its vicinity; the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms; historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums in and about San Angelo, all of which are frequented by tourists and convention delegates; encourage sporting events in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity; the acquisition of signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality; and generally to enhance and promote tourism and the convention and hotel industry as permitted by Chapter 351 of the Texas Tax Code;

WHEREAS, City levies a tax upon hotel and motel occupancy within the City of San Angelo as authorized by law for the promotion, solicitation, encouragement, and development of tourism and conventions for City ("the Occupancy Tax"); and,

WHEREAS, the parties executed a Convention and Visitors Bureau Contract, effective October 1, 2015, through September 30, 2016, providing that Chamber supervise those programs

which promote tourism and the convention industry and which are funded by said hotel and motel occupancy tax by operating a Convention and Visitors Bureau ("Bureau"), and the parties desire to continue such funding and programs:

NOW, THEREFORE, in consideration of the premises and covenants herein contained, City and Chamber agree as follows:

1. Formation. City does hereby engage and hire Chamber to continue to manage and operate a Bureau and to render the services herein contained, and Chamber does hereby agree to accept such hiring and engagement and to discharge such duties in accordance with the terms and conditions herein set forth.

2. Independent Contractor. In performing its duties and responsibilities hereunder, the parties acknowledge and agree that Chamber is and shall be an independent contractor and not an officer, agent, or employee of City. This Contract is not intended to create a joint enterprise. There is no direct pecuniary purpose or profit motive, but rather the purpose of this Contract is to further the public good. Additionally, Chamber has the sole right to continue and manage its operations.

3. Operation. Bureau shall encourage, promote, and solicit tourism and conventions for the City of San Angelo.

4. San Angelo Convention and Visitors Board. To assist in encouraging, promoting, and soliciting tourism and conventions for City, Chamber shall appoint annually a San Angelo Convention & Visitors Board whose members and composition shall be determined by Chamber. The Board shall perform, among others, the following functions:

4.1. Encourage and promote the development of tourism and conventions in the City of San Angelo.

4.2. Recommend to Chamber projects and programs to promote, encourage and solicit tourism and conventions for the City of San Angelo.

4.3. Advise and assist Chamber in the preparation of the annual budget of Bureau.

5. Budget and Funding. Attached hereto and incorporated herein as Exhibit "A" is a written operating budget for Bureau for the term of this Contract ("the Budget"). City agrees to pay Eight Hundred Sixty-Five Thousand and No/100 Dollars ($865,000.00) ("the Contract Amount") to Chamber for the operation of Bureau and the uses listed on the Budget. The execution of this Contract shall constitute the written approval of the Budget by City as well as City's consent to the expenditure of the fund balances listed below. The Contract Amount shall be paid to Chamber in monthly installments without regard to the amount of Occupancy Tax revenue received over any period of time.

5.1. *Fund Balances*: The following fund balances are designated and approved for use by Bureau in addition to the Contract Amount:

Working Capital:.....$263,878.82
Sports Promotion: $40,000.00
CVB Bid Incentive Project: $40,000.00

6. Use of Funds. It is expressly understood and agreed by City and Chamber that all funds received from the Occupancy Tax that are paid to Chamber shall be used solely for the purposes set forth above with the overall goal of promoting and soliciting conventions and tourism for the City of San Angelo. The approval of this Contract evidences the consent of City for the expenditures set forth on the attached Exhibit "A" and the above-referenced funds balances. The parties to this Contract further stipulate that the amounts set forth on the Budget designated for day-to-day operations, supplies, salaries, office rental, travel expenses, and other administrative costs are to be incurred directly in the promotion of conventions and tourism for City. It is further agreed that contract amounts expended for travel shall be limited to events or activities the primary purpose of which is directly related to the promotion of tourism and the convention industry.

7. Benchmarks and Budget Conference. The parties expressly agree that no less than quarterly a representative of Bureau shall meet with the Mayor, the City Manager, and an additional member of the City Council of the City of San Angelo, or a person designated by such City officials, with a view toward establishing objective goals and standards by which the expectations and performance of both parties to this Contract shall be evaluated and by which the goals and objectives of this Contract shall be measured (such criteria referred to herein as "Benchmarks"). The meetings to set and evaluate these Benchmarks shall be scheduled at least one month prior to the quarterly reports referenced in Paragraphs 8 and 10 below.

7.1. *Budget Conference*: No later than July 15th of each year or the first day in July after such date that is not a Saturday, Sunday, or legal holiday, one or more representatives of Bureau will meet and confer with one or more representatives of City to discuss and prepare a budget for the next calendar year.

8. Financial Records. Chamber shall maintain complete and accurate financial records of all expenditures of the Contract Amount by Chamber and shall make periodic reports to the City Council no less than quarterly listing all expenditures and evaluating the progress of the parties toward the fulfillment of the Benchmarks. In addition, the Contract Amount shall be segregated in one or more separate accounts and shall not be commingled with any other funds. The City Council may, upon reasonable notice, audit all books and records of Chamber and Bureau. All expenditures shall be made in accordance with the Budget or as authorized in a fund balance. Additionally, Chamber shall comply with Texas Tax Code, Section 351.108 as applicable.

9. Group Insurance Program Participation. Employees of Bureau may participate in City group health, dental, and life insurance programs at the premium costs in effect for City employees, so long as such participation is legally permissible.

10. Reporting. Chamber shall report quarterly to the City Council on the Bureau's progress and plans regarding advertising, promotions, travel shows, and the general progress of Bureau in promoting tourism, conventions, and cultural events for the City of San Angelo.

11. Unspent Funds Returned. Unless waived by City, upon termination of this Contract, Bureau shall deliver to City all unspent funds from the Contract Amount and all removable personal property purchased with the Contract Amount during the term of the Contract.

12. Term. This Contract shall be for a one (1) year term, beginning from its Effective Date on October 1, 2016, and ending September 30, 2017, unless sooner terminated. On the first anniversary of the Effective Date, City and Bureau will approve a new Budget for the second year of the Contract; *provided, however*, if the parties are unable to agree to a new Budget for the second year of this Contract, this Contract shall terminate unless otherwise agreed by the parties.

13. Termination. This Contract may be terminated for cause if after 30 days' notice of any default of deficiency by City, Chamber fails or is unable to cure any specified default or deficiency.

14. Assignment. This Contract may not be assigned by either party without the prior written consent of the other party. Additionally, no sub-grants shall be allowed without prior written consent of City.

15. Hold Harmless. To the extent permitted by law, each party agrees to indemnify, save harmless, and defend the other from any and all claims, causes of action, and damages of every kind arising from the operations of the other, its officers, agents, and employees, carried out in furtherance of this Contract.

{signatures appear on next page}

EXECUTED in duplicate originals this _____ day of _____, 2016.

THE CITY OF SAN ANGELO, TEXAS

By: _____
Daniel Valenzuela, City Manager

ATTEST:

_____
Bryan Kendrick, City Clerk

SAN ANGELO CHAMBER OF COMMERCE, INC.

By: _____
Dan Koenig, President

ATTEST:

_____
_____, Secretary

APPROVED AS TO CONTENT:

_____
Tina M. Dierschke, Director of Finance

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Sidney Walker, Civic Events Manager, Civic Events, 3256539577

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Consider approving an emergency facilities repair contract with A&D Plumbing in the amount of $67,500 from budgeted funds and authorizing City Manager to negotiate and execute all related documents (S.Walker)

Summary/History:

In June, the Civic Events Advisory Board made a recommendation for the improvements of certain needs in several Civic Event facilities. The top item on the list was the sewer line renovation needed at the McNease Convention Center. This item was brought to City Council on Sept 6, and was approved as part of the $497,125 requested to be used from our Fund 410 Balance. Our current Fund 410 balance stands at 2,219,896.

We are currently looking to start this project in late December.

Financial Impact:

Funding for the sewer line renovation would come from the total amount approved for Civic Events improvements of $497,125. The cost of the Sewer Line renovation is $67,500. This amount is within our estimated expectations for this work.

Other Information/Recommendation:

Attachments:

Presentation:

Sidney Walker

Approvals/Reviews:

Sidney Walker	Created/Initiated
Carl White	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved

Bryan Kendrick Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Second Reading for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres. (J. James)

Summary/History:

On August 16, 2016, the applicant submitted a Planned Development (PD) Zoning application for a request for a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school (Fort Concho Elementary) with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care. The San Angelo Independent School District (SAISD) wishes to add a six classroom wing (9,067 square feet) to the existing classroom building "C" at Fort Concho Elementary which lies in the Light Manufacturing (ML) Zoning District. The Zoning Ordinance does not allow schools in the ML District, hence the need for a Rezoning.

Financial Impact:

N/A

Other Information/Recommendation:

On September 19, 2016, the Planning Commission reviewed the subject request. Commissioner Stribling made a Motion to recommend APPROVAL of the request, revising Condition #4 as follows: "All driveways shall be as required by the Fire Department." Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0. On October 18, 2016, City Council voted unanimously to APPROVE, on First Reading, the request with revised Condition #4.

Attachments:

1.	Staff Report	PD16-04 Report.docx
2.	Draft Ordinance	PD16-04 Ordinance.docx

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved

Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

STAFF REPORT

City Council Meetings: October 18, 2016
November 1, 2016

From: Jon James, AICP
Director of Planning and Development Services

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case: PD16-04: SAISD

Request: A request for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care

Location: Six addressed & unaddressed parcels totaling 3.769 acres; generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street

Legal Description: .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206 acres of Burgess Street, Block 55, Fort Concho Addition

Size: 3.769 acres

General Information

Future Land Use: Campus/Institutional, Neighborhood and Commercial

Current Zoning: Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML)

Existing Land Use: School

Surrounding Zoning / Land Use:

North:	Low Rise Multi-Family Residential (RM-1) and Light Manufacturing (ML)	Fort Concho (COSA), Rust Street Ministries
West:	Light Manufacturing (ML)	Single Family Residences and Fort Concho (COSA)
South:	Light Manufacturing (ML) and Low Rise Multi-Family Residential (RM-1)	American Electric Power (AEP) Texas and Single Family Residence
East:	Light Manufacturing (ML) and Two Family Residential (RS-2)	Rust Street Ministries

District: SMD #3 – Harry Thomas

Neighborhood: Fort Concho

Thoroughfares/Streets:

Per the Major Thoroughfare Plan (MTP), East Highland Boulevard, Burgess Street and Rust Street are classified as local streets. Local streets in the MTP require a 50-foot right-of-way and a 40-foot paving width, or a 36-foot paving width with a sidewalk. East Highland Boulevard has a right-of-way of 100 feet and a paving width of 36 feet without a sidewalk which is not in currently in compliance with the MTP but a sidewalk is planned as part of the Planned Development of Fort Concho Elementary. Burgess Street has a right-of-way width of 70 feet and a paving width of 36 feet in compliance with the MTP. Rust Street has a 79 foot right-of-way

width of 70 feet and a paving width of 36 feet in which is not compliance with the MTP.

History and Background:

On August 16, 2016, the applicant submitted a Planned Development (PD) Zoning application for a request for a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school (Fort Concho Elementary) with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care. The San Angelo Independent School District (SAISD) wishes to add a six classroom wing (9,067 square feet) to the existing classroom building "C" at Fort Concho Elementary which lies in the Light Manufacturing (ML) Zoning District. The Zoning Ordinance does not allow schools in the ML District, hence the need for a Rezoning.

Analysis:

The Planned Development Zoning District is a tailor-made Zoning District designed for a specific purpose in a specific location, allowing for greater flexibility, improved design standards, and additional requirements such as landscaping, noise mitigation, density capping, and resource protection.

Concept Plan: A Site Concept Plan outlining the general intent of the development, as well as a tentative layout of uses, accompanies the application to indicate the overall extent and complexity of the development. The Planned Development would encompass six parcels containing six existing campus buildings: the Cafeteria and Administrative Building with nine classrooms (approximately 18,341 square feet), three portable classroom buildings (1,893 square feet each), Building "C" with 10 classrooms (10,459 square feet) and the added six classroom wing (9,067 square feet) and the Gym (approximately 5,835 square feet). Other structures included are two playgrounds and a shade structure with picnic tables. The school library is housed in the former post hospital on the grounds of Fort Concho National Historic Landmark abutting north of the school. The library will not be within the bounds of the Planned Development. Current enrollment is 471 students and 40 faculty and staff. The underlying zoning classification for uses in the PD would be Office Commercial (CO) as schools are allowed by right in the CO Zoning District. The CO Zoning District development standards will apply with the exception of off-street parking (see parking section below) and the required setbacks which shall be zero (0) feet on all sides of the PD. Building materials and color for the new classroom wing shall be consistent with existing school buildings.

The applicant will be required to plat as noted at the Development Review Commission (DRC) meeting on the site plan. The Replat will include the entire future 3.769 acre within the Planned Development zoning boundary.

Parking:
An off-street parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom.

Landscape Plan:
The Landscape Plan will show new trees, plantings/xeriscaping along the entire east side of Burgess Street south of Building "C" to the intersection of Burgess Street and East Highland Boulevard. It will extend east along the north side of East Highland Boulevard paralleling the required new sidewalk to the east entrance of the gym. No planting or xeriscaping shall exceed three feet in height in the site triangle at the intersection.

Sidewalks:
A five foot wide sidewalk will be built in the gap from the intersection of Burgess Street and East Highland Boulevard to connect eastward with the proposed sidewalk in front of the gym. Landscaping will be provided along the entire length of the new sidewalk.

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

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*

   The proposed Planned Development (PD) Zoning District appears to be consistent in with the Comprehensive Plan's Future Land Use (FLU) designation of Campus/Institutional, Commercial and Neighborhood. The Campus/Institutional designation use is fully compatible and is by definition associated with school campuses. Fort Concho Elementary would be well served under this category. The three portable classrooms lie within the Neighborhood designation and are compatible use. The Comprehensive Plan expressly calls to "improve street, bicycle, and pedestrian connectivity between neighborhoods and their associate neighborhood centers, public spaces, schools, and parks" and "coordinate with San Angelo Independent School District (SAISD) to improve walkability and connections between neighborhoods and nearby schools." The gym is in a FLU Commercial area but it, too, is compatible as the "design for a campus-like environment organized around a central feature or public space, to instill a pedestrian-friendly element and establish synergies between compatible

businesses." The gym is typically a meeting and event venue for schools without an auditorium. The compatibility with Rust Street Ministries is somewhat synergistic they aid people with clothes and food (among other services) and families with school children are sometimes in need of that kind of assistance.

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

   The purposes of a Planned Development District include, but are not limited to, the following: (1) To allow diversification of uses, structures, and open spaces and to promote flexibility of design in a manner compatible with existing and allowed uses of land on adjacent properties; (2) To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of open space; (3) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; (4) To promote the efficient use of land to facilitate a more economic arrangement of buildings, uses of land and utilities; and (5) To promote the development of vacant property within the presently developed urban (or suburban) area.

   The Planned Development will afford a multitude of complementary and logical accessory uses. Schools are more than classrooms and Fort Concho Elementary is no different. School cafeterias function as a centralized place on campus to feed large numbers of students and staff. Playgrounds require open space and large outdoor playground equipment. The playground acts to entertain and keep children from wandering off campus. Gyms require a large open floor plan and off-street parking for those who come for sporting events and other large school functions. Off-street parking reduces spillover of cars seeking parking on nearby streets. The bulk of the campus has existed since Fort Concho was established in 1987 in its present location. The original school was located on the parade grounds in 1907, so the relocation protected the historical integrity of Fort Concho while promoting a mixed use of sorts with the former post hospital exterior serving as the school library in the interior of the building. Insuring that the additional classroom wing can be built promotes the use of public infrastructure that is currently in place rather than forcing students to transfer to other schools further from their neighborhoods. More compact campuses are more economical and better served by public services as existing school buildings are used rather than building new schools elsewhere to accommodate the growth in school enrollment.

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 Planned Development is compatible with existing and proposed uses surrounding the area. The area is currently zoned as Two-Family Residence (RS-2) Zoning District on the west side and Light Manufacturing (ML) on the east side with the dividing line being Burgess Street. The ML Zoning District does not allow schools nor is a Conditional Use an option. The RS-2 District does provide for schools if a Conditional Use is granted; however, this would accommodate for only half the campus and a Planned Development would offer the flexibility to treat the school as an entire unit and not result in piecemeal development. The school as a use is compatible with the neighboring residential homes on the west side as it was been there for nearly 30 years and neighbors are fully aware there is a nearby established school. In fact, if one counts the original Fort Concho school, there has been a school in that neighborhood for 109 years. Fort Concho National Historic Landmark to north and west is compatible with the school as they have a unique bond rarely found in the United State where a school abuts a historic landmark and has been intertwined for over a century. School children see history outside the classroom window every day and presence of the school prevents other less desirable uses from taking root near the old fort. The east side of the campus in the ML Zoning District is compatible as well. American Electric Power (AEP) owns the land south of East Highland Boulevard. It is a large open area for the substation. Perimeter fencing topped with barbed wire and secondary fences around the transformers setback from the street insure that children not likely to wander onto the property. Rust Street Ministries on the east side offer programs that are geared to help out a variety of people in need including families that lack food or clothing. That is convenient for families with school age children.

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

The proposed wing addition with its six classrooms spurred interest in rethinking how the campus can accommodate more students. Fort Concho already has three portable classrooms out of necessity, but most parents would prefer more permanent and spacious classrooms that have interior hallways like a conventional school. Students who attend classes in these buildings must cross the street to reach the bulk of the campus which is not an ideal situation from a safety standpoint. Adding classroom space and other structures in a Planned Development would be made easier and faster if the SAISD would make the school a legal use not having to apply for a Conditional Use or the Expansion of a Non-Conforming Use or Structure for any and every exterior change. The addition to the existing building will expand to the east somewhat but the bulk of it extends southward where the existing basketball court is now. The new basketball court will be built south of the ball pits. A 12-foot high chain link fence is proposed to replace the four foot fence that lines the perimeter of the playground. Presumably, this will reduce the number of balls that end up in the streets and reduce the danger

of drivers hitting the children pursuing those balls. The extension of the sidewalk as part of PD and the elimination of sidewalk gaps will reduce the number of children choosing to walk through the through the mud or take their chances walking on the streets. The landscaping requirement part of the PD should make the campus more visually appealing while offering added shade on the playground.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

   The school has been its current location for nearly 30 years and the proposed classroom addition largely be on the existing paved basketball court. The new basketball court will result in a larger impervious surface increasing runoff somewhat but there will be some mitigation on the environment with more required landscaping due to the PD. There may some improvement as children can attend a school closer to their neighborhood, rather than having school buses going to other schools and having parents driving further as part of their commuting pattern. Future development will require building permits, which would include a review of grading, drainage, and stormwater runoff to further ensure there are no negative environmental impacts. There will be some increased traffic in the area, but Burgess Street is a one way street during school hours and with a better sidewalk network more children may walk to school. More students could equate to more noise, but the classroom addition will be on the east side of campus away from the residential area and the portable classrooms. Some students in the portable classrooms may be moved to the new wing.

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

   The school clearly needs additional classroom space if portable classrooms are being used as a stopgap measure. The population growth in San Angelo is increasing but the increase has been greater in comparable metro areas in Texas (see table below).

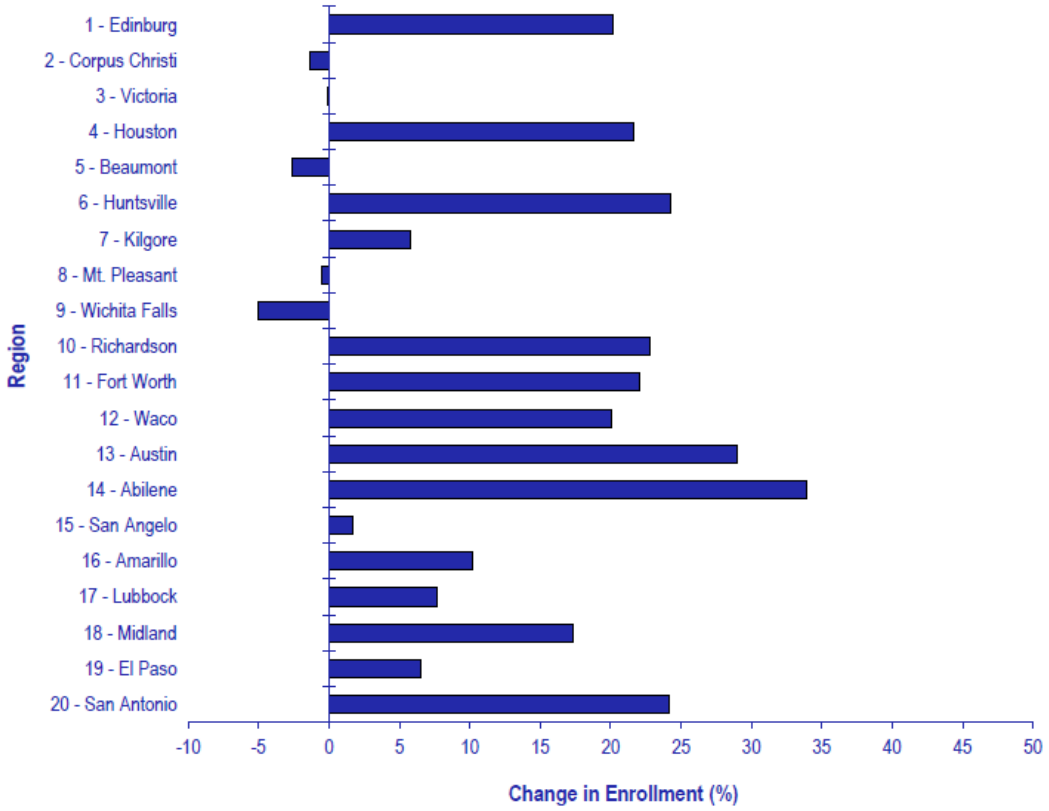
Area	Census 2000	Census 2010	Population Change	Population Change (%)
Abilene MSA	160,245	165,252	5,007	3.1%
Amarillo MSA	226,522	249,881	23,359	10.3%
Lubbock MSA	249,700	284,890	35,190	14.1%
Midland MSA	116,009	136,872	20,863	18.0%

Area	Census 2000	Census 2010	Population Change	Population Change (%)
Odessa MSA	121,123	137,130	16,007	13.2%
San Angelo MSA	105,781	111,823	6,042	5.7%
Waco MSA	213,517	234,906	21,389	10.0%
Wichita Falls MSA	151,524	151,306	-218	-0.1%

http://dshs.texas.gov/chs/popdat/Census2010.shtm

People with children looking to move to a new location frequently inquire about the state of the local school system. Overcrowded classrooms are not an inducement to move to a community and if the population growth exceeds expectations there is a lag time to catch up by adding capacity to schools after fact to accommodate larger enrollment. Regional enrollment figures show sluggish growth in the last decade (below).

Figure 12
Change in Enrollment Within Education Service Centers, Texas Public Schools, 2004-05 to 2014-15



Source: Division of Research and Analysis, Department of Assessment and Accountability, Texas Education Agency, April 2016

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

   The proposed Planned Development would encompass Fort Concho Elementary which functions as neighborhood school which has been in the Fort Concho neighborhood since 1907. The existing use as a school will remain the same as the proposed use is as a school. The PD would merely bring more continuity into a single zoning district made for a school with multiple buildings and multiple accessory uses. The PD designation streamlines future development in one school by not relying on piecemeal development applications before the City Planning Boards and City Council which will have to deal with multiple building and structural expansions on 23 different schools with the SAISD system.

Notification:

On September 6, 2016, twenty-eight (28) notifications were mailed out, and on September 3, 2016, notice was published in the San Angelo Standard-Times. As of September 14, 2016, Staff has received zero (0) responses in opposition and zero (0) responses in support to the request.

Planning Commission Action:

This request was scheduled for review and consideration on the September 19, 2016, Planning Commission. In a 7-0 vote, the Commission recommended APPROVAL of the request. Below is an excerpt from the meeting's unofficial minutes:

The request was for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care.

David Fee, Senior Planner, outlined the case. The Future Land Use of the site is Campus/Institutional, Neighborhood, and Commercial and current zoning is Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML). He outlined Planning Staff's rationale to recommend approval of the application subject to seven conditions of approval. The rationale included that the request was consistent with the Future Land Use designations, that the school use is a well-established neighborhood school, and that the use is not incompatible with surrounding uses.

Russell Gully representing the applicant asked for Condition of Approval #4 to be amended to allow for driveway widths to be determined by the Fire Department. Staff indicated they did not have any objections to the request.

Commissioner Stribling made a Motion to recommend APPROVAL of the request, revising Condition #4 as follows: "All driveways shall be ~~a minimum of 26 feet wide,~~ as required by the Fire Department." Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0.

Staff's Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, **subject to the following seven (7) Conditions of Approval**:

1. Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the Office Commercial (CO) Zoning District.

2. Overall site use shall be in accordance with the Site Concept Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, consistent the Zoning Ordinance.

3. Building facades shall be consistent and unified in architectural style, colors, and materials with existing campus buildings. The applicant shall submit a final color palette showing all proposed building colors to the Director of Planning & Development Services for approval. Additional building façade material types may be approved at the discretion of the Planning Director.

4. A parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom is required for this Planned Development. Any amendments to facilitate new development may result in a new parking standard, as determined by the Director of Planning & Development Services. All driveways shall be as required by the Fire Department.

5. A landscaping plan shall be submitted and approved by the Planning Division and be maintained on file in the offices of the Planning Division.

6. The sidewalks as shown on the Site Concept Plan and the added sidewalk along East Highland Boulevard shall be no less than five feet in width, shall be installed prior to the issuance of a certificate of occupancy, and shall meet all TAS accessibility standards.

7. A Replat for the subject 3.769-acre property shall recorded with the Tom Green County Clerk.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Notification Map
Notification List
Site Concept Plan
Publication Proof

Zoning Case Files

PD16-04 Fort Concho Elementary

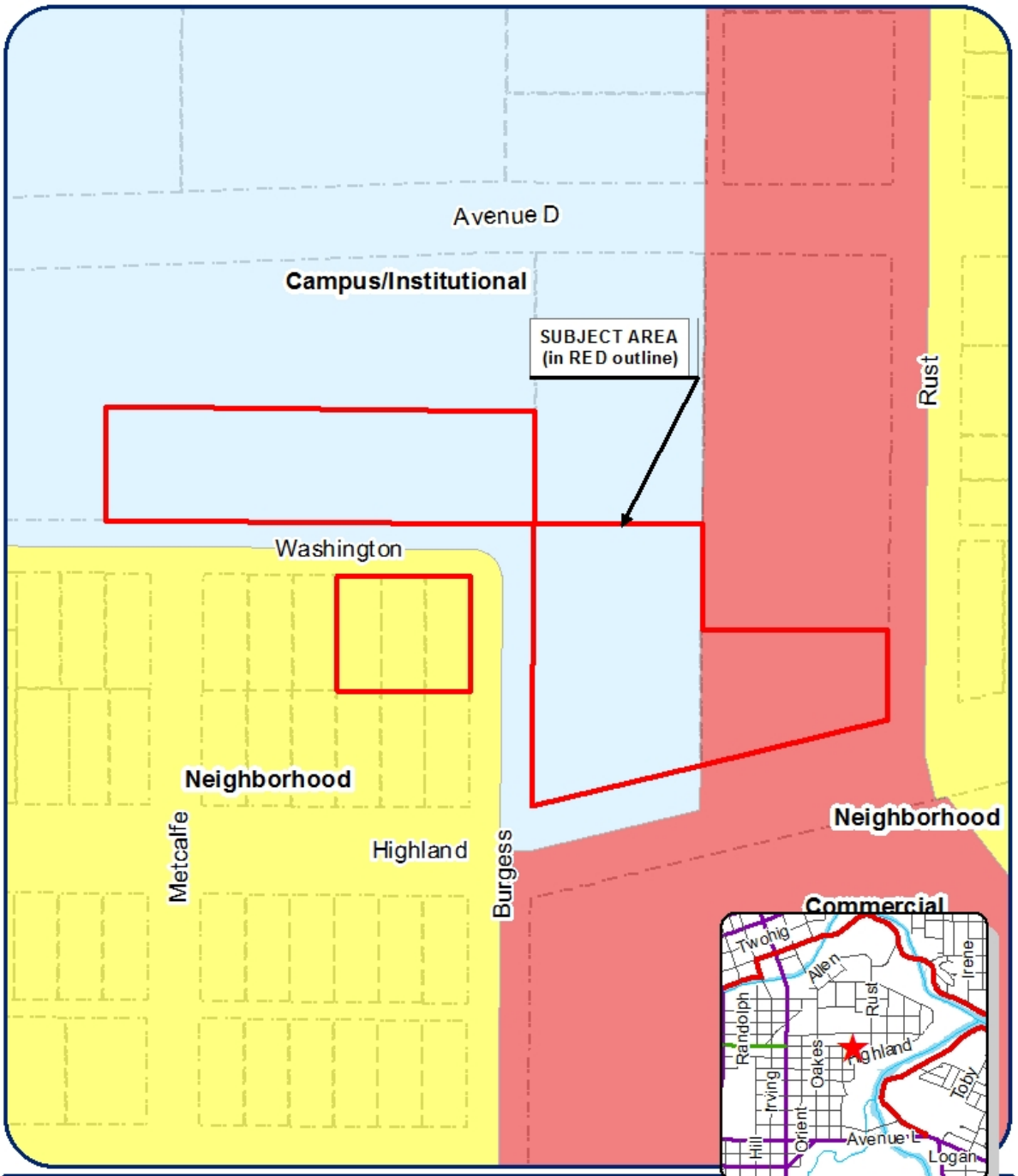
Council District: SMD #3 Harry Thomas
Neighborhood: Fort Concho
Scale: 1 inch :: 200 feet

Legend

Subject Properties:
Current Zoning: ML and RM-1
Requested Zoning Change: PD
Vision: Campus/Institutional, Neighborhood & Commercial

N

Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition



Zoning Case Files

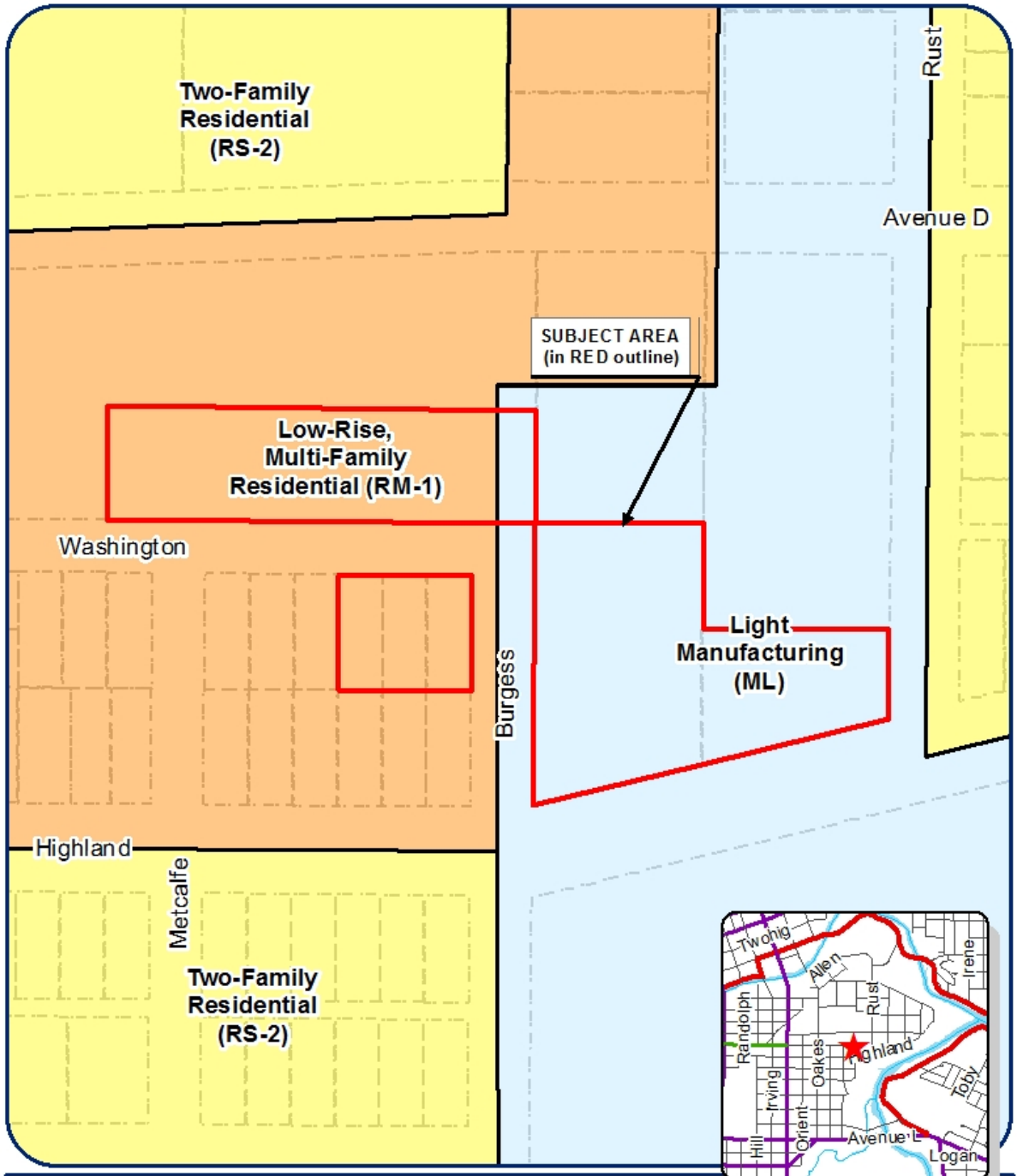
PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas
Neighborhood: Fort Concho
Scale: 1 inch :: 200 feet
Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties:
Current Zoning: ML and RM-1
Requested Zoning Change: PD
Vision: Campus/Institutional, Neighborhood & Commercial

N



Zoning Case Files

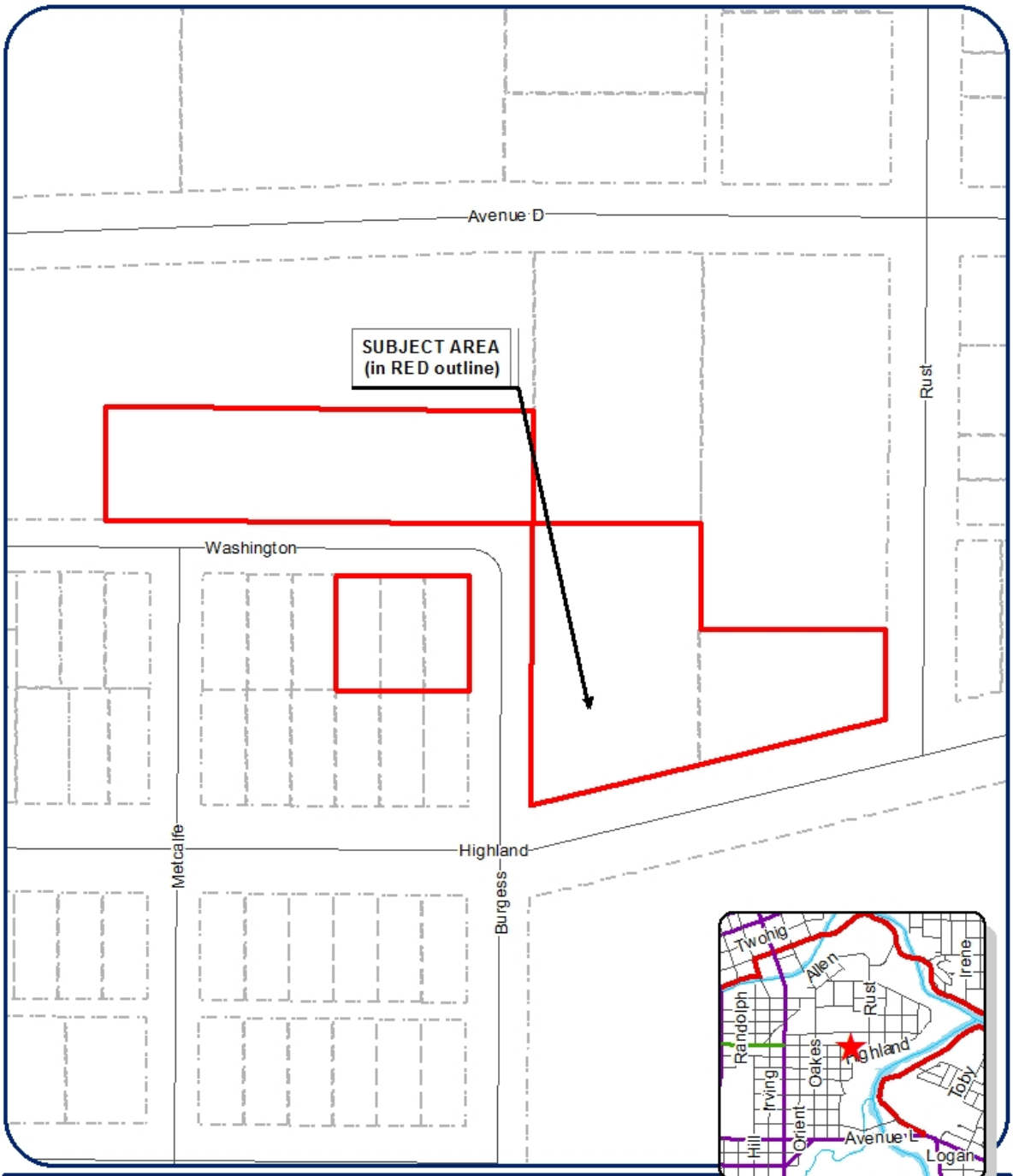
PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas
Neighborhood: Fort Concho
Scale: 1 inch :: 200 feet
Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties:
Current Zoning: ML and RM-1
Requested Zoning Change: PD
Vision: Campus/Institutional, Neighborhood & Commercial

N



Zoning Case Files

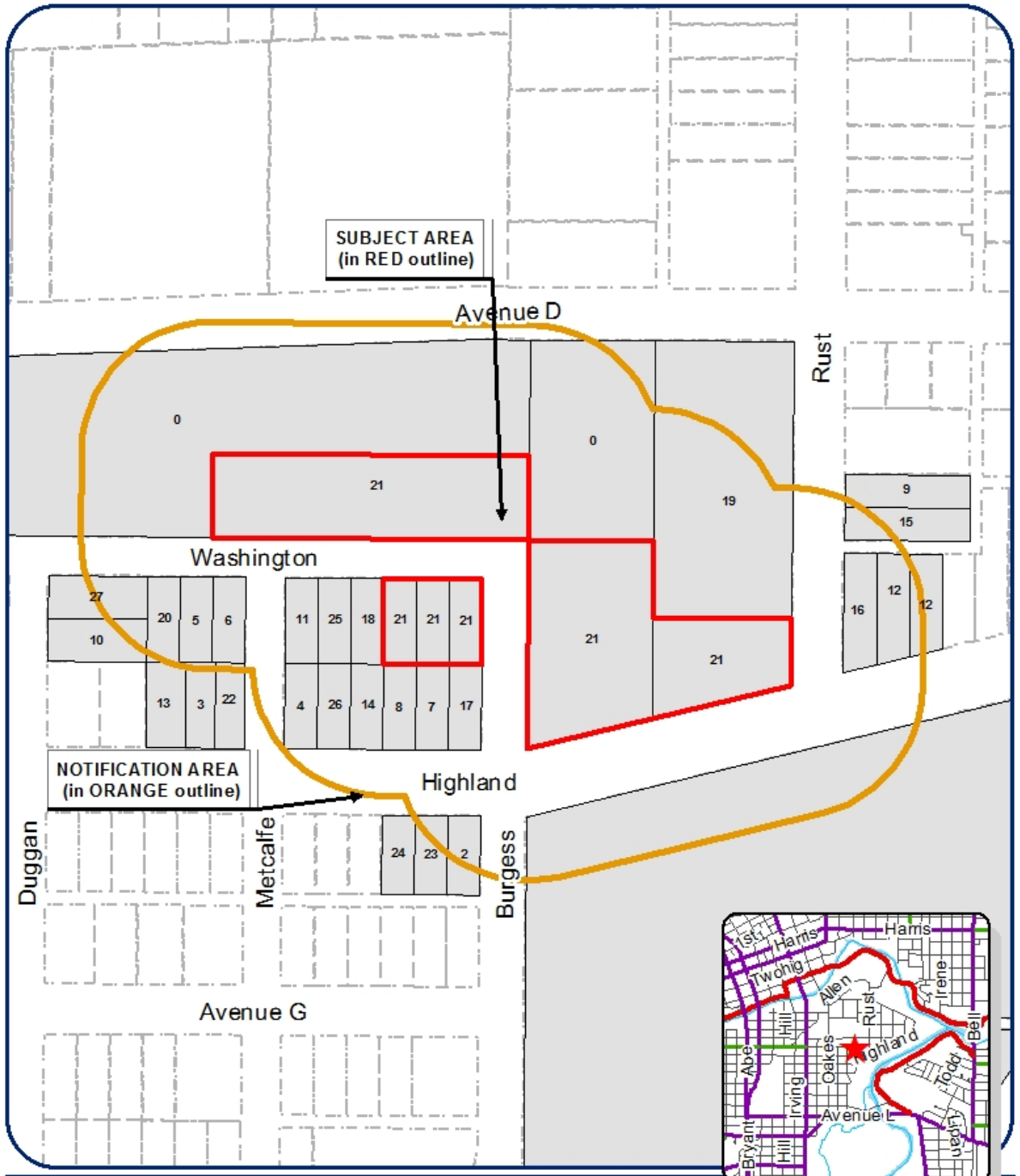
PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas
Neighborhood: Fort Concho
Scale: 1 inch :: 200 feet
Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties:
Current Zoning: ML and RM-1
Requested Zoning Change: PD
Vision: Campus/Institutional, Neighborhood & Commercial

N



Zoning Case Files

PD16-04 Fort Concho Elementary

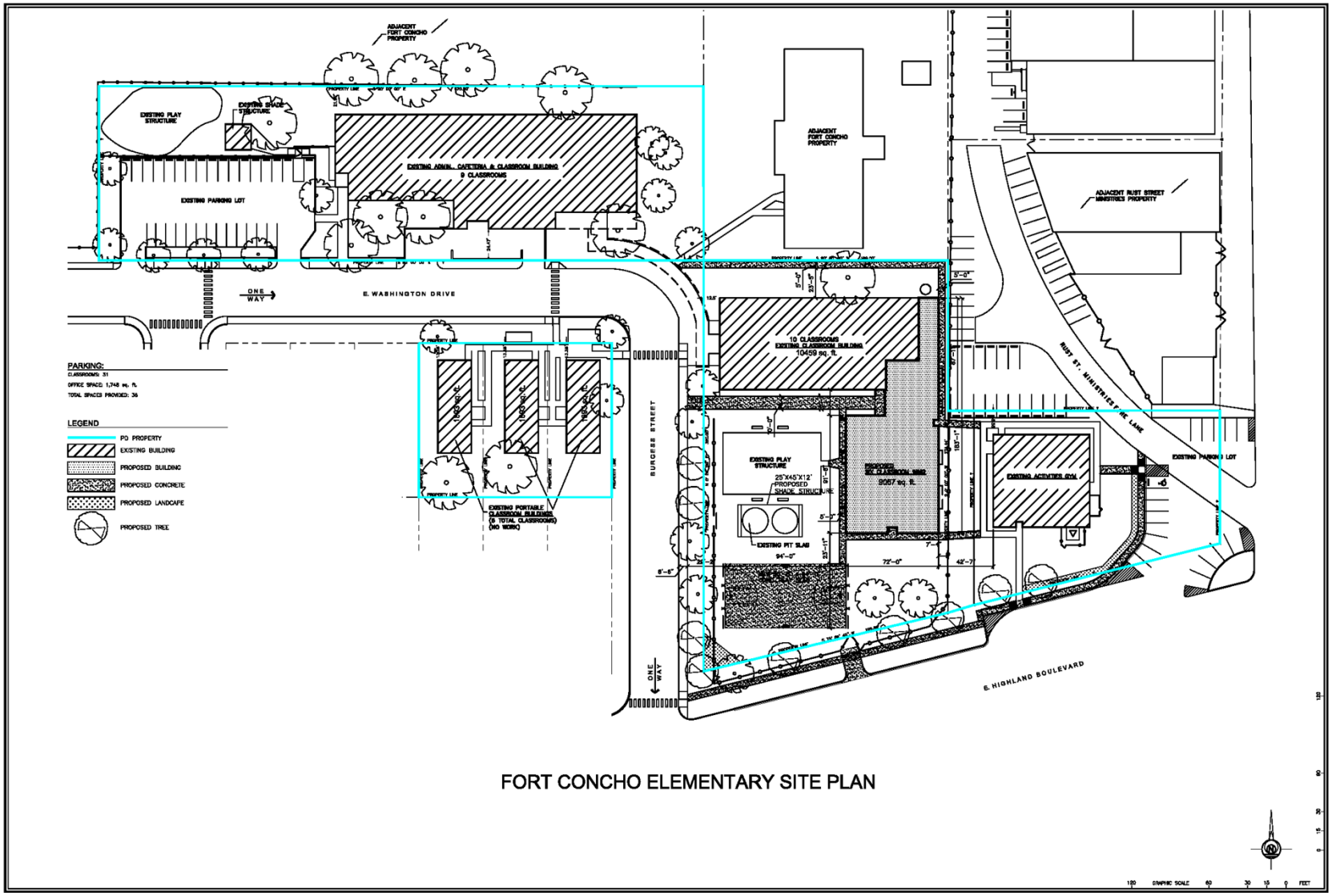
Council District: SMD #3 Harry Thomas
Neighborhood: Fort Concho
Scale: 1 inch :: 200 feet
Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties:
Current Zoning: ML and RM-1
Requested Zoning Change: PD
Vision: Campus/Institutional, Neighborhood & Commercial

N

0	CITY OF SAN ANGELO	% DAVID FEE, PLANNING	72 W COLLEGE AVE	SAN ANGELO	TX	76903-5814
1	AEP TEXAS NORTH COMPANY	TAX DEPARTMENT 27TH FLOOR	PO BOX 16428	COLUMBUS	OH	43216-6428
2	ARRIANGA JUANITA	.	323 E HIGHLAND	SAN ANGELO	TX	76903-7407
3	BARA CLAUDIA	.	218 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
4	CARDENAS IRENE	.	912 METCALFE ST	SAN ANGELO	TX	76903-7447
5	CRAY LUDIVINA H	.	217 E WASHINGTON	SAN ANGELO	TX	76903-7457
6	CRIBB ANA/DAVILA MANUEL DE JESUS M	.	18 W 19TH ST	SAN ANGELO	TX	76903-3829
7	ESCOBEDO JOSE A & EVA C	.	320 E HIGHLAND	SAN ANGELO	TX	76903-7408
8	ESCOBEDO JUANITA	.	318 E HIGHLAND	SAN ANGELO	TX	76903-7408
9	ESCOBEDO MARIA	.	816 RUST ST	SAN ANGELO	TX	76903-7135
10	FUENTES ROSALINDA GONZALES	.	908 DUGGAN ST	SAN ANGELO	TX	76903-7431
11	GUERRERO CANDIDO S	.	1425 COKE ST	SAN ANGELO	TX	76903-6138
12	LEAL MARIA ISABEL	.	508 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7411
13	MORRIS PAMELA A	.	212 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
14	MUNOZ CHON	.	308 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
15	RAMOS ENRIQUE	SERANO ESTELLA H(LFE-EST)	822 RUST STREET	SAN ANGELO	TX	76903-7135
16	RAMOS RICKY	.	836 RUST	SAN ANGELO	TX	76903-7135
17	REGINO JESUS Y	.	322 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
18	RIVERA JANET NARBAIZ	.	309 E WASHINGTON	SAN ANGELO	TX	76903-7459
19	RUST STREET MINISTRIES	.	819 RUST ST	SAN ANGELO	TX	76903-7134
20	SALAS DAGOBERTO & TERESA	.	215 E WASHINGTON DR	SAN ANGELO	TX	76903-7457
21	SAN ANGELO ISD	.	1621 UNIVERSITY AVE	SAN ANGELO	TX	76904-5164
22	SANTILLAN MARIA DEL ROSARIO	.	224 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
23	TORRES LUCIANO	.	136 VAN ZANDT	SAN ANGELO	TX	76905-7736
24	TORRES PATRICIA L	.	311 E HIGHLAND	SAN ANGELO	TX	76903-7407
25	VALLES LEANDRO JR & SALLY	.	303 E WASHINGTON DR	SAN ANGELO	TX	76903-7459
26	VALLES MARY JESSIE - DECEASED	.	306 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
27	VELASQUEZ DEBRA & RODRIGUEZ ERICA V	.	900 DUGGAN	SAN ANGELO	TX	76903-7431



FORT CONCHO ELEMENTARY SITE PLAN

> Ad Proof

9/3

Standard-Times

Sales Rep: Melissa Patino (S9104) Phone: (325) 659-8328 Email: melissa.patino@gosanangelo.com

> Account Information

Date: 09/02/16

Account Number: 250356 (S102355)

Company Name: COSA - PLANNING DIVISION

Contact Name:

Email: rebeca.guerra@cosatx.us

Address: 52 WEST COLLEGE AVENUE, SAN ANGELO, TX, 76903

Phone: (325) 657-4210 Fax:

> Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account rep at (325) 659-8328 .

Ad Id: 1256119 P.O. Number: Total Cost: $608.00

Tag Line: LEGAL NOTICE LEGAL NOTICE IS HEREBY

Start Date: 09/03/16 Stop Date: 09/03/16

Number of Times: 1 Class: 16100 - Legal Notices

Publications: SS-San Angelo Standard-Times, SS-Internet-go sanangelo.com

> Ad Proof

I agree this ad is accurate and as ordered.

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Gannett reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 325-655-1111. Allowance may not be made for errors reported past the second print date. The San Angelo Standard Times may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: **Six addressed & unaddressed parcels totally 3.769 acres; generally located north, east and southwest of the intersection of East Washington Drive and Burgess Street, more specifically being .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206 acres of Burgess Street, Block 55, Fort Concho Addition. A request for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for Fort Concho Elementary with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care;** AND PROVIDING FOR SEVERABILITY

RE: PD16-04: SAISD (Fort Concho Elementary)

WHEREAS, the Planning Commission for the City of San Angelo and the governing body for the City of San Angelo, in compliance with the charter and the state law with reference to zoning regulations and a zoning map, have given requisite notice by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners and persons interested, generally, and to persons situated in the affected area and in the vicinity thereof, is of the opinion that zoning changes should be made as set out herein; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: That the basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000, and included within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same is hereby amended insofar as the property hereinafter set forth, and said ordinance generally and the zoning map shall be amended insofar as the property hereinafter described:

Six addressed & unaddressed parcels totally 3.769 acres; generally located north, east and southwest of the intersection of East Washington Drive and Burgess Street, more specifically being .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206

acres of Burgess Street, Block 55, Fort Concho Addition shall henceforth be permanently zoned as follows: **Planned Development (PD) Zoning District.**

The Director of the Planning & Development Services Department is hereby directed to correct zoning district maps in the office of the Director of the Planning & Development Services Department, to reflect the herein described changes in zoning.

SECTION 2: That 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 3: That the following severability clause is adopted with this amendment:

SEVERABILITY:

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

SECTION 4: Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the **Office Commercial (CO) Zoning District**.

SECTION 5: Overall site use shall be in accordance with the **Site Concept Plan**. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director provided no changes to the Zoning Ordinance are required.

SECTION 6: Building facades shall be consistent and unified in architectural style, colors, and materials with existing campus buildings. The applicant shall submit a final color palette showing all proposed building colors to the Director of Planning & Development Services for approval. Additional building façade material types may be approved at the discretion of the Planning Director.

SECTION 7: A parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom is required for this Planned Development. Any amendments to facilitate new development may result in a new parking standard, as determined by the Director of Planning & Development Services. All driveways shall be as required by the Fire Department.

SECTION 8: A landscaping plan shall be submitted and approved by the Planning Division and be maintained on file in the offices of the Planning Division.

SECTION 9: The sidewalks as shown on the Site Concept Plan and the added sidewalk along East Highland Boulevard shall be no less than five feet in width, shall be installed prior to the issuance of a certificate of occupancy, and shall meet all TAS accessibility standards.

SECTION 10: A Replat for the subject 3.769-acre property shall recorded with the Tom Green County Clerk.

INTRODUCED on the **18th day of October, 2016**, and finally PASSED, APPROVED AND ADOPTED on this the **1st day of November, 2016.**

THE CITY OF SAN ANGELO

_____
Dwain Morrison, Mayor

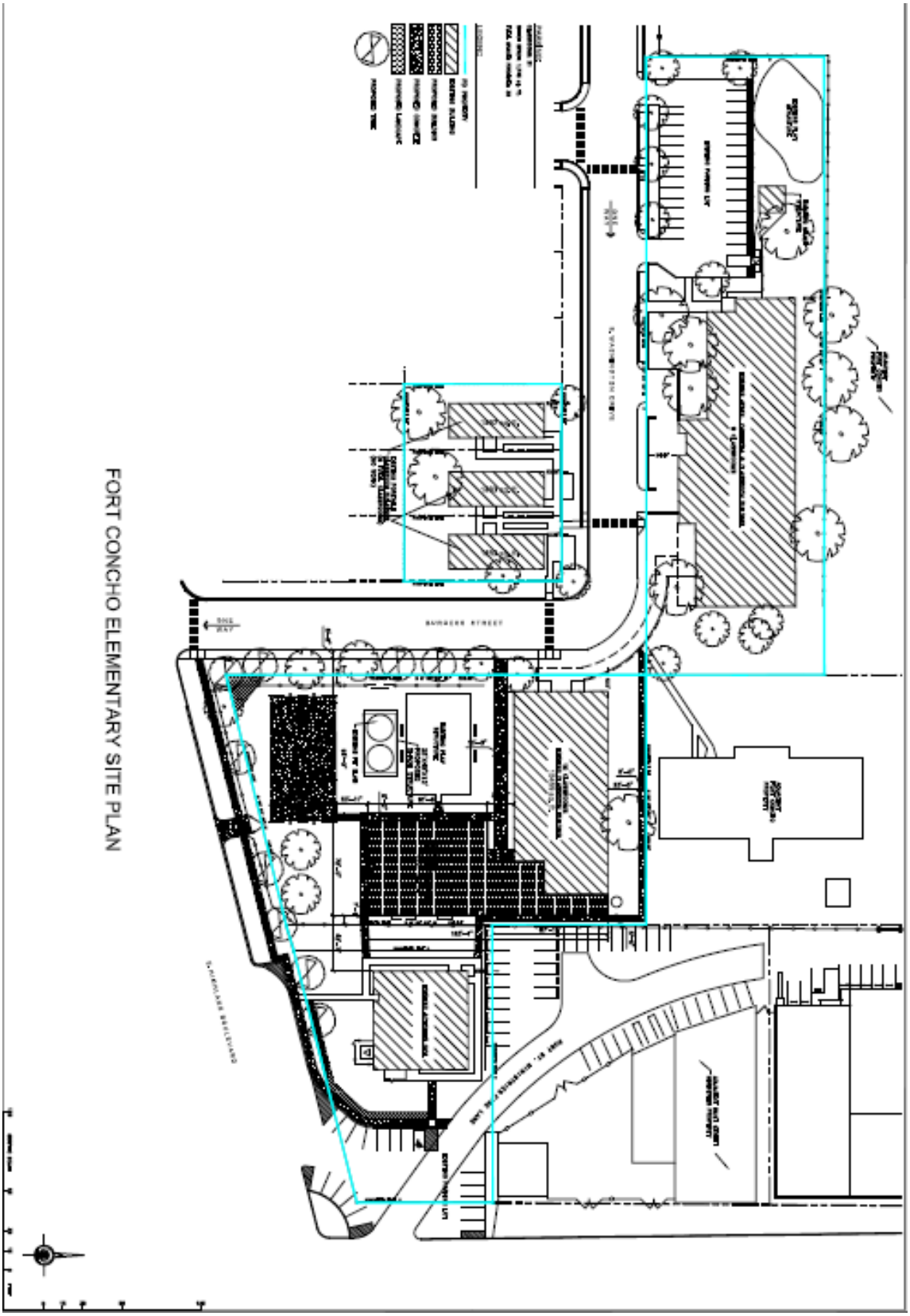
ATTEST:

_____
Bryan Kendrick, City Clerk

Approved As To Form:

_____
Theresa James, City Attorney

EXHIBIT A



FORT CONCHO ELEMENTARY SITE PLAN

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: November 1, 2016

Item type: Consent Item

Caption:

Second Reading for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres. (J. James)

Summary/History:

The subject property was annexed in November of 1989, and it consists of approximately 178 acres of unplatted land. The property has been used as a golf course since 1920, originally as a nine-hole venue and subsequently expanded to 18 holes in 1927. The owner/petitioner is requesting approval of an application to rezone the subject property from the Single-family Residential (RS-1) Zoning District to a Special Use Zoning District to allow for a Golf Course with Incidental Buildings and Uses in order to cure a long-standing inconsistency.

Financial Impact:

N/A

Other Information/Recommendation:

On September 19, 2016, the Planning Commission reviewed the subject request. Commissioner Smith made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions recommended by Staff. Commissioner Stribling seconded the Motion. The Motion failed, 2-5 (Preiss, Spano, Jackson, Farmer, and Crisp dissenting).

Commissioner Spano made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions except Condition number two. Commissioner Jackson seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

On October 18, 2016, City Council voted unanimously to APPROVE, on First Reading, the request without Condition #2.

Attachments:

1.	Staff Report	SU16-01 Report.docx
2.	Draft Ordinance	SU16-01_Ordinance(R).docx
3.	Exhibit "A"	SU16-01_Ordinance(Ex-A)_REV.pdf

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved

Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

STAFF REPORT

City Council Meetings: October 18, 2016; November 1, 2016

From: Jon James, AICP
Director of Planning and Development Services

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case: SU16-01: San Angelo Country Club

Request: A request for approval of a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District

Location: 1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road

Legal Description: 177.450 acres out of the M. Meyer Survey, Number 169, Abstract 1647, Tom Green County, Texas

Size: 177.450 acres

General Information

Future Land Use:	Open Space
Current Zoning:	Single-family Residential (RS-1)
Existing Land Use:	Golf Course (San Angelo Country Club)

Surrounding Zoning / Land Use:

North:	Single-Family Residential (RS-1); Two-Family Residential (RS2); Twinhome/Townhome/Zero-Lot-Line Residential (RS3)	Concho River; Residential
West:	Single-Family Residential (RS-1)	Residential
South:	Single-Family Residential (RS-1)	Drainage rights-of-way
East:	Single-Family Residential (RS-1)	Residential

District: SMD #1 – Richardson

Neighborhood: Country Club

Thoroughfares/Streets:

Country Club Road, from Ben Ficklin Road southward to Grand Canal Road is defined as a "Minor Collector" in the City's Master Thoroughfare Plan (MTP). Minor Collectors are intended to serve primarily to collect traffic from residential or local streets and discharge it onto a major collector street.

Country Club Road, southwest from Grand Canal Road onward, is defined as a "Major Collector" in the City's Master Thoroughfare Plan (MTP). Minor Collectors are intended to serve primarily to collect traffic from residential or local streets and discharge it onto an arterial street.

Collectors, in general, consist of a minimum right-of-way width of sixty feet (60') and may have pavement widths as little as thirty feet (30' for a rural cross-section, no curb and gutter required) up to fifty feet (50' for an urban cross-section, curb and gutter required).

History and Background:

The subject property was annexed in November of 1989, and it consists of approximately 178 acres of unplatted land. The property has been used as a golf course since 1920, originally as a nine-hole venue and subsequently expanded to 18 holes in 1927. The owner/petitioner is requesting approval of an application to rezone the subject property from the Single-family Residential (RS-1) Zoning District to a Special Use Zoning District to allow for a Golf Course

with Incidental Buildings and Uses in order to cure a long-standing inconsistency. Details on the Special Use category are furnished with this report.

Analysis:

Zoning: The property is currently zoned as Single-family Residential, or RS-1. This zoning classification is intended to provide opportunities for development of detached single-family residences at medium densities. The San Antonio Country Club (or "SACC") had existed on the property prior to the 1989 annexation and is therefore considered a legal non-conforming land use under Article 6 of the Zoning Ordinance. In order to expand existing buildings or construct new buildings on the premises, the approval of either a legal non-conforming use expansion or a Special Use must be obtained from the San Angelo Planning Commission. The Petitioner is requesting Special Use approval to facilitate a Golf Course with Incidental Buildings and Uses on the property.

Special use review allows for the review of specified larger-scale uses that may be appropriate in designated areas, provided that consideration is given to conditions that will minimize any negative impacts of the use. All special use approvals issued shall be subject to the requirement that the property for which the approval was issued must actually acquire a building permit for the approved use within 12 months from the granting of the special use approval, provided that the Planning Director, with significant evidence that the designated use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months. If the designated use is not made of the property within the time limitation granted, the Special Use approval shall be canceled and revoked and be of no effect.

Comprehensive (Vision) Plan: The subject area currently has a Future Land Use designation of "Open Space." According to the Comprehensive Plan, local open spaces, particularly along the Concho River and Red Arroyo, are ideally suited for development as an interconnected series of parks, trails and diverse recreational opportunities. Although SACC is a private, members-only facility, the Plan does not differentiate between public or private recreational amenities, therefore it appears to meet the intent of the Plan by providing some form of area recreational opportunity. The fact that this facility is situated along the Concho River appears to meet Goal number three (3), as this facility "make(s) efficient and valuable use of regional drainageways…" and has the potential form inclusion into "a regional trail network that follows the regional watershed and incorporates all parts of the City, (thereby) ensuring (that) no neighborhood area is without direct access to a comprehensive trails network." The proposed Special Use appears to be consistent with the underlying Future Land Use designation.

Criteria: Section 209(H) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Special Use request.

1. **Impacts Minimized.** *Whether and the extent to which the site plan minimizes adverse effects, including adverse visual impacts, on adjacent properties.*

   As previously mentioned, the current land use, a golf course and country club, have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. By and large, golf courses provide an indirect open space and visual amenity that lasts as long as the property owner remains either financially solvent or committed to ongoing maintenance. It is presumed that the golf course has maintained a mutually agreeable relationship with neighboring residents and plans to continue maintaining status quo upon the approval of the Special Use.

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

   Per §310 of the Zoning Ordinance, the Special Use review and approval process allows a golf course and any incidental uses within an RS-1 zone only through Special Use review and approval. Currently, the use is protected as a legal non-conforming use under Article 6 of the Zoning Ordinance, given that the use existed prior to the 1989 annexation and subsequent initial RS-1 zoning classification. A nonconforming use "may not be enlarged, expanded or extended to occupy a greater area of land or floor area than was occupied on the effective date of the Zoning Ordinance, except upon authorization by the Planning Commission and in conformance with the procedures set forth in §609 of the Zoning Ordinance." The Special Use authorization, however, will allow the current use to operate without further sanction from the Planning Commission and will bring the use into consistency with the 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 proposed Special Use appears to be compatible with the area. The existing golf course and country club have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. It is presumed that the Special Use will maintain a status quo relationship with the surrounding neighborhood for the life of the Special Use. Certain conditions of approval may be imposed to ensure that compatibility is maintained.

4. **Traffic Circulation.** *Whether and the extent to which the proposed special use is likely to result in extraordinarily prolonged or recurrent congestion of surrounding streets, especially minor residential streets.*

   The subject property abuts Collector roadways along the east and south property lines. Sole primary access is gained at the northeast corner of the property near the intersection of Ben Ficklin and Country Club Roads. The Special Use does not call for any intensification of land use, but it will allow the subsequent maintenance of the current status quo in a manner that is more consistent with the Zoning Ordinance. In light of this, no additional traffic impacts are anticipated as a result of the Special Use authorization.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

   The existing golf course predates the 1989 incorporation of the property into the City's limits. There are no records, previous or current, that indicate that the current land use has caused, or will continue to cause appreciable adverse impact on the surrounding natural environment and its resources, local health conditions, and socioeconomic conditions, nor are there any outstanding concerns over effects on physical and cultural heritage, or issues of a historical, archaeological, paleontological or architectural nature. In light of this, authorization of the Special Use should not trigger any additional environmental assessments.

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

   The need to rectify inconsistencies between the Zoning Map and existing land use patterns on the ground serves as a community need. The proposed Special Use should further key goals and objectives of the adopted Comprehensive Plan, a key growth management tool. Among those goals are the improvement of the relationship between non-residential and residential land use adjacencies and the transitioning away from ineffective zoning categories.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

   The existing golf course and country club have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. The country club currently provides an open space amenity for the surrounding neighborhoods in addition to providing limited recreational

opportunities. The country club and the surrounding neighborhood have enjoyed a mutually amicable relationship, and continued maintenance of that relationship will most likely be maintained through the approved Special Use.

Notification:

On August 29, 2016, sixty (60) notifications were mailed out to property owners of record within a 200-foot radius of the subject area. On September 9, 2016, a separate written notice was mailed out to the local school district, in accordance with Section 211.007, Texas Local Government Code. As of the date of this publication, Staff has received two (2) responses in favor of, and zero (0) responses in opposition to, the request.

Planning Commission Action:

This request was scheduled for review and consideration on the September 19, 2016, Planning Commission docket as Regular Agenda Item *III.2.C*. Below is an excerpt from the meeting's unofficial minutes:

> Chairperson Preiss introduced Regular Agenda Item III.2.C and read the project description into the record. David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth indicated the location for the subject area, showed existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth concluded his presentation with a recommendation of APPROVAL, along with his basis for the recommendation.
>
> Mr. Russell Gully, SKG Engineering, representing the applicant, approached the podium, identified himself, and proceeded to address the Commission. Mr. Gully asked about the need for recommended Condition number two, which required Urban Design Review for any future building permits on the subject property. Rebeca Guerra, Planning Manager, responded that the Condition was necessary because of residential adjacency and the need to maintain compatibility. Jon James, Planning and Development Services Director expounded by stating that any applicant aggrieved by a Staff decision made during an Urban Design Review may appeal the decision to the Planning Commission. Mr. Gully opined that the Condition was nothing more than more "governmental red tape" and unnecessary regulation, citing that the Country Club would not do anything that was detrimental to itself.

Commissioner Smith made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions recommended by Staff. Commissioner Stribling seconded the Motion. The Motion failed, 2-5 (Preiss, Spano, Jackson, Farmer and Crisp dissenting).

Commissioner Spano made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions except Condition number two (2). Commissioner Jackson seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

Staff Recommendation:

Staff's recommendation is that the Planning Commission recommend **APPROVAL** of Case SU16-01, a request for approval of a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to the following three Conditions of Approval:

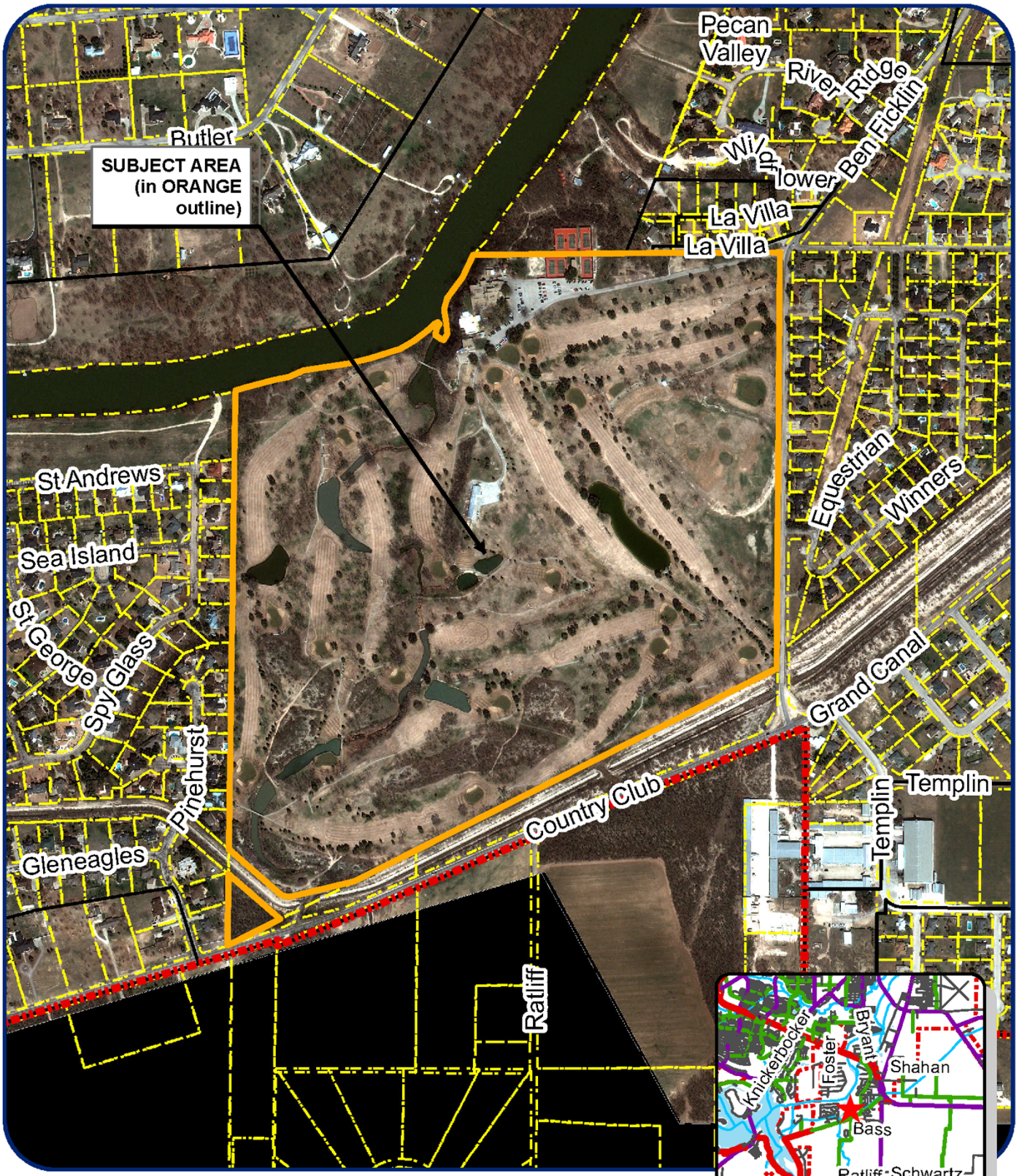
1. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands and is suitably engineered for night-sky purposes. No new site lighting or building lighting shall be upward emitting. New site lighting shall utilize light emitting diode (LED) illumination.

2. All subsequent new construction shall require Urban Design Review from the Planning Division.

3. Should any multi-purpose or recreational trail plans be considered and adopted along an abutting portion of the Concho River or along any abutting Collector roadway, the property owner shall work with the City of San Angelo toward a mutually satisfactory agreement that will provide for suitable multi-purpose and recreational trail extensions and connections for the general public's use.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Plan
Survey
Petitioner Justification
Excerpt of SU Permitted Uses and Provisions
Site Photographs



Special Use Case File

SU16-01 S.A. Country Club

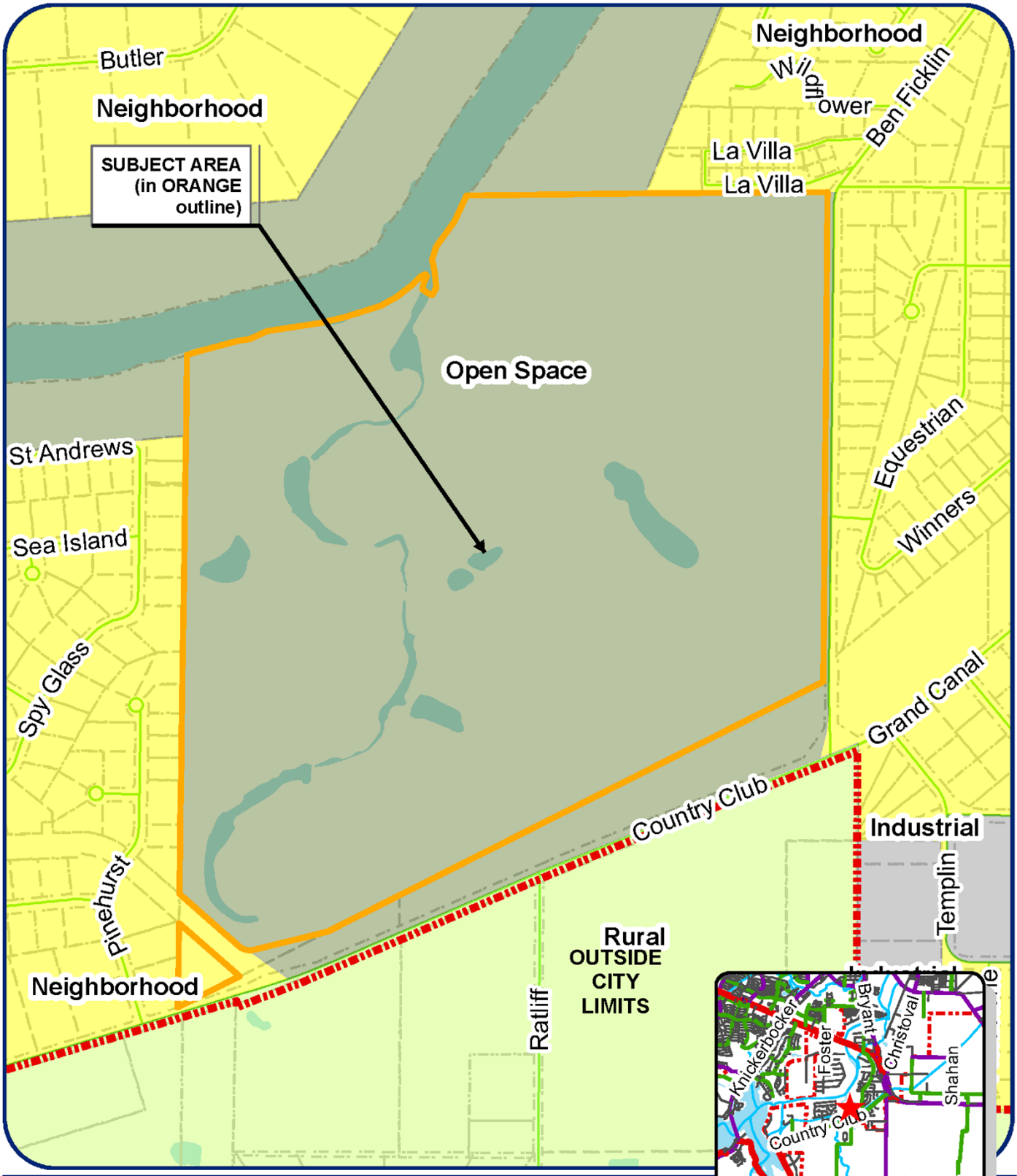
Council District: SMD #1 (Richardson)
Neighborhood: Country Club
Scale: 1 inch :: 800 feet
Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: SU
Vision: Open Space

N

Site-related and Area Imagery



Special Use Case File

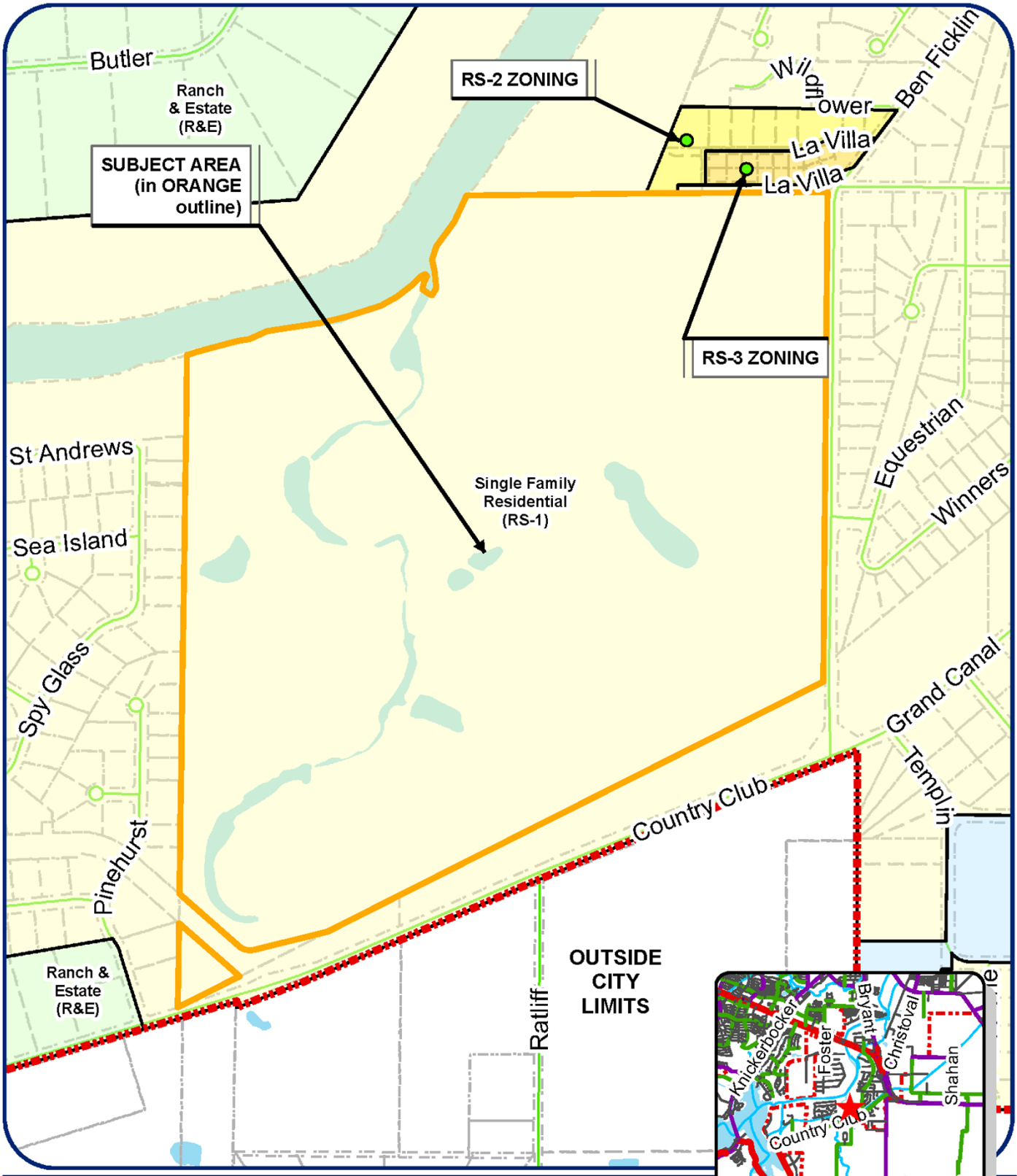
SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)
Neighborhood: Country Club
Scale: 1 inch :: 600 feet
Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: SU
Vision: Open Space

N



Special Use Case File

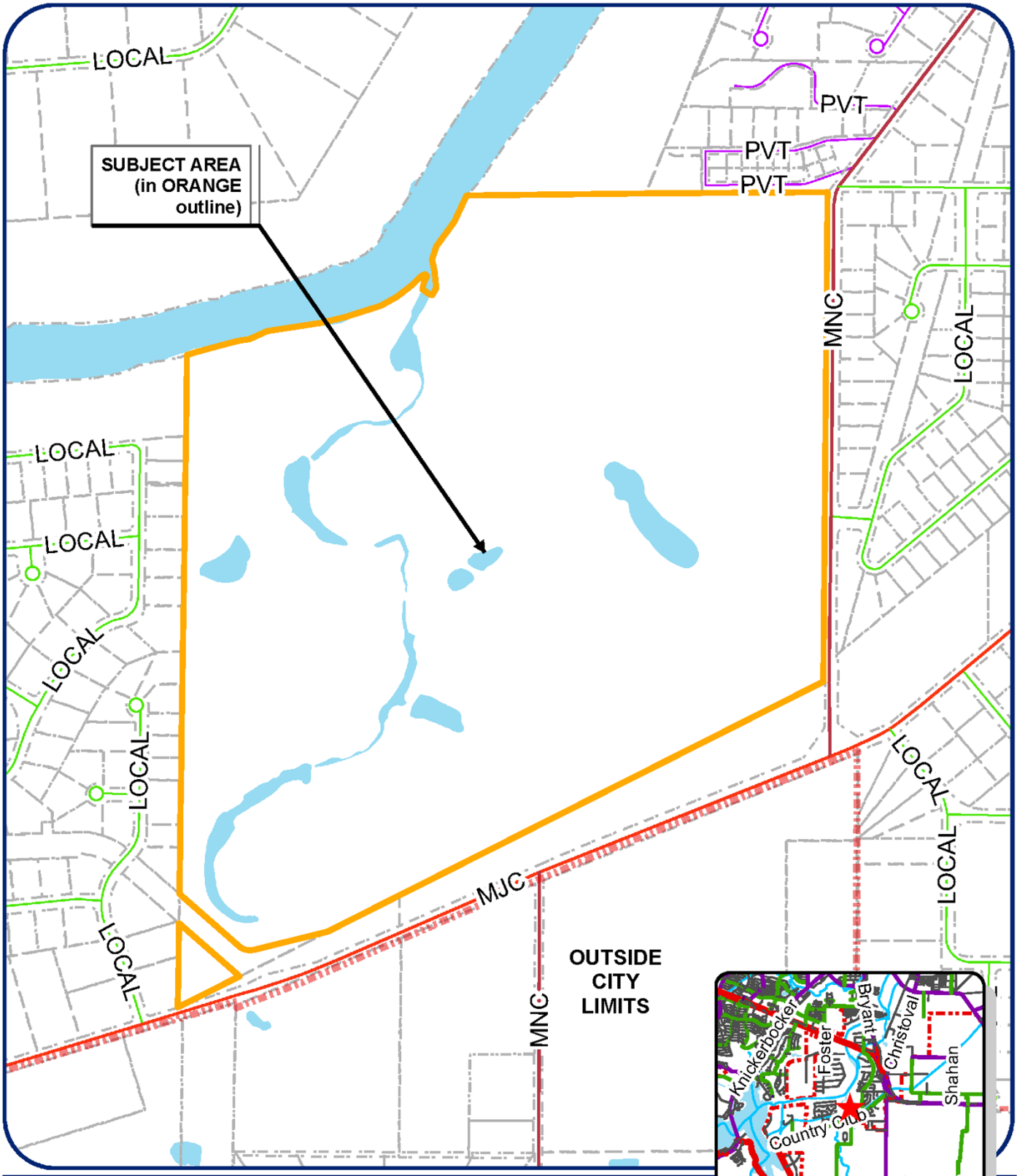
SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)
Neighborhood: Country Club
Scale: 1 inch :: 600 feet
Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: SU
Vision: Open Space

N



Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)
Neighborhood: Country Club
Scale: 1 inch :: 600 feet
Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: SU
Vision: Open Space

N

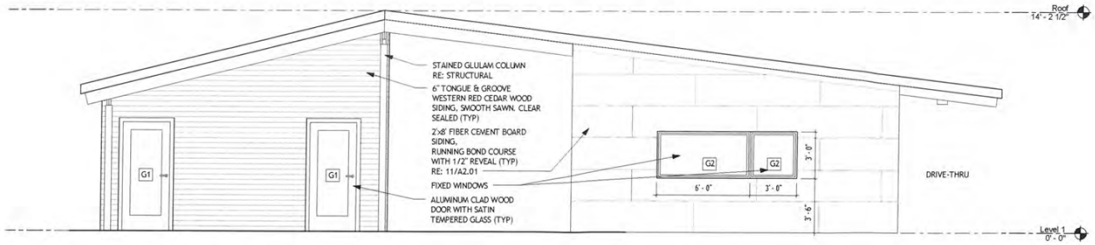
SKG ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAS/CMT
705 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.653.3388
FAX: 325.657.2169
FIRM #10126 • TBPLS FIRM NUMBER 10193500 & 10193600
www.skgeng.com

SAN ANGELO COUNTRY CLUB
SAN ANGELO, TEXAS

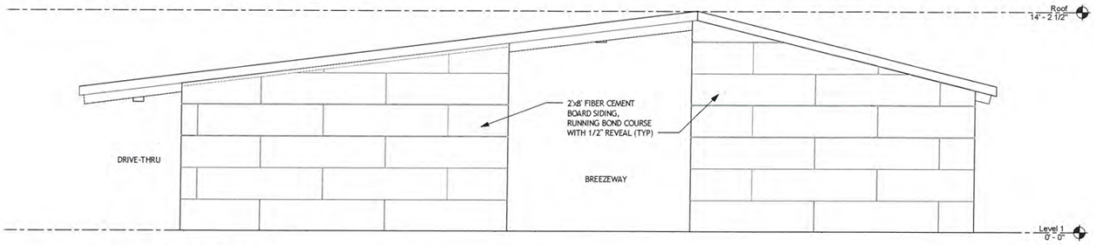
SITE PLAN

REVISIONS

DWG BY: EBC	DWG. DATE: 08/17/2016
JOB NO.: 16-E-0485	SHEET NO.: 1.0
SCALE: 1"=50'	



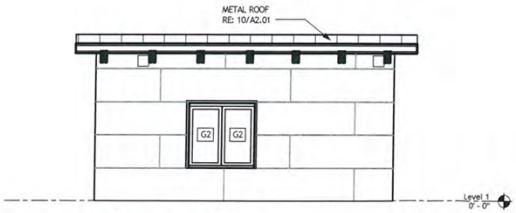
NORTH ELEVATION



SOUTH ELEVATION

WALK-UP WINDOW ELEVATION

EAST ELEVATION



WEST ELEVATION

SAN ANGELO COUNTRY CLUB

Copyright © Kinney Franke Architects AIA, Inc. 2016

kinney franke ARCHITECTS AIA
08-17-16

Planning Division
52 W College Ave.
San Angelo, TX 76903
(325) 657-4210, #2
www.cosatx.us//planning

PLANNING

Planning is a Division of the Department of Planning & Development Services

SPECIAL USES

What is a Special Use?

A use allowed in a specific district, provided that approval is obtained from the Planning Commission and City Council, and that any special conditions are observed. Uses allowed via the approval of a Special Use are larger-scale uses those which are not generally appropriate in most locations; however, with the customization of a use with conditions to minimize negative effects, it may be considered appropriate in some situations. Examples include: golf courses, firearms ranges, campgrounds/RV parks, and detention facilities.

Who can approve Conditional Uses?

The Planning Commission makes recommendation, and the City Council is the approving authority.

What is the process for this type of request?

1. Submit a completed application with the required application fee, as outlined on the Planning Fee Schedule. The director may require a site plan of existing and proposed development of the site also be submitted.
2. Once the completed application is received, the Planning Division will review the application for completeness & resolve any questions.
3. The application is scheduled for hearing based on the adopted submittal schedule, and may be found on the Planning Division's website.
4. The Planning Commission conducts a hearing and makes a recommendation on the request.
5. The City Council approves, approves with conditions necessary to prevent or minimize adverse effects upon the surrounding neighborhood, or denies the request.

What criteria are used to determine the ruling on this type of request?

- *Impacts Minimized.* Whether and the extent to which the proposed conditional use creates adverse effects on adjacent properties;
- *Consistent with the Zoning Ordinance.* Whether and the extent to which the proposed conditional use would conflict with any portion of the Zoning Ordinance, including the applicable zoning district intent statement;
- *Compatible with Surrounding Area.* Whether and the extent to which to proposed conditional use is compatible with existing and anticipated uses surrounding the subject area;
- *Effect on Natural Environment.* Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment;

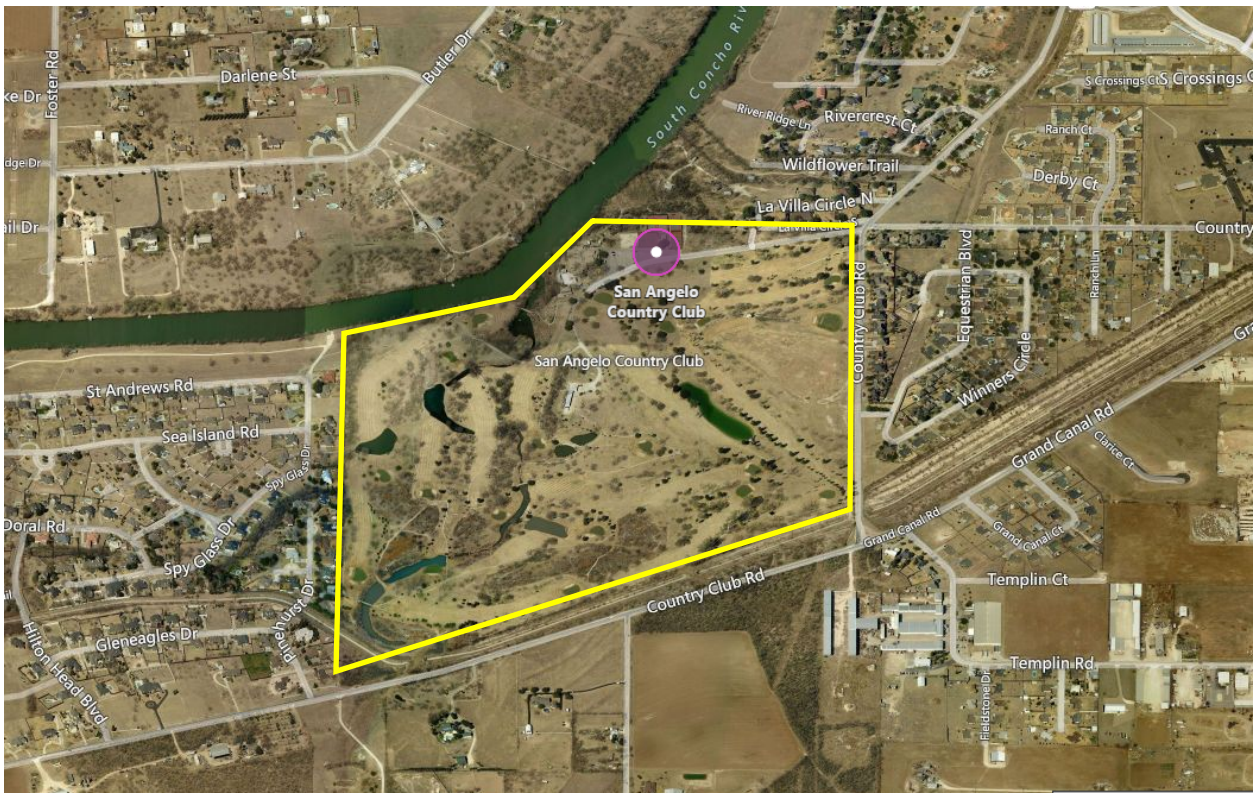
Hours of Operation: 8 AM - 12 PM & 1 PM - 5 PM

- *Community Need.* Whether and the extent to which the proposed conditional use addresses a demonstrated community need; and,
- *Development Patterns.* Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Does the decision expire?

- All approvals issued are subject to the requirement that the property must actually acquire a building permit for the approved use within 12 months from the approval date. Otherwise, the approval shall be cancelled and revoked.

SUBJECT PROPERTY (Bird's Eye Perspective)



FRONT ENTRANCE (Northeast corner of the property)

NORTH OF THE SUBJECT AREA

LOOKING SOUTH TOWARD COUNTRY CLUB ROAD

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road, and more specifically being 178.70 acres out of the M. Meyer Survey, Number 169, Abstract 1647, Tom Green County, Texas,** AUTHORIZING A SPECIAL USE TO ALLOW A GOLF COURSE WITH INCIDENTAL USES AND BUILDINGS WITHIN THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT**;** AND PROVIDING FOR SEVERABILITY

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and state law regarding zoning regulations and zoning map, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that zoning changes should be made as set out herein;

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

SECTION 1: Chapter 12 of the Code of Ordinances of the City of San Angelo, the basic Zoning Ordinance for the City adopted on January 4, 2000, and the Zoning Map be and the same are hereby amended as follows:

1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road, and more specifically being 178.70 acres out of the M. Meyer Survey, Number 169, Abstract 1647, Tom Green County, Texas, as depicted in Exhibit "A," zoned Single-family Residential (RS-1) Zoning District, shall henceforth permanently have a **Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District.**

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to correct Zoning District Maps in the Office of the Director of the Planning and Development Services Department, to reflect the herein described changes in zoning.

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. The Special Use, as hereby authorized, shall have no fundamental effect upon the subject property's underlying or base zoning classification.

SECTION 4: The Special Use, as hereby authorized, shall be subject to the following Conditions:

1. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands and is suitably engineered for night-sky purposes. No new site lighting or building lighting shall be upward emitting. New site lighting shall utilize light emitting diode (LED) illumination.

2. Should any multi-purpose or recreational trail plans be considered and adopted along an abutting portion of the Concho River or along any abutting Collector roadway, the property owner shall work with the City of San Angelo toward a mutually satisfactory agreement that will provide for suitable multi-purpose and recreational trail extensions and connections for the general public's use.

SECTION 5. 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 6 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 7: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **18th day of October, 2016,** and finally PASSED, APPROVED AND ADOPTED on this, the **1st day of November, 2016.**

THE CITY OF SAN ANGELO

_____
Dwain Morrison, Mayor

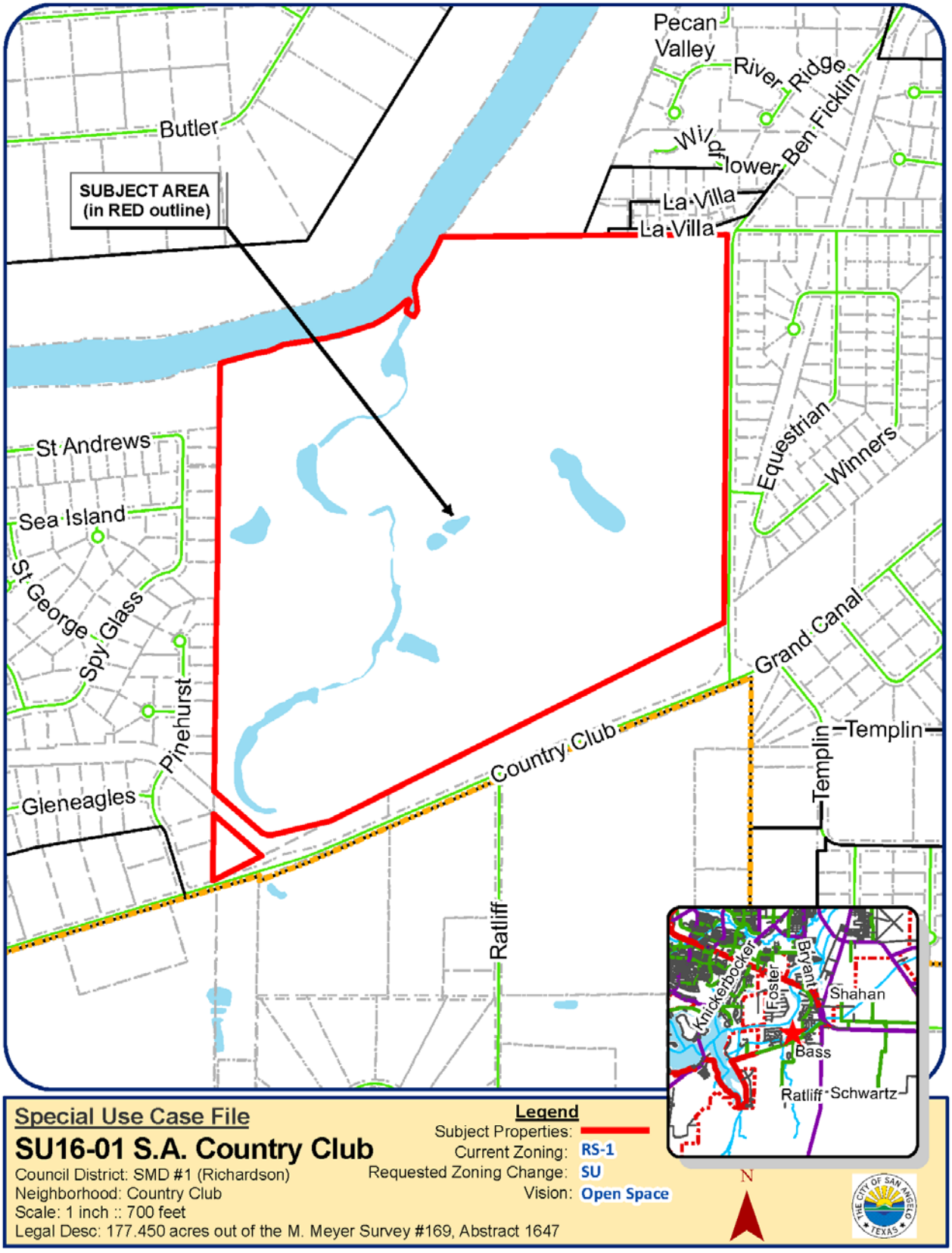
ATTEST:

_____
Bryan Kendrick, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT A (PG. 1 OF 2)



Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)
Neighborhood: Country Club
Scale: 1 inch :: 700 feet
Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties:
Current Zoning: RS-1
Requested Zoning Change: SU
Vision: Open Space

EXHIBIT A (PG. 2 OF 2)

SAN ANGELO COUNTRY CLUB

Being 178.7 acres of land out of Martin Mayer Survey No. 169, Abstract No. 1647, described by metes and bounds as follows:

Beginning at an ½" iron pipe with cap marked "SKG Engineers" for the Northeast corner of this tract, and being in the west line of Country Club Road, and also being the southeast corner of La Villa Estates Subdivision as recorded in Volume 3 on page 313 of the Plat Records of Tom Green County, Texas;

Thence West 1616.7 feet to a point on South bank of said Main Concho River;

Thence with the meanders of said Main Concho River to a point on the South bank of Main Concho River and the original upper or Northwest corner of Martin Mayer, Survey No. 169;

Thence South 2929.2 feet to a point on the North line of Country Club Road in West line of said Survey No. 169;

Thence N. 62° 25' E. with the North line of said Country Club Road 3251.4 feet to a point 50 feet West of the Southwest corner of Survey No. 168;

Thence North 2188.1 feet to the place of beginning and containing 178.7 acres of land.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bryan Kendrick, City Clerk, Traffic Operations,

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Second reading and consider adopting an ordinance amending chapter 10, “Traffic Controls”, Article 10.04 “Stopping, Standing and Parking”, section 10.04.009 “Angle Parking Zones” of the Code of Ordinances, providing for severability and an effective date (R.Ward)

Summary/History:

This Ordinance change allows, "*The designation of angle parking zones may be done by administrative order of the city manager or designee*.” Approving this modification will expedite parking changes or additions to be implemented within City Right-of-Way (ROW), eliminating the need for council approval. All modifications will follow best practices using the Texas Manual of Uniformed Traffic Control Devices (MUTCD) and engineering guidance to standardize future changes.

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1.	16-587 Parking Ordinance Modification	16-587 First Reading Ordinance Traffic operations administrative orders.docx

Presentation:

N/A

Approvals/Reviews:

Bryan Kendrick	Created/Initiated

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CONTROLS", ARTICLE 10.04 "STOPPING, STANDING AND PARKING", SECTION 10.04.009 "ANGLE PARKING ZONES" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO TEXAS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Chapter 10, Article 10.04, Section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, City of San Angelo, Texas, is hereby amended as follows:

"Sec. 10.04.009 Angle parking zones

The following streets or parts of streets are hereby declared to be angle parking zones:

(1) Forty-five degree (45°) parking.

(A) East Avenue K from Chadbourne Street to Metcalfe Street.

(B) Avenue A from Chadbourne Street to Irving Street.

(C) Avenue B from Orient Street to Irving Street.

(D) Randolph Street from Concho Street to Harris Street.

(E) Irving Street from the North Concho River to Harris Avenue.

(F) Oakes Street from Concho Street to Harris Avenue, except the west side of Oakes Street between Twohig Street to the alley immediately north thereof.

(G) West side of Oakes Street from Third Street to Fourth Street.

(H) Twohig Street from Randolph Street to Magdalene Street.

(I) Concho Street from Randolph Street to Magdalene Street.

(J) East side of Irving Street between Avenue L and the alley north of Avenue L, from six o'clock (6:00) a.m. to twelve o'clock (12:00) noon on each Sunday.

(K) North side of Avenue A beginning at Randolph Street and extending west to the end of the pavement.

(L) Randolph Street from Concho Avenue to River Drive.

(M) David Street from Concho Avenue to Santa Fe Drive.

(N) North side of Bird Street, beginning at Oakes Street and extending to the alley.

(O) South side of Bird Street, beginning at Oakes Street and extending to Baker Street.

(2) Twenty-eight degree (28°) parking.

(A) Oakes Street from the bridge to Avenue A.

(B) Beauregard Street from Randolph Street to Oakes Street except the north side of Beauregard from the Angelus Storage Garage to Irving Street, and both sides of Beauregard Street extending one hundred fifty feet (150') in each direction from its intersection with Chadbourne Street.

(C) Chadbourne Street from Beauregard Avenue to Concho Avenue.

(D) Chadbourne Street from College Avenue to Fifth Street.

(3) Twenty-two degree (22°) parking.

(A) Randolph Street from Harris Avenue to College Street.

(B) Irving Street from Harris Avenue to College Street.

(C) Oakes Street from Harris Avenue to College Street.

(D) Beauregard from Oakes Street to Main Street.

(E) West side of Main Street from Beauregard Street to Harris Street.

(F) East side of Main Street from Harris Street to Koberlin Street.

(G) West side of Main Street from Koberlin Street to Spaulding Street.

(H) Randolph Street from Harris Avenue to Beauregard Avenue.

(I) Irving Street from Harris Avenue to Beauregard Avenue

(J) Oakes Street from College Avenue to Beauregard Avenue.

(K) Chadbourne Street from College Avenue to Beauregard Avenue.

(L) South side of Beauregard Avenue from Main Street to Emerick Street.

(4) Sixty degree (60°) parking.

(A) West side of South David Street, beginning at West Beauregard Avenue and extending south to the nearest intersecting alley.

(5) Ninety degree (90°) parking.

(A) A segment on the north side of Chestnut Street between Hatcher Street and North Campus Boulevard, beginning at a point 200 feet in a southwestern direction from the northwest corner of intersecting rights-of-way for North Campus Boulevard and Chestnut Street, and extending for a distance of 100 feet further in a southwestern direction.

(B) A segment on the north side of West Avenue B between South Koenigheim and South Abe Streets, beginning at a point 30 feet in a western direction from the northwest corner of intersecting rights-of-way for South Koenigheim Street and West Avenue B, and extending for a distance of 384 feet further in a western direction.

(C) A segment on the north side of East Avenue K, beginning at a point 40 feet east from the northeast corner of intersecting rights-of-way for Metcalfe Street and East Avenue K, extending for a distance of 60 feet further in an eastern direction.

(D) A segment on the north side of East Avenue K, beginning at a point 35 feet west from the northeast corner of intersecting rights-of-way for South Concho Park Drive and East Avenue K, extending for a distance of 84 feet further in a western direction.

(6) Ten to fifteen degree (10° - 15°) parking.

(A) The entire north side of East 5th Street between North Chadbourne and Volney Streets, specifically, for parking of local transit vehicles only.

(7) The designation of angle parking zones may be done by administrative order of the city manager or designee."

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

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

SEVERABILITY:

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

4) THAT, this Ordinance shall be effective on, from and after the date of its passage and publication as required by law.

INTRODUCED on the 4th day of October, 2016, and finally PASSED, APPROVED and ADOPTED on this the 18th day of October, 2016.

CITY OF SAN ANGELO

ATTEST:

_____
Dwain Morrison, Mayor

_____
Bryan Kendrick, City Clerk

Approved as to Form:

_____
Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bryan Kendrick, City Clerk, Budget,

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Second reading and consider adopting an ordinance amending the 2016-2017 budget for grants, contributions and capital projects (M.Chegwidden)

Summary/History:

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

- Economic Development travel;
- Utility trench repair reassignment;
- Airport service marketing and recruitment services;
- Repairs and improvements to Civic Events facilities;
- Grant proceeds for wastewater reuse piloting; and
- Reallocation of Police donations.

Financial Impact:

$988,426 (see attached detail on Exhibit A of the ordinance).

Other Information/Recommendation:

Attachments:

1.	Ordinance	1 Ordinance.pdf
2.	Exhibit A	2 Exhibit A.pdf
3.	Additional Information	3 Additional Information.pdf
4.	Memo - Dev Corp	A - Dev Corp travel.docx
5.	Memo - Utility Trench Repair	B - Utility Trench Repair.docx
6.	Memo - Airport	C - Airport (KSA & COSADC).docx
7.	Memo - Civic Events	D - Civic Events Capital.docx
8.	Memo - Water Capital	E - Water capital grant.docx
9.	Memo - Police Donations	F - Police Donations.docx
10.	PowerPoint - Budget Amendment	10-18-16 FIN Budget Amendment.pptx

Presentation:

Morgan Chegwidden

Approvals/Reviews:

Bryan Kendrick	Created/Initiated
Morgan Chegwidden	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, FOR GRANTS, CONTRIBUTIONS AND CAPITAL PROJECTS.

WHEREAS the City of San Angelo has determined that new projects not included in the current budget should begin, and

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

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2016-2017 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 18th day of October, 2016, and APPROVED and ADOPTED on this the 1st day of November, 2016.

CITY OF SAN ANGELO, TEXAS

_____
Dwain Morrison, Mayor

ATTEST:

_____
Bryan Kendrick, City Clerk

Approved as to Content and Form:

_____
Tina Dierschke, Finance Director

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Description	Total Revenue Amendment	Total Expense Amendment	Net Benefit/ (Cost)
101	General Fund	172,746	172,746	-
220	Airport	63,000	63,000	-
260	Water Operating	-	-	-
270	Wastewater Operating	-	-	-
410	Civic Events	-	450,000	(450,000)
512	Water Capital Projects	300,000	300,000	-
601	Designated Revenue	2,680	2,680	-
	Total	538,426	988,426	(450,000)

City of San Angelo
Proposed Budget Amendment
Additional
Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit / (Cost)
Economic Development Travel	Type B Sales Tax	19,000	19,000	-
Utility Trench Repair Reassignment	Water and Sewer Operating Budget	153,746	153,746	-
Airport service marketing and recruitment services	Type B Sales Tax	63,000	63,000	-
Repairs and improvements to Civic Events facilities	Civic Events Fund – Fund Balance	-	450,000	(450,000)
Grant proceeds for wastewater reuse piloting	Federal Bureau of Reclamation Grant	300,000	300,000	-
Reallocation of Police donations	Citizen Contributions	2,680	2,680	-
	Total	538,426	988,426	(450,000)

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Roland Peña_____, Economic Development Director_____

Date: October 12, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the creation of travel accounts for Amin Travel and ACT Work Ready Community Travel on HTE

Source of Funding:

Economic Development Fund – Admin -Travel & Lodging Account 410580 (Type B Sales Tax)

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

Travel: City Council approved budget in September 20, 2016. COSADC budget on COSADC approved budget on July 27, 2016.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Interfund Transfers Revenue / Transfers from Dev. Corp. 101-0700-391.04-00	$471,250	$19,000	$490,250
Travel & Lodging Expense 101-0700-411.05-80	$0	$19,000	$19,000

Additional Comments:

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Patrick Frerich Assistant Director of Operations

Date: October 12, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request: Increase the number of budgeted Full Time Equivalent positions by four (4) for the purpose of performing utility trench repairs in-house

Source of Funding: Water and Sewer Funds Operating Budget

Funding previously approved? If so, by City Manager or City Council and when? Approved by City Manager August 2016.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Wastewater Contract Services Expense 270-5000-507.03-60	137,224	-137,224	0
Wastewater Transfers Out Expense 270-5500-507.08-90	485,566	137,224	622,790
Water Contract Services Expense 260-4301-503.03-60	510,000	-16,522	493,478
Water Transfers Out Expense 260-4000-530.08-90	2,197,702	16,522	2,214,224
General Fund Transfers In Revenue 101-0000-341.50-05	2,683,268	153,746	2,837,014
Street & Bridge Payroll Expense 101-3200-432.xx-xx	1,589,508	153,746	1,743,254

Additional Comments: Funding for these positions will generate from the Water and Sewer fund and will have a financial neutral impact on the General Fund.

City of San Angelo
Budget Ordinance
Exhibit D
Staffing Levels

Fire Department – Civil Service	
Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	33
Fire Fighter	91
Total Fire Department – Civil Service	163

Police Department – Civil Service	
Police Chief	1
Assistant Chief	3
Police Lieutenant	7
Police Sergeant	28
Police Officer	126
Total Police Department – Civil Service	165

All Others	
Civilians	618
Total All Others	618
Grand Total Staffing Levels	946

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Liz Atwater, Business and Finance Analyst

Date: October 5, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Utilize Development Corp type B sales tax funding for KSA task order 106 for professional air service marketing and recruitment services.

Source of Funding:

Development Corp type B sales tax

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

Approved by City Council October 4, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Airport Transfer from Development Corporation Revenue 220-0000-391.04-00	0	63,000	63,000
Airport Contract Services Expense 220-3901-514.03-30	122,122	63,000	185,122

Additional Comments:

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Sidney Walker, Civic Events Manager

Date: October 4, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To make needed repairs and improvements to Civic Events facilities

Source of Funding:

Civic Events Fund – Fund Balance

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

Yes, by City Council on September 6, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Convention Center Sewer Line, Roofing, and Misc. Repairs 410-6699-800.07-30	0	336,000	336,000
River Stage Chairs 410-6699-800.07-43	0	10,000	10,000
Coliseum Climate Control 410-6699-800.07-44	0	104,000	104,000

Additional Comments:

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Allison Strube, Assistant Director of Water Utilities

Date: October 11, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for grant proceeds for wastewater reuse piloting

Source of Funding:

Federal Bureau of Reclamation grant award

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

May 18, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Grant revenue 512-0000-xxx.xx-xx	-0-	$300,000	$300,000
Grant expense 512-4156-800.07-30	-0-	$300,000	$300,000

Additional Comments:

City of San Angelo

Memo

To: Morgan Chegwidden, Budget Manager

From: Chief Frank Carter_____, Police Chief

Date: October 12, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request: Capture unspent donations to the criminal investigations division as well as sale of brass from the police gun range into the police memorial statue project. Also, plan to raise the final amount necessary of $2,680 to fully fund the police memorial statue.

Source of Funding: Donations from citizens.

Funding previously approved? If so, by City Manager or City Council and when? No

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Police memorial statue donation revenue 601-8010-365.00-00	-0-	2,680	2,680
Police CID donations expense 601-8006-421.06-16	1,049	-1,049	-0-
Police gun range brass sales expense 601-8001-421.06-16	8,377	-8,377	-0-
Police memorial statue donations expense 601-8010-421.07-41	3,050	12,106	15,156

Additional Comments: The purpose for which the original donations were made has been met and these funds can now be released for other police needs.

City Council

October 18, 2016

Budget Amendment

	Revenue	Expense
Economic Development travel	19,000	19,000
Utility trench repair reassignment	153,746	153,746
Airport service marketing and recruitment services	63,000	63,000

Budget Amendment

	Revenue	Expense
Repairs and improvements to Civic Events facilities	-	450,000
Grant proceeds for wastewater reuse piloting	300,000	300,000
Reallocation of Police donations	2,680	2,680

City Council

October 18, 2016

City Council

November 1, 2016

Convention & Visitors Bureau
Convention Activities – 2nd & 3rd Qtrs. 2016

- Assisted with 58 conventions, meetings, sporting events or motor coach tours
- Projected attendance: 43,153
- Projected room nights: 18,270
- Average length of days spent: 3 days

Total economic impact: **$10,963,370.**

2nd & 3rd Quarter Media Sites and Assists

- VacationMaybe.com
- Offbeat Travel
- AAA Home & Away
- Travel Holiday
- American Roads
- Horse Report
- Sports Destination Management Magazine

Trade Shows

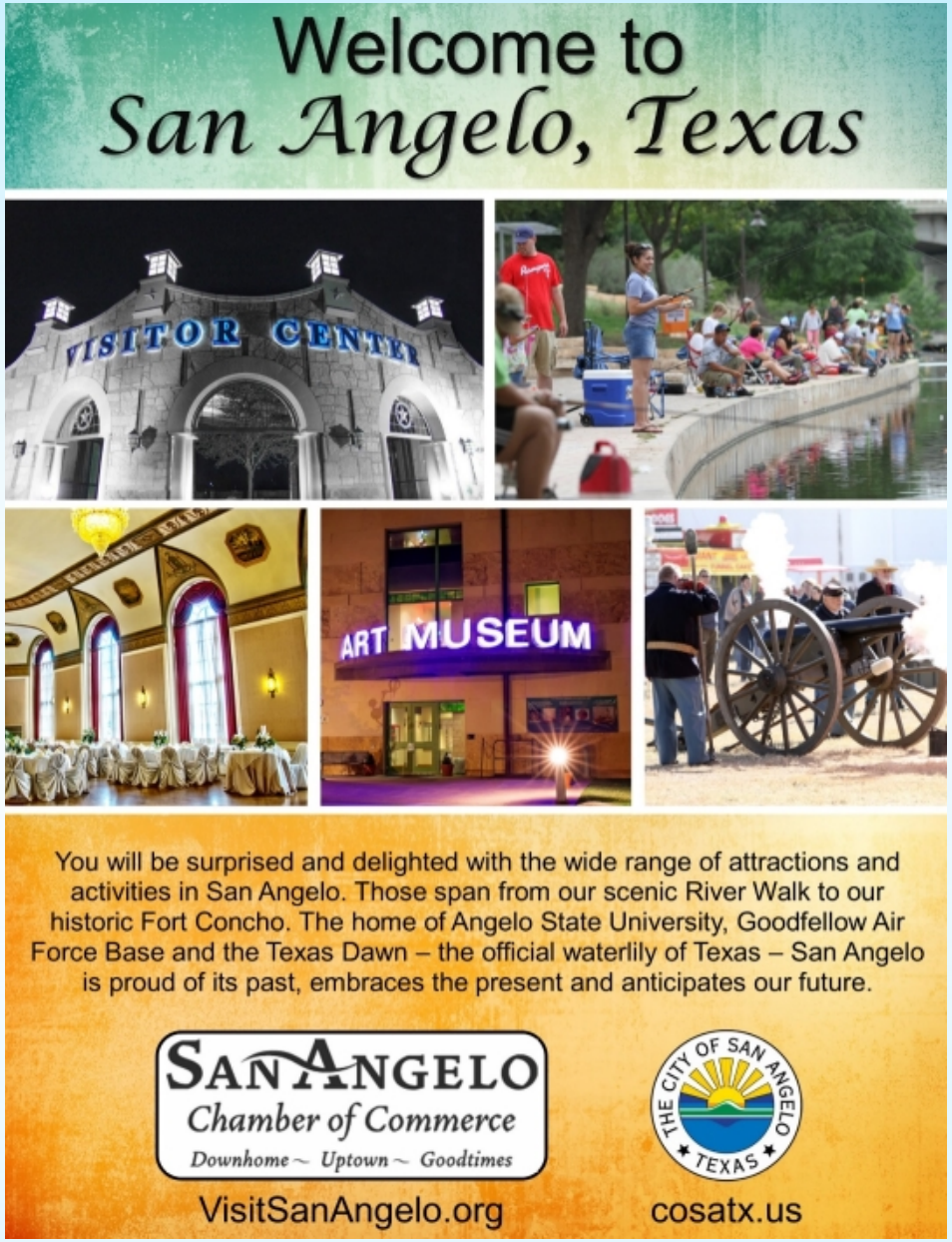
- National Assoc. of Sports Commissions
- Christian Mtgs. Conference
- Travel Media Showcase
- Connect Sports
- Your Military Reunion Network

Advertising

- Print
- Billboard (6)
- Facebook/Google
- Television
- Statewide Cable

19,061 requests from advertising through 3rd Qtr. 2016

Advertising



Advertising

Advertising

Advertising

Through 3rd Qtr. 2016 Visitor Center Sign-Ins

Top 10 Texas cities (in descending order)

- San Antonio
- Houston
- Austin
- Midland
- Abilene
- Odessa
- Dallas
- Lubbock
- Ft. Worth
- Del Rio

Through 3rd Qtr. 2016 Visitor Center Sign-Ins

Top 6 out-of-state

- New Mexico
- California
- Colorado
- Oklahoma
- Ohio
- Wisconsin

Top International

- Canada
- Mexico
- Germany
- United Kingdom
- Australia
- New Zealand

Hotel Update

- YTD occupancy: -10.2% at 46.6%
- Demand: +6.6%
- ADR: -22.6% at $70.22

33 properties with 2,821 rooms

City Council Chamber of Commerce Report

November 1, 2016

TASK 1 OVERVIEW
JULY-SEPTEMBER 2016

- 5 Prospective Businesses
- Project Codes: 1) “Central” 2) “Medical”

3) “Distribution” 4) “Kansas” 5) “K9”

- Secured prospect – Solar CenTex – 5-8 employees
  - Estimated Economic Impact over first 36 months: $823,000 +

TASK 1 A – MARKET RECRUITMENT SERVICES

PROSPECT INDUSTRY AND EMPLOYEE COUNT

- Central – Contact Center – 200
- Medical – Paramedic services – 10
- Distribution – Warehouse/Transport – 3-4
- K9 – Pet Food Products - 50-70

TASK 1 A – SITE VISITS – ILLINOIS

- Pet Food Prospect facility site visit. Met with company leadership, toured their operations. Established next stage plans.
- International steel fab company – Bridgeview
- Machine parts fabricator – Addison
- National Metal Finishing – Chicago

TASK 1 A – SITE VISITS – ILLINOIS

TASK 2 A – INTERNET AND PRINT MARKETING

- 2017 SAN ANGELO COMMUNITY PROFILE

TASK 3 – DIRECT MAIL CAMPAIGNS

- TOTAL OF 101 MAILERS SENT THIS QUARTER
- 400 SENT YEART TO DATE
  - Freight/Distribution companies – 13 mailers
  - Food Manufacturers – 19 mailers
  - Plastic Component Manufacturers – 16 mailers
  - Aircraft Components Manufacturers – 18 mailers
  - Packaging/Container Manufacturers – 18 mailers
  - Medical/Perishable Food Container Manufacturers - 17 mailers

TASK 3 – DIRECT MAIL CAMPAIGNS

- Our Target Marketing campaign focuses on industries that are most compatible with San Angelo's industrial sectors, available/abundant raw materials and available/skilled workforce base.

TASK 4 – PROSPECT SAN ANGELO CITY VISITS

- Project Medical – 14 employees
- Project Distribution – 3-5 employees
- Project Kansas – 5 employees
- Solar Centex – Landed – 5 – 10 locally, leased facility

TASK 5 – TRADE SHOWS

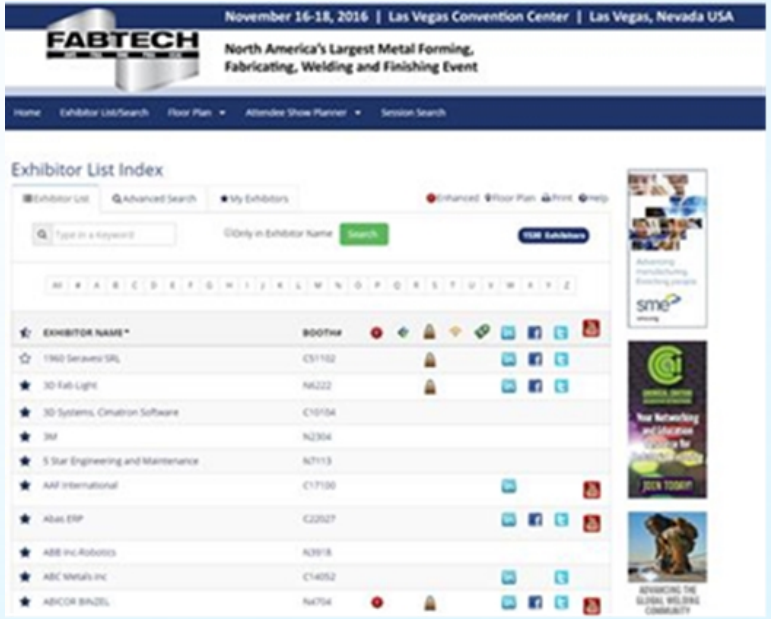
- GATS Dallas - August 25-27, 2016
- Target market – Trucking companies seeking potential new terminal locations; Parts manufacturers
- Attended with Coverlay VP, Mark Smith
- Leads – Three (3) in correspondence

TASK 5 – TRADE SHOWS

- FABTECH – November 15-19
- Targeted Employers – Parts manufacturers
- Attending with Robert Schneeman (COSADC) and will meet with Western Tower personnel
- 1,300 Exhibitors – 28,000 Attendees

TASK 5 – FABTECH PREP

- CREATING CATALOGUE OF TARGET COMPANIES TO MEET AT FABTECH
- AP for iPhone to track connections
- Prospect Connector
- Attendee Show Planner
- My Itinerary Planner



Economic Impact

April 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
San Angelo Relays San Angelo Relays	04/01/2016 04/02/2016	SP	500	450	2	100	100	37,800
Ault Major Zone Tennis Tournament	04/07/2016 04/10/2016	SP	200	200	4	30	90	50,400
Angelo State University Invitational 4H & FFA	04/07/2016 04/08/2016		2,700	1,300	2	500	500	221,000
Angelo State University AFROTC Drill Meet 2016	04/08/2016 04/09/2016	C	1,300	1,300	2	503	503	221,000
West Texas USSSA Battle on the Concho	04/08/2016 04/10/2016	SP	750	750	3		988	126,000
1946 San Angelo High School Class Reunion	04/08/2016 04/10/2016	C	30	30	3	10	20	10,200
Concho Valley Bluegrass Festival Bluegrass Festival	04/08/2016 04/10/2016	C	400	150	3	15	33	25,500
UIL Region 2A Golf	04/10/2016 04/12/2016	SP	500	500	3	30	60	84,000
National Ceramics Competition Annual	04/15/2016 04/17/2016	C	1,000	450	3	25	50	153,000
UIL Region 2A Tennis	04/18/2016 04/20/2016	SP	400	400	3	20	40	67,200
UIL Region 2A One Act	04/20/2016 04/22/2016	SP	300	300	3	30	60	50,400
U S Cavalry Association National Cavalry Competition	04/21/2016 04/23/2016	C	250	150	3	40	80	51,000
UIL Region 2A Academic	04/21/2016 04/23/2016	SP	200	200	3	20	40	33,600
Lions Club 2A1	04/22/2016 04/24/2016	C	125	50	3	10	20	17,000
Trinity 8th Grade Trip Trinity Church School	04/22/2016 04/22/2016	C	80	80	1	0	0	10,080
UIL Region 2A Track	04/28/2016 04/30/2016	SP	2,500	2,500	3	50	100	420,000
Wink High School Reunion Class of 66	04/29/2016 05/01/2016	C	80	70	3	30	60	23,800

Types: SP=Sports ST=Sports (High End) MC=Motorcoach C=Conventions/Meetings

Economic Impact

Subtotal for April	**17 Groups**		**11,315**	**8,880**			**2,744**	**$1,601,980**

May 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
West Texas USSSA Battle on the Concho	05/13/2016 05/15/2016	SP	750	700	3	400	131	117,600
Simply Texas Blues Competition 2010 Competition	05/13/2016 05/14/2016	C	400	150	2	25	59	25,500
ASU Homecoming	05/13/2016 05/14/2016	C	200	100	2	50	116	17,000
ASU Baseball Special	05/13/2016 05/14/2016	ST	200	100	2	40	49	17,000
Sellers Tours	05/15/2016 05/16/2016	MC	50	50	2	25	25	8,500
Subtotal for May	**5 Groups**		**1,600**	**1,100**			**380**	**$185,600**

June 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
Texas Wildlife Association Texas Big Game Awards	06/03/2016 06/05/2016	C	300	150	3	100	200	51,000
1st Batalion 508 Airborn Infantry Reunion	06/07/2016 06/12/2016	C	50	50	6	30	90	42,500
Texas Police Athletic Federation Texas Police Games	06/12/2016 06/17/2016	SP	1,500	1,500	6	300	446	630,000
Angelo Football Clinic Annual Coaches Clinic	06/14/2016 06/16/2016	C	1,800	1,500	3	500	1,000	510,000
American Meat Science Association Reciprocal Meat Conference	06/17/2016 06/24/2016	C	800	900	8	335	1,285	1,071,000
Bennet/Barnett Family Reunion	06/17/2016 06/19/2016	C	40	20	3	30	60	6,800
Toole 50th Anniversary and Reunion	06/17/2016 06/19/2016	C	40	35	3	20	40	11,900
Texas Public Health Association Vital Statistics Summer Workshop	06/23/2016 06/25/2016	C	75	35	3	35	70	11,900
Lucas Oil Drag Boat Race Series Showdown in San Angelo	06/23/2016 06/27/2016	ST	12,000	6,000	5	200	493	4,080,000

Types: SP=Sports ST=Sports (High End) MC=Motorcoach C=Conventions/Meetings

Economic Impact

June 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
Region 15 & 18 Education Service Center Child Nutrition Summer Workshop	06/27/2016 06/30/2016	C	300	250	4	75	225	127,500
Time CLock Plus Regional Meeting 2016	06/27/2016 06/30/2016	C	150	130	4	55	165	66,300
The Sword of the Spirit Ministries Texas Spring Meeting	06/28/2016 07/02/2016	C	75	50	5	40	160	34,000
Subtotal for June	**12 Groups**		**17,130**	**10,620**			**4,234**	**$6,642,900**

July 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
West Texas All Star Girls Fast Pitch West Texas All Star Girls Fast Pitch	07/13/2016 07/17/2016	SP	5,000	4,500	5	1,800	7,200	1,512,000
Wake the Desert 2012	07/15/2016 07/17/2016	SP	500	250	3	25	50	42,000
Texas Department of State Health Services	07/20/2016 07/22/2016	C	25	24	3	10	20	8,160
West Texas Press Association Summer Convention	07/21/2016 07/23/2016	C	100	75	3	50	100	25,500
Hanks Reunion Reunion	07/22/2016 07/24/2016	C	80	75	3	25	50	25,500
Midnight Madness Girls Fastpitch	07/28/2016 07/31/2016	SP	700	550	4	300	900	138,600
Munez Gomez Wedding	07/29/2016 07/31/2016	C	125	75	3	25	50	25,500
Subtotal for July	**7 Groups**		**6,530**	**5,549**			**8,370**	**$1,777,260**

August 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
ATMOS ENERGY Staff Meeting	08/01/2016 08/03/2016	C	25	25	3	20	40	8,500
West Texas Legislative Summit Annual Summit	08/03/2016 08/04/2016	C	300	100	2	35	35	17,000
Southwest Gathering	08/05/2016 08/07/2016	C	200	150	3	15	30	51,000

Types: SP=Sports ST=Sports (High End) MC=Motorcoach C=Conventions/Meetings

Economic Impact

August 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
Media Showcase Fam Tour	08/19/2016 08/20/2016	C	9	9	2	9	9	1,530
Subtotal for August	**4 Groups**		**534**	**284**			**114**	**$78,030**

September 2016	Meeting Dates	Type	Attendance	Out of Town Attendance	Days	Peak	Rooms	$ Value
Kathleen Brasfield Invitational ASU Tournament	09/01/2016 09/04/2016	SP	100	100	4	80	165	25,200
Christina Cavazos Cavazos family reunion	09/02/2016 09/05/2016	C	50	50	4	40	80	25,500
West Texas USSSA Battle on the Concho	09/02/2016 09/05/2016	SP	800	700	4	400	1,200	176,400
Central High School Class 0f 1986 Reunion418 W Ave B	09/02/2016 09/04/2016	C	100	50	3	20	40	17,000
Cowboy Gathering	09/10/2016 09/11/2016	C	1,109	700	2	90	90	119,000
Fall Landscape Sympsoium	09/11/2016 09/12/2016	C	120	40	2	20	20	6,800
Ports to Plains Trade Corridor 2016 Annual Conference	09/13/2016 09/15/2016	C	300	100	3	75	225	51,000
Center for the Advancement and Study of Early Texas Art Meeting (CASETA)	09/15/2016 09/17/2016	C	2,520	18	3	23	24	6,120
Texas Clown Association 2016 Texas Clown Convention	09/20/2016 09/25/2016	C	125	125	6	50	206	106,250
Central High School 1966 Reunion	09/20/2016 09/25/2016	C	200	75	6	45	210	63,750
6994th Security Squadron Air Force Vietnam Reunion 2013	09/21/2016 09/24/2016	C	100	100	4		128	51,000
Texas Firefighter Games Annual Summer Meet	09/23/2016 09/25/2016	C	20	12	3	12	20	4,080
Lily Fest Lily Fest	09/24/2016 09/25/2016	C	500	150	2	10	20	25,500
Subtotal for September	**13 Groups**		**6,044**	**2,220**			**2,428**	**$677,600**

Types: SP=Sports ST=Sports (High End) MC=Motorcoach C=Conventions/Meetings

Economic Impact

Grand Totals

	2016	Total
Groups	58	**58**
Attendance	43,153	**43,153**
Out of Town	28,653	**28,653**
Rm Nights	18,270	**18,270**
$ Value	10,963,370	**10,963,370**

Types: SP=Sports ST=Sports (High End) MC=Motorcoach C=Conventions/Meetings

Convention Sales Department
Detail Report
From 4/1/2016 To 9/30/2016

Sales Leads	Dates	Total Attendance	Out of Town Attendance	# Days	Peak	Rm Nts	Ec. Impact
* Sellers Tours	05/15/2016 05/16/2016	50	50	2	25	25	8,500
* ATMOS ENERGY Staff Meeting	08/01/2016 08/03/2016	25	25	3	20	40	8,500
* Sun City Tours Motorcoach Tour	10/25/2016 10/27/2016	26	40	3	25	50	13,600
* Texas State Library and Archives Commission	10/26/2016 10/27/2016	20	20	2	20	20	3,400
* Texas Justice Court Training Center 10 Hour Workshop	03/16/2017 03/18/2017	50	50	3	50	100	17,000
* The West Texas Tumbleweed Shop Hop Annual Quilt Trade Show	07/14/2017 07/15/2017	100	100	2	75	75	17,000
Maximum Impact	08/23/2017 08/25/2017	100	75	3	40	80	25,500
Maximum Impact	09/04/2017 09/06/2017	250	250	3	135	270	85,000
Total Sales Leads Issued	**8**	**621**	**610**			**660**	**$178,500**

*** Group/Event booked definite**

Convention Sales Department
Detail Report
From 4/1/2016 To 9/30/2016

	Dates	Total Attendance	Out of Town Attendance	# Days	Peak	Rm Nts	Ec. Impact
Definite Bookings							
UIL Class A Regional Volleyball Tournament	11/13/2015 11/14/2015	200	0	2	0	0	0
Angelo State University Invitational 4H & FFA	04/07/2016 04/08/2016	2,700	1,300	2	500	500	221,000
Concho Valley Bluegrass Festival Bluegrass Festival	04/08/2016 04/10/2016	400	150	3	15	33	25,500
Trinity 8th Grade Trip Trinity Church School	04/22/2016 04/22/2016	80	80	1	0	0	10,080
Wink High School Reunion Class of 66	04/29/2016 05/01/2016	80	70	3	30	60	23,800
Simply Texas Blues Competition 2010 Competition	05/13/2016 05/14/2016	400	150	2	25	59	25,500
ASU Homecoming	05/13/2016 05/14/2016	200	100	2	50	116	17,000
ASU Baseball Special	05/13/2016 05/14/2016	200	100	2	40	49	17,000
Sellers Tours	05/15/2016 05/16/2016	50	50	2	25	25	8,500
Region 15 & 18 Education Service Center Child Nutrition Summer Workshop	06/27/2016 06/30/2016	300	250	4	75	225	127,500
West Texas All Star Girls Fast Pitch West Texas All Star Girls Fast Pitch	07/13/2016 07/17/2016	5,000	4,500	5	1,800	7,200	1,512,000
Texas Department of State Health Services	07/20/2016 07/22/2016	25	24	3	10	20	8,160
Midnight Madness Girls Fastpitch	07/28/2016 07/31/2016	700	550	4	300	900	138,600
Munez Gomez Wedding	07/29/2016 07/31/2016	125	75	3	25	50	25,500
ATMOS ENERGY Staff Meeting	08/01/2016 08/03/2016	25	25	3	20	40	8,500
West Texas Legislative Summit Annual Summit	08/03/2016 08/04/2016	300	100	2	35	35	17,000

Convention Sales Department
Detail Report
From 4/1/2016 To 9/30/2016

	Dates	Total Attendance	Out of Town Attendance	# Days	Peak	Rm Nts	Ec. Impact
Southwest Gathering	08/05/2016 08/07/2016	200	150	3	15	30	51,000
Media Showcase Fam Tour	08/19/2016 08/20/2016	9	9	2	9	9	1,530
Kathleen Brasfield Invitational ASU Tournament	09/01/2016 09/04/2016	100	100	4	80	165	25,200
West Texas USSSA Battle on the Concho	09/02/2016 09/05/2016	800	700	4	400	1,200	176,400
Central High School Class 0f 1986 Reunion418 W Ave B	09/02/2016 09/04/2016	100	50	3	20	40	17,000
Center for the Advancement and Study of Early Texas Art Meeting (CASETA)	09/15/2016 09/17/2016	2,520	18	3	23	24	6,120
Central High School 1966 Reunion	09/20/2016 09/25/2016	200	75	6	45	210	63,750
Texas Firefighter Games Annual Summer Meet	09/23/2016 09/25/2016	20	12	3	12	20	4,080
Dusek/Hoag Wedding	10/07/2016 10/09/2016	200	50	3	30	45	17,000
West Texas Half Marathon/5 K Race Texas	10/15/2016 10/16/2016	900	285	2	200	200	23,940
Grand Ole Tour Wool Capital Region AACA Grand Ole Tour Wool Capital Region AACA	10/20/2016 10/22/2016	20	50	3	20	40	17,000
En Plein Air	10/23/2016 10/30/2016	200	100	8	20	140	119,000
TRAPS Certified Playground Safety Instructor's Course	10/24/2016 10/26/2016	65	65	3	50	100	22,100
Sun City Tours Motorcoach Tour	10/25/2016 10/27/2016	26	40	3	25	50	13,600
Texas State Library and Archives Commission	10/26/2016 10/27/2016	20	20	2	20	20	3,400
The Concho Kennel Club Annual National AKC Dog Show	11/04/2016 11/06/2016	600	150	3	100	200	51,000
Texas Municipal Courts Education Center Clerks Clinic	11/30/2016 12/01/2016	40	5	2	5	8	850

Printed: 9/29/2016 10:44AM

Convention Sales Department
Detail Report
From 4/1/2016 To 9/30/2016

	Dates	Total Attendance	Out of Town Attendance	# Days	Peak	Rm Nts	Ec. Impact
Christmas at Old Fort Concho Christmas at Old Fort Concho	12/02/2016 12/04/2016	14,000	4,300	3	50	100	1,462,000
San Angelo Stock Show & Rodeo Stock Show & Rodeo	02/03/2017 02/19/2017	18,000	8,000	17	20	300	2,720,000
Skills USA District 2 Competition	02/24/2017 02/25/2017	500	200	2	70	70	34,000
ASU Kennedy Center College Theatre Competition	02/28/2017 03/05/2017	600	600	6	350	1,750	510,000
Texas Justice Court Training Center 10 Hour Workshop	03/16/2017 03/18/2017	50	50	3	50	100	17,000
Desk & Derrick Club Region V Meeting	04/20/2017 04/23/2017	100	100	4	50	150	51,000
The West Texas Tumbleweed Shop Hop Annual Quilt Trade Show	07/14/2017 07/15/2017	100	100	2	0	0	17,000
Texas Firefighter Games Annual Summer Meet	07/16/2017 07/22/2017	5,000	1,500	7	150	900	1,530,000
Total Definite Bookings:	**41**	**55,155**	**24,253**			**15,183**	**$9,139,610**

Printed: 9/29/2016 10:44AM

Convention Sales Department
Detail Report
From 4/1/2016 To 9/30/2016

	Dates	Total Attendance	Out of Town Attendance	# Days	Peak	Rm Nts	Ec. Impact
Lost Business							
Dorper Association Dorper Education Confernce *Reason:* canceled	10/04/2016 10/09/2016	150	75	6	40	200	63,750
West Texas County Judges & Commissioners Association Annual Conference *Reason:* Chose another location *Lost To:* Frisco	04/23/2018 04/27/2018	900	850	5	290	880	578,000
Total Lost Business:	**2**	**1,050**	**925**			**1,080**	**$641,750**

Convention and Visitors Bureau
Income, Expense and Profit/Loss Statement
FOR THE ONE MONTH AND THE EIGHT MONTHS ENDING AUGUST 31, 2016

	Month to Date	Year to Date
Ordinary Income/Expense		
Income		
INTEREST INCOME	9.53	86.03
5001 · Hotel/Motel Tax	72,083.33	576,666.64
5009 · Visitor Center Sales/Other Inc	644.95	6,556.75
Total Income	72,737.81	583,309.42
Expense		
MARKETING EXPENSES		
MARKETING EXPENSE	22,573.49	239,094.19
Total MARKETING EXPENSES	22,573.49	239,094.19
OPERATING EXPENSES		
OVERHEAD	5,834.12	65,109.28
SALARIES & BENEFITS	29,159.62	220,619.24
Total OPERATING EXPENSES	34,993.74	285,728.52
Total Expense	57,567.23	524,822.71
Net Ordinary Income	15,170.58	58,486.71
Other Income/Expense		
Other Expense		
DESIGNATED FUND EXPENSES		
8015 · Community Events Expense	2,500.00	2,500.00
Total DESIGNATED FUND EXPENSES	2,500.00	2,500.00
Total Other Expense	2,500.00	2,500.00
Net Ordinary Income	-2,500.00	-2,500.00
Net Income	**12,670.58**	**55,986.71**

Convention and Visitors Bureau

Income, Expense and Profit/Loss Statement

FOR THE ONE MONTH AND THE EIGHT MONTHS ENDING AUGUST 31, 2016

	August 2016	YTD 2016	YTD 2015	Annual Budget	% of Budget
Ordinary Income/Expense					
Income					
INTEREST INCOME					
5056 · Interest Income - CVB	9.53	86.03	87.87	250.00	34.41
Total INTEREST INCOME	9.53	86.03	87.87	250.00	34.41
5001 · Hotel/Motel Tax	72,083.33	576,666.64	530,000.00	865,000.00	66.67
5009 · Visitor Center Sales/Other Inc	644.95	6,556.75	5,831.34	9,000.00	72.85
Total Income	72,737.81	583,309.42	535,919.21	874,250.00	66.72
Expense					
MARKETING EXPENSES					
MARKETING EXPENSE					
6033 · Professional Training/Conf	725.63	1,600.82	3,995.60	4,500.00	35.57
6034 · Subscriptions	13.65	147.46	1,698.51	5,000.00	2.95
6035 · Postage/Marketing	307.71	2,125.68	9,058.02	11,000.00	19.32
6036 · Advertising/Publicity	14,533.51	149,048.30	131,046.37	190,000.00	78.45
6037 · Public Relations	568.40	987.31	1,096.55	5,500.00	17.95
6042 · Volunteer Programs	0.00	503.81	784.98	2,500.00	20.15
6043 · 800 Number Calls/Fees	0.00	120.92	207.16	300.00	40.31
6045 · Visitor Event Incentive	0.00	1,500.00	3,900.00	25,000.00	6.00
6046 · Convention Servicing/Supplies	0.00	2,915.21	8,731.34	28,000.00	10.41
6047 · Visitor Center Merchandise	40.00	1,698.21	2,352.18	5,000.00	33.96
6049 · CVB Website	0.00	429.94	1,995.00	4,000.00	10.75
6051 · Brochure Development/Printing	0.00	509.00	3,863.07	12,000.00	4.24
6056 · Conventions & Travel Trade	1,792.29	21,662.63	19,780.67	40,000.00	54.16
6058 · Trade Shows	2,223.24	13,987.84	11,075.52	20,000.00	69.94
6059 · Sports Incentive	0.00	13,650.00	0.00	18,500.00	73.78
6064 · Professional Memberships	0.00	7,132.50	4,510.51	7,000.00	101.89
6066 · Promotional Items	191.69	4,360.52	1,908.66	11,000.00	39.64
6067 · Visitors & Travel Marketing	1,114.18	7,923.81	20,038.54	30,000.00	26.41
6068 · Automobile Allowance	1,063.19	8,790.23	9,199.83	19,000.00	46.26
Total MARKETING EXPENSE	22,573.49	239,094.19	235,242.51	438,300.00	54.55
Total MARKETING EXPENSES	22,573.49	239,094.19	235,242.51	438,300.00	54.55
OPERATING EXPENSES					
OVERHEAD					
6003 · Bookkeeping/Administration Fee	0.00	9,916.62	11,333.28	17,000.00	58.33
6010 · Credit Union Deductions	0.00	0.00	0.00	0.00	0.00
6014 · Audit	0.00	0.00	0.00	3,400.00	0.00
6016 · Rent/Storage Building	124.00	808.00	824.00	1,200.00	67.33
6017 · Facility Agreement	500.00	4,000.00	4,000.00	6,000.00	66.67
6018 · Equipment Expense	1,553.79	14,091.36	10,811.05	18,000.00	78.29
6020 · General Insurance	0.00	5,126.93	4,335.26	4,680.00	109.55
6024 · Telephone Expense	434.49	3,528.94	3,559.77	8,000.00	44.11
6026 · Office Supplies	564.72	3,150.95	4,375.35	6,500.00	48.48
6029 · Maintenance	1,347.68	9,122.88	7,778.11	11,600.00	78.65
6030 · Miscellaneous Office Support	46.32	1,322.17	1,129.22	2,000.00	66.11
6040 · Utilities	1,101.24	7,832.61	9,163.97	14,000.00	55.95
6041 · Security Service	133.38	933.66	1,063.46	2,000.00	46.68
6063 · Cornerstone Expense	28.50	429.83	1,194.39	1,300.00	33.06
6072 · Christmas Lights	0.00	0.00	0.00	1,750.00	0.00
6073 · Computers/Database Support	0.00	4,845.33	217.26	6,000.00	80.76
Total OVERHEAD	5,834.12	65,109.28	59,785.12	103,430.00	62.95
SALARIES & BENEFITS					
6000 · Part-Time Help	6,858.98	7,485.76	7,205.30	19,000.00	39.40
6001 · Administrative Salaries	14,577.73	162,987.38	150,305.53	248,725.00	65.53
6002 · Social Security	1,315.48	10,488.40	9,762.03	15,421.00	68.01
6005 · Medicare	307.65	2,452.95	2,304.24	3,607.00	68.01
6006 · Employee Retirement Plan	2,766.83	10,350.60	6,941.03	14,924.00	69.36
6007 · Unemployment Comp	8.44	491.95	354.28	600.00	81.99
6008 · United Way Donations	0.00	0.00	0.00	0.00	0.00
6012 · Group Health Insurance	3,324.51	26,362.20	20,992.33	30,000.00	87.87
Total SALARIES & BENEFITS	29,159.62	220,619.24	197,864.74	332,277.00	66.40
Total OPERATING EXPENSES	34,993.74	285,728.52	257,649.86	435,707.00	65.58
Total Expense	57,567.23	524,822.71	492,892.37	874,007.00	
Net Ordinary Income	15,170.58	58,486.71	43,026.84	243.00	
Other Income/Expense					
Other Income					
DESIGNATED FUNDS INCOME					
4998 · Wayfinding Donations	0.00	0.00	0.00		
4999 · Sports Fund Donations	0.00	0.00	750.00		
Total DESIGNATED FUNDS INCOME	0.00	0.00	750.00		
Total Other Income					
Other Expense					

Convention and Visitors Bureau

Income, Expense and Profit/Loss Statement

FOR THE ONE MONTH AND THE EIGHT MONTHS ENDING AUGUST 31, 2016

	August 2016	YTD 2016	YTD 2015	Annual Budget	% of Budget
DESIGNATED FUND EXPENSES					
8004 · Sports Fund Expense	0.00	0.00	19,267.80		
8005 · Wayfinding Expense	0.00	0.00	0.00		
8006 · CVB Bid Incentive Expense	0.00	0.00	0.00		
8015 · Community Events Expense	2,500.00	2,500.00	6,000.00		
Total DESIGNATED FUND EXPENSES	2,500.00	2,500.00	25,267.80		
Total Other Expense	2,500.00	2,500.00	25,267.80		
Net Other Income	(2,500.00)	(2,500.00)	(25,267.80)		
Net Income	**12,670.58**	**55,986.71**	**18,509.04**	**243.00**	

Convention and Visitors Bureau

Balance Sheet

As of August 31, 2016 and August 31, 2015

	August 31, 2016	August 31, 2015
ASSETS		
Current Assets		
Checking/Savings		
1004 · CVB M/MKT - First Financial	253,775.54	253,760.87
1010 · Community Events Checking - CVB	17,371.80	19,862.69
1012 · Wayfinding Checking - CVB	1,598.76	1,598.76
1019 · Cash in Bank - CVB	245,595.58	231,120.77
1021 · Sports Fund Checking	12,622.75	20,344.49
Total Checking/Savings	530,964.43	526,687.58
Other Current Assets		
1059 · City Contract Receivable	648,750.01	0.00
Total Other Current Assets	648,750.01	0.00
Total Current Assets	1,179,714.44	526,687.58
Fixed Assets		
1050 · Property & Equipment	91,245.67	89,561.01
1055 · Accumulated Depreciation	(90,514.84)	(88,507.55)
Total Fixed Assets	730.83	1,053.46
TOTAL ASSETS	**1,181,068.23**	**527,741.04**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Other Current Liabilities		
2002 · Payroll Tax Payable	27.62	1,857.13
2003 · Vacation Payable	12,536.82	0.00
2004 · Unemployment - SUTA Payroll Tax	7.88	(120.80)
2005 · Write-off Old Checks	87.55	333.88
2012 · Sales Tax Payable	672.85	514.44
2059 · On Account-09 Travel Council	(270.96)	(243.81)
Total Other Current Liabilities	13,061.76	2,340.84
Total Current Liabilities	13,061.76	2,340.84
Total Liabilities	13,061.76	2,340.84
Equity		
3004 · Fund Balance/Community Events	19,866.00	30,824.59
3005 · Sports Promotion Fund Balance	12,621.00	23,030.09
3006 · Fund Balance/Wayfinding Project	1,598.76	2,088.43
3013 · Fund Balance-CVB	1,077,934.00	450,948.05
Net Income	55,986.71	18,509.04
Total Equity	1,168,006.47	525,400.20
TOTAL LIABILITIES & EQUITY	**1,181,068.23**	**527,741.04**

SAN ANGELO
Chamber of Commerce
Economic Development

CHAMBER OF COMMERCE MARKETING AND RECRUITMENT DIVISION
JULY, AUGUST, SEPTEMBER 2016 QUARTERLY REPORT

PRESENTED TO THE
SAN ANGELO CITY COUNCIL – NOVEMBER 1, 2016

The mission of the Chamber of Commerce Marketing and Recruitment Division is to conduct a national and state-wide business and marketing program, support local company growth, and serve as a key player in the prospect development coordination efforts on behalf of our financial supporters of economic development and supporting allies. Those partners include members of the City of San Angelo Development Corporation, the San Angelo Chamber of Commerce, the City Council, Tom Green County Commissioners, Chamber members that provide additional support above their Chamber dues – the Cornerstone Investors, the Angelo State University SBDC, and the Concho Valley Center for Entrepreneurial Development.

In accordance with the San Angelo Chamber of Commerce's contract with the City of San Angelo Development Corporation, we have organized our mission duties into a series of defined numbered tasks. The activities outlined under each task are addressed in accordance with the Task and Number.

Task 1 – A MARKETING AND RECRUITMENT SERVICES

"Provide professional economic development marketing and recruitment services to develop and implement an economic development marketing and recruitment program with all necessary qualifications and expertise to perform services. These services consists of time spent on: direct emails, phone calls, and personal visits to leadership of qualified companies/employers classified as primary jobs creators and visits to corporate leadership at trade shows. Employers with NAICS codes that designate them as eligible for potential half-cent sales tax-funded incentives."

During the period from July, August, and September 2016, the Marketing & Recruitment Division accomplished the following items under Task 1-A of the Chamber ("Provider") per the COSADC contract:

TASK 1 A & TASK 4 – Prospect Meeting and Coordination/San Angelo City Visits

FIVE (5) PROSPECTIVE BUSINESSES – ONE (1) ANNOUNCED ARRIVAL

1) Project "Central" is a contact/call center based out-of-state, is seeking a Texas facility and supporting workforce. A proposal, San Angelo market information, available facilities data reports, and a specifically answered questionnaire was sent to the prospect. A response to the proposal and market information was received on October 7, 2016. The Economic Development Partners are currently reviewing the prospect's needs and will produce a revised proposal. This prospect is expecting to hire approximately 200 employees locally.

2) Project "Medical" – September 16, 2016 – Conducted city tour and meeting with the executive team of a medical company based in Dallas that is exploring opening a facility in San Angelo. The meeting resulted in the production of a thorough review of their market, workforce and facility needs. We are presently working with this prospect to assist with next-steps. If successful in securing this company expansion, it would result in 14 new medical-related full-time jobs.

3) Project "Distribution" – September 29, 2016 – Conducted city and Industrial Park tour with an out-of-state developer to purchase 4 acres in the Industrial Park and build a 13,000 sf building for a wholesale distribution company. The prospect met with Chamber and COSADC partners at the BRC to review a draft site plan mock-up which was designed by Robert Schneeman via direct conversations with the prospect during the month of September. Prospect has been getting construction estimates from several local contractors and hopes to make a final decision within 45 to 60 days. Prospect reports that construction of this facility is expected to create 3 – 5 new full-time jobs. If the transaction closes, the capital investment is estimated at $600,000 - $1,000,000 including land sale.

4) Project "Kansas" – August 16, 2016 – Conducted a city tour with prospect to explore market options and discuss the potential of facilities expansion to Texas. This is an agricultural components fabricator and manufacturer with a long record of success. This prospect was sourced as a suspect at the PetFood Forum manufacturer's convention in Kansas City, MO in April 2016. We are continuing to follow up with this company regularly and hope to have more information on expansion potential by early 2017.

5) Solar CenTex – Several tours were conducted in August. The company is a 16 employee solar energy equipment company based in Harker Heights, Texas. Company leadership toured San Angelo several times in July and August, prior to co-hosting the San Angelo Solar and Wind

Expo at the McNease Convention Center (August 30-31st). The company specializes in design, assembly/light fabrication of systems and installation of solar energy systems for commercial and residential applications. The company was recruited by the Marketing and Recruitment division in August 2016. They have leased a facility in San Angelo and expect to hire an initial team of 5 to 7 full-time employees. Estimated annual economic impact: 6 employees x $34,560 annual salary = $207,360. Estimated annual real estate taxes: $7,000. Estimated annual rent: $60,000. $274,360 annual impact – year 1. $823,080 estimated economic impact over the first 36 months.

TASK 1: PROSPECT SITE VISITS – ILLINIOS

September 20-24, 2016, Michael travelled to Chicago, IL to conduct a site visit and series of meetings with the owners of a pet food company ("K9"). The site visit was a success and culminated in detailed facility discussions and a workshop time to fill out details outlined on the Site Requirement Survey, which is an official COSADC document used to asses site requirements for a new facility. A detailed report was provided to Roland Peña, Director of COSADC on September 23, 2016.

Michael called on several other companies in Chicago that I have reached out to prior to my arrival in Chicago. These companies expressed interest in expansion within 24 to 36 months during a survey conducted by national site selection company Site Location Partners, the site selection company that we contract with via an annual contract. Company identities have been withheld.

1) A large US manufacturer of steel and steel products. I met with the Operations Manager on September 22nd, and visited about the Texas economy in general and the economic prosperity of San Angelo, and opportunities. He was appreciative of the personal visit all the way from Texas, and invited me to stay in touch from time to time, since as the market changes, there is always a potential of a Texas location. They currently do not have a fab location in Texas. This is a large, multi-national corporation. They specialize in metal fabrication, cutting and coatings.

2) A steel component fabrication company based in Addison, Illinois. I met with owner of the company on September 23rd. QFI specializes in the fabrication of precision machine parts for hundreds of different industry sectors. They are in a 124,000 sf facility that is about 15 years old but looks new. An expansion would have to follow a found market in Texas.

3) An all-metals coatings and plating company. I met the general manager at the facility to introduce myself and have a brief look at their facility. Due to the noise and coating materials I viewed their operation from a distance. The facility is 75,000 sf and has the ability to coat just about any metal product made. They serve the Midwestern states, but do not have a facility outside of Chicago. They have thought of expansion but have not acted on it.

4) I met with a regional manager of PPG Architectural coatings based on the east coast. He and I talked for about an hour. We have corresponded since our meeting on September 23rd, and I plan to use the relationship to explore any opportunities for PPG to expand. The closest manufacturing facility is in Temple, Texas near Waco, and employ approximately 60 people. This is a facility that produces solvent and latex based caulk and adhesives. The plant began operations in 1985.

TASK 1 – J: DEVELOP A CROSS-BRANDED ECONOMIC DEVELOPMENT PARTNERS WEBSITE

1) www.AdvanceSanAngelo.com
   The San Angelo economic development partners website has been launched and has received good reviews from users. The site was a collaborative effort between all of the San Angelo economic development partners and allies.

INDUSTRY TARGET MARKTING

The Marketing and Recruitment Division has focused on direct outreach to several industry sectors with a high likelihood of benefiting from available workforce, facilities and access to customers in the southern US marketplace. These industry sectors are being reached via a direct mail campaign and trade show focus.

1) Freight/Distribution companies
2) Food Manufacturers
3) Plastic Component Manufacturers (Industrial, Automotive, Household products)
4) Aircraft Components Manufacturers
5) Packaging/Container Manufacturers
6) Medical/Surgical Components Manufacturers

TASK 2 – INTERNET AND PRINT MARKETING

Marketing & Recruitment has completed the following print materials for prospect target marketing:

1) The 2017 Community Profile which is ready for bulk printing and distribution. An initial run of 200 will be printed and distributed to all economic development partners and allies.

2) FDI Alliance Magazine – Summer Issue 2016 was featured as the Official IEDC Conference Publication at the International Economic Development Council convention held in Cleveland, OH, September 26-28th. The conference had 1,600 attendees and the publisher, Courtney Margetson, reported 300 publications were printed and distributed at the conference.

TASK 3 – DIRECT MAIL CAMPAIGN

The Marketing and Recruitment Division conducted a direct mail campaign to trade show exhibitors we directly engaged with and leads generated by our site selector service, Site Location Partners. These are classified as "warm" leads – that is, nation-wide companies that expressed an interest in potential expansion into Texas within the next 24 – 36 months. The company contacts were verified, and a personalized letter was sent to each one, inviting a discussion about the opportunities available in San Angelo. All companies are within the proper NACIS codes for half-cent sales tax eligibility if needed.

1) Freight/Distribution companies – 13 letters mailed.
2) Food Manufacturers – 19 letters mailed.
3) Plastic Component Manufacturers – 16 letters mailed.
4) Aircraft Components Manufacturers – 18 letters mailed.
5) Packaging/Container Manufacturers – 18 letters mailed.
6) Medical/Perishable Food Container Manufacturers – 17 letters mailed.

TASK 5 – TRADE SHOWS

GREAT AMERICAN TRUCKING SHOW (GATS) - DALLAS, TX.
Attended August 25-27, 2016. The two goals of my second attendance of GATS was to meet corporate fleet operators (NAICS 484121) and parts and equipment manufacturers (NAICS 336390) to present opportunities for expansion or relocation into San Angelo. We have capacity for both sectors in San Angelo. Of particular interest out of the many companies I met, there were several that engaged me in conversation about these possibilities. Company names have been withheld from this report.

LEADS – Five (5) businesses presently in correspondence with Marketing & Recruitment

- A manufacturer of components designed to allow a heavy tractor (truck) to extract itself from mud, loose gravel and sand. They are relatively new company, approximately two years old, and currently make their parts on the east coast. They export a high volume of their parts to Texas and the southern United States. The owner of the company expressed interest in continuing dialogue about the idea of a fabrication facility in Texas, due to the increased volume of components being sent from the east coast to the southern and western US. One of the company partners and I have spoken and emailed since the show and have opened a discussion about the potential of a fabrication operation in San Angelo.

- A tire wholesaler company based in Florida. They are an industry leader in commercial tire products. The representatives I met with expressed interest in continuing dialogue about the possibility of a Texas distribution facility. Manufacturing is done in Mexico, so we would not be a candidate for that. I have sent response emails to the two gentlemen and asked to continue discussions.

- Manufacturer of specialized hydraulic lifts for commercial trucks. These lifts and components are currently manufactured in Europe. The representative told me they currently import them via the Port of Houston and have been planning to eventually manufacture them in the US. I have been in communication with the company president and vice president about US manufacturing plans.

- Manufacturer of high-impact fenders and a wide line of accessories for trucks manufactured in Blooming Prairie, MN. I met with the Vice President of Operations and inquired about the possibility of a Texas-based manufacturing plant. Although not actively engaged in a new site search, they have considered a southern-US facility and asked me to touch base after GATS.

- Manufacturer of heavy duty vehicle, truck and bus undercarriage repair inspection and maintenance equipment based in Florida. The sales representative agreed to help me get in touch with the director of market development and the director of operations to inquire about a US fabrication operation in the central US/Texas. Presently, all equipment which is quite large, is shipped around the country from Florida. I am presently in correspondence with VP.

The follow-up process involved calling on the companies that I would gauge as being “warm leads”. Of note, no other chambers or EDCs were at the trade show

and my presence was noted positively by several of the corporate exhibitors I spoke with.

COVERLAY MANUFACTURING JOINS THE CHAMBER AT GATS
A unique feature of the Chamber attendance at GATS Dallas was my collaboration with Mark Smith, president of Coverlay Manufacturing, Inc., a San Angelo-based manufacturer of interior vehicle parts. We worked the show together as a team and he was instrumental in providing the manufacturing exhibitors with a personal testimony of the opportunities, lower costs of doing business, easy transportation and the skilled employee base in San Angelo. This sent a positive message to the companies we spoke with. Mark was also able to source some excellent contacts for distribution of their products and met some large potential buyers of Coverlay products. Successful negotiations with these leads may generate further product development and potentially create more jobs at Coverlay.

FABTECH – LAS VEGAS, NV – November 15-19, 2016
Marketing and Recruitment will attend the Fabtech Trade show to seek out companies interested in establishing a presence in the region. Michael will be attending with Robert Schneeman, COSADC BREP Coordinator, and we will meet with personnel from Western Tower at the convention. 1,300 exhibitors from around the country and world will be in attendance, showcasing manufacturing and fabrication equipment. The event will feature high-level industry speakers on the State of the Manufacturing Industry and the key issues influencing this critical economic sector. Over 28,000 attendees are expected. San Angelo marketing materials will be distributed to company contacts interested in exploring possible expansion into San Angelo.

EXTENDING OUR REACH AT FABTECH
(INCLUDES TASK 6 – Site Selector/Prospect Generation Services) The San Angelo team will have a base exhibitor booth with our site selection company, Site Location Partnership (SLP) booth C51077. This will mark the second trade show attended with SLP. Their team will also be scouting the show and report in real-time, any companies that express interest in expansion or relocation. This will allow the San Angelo team to approach several prospects per day, and will increase the volume of receptive prospects we can engage.

FABTECH TRADE SHOW PREPARATION
Preparing ahead of time is the key to a successful trade show prospect yield. The Fabtech website features an Exhibitors section that allows us to access details about each exhibitor, their booth location, website and company information. This dashboard allows us to create a catalogue of the companies we desire to meet and allows us to plot out our course through the multiple convention halls.

We have created our Attendee Show Planner profile which we are using to select exhibitors within our Target Market NAICS codes, that we want to approach. Upon selection of the target companies, we will download our list into the "My Itinerary Plan" so we will be prepared before we even enter the convention hall.

TASK 6 – SITE SELECTOR/PROSPECT GENERATION SERIVCES
Marketing and Recruitment has worked throughout 2016 with Site Location Partnership (SLP), a professional and productive site location selection service that has brought several leads to us, one of which, Project Chew, continues to negotiate with us for a potential full-company relocation to San Angelo. This service has introduced us to dozens of site selectors/brokers throughout the United States and has promoted San Angelo as a premier destination for our agreed-upon NAICS code Targeted Industry Sectors at five trade shows in 2016 that we were not able to attend. We attended two trade shows with SLP in 2016, one in the first quarter and one in the third.

SAN ANGELO TRADE SHOWS AND CONVENTIONS

1) PORTS TO PLAINS – September 13-15. Marketing and Recruitment participated as a member of the Executive Committee under the leadership of Councilwoman Charlotte Farmer. The Ports to Plains international conference was attended by 160 visitors, many from cities along the corridor and from Canada and Mexico. Many new potential economic relationships were made and we continue to keep in touch with several individuals who discussed exploring San Angelo business opportunities.

This concludes the Marketing & Recruitment Quarterly Report to the San Angelo City Council. It is an honor to serve the City of San Angelo and we welcome any and all comments, suggested guidance and ideas from the members of the City Council.

Please contact me with any questions at (325) 234-3376 or Michael@sanangelo.org

Michael Looney, VP Marketing & Recruitment, San Angelo Chamber of Commerce

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Theresa James, City Attorney, Legal, X1413

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

First reading and Public Hearing on an Ordinance amending Chapter 5 "Business and Commerce" of the Code of Ordinances by adding Article 5.11 "Credit Access Businesses".

Summary/History:

On September 6, 2016 a presentation was made to City Council upon the request of Councilman Bill Richardson regarding the regulation of Payday Loans, otherwise known as Credit Access Businesses. Staff was directed to bring back and ordinance for consideration.

This Credit Access Business Ordinance is the model ordinance provided by the Texas Municipal League (TML) to Cities who are interested in regulating this industry. At least 38 Texas Cities have adopted the model ordinance. This ordinance does the following:

1. Requires registration of all Credit Access Businesses within the City limits.
2. Requires the businesses maintain complete records of all loans for three years and to make the records available to the City upon request.
3. Limits the loan to no more than 20% of a consumer's gross montly income and title loans on vehicles to no more than 3% of the consumers gross annual income or 70% of the retail value of the vehicle.
4. provides that repayment in installments may not be in more than 4 installments.
5. prevents renewals or refinancing of installment-payment loans.
6. Requires that any agreement be written in all languages that we require for local election ballots.
7. Referral to credit counseling is required.
8. State mandated quarterly reports and any other requested information must be submitted to the Director of Finance.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

1.	Industry information	industry information.pdf
2.	Proponent Information	Proponent information.pdf
3.	Ordinance	16-630 Ord payday loans first reading final.docx

Presentation:

Theresa James, City Attorney

Approvals/Reviews:

Theresa James	Created/Initiated
Theresa James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

Date: September 22, 2016

To: The Honorable Dwain Morrison, Mayor
The Honorable Bill Richardson
The Honorable Marty Self
The Honorable Harry Thomas
The Honorable Lucy Gonzales
The Honorable Lane Carter
The Honorable Charlotte Farmer
Daniel Valenzuela, City Manager
Theresa James, City Attorney

From: Consumer Service Alliance of Texas

Re: Texas House of Representatives Investments and Financial Services Interim Study Charge and Hearing on Payday and Auto Tile Loans; Research on the Impact of the Proposed Federal Rules and the Texas Municipal League Model Payday loan Ordinance

---

Last week (September 14, 2016), The Texas House of Representatives Investments and Financial Services Committee held a public hearing to hear testimony on their consumer credit interim charge[1]. The charge is:

***Examine the short-term lending industry in Texas**. Study the adequacy of consumer access to credit and the effectiveness of consumer protections, specifically reviewing the consistency and coordination of state law with federal law and local ordinances. Review data-reporting requirements for credit-access businesses and make appropriate recommendations.*

The Committee received some startling and sobering news from Richard Hackett, the former research director for the federal Consumer Financial Protection Bureau (CFPB). The CFPB has published proposed rules for

[1] The Texas Legislature convenes in regular session every two years. The period of time between the end of one legislative session and the beginning of the next is referred to as the "interim". During every interim, legislative committees are assigned interim charges. Legislators and committee staff conduct research and gather information from experts and state agencies. Hearings are held to hear testimony from invited experts and the public. A written report, including recommendations for legislation, is prepared and shared with all legislators.

payday loans that will apply nationwide.[2] The proposal is 1,341 pages long, very complex and very detailed about how small, short-term loans will be structured in the future.

Hackett and his research team, including PhD students at the University of Texas, analyzed data drawn from a data set of one hundred million (100,000,000) actual payday loans and actual financial information from four million (4,000,000) borrowers. Hackett's testimony --- three pages long --- and his corresponding report are attached.[3]

Relevant excerpts from Hackett's testimony include:

> **"The report shows that the effect of the CFPB's rules will be to shrink traditional, single-payment payday credit now available by 82 to 91 percent."**
>
> **"Why is this happening? Simply put, CFPB wants small dollar loans to be spread out over a long enough period of time to make them affordable as part of consumer household budgets."**
>
> **"My point is simply two things: CFPB rules mean traditional, single-payment payday is going away, to be replaced by installment lending. And that installment lending must be for more than four pay periods, or most borrowers will be denied credit under CFPB rules."**

The Committee will prepare a report making policy recommendations, including suggested legislation, relating to their analysis of the interim charge. The report should be completed by mid-November and will be shared with all of the other state legislators and the public.

Texas Municipal League Model Payday Loan Ordinance is Inconsistent with the Proposed CFPB Rules

The federal rules are designed to make payments smaller and loans longer. The city ordinances are designed to make loans smaller and shorter. The approaches are inconsistent. Coordination is virtually impossible because: (1) the cities are not effectively enforcing their ordinances; and (2) neither federal, nor state, examiners enforce city ordinances.

As Hackett has demonstrated with actual consumer financial and loan data, while you could theoretically combine the two layers of regulation, the combination restricts access to credit more than the federal rules alone.

The local ordinances make the proposed federal rules worse, and vice versa.

TML Model Ordinance Increases the Cost of Credit

The ordinance restricts business operations and access to credit by consumers by arbitrarily making loans smaller and shorter. But, the cities that have enacted ordinances have done nothing to try to decrease the demand for emergency credit. Consumers continue to have financial emergencies. Consumers still need credit. If a consumer needs a new tire to get to work, it is impossible to buy two-thirds of a tire because a city ordinance arbitrarily limits the size of your loan.

As a result, consumers go to the internet for loans --- where the prices are higher. Or, they buy a tank of gas and drive to the next city, paying a "gas tax" on top of the cost of a loan. Or, they get two loans at the same

---

[2] http://files.consumerfinance.gov/f/documents/Rulemaking_Payday_Vehicle_Title_Certain_High-Cost_Installment_Loans.pdf

[3] Document containing Hackett's testimony and report is entitled, "Testimony Rick Hackett FINAL September 14 2016".

time at two different stores. Worse still, some approach illegal loan sharks whose collection methods may be questionable at be best.

All of these alternatives forced on consumers by the ordinance are more expensive --- hurting the very people the ordinance was designed to "protect".

In the year after the City of Austin enacted the TML Model payday loan ordinance, the number of consumers obtaining loans from storefronts in the city decreased by twenty-five percent (25%). The number of Austin consumers applying for an on-line payday loan rose 85%. The City of Dallas experienced consistent results with a decrease in storefront loans of thirty percent (30%) and an increase in on-line loans of thirty-one percent (31%).[4]

Store Closings and Job Losses

The city ordinances have disrupted the lives of hard working Texans and the financial marketplace in Texas. CABs have closed stores and laid off employees --- most with full time jobs and benefits --- as a result.

- In December of 2013, there were 3,502 credit access businesses licensed in the state of Texas. Today there are 2,232. The overwhelming majority of the closures are related to the city ordinances. The Consumer Credit Commissioner has predicted significant further reductions in CAB stores.[5]
- Over 3,200 Texas employees have lost jobs. Over $90 million dollars a year in lost salaries and benefits have been drained from the Texas economy.

Cities Do Not Have the Resources or Expertise to Enforce the TML Model Ordinance

Perhaps most alarming is none of the cities in Texas who passed the ordinance under are enforcing it. In response to a challenge from the lending industry, Texas courts have ruled the validity of the ordinance cannot be litigated until a business is fined for violating it. A letter from counsel in the ACE Cash vs. City of Denton litigation, Clayton Bailey, is attached.[6] No city, to date, has been willing to incur the significant cost of the lawsuit.

CSAT member companies operate approximately seventy percent (70%) of the storefronts across the state. The first city ordinance was enacted in June of 2011.

To date, not one CSAT member company store has been fined for violating a city ordinance

--- despite several companies specifically violating the ordinance in an attempt to establish a "test case". Cities actually refused to accept $500 checks for admitted violations of the ordinance to avoid litigation about its validity and/or constitutionality.

Cities do not have the resources, or the expertise, to enforce the ordinance. The state spends months training bank examiners to be able to go to stores and inspect loan files and evaluate compliance procedures. Newly trained examiners are required to spend years working on teams with experienced examiners. The state and the federal financial agencies consistently struggle to fill examiner vacancies.

---

[4] "Payday Loan Ordinances-Limiting Supply Doesn't Decrease the Demand" report by nonprime 101 attached. Document containing the report is entitled, "Demand for Credit and Ordinances Austin Dallas analysis".

[5] See www.occc.texas.gov

[6] Document containing Bailey's letter is entitled, "2016.09.09 Letter to Rep. Tan Parker re Hearing on Interim Charge #2".

Additionally, with cities refusing to enforce their payday loan ordinances, publicly traded companies and large multi-state companies are forced to comply with the ordinances because of SEC regulations, the scrutiny of stockholders and bondholders, and the oversight of industry analysts. Smaller companies are free to ignore the ordinances because of a lack of oversight, resulting in further disruptions in the marketplace.

Finally, if an ordinance was ever enforced, the process would be inefficient and expensive. A violation of the model ordinance results in a fine of $500. If a credit access business (CAB) contests a citation issued for violating an ordinance, its only recourse is to challenge the citation in court, likely in front of a jury. There is no administrative process like there is with the Texas Office of the Consumer Credit Commissioner (OCCC) --- no opportunity to resolve disputes efficiently and inexpensively for both the cities and the CAB.

Consumer Complaint Enforcement

Claims by some cities that have enacted the TML model ordinance that they are enforcing the ordinance "by consumer complaint" are misinformed, at best, and disingenuous, at worst. In Texas, there were over 5,355,000 payday and motor vehicle title loan transactions in 2015.[7] Fewer than 200 complaints about payday loans were filed with the OCCC despite a requirement in the Texas Finance Code that the OCCC complaint telephone number, address and web site be posted prominently in every store and be written in conspicuous type in every loan document. Less than 190 complaints were received about motor vehicle title loans.

Borrowers file one (1) complaint about a payday or motor vehicle title loan per every thirteen thousand, four hundred (13,400) loan transactions.

Anecdotal evidence suggests that most of the complaints received by the cities enacting payday ordinances are complaints about stores actually enforcing the ordinance --- primarily, they were not able to get the type of loan (amount, length of term, etc.) they needed because of the ordinance. Ironically, cities receive few, if any, complaints about stores not enforcing the ordinance and internet lenders.

The Texas Finance Commission

The Texas Finance Code defines the Finance Commission as the policy-making body for the Office of the Consumer Credit Commissioner. The Commission has a statutory responsibility to "serve as the primary point of accountability for ensuring that ... lending institutions function as a system, considering the broad scope of the financial services industry"; and to "carry out its functions in a manner that protects consumer interests ... and increases the economic prosperity of the state".[8]

Included in the Finance Commission's statutory responsibility are requirements to study issues related to the availability, quality and prices of financial services offered in this state to individual consumers.[9]

Public comments to the proposed CFPB short-term lending rule are due October 7th. An implementation period of twelve to fifteen months is anticipated to provide for training, reprogramming IT systems and creating new mandated consumer disclosures.

The CFPB's proposed rule is anticipated to take affect after the agency responds to all comments, and after the implementation period. The proposed rule will likely take effect late-summer 2018.

---

[7] See www.occc.texas.us

[8] Texas Finance Code, Section 11.002(a)

[9] Texas Finance Code, Section 11.3055(a)

The Texas Finance Commission has a responsibility to ensure credit is available to every Texan, regardless of geography, race, gender or financial status.

To prevent a crisis in the availability of credit for Texas consumers, particularly many of the state's most financially vulnerable, between late-summer 2018 and September 1, 2019, public policy changes must be considered by the Finance Commission for state legislation during the 2017 Texas legislative session.

Summary

- Texas is facing a looming credit crisis --- one that is likely to reach critical status in 2018, before the 2019 legislative session --- caused by the combination of proposed federal rules and the TML model payday ordinance.
- The proposed federal rules and the city ordinances are inconsistent. Both cannot be employed at the same time. The federal rules are designed to make payments smaller and loans longer. The city ordinances are designed to make loans smaller and shorter.
- The Texas Finance Commission will employ its expertise to explore the issues and preliminary conclusions developed by the Texas House Investments and Financial Services Committee to formulate public policy recommendations about how to address the looming credit crisis caused by the combination of proposed federal rules and city ordinances.
- There is compelling evidence that the city ordinances actually increase the cost of credit for many borrowers --- ironically hurting the ones city councils are trying to help.
- Cities have neither the resources, nor the expertise, to effectively enforce the TML model payday ordinance. The failure to effectively enforce the ordinance leads to further disruptions in the marketplace and increased confusion for consumers.

Information about CSAT

CSAT is a non-profit trade association that advocates for the protection of financial choice based on informed decision-making and personal responsibility for Texas consumers. CSAT represents the interests of consumers and credit access businesses ("CABs") in Texas. Our member companies operate approximately seventy (70%) of the storefronts across Texas.

CABs provide retail financial products and services to Texas consumers. From stores in neighborhoods across the state, hardworking Texans have access to small, short-term loans; auto-title loans; money orders; pre-paid telephone and debit cards; and other services to help them manage their finances.

One of the services CABs provide is securing an independent third-party lender for customers who need access to credit to meet their immediate financial needs. CABs do not directly provide loans to consumers.

CSAT's mission is to work cooperatively with industry, consumers, and government officials to help ensure Texans have access to short-term loans and other financial service products in compliance with the law.

For more information about these comments by CSAT, please contact the following: Rob Norcross, Vianovo, LP, 302 Bowie St., Roanoke, Texas 76262, telephone 817-491-7110, fax 817-719-9200, email rnorcross@vianovo.com.

Payday Loan Ordinances-Limiting Supply Doesn't Decrease the Demand

On January 17, 1920, the 18th amendment of the United States Constitution took effect prohibiting the production, transport, and sale of alcohol. It was an amendment that was thought to be a common sense law to protect the people, but as in common economics, suppressing the supply doesn't necessarily decrease the demand and the 18th amendment was repealed on December 5, 1933. I bring this up because the payday loan industry is currently facing a similar situation.

In the past few years, city ordinances that regulate or limit payday loans have been increasing in popularity. These ordinances typically restrict access to storefront payday loan products.

Some publications indicate that the number of consumers seeking payday loans has decreased in the areas ordinances are present. An October 2nd report by Pew Research reported that payday lending regulation does not lead to increased online borrowing.

I don't think this is the case. Just because supply has been squeezed, the demand is supposed to stop? I believe that the borrowers whose needs exceed the limits of the ordinance may go to lenders in unregulated areas, get a loan online, or even take out several small loans to add up to the amount they need.

Just to see for ourselves, we looked into the Clarity database to see if these ordinances really do stop consumers from getting payday loans or if they indeed drive consumers away from storefronts and online for loans.

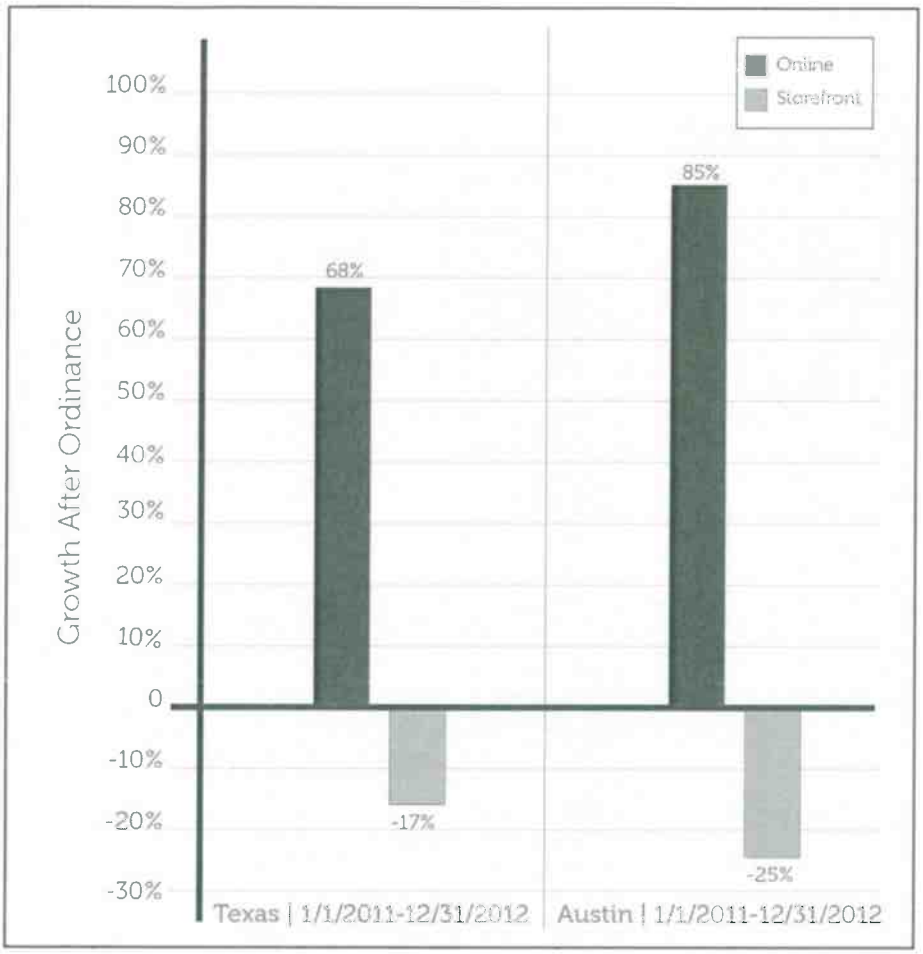
First we looked at Austin, TX. Their payday loan ordinance, known as Credit Access Business Ordinance, began on January 1, 2012.

For the year the ordinance was enacted, the number of unique consumers using storefront payday loans decreased by 17% in Texas statewide, while in Austin it decreased by 25%. While it would appear that the ordinance is doing its job, the number of unique consumers using online payday loans tells a different story.

Blog Post Archive

- March 2015
- February 2015
- January 2015
- October 2014
- August 2014
- July 2014
- June 2014
- March 2014
- February 2014
- January 2014
- December 2013
- November 2013
- October 2013
- September 2013
- August 2013

In Texas statewide, the number of consumers applying for an online payday loan rose 68% and in Austin, it rose 85%.



Subscribe Now for Automatic Updates & Research Reports

By subscribing, you agree to our Terms and Conditions.

Email Address

Subscribe

Newest Blog Posts

Wednesday, March 18, 2015

Annual CFSA Conference

By: Tim Ranney Earlier this month (March 2015), I delivered a presentation at the annual CFSA conference and it focused [...]

Read More...

Wednesday, March 11, 2015

Effects of "Operation Choke Point" on Internet Loan Volume

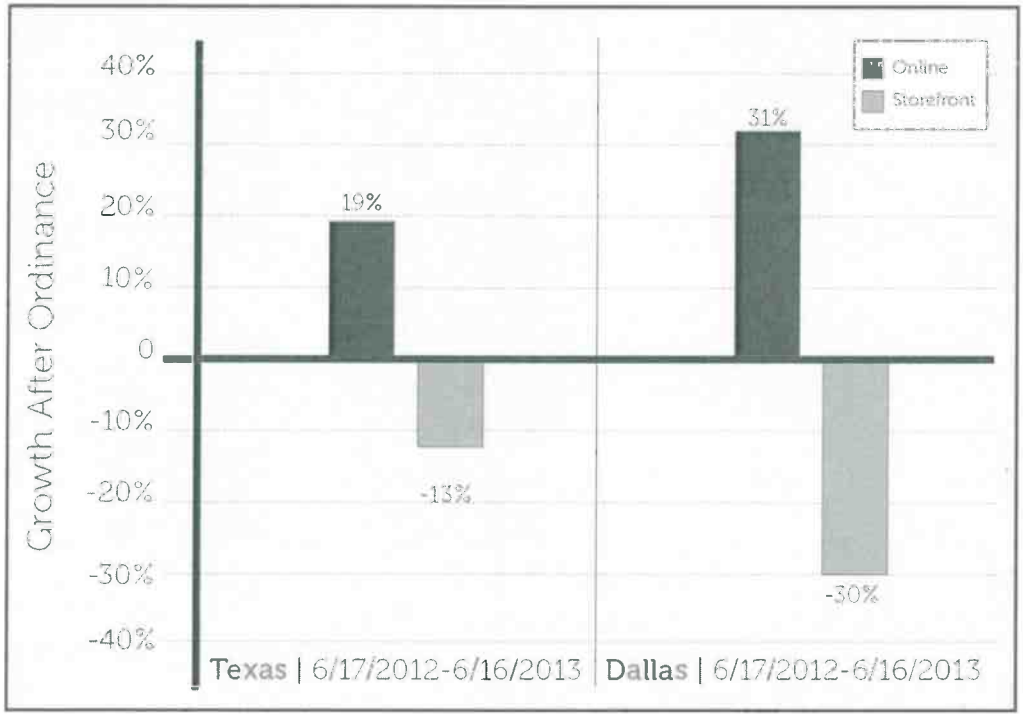
By: Rick Hackett[1] As discussed in previous

The rate of decline in usage of storefront loans in Austin was steeper than the decline was statewide, meaning the use of storefront payday loans dropped faster in Austin than in the rest of the state. However, the rate at which consumers got online payday loans rose in Austin quicker than it did statewide. From this, we can argue that the only thing the ordinance did was drive people out of the stores and online to get a loan.

This isn't an isolated occurrence either. We ran the same analysis for Dallas whose ordinance, known as Dallas Ordinance No. 28287, went into effect on June 17, 2012.

In storefronts, for the year before and after the ordinance in Dallas was enacted, the number of consumers applying for storefront loans decreased 13% in Texas statewide, and decreased 30% in Dallas.

In Texas statewide, the number of consumers applying for online payday loans rose 19% and in Dallas, it rose 31%.



reports, the Clarity Services data set gives us tradeline-level reporting for a significant [...]

Read More...

View All Blog Entries >>

So again, what the data tells you is that the ordinance didn't reduce the number of people getting payday loans, ***it merely made it more difficult to get a loan in a storefront location and drove the consumers online.***

Advocates may think they are protecting consumers but the fact is they aren't being protected. The consumers were simply driven out of stores to get a loan somewhere else. Limiting the supply doesn't change the demand and in some cases it can increase the demand.

For more information about nonprime101.com, email info@nonprime101.com or call 727-489-7266.

Download Blog Post

By Tim Ranney | October 10, 2014 | Blog | 0 Comments

Share This Story, Choose Your Platform!

Leave A Comment

Name (required) | Email (required) | Website

Comment...

POST COMMENT

Notify me of new posts by email.

© 2014 NonPrime101. All Rights Reserved.

PREPARED TESTIMONY OF RICHARD P. HACKETT

CLARITY SERVICES, INC.

COMMITTEE ON INVESTMENTS AND FINANCIAL SERVICES

HEARING ON INTERIM CHARGE #2

September 14, 2016

Chairman Parker, members of the Committee, thank you for the opportunity to provide testimony relating to interim charge #2 today.

My name is Rick Hackett. I am a lawyer from a Yankee state far from here, but I testify today in a different capacity. As a former executive of the federal Consumer Financial Protection Bureau, I would like to share my insight about the interaction of the CFPB's proposed rules on small dollar lending with certain requirements of current Texas state or local law. I also want to share new, detailed studies of the financial condition of payday loan borrowers that shed light on the effect of CFPB rules and Texas law on the supply of small dollar credit in Texas.

When I was at CFPB, one of my jobs was to lead the team of markets experts responsible for studying and designing an intervention in the small dollar loan market. That team ultimately produced proposed rules on June 2 of this year. After leaving the CFPB, I have spent most of my time leading a small dollar markets study team at the largest specialty credit bureau in the US, Clarity Services. My team, including PhD students at the University of Texas, analyzes very large datasets drawn from all segments of payday and installment lending. The resulting reports are published at www.nonprime101.com.

I have provided with this testimony a pre-publication copy of our newest report in Appendix D. It analyzes data drawn from a national data set of one hundred million payday loans and four million borrowers, over four hundred thousand (10%) of whom are from Texas. The report shows that the effect of the CFPB's rules will be to shrink traditional, single-payment payday credit now available by 82 to 91 percent. These results are consistent with CFPB's own estimates of the effect of their proposal.

Why is this happening? Simply put, CFPB wants small dollar loan payments to be spread out over a long enough period of time to make them affordable as part of consumer household budgets . Under the rules, a payment is "affordable" only if a borrower can pay existing debts, other legal obligations (such as other loan and credit obligations), and the new loan payment, all the while having

enough left over to meet basic living expenses. Under CFPB rules, that calculus applies for every pay period while a loan is outstanding, and, for balloon loans, including single-payment payday, for 30 days after the last payment.

In the report we have provided, we randomly selected a statistically valid sample of over 90,000 payday loans made in 2013, with the corresponding de-identified borrowers. Only one quarter to one third of those borrowers can meet the new CFPB standard for "ability to pay" for a $350 single-payment loan (the national median). The lump sum due at the next payday is too big a shock. To pass the CFPB test for affordability, industry must extend loan durations and provide lower payments. For those single-payment loans and borrowers who "pass" the ATR test, seventy percent of their "passing" loans are banned by CFPB's additional requirement of a 30-day cooling off period between loans, leaving less than 10% of existing credit available after the CFPB rule takes effect. A level-pay installment loan is not subject to the 30-day cooling off period.

Because payday loan amounts in Texas are closer to $500, we also modelled a $500 single-payment loan under the CFPB test, using both the national sample and a subsample limited to borrowers living in Texas (about 9000 borrowers). The results are in Appendix A. At the national level, at most 25.4% of borrowers/ loans pass the CFPB ATR test. In Texas, 23.4% of borrowers/loans pass the CFPB ATR test. After we add the 30-day cooling off period, only 8.0% of $500 payday loans made today in Texas will survive the CFPB rule.

What does this mean for Texas? If 80-90% of single-payment credit is cut off by federal law, lenders must use longer term loans to replace it. How long should that term be? We were asked by a trade association for Texas lenders to model the effect of a state or local rule that requires small dollar loans to be limited to *no more than four payments*, each of which retires 25% of principal. We assumed a $500 loan and a fee rate of $22 per $100 per pay period, which is average as reported by the Texas OCCC. We modelled this by applying CFPB ATR rules to existing payday borrowers. We used the same statistically valid sample described above.

The results are shown in appendix B to my testimony. Intuitively, more people can afford to pay off a $500 loan in four payments than can do so in a single payment. But a majority of borrowers are still shut out of the market. A four-payment rule plus the CFPB rule together cut off credit to 55% to 60% of borrowers. That's better than 80% shut out, but it's still not good.

Note also that it may be impossible to make such a four-payment loan under CFPB rules, at least not as a series of four payday loans, because CFPB rules also say that even a borrower who passes the ability-to-repay test cannot have a second payday loan for 30 days after the first one is paid off. Thus, if Texas law limits consumers to 4 payday loans in a row, then federal law limits consumers to one. If Texas law limits small installment loans to 4 payments, then federal law says only 40% of consumers can have access to credit.

So, what would work under federal law for the majority of Texas consumers who are pushed out of payday credit? We were asked to model a $500 loan at 400% APR over 26 weeks. We modelled the loan with a payment due every payday, tailoring the loan to the pay periods of the sample borrowers. The results are in Appendix C to my testimony. We find that two thirds of bi-weekly payroll borrowers (the most common pay period) could pass the CFPB test under such a model.

This should all be fairly intuitive. Other variables being equal --- loan amount, interest rate, borrower income --- loan payments are more affordable if they are spread out over longer periods of time. I'm not here to advocate for any particular maximum loan period or interest rate. There is a good argument that the market sets rates better than any legislature or regulator. But that's up to you. My point is simply two things: CFPB rules mean traditional, single-payment payday is going away, to be replaced by installment lending. And that installment lending must be for more than 4 pay periods, or most borrowers will be denied credit under CFPB rules.

I would welcome your questions.

APPENDIX A TO TESTIMONY OF RICHARD P. HACKETT

A-1 $500 Loan; $575 Single Payment; National Sample

Analysis based on two income data sources: Clarity Services inquiry data and storefront payday records. Annual median value and value at time of application ("last seen") both analyzed.

National Sample: CFPB Residual Income "ATR" Analysis- Single Payment Loan - Clarity Income Values $500 Loan ($575 Payment)								
	Clarity Median Income Measure 1 Year				Clarity Last Seen Income Measure			
	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL**	MONTHLY	BI-WEEKLY	WEEKLY
Total Count	84,668	25,321	45,647	10,166	84,771	25,338	45,711	10,185
Count of Borrowers with **Negative** Residual Income- **Before** Loan Payment	26,635	11,727	11,770	1,986	33,030	15,739	13,792	2,384
Count of Borrowers with **Positive** Residual Income- **Before** Loan Payment	58,033	13,593	33,877	8,180	51,741	9,625	32,007	7,810
Count of Borrowers with **Negative** Residual Income- **After** Loan Payment	59,624	17,735	32,694	9,195	62,170	20,491	32,710	8,969
Count of Borrowers with **Positive** Residual Income- **After** Loan Payment	21,480	7,539	12,948	993	19,033	4,797	12,998	1,238
Percentage of Borrowers with **Positive** Residual Income- **After** Loan	**25.4%**	**29.8%**	**28.4%**	**9.8%**	**22.5%**	**18.9%**	**28.4%**	**12.2%**

*81,104 **81,203

APPENDIX A TO TESTIMONY OF RICHARD P. HACKETT

A-2 $500 Loan; $575 Single Payment; Texas Sample

Analysis based on two income data sources: Clarity Services inquiry data and storefront payday records. Annual median value and value at time of application ("last seen") both analyzed.

CFPB Residual Income "ATR" Analysis - Clarity Income Values $575 Texas Sample								
	Clarity Median Income Measure 1 Year				Clarity Last Seen Income Measure			
	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL**	MONTHLY	BI-WEEKLY	WEEKLY
Total Count	9,092	2,979	4,847	964	9,111	2,984	4,857	967
Count of Borrowers with **Negative** Residual Income- **Before** Loan Payment	3,401	1,477	1,403	220	4,335	1,894	1,821	318
Count of Borrowers with **Positive** Residual Income- **Before** Loan Payment	5,691	1,502	3,444	744	4,776	1,090	3,036	649
Count of Borrowers with **Negative** Residual Income- **After** Loan Payment	6,960	2,196	3,579	883	7,371	2,437	3,740	892
Count of Borrowers with **Positive** Residual Income- **After** Loan Payment	2,132	783	1,268	81	1,740	547	1,117	75
Percentage of Borrowers with **Positive** Residual Income- **After** Loan Payment	**23.4%**	**26.3%**	**26.2%**	**8.4%**	**19.1%**	**18.3%**	**23.0%**	**7.8%**

*8,790 **8,808

APPENDIX B TO TESTIMONY OF RICHARD P HACKETT

B-1 National Sample: $500 loan; 4 Payments of $235

Analysis based on two income data sources: Clarity Services inquiry data and storefront payday records.

Annual median value and value at time of application ("last seen") both analyzed.

	#1 Median Income Clarity Measure 1 Year	**#2 Median Income Storefront Measure 1 Year**	**#3 Last Seen Income Clarity Measure**	**#4 Last Seen Income Storefront Measure**
Total Count	84,668	76,861	84,771	79,192
Count of Borrowers with **Negative** Residual Income- **Before** Loan Payment	26,635	28,351	33,030	31,498
Count of Borrowers with **Positive** Residual Income- **Before** Loan Payment	58,033	46,020	51,741	47,692
Count of Borrowers with **Negative** Residual Income- **After** Loan Payment of $235	45,362	44,639	50,415	47,092
Count of Borrowers with **Positive** Residual Income- **After** Loan Payment of $235	39,306	32,222	34,356	32,100
Percentage of Borrowers with **Positive** Residual Income- **After** Loan Payment of $235	**46.40%**	**41.90%**	**40.50%**	**40.50%**

APPENDIX C TO TESTIMONY OF RICHARD P. HACKETT

C-1 Can Storefront Payday Borrowers Qualify for a $500 Installment Loan under CFPB Rules?

Based on Residual Income Computation using BLS Proxies (Using Median Income over 1 Year Measure)				
		Monthly Payment Count	Bi-Weekly Payment Count	Weekly Payment Count
	Total Sample*	**#1**	**#2**	**#3**
Total Count	84,668	25,274	45,642	10,188
Count of Borrowers with **Negative** Residual Income- **Before** Loan Payment	25,554	11,722	11,845	1,987
Count of Borrowers with **Positive** Residual Income- **Before** Loan Payment	55,549	13,551	33,797	8,201
Count of Borrowers with **Negative** Residual Income- **After** Loan Payment	32,287	14,131	15,428	2,728
Count of Borrowers with **Positive** Residual Income- **After** Loan Payment	48,817	11,143	30,214	7,460
Percentage of Loans Permitted after ATP Analysis is Complete (all payroll periods)	**60.20%**	**44.09%**	**66.20%**	**73.22%**
Loan Parameters		**#1**	**#3**	**#4**
Loan Amount		$500	$500	$500
APR		400%	400%	400%
Payments		6	13	26
Payment Amount		**$202.75**	**$91.10**	**$45.02**

* May not add to total sample as some "pay frequency" variables may be missing.(Total=81,104)

Evaluating CFPB Simulations of the Impact of Proposed Rules on Storefront Payday Lending

BY RICK HACKETT

nonPRIME101.com

Introduction

On June 2, 2016, CFPB proposed rules for payday, auto title and other similar loans that would change the underwriting process for many types of small-dollar loans made to non-prime borrowers. On the same day, CFPB issued a six-part report of "Supplemental Findings" prepared by its Office of Research, in support of the rulemaking proposal. Part Six of the Supplemental Findings contains a simulation of the effect of two alternative approaches to underwriting for single-payment loans, one of which lenders must use under the proposed rulemaking. This paper evaluates the CFPB's simulation findings, using a different, larger dataset than that chosen by the CFPB, a dataset that also includes debt service and living expense obligations for storefront payday borrowers. This latter information allows us to provide a more complete simulation of the effect of the CFPB's proposal – a simulation of the "ability-to-repay" (ATR) requirement that was not included in CFPB's Supplemental Findings.

THIS PAPER EVALUATES THE CFPB'S SIMULATION FINDINGS, USING A DIFFERENT, LARGER DATASET THAN THAT CHOSEN BY THE CFPB.

Summary Conclusions

CFPB's estimate of the impact on loan volume and revenues of their "alternative-to-ATR" underwriting requirements was significantly lower than what we found in our sample. CFPB found a 71%-76% reduction in dollar volume and revenue and a 55%-62% reduction in loan count under this scenario. We find that 67.3% of loans would be banned entirely (reduction in count) and roughly a third of the surviving loans would exceed the $500 proposed maximum loan amount, producing a further 5.2% reduction in loan principal amount, assuming the existing loans over $500 are reduced to $500. This cumulative 72.5% reduction in original loan principal would correspond with a 72.5% reduction in revenues. Loan volume and associated revenues would be further reduced by one third as a result of the CFPB's proposed principal reduction requirement. As a result of that requirement, the actual credit and revenues permitted would equal 18.33% of historical volume. Our estimate differs from CPFB's simulation, even compared to the lower bound of their estimated surviving loan volume (24%).

CFPB's simulation of the effect of ATR requirements significantly understates the effect of that rule. CFPB estimated a 60%-82% reduction in loan volume. We find a 90.5% - 92.7% reduction in volume, using the same "optimistic" assumptions that underlie CFPB's 60% reduction (i.e. that borrowers blocked from some current loans under the rule will return to take out all loans that might be permitted). The difference in results reflects CFPB's lack of data to perform ATR cash flow analysis. Instead, CFPB only modelled the effect of the 30-day cooling-off period that comes with the ATR test. Our results show the effect of combining ATR cash flow analysis and the cooling-off period requirement.

72.5

THE CUMULATIVE 72.5% REDUCTION IN ORIGINAL LOAN PRINCIPAL WOULD CORRESPOND WITH A 72.5% REDUCTION IN REVENUES.

Data Sources and Methodology

Alternative-to-ATR Underwriting Method

CFPB first outlined its multiple approaches to short-term lending in March of 2015, when it published a summary of the proposal in conjunction with the small business review panel process required under federal law. The summary explained both a residual cash-flow based ATR underwriting system and an alternative approach. The alternative approach basically allows loans to be made without underwriting for ATR, so long as a lender follows a set of screening rules. Those rules apply industry-wide caps on the number of loans taken out in a row, the dollar amount of those loans, and a rolling 12-month limit on total period of indebtedness and loan count. Based on that proposal, Clarity created a "usage restriction" screening tool that allowed us to quickly compute the effect of screening rules on a sample of over 12 million loans made in 2013 and 2014. The scenario screener and the effects of the March 2015 proposal are described at https://www.nonprime101.com/safe-harbor-effects/

The June 2, 2016 proposal changed only one parameter of the March 2015 "alternative" proposal, namely reducing the initial 60-day cooling-off period between three-loan sequences to a 30-day period. The scenario screener allowed us to implement and evaluate that change's effects in a few minutes. The result is reported below.

"Ability-to-Repay" Method

Our source for storefront payday loans and borrowers is described fully in nonPrime101 Report #7-B. For this study, we randomly selected 90,000 loans and borrowers from approximately 15.6 million storefront payday loans made in 2013. We appended to those records the debt service obligations of the borrowers at the relevant times, as reported in both a nationally recognized credit bureau and in Clarity records.

We had two sources of income information for this computation, each with alternative values for income. The master storefront loan dataset had income values at the time of application for the loan we tested and, in most cases, income values from other applications seen in 2013. Similarly, Clarity production data showed income values from other credit applications, both at the time of the loan being tested and at other times in 2013.

CLARITY CREATED A "USAGE RESTRICTION" SCREENING TOOL THAT ALLOWED US TO QUICKLY COMPUTE THE EFFECT OF SCREENING RULES ON A SAMPLE OF OVER 12 MILLION LOANS MADE IN 2013 AND 2014.

Of the original set of borrowers, Clarity production data contained income information from 2013 loan inquiries (often multiple inquiries) for nearly 85,000 borrowers. Because we had multiple income values for many consumers, we used both a median value for the year 2013 and a value that corresponded with time of the application for the loan being tested (called "last seen income" in our report). Similarly, the master storefront dataset provided a "last seen" income value for 79,000 loans and a median income value (based on multiple applications) for more than 76,000 borrowers. Results for all four income values are shown below in Tables 1-3.

CFPB DEFINES BASIC LIVING EXPENSES AS THOSE NECESSARY FOR THE BORROWER'S HEALTH, WELFARE AND ABILITY TO PRODUCE INCOME, INCLUDING HEALTH AND WELFARE EXPENSES OF DEPENDENTS.

We then applied the CFPB's proposed methodology to compute residual income after payment of debt service obligations and used the income remaining to cover a new loan payment after paying basic living expenses (as defined by the CFPB proposal). CFPB defines basic living expenses as those necessary for the borrower's health, welfare and ability to produce income, including health and welfare expenses of dependents. We translated this into expenses for shelter, food, transportation, communication, medical care and dependent child care. Where the consumer reports included debt payments for shelter (a mortgage payment) or an auto loan, we used those values. In all other cases, we proxied expenses based on data from the Bureau of Labor Statistics (BLS) and the U.S. Census Bureau, both sources endorsed in CFPB's proposal. The BLS data is segmented based on income and age of the consumer, and we used those segmentations.

BLS data is also based on a "consumer unit" of multiple income earners in a household. Payday borrower income reported in the Clarity system and in the lender records we used is individual income data (usually based on a single, current paystub). Accordingly, expense data was pro-rated based on the number of income earners in a "consumer unit" in the relevant segment in the BLS data. Similarly, mortgage payment amounts reported to us by a national credit bureau were prorated based on the number of mortgage obligors, using the methodology provided by the reporting agency.

We first computed the count and percentage of borrowers who had negative residual income after paying pre-existing debts and basic living expenses. For those who had a positive residual income, we then computed the count and percentage whose residual income exceeded the required payment on the payday

loan in question. For monthly payroll consumers, we compared loan payment to monthly residual income. For semi-monthly, bi-weekly and weekly payroll borrowers (whose new loan payments are due at the end of a less-than-monthly payroll period), we used a corresponding percentage of residual income (e.g., a semi-monthly payroll borrower has half of their monthly residual income available to make a payday loan payment due at the end of the payroll cycle). This methodology does not take into account the "lumpiness" of some payments, such as rent, and therefore may overstate the number of consumers who can make a payday loan payment, meet their other expenses, and have money left over. Accordingly, we provided information on the mean and median cash available after making the payday loan payment.

THE 30-DAY COOLING-OFF PERIOD WAS TREATED BY CFPB AS EFFECTIVELY A BAN ON NEW LOANS WITHIN THE 30-DAY PERIOD IN THEIR SIMULATION

Effect of 30-Day Cooling-off Period

After computing the count and percentage of consumers who could pay their pre-existing debts, pay basic living expenses, make their payday loan payment, and have at least $.01 left over, we then computed the effect of the second limitation imposed by the CFPB's ATR requirements, namely that there is a presumption of inability to repay a second loan taken out within 30 days after the first loan is paid off. This 30-day cooling-off period was treated by CFPB as effectively a ban on new loans within the 30-day period in their simulation, and we used the same assumption.

In order to compute the effect of the 30-day rule, we reviewed all 2013 storefront payday loans in our dataset taken out by sample borrowers whose loans passed the ATR test and excluded all loans that fell within 30 days of a prior loan payoff. We were able to cross-match loans from other lenders in our storefront dataset, but we did not attempt to cross-match with online loans in the Clarity dataset (which matching would be required under the CFPB rulemaking proposal).

Results

"Alternative" to ATR

CFPB's estimate of the impact on loan volume and revenues of their "alternative-to-ATR" underwriting requirements was lower than what we found in our sample. CFPB found a 55%-62% reduction in loan count and a 71%-76% reduction in dollar volume (and revenue) under this scenario. We used the CFPB's "lower bound" assumption for loss of volume, namely that a consumer blocked from getting a loan at a particular point in his history would return later to take up any loan not blocked by the new rules. We find that 67.3% of loans would be banned entirely, reducing loan count and volume by that amount. In addition, roughly a third of the surviving loans would exceed the $500 proposed maximum loan amount, producing a further 5.2 % reduction in loan volume (assuming the loans would be made, but capped at $500). This 72.5% reduction in original loan principal would correspond with a 72.5% reduction in revenues. Loan volume and associated revenues would be further reduced by one third as a result of the CFPB's proposed principal reduction rule, namely that a second loan in a three-loan sequence could not exceed two thirds of the first loan amount and the third loan could not exceed one third of the first loan. As a result, the actual credit and revenues available would equal 18.33% of original credit and revenues available (72.5% x 2/3). Our final result, that loan volume and revenues would be reduced by 81.67% is significantly different from CFPB's estimate (using the same assumptions) of 71% volume reduction and lower than their "worst case" simulation of 76% volume reduction.

67.3

CLARITY FOUND THAT 67.3% OF LOANS WOULD BE BANNED ENTIRELY, REDUCING LOAN COUNT AND VOLUME BY THAT AMOUNT.

Ability to Repay

As noted above, we computed residual income using the CFPB ATR test for a number of income values for each consumer/loan pair, in order to test the effect of income volatility and income information quality on our outcomes. Table 1 compares annual median income observed with income at the time of the loan being tested, using income values from the Clarity production data.

Table 1 presents the results using Clarity production values for median and "last seen" income (i.e. income at time of loan application) for more than 84,000 borrowers. Median income values consistently are slightly higher than "last seen" income values for each borrower. Correspondingly, some 26,635 borrowers appear to be cash flow insolvent using median income, and 33,030 borrowers are in that condition based on "last seen" income. Out of the 84,000, only 28,038 (based on median income) and 24,165 (based on "last seen" income) have sufficient residual income to cover the loan payment on the loan being tested, corresponding to 33.1% and 28.5% respectively. Monthly payroll customers have a lower "passing" percentage than bi-weekly payroll customers, which reflects the lower total net income of monthly payroll customers (many of whom receive monthly government benefits).

28,038

OUT OF THE 84,000, ONLY 28,038 (BASED ON MEDIAN INCOME) AND 24,165 (BASED ON "LAST SEEN" INCOME) HAVE SUFFICIENT RESIDUAL INCOME TO COVER THE LOAN PAYMENT ON THE LOAN BEING TESTED.

Table 1

CFPB Residual Income "ATR" Analysis - Clarity Income Values									
		CLARITY MEDIAN INCOME MEASURE 1 YEAR				CLARITY LAST SEEN INCOME MEASURE			
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
TOTAL COUNT	A=B+C	84,668	25,321	45,647	10,166	84,771	25,338	45,711	10,185
Count of Borrowers with **Negative** Residual Income – **Before** Loan Payment	B'	26,635	11,727	11,770	1,386	33,030	15,739	13,792	2,384
Count of Borrowers with **Positive** Residual Income – **Before** Loan Payment	C'	58,033	13,593	33,877	8,180	51,741	9,625	32,007	7,810
Count of Borrowers with **Negative** Residual Income – **After** Loan Payment	B	56,629	16,675	28,609	7,812	60,606	19,818	29,423	7,828
Count of Borrowers with **Positive** Residual Income – **After** Loan Payment	C	28,038	8,646	17,038	2,354	24,165	5,520	16,288	2,357
Percentage of Borrowers with **Positive** Residual Income – **After** Loan Payment	D=C/A	**33.1%**	**34.1%**	**37.3%**	**23.2%**	**28.5%**	**21.8%**	**35.6%**	**23.1%**
Mean		$605	$945	$488	$206	$630	$972	$567	$263
Median		$383	$670	$344	$143	$390	$614	$387	$174

*All pay periods may not sum to total. Some missing pay frequency

Table 1 (Continued)

CFPB Residual Income "ATR" Analysis - Clarity Income Values									
		CLARITY MEDIAN INCOME MEASURE 1 YEAR				CLARITY LAST SEEN INCOME MEASURE			
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
Count All 2013 by Same (84,668) Borrowers (incl. above loan sample)	E	773,400	215,957	436,588	84,490	774,183	216,092	437,046	84,647
Per Borrower All Loans	F=E/A	9.1	8.5	9.6	8.3	9.1	8.5	9.6	8.3
All Loans to Borrowers Who Had Positive Residual Income	G	262,942	73,175	168,844	19,407	240,519	49,579	168,902	21,300
Per Borrower with Positive Residual Income Originally – All Loans	H=G/C	9.4	8.5	9.9	8.2	10.0	9.0	10.4	9.0
Percentage of All Loans in 2013 to Borrowers Who Had Positive Residual Income	I=G/E	**34.0%**	**33.9%**	**38.7%**	23.0%	**31.1%**	**22.9%**	38.6%	25.2%
Effect of 30-Day Cooling-off Period									
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
KEEP COUNT	C	28,038	8,646	17,038	2,354	24,165	5,520	16,288	2,357
All Loans to Borrowers Who Had Positive Residual Income in the 84,668/84,771 Sample	G	262,942	73,175	168,844	19,407	240,519	49,579	168,902	21,300
Count Lost to "Cooling-off" (Post-ATP)	K	**72.2%**	**59.5%**	77.3%	74.9%	**73.7%**	60.1%	77.4%	75.5%
Count of Loans Kept Post-ATP and Passing the Cooling-off Test	L=J-K	73,201	29,617	38,315	4,875	63,327	19,790	38,108	5,216
Percentage of All Loans in 2013 to Borrowers Lost to ATP and Cooling-off	M=[E-L]/L	**90.5%**	86.3%	91.2%	**94.2%**	**91.8%**	90.8%	**91.3%**	93.8%
Percentage **of All** Loans **in 2013 to** Borrowers Remaining **After ATP and Cooling-off**	N=L/E	9.5%	**13.7%**	8.8%	5.8%	**8.2%**	9.2%	**8.7%**	6.2%
Average Number Loans Remaining for Borrowers with Positive Residual Income After Accounting for Cooling-off Period	P=L/G	2.6	3.4	2.2	2.1	2.6	3.6	2.3	2.2

The consumers who pass the ATR screen have a mean remaining income (after paying the payday loan) of $605 and median remaining income of $383. These values are broken out in Table 1 based on payroll cycle. The values given are for a single payroll cycle.

The consumers who pass the ATR screen took out an average of 9.4 to 10 storefront payday loans in our dataset in 2013. Based on our findings in Report 7-A, that storefront payday customers are very likely to use a single lender for an extended period of time, we believe that this usage count is reflective of total storefront payday loan usage by these consumers in 2013.

We also looked at the impact of ATR on annual loan volume, assuming that borrowers with sufficient ATR for the tested loan would have a similar "pass" rate for other loans in 2013. On that assumption, lenders to these borrowers would retain 31.1% to 34.0% of their loan volume.

In **Tables 2 and 3** we compare the results for Clarity production income values to the values found in the storefront lender dataset.

9.4

THE CONSUMERS WHO PASS THE ATR SCREEN TOOK OUT AN AVERAGE OF 9.4 TO 10 STOREFRONT PAYDAY LOANS IN OUR DATASET IN 2013

Table 2

CFPB Residual Income "ATR" Analysis - Median Income Clarity vs. Storefront Values									
		Median Income Clarity Measure 1 Year				Median Income Storefront Measure 1 Year			
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
TOTAL COUNT	A=B+C	84,668	25,321	45,647	10,166	76,861	22,917	41,797	9,658
Count of Borrowers with **Negative** Residual Income – **Before** Loan Payment	B'	26,635	11,727	11,770	1,986	28,351	14,147	12,013	2,191
Count of Borrowers with **Positive** Residual Income – **Before** Loan Payment	C'	58,033	13,593	33,877	8,180	46,020	8,604	29,783	7,499
Count of Borrowers with **Negative** Residual Income – **After** Loan Payment	B	56,629	16,675	28,609	7,812	53,910	18,316	27,817	7,777
Count of Borrowers with **Positive** Residual Income – **After** Loan Payment	C	28,038	8,646	17,038	2,354	20,462	4,601	13,980	1,881
Percentage of Borrowers with **Positive** Residual Income – **After** Loan Payment	D=C/A	**33.1%**	**34.1%**	**37.3%**	**23.2%**	**26.6%**	**20.1%**	**33.4%**	**19.5%**
Mean Positive Residual Income – After Loan Payment	Mean of D	$605	$945	$488	$206	$602	$913	$547	$253
Median Positive Residual Income – After Loan Payment	Median of D	$383	$670	$344	$143	$377	$576	$375	$171
Count All 2013 by Same Borrowers (incl. above loan sample)	E	773,400	215,957	436,588	84,490	685,587	187,662	390,886	79,351
Per Borrower All Loans	F=E/A	9.1	8.5	9.6	8.3	8.9	8.2	9.4	8.2

Table 2 (Continued)

CFPB Residual Income "ATR" Analysis - Median Income Clarity vs. Storefront Values									
		Median Income Clarity Measure 1 Year				Median Income Storefront Measure 1 Year			
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
All Loans to Borrowers Who Had Positive Residual Income	G	262,942	73,175	168,844	19,407	195,429	38,824	139,746	15,858
Per Borrower with Positive Residual Income Originally – All Loans	H=G/C	9.4	8.5	9.9	8.2	9.6	8.4	10.0	8.4
Percentage of All Loans in 2013 to Borrrowers Who Had Positive Residual Income	I=G/E	34.0%	33.9%	38.7%	23.0%	28.5%	20.7%	35.8%	20.0%
Effect of 30-Day Cooling-off Period									
EFFECT OF 30-DAY COOLING-OFF PERIOD									
KEEP COUNT	C	28,038	8,646	17,038	2,354	20,462	4,601	13,980	1,881
All Loans to Borrowers Who Had Positive Residual Income in the Sample	G	262,942	73,175	168,844	19,407	195,429	38,824	139,746	15,858
Percentage Lost to "Cooling-off" (Post-ATP)	K	72.2%	**59.5%**	77.3%	74.9%	**70.4%**	54.0%	74.6%	73.2%
Count of Loans Kept Post-ATP and Passing the Cooling-off Test	L=J-K	73,201	29,617	38,315	4,875	57,762	17,860	35,467	4,251
Percentage of All Loans in 2013 to Borrrowers Lost to ATP and Cooling-off	M=[E-L]/L	90.5%	86.3%	**91.2%**	94.2%	**91.6%**	**90.5%**	90.9%	**94.6%**
Percentage of All Loans in 2013 to Borrrowers Remaining After ATP and Cooling-off	N=L/E	9.5%	**13.7%**	8.8%	5.8%	**8.4%**	**9.5%**	9.1%	5.4%
Average Number Loans Remaining for Borrowers with Positive Residual Income After Accounting for Cooling-off Period	P=L/G	2.6	3.4	2.2	2.1	2.8	3.9	2.5	2.3

*All pay periods may not sum to total. Some missing pay frequency.

Table 2 compares results using median income values seen for individuals. Notably, a lower percentage of consumers pass the ATR screen using payday storefront median income values (26.6 %) than using Clarity production values (33.1%). Given the frequency of applications in the storefront dataset, we believe that the storefront income value may be a better approximation of the effect of the CFPB ATR screen on individual "pass" rates. Notably, however, the particular individuals who passed the CFPB ATR screen using their median income values derived from storefront data were less frequent users of the product than the individuals who passed the screen using Clarity income values, which is reflected in the smaller surviving loan volume associated with storefront income values (26.0%) as compared to Clarity production income values (34.0%). This view is supported by the comparative values for average loan count per year for "passing" consumers under the storefront data (6.3 loans), as compared to average count under the Clarity production data (9.4).

We also offer the observation that the significant difference in outcomes between median income "pass" rates and "last seen" income "pass" rates in the storefront data (a difference we do not see in production data) may reflect a difference in the process used in different origination channels. Clarity production data from 2013 is almost exclusively drawn from online originations. In the online environment, lenders ask for consumer-stated income and validate it using electronic methods or proxies, not copies of paystubs. In the storefront, income values are drawn from a pay stub. The latter values may vary extremely from application to application, based on changes in the current employment of the consumer, the number of hours available in the last pay period with the same employer, and (in many cases) which of multiple employers' paystubs the consumer chooses to present. Storefronts will generally lend up to 50% of the paystub amount up to $500, so the consumer may have little incentive to present the best case for aggregate or average income when applying for a particular loan. A better picture of income is likely to come from multiple storefront applications used in computing the median income value.

26.6

A LOWER PERCENTAGE OF CONSUMERS PASS THE ATR SCREEN USING PAYDAY STOREFRONT MEDIAN INCOME VALUES (26.6 %) THAN USING CLARITY PRODUCTION VALUES (33.1%)

Table 3 compares results using "last seen" income values from Clarity production and storefront data (i.e., the income value most closely associated in time with the loan being tested). The results are very close in absolute value, and we do not observe a significant difference in percentage of consumers who pass the test versus percentage of loans that pass the test.

WE DO NOT OBSERVE A SIGNIFICANT DIFFERENCE IN PERCENTAGE OF CONSUMERS WHO PASS THE TEST VERSUS PERCENTAGE OF LOANS THAT PASS THE TEST.

Table 3

CFPB Residual Income "ATR" Analysis - "Last Seen" Income Clarity vs. Storefront Values									
		Last Seen Income Clarity Measure				Median Income Storefront Measure 1 Year			
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
TOTAL COUNT	A=B+C	84,771	25,338	45,711	10,185	79,192	23,820	42,971	9,871
Count of Borrowers with Negative Residual Income – Before Loan Payment	B'	33,030	15,739	13,792	2,384	31,498	15,143	13,142	2,389
Count of Borrowers with Positive Residual Income – Before Loan Payment	C'	51,741	9,625	32,007	7,810	47,692	8,676	29,828	7,482
Count of Borrowers with Negative Residual Income – After Loan Payment	B	60,606	19,818	29,423	7,828	58,875	19,465	29,124	7,756
Count of Borrowers with Positive Residual Income – After Loan Payment	C	24,165	5,520	16,288	2,357	20,317	4,355	13,847	2,115
Percentage of Borrowers with Positive Residual Income – After Loan Payment	D=C/A	28.5%	21.8%	35.6%	23.1%	25.7%	18.3%	32.2%	21.4%
Mean Positive Residual Income – After Loan Payment	Mean of D	$630	$972	$567	$263	$601	$929	$551	$257
Median Positive Residual Income – After Loan Payment	Median of D	$390	$614	$387	$174	$369	$563	$374	$171
Count All 2013 by Same (84,668) Borrowers (incl. above loan sample)	E	774,183	216,092	437,046	84,647	726,193	201,995	413,185	82,577
Per Borrower All Loans	F=E/A	9.1	8.5	9.6	8.3	9.2	8.5	9.6	8.4
All Loans to Borrowers Who Had Positive Residual Income	G	240,519	49,579	168,902	21,300	201,106	38,700	143,003	18,914
Per Borrower with Positive Residual Income Originally – All Loans	H=G/C	10.0	9.0	10.4	9.0	9.9	8.9	10.3	8.9
Percentage of All Loans in 2013 to Borrrowers Who Had Positive Residual Income	I=G/E	31.1%	22.9%	38.6%	25.2%	27.7%	19.2%	34.6%	22.9%

Table 3 (Continued)

CFPB Residual Income "ATR" Analysis - "Last Seen" Income Clarity vs. Storefront Values									
		Last Seen Income Clarity Measure				Median Income Storefront Measure 1 Year			
EFFECT OF 30-DAY COOLING-OFF PERIOD									
	FUNCTION	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY	TOTAL*	MONTHLY	BI-WEEKLY	WEEKLY
KEEP COUNT	C	24.165	5.520	16.288	2.357	20,317	4,355	13.847	2.115
All Loans to Borrowers Who Had Positive Residual Income in the Sample	G	240,519	49,579	168,902	21,300	201,106	38,700	143,003	18,914
Balance to Check for "Cooling-off" Rule	J=G-C	216,354	44,059	152.614	18,943	180,789	34,345	129.156	16,799
Percentage Lost to Cooling-off (Post-ATP)	K	73.7%	60.1%	77.4%	75.5%	73.5%	58.9%	77.2%	75.4%
Count of Loans Kept Post-ATP and Passing the Cooling-off Test	L=J-K	63.327	19,790	38,108	5,216	53,359	15,906	32,647	4,656
Percentage of All Loans in 2013 to Borrrowers Lost to ATP and Cooling-off	M=[E-L]/L	91.8%	90.8%	91.3%	93.8%	92.7%	92.1%	92.1%	94.4%
Percentage of All Loans in 2013 to Borrrowers Remaining After ATP and Cooling-off	N=L/E	8.2%	9.2%	8.7%	6.2%	7.3%	7.9%	7.9%	5.6%
Average Number Loans Remaining for Borrowers with Positive Residual Income After Accounting for Cooling-off Period	P=L/G	2.6	3.6	2.3	2.2	2.6	3.7	2.4	2.2

*All pay periods may not sum to total. Some missing pay frequency.

Effect of 30-Day Cooling-Off Period as Part of ATR Test

The CFPB proposal creates a further hurdle for short-term lenders, such as payday lenders, who elect to use the CFPB's ATR screen to make loans. If a consumer seeks a new short-term loan from any lender anywhere within 30 days after paying off a prior covered short-term loan, then there is a presumption that the new loan is not affordable. While there are exclusions for much smaller loans (as compared to the recently paid off loan), the most important effect of the presumption is that a second loan is banned unless the lender can find verified evidence of substantial improvement to the consumer's financial condition since the last loan was taken out, sufficient to show that while the last loan was unaffordable, the new loan will be affordable. As the CFPB conceded in their simulation of the effect of the ATR rule in their Supplemental Findings, it is very unlikely that applicants applying within the 30-day period will be able to meet this standard, given the short period of time between loans.

Accordingly, like the CFPB, we ran a simulation based on the assumption that any loan taken out within 30 days of the payoff of a prior loan would be blocked by the presumption. We applied the rule to those loans taken out by consumers who had already passed the ATR screen: consumers with sufficient income to pay all of their obligations, cover cost of living, cover their payday loan payment, and have cash left over.

The results for each income value are shown at the bottom half of Tables 1-3. The results are quite uniform. Between 72.2% and 73.7% of loans that were made in 2013 to consumers who pass the ATR screen would be blocked by the 30-day cooling-off period. Consumers who took out between 9.4 and 10 loans in 2013 would be cut down to 2.6 loans per year. Lenders who elected the ATR method of underwriting would see their 2013 loan volume reduced to between 7.3% and 9.5% of their existing loan volume. This 70% reduction in loan volume is consistent with CFPB's simulation of the effect of the 30-day cooling-off period on the portfolio they studied. The CFPB did not attempt to study the effect of the ATR test itself, however. Therefore, they could not report that the combined effect of the two requirements is to eliminate virtually all loan volume. One might question why consumers who can pay off their loan and meet all other obligations should be subjected to a cooling-off period when the effect is to deny access to credit they can afford to repay.

81.67

OUR FINAL RESULT - THAT LOAN VOLUME AND REVENUES WOULD BE REDUCED BY 81.67% - IS SIGNIFICANTLY DIFFERENT FROM CFPB'S ESTIMATE OF 71%.

Conclusion

Using the same assumptions and approaches, our dataset produces a simulated loan volume reduction produced by the "alternative-to-ATR" rules that is 5%-10% greater than CFPB's dataset. That difference may not be material as a practical matter, as revenue reductions of 70% (CFPB) or 80% (our result) may be equally fatal for most businesses.

Our results for the impact of the ATR approach to single-pay loans provides data that is not available from the CFPB, as they did not attempt to apply their residual income ATR model to any consumers. We find that roughly two thirds to three quarters of consumers are blocked from borrowing by the rule, and the cumulative effect of adding the 30-day cooling-off period is to reduce credit availability by more than 90%.

CLARITY'S RESULTS FOR THE IMPACT OF THE ATR APPROACH TO SINGLE-PAY LOANS PROVIDES DATA THAT IS NOT AVAILABLE FROM THE CFPB.

BAILEY BRAUER PLLC

Campbell Centre I
8350 N. Central Expy, Suite 206
Dallas, Texas 75206
Tel: (214) 360-7433
Fax: (214) 360-7435

Clayton E. Bailey
cbailey@baileybrauer.com

September 9, 2016

The Honorable Tan Parker *Via electronic mail*
Chairman
Texas House Investments & Financial Services Committee
Room E2.602
P.O. Box 2910
Austin, TX 78768-2910

Re: Hearing on Interim Charge # 2 – 1:00 p.m., Wednesday, September 14, 2016

Dear Chairman Parker and Members of the Committee,

My name is Clayton Bailey and I served as lead appellate counsel for ACE Cash Express, Inc. with respect to litigation arising from a penal ordinance adopted by the City of Denton regulating credit access businesses ("CABs"). I am submitting this letter as written testimony for Interim Charge # 2: Examine the short-term lending industry in Texas.

As you are aware, a number of Texas cities have passed criminal ordinances attempting to regulate CABs within the territorial reach of such municipalities. One such municipality is Denton. ACE sued Denton in a civil court after Denton failed to criminally prosecute ACE despite repeated written admissions by the company that it violated the ordinance. In its lawsuit, ACE requested a declaration that Denton's ordinance was unconstitutional.

Unfortunately, the merits of ACE's lawsuit were not decided. Instead, Denton avoided addressing ACE's constitutional attacks by raising a procedural argument that the civil trial court lacked jurisdiction to decide ACE's claims. Denton alleged that it must initiate a prosecution in a criminal court before ACE's constitutional challenges to the ordinance can be decided. The civil trial court agreed with Denton's procedural argument, as did the Fort Worth Court of Appeals. Earlier this year, the Texas Supreme Court decided not to accept ACE's petition requesting a review of the underlying decisions.

Proponents of municipal penal ordinances regulating CABs have made statements mischaracterizing the impact of the rulings in ACE's case against Denton. These proponents falsely assert that the courts' opinions upheld the Denton ordinance against ACE's constitutional challenges. These advocates also erroneously claim that similar penal ordinances regulating CABs will no longer be subject to

litigation. A recent example of statements by such advocates is John Moritz's article published on September 4, 2016, titled "State lawmakers ready for another run at payday lenders." In the article, the journalist refers to statements made by Ann Baddour, the director of the Fair Financial Services Project, asserting that the ACE litigation resulted in the Texas Supreme Court effectively upholding Denton's criminal ordinance. Ms. Baddour also claims that the Texas Supreme Court's "action means further challenges are unlikely."

For your convenience, a copy of the article is attached hereto.

At this point, no Texas court has issued a written opinion considering the merits of a constitutional attack on a Texas municipality's penal ordinance regulating CABs.

Interestingly, to date, Denton has failed to bring a criminal action against ACE even though ACE admitted to violating the ordinance. Indeed, ACE provided written confessions to Denton and repeatedly admitted violating the ordinance in pleadings and briefs filed in the trial and appellate courts. By failing to prosecute ACE, Denton has effectively insulated its ordinance from a constitutional attack while still forcing state-licensed CABs to comply with the ordinance by maintaining the penal law's *in terrorem* effect. In short, Denton is having its cake and eating it too.

Unfortunately, if other municipalities utilize Denton's strategy of refusing to prosecute confessed violators of such ordinances in order to insulate the ordinances from constitutional challenges, the CAB industry will be financially ravaged and the CABs' due process rights trampled.

If I can provide you with additional information, please allow me to do so.

Sincerely,

Clayton E. Bailey

Encl.

cc: The Honorable Oscar Longoria *Via email:*
The Honorable Giovanni Capriglione *Via email:*
The Honorable Dan Flynn *Via email:*
The Honorable Brooks Landgraf *Via email:*
The Honorable Joe C. Pickett *Via email:*
The Honorable Phil Stephenson *Via email:*

State lawmakers ready for another run at payday lenders

Posted: Sept. 04, 2016
0 Comments
SHARE

By John Moritz, USA Today Network Austin Bureau

AUSTIN — Attempts were made during the three most recent legislative sessions to put statewide restrictions on payday lenders that mirror many of the local ordinances that are on the books or being considered by several Texas municipalities.

The Austin faith-based nonprofit film company Deidox has produced a 30-minute video called "The Ordinance" about efforts to pass local restrictions on payday and auto title lending.

It features remarks from state Rep. Tom Craddick, a Midland Republican who has made three attempts to pass statewide payday lending legislation. Also appearing in the video is former state Sen. Wendy Davis, the 2014 Democratic nominee for governor, who was an ally of Craddick in the unsuccessful effort. Craddick said he intends to file similar legislation when lawmakers return to Austin in January.

"There continues to be overwhelming evidence that these payday loan businesses hurt Texas families' stability, drain charitable resources and have negative consequences on local economies," Craddick said. "Efforts to address payday loan issues must continue at the local, state and federal level."

Ann Baddour, with the Austin think tank Texas Appleseed, said that while efforts to pass statewide regulations have languished, several locally driven efforts have succeeded.

"We work to keep the products honest," Baddour, director of the Fair Financial Services Project, an organization that serves vulnerable Texans. She said she's worked with San Angelo faith-based groups and other organizations on an effort to push an ordinance to the City Council.

Baddour said her organization and others felt their efforts were validated early this year when the Texas Supreme Court effectively upheld a local ordinance in Denton to place restrictions on payday and auto title lenders.

The Denton measure was challenged in state district court by Ace Cash Express, which argued that the local ordinance violated the Texas Constitution. The trial court ruled in the city's favor, and that ruling was upheld by the Texas 2nd Court of Appeals last year.

In February, after reviewing briefs on the case, the Texas Supreme Court declined to hear Ace's appeal.

The 35 Texas cities that have imposed regulations on payday lending have used nearly identical language in their ordinances, and Baddour said the high court's action means further challenges are unlikely.

In June the U.S. Consumer Finance Protection Bureau unveiled rules aimed at making sure lenders don't issue loans they know borrowers are unable to repay.

"The proposed rule would also cut off repeated debit attempts that rack up fees," according to a statement by the agency. "These strong proposed protections would cover payday loans, auto title loans, deposit advance products, and certain high-cost installment and open-end loans."

The agency will accept public comment through Sept. 14 at regulations.gov.

Payday Lending Concerns and Solutions

Church Concerns:

- We are compelled to speak out on behalf of struggling families who have been caught in an endless cycle of debt by the practices of the payday loan and auto title loan industry.
- We do not seek to shut down this industry. We want a free market, but a fair market that is structured for success of both borrower and lender. We are working to reform the worst practices of these lenders.
- The cycle of debt created by these loans prevents the very self-sufficiency families seek.
- Payday lenders are not banks or credit unions, and are not regulated to nearly the same extent.

Impact on San Angelo Charities:

- Our charitable ministries have found that, when we provide our clients with cash assistance, it is often being used just to keep up with the interest and fees on these loans, without paying off the principal.

Impact on Regional Charities:

- Just in San Angelo and Odessa, poor families have paid over $30 million in fees for these loans over the course of a year.

Impact on Statewide Charities:

- Statewide, we have found that nearly a third of those we served in financial assistance programs had used payday and auto title loans, and that almost half stated that the financial stress caused by these loans led to their seeking assistance from us.

Impact on San Angelo Economy:

- Storefronts in San Angelo more than tripled over the last decade from 4 in 2004 to 14 in 2015.
- 300% to 500% APR loans are a drain on financially vulnerable families and on the San Angelo economy.
- Charitable donations and tax payer money that is meant to bolster families instead goes to the pockets of payday and auto title loan businesses.

- Every dollar in fees paid to payday loan businesses leads to a 24% net economic drain – San Angelo saw a net economic drain of over $3.8 million in the two-year period from 2014 to 2015.

- Statewide advocacy experience reveals that families who use payday and auto title loans are more likely to file for bankruptcy, experience eviction, and defer medical care because they are in debt to payday loans.

Access to Credit and Loan Risk:

- Payday lenders say that their loan clients are people without good credit, so they need to charge high rates to protect their risk. These lenders have a right to cover their risk, but the rates being charged go beyond that.

- Payday lenders say that their clients can't get loans anywhere else. We say that now is the time for our communities to try to provide better borrowing alternatives that are structured for their success, while still providing sufficient security for the lender.

Free Market vs. Exploitation:

- We support a free market, but we do not support business practices that lead to excessive profit by taking unfair advantage of those who are poor and desperate. Payday lenders capitalize on that desperation for excessive profit at the expense of poor families.

- One Texas-based payday lender was recently fined over $14 million by the federal government because their employee-training manual taught employees how to prevent consumers from paying off the loan, to maximize lender profit. That's not free market – that's exploitation.

- We believe that Texas lending law should be consistent, and loans should be fairly structured for borrower and lender success. The lending playing field needs to be more level, to assure that the market operates fairly, with rules that apply across the board to all lenders.

- In recent years, the poor, including senior citizens, have increasingly turned to payday and auto title loans to meet basic or emergency needs, either because they lack family or community resources, or they succumb to the intense and deceptive marketing campaigns of these lenders. Minority women, who are often the single head of a household and struggle to make ends meet for their families are especially vulnerable. Predatory lenders are being misleading by claiming to be credit service organizations while they charge rates upwards of 500% APR.

Solutions:

- We believe that, ultimately, there are three elements of the solution:

- Consumer education: Find ways to teach basic principles of responsible personal money management through schools, churches, and families. Seek to instill the virtues of self-control, budget planning, saving, and simplicity of lifestyle.
- Alternative lending sources: working with credit unions and other interfaith partners to develop alternative lending programs with annual interest rates as low as five percent.
    - Working with a variety of lending options such as credit unions, savings and loans, mutual lending, emergency community assistance programs and other interfaith partners will provide accessible alternatives to payday or auto title loans. These organizations have developed alternative lending programs with annual interest rates as low as five percent.
- Laws that make the lending practices more fair:
    - Federal
        - Marketing to military personnel is against federal law.
    - State
        - Multiple, bipartisan attempts to regulate at the state level have been successfully repelled by the payday loan industry lobby.
    - City:
        - Many cities in Texas are stepping in and adopting ordinances to regulate payday and auto title loan companies. The model ordinance promulgated by the Texas Municipal League has been adopted largely intact by 35 Texas cities, including Dallas, Houston, San Antonio, El Paso, Temple, and Midland, and has withstood challenge in the Texas courts. We hope that the San Angelo City Council will also adopt this ordinance.
        - Ideally, this issue should be governed by state law for the sake of uniformity. One of the goals of supporting adoption of a city ordinance is to put pressure on the state legislature to act.
    - Key provisions of the TML model ordinance are:
        - Loan size is limited according to borrowers' ability to pay.
        - Payments are made more manageable, principal is gradually reduced, and the fees and interest are kept at a reasonable level.

- Payday loans are limited to 20% of the borrower's gross monthly income.
- Auto title loans are limited to the lesser of 3% of the borrower's gross annual income or 70% of the vehicle value.
- The number of installments is limited to 4 and rollovers or renewals to 3.
- Proceeds from each installment or renewal are required to reduce the loan principal by 25%.
- Rollover or renewal is defined as any extension of consumer credit made within 7 days of the previous extension of credit.
- Storefronts are to register with the city for enforcement.

- Zoning/Land Use Ordinances
  - So far, 15 Texas cities have opted to enact zoning ordinances which limit the locations where payday lenders may operate. Zoning/land use ordinances do not regulate how the payday lenders operate.
  - We reiterate - we do not seek to shut down the payday loan industry. We want a free market, but a fair market that is structured for success of both borrower and lender. Therefore, we are advocating for the enactment of a regulatory ordinance, not a zoning/land use ordinance.

The State of Payday Lending & Auto Title Lending

San Angelo, TX

San Angelo saw a net **economic drain** of over **$3.8 million** in 2014-2015.

Every dollar in fees paid to a payday loan business leads to a 24% net economic drain.

High fees hurt working families and seniors

In 2015, average charges ranged from 216% APR to 567% APR. The result is that a $500 loan often costs borrowers $1,100 or more to repay in just a few short months. Costs can reach over $3,000 to repay $500 with on-going refinances.

Payday lending increasing in San Angelo

Storefronts in San Angelo **more than tripled over the last decade** from 4 in 2004 to 14 in 2015.

2014-2015 Estimated Total New Loans: **$16,541,464**

2014-2015 Estimated Fee Charges: **$15,855,581**

2014-2015 Estimated Cars Repossessed by Auto Title Lenders: **396**

Negative impacts

✓ 300% to 500% APR loans are a drain on financially vulnerable families and on local economies.

✓ Losing a family car often means missing work and potentially losing a job.

✓ Charitable donations and tax payer money that is meant to bolster families instead goes to the pockets of payday and auto title loan businesses. Rrecent studies have found that 32% of Texas nonprofit clients asking for assistance were in trouble with a payday or auto title loan; and 76% of nonprofit clients who are in trouble with a payday or auto title loans receive some form of public benefit.

✓ Payday and auto title loan stores concentrate in low and moderate income neighborhoods and profit when borrowers fail—renewing the high-cost loans and never getting out of debt.

✓ Renewals and fees made up 71% of payday and auto title loan volume Texas in 2015 and three out of five loans are made to borrowers who pay more in fees than the original loan amount.

PayDay and Auto Title Stores

Red dots on the map represent payday and auto title store locations in the San Angelo area.

Faith Leaders for Fair Lending

Impact on Financial Industries

Texas Catholic Conference

Texas Appleseed

CLC | Christian Life Commission

[i] The Texas Office of Consumer Credit Commissioner (OCCC) collects data for four different loan products that are categorized under payday and auto title lending: single payment (due in 1 full payment) payday loans; single payment auto title loans; installment (including more than 1 payment) payday loans; and installment auto title loans. The OCCC has been collecting data on these loan products since January 1, 2012. The average APR data is based on the average quarterly fee and interest cost statewide for 2015. The data for active store locations is based on licensing data from the OCCC for February of 2016. The fee and repossession data are estimates based on the statewide annual data reported to the OCCC for 2014 and 2015.

[ii] Texas Office of Consumer Credit Commissioner 2004 list of licensed payday lenders and December 2015 list of active licensed Credit Access Businesses. Between 2004 and 2014, payday and auto title businesses moved from being licensed under Texas consumer lending laws (TX Fin. Code Ch. 342) to credit access businesses (TX Fin. Code Ch.393) in order to evade rate and fee caps under the state licensed lending laws.

[iii] Tim Lohrentz, *The Net Economic Impact of Payday Lending in the U.S.*, Insight Center for Economic Development (March 2013) at 4.

[iv] Texas Catholic Conference 2012 Survey of Texas Nonprofit Clients (2013).

[v] Texas Catholic Conference 2010 Survey of Texas Nonprofit Clients (2011).

[vi] Texas Appleseed analysis of OCCC Credit Access Business Annual and Quarterly Reports (2015), *available at:* https://www.texasappleseed.org/sites/default/files/Payday-Auto-Title-Lending-Tx_MktOv-Trends2012-2015Rev.pdf .

[vii] Consumer Financial Protection Bureau, "CFPB Finds Four Out Of Five Payday Loans Are Rolled Over Or Renewed: *Research Shows the Majority of Payday Loans Are Made to Borrowers Caught in a Revolving Door of Debt,*" (March 2014) Available at: http://www.consumerfinance.gov/newsroom/cfpb-finds-four-out-of-five-payday-loans-are-rolled-over-or-renewed/

April 27, 2016

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Amarillo
2. Angleton
3. Arlington
4. Austin
5. Balcones Heights
6. Baytown
7. Bellaire
8. Bryan
9. Brownsville
10. College Station
11. Corpus Christi
12. Dallas
13. Denton
14. Dickinson
15. El Paso
16. Flower Mound
17. Galveston
18. Garland
19. Harker Heights
20. Houston
21. Killeen
22. Longview
23. Mesquite
24. Midland
25. Pharr
26. San Antonio
27. Seguin
28. Somerset
29. South Houston
30. Temple
31. Universal City
32. Waco
33. Weatherford
34. West University Place
35. Willis

transaction. Members agree to disclose the cost of the service fee both as a dollar amount and as an annual percentage rate ("APR");" and

WHEREAS, the Center for Responsible Lending, a non-profit, non-partisan organization, states on its internet site (http://www.responsiblelending.org/other-consumer-loans /tools-resources/fast-facts.html) that: "car title loans are based on the value of a borrower's car - the ability to repay the loans is not factor in the lending decision…"; "loan rates for a car title are typically 20-30 times that of rates charged by credit card issuers…"; "the average car title customer renews their loan 8 times…"; and, "on a $500 title loan, this average customer will pay back $650 in interest over eight months; the principal borrowed will be in addition;" and

WHEREAS, lenders hold onto the motor vehicle title and when borrowers cannot continue to pay the fees, they can lose their vehicles, which can drastically affect the borrower's means of transportation for work and other essential household functions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF _____:

Section 1. Chapter ____ - CREDIT ACCESS BUSINESSES

____.010- Short Title and Purpose.

(a) This article may be known and cited as "Credit Access Businesses Regulation."

(b) The purpose of this article is to protect the welfare of the citizens of the City of _____ by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices. To this end, this article establishes a registration program for credit access businesses, imposes restrictions on extensions of consumer credit made by credit access businesses, and imposes recordkeeping requirements on credit access businesses.

____.020- Definitions.

As used in this chapter:

(1) CERTIFICATE OF REGISTRATION means a certificate of registration issued by the director under this article to the owner or operator of a credit access business.

(2) CONSUMER means an individual who is solicited to purchase or who purchases the services of a credit access business.

(3) CONSUMER'S LANGUAGE OF PREFERENCE is the language the consumer understands best.

(4) CREDIT ACCESS BUSINESS has the meaning given that term in Section 393.601 of the Texas Finance Code.

____.050- Registration Required

A person commits an offense if the person acts, operates, or conducts businesses as a credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit access business.

____.060- Registration Application

(a) To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

(1) The name, street address, mailing address, facsimile number, and telephone number of the applicant.

(2) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit access business.

(3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business, and the nature and extent of each person's interest in the credit access business.

(4) A copy of a current, valid state license held by the credit access business pursuant to Chapter 393, Subchapter G of the Texas Finance Code.

(5) A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the City of _____ Code.

(6) A non-refundable application fee for the amount established.

(b) An applicant or registrant shall notify the director within 45 days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license held by the applicant or registrant.

____.070- Issuance and Display of Certificate of Registration; Presentment upon Request.

(a) The director shall issue to the applicant a certificate of registration upon receiving a completed application under Section ___.060

(b) A certificate of registration issued under this section must be conspicuously displayed to the public in the credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination.

____.110- Restriction on Extension of Consumer Credit.

(a) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed 20 percent of the consumer's gross monthly income.

(b) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:

(1) Three percent of the consumer's gross annual income; or

(2) 70 percent of the retail value of the motor vehicle.

(c) A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

(d) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than four installments. Proceeds from each installment must be used to repay at least 25 percent of the principal amount of the extension of consumer credit. An extension of consumer credit that provides for repayment in installments many not be refinanced or renewed.

(e) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than three times. Proceeds from each refinancing or renewal must be used to repay at least 25 percent of the principal amount of the original extension of consumer credit.

(f) For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.

____.120- Requirement of Consumer Understanding of Agreement.

(a) Every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer), must be written in the consumer's language of preference. Every credit access business location must maintain on its premises, to be available for use by consumers, agreements in the English and Spanish languages.

(b) For every consumer who cannot read, every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not

AN ORDINANCE AMENDING CHAPTER 5 "BUSINESS AND COMMERCE" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO TEXAS, BY ADDING ARTICLE 5.11 "CREDIT ACCESS BUSINESSES" AS SET OUT BELOW, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, certain credit access businesses engage in abusive and predatory lending practices, offering easy money to those members of our community who are in a tight spot with onerous terms and fees; and

WHEREAS, a credit access business is defined in the Texas Finance Code §393.601 as a "credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of credit in the form of a deferred presentment transaction or a motor vehicle title loan"; and

WHEREAS, the practices of certain credit access businesses cause members of our community to become trapped in a cycle of short term, high interest loans resulting in large debt and huge payments; and

WHEREAS, there are approximately 18 credit access businesses that have been identified in the City of San Angelo; and

WHEREAS, in order to assist cities in addressing the concerns of credit access businesses the Texas Municipal League has drafted a model ordinance that has been adopted by 38 Texas Cities; and

WHEREAS, the City of San Angelo City Council finds it in the public interest to protect the welfare of the citizens of the City of San Angelo by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices through the adoption of a Credit Access Business Ordinance.

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) **THAT**, Chapter 5 "Business and Commerce" of the Code of Ordinances, City of San Angelo, Texas is hereby amended by adding Article 5.11 as follows:

ARTICLE 5.11 CREDIT ACCESS BUSINESSES

Sec. 5.11.001. Short Title and Purpose.

(a) This article may be known and cited as "Credit Access Businesses Regulation."

(b) The purpose of this article is to protect the welfare of the citizens of the City of San Angelo by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices. To this end, this article establishes a registration program for credit access businesses, imposes restrictions on extensions of consumer credit made by credit access businesses, and imposes recordkeeping requirements on credit access businesses.

Sec. 5.11.002. Definitions.

As used in this chapter:

(1) CERTIFICATE OF REGISTRATION means a certificate of registration issued by the director under this article to the owner or operator of a credit access business.

(2) CONSUMER means an individual who is solicited to purchase or who purchases the services of a credit access business.

(3) CONSUMER'S LANGUAGE OF PREFERENCE is the language the consumer understands best.

(4) CREDIT ACCESS BUSINESS has the meaning given that term in Section 393.601 of the Texas Finance Code as amended.

(5) DEFERRED PRESENTMENT TRANSACTION has the meaning given that term in Section 393.601 of the Texas Finance Code.

(6) DIRECTOR means the director of the department designated by the City Council, City Manager, or City Councilor City Manager's Designee, to enforce and administer this chapter.

(7) EXTENSION OF CONSUMER CREDIT has the meaning given that term in Section 393.001 of the Texas Finance Code.

(8) MOTOR VEHICLE TITLE LOAN has the meaning given that term in Section 393.601 of the Texas Finance Code.

(9) PERSON means any individual, corporation, organization, partnership, association, financial institution, or any other legal entity.

(10) REGISTRANT means a person issued a certificate of registration for a credit access business under this chapter and includes all owners and operators of the credit access business identified in the registration application filed under this chapter.
`

(11) STATE LICENSE means a license to operate a credit access business issued by the Texas Consumer Credit Commissioner under Chapter 393, Subchapter G of the Texas Finance Code.

Sec. 5.11.003. Violations; Penalty.

(a) A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense for each

and every violation relating to an extension of consumer credit, and for each day during which a violation is committed, permitted, or continued.

(b) An offense under this chapter is punishable by a fine of not more than $500.

(c) A culpable mental state is not required for the commission of an offense under this article and need not be proved.

(d) The penalties provided for in Subsection (b) are in addition to any other remedies that the city may have under city ordinances and state law.

Sec. 5.11.004. Defenses.

It is a defense to prosecution under this article that at the time of the alleged offense the person was not required to be licensed by the state as a credit access business under Chapter 393, Subchapter G, of the Texas Finance Code.

Sec. 5.11.005. Registration Required.

A person commits an offense if the person acts, operates, or conducts businesses as a credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit access business.

Sec. 5.11.006. Registration Application.

(a) To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

(1) The name, street address, mailing address, facsimile number, and telephone number of the applicant.

(2) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit access business.

(3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business, and the nature and extent of each person's interest in the credit access business.

(4) A copy of a current, valid state license held by the credit access business pursuant to Chapter 393, Subchapter G of the Texas Finance Code.

(5) A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the City of San Angelo Code.

(6) A non-refundable application fee for the amount established.

(b) An applicant or registrant shall notify the director within 45 days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license held by the applicant or registrant.

Sec. 5.11.007. Issuance and Display of Certificate of Registration; Presentment upon Request.

(a) The director shall issue to the applicant a certificate of registration upon receiving a completed application under Section 5.11.006.

(b) A certificate of registration issued under this section must be conspicuously displayed to the public in the credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination.

Sec. 5.11.008. Expiration and Renewal of Certificate of Registration.

(a) A certificate of registration expires on the earliest of:

(1) One year after the date of issuance; or

(2) The date of revocation, suspension, surrender, expiration without renewal, or other termination of the registrant's state license.

(b) A certificate of registration may be renewed by making application in accordance with Section 5.11.006. A registrant shall apply for renewal at least 30 days before the expiration of the registration.

Sec. 5.11.009. Non-transferability.

A certificate of registration for a credit access business is not transferable.

Sec. 5.11.010. Maintenance of Records.

(a) A credit access business shall maintain a complete set of records of all extensions of consumer credit arranged or obtained by the credit access business, which must include the following information:

(1) The name and address of the consumer.

(2) The principal amount of cash actually advanced.

(3) The length of the extension of consumer credit, including the number of installments and renewals.

(4) The fees charged by the credit access business to arrange or obtain an extension of consumer credit; and

(5) The documentation used to establish a consumer's income under Section 5.11.011 of this ordinance.

(b) A credit access business shall maintain a copy of each written agreement between the credit access business and a consumer evidencing an extension of a consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer).

(c) A credit access business shall maintain copies of all quarterly reports filed with the Texas Consumer Credit Commissioner under Section 393.627 of the Texas Finance Code.

(d) The records required to be maintained by a credit access business under this section must be retained for at least three years and made available for inspection by the city upon request during the usual and customary business hours of the credit access business.

Sec. 5.11.011. Restriction on Extension of Consumer Credit.

(a) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed 20 percent of the consumer's gross monthly income.

(b) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:

(1) Three percent of the consumer's gross annual income; or

(2) 70 percent of the retail value of the motor vehicle.

(c) A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

(d) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than four installments. Proceeds from each installment must be used to repay at least 25 percent of the principal amount of the extension of consumer credit. An extension of consumer credit that provides for repayment in installments many not be refinanced or renewed.

(e) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than three times. Proceeds from each refinancing or renewal must

be used to repay at least 25 percent of the principal amount of the original extension of consumer credit.

(f) For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.

Sec. 5.11.012. Requirement of Consumer Understanding of Agreement.

(a) Every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer), must be made available to consumers in all languages that are used on ballots in local elections. Every credit access business location must maintain on its premises, to be available for use by consumers, agreements in the English and Spanish languages.

(b) For every consumer who cannot read, every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer) must be read to the consumer in its entirety in the consumer's language of preference, prior to the consumer's signature.

(c) For every consumer who cannot read, every disclosure and notice required by law must be read to the consumers in its entirety in the consumer's language of preference, prior to the consumer's signature.

Sec. 5.11.013. Referral to Consumer Credit Counseling.

A credit access business shall provide a form, to be prescribed by the Director, to each consumer seeking assistance in obtaining an extension of consumer credit which references non-profit agencies that provide financial education and training programs and agencies with cash assistance programs. The form will also contain information regarding extensions of consumer credit, and must include the information required by 5.11.010(a)(1-5) of this ordinance specific to the loan agreement with the consumer. If the Director has prescribed a form in the consumer's language of preference, the form must be provided in the consumer's language of preference.

2) THAT all remaining subsections of Chapter 5 not amended by this ordinance remain in full force and effect.

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

SEVERABILITY:

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

4) THAT, this Ordinance shall be effective on, from and after publication as required by law. Enforcement of the Ordinance shall not occur until January 1, 2017 to allow time for businesses to come into compliance.

5) THAT, this ordinance will be reviewed and revised periodically to accommodate any changes in State or Federal requirements that may be necessary.

INTRODUCED with public hearing on the 1st day of November, 2016, and finally PASSED, APPROVED and ADOPTED on this the 15th day of November, 2016.

CITY OF SAN ANGELO

ATTEST:

_____
Dwain Morrison, Mayor

_____
Bryan Kendrick, City Clerk

Approved as to Form:

_____
Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeremy Miller, Solid Waste Contract Manager, Solid Waste, (325) 486-3798

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Presentation on feedback received from waste collection survey and public forums regarding possible changes to waste collection service. (Presentation by Operations Director Shane Kelton)

Summary/History:

The City entered into a new contract for waste collection with Republic Services LTD. on August 1, 2014. The new contract created a new system of automated curbside waste collection for the citizens of San Angelo. Over the course of the last several months, citizens have had to adjust to the new system. Staff has received feedback from citizens regarding the new system, and possible changes that need to be made to meet the demands of our population. Based on this feedback, staff proposed amending the waste collection contract at the June 7, 2016 Council Meeting. The proposed amendment would have allowed for increased collection of bulk items on a monthly basis in exchange for reducing the recycle collection to once every other week. Council voted to postpone the item and directed staff to gather more feedback from the citizens on what changes they would like to see in the waste collection system. Staff has held two public forums and published a survey to gather the requested feedback from citizens.

Financial Impact:

Changes to the current waste collection contract could result in an increased rate for waste collection services.

Other Information/Recommendation:

Staff is seeking direction from council on how they would like to proceed with possible changes to the waste collection contract.

Attachments:

1. SWSTE 11-1-16 Trash Discussion SWSTE 11-1-16 CC Trash Discussion Draft.pptx

Presentation:

Director of Operations Shane Kelton

Approvals/Reviews:

Jeremy Miller	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

City Council

November 1, 2016

Previous Discussion on Changes to Collection Service

- June 7, 2016 meeting – based on feedback received from citizens, staff proposed amending waste collection contract to allow for monthly bulk collection service in exchange for reducing recycling collection service to every other week.
- Item was postponed and staff was directed to gather more feedback from citizens on the changes they would like to see in their waste collection service.

Trash Survey

- Accepted submissions Aug 1st – Sept 15th
- Survey was inserted in August water bill (approx. 30,000)
- Posted online at cosatx.us/solidwaste
- Hard copies were available at Water Billing office and City Hall
- Advertised survey on radio, newspaper, social media, and internet.

Trash Survey Results (2,993 surveys)

Question #1 Would you be in favor of supporting an increase in price in order to change type of service?

Yes 154 No 2,839

Question #2 What changes in the current type of waste collection service would you prefer to see?

Survey Results (2,993 surveys)

1,182	No change in service
1,045	Return to alley collection
605	Increase collection of bulk items
248	2x week trash collection
246	Reduce recycle service
186	Increase items accepted for recycle program
159	More notification of bulk collection dates
150	Increase number of trash carts
26	Smaller carts
24	Open market for waste collection

Summary of Trash Forum held July 7, 2016

Approximately 60 people attended and 14 people spoke.

Feedback from attendees:

Alley collection for bulk items

Keep trash/recycle curbside

Return to trash/recycle collection in alley

Provide additional trash carts for no charge

Increase free dumping at landfill to 2x per month

Summary of Trash Forum held July 7, 2016

Feedback from attendees cont'd:

Increase notification of bulk collection dates/items

Set day for bulk collection instead of current week timeframe

Do not decrease number of recycle pick ups

Accept glass in recycling program and provide more education on benefits of recycling

Increase enforcement of containers left in the street

Open Market for commercial waste collection

Summary of Trash Forum Sept. 20, 2016

Approximately 22 people attended and 15 people spoke.

Feedback from attendees:

Remove recycle processing fee

Increased education on recycling

Increase items accepted for recycling

Curbside collection for everyone

Summary of Trash Forum Sept. 20, 2016

Feedback from attendees:

Rotating schedule for waste collection service days

Centralized residential dumpsters

Waste collection 2x per week

Open market for commercial waste collection

Set day for bulk collection service

Residential use of dumpsters on temporary basis

Increased number of bulk collection dates

Moving Forward Based on Feedback

Waste Collection

- Alley Service
- 2x week waste collection
- Additional carts for no charge
- Smaller carts
- Rotating Schedule for service days
- Open market for commercial waste collection

Moving Forward Based on Feedback

Bulk Collection

- Alley collection for bulk items
- Better notification of service dates
- Set day for collection instead of week timeframe
- Increase number of service dates
- Make bulk collection a call in service
- Increase to 2x per month free dumping at landfill
- Residential use of dumpsters on temporary basis

Moving Forward Based on Feedback

Recycle Collection

- Reduce number of service dates
- Increase items accepted for recycle program
- Provide more education on benefits of recycling
- Remove recycle processing fee
- Include commercial businesses in recycle tonnage
- Increased collection of hazardous household waste

City Council

November 1, 2016

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bob Salas, Neighborhood Services Director, Code Compliance, 325-655-0824

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending Appendix A Fee Schedule, Article A4.000, Section A4.002 "Garbage, weeds, junk, and unsanitary conditions abatement fees" of the City of San Angelo Code of Ordinances to change the administrative fee from $150 to $90 per non-complied violation assessed to the property owner of a lot, tract or parcel of land for the cost of abatement under section 7.02.070 of the Code of Ordinances - (Presentation by Assistant Neighborhood Services Director James Flores)

Summary/History:

Currently, the City charges an administrative fee of $150 for all abatements by Code Compliance staff. The fee was derived by adding the cost to the city for multiple property inspections by Code Enforcement Officers, administrative actions to set up and track files, cost of mailing, and billing actions. The fee also serves as a deterent against future violations.

There is citizen concern that the admin fee is too high and unfairly punishes low income citizens, many who are elderly and on fixed incomes. Council has requested that staff review the fee and recommend a lower amount that will not be so onerous on citizens, but still provides an effective tool for compliance of code violations. Staff's recommends no less than $90 per abatement which is based on the amount Municipal Court charges.

If approved, the impact to the budget will be a loss of approximately $30K (500 abatements @ $150 - $60 per abatement).

Financial Impact:

If approved, the budget will see a loss of approximately $30K.

Other Information/Recommendation:

Staff recommends lowering the admin fee to no less than $90.

Attachments:

1. Abatement admin fee ordinance change 17-042 Fee Ordinance admin fees abatement- First reading.docx

Presentation:

By James Flores, Assitant Director of Neighborhood & Family Services Dept

Approvals/Reviews:

Bob Salas	Created/Initiated
Theresa James	Approved

Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN ORDINANCE AMENDING APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO TEXAS, BY AMENDING ARTICLE A4.000 "FEES FOR ABATEMENT", SECTION A4.002 "GARBAGE, WEEDS, JUNK AND UNSANITARY CONDITIONS ABATEMENT FEES", PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A "Fee Schedule" of the Code of Ordinances is hereby amended by amending Article A4.000 "Fees for Abatement" Section A4.002 "Garbage, Weeds, Junk and Unsanitary Conditions and Abatement Fees" as set out below:

Article A4.000, Section A4.002 shall read as follows:

"**Sec. A4.002 Garbage, weeds, junk and unsanitary conditions abatement fees**

An administrative fee of $90~~150~~.00 dollars per non-complied violation shall be assessed to the property owner of a lot, tract or parcel of land for the cost of abatement under section 7.02.070 of the Code of Ordinances, plus:

(1) $372.60 per 6-yard dump truck load for junk or trash that is removed from a lot, tract or parcel of land.

(2) $572.60 per 12-yard dump truck load for junk or trash that is removed from a lot, tract or parcel of land.

(3) $45.00 per hour for mowing services performed on a lot, tract or parcel of land."

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

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

3) THAT, this Ordinance shall be effective on, from and after the 15th day of November 2016.

INTRODUCED with public hearing on the 1st day of November, 2016, and finally PASSED, APPROVED and ADOPTED on this the 15th day of November, 2016.

CITY OF SAN ANGELO

_____
Dwain Morrison, Mayor

ATTEST:

_____
Bryan Kendrick, City Clerk

Approved as to Form:

_____
Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing for Case Z16-07, an Ordinance approving a request for a rezoning from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for property generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, on 30.00 acres (Presentation by Planning & Development Director Jon James)

Summary/History:

The vacant subject property, as part of an overall 96-acre unplatted tract, was annexed in June of 2011 and contained the former West Texas Utilities Generation Facility, which was decommissioned in 2003 and demolished in 2014. As part of the annexation, the subject area was initially zoned Ranch and Estate (R&E), in accordance with §302 of the Zoning Ordinance, to function as a holding or reserve zone until such time when the Planning Commission recommends a zoning plan of the property to the City Council. The 2013 Lake Nasworthy Master Plan designates the area within which the subject property is situated as an Area of Special Opportunity (Zone 4). Among the desired land uses programmed for the overall area include recreational trails, recreational activities such as windsurfing and zip-lining, development of a nature center, hotel, residential development and retail/commercial development. The subject property is designated as a "Transitional" Future Land Use under the current Vision Plan and has over 1,700 linear feet of frontage along Knickerbocker Road (Texas Ranch-to-Market Road 584). The owner/petitioner, Glen Meadows Baptist Church, is requesting approval of an application to rezone the subject property from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for a proposed religious institution.

Financial Impact:

N/A

Other Information/Recommendation:

On September 19, 2016, the Planning Commission reviewed the subject request. Commissioner Jackson made a Motion to recommend APPROVAL of the Zone Change from "Ranch and Estate (R&E)" to "General Commercial (CG)." Commissioner Farmer seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

Attachments:

1.	Draft Ordinance	Z16-07 Ordinance.docx
2.	Exhibit A	Z16-07 Ordinance_Ex-A.pdf
3.	Staff Report	Z16-07_Staff_Report_City Council.docx

Presentation:

Jon James

Approvals/Reviews:

Jon James	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Jon James	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **A 30.00-acre unaddressed tract; generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, and more specifically being 30.00 acres out of the C. Damman Survey, Number 180, Abstract 141, Tom Green County, Texas, as recorded under Document 201600574, Official Property Records, Tom Green County, Texas** FROM RANCH AND ESTATE (R&E) ZONING DISTRICT TO GENERAL COMMERCIAL (CG) ZONING DISTRICT**;** AND PROVIDING FOR SEVERABILITY

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and state law regarding zoning regulations and zoning map, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that zoning changes should be made as set out herein;

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

SECTION 1: Chapter 12 of the Code of Ordinances of the City of San Angelo, the basic Zoning Ordinance for the City adopted on January 4, 2000, and the Zoning Map be and the same are hereby amended as follows:

A 30.00-acre unaddressed tract; generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, and more specifically being 30.00 acres out of the C. Damman Survey, Number 180, Abstract 141, Tom Green County, Texas, as recorded under Document 201600574, Official Property Records, Tom Green

County, Texas, zoned Ranch and Estate (R&E) Zoning District shall henceforth be permanently zoned General Commercial (CG) Zoning District.

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to correct Zoning District Maps in the Office of the Director of the Planning and Development Services Department, to reflect the herein described changes in zoning.

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

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

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

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

INTRODUCED on the **18th day of October, 2016,** and finally PASSED, APPROVED AND ADOPTED on this, the **1st day of November, 2016.**

THE CITY OF SAN ANGELO

_____
Dwain Morrison, Mayor

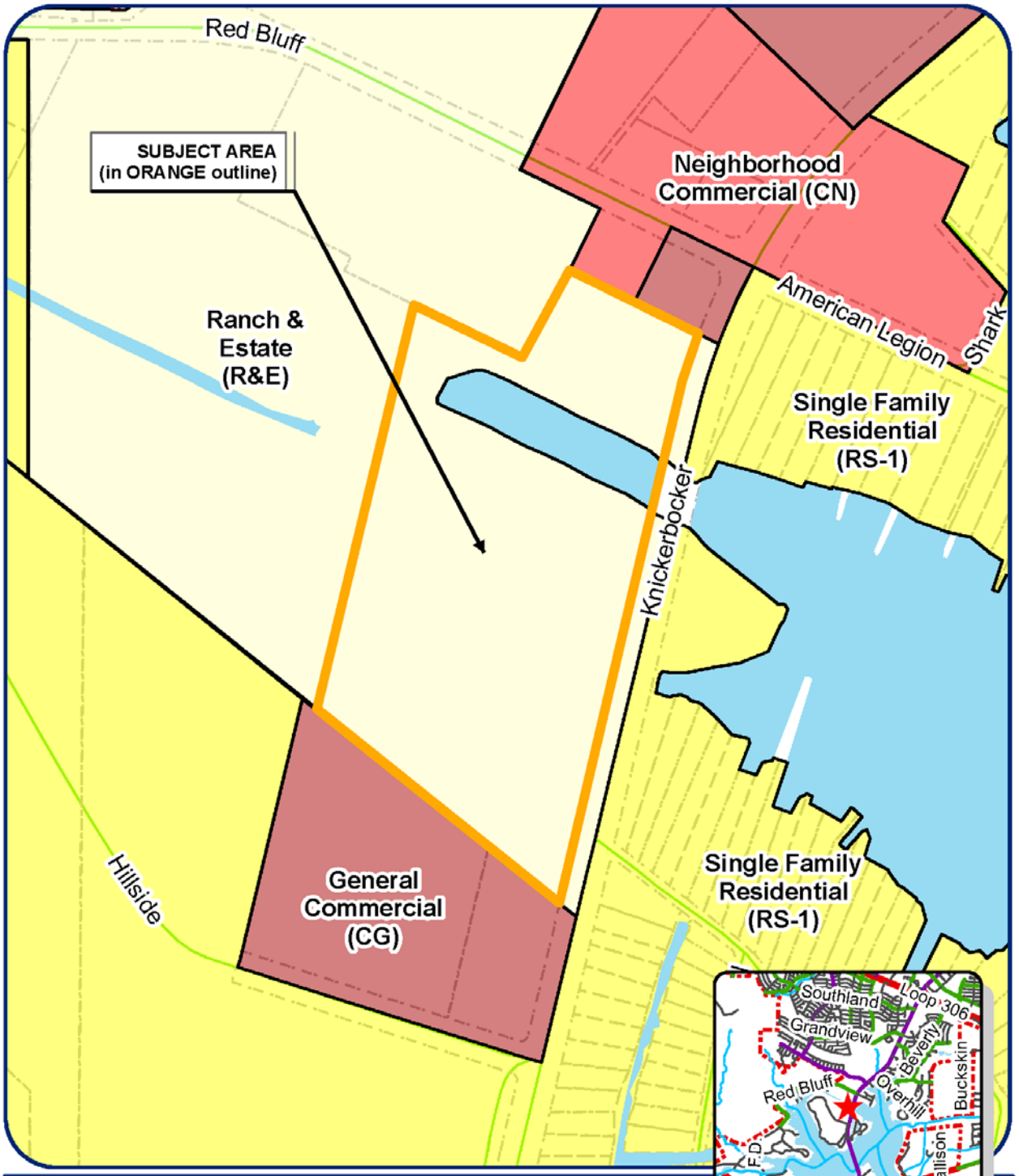
ATTEST:

_____
Bryan Kendrick, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT A (PG 1 OF 6)



Zoning Case Files

Z16-07 Glen Meadows Baptist Church

Council District: SMD #1 (Richardson)
Neighborhood: Nasworthy
Scale: 1 inch :: 400 feet
Legal Description: 30.00 ac out of the C. Damman Survey 180, ABS-141 (Doc 201600574, OPR)

Legend

Subject Properties:
Current Zoning: R&E
Requested Zoning Change: CG
Vision: Transition

N

COPYRIGHT 2015
THIS SURVEY IS PROTECTED BY ALL APPLICABLE STATE AND FEDERAL COPYRIGHT LAWS. THIS SURVEY IS VOID WITHOUT AN ORIGINAL SIGNATURE AND SEAL.

EXHIBIT A (PG 2 OF 6)

PLAT SHOWING A SURVEY OF 30.000 ACRES OF LAND, A 1.299 ACRE EASEMENT AND A 1.927 ACRE EASEMENT OUT OF CARL DAMMANN SURVEY 180, ABSTRACT NO. 141, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS AND ALSO BEING OUT OF THAT CERTAIN 96.314 ACRE TRACT DESCRIBED AND RECORDED IN INSTRUMENT No. 654475, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF TOM GREEN COUNTY, TEXAS.

(REFER TO 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.

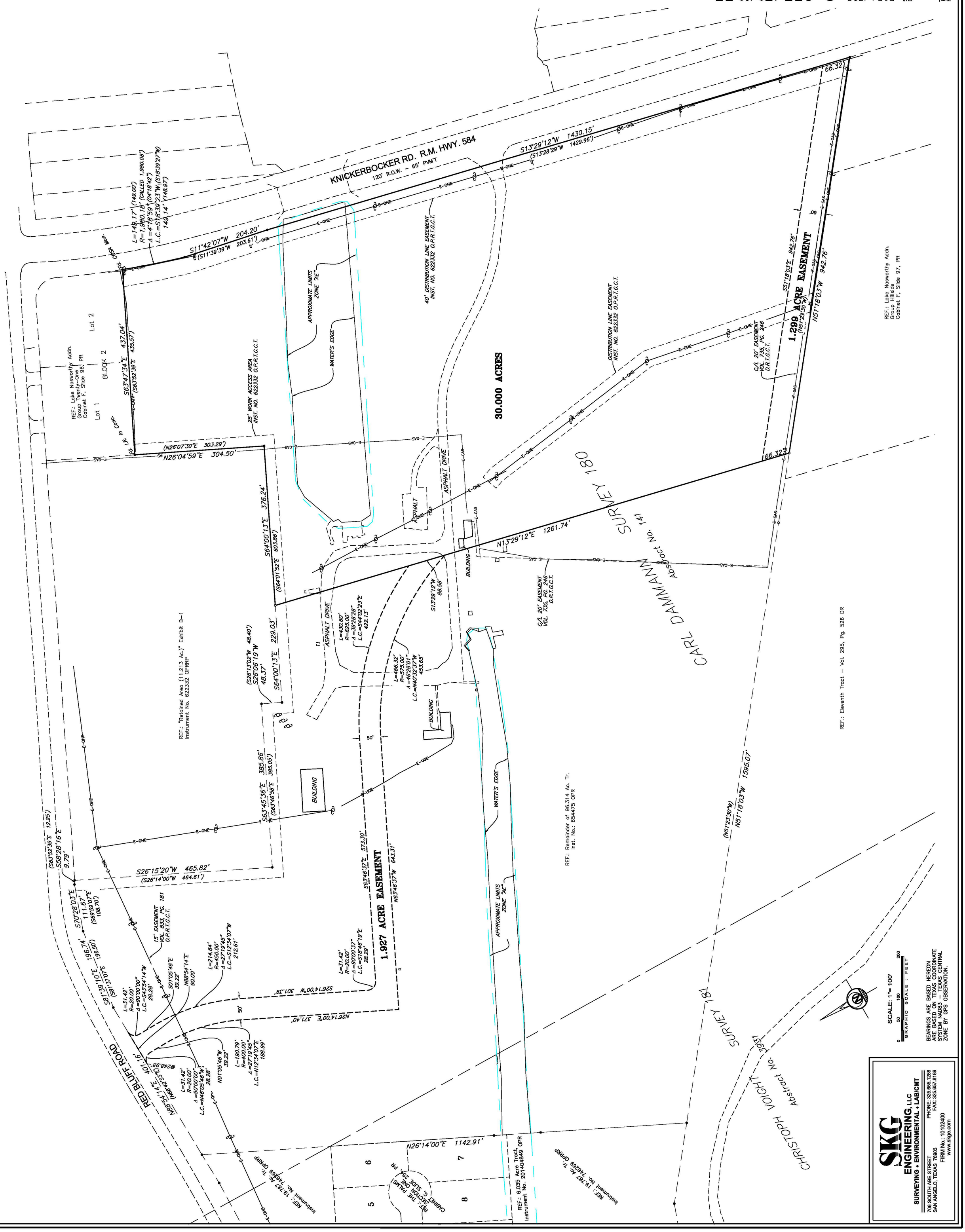
This survey is prepared for the exclusive use and benefit of the parties listed. Use of this survey by a third party may not be transferred or assigned. Not valid without the signature and the original seal of a Registered Professional Land Surveyor.

Surveyed on the ground December 2015
Dated January 6, 2016.

RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

STATE OF TEXAS REGISTERED RUSSELL T. GULLY 5636 PROFESSIONAL LAND SURVEYOR

15-S-1520



SKG ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT
706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.655.1288
FAX: 325.657.8189
FIRM No.: 10102400
www.skge.com

EXHIBIT A
Page 1 of 2 Pages

UNOFFICIAL COPY

FIELD NOTES

30.000 Acres

January 7, 2016
15-S-1520_30 Ac.

Being an area of 30.000 acres of land out of and a part of Carl Damman Survey 180, Abstract No. 141, Tom Green County, Texas and said 30.000 acre tract also being out of that certain 96.314 acre tract described and recorded in Instrument No. 654475, Official Public Records of Tom Green County, Texas and said 30.000 acre tract being more particularly described by metes and bounds as follows:

Beginning at a City of San Angelo (COSA) monument found for the northeast corner of this tract and said 96.314 acre tract and also being in the west right-of-way line of Knickerbocker Road (R. M. Highway 584);

Thence with the east line of this tract and said 96.314 acre tract and west line of said Knickerbocker Road (R. M. Highway 584) with a curve to the left, having a radius of 1980.18 feet (Called 1980.08 feet) , central angle of 04° 18' 59" (Called 04° 18' 42"), arc length of 149.17 feet (Called 149.00 feet) and whose long chord bears S. 18° 39' 23" W. 149.14 feet, (Called S. 18° 39' 27" W. 148.97 feet) to a ½" iron rod with cap found for the end of this curve;

Thence continuing with the east line of this tract and west line of said Knickerbocker Road (R. M. Highway 584), S. 11° 42' 07" W. 204.20 feet (Called S. 11° 39' 39' W. 203.61 feet) to a ½" iron rod with cap found for angle corner, S. 13° 29' 12" W. 1430.15 feet (Called S. 13° 28' 29" W. 1429.96 feet) to a ½" iron rod with cap found for the southeast corner of this tract and said 96.314 acre tract;

Thence with the south line of this tract and said 96.314 acre tract, N. 51° 18' 03" W. (Called N. 51° 23' 30" W.) 942.76 feet to a ½" iron rod with cap set for the southwest corner of this tract;

Thence with the west line of this tract and across said 96.314 acre tract, N. 13° 29' 12" E. 1261.74 feet to a ½" iron rod with cap set for angle corner and being in the south line of a certain "Retained Area (11.213 Ac.)" Exhibit B-1, described and recorded in Instrument No. 622332, Official Public Records of Tom Green County, Texas;

Thence with the south line of said Retained Area (11.213 Ac.), S. 64° 00' 13" E. (Called S. 64° 01' 52" E.) 376.24 feet to a ½" iron rod with cap found for the southeast corner of said Retained Area (11.213 Ac.) and an ell corner of this tract;

Thence with the east line of said Retained Area (11.213 Ac.), N. 26° 04' 59" E. 304.50 feet (Called N. 26° 07' 30" E. 303.29 feet) to an iron rod in concrete found for an ell corner of this tract and said 96.314 acre tract;

EXHIBIT A
Page 2 of 2 Pages

Thence with the easterly north line of this tract and said 96.314 acre tract, S. 63° 47' 34" E. 437.04 feet (Called S. 63° 52' 39" E. 435.57 feet) to the place of beginning and containing an area of 30.000 acres of land.

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

See Attached Plat of Survey.

Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 1010240

STATE OF TEXAS
REGISTERED
RUSSELL T. GULLY
5636
PROFESSIONAL
LAND SURVEYOR

UNOFFICIAL COPY

EXHIBIT B
Page 1 of 2 Pages

FIELD NOTES

1.927 Acre Easement

January 8, 2016
15-S-1520_1.927 Ac.

Being an area of 1.927 acres of land out of and a part of Carl Damman Survey 180, Abstract No. 141, Tom Green County, Texas and said 1.927 acre tract also being out of that certain 96.314 acre tract described and recorded in Instrument No. 654475, Official Public Records of Tom Green County, Texas and said 1.927 acre tract being more particularly described by metes and bounds as follows:

Beginning at a point in the south Right-of-Way line of Red Bluff Road and in the north line of said 96.314 acre tract and being the northwest corner of this tract from which the northeast corner of a certain 19.787 acre tract described and recorded in Instrument Number 746269, Official Public Records of Tom Green County, Texas bears S. 88° 54' 14" W. (Called S. 88° 42' 53" W.) 248.98 feet;

Thence with said south Right-of-Way line of Red Bluff and the north line of said 96.314 acre tract N. 88° 54' 14" E. (Called N. 88° 42' 53" E.) 90.00 feet to the most northerly corner of this tract and the beginning of a curve to the left;

Thence with said curve to the left, having a radius of 20.00 feet, central angle of 90° 00' 00", arc length of 31.42 feet and whose long chord bears S. 43° 54' 14" W. 28.28 feet to a point of tangency;

Thence S. 01° 05' 46" E. 39.22 feet to a point of curvature and the beginning of a curve to the right;

Thence with said curve to the right, having a radius of 450.00 feet, central angle of 27° 19' 45", arc length of 214.64 feet and whose long chord bears S. 12° 34' 07" W. 212.61 feet to a point of tangency;

Thence S. 26° 14' 00" W. 301.39 feet to a point of curvature and the beginning of a curve to the left;

Thence with said curve of the left, having a radius of 20.00 feet, central angle of 90° 00' 37", arc length of 31.42 feet and whose long chord bears S. 18° 46' 19" E. 28.29 feet;

Thence S. 63° 46' 37" E. 573.30 feet to a point of curvature and the beginning of a curve to the right;

Thence with said curve to the right, having a radius of 625.00 feet, central angle of 39° 28' 28", arc length of 430.60 feet and whose long chord bears S. 44° 02' 23" E. 422.13 feet;

UNOFFICIAL COPY

EXHIBIT B
Page 2 of 2 Pages

Thence S. 13° 29' 12" W. 88.58 feet to the beginning of a curve of the left;

Thence with said curve to the left, having a radius of 575.00 feet, central angle of 46° 28' 01", arc length of 466.32 feet and whose long chord bears N. 40° 32' 37" W. 453.65 feet to a point of tangency;

Thence N. 63° 46' 37" W. 643.31 feet to an angle corner of this tract;

Thence N. 26° 14' 00" E. 371.40 feet to the beginning of a curve to the left;

Thence with said curve to the left, having a radius of 400.00 feet, central angle of 27° 19' 45", arc length of 190.79 feet and whose long chord bears N. 12° 34' 07" E. 188.99 feet to a point of tangency;

Thence N. 01° 05' 46" W. 39.22 feet to a point of curvature and the beginning of a curve to the left;

Thence with said curve to the left, having a radius of 20.00 feet, central angle of 90° 00' 00", arc length of 31.42 and whose long chord bears N. 46° 05' 46" W. 28.28 feet to the place of beginning and containing an area of 1.927 acres of land.

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

See Attached Plat of Survey.

Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 1010240

STATE OF TEXAS REGISTERED RUSSELL T. GULLY 5636 PROFESSIONAL LAND SURVEYOR

CERTIFIED FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Elizabeth McGill County Clerk
Tom GreenCounty, Texas
01/19/2016 11:42 AM
Fee: $54.00
201600574 DE

UNOFFICIAL COPY

STAFF REPORT

City Council Meetings: November 1, 2016
November 15, 2016

From: Jon James, AICP
Director of Planning and Development Services

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case: Z16-07: Glen Meadows Baptist Church

Request: A request for approval of a Zone Change from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District

Location: A 30.00-acre unaddressed tract; generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive

Legal Description: 30.00 acres out of the C. Damman Survey, Number 180, Abstract 141, Tom Green County, Texas, as recorded under Document 201600574, Official Property Records, Tom Green County, Texas.

Size: 30.00 acres

SYNOPSIS (KEY POINTS):

After careful analysis, the following conclusions were reached:

- Religious Institutions, and their accessory uses like schools, day care, etc. are permitted by right in the Neighborhood Commercial (CN) Zoning District, and

staff is supportive of both the proposed use and a rezoning to the Neighborhood Commercial District.

- The proposed General Commercial (GC) zoning carries numerous land uses that do not appear to further the goals and objectives of both the City's Comprehensive Plan and the Lake Nasworthy Master Plan and would allow for more lot coverage, more outdoor storage, and no height limit as compared to the Neighborhood Commercial (CN) zoning district.

- Adjacency to a major arterial roadway does not always constitute sufficient grounds for this level of intense zoning. In this particular instance, the City has determined that whatever develops in this area will greatly impact Lake Nasworthy to the south, therefore thoughtful development is essential.

- It does not appear that adequate public facilities are currently in place to support new development. Any further contributions to existing sewer facilities will either greatly diminish levels of service or result in general failure, despite whatever stop-gap measures may be provided.

Based on the analysis and conclusions, as referenced under this synopsis, staff recommends APPROVAL of a rezoning to the **Neighborhood Commercial (CN) Zoning District** instead of the requested General Commercial (CG) Zoning District, as it will be more in keeping with the property's Future Land Use designation of "Transitional" and the Lake Nasworthy Master Plan designation of the site as an "Area of Special Opportunity."

General Information

Future Land Use: Transitional

Current Zoning: Ranch and Estate (R&E) Zoning District

Existing Land Use: Former W.T.U. Electric Power Plant

Surrounding Zoning / Land Use:

North:	General Commercial (CG); Neighborhood Commercial (CN)	Commercial Retail
West:	Ranch & Estate (R&E)	Vacant land
South:	General Commercial (CG)	Commercial Campground (KOA); Vacant Land

East:	Single-family Residential (RS-1)	Public Park; Single-family Residential

District: SMD #1 – Richardson

Neighborhood: Nasworthy

Thoroughfares/Streets:

Knickerbocker Road (RM 584) is defined as an Urban "Major Arterial" roadway in the City's Master Thoroughfare Plan (MTP) and is under TX-DOT jurisdiction. Urban Arterial Roads have their origin and termination at some point outside of the City limits and are designed to connect Collector Streets to freeways and other arterials that carry large volumes of traffic at high speeds and typically require a minimum right-of-way width of 80 feet and a minimum paving width of 64 feet.

History and Background:

The vacant subject property, as part of an overall 96-acre unplatted tract, was annexed in June of 2011 and contained the former West Texas Utilities Generation Facility, which was decommissioned in 2003 and demolished in 2014. As part of the annexation, the subject area was initially zoned Ranch and Estate (R&E), in accordance with §302 of the Zoning Ordinance, to function as a holding or reserve zone until such time when the Planning Commission recommends a zoning plan of the property to the City Council. The 2013 Lake Nasworthy Master Plan designates the area within which the subject property is situated as an Area of Special Opportunity (Zone 4). Among the desired land uses programmed for the overall area include recreational trails, recreational activities such as windsurfing and zip-lining, development of a nature center, hotel, residential development and retail/commercial development. The subject property is designated as a "Transitional" Future Land Use under the current Vision Plan and has over 1,700 linear feet of frontage along Knickerbocker Road (Texas Ranch-to-Market Road 584). The owner/petitioner, Glen Meadows Baptist Church, is requesting approval of an application to rezone the subject property from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for a proposed religious institution. Details on the CG Zoning District, including development standards and allowable land uses, are furnished with this report.

Analysis:

Zoning: The subject property is presently classified as Ranch and Estate (R&E). The Ranch and Estate District is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one acre in a suburban or

rural setting. This District is also intended to serve as a holding zone for vacant land areas annexed to the City.

The Petitioner is seeking a rezoning to General Commercial (CG). The CG District is intended to provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than Neighborhood Commercial uses. Properties within the CG zoning district are allowed to contain Type-2 limited outdoor storage, provided that this type of storage is screened from adjacent residential uses and does not exceed 1,000 square feet or 10 percent of the total site area, whichever is greater. Vehicles, including boats, are not considered merchandise, material or equipment and are therefore exempt from this requirement, however.

Under GC zoning, unlimited numbers of shipping containers may be used as accessory storage buildings. Although religious institutions and their accessory components are allowed in the CG zone, the proposed rezoning could potentially facilitate the development of these other uses, as well:

- Carnivals, concerts and fairs
- Bars and taverns as conditional uses
- Automobile and boat dealerships
- Game halls as conditional uses
- Outdoor recreational venues as special uses
- Equipment, machinery and heavy vehicle rental as a conditional use
- Self-storage
- Vehicle repair as a conditional use
- Car wash, automated and self-service
- Industrial service firm as a conditional use
- Bus terminal as a conditional use
- Small scale fabrication, craft work generally for on-site resale
- Warehousing and freight movement as a conditional use

The proposed use, a Religious Institution, is also the more benign of uses when compared to what could be allowed under the proposed CG zoning, and such use would appear to be in keeping with both the City's 2009 Comprehensive Plan and the Lake Nasworthy Master Plan with respect to gateway development along this segment of Knickerbocker. The Petitioner has indicated that the proposed use for the property is a "Religious Institution." All things considered, the proposed rezoning to GC is too intensive for the intended use, therefore a lesser classification such as Neighborhood Commercial is more appropriate. Religious Institutions, and their accessory uses like schools, day care, etc. are permitted by right in the Neighborhood Commercial Zoning District, and Staff is supportive of both the proposed use and a rezoning to Neighborhood Commercial. The General Commercial Zoning District, however, does not appear be in keeping with either the Comprehensive Plan or the Lake's Master Plan, since this would lay the foundation

for subsequent unfettered commercial development within the gateway, which is contrary to the intent of either plans as indicated in the following analyses.

Lake Nasworthy Master Plan: This Plan was adopted by City Council in November of 2013. According to the adopted Master Plan, this site would be optimal for lodging, multi-family residential and roadside retail and restaurant uses. The subject property will be located in an area that will have special access to fitness trails and will have close proximity to other lake-related assets. This area will function as a gateway to Lake Nasworthy and the lake's Harbor Village, proposed for the south end of the causeway.

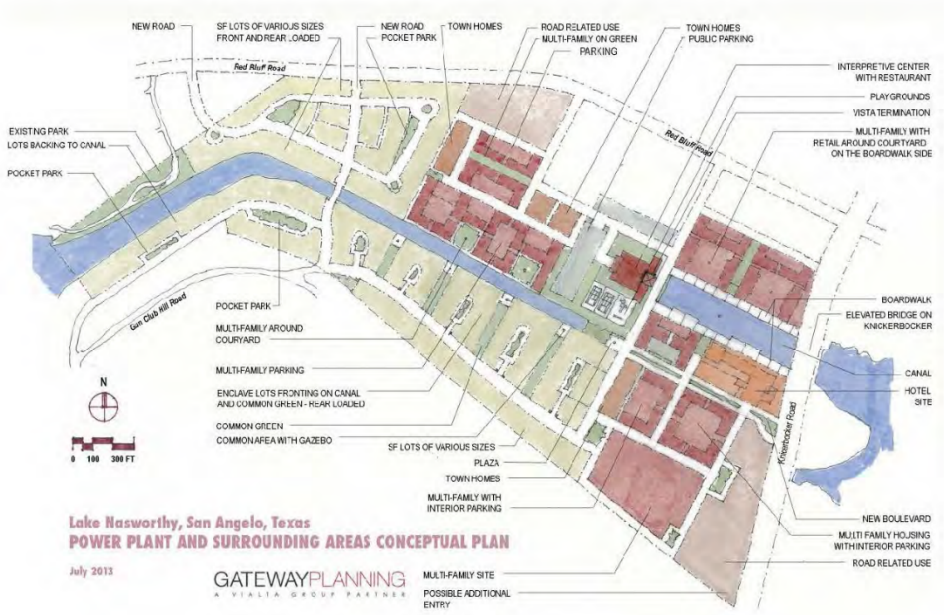
Zone 4: Special Opportunity

The complete dismantling of the power plant was intended to create an attractive piece of property near Lake Nasworthy available for redevelopment (p. 56). The subject property is part of an overall unique parcel because of its proximity to the lake as well as the canal that bisects the property, no to mention its frontage along Knickerbocker Road. City leaders at the time that the Master Plan was adopted envisioned the site to be a mixed use concept with a single family neighborhood, multifamily buildings, and a hotel served by neighborhood retail and commercial.

The exhibit below provides a concept as to how the hotel, restaurants, retail and housing could be incorporated with pocket parks and public spaces on the power plant site; functional access to the canal for recreation; and access points for new roadway connections and trails through the area consistent with the proposed trail plan. Finally, the illustrative concept shows a

location near the proposed hotel that could act as a regional interpretive heritage center and restaurant.

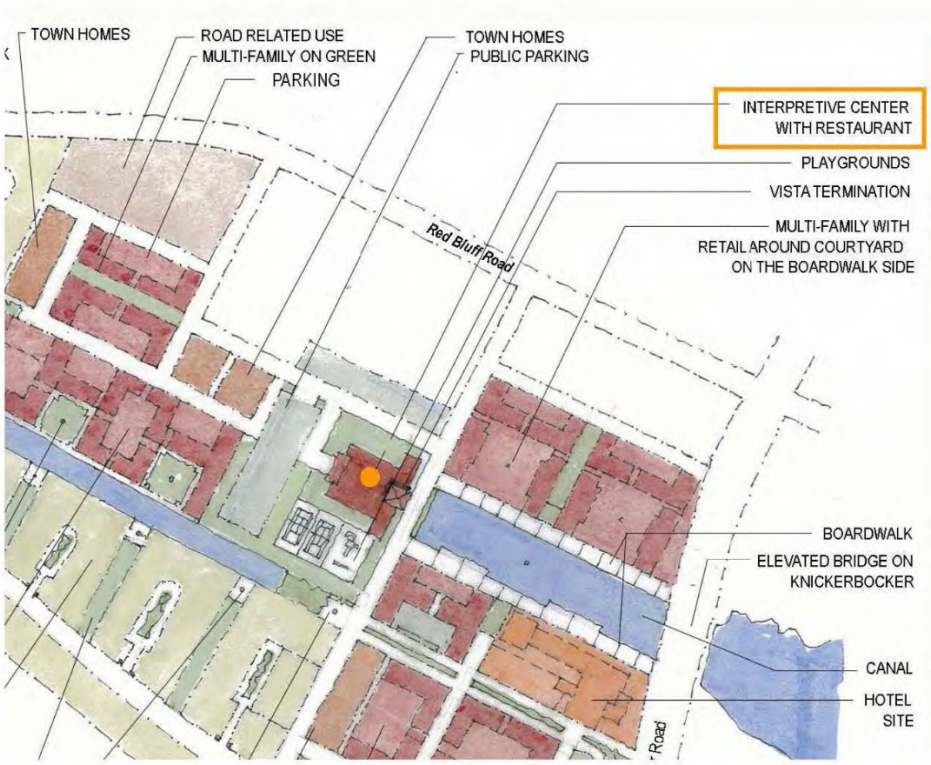
Image 59



Power Plant Site Illustrative concept

The Master Plan further states: “As this is a portion of the lake that has not been designed for recreation access or community character, street and trail connectivity will be especially critical to making the development special and appropriate for its key location. This is especially true given the popularity of Gun Club Hill next door. Accordingly, a careful approach to planning, infrastructure design, and zoning will be critical to achieving both appropriate returns for the private owners, future developers, and the public interest in this gateway property providing a destination speaking and connecting to this new vision for Lake Nasworthy. The bottom line is that this approach will allow a proactive vision for the site that would encourage place-based development with public benefit.”

Image 60



Heritage Center

Comprehensive (Vision) Plan: This update to the original 2003 Comprehensive Plan, also known as the City's Vision Plan, was adopted by City Council in 2009. The subject area currently has a Future Land Use designation of "Transitional." This designation extends along the property's entire Knickerbocker Road frontage. Based on the relationship of the subject property to the Lake Nasworthy Master Plan, the current Future Land Use designation appears reasonable and appropriate.

According to the Comprehensive Plan, there are two types of Transitional areas, the first involving conversions of commercial corridor frontage from CG/CH zoning and related strip-style development, and the second involving the logical and proportional bridging between Neighborhood Centers or other Commercial areas and nearby neighborhoods. In either case, Transitional areas should provide for a progressive scaling of activity from more intense areas to neighborhoods which should be more passive in character. In general, Transition Areas imply increased density and greater mix of uses than neighborhoods, but not as much as in Neighborhood Centers, Downtown, or other Commercial areas. This is further expressed in Goal number two, which seeks to "…blend intensive commercial areas into neighborhoods seamlessly." The Comprehensive Plan recognizes that "commercial areas often do not make for compatible neighbors for residential uses, but rather than completely turning their back on neighborhoods, Transition Areas should be used to graduate density and intensity of activity to maintain connectivity, improve pedestrian experience, and provide areas for increased housing and nonresidential options not currently being met."

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

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*

   Both the Lake Nasworthy Master Plan and the City's Comprehensive Plan appear to agree that any development on the subject property will require a zoning category that provides for more opportunities for mixed use in an integrated context. Both Plans acknowledge that proper zoning should be in place to allow flexibility in uses while having the end products resemble as close to a master development as possible. Staff believes that a Rezoning to the Neighborhood Commercial District would be compatible with these plans.

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

   As part of the 2011 annexation, the subject property was initially zoned Ranch and Estate (R&E), in accordance with §302 of the Zoning Ordinance, to function as a holding or reserve zone until such time when the Planning Commission recommends a zoning plan of the property to the City Council. The proposed GC District will provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than Neighborhood Commercial uses. It also appears that the GC Zoning District is disproportionate to the proposed use, a Religious Institution, and therefore a lesser non-residential zoning district, like Neighborhood Commercial, may be more appropriate and reasonable.

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

   The proposed GC Zoning District does not appear to be compatible with the area. Both the Comprehensive Plan and the Lake Nasworthy Master Plan address this area in a manner quite different from other areas of the City. The 2009 Vision Plan update designated this property as "Transitional" with the realization that this area could potentially serve as the gateway to a regional recreational amenity and flourishing economic generator. The Lake's 2013 Master Plan reinforces this position by identifying the "unique nature of the varying development opportunities around the lake." If the purpose of the rezoning is for the development of a Religious Institution, as indicated in the application, then a rezoning to the Neighborhood Commercial District would be appropriate and supported by staff. A rezoning to CG, however, will potentially introduce incompatible uses that will not only have an adverse impact on

the immediately surrounding area, but on the future development of Lake Nasworthy as well.

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

   There have been no recent initiatives that have called for a change in direction from smaller, neighborhood-scaled development to more intense general commercial development for this particular area.

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.*

   There could be some appreciable effect on the natural environment. The subject property contains a canal that feeds directly into the lake. Any untreated storm run-off generated on the property could find its way into the lake through this canal, potentially cause some degree of contamination and subsequent adverse environmental impact on the lake's ecosystem.

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

   Religious Institutions serve many community needs, and staff believes such a use would be appropriate in this area. The request for CG Zoning appears somewhat disproportionate to the scale of the use being facilitated and should be reconsidered. The Petitioner has not provided evidence to suggest a need for the more intensive General Commercial zoning, when the Neighborhood Commercial zoning district is adequate for the proposed use of the property for a religious institution and related uses.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

   The proposed request for CG Zoning would appear to be counter to desired development patterns as indicated in both the Lake Nasworthy Master Plan and the City's Comprehensive Plan, which call for more scaled-down, less intensive development opportunities. A rezoning to Neighborhood Commercial, however, would support the development of a Religious Institution, which staff believes in turn would result in a logical and orderly pattern of development in this special and unique area.

Notification:

On September 2, 2016, 11 notifications were mailed out to property owners of record within a 200-foot radius of the subject area. On September 9, 2016, a separate written notice was mailed out to the local school district, in accordance with Section 211.007, Texas Local Government Code. As of the date of this publication, staff has received three responses in favor of, and zero responses in opposition to, the request.

Planning Commission Action:

This request was scheduled for review and consideration on the September 19, 2016, Planning Commission docket as Regular Agenda Item *III.2.A*. Below is an excerpt from the meeting's unofficial minutes:

> Chairperson Preiss introduced Regular Agenda Item III.2.A and read the project description into the record. David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth indicated the location for the subject area, showed existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth concluded his presentation with a recommendation of DENIAL, along with his basis for the recommendation. Mr. Stallworth indicated, however, that a zone change to the "Neighborhood Commercial" Zoning District could be supported by Staff.
>
> Mr. Russell Gully, SKG Engineering, representing Glen Meadows Baptist Church, approached the podium, identified himself, and proceeded to address the Commission. Mr. Gully posited that the Commission should approve the Zone Change as requested opining that churches are more of a "Special Opportunity" than an "Interpretive Center," as called for in the Lake Nasworthy Master Plan. Mr. Gully continued to opine that a church-affiliated school could only operate within the General Commercial zone. Mr. Gully provided the Commission with some color renderings of proposed buildings.
>
> Commissioner Crisp asked if the CN zoning category would support a school that was affiliated with a church. Chairperson Preiss asked why the City would do anything against the church, noting the good things they do. Jon James, Planning and Development Services Director, concluded that a church-affiliated school could operate on the property under a CN or CO (Office Commercial) zoning category without the need for a Conditional Use Permit. Commissioner Stribling found Mr. James' clarification acceptable. Mr. James further responded that the concerns weren't with the church itself, but rather with whatever remaining unused portions of the property that would be subject to future speculation, further stating that General Commercial did not fit either the Future Land Use under the City's Vision Plan or the direction of the Lake's

Master Plan. Commissioner Crisp asked if conditions could be imposed to accommodate the zone change request. Mr. James answered no.

Mr. Wesley Mikeska, an officer of Glen Meadows Baptist Church, approached the podium, identified himself, and proceeded to address the Commission. He indicated that about 20-25 acres would be sufficient for their development, but the church intended to sell off any surplus land to a suitable buyer at its discretion. Mr. Mikeska did clarify that a school operation was not in the church's immediate future, however. Mr. Mikeska brought up Staff's point regarding lack of adequate sewer facilities in the area to support any new development and countered that a church would be far less a strain on existing facilities than would what the Lake's Master Plan intends for that area. Mr. Mikeska appeared amenable to the possibility of changing the zoning to a less intensive zoning category. Rebeca Guerra, Planning Manager, clarified that a school affiliated with the church may be allowed under a CN zoning category, but once the school is sold off to an independent entity, Conditional Use approval would then be required. Commissioner Jackson noted that many of the uses cited in the Lake's Master Plan are allowed under the CG zone, while Commissioner Farmer opined that the CG zoning will give the church more latitude when the church divests itself of any surplus property.

Commissioner Stribling asked for clarification on Staff's recommendation for a lesser zoning category. Ms. Guerra explained that Staff did not find the request to be consistent with the City's long term Comprehensive Plan, noting that the area has a Future Land Use designation of "Transitional." Ms. Guerra further noted that the request was not consistent with the Lake's Master Development Plan, which indicates that Neighborhood Commercial would be a better fit for this area as it would employ less intensive commercial development. Mr. Stallworth noted that General Commercial zoning exists at opposite sides of the subject property, as does Neighborhood Commercial. Commissioner Spano opined that he did not see any sense behind the suggested downzoning. Mr. James noted that the KOA to the south could work in a CN zoning category. Mr. James further noted that although existing commercial uses to the north was not as intense as they could be, the underlying fear is that more intense and undesirable uses could inevitably be introduced into the area, should GC zoning be approved. Commissioner Smith asked when the existing adjacent CG zoning was put into place. Mr. James responded by stating that these zones predated the Lake's Master Development Plan. Mr. Gully approached the podium once more and reiterated that previous discussions with the City centered on introducing General Commercial-level development within the site along Knickerbocker which would be similar to that found further north along Knickerbocker. Mr. Gully concluded that any transitioning would not be between existing commercial zones along Knickerbocker, but would rather be between potential commercial development along Knickerbocker and residential uses to the west.

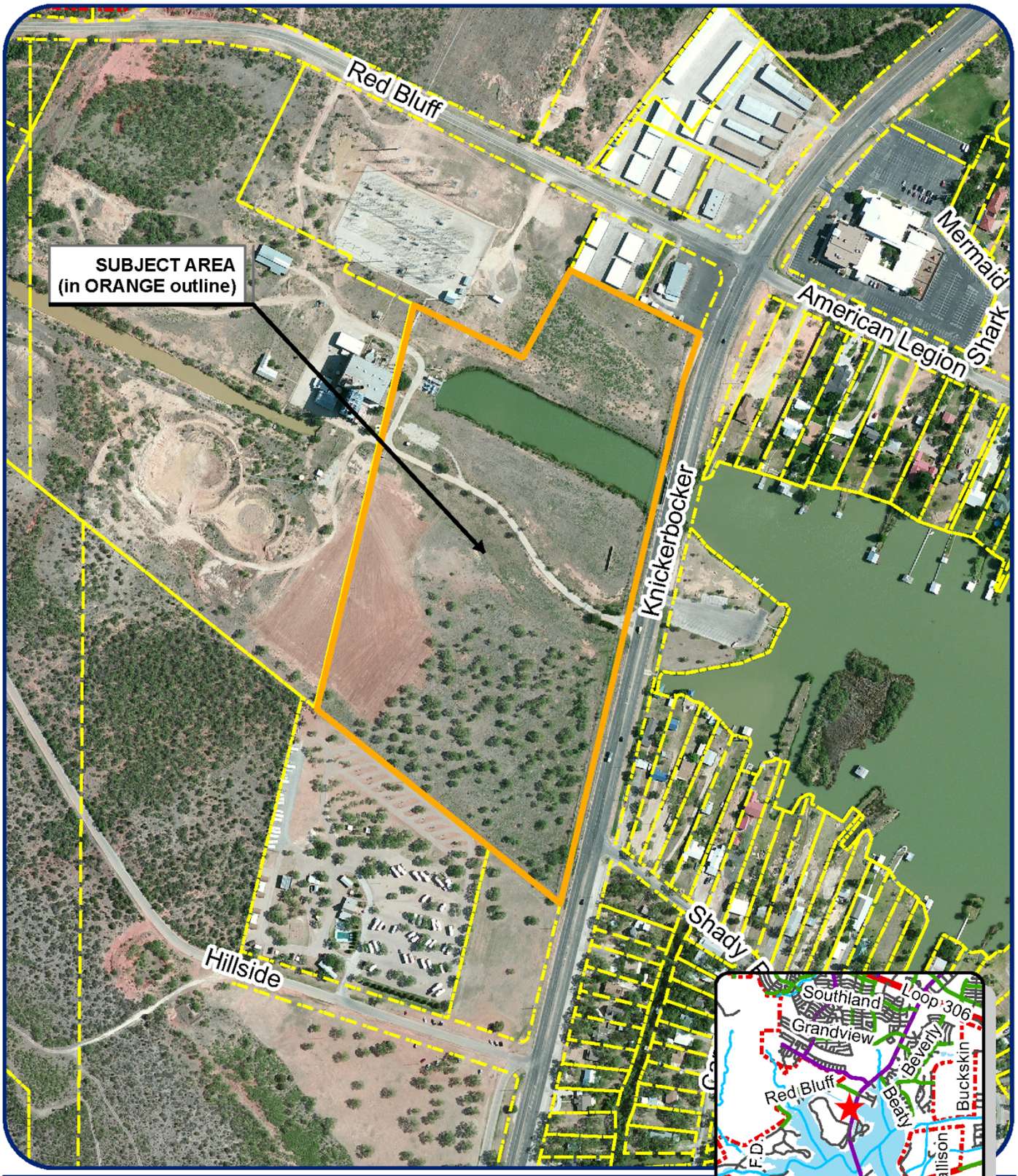
Commissioner Jackson made a Motion to recommend APPROVAL of the Zone Change from "Ranch and Estate (R&E)" to "General Commercial (CG)." Commissioner Farmer seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

Staff Recommendation:

Staff's recommendation is for City Council to **APPROVE** a Zone Change from the Ranch and Estate (R&E) Zoning District to the **Neighborhood Commercial (CN) Zoning District**.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Plan
Survey
Petitioner Justification
Excerpt of CG Permitted Uses and Provisions
Site Photographs



Zoning Case Files

Z16-07 Glen Meadows Baptist Church

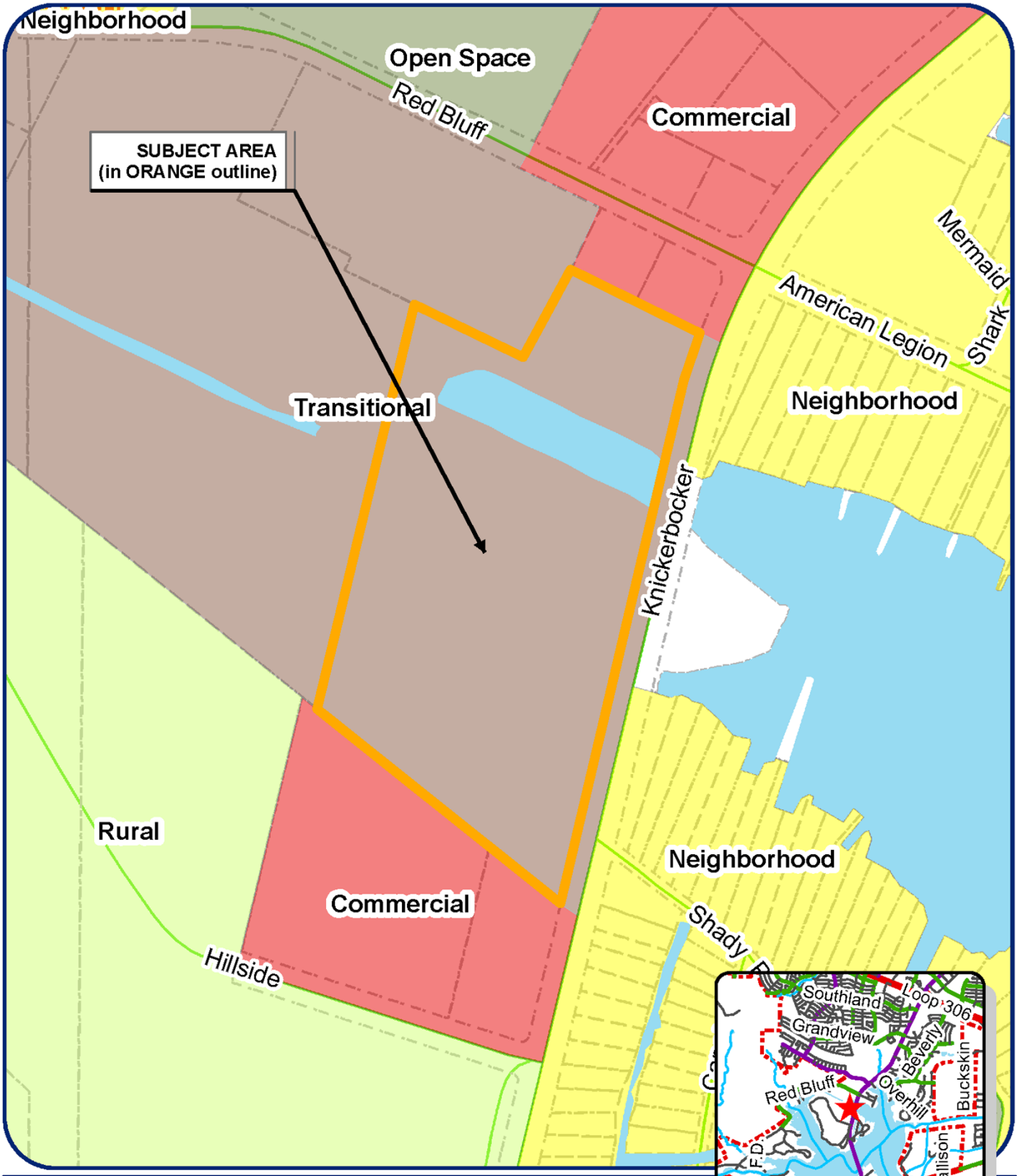
Council District: SMD #1 (Richardson)
Neighborhood: Nasworthy
Scale: 1 inch :: 400 feet
Legal Description: 30.00 ac out of the C. Damman Survey 180, ABS-141 (Doc 201600574, OPR)

Legend

Subject Properties:
Current Zoning: R&E
Requested Zoning Change: CG
Vision: Transition

N

Site-related and Area Imagery



Zoning Case Files

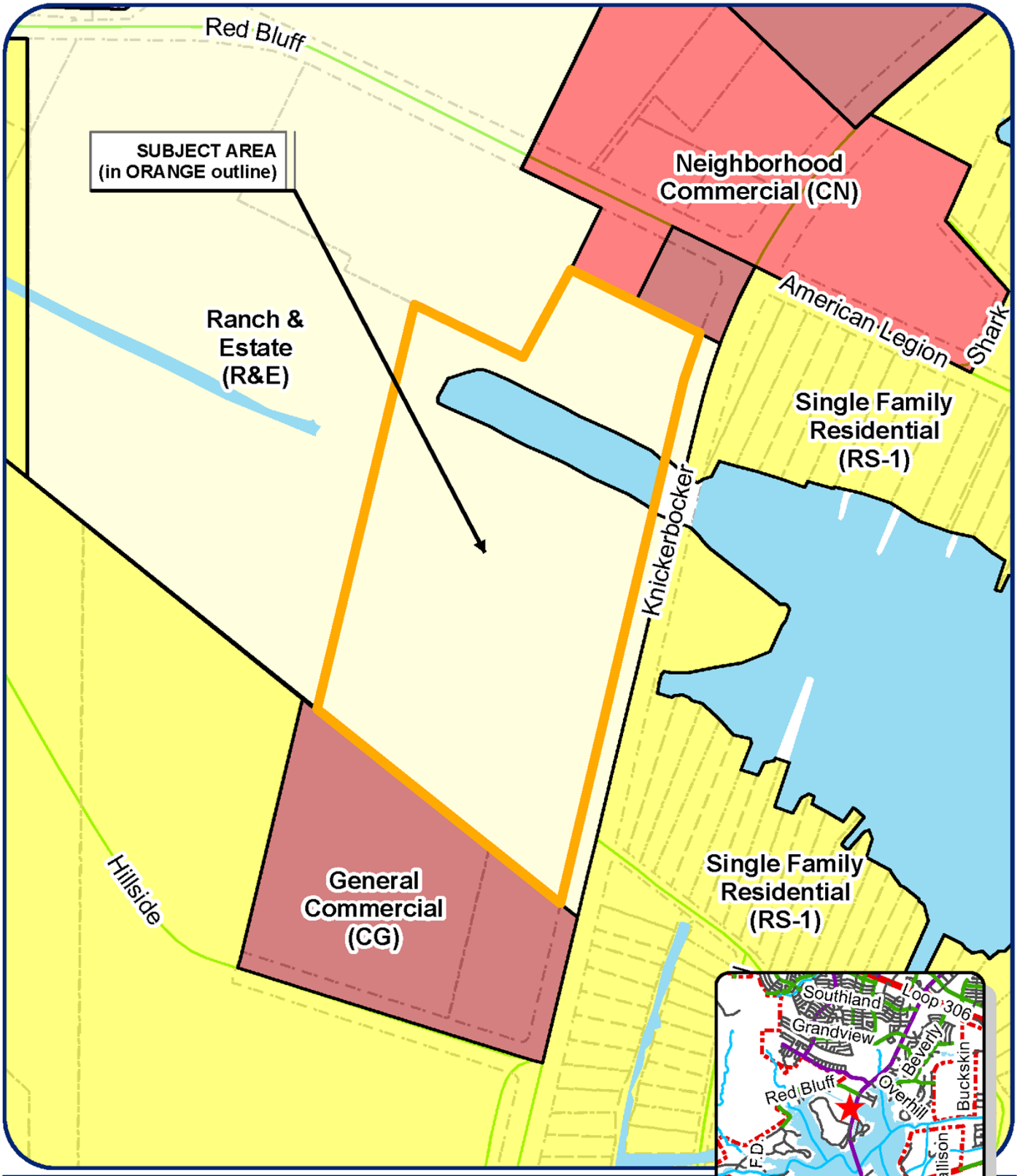
Z16-07 Glen Meadows Baptist Church

Council District: SMD #1 (Richardson)
Neighborhood: Nasworthy
Scale: 1 inch :: 400 feet
Legal Description: 30.00 ac out of the C. Damman Survey 180, ABS-141 (Doc 201600574, OPR)

Legend

Subject Properties:
Current Zoning: R&E
Requested Zoning Change: CG
Vision: Transition

N



Zoning Case Files

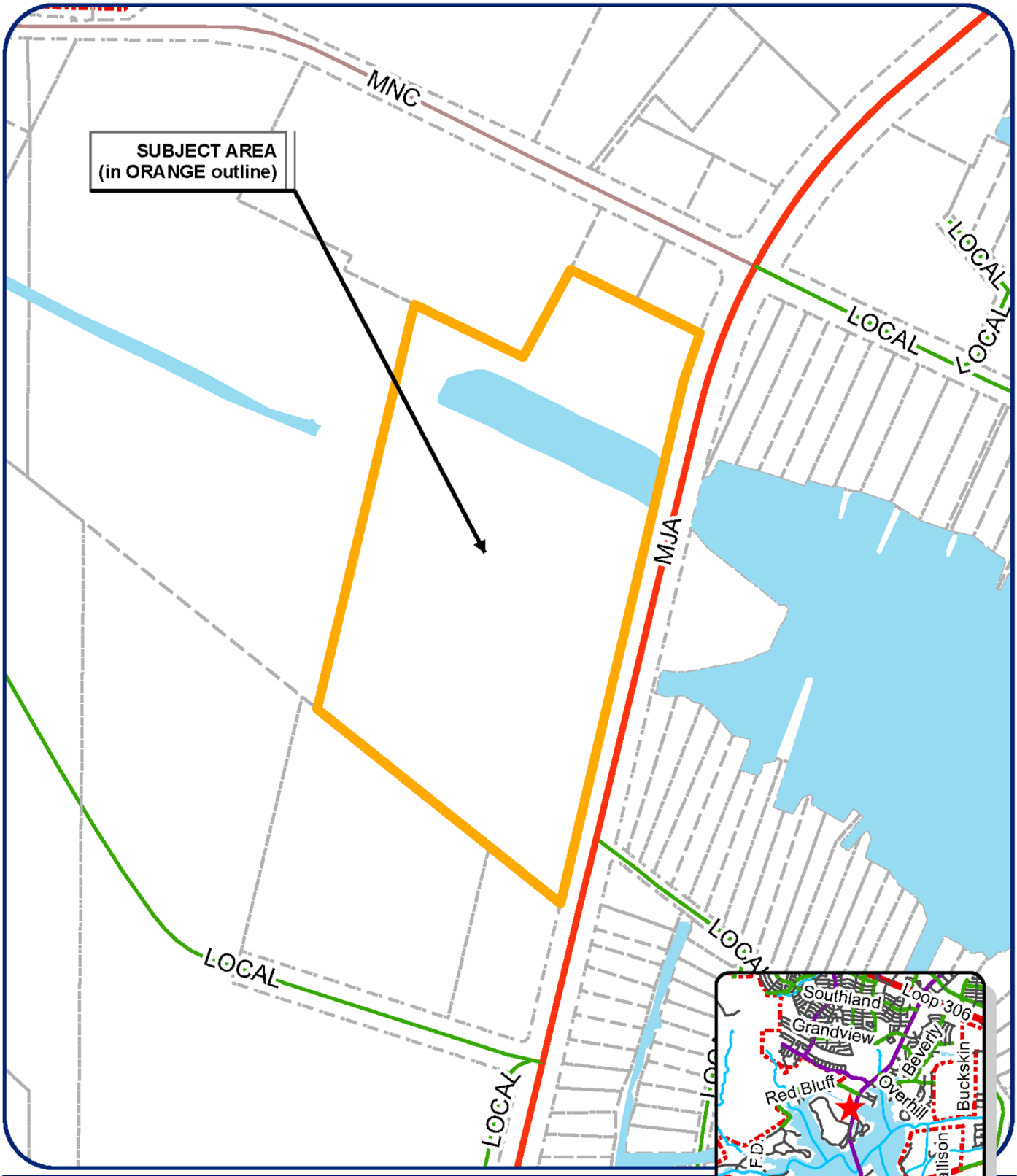
Z16-07 Glen Meadows Baptist Church

Council District: SMD #1 (Richardson)
Neighborhood: Nasworthy
Scale: 1 inch :: 400 feet
Legal Description: 30.00 ac out of the C. Damman Survey 180, ABS-141 (Doc 201600574, OPR)

Legend

Subject Properties:
Current Zoning: R&E
Requested Zoning Change: CG
Vision: Transition

N



Zoning Case Files

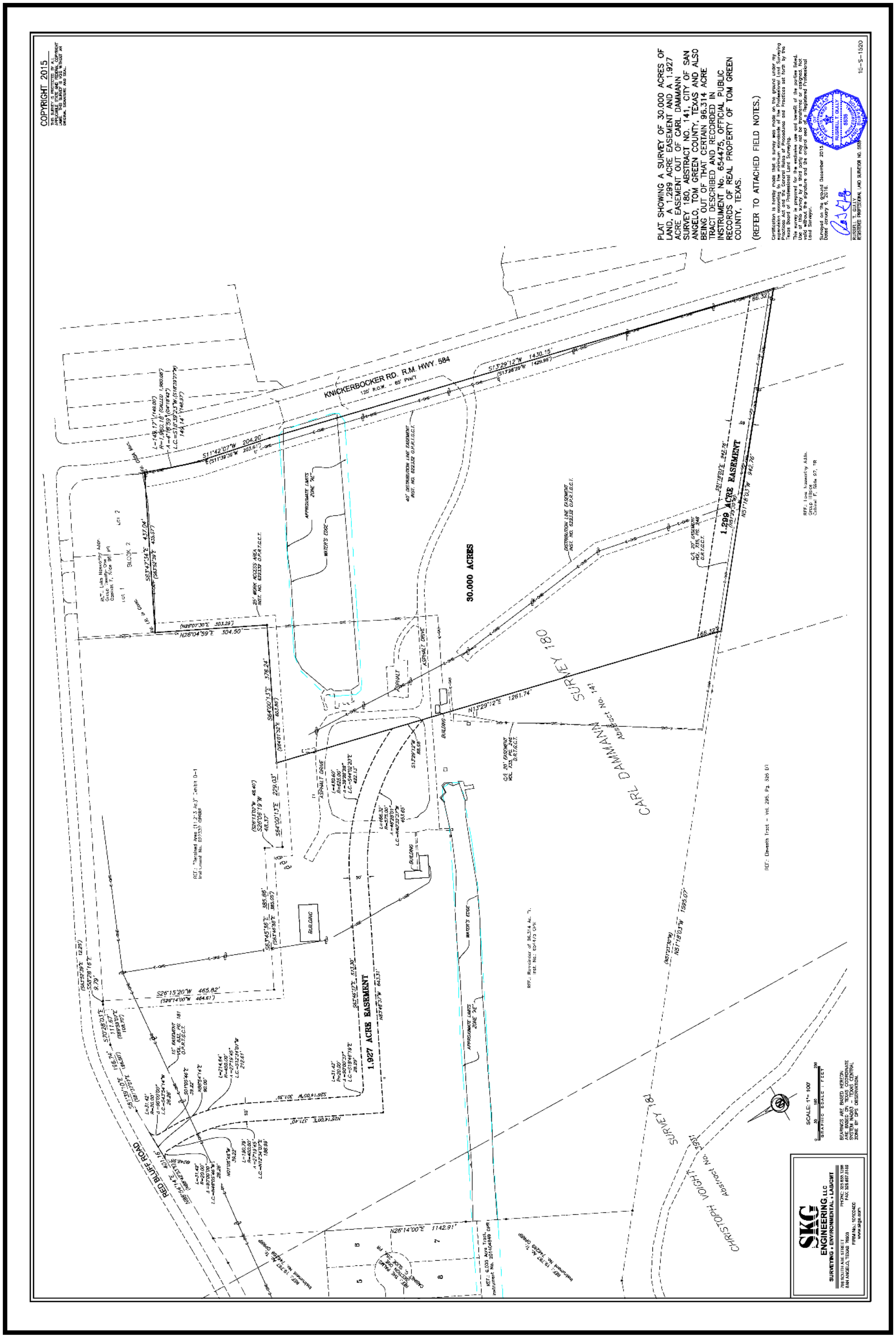
Z16-07 Glen Meadows Baptist Church

Council District: SMD #1 (Richardson)
Neighborhood: Nasworthy
Scale: 1 inch :: 400 feet
Legal Description: 30.00 ac out of the C. Damman Survey 180, ABS-141 (Doc 201600574, OPR)

Legend

Subject Properties:
Current Zoning: R&E
Requested Zoning Change: CG
Vision: Transition

N


COPYRIGHT 2015
PLAT SHOWING A SURVEY OF 30.000 ACRES OF LAND, A 1.299 ACRE EASEMENT AND A 1.927 ACRE EASEMENT OUT OF CARL DAMMANN SURVEY 180, ABSTRACT NO. 141, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS AND ALSO BEING OUT OF THAT CERTAIN 96.314 ACRE TRACT DESCRIBED AND RECORDED IN INSTRUMENT No. 654475, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF TOM GREEN COUNTY, TEXAS.
(REFER TO ATTACHED FIELD NOTES.)
KNICKERBOCKER RD. R.M. HWY. 584
RED BLUFF ROAD
30.000 ACRES
1.299 ACRE EASEMENT
1.927 ACRE EASEMENT
SURVEY 180
CARL DAMMANN
SURVEY 181
CHRISTOPH VOIGHT
SKG ENGINEERING, LLC
15-S-1520

City of San Angelo, Texas
Planning Division

Application for Approval of a ZONE CHANGE

Name of Applicant(s): Glen Meadows Baptist Church

– Owner – Authorized Representative (Affidavit required)

Mailing Address: 6002 Knickerbocker Road **Telephone:** 942-6601

City/State/Zip: San Angelo, Texas 76904 **Fax/other:**

Subject Property Address and/or Location*:
6400 Knickerbocker Road

Legal Description*:
30.000 acres out of Carl Damman Survey 180, Abs 141, City of San Angelo, Tom Green County
per deed recorded as Instrument No. 201600574

Zoning: R&E **Vision Plan Map Designation:** Transitional

Existing Use of Property: Vacant - Former power plant site

Proposed Use of Property: Religious Institution

Requested Zone Change: CG

*** use attachment, if necessary**

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

Johnny Coats — Signature

8/19/16 — Date

NOTE: Please also read information and sign on back of page.

OFFICE USE ONLY

Case no.: Z 16 – 07 L R M *Date of application:* 8/19/2016

Received by: D. Stallworth *–walk-in – by mail*

Nonrefundable application fee: $ 500.00 *Date paid:* 8/23/2016

Sign deposit: $ 37.50 *Date paid:* 8/23/2016

Affidavit attached? – yes – no – N/A Applicant's signature on information sheet? –

Previous Zone Change Inquiry? – yes – no *If yes, ZCI case no.:*

River Corridor Commission? – yes – no *If yes, RCC meeting date:*

Planning Commission hearing date: 9/19/2016 *Date notifications due:*

City Council hearing date: 10/18 - 11/1/16 *Packets due date:* *Publication date :*

City of San Angelo, Texas
Department of Planning

Important Information Regarding Zone Change Requests

Please read the following and sign below.

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

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

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

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

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

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

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

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

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

I/We have read and understand the preceding information.

Johnny Coats
Signature

8/19/16
Date

OFFICE USE ONLY

Case no.: Z 16 - 07 *Date of application:* 8/19/2016 *Received by:*

Planning Division
52 W College Ave.
San Angelo, TX 76903
(325) 657-4210, #2
www.cosatx.us/planning

PLANNING

Planning is a Division of the Department of Planning & Development Services

GENERAL COMMERCIAL (CG) ZONING DISTRICTS

What is the intent of the CG District?

The General Commercial District is intended to provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than Neighborhood Commercial uses. Limited outdoor storage, screened from adjacent residential uses, may be appropriate.

What are the "Allowed" uses in the CG District?

Uses which are allowed by right include, but, are not limited to:

- Group living, day care (for children or adults), alcohol & drug recovery facilities, and bed & breakfasts;
- Colleges, schools, meeting areas for religious institutions, public & nonprofit uses providing service to the community, and public safety & emergency services;
- Restaurants, entertainment-oriented businesses, personal service-oriented or repair-oriented businesses, retail sales, and offices (business, government, professional, medical or financial);
- Commercial parking lots, auto & boat dealers, self-service storage facilities, vehicle washes, and vehicle services (performed while the customer waits); and,
- Small animal veterinary clinics.

What uses are potentially allowed via approval of a Conditional Use?

The Planning Commission can approve a Conditional Use, which may be accompanied by conditions deemed appropriate. Some of the uses allowed by such an approval may include:

- Hospitals, vehicle repair, alcoholic beverage sales (for on-site consumption), warehouse & freight movement, equipment rental, and wholesale trade.

Please see the Conditional Use handout for more information. Applications for a Conditional Use are processed by the Planning Division.

Hours of Operation: 8 AM - 12 PM & 1 PM - 5 PM

What uses are potentially allowed via approval of a Special Use?

The Planning Commission and the City Council can approve a Special Use, which may be accompanied by conditions deemed appropriate. Some of the uses allowed by such an approval may include:

- Detention facilities, facilities for golf, campground and/or recreational vehicle parks, and firearm ranges; and,
- Any use which the Planning Commission and the City Council deem appropriate as a transition between zoning districts.

Please see the Special Use handout for more information. Applications for a Special Use are processed by the Planning Division.

Is there a restriction on how many structures I can build on my property?

There is a floor area ratio (FAR) that must be followed. The FAR refers to a maximum ratio calculated with the gross floor area of *all* buildings on the lot(primary structure, detached garage, and storage buildings) and the square footage of the lot. For CG the FAR is 2 times the size of the lot, or 200%. In other words, for a lot of 6,000 square feet, the floor area of all buildings cannot exceed 12,000 square feet. This figure includes multi-story construction.

What are the lot restrictions?

Minimum lot size in the CG District:

- 6,000 square feet and 50′ x 80′

Minimum setbacks in the CG District:

- Front Setback: 25 feet
- Side & Rear Setback: 0 feet ***unless*** abutting a residential district or use, then 10 feet

What are the parking and loading requirements for the CG District?

Off-street parking requirements are:

- Determined by the use of the property and other related factors. For more information refer to Sec 511.B of the Zoning Ordinance or contact the Planning Division.

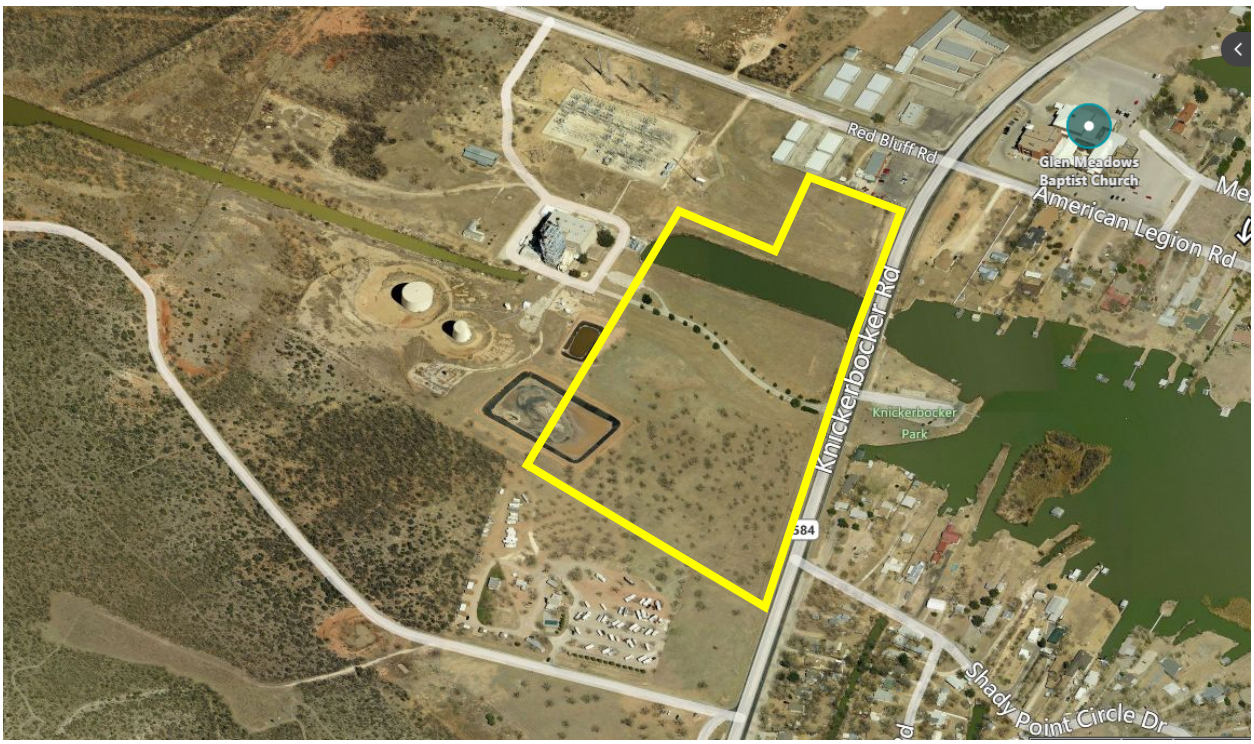
Off-street loading requirements are:

- A minimum of one space is required for industrial and commercial uses;
- 1 additional space for each additional 40,000 square feet or major fraction thereof;
- For institutional uses, 1 additional space for each additional 60,000 square feet or major fraction thereof.

Is outdoor storage allowed in the CG District?

Yes, Type 2 - limited outdoor storage; this allows up to 1,000 square feet or 10% of the total site area, whichever is greater.

APPROXIMATE LOCATION OF SUBJECT PROPERTY (Bird's Eye Perspective)



IMAGES OF THE SUBJECT PROPERTY (Looking south from Red Bluff Road)

IMAGES OF THE SUBJECT PROPERTY (From Knickerbocker Road Entrance)

AREA CONDITIONS EAST OF THE SITE

EXISTING NON-RESIDENTIAL USES NORTH OF THE SITE
(Near Red Bluff/Knickerbocker Intersection)

BAR·B·Q
PACKSAD
BAR·B

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Russell Pehl, City Engineer, Engineering Services, 325-657-4201

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

A resolution by the City of San Angelo City Council finding a public necessity for street improvements to Twin Mountain Drive between April street and Tarin street; approving specifications prepared by the City Engineer for such street improvements; and approving an estimate of the total cost of such improvements, including the proportion of such total proposed to be assessed against owners of abutting property in accordance with article 4.08 of the city code of ordinances; and setting a public hearing on the proposed assessment. (Presentation by City Engineer Russell Pehl)

Summary/History:

The segment of street in question is the northern portion of Twin Mountain Drive between April Street and Tarin Street. This segment of the street is only built to its half width of thirty-two (32) feet. Twin Mountain Drive is classified as a minor arterial street which currently is the only street thatprovides transportation to over one hundred and forty (140) residences. To get to these residences, drivers must begin driving down Twin Mountain Drive, which is at full width of sixty-four (64) feet, from Southwest Boulevard and then bottle neck down to the uncontrolled and undesignated half width. Once past this area, Twin Mountain Drive opens back up to its full width of 64 feet. Currently our traffic department has placed traffic barrels in the west bound lane(s) of Twin Mountain Drive from Tarin Street to the segment of Twin Mountain that is not improved to delineate and bottle neck the traffic down to the half width.

Engineering Services has drafted a set of plans for Twin Mountain Drive to complete its improvements for this segment. The estimate for these improvements is attached.

The owner/developer of the adjacent property and City employees met on September 21, 2016 to discuss the proposed improvements and a proposed agreement between the City of San Angelo and the owner/developer for reimbursement of the improvements to the City when the property is platted in the future. This agreement has dissolved since this discussion.

Legal counsel has indicated one option is to pursue an assessment of the improvements for this property in order to construct the improvements to Twin Mountain Drive and to receive a reimbursement from the owner/developer for up to nine-tenths (9/10) of the estimated construction cost.

Financial Impact:

Total cost of $75,400 (Source to be determined)

Other Information/Recommendation:

This topic was first discussed in depth by the City one year ago when a council member approached the City with several complaints from citizens about the odd configuration of Twin Mountain Drive. Operations Director Shane Kelton and City Engineer Russell Pehl decided for a set of plans to be made for Twin Mountain Drive to competitively bid out for

improvements.

Neighborhood Vision – This project will help to foster a sense of community; provide adequate amenities for a portion of this neighborhood; ensure safer neighborhood traffic; and attract reinvestment in this area.

Transportation Vision – This project will aid the transportation system by creating safer vehicular travel routes.

Attachments:

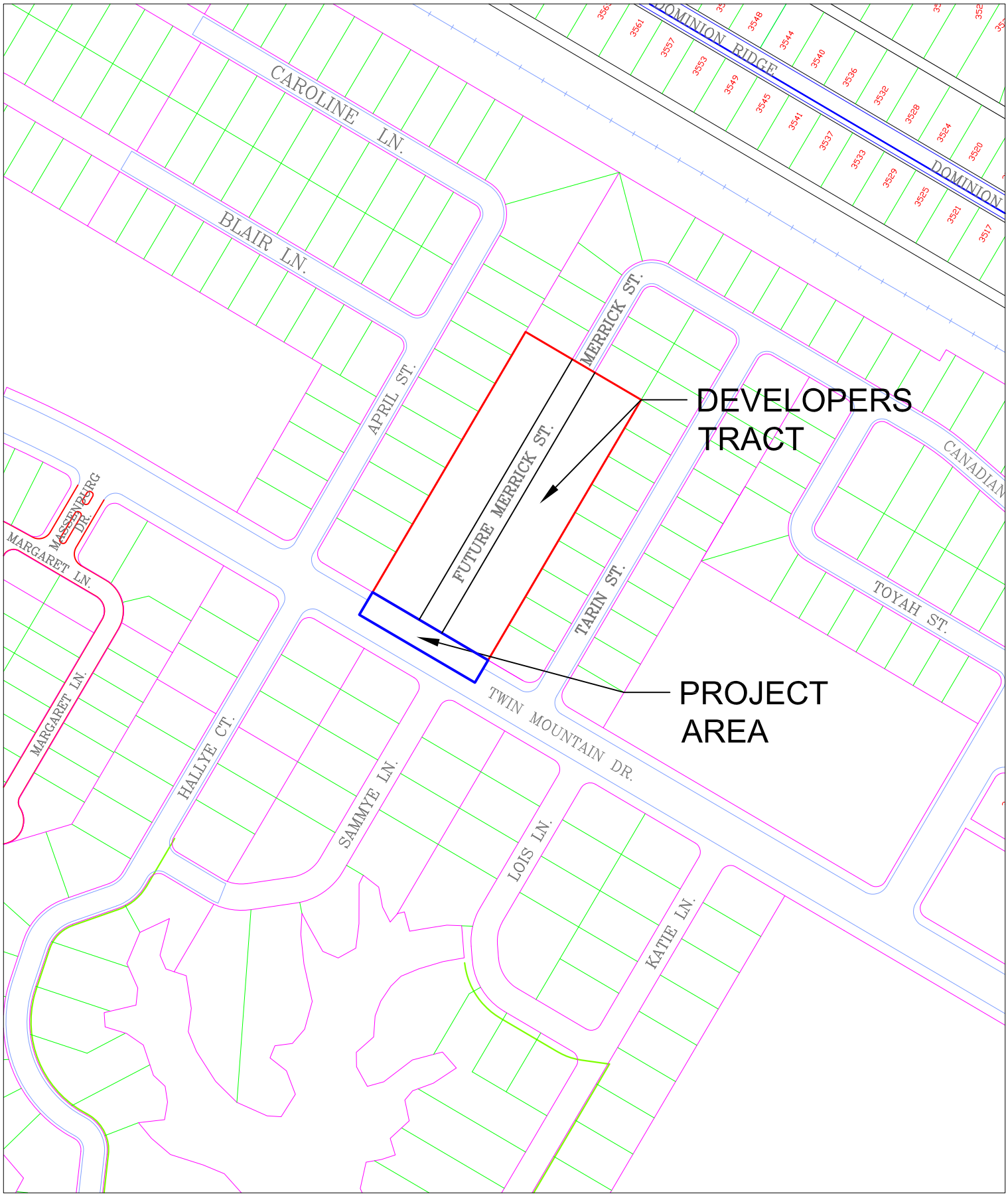
1.	Area Map	Map.pdf
2.	Construction Estimate	Twin Mountain Estimate.pdf
3.	Resolution	16-527_ES_Resolution Approving Improvements and Estimate Final REVISED.pdf

Presentation:

Approvals/Reviews:

Russell Pehl	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

EXHIBIT A - MAP



Twin Mountain Drive-Northern Half Project
City of San Angelo Public Works Department
Engineers Estimate of Probable Construction Cost
October 4, 2016
For Assessment Use

Street Construction					
Item #	Description	Est. Quantity	Unit	Est. Unit Price	Est. Cost
110 2001	EXCAVATION (ROADWAY)	565	CY	$15.00	$8,475.00
247 2240	FLEX BASE (Complete in Place) (TY A GR 2) (12")	283	CY	$25.00	$7,075.00
260 2027	LIME TRT (Existing Material) (8")	847	SY	$6.00	$5,082.00
310 2005	PRIME COAT (MC-30 OR AE-P)	250	GAL	$7.00	$1,750.00
341 6040	D - GR HMA TY - D PG64-22	100	TON	$143.00	$14,300.00
529 2004	CONC CURB & GUTTER (TY II)	253	LF	$30.00	$7,590.00
500 2001	MOBILIZATION	1	LS	$10,000.00	$10,000.00
502 2001	BARRICADES, SIGNS, ANDTRAFFIC HANDLING	2	MO	$4,000.00	$8,000.00
	8" AWWA C900 CLASS 150 PVC PIPE	87	LF	$65.00	$5,655.00
	12" X 8" WET TAP	1	EA	$1,680.00	$1,680.00
	TESTING	3	EA	$250.00	$750.00
	CONTINGENCY	1		$5,000.00	$5,000.00
				Total Est. Cost	$75,357.00

Roadway Construction Estimate: $63,022.00

Water Line Improvement Estimate: $7,335.00

Cost per front footage (255 LF) $295.52 /LF

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL FINDING A PUBLIC NECESSITY FOR STREET IMPROVEMENTS TO TWIN MOUNTAIN DRIVE BETWEEN APRIL STREET AND TARIN STREET; APPROVING SPECIFICATIONS PREPARED BY THE CITY ENGINEER FOR SUCH STREET IMPROVEMENTS; AND APPROVING AN ESTIMATE OF THE TOTAL COST OF SUCH IMPROVEMENTS, INCLUDING THE PROPORTION OF SUCH TOTAL PROPOSED TO BE ASSESSED AGAINST OWNERS OF ABUTTING PROPERTY IN ACCORDANCE WITH ARTICLE 4.08 OF THE CITY CODE OF ORDINANCES; AND SETTING A PUBLIC HEARING ON THE PROPOSED ASSESSMENT.

WHEREAS, according to the City's Thoroughfare Plan, Twin Mountain Drive is classified as a minor arterial street, which currently is the only street that provides access to over one hundred forty residences in the area; and

WHEREAS, the two hundred fifty-five linear foot area adjacent to Twin Mountain Drive, and identified in the improvement specifications prepared by the City Engineer, attached hereto as Exhibit "A", does not conform to the existing width of the remainder of Twin Mountain Drive (hereafter the "Improvement Area"); and

WHEREAS, the existing width of Twin Mountain Drive is sixty-four feet, but the portion along the Improvement Area is only built to its half width of thirty-two feet which creates a hazardous bottle neck for vehicular traffic; and

WHEREAS, the City Engineer has determined that utilizing the Improvement Area to widen Twin Mountain Drive would relieve vehicular congestion, and improve public safety on and along the roadway; and

WHEREAS, in accordance with Article 4.08 of the City Code of Ordinances, the City Engineer has provided City Council with the statement attached hereto as Exhibit "B" detailing, among other required information, an estimate of the total cost of the proposed improvements; and

WHEREAS, the City and the abutting property owner have worked to come to an agreement regarding the payment for the improvements but were unable to reach such agreement; and

WHEREAS, Chapter 313 of the Texas Transportation code and Article 4.08 of the City of San Angelo Code of Ordinances allows for street improvements to be financed by assessment against owners of abutting property, after a public hearing before the City Council.

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

Part 1: The City Council finds there is a public necessity in making street improvements to Twin Mountain Drive in order to enhance public safety and alleviate traffic congestion on and along Twin Mountain Drive.

Part 2: That the improvement specifications prepared by the City Engineer in Exhibit "A" are hereby approved in all respects.

Part 3: That the statement prepared by the City Engineer in Exhibit "B", including the estimate of the total cost of the proposed improvements, is hereby approved in all respects.

Part 4: That the City, through its Purchasing Department, is hereby authorized to advertise and request sealed bids for construction of the proposed improvements in accordance with state law and Article 4.08 of the City Code of Ordinances.

Part 5: That a public hearing on the proposed assessment is hereby ordered for December 6, 2016, at 8:00 a.m., at the McNease Convention Center, 501 Rio Concho Dr., South Meeting Room – Room C, San Angelo, Texas, and notice shall be given as required by law to all abutting property owners identified in Exhibit "B".

PASSED and APPROVED THIS 1st day of November, 2016.

CITY OF SAN ANGELO, TEXAS

_____
Dwain Morrison, Mayor

ATTEST:

_____
Bryan Kendrick, City Clerk

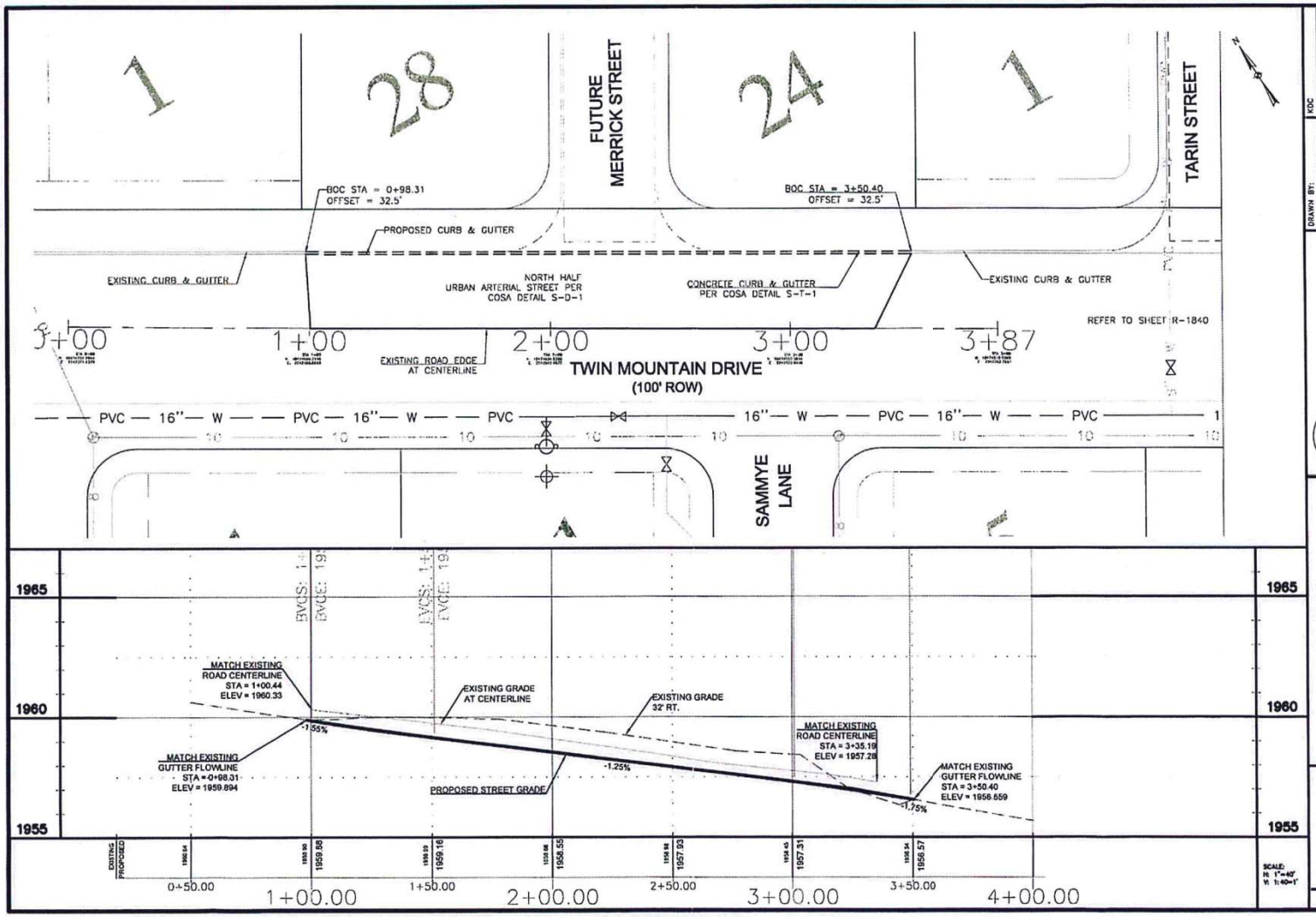
APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT "A"

IMPROVEMENT AREA SPECIFICATIONS

(*Following pages*)



DRAWN BY:	KOC
CHECKED BY:	RJP
HORIZONTAL SCALE:	1"=40'
VERTICAL SCALE:	NA
JOB NUMBER:	2015 12-57
DATE:	FEBRUARY 2016

DEVELOPMENT SERVICES
DEPARTMENT - ENGINEERING
SERVICES DIVISION

THE CITY OF SAN ANGELO TEXAS

Twin Mountain Drive -
FROM STA 1+00 TO STA 3+50

PLAN PROFILE
STA 0+00 TO STA 4+00

PRELIMINARY

R-1880

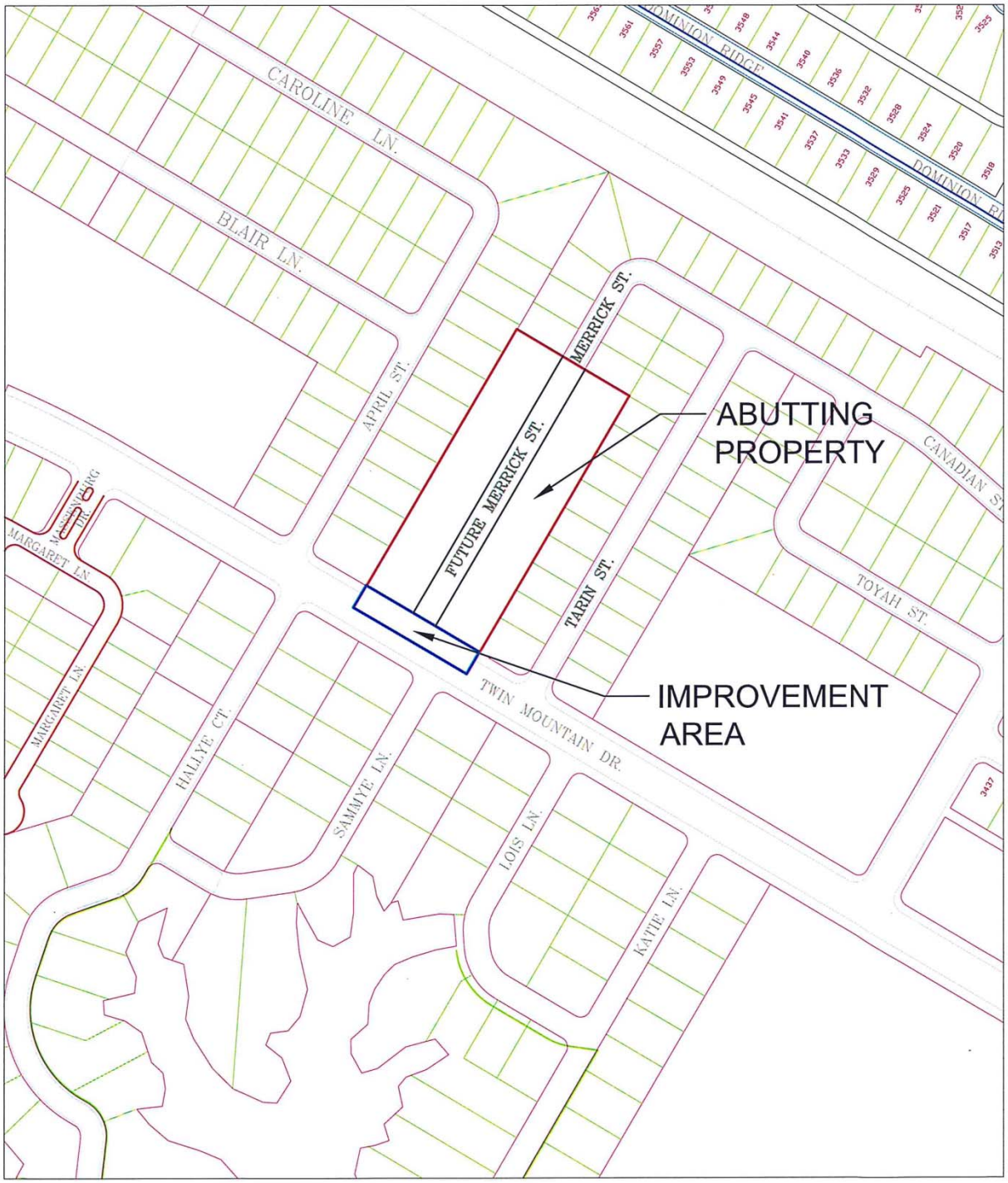

CAROLINE LN.
BLAIR LN.
APRIL ST.
MERRICK ST.
FUTURE MERRICK ST.
TARIN ST.
ABUTTING PROPERTY
IMPROVEMENT AREA
CANADIAN ST.
TOYAH ST.
TWIN MOUNTAIN DR.
MARGARET LN.
HALLYE CT.
SAMMYE LN.
LOIS LN.
KAYTE LN.
DOMINION RIDGE

EXHIBIT B

CITY ENGINEER'S ESTIMATE OF CONSTRUCTION COST

Estimate of Construction Cost: $75,357.00 (See itemized statement on following page)

Abutting Property Owner: Sierra Vista Construction, Inc., a Texas corporation

Proposed Assessment Amount: $67,821.30 (Texas Transportation Code §313.042(b) permits assessment of up to nine-tenths of the Estimate)

Abutting Property Owner's Proportionate Share of Assessment: 100%

Description of Abutting Property: Trinity West, Section Three (3), City of San Angelo, Tom Green County, Texas:

Being 3.353 acres out of and part of that certain 10.872 acre tract described by deed recorded as Instrument No. 716893, Official Public Records of Real Property of Tom Green County, Texas, and being 0.034 acres out of the C.A. Voight Survey 181, Abstract No. 3931, and 3.319 acres out of G. Maurer Survey 182, Abstract No. 1649, City of San Angelo, Tom Green County, Texas.

Twin Mountain Drive-Northern Half Project
City of San Angelo Public Works Department
Engineer's Estimate of Construction Cost
October 4, 2016
For Assessment Use

Street Construction					
Item #	Description	Est. Quantity	Unit	Est. Unit Price	Est. Cost
110 2001	EXCAVATION (ROADWAY)	565	CY	$15.00	$8,475.00
247 2240	FLEX BASE (Complete in Place) (TY A GR 2) (12")	283	CY	$25.00	$7,075.00
260 2027	LIME TRT (Existing Material) (8")	847	SY	$6.00	$5,082.00
310 2005	PRIME COAT (MC-30 OR AE-P)	250	GAL	$7.00	$1,750.00
341 6040	D - GR HMA TY - D PG64-22	100	TON	$143.00	$14,300.00
529 2004	CONC CURB & GUTTER (TY II)	253	LF	$30.00	$7,590.00
500 2001	MOBILIZATION	1	LS	$10,000.00	$10,000.00
502 2001	BARRICADES, SIGNS, ANDTRAFFIC HANDLING	2	MO	$4,000.00	$8,000.00
	8" AWWA C900 CLASS 150 PVC PIPE	87	LF	$65.00	$5,655.00
	12" X 8" WET TAP	1	EA	$1,680.00	$1,680.00
	TESTING	3	EA	$250.00	$750.00
	CONTINGENCY	1		$5,000.00	$5,000.00
				Total Est. Cost	$75,357.00

Roadway Construction Estimate: $63,022.00

Water Line Improvement Estimate: $7,335.00

Cost per front footage (255 LF) $295.52 /LF

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Ryan Kramer, Fleet Services Superintendent, Fleet Services, (325) 657-4329

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Discussion of Data Monitoring System implementation status for City Fleet - (Presentation by Fleet Services Superintendent Ryan Kramer)

Summary/History:

Fleet Services began installing Data Monitoring Devices on City vehicles and equipment in February 2016. The initial installation was performed on the entire Storm Water Division with no communication to the operators of the equipment. This was done to establish a benchmark for future comparisons regarding driver behavior, fuel usage and maintenance, and utilization. After a 30 day period, installation commenced on all City vehicles in the General, Civic Events, and Airport Funds along with training of all employees in the respective Divisions. Installation on these units was completed in May 2016. Installation on all Water and Sewer Fund equipment is now beginning, and once complete, will accomplish 100% coverage on all applicable City vehicles and equipment.

As such, Fleet Services has approximately 5 months of collected data on the vehicles and equipment outside the Water and Sewer Funds. The benefits of the system, including diagnostic alerts, diagnostic troubleshooting, speeding events, routing concerns, accident indemnification, work productivity, and asset utilization have all been realized in this short time frame.

Staff is finalizing a Data Monitoring Best Practices Program for Directors and Division Managers to follow which includes guideline metrics regarding idle times, utilization standards, and Risk-related deficiencies.
With a limited amount of time on only a portion of the fleet, there has been some data collected, but more time is needed for the information to be comprehensive and of statistical relevance.

Financial Impact:

N/A

Other Information/Recommendation:

Staff will return to Council for a comprehensive report of data obtained and cost savings related to the program in May 2017

Attachments:

Presentation:

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bryan Kendrick, City Clerk, Legal,

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending Chapter One "General Provisions" of the Code of Ordinances by amending Section 1.04 through 1.09 (Presentation by City Attorney Theresa James and City Clerk Bryan Kendrick; requested by Council Member Thomas)

Summary/History:

In the 2015 City Charter review, some ordinances were identified that were either in conflict or duplicated provisions located in the Charter or State Law.

Per a request from Council Member Harry Thomas in June 2016, staff has begun reviewing the Code of Ordinances chapter by chapter for any items that are in need of deletion, amendment, or clean-up related to the requirements of State Law, the City Charter, or changes in method of operation with the City.

The review of chapter one of the code or ordinances and articles 1 through 1.04 have been were approved on first reading August 16, 2016 and finally adopted on September 6, 2016.

This review completes the remainder of chapter one. The attached changes are recommended by staff.

Financial Impact:

None.

Other Information/Recommendation:

Staff recommends approval of the first reading, as presented.

Attachments:

1. Ordinance with changes redlined 1.04 through end of Chapter 1 redlined First Reading.docx

Presentation:

Approvals/Reviews:

Bryan Kendrick	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved

Bryan Kendrick Final Approval

AN ORDINANCE AMENDING CHAPTER 1 "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO TEXAS, BY AMENDING ARTICLES 1.05 THROUGH 1.09 AS SET OUT BELOW, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) **THAT**, Chapter 1 "General Provisions" of the Code of Ordinances, City of San Angelo, Texas is hereby amended by repealing and replacing Articles 1.05 through 1.09 as follows:

"Sec. 1.05.001 Office of emergency management director created; line of succession

There is hereby created the office of emergency management director of the city, which shall be held by the mayor in accordance with state law.

(1) An emergency management coordinator may be appointed by and serve at the pleasure of the director;

(2) The director shall be responsible for conducting a program of comprehensive emergency management within the city and for carrying out the duties and responsibilities set forth in section 1.05.004 of this article. He may delegate authority for execution of these duties to the coordinator, but ultimate responsibility for such execution shall remain with the director.

(3) If the mayor is unable to serve as director during an emergency or disaster, the line of succession shall be determined as follows:

(A) Mayor pro-tem;

(B) City council members starting with single-member district 1 and continuing through single-member district 6;

(C) City manager;

(D) The most senior assistant city manager, determined by amount of time in such position;

(E) Police chief;

(F) Fire chief;

(G) Finance director;

(H) Public works director;

(I) The most senior department head, determined by amount of time in such position.

Sec. 1.05.002 Concept of operations; powers of director.

The powers and duties of the director shall include an ongoing survey of actual or potential major hazards which threaten life and property within the city, and an ongoing program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur. As part of his responsibility in hazard mitigation, the director shall supervise the development of an emergency management plan for the city and shall recommend that plan for adoption by the city council along with any and all mutual aid plans and agreements which are deemed essential for the implementation of such emergency management plan. The powers of the director shall include the authority to declare a state of disaster, but such action may be subject to confirmation by the city council at its next meeting. The duties of the director shall also include the causing of a survey of the availability of existing personnel, equipment, supplies and services which could be used during a disaster, as provided for herein, as well as a continuing study of the need for amendments and improvements in the emergency management plan.

Sec. 1.05.003 Emergency management council

The mayor is hereby authorized to join with the county judge and the mayors of the other cities in the county in the formation of an emergency management council for the county and shall have the authority to cooperate in the preparation of a joint emergency management plan and in the appointment of a joint emergency management coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the city.

Sec. 1.05.004 Duties of director

The duties and responsibilities of the emergency management director shall include the following:

(1) The direction and control of the actual disaster operations of the city emergency management organization as well as the training of emergency management personnel.

(2) The determination of all questions of authority and responsibility that may arise within the emergency management organization of the city.

(3) The maintenance of necessary liaison with other municipal, county, district, state, regional, federal, or other emergency management organizations.

(4) The marshaling, after declaration of a disaster as provided for above, of all necessary personnel, equipment or supplies from any department of the city to aid in the carrying out of the provisions of the emergency management plan.

(5) The issuance of all necessary proclamations as to the existence of a disaster and the immediate operational effectiveness of the city emergency management plan.

(6) The issuance of reasonable rules, regulations or directives which are necessary for the protection of life and property in the city. Such rules and regulations shall be filed in the office of the city clerk and shall receive widespread publicity unless publicity would be of aid and comfort to the enemy.

(7) The supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting and execution, if deemed desirable, of an agreement with the county in which the city is located and with other municipalities within the county, for the county-wide coordination of emergency management efforts.

(8) The supervision of, and final authorization for, the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the city.

(9) The authorizing of agreements, after approval by the city attorney, for use of private property for public shelter and other purposes.

Sec. 1.05.005 Emergency management organization

The operational emergency management organization of the city shall consist of the officers and employees of the city so designated by the director in the emergency management plan, as well as all organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the emergency management plan. Such plan shall set forth the form of the organization, establish and designate divisions and functions, assign tasks, duties and powers, and designate officers and employees to carry out the provisions of this article. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the state division of emergency management and of the federal government.

Sec. 1.05.006 Unauthorized operation of siren

Any unauthorized person who shall operate a vehicle siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this article and shall be subject to the penalties imposed by this article.

Comment [JT1]: The current emergency warning siren system can only be operated from the public safety dispatch center.

Sec. 1.05.007 Effect of emergency regulations

At all times when the orders, rules, and regulations made and promulgated pursuant to this article shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith. (1959 Code, sec. 2-5-7; 1996 Code, sec. 6.507)

Sec. 1.05.008 Conflicts with state or federal statutes or military regulations

This article shall not be construed so as to conflict with any state or federal statute or with any military or naval order, rule, or regulation. (1959 Code, sec. 2-5-8; 1996 Code, sec. 6.508)

Sec. 1.05.009 Liability

This article is an exercise by the city of its governmental functions for the protection of the public peace, health, and safety and neither the city, the agents and representatives of the city, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule, or regulation promulgated pursuant to the provisions of this article shall be liable for any damage sustained to person as the result of said activity. Any person owning or controlling real estate or

other premises who voluntarily and without compensation grants to the city a license or privilege or otherwise permits the city to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for the loss of, or damage to, the property of such person. (1959 Code, sec. 2-5-9; 1996 Code, sec. 6.509)

Sec. 1.05.010 Expenditures

Unless otherwise authorized by state statute, no person shall have the right to expend any public funds of the city in carrying out any emergency management activity authorized by this article without prior approval by the city council, nor shall any person have the right to bind the city by contract, agreement or otherwise without prior and specific approval of the city council.

Comment [JT2]: There are some instances in which council action is not required under emergency powers in state statutes as well as for purchases less than $50,000. This change brings the language into line with the state statutes.

Sec. 1.05.011 Unlawful acts

It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any rule or regulation issued pursuant to this article, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this article. It shall likewise by unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the emergency management organization of the city, unless authority to do so has been granted to such person by the proper officials. Convictions for violations of the provisions of this article shall be punishable by fine as set forth in section 1.01.009 of this code.

Sec. 1.05.012 Oath

Each employee or any individual that is assigned as either a part time or full time employee in the San Angelo/Tom Green County Office of Emergency Management ~~function or responsibility~~ shall solemnly swear or affirm to support and defend the Constitution of the United States, the laws of the state and the ordinances of the city.

ARTICLE 1.06 COMMUNITY DEVELOPMENT PROGRAM*

Sec. 1.06.001 Adoption of program

The city hereby adopts a "community development program" under the Texas Community Development Act of 1975, V.T.C.A., Local Government Code 373.001 et seq.

Sec. 1.06.002 Goals

The goals of the city's community development program are to:

(1) Improve the living and economic conditions of persons of low and moderate income;

(2) Benefit low or moderate income neighborhoods;

(3) Aid in the prevention or elimination of slums and blighted areas;

(4) Aid a federally assisted new community; or

(5) Meet other urgent community development needs, including an activity or function specified for a community development program that incorporates a federally assisted new community.

Sec. 1.06.003 Authorized acts

(a) Under the community development program the city shall be authorized to:

(1) Acquire real property, including air rights, water rights, and other interests in real property, that:

(A) Is blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth;

(B) Is appropriate for rehabilitation or conservation activities;

(C) Is appropriate for the preservation or restoration of historic sites, the beautification of urban land, or the conservation of open spaces, natural resources, and scenic areas;

(D) Is appropriate for the provision of recreational opportunities or the guidance of urban development; or

(E) Is to be used for the provision of public works, facilities, or other improvements eligible for assistance under this article or is to be used for other public purposes;

(2) Acquire, construct, reconstruct, or install public works, facilities, sites, or other improvements, including construction, reconstruction, or installation that implements design features or makes improvements that promote energy efficiency;

(3) Implement municipal code enforcement in a deteriorated or deteriorating area in which enforcement, combined with public improvements and public services, may stop the decline of the area;

(4) Clear, demolish, remove, and rehabilitate buildings and improvements, including rehabilitation that promotes energy efficiency, including assistance in and financing of public or private acquisition of those properties for rehabilitation, and including the renovation of closed school buildings;

(5) Rehabilitate privately owned properties;

(6) Implement special projects related to the removal of barriers that restrict the mobility of elderly and handicapped persons;

(7) Pay housing owners for losses of rental income incurred in holding for temporary periods housing units used for the relocation of persons displaced by programs conducted under this article;

(8) Dispose of, by sale, lease, donation, or otherwise, real property acquired under this article, or retain the property for public purposes;

(9) Provide public services not otherwise available if the services are designed to improve the community's public services and facilities, including services related to employment opportunities, economic development, crime prevention, child care, health, drug abuse, education, welfare, or recreational needs of persons residing in those areas, or are designed to coordinate public and private development programs;

(10) Pay the non-federal share required in connection with a federal grant-in-aid program undertaken as part of a local community development program;

(11) Pay the cost of completing a project funded under title I of the Housing Act of 1949 (42 U.S.C.A. section 1450 et seq.) or a federally assisted new community assisted by loan guarantees under title X of the National Housing Act (12 U.S.C.A. section 1749aa et seq.) if a portion of the federally assisted area has received grants under section 107(A)(1) of the Housing and Community Development Act of 1974 (42 U.S.C.A section 5307(a)(1));

(12) Make relocation payments and provide relocation assistance for individuals, families, businesses, organizations, and farm operations;

(13) Initiate activities necessary to develop a comprehensive community development plan and to develop a policy-planning-management capacity in order that recipients of assistance under this article may more rationally and effectively determine their needs, set long-term goals and short-term objectives, devise programs and activities to meet those goals and objectives, evaluate the progress of the programs, and carry out management, coordination, and monitoring of activities necessary for effective implementation of the programs;

(14) Pay reasonable administrative costs and carrying charges related to the planning and execution of community development and housing activities, including the provision of information and resources to residents of areas in which community development and housing activities are to be concentrated with respect to the planning and execution of those activities and including the carrying out of activities described by section 701(e) of the Housing Act of 1954 on the day before the date of the enactment of the federal Housing and Community Development Amendments of 1981;

(15) Assist activities that are conducted by public or private entities if the activities are necessary or appropriate to meet the needs and objectives of the community development plan, including:

(A) Acquisition of real property;

(B) Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities, site improvements, utilities, commercial or industrial buildings or other structures, or other commercial or industrial real property improvements; and

(C) Planning;

(16) Make grants to:

(A) Neighborhood-based nonprofit organizations, local development corporations, or other entities organized to implement neighborhood revitalization projects, community economic development projects, or energy conservation projects;

(B) Federally assisted new communities; or

(C) Neighborhood-based nonprofit organizations or other private or public nonprofit organizations for the purpose of assisting, as part of neighborhood revitalization or other community development, the development of shared housing opportunities in which elderly families benefit as a result of living in a dwelling in which facilities are shared with others in a manner that effectively and efficiently meets the housing needs of the residents and as a result reduces their cost of housing;

(17) Provide assistance to private, for-profit entities if the assistance is necessary or appropriate to carry out an economic development project; and

(18) Rehabilitate or develop housing assisted under section 17 of the United States Housing Act of 1937.

(b) The city may implement programs to provide financing for the acquisition, construction, improvement, or rehabilitation of privately owned buildings and other improvements or to assist private, for-profit entities if the assistance is necessary or appropriate to carry out an economic development project, through the use of loans and grants from federal money remitted to the municipality at the interest rates and on the terms and conditions determined by the municipality. A municipality may not provide municipal property or municipal funds for private purposes. The programs and financing must be in keeping with an approved community development plan that the municipality has determined to be a public purpose. A program established for financing the acquisition, construction, improvement, or rehabilitation of buildings and improvements, or for financing economic development projects, through the use of federal funds may prescribe procedures under which the owners of the buildings, improvements, or economic development projects agree to partially or fully reimburse the municipality.

(c) The city may issue notes or other obligations guaranteed by the Secretary of Housing and Urban Development under section 108, Housing and Community Development Act of 1974 (42 U.S.C. section 5308), as amended, for the purpose of providing financing for those activities described in section 108, Housing and Community Development Act (42 U.S.C. section 5308), as amended, in furtherance of an approved community development program. The Section 108 guaranteed notes additionally may be secured by and made payable from the same sources as obligations issued under subchapter C, chapter 271, Local Government Code, subject to the notice provisions set forth therein. The Section 108 guaranteed notes or other obligations may be issued in such form, denominations, manner, terms, and conditions, bear interest at such rates, be interim or permanent notes or obligations, be subject to transfer, exchange, change, conversion, or replacement, and be sold in such manner, at such price, and under such terms, all as provided in the ordinance or resolution authorizing the issuance of such Section 108 guaranteed notes or obligations.

~~(1996 Code, sec. 2.3703; Ordinance adopted 2/16/99)~~

Comment [JT3]: Section 1.06.004, 1.06.005, and 1.06.006 are not necessary as they discuss how the original program should have been adopted and providing severability and effective date language that is unnecessary.

~~Sec. 1.06.004 Prerequisites for adopting program~~

~~Before exercising its authority under section 1.06.003, the city shall:~~

> ~~(1) Identify areas of the city in which predominantly low and moderate income persons reside, that are blighted or slum areas, or that are federally assisted new communities;~~
>
> ~~(2) Establish community development program areas in which community development activities, building rehabilitation, or the acquisition of privately owned buildings or land is proposed;~~
>
> ~~(3) Adopt, by resolution, a plan under which citizens may publicly comment on the proposed community development program;~~
>
> ~~(4) Conduct public hearings on the proposed program before the 15th day before the date of its final adoption by the governing body; and~~
>
> ~~(5) Adopt the community development program by resolution or ordinance.~~

~~(1996 Code, sec. 2.3704; Ordinance adopted 2/16/99)~~

~~Sec. 1.06.005 Severability~~

~~The terms and provisions of this article shall be deemed to be severable in that, if any portion of this article shall be declared to be invalid, the same shall not affect the validity of the other provisions of this article. (1996 Code, sec. 2.3705; Ordinance adopted 2/16/99)~~

~~Sec. 1.06.006 Effective date~~

~~This article shall be effective on, from and after the date of adoption. (1996 Code, sec. 2.3706; Ordinance adopted 2/16/99)~~

ARTICLE 1.07 ~~DISCRIMINATION~~

~~Division 1. Generally~~

~~Secs. 1.07.001–1.07.030 Reserved~~

~~Division 2. Fair Housing*~~

~~Sec. 1.07.031 Definitions~~

~~For the purpose of this division, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words so used in the present tense include the future, words in the masculine gender include the feminine, words in the plural number include the singular, and words in the singular number include the plural.~~

~~*Discriminatory housing practice*. An act that is unlawful under section 1.07.032, 1.07.033, or 1.07.034 of this division.~~

~~*Dwelling*. Any building, structure or portion thereof which is occupied as, or designed and intended for, occupancy as a residence by one or more families or any vacant land which is offered for sale or lease for the structure or portion thereof.~~

~~*Family*. Includes a single individual.~~

~~*Person*. Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, fiduciaries, and any other organization or entity of whatever character.~~

~~*To rent*. Includes to lease, to sublease, to let, and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.~~

~~(1959 Code, sec. 5-14-1; 1996 Code, sec. 5.1001)~~

~~Sec. 1.07.032 Discrimination in sale or rental of housing~~

~~Except as exempted by section 1.07.035, it shall be unlawful for any person to:~~

~~(1) Refuse to sell or rent, after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, sex, religion or national origin.~~

~~(2) Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, sex, religion, or national origin.~~

~~(3) Make, print, publish, or cause to be made, printed, or published any notice, statement or advertisement regarding the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, sex, religion or national origin, or an intention to make any such preference, limitation or discrimination.~~

~~(4) Represent to any person because of race, color, sex, religion or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.~~

~~(5) For profit, or with the hope or expectation of profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, religion or national origin.~~

~~(6) For profit, or with the hope or expectation of profit, influence or attempt to influence, by any words, acts, or failure to act, any seller, purchaser, landlord or tenant of a dwelling so as to promote the maintenance or racially segregated housing or so as to retard, obstruct, or discourage racially integrated housing.~~

~~(1959 Code, sec. 5-14-2; 1996 Code, sec. 5.1002)~~

Sec. 1.07.033 Discrimination in financing of housing

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise, whose business consists in whole or in part of the making of commercial or residential real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against any such person in the fixing of the amount, interest rate, brokerage points, duration, or other terms or conditions of such loan or other financial assistance, because of:

(1) The race, color, sex, religion, or national origin of such person or of any person associated with him in connection with such loan or other financial assistance; or

(2) The race, color, sex, religion, or national origin of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings for which such loan or other financial assistance is to be made or given.

(1959 Code, sec. 5-14-3; 1996 Code, sec. 5.1003)

Sec. 1.07.034 Discrimination in provision of brokerage services

It shall be unlawful for any person to deny access to, or membership or participation in, any multiple listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate in the terms or conditions of such access, membership or participation, on account of race, color, sex, religion or national origin. (1959 Code, sec. 5-14-4; 1996 Code, sec. 5.1004)

Sec. 1.07.035 Exemptions and exclusions

(a) There shall be exempted from the application of this division all transactions involving:

(1) The rental of units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other if the owner actually maintains and occupies one of such units as his residence.

(2) The rental of a single room in a dwelling containing living quarters occupied or intended to be occupied by no more than one family if the person offering such room for rental actually maintains and occupies the remainder of such dwelling as his residence and not more than four (4) such rooms are offered.

(3) The sale or rental of any single house by a private individual who owns such house, provided that:

(A) The sale or rental is made without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or salesman, or of such facilities or services of any person in the business of selling or renting dwellings or of any employee or agent of any such broker, agent, salesman or person;

(B) The sale is made without the publication, posting or mailing of any advertisement or written notice in violation of section 1.07.032(3) of this division (this shall not prohibit the use of

~~attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title);~~

~~(C) The owner does not own more than three (3) single-family houses at the time of sale or rental;~~

~~(D) The owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or any portion of the proceeds from the sale or rental of more than three (3) such single-family houses at any one time; and~~

~~(E) If the owner does not reside in the house at the time of sale or was not the most recent resident of such house prior to the sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four (24) month period.~~

~~(b) Nothing in this division shall prohibit a religious organization, association, or society or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious association, or society from limiting the sale, rental, or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, or national origin.~~

~~(c) Nothing in this division shall prohibit a bona fide private club, not in fact open to the public, which, as an incident to its primary purpose, provides lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.~~

~~(d) Nothing in this division shall bar any person from owning and operating a housing accommodation in which a room or rooms are leased, subleased or rented only to persons of the same sex, when such housing accommodation contains common lavatory, kitchen or similar facilities available for the use of all persons occupying such housing accommodation.~~

~~(1959 Code, sec. 5-14-5; 1996 Code, sec. 5.1005)~~

~~Sec. 1.07.036 Fair housing administrator~~

~~There is hereby created a fair housing administrator (hereinafter referred to as "administrator"), to be appointed by the city manager, who shall have the responsibility for implementing this division. The administrator may delegate his authority to investigate and conciliate complaints to other city employees under his direction. (1959 Code, sec. 5-14-6; 1996 Code, sec. 5.1006)~~

~~Sec. 1.07.037 Complaints~~

~~(a) Only the person who claims to have been injured by a discriminatory housing practice or who believes he will be irrevocably injured by a discriminatory housing practice that has occurred or is occurring (hereafter referred to as "person aggrieved") may file a complaint with the administrator. Such complaint shall be in writing and shall identify the person or persons alleged to have committed or alleged to be committing a discriminatory housing practice and shall state the facts upon which the allegations of a discriminatory housing practice are based.~~

~~The administrator shall prepare complaint forms and furnish them without cost to any person, upon request.~~

~~(b) If at any time the administrator shall receive or discover credible evidence and shall have probable cause to believe that any person or persons have committed or are committing a discriminatory housing practice as to which no complaint has been filed, the administrator may prepare and file a complaint upon his own motion and in his own name and such complaint shall thereafter be treated in the same manner as a complaint filed by a person aggrieved.~~

~~(c) The administrator shall receive and accept notification and referral complaints from the U.S. Attorney General and the Secretary of Housing and Urban Development pursuant to the provisions of title VIII, Fair Housing Act of 1968, Public Law 90-284, and shall treat such complaints hereunder in the same manner as complaints filed pursuant subsection (a) of this section.~~

~~(d) All complaints shall be filed within sixty (60) days following the occurrence of an alleged discriminatory housing practice. Not more than fifteen (15) days after the filing or referral of any complaint, the administrator shall provide notice of the complaint by furnishing a copy of such complaint to the person or persons named therein who allegedly committed or were threatening to commit an alleged discriminatory housing practice. The accused may file a written, subscribed and sworn answer to the complaint within fifteen (15) days of receipt of the copy of such complaint.~~

~~(e) All complaints shall be subscribed and sworn to before an officer authorized to administer oaths.~~

~~(1959 Code, sec. 5-14-7; 1996 Code, sec. 5.1007)~~

~~Sec. 1.07.038 Investigation~~

~~(a) Upon the filing or referral of a complaint as herein provided, the administrator shall cause to be made a prompt and full investigation of the matter stated in the complaint to determine whether or not there is probable cause to believe a discriminatory housing practice has occurred or is about to occur and to determine the facts of the alleged discriminatory housing practice.~~

~~(b) If the administrator determines that there is not probable cause to believe a discriminatory housing practice upon which a complaint is based has occurred or is about to occur, the administrator shall take no further action with respect to such complaint and shall notify the person aggrieved accordingly.~~

~~(c) During or after the investigation, but subsequent to the mailing of the notice of the complaint, the administrator shall, if it appears that a discriminatory housing practice has occurred or is threatening to occur, attempt by informal endeavors to effect conciliation, including voluntary discontinuance of the discriminatory housing practice and adequate assurance of further voluntary compliance with the provisions of this division, agreement to which may be manifested by a written document executed and verified by the administrator and all other parties to such agreement. Such written conciliation agreement shall be in a form approved by the city attorney. Nothing said or done in the course of such informal endeavors may be made public by the administrator, by the aggrieved party or by any other party to the proceedings without the written consent of all persons concerned; provided, however, that~~

~~violation or breach of any term of a written conciliation agreement by any party thereto shall serve to nullify the confidential aspects of such agreement.~~

~~(d) Upon completion of the investigation and informal endeavors at conciliation by the administrator, if the efforts of the administrator to secure voluntary compliance have been successful, the administrator shall take no further action with respect to the complaint other than in accordance with the terms of any written conciliation agreement entered into by the administrator and all other parties to such agreement.~~

~~(e) If the administrator shall receive or discover credible evidence and shall have probable cause to believe that any party to a written conciliation agreement has committed or is committing a discriminatory housing practice at any time during the period that such conciliation agreement is in effect, the administrator may prepare and file a complaint, based upon such discriminatory housing practice, upon his own motion and in his own name, and shall consider such discriminatory housing practice as prima facie evidence that said complaint cannot be successfully resolved by efforts of the administrator to secure voluntary compliance.~~

~~(f) Upon completion of the investigation and informal endeavors at conciliation by the administrator, but within thirty (30) days of the filing of the complaint with the administrator, if the efforts of the administrator to secure voluntary compliance have been unsuccessful, or if the administrator has determined that a charge cannot be successfully resolved in accordance with subsection (d) of this section, and if the administrator has probable cause to believe that a discriminatory housing practice has in fact occurred, the administrator shall recommend to the city attorney that such violation be prosecuted in the municipal court of the city. With such recommendation, the administrator shall refer his entire file to the city attorney. The city attorney shall, within thirty (30) days after such referral, make a determination as to whether to proceed with prosecution of such charge in municipal court.~~

~~(g) If the city attorney determines to prosecute, he shall institute a complaint and prosecute same to conclusion within thirty (30) days after such determination, or as soon after as practicable.~~

~~(1959 Code, sec. 5-14-8; 1996 Code, sec. 5.1008)~~

~~Sec. 1.07.039 Cumulative legal effect~~

~~This division is cumulative in its legal effect and is not in lieu of any and all other legal remedies which the person aggrieved may pursue. (1959 Code, sec. 5-14-9; 1996 Code, sec. 5.1009)~~

~~Sec. 1.07.040 Unlawful intimidation~~

~~It shall be unlawful for any person to harass, threaten, harm, damage or otherwise penalize any individual, group or business because he or they have complied with the provisions of this division, because he or they have exercised his or their rights under this division or enjoyed the benefits of this division, or because he or they have made a complaint, testified or assisted in any manner in any investigation or in any proceeding hereunder or have made any report to the administrator. (1959 Code, sec. 5-14-10; 1996 Code, sec. 5.1010)~~

~~Sec. 1.07.041 Cooperation with Secretary of Housing and Urban Development~~

~~The administrator and the city attorney are authorized to cooperate with the Secretary of Housing and Urban Development and the U.S. Attorney General pursuant to the provisions of the title VIII, Fair Housing Act of 1968, Public Law 90-284, and may render such service to the Secretary as they shall deem appropriate to further the policies of this division. (1959 Code, sec. 5-14-11; 1996 Code, sec. 5.1011)~~

~~Sec. 1.07.042 Education and public information~~

~~In order to further the objectives of this division, the administrator may conduct education and public information programs. (1959 Code, sec. 5-14-12; 1996 Code, sec. 5.1012)~~

~~Sec. 1.07.043 Penalty~~

~~Any person violating any provisions of this division shall be guilty of a misdemeanor, and upon conviction shall be fined in accordance with the general penalty provision found in section 1.01.009 of this code. Each day a violation continues from the date of the filing of a complaint in the municipal court of the city shall constitute a separate and distinct offense. (1959 Code, sec. 5-14-13; 1996 Code, sec. 5.1013)~~ (Reserved)

Comment [JT4]: The fair housing provisions of the Code have been codified in State statutes in The Texas Fair Housing Act (Texas Property Code Chapter 301)

ARTICLE 1.08 MUNICIPAL COURT*

Division 1. Generally

Sec. 1.08.001 Seal

The municipal court of the city shall have a seal having engraved thereon a star of five points in the center, and words "Municipal Court, San Angelo, Texas," around the margin thereof. A facsimile of said described seal is as follows:

State law reference–Municipal court seal, Tex. Code Crim. Proc. art. 45.012(g).

Secs. 1.08.002–1.08.030 Reserved

Division 2. Judge*

Sec. 1.08.031 Appointment; organization of court

(a) Appointment. The city council shall appoint a presiding judge of the municipal court, who shall hold office for the duration of his/her appointment unless removed at will by the city council. The city council may appoint an associate judge, who shall hold office for the duration of his/her appointment, unless removed at will by the city council.

(b) Organization.

(1) The municipal court shall be divided into two (2) divisions, one (1) of which shall be presided over by the presiding judge and the other division of which shall be presided over by an associate judge. Each division shall have and exercise concurrent jurisdiction with the other division of such court within the corporate limits of the city and any other area provided by law, and such jurisdiction shall be the same as is now or may hereafter may be conferred upon all municipal courts by the general laws of the state. Such divisions of the municipal court shall be in concurrent and continuous session, day and night.

(2) The municipal court and its judges may transfer cases from one division to another, and any judge or division may exchange benches and preside over any other division of such court.

(3) The presiding judge shall have authority to administer the municipal court.

(1996 Code, sec. 2.1201; Ordinance adopted 10/29/96)

Sec. 1.08.032 Duties

(a) Presiding judge. The presiding judge of the municipal court shall preside over the first division of the municipal court and shall have and exercise the same power and authority and perform the same duties as that of the recorder or judge as prescribed by the laws of the state and the city charter.

(b) Associate judge. The associate judge of the municipal court shall preside over the second division of the municipal court and shall have the same powers as those conferred on the presiding judge.

(1996 Code, sec. 2.1202; Ordinance adopted 10/29/96)

Secs. 1.08.033–1.08.060 Reserved

Division 3. Fees*

Sec. 1.08.061 Building security fund

(a) All defendants convicted in trial of a misdemeanor offense in municipal court shall be assessed a three dollar ($3.00) security fee as cost of court.

(b) A person shall be considered convicted if:

(1) A sentence is imposed on the person;

(2) The person receives community supervision, including deferred adjudication; or

(3) The court defers final disposition of the person's case.

(c) The costs collected shall be paid to the finance director and deposited in a fund to be known as the municipal court building security fund. This fund shall be administered under the direction of the city council and may be used only to finance the following items when used for the purpose of providing security services for the municipal court building:

(1) The purchase or repair of X-ray machines and conveying systems;

(2) Hand-held metal detectors;

(3) Walk-through metal detectors;

(4) Identification cards and systems;

(5) Electronic locking and surveillance equipment;

(6) Bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;

(7) Signage;

(8) Confiscated weapon inventory and tracking systems;

(9) Locks, chains, or other security hardware;

(10) Video Teleconferencing systems

(11) The purchase or repair of bullet-proof glass

(12) Continuing education on security issues for court personnel and security personnel; and

(13) Warrant officers and related equipment.

Comment [JT5]: Added additional uses allowed by Texas Code of Criminal Procedure Article 102.017

Sec. 1.08.062 School crossing guard fund

(a) All defendants convicted of violating the city's parking ordinances authorized under section 542.202, Transportation Code, or chapter 682, Transportation Code in municipal court shall be assessed a five dollar ($5.00) fee as a cost of court.

(b) A person shall be considered convicted if:

(1) A sentence is imposed on the person;

(2) The person receives probation or deferred adjudication; or

(3) The court defers final disposition of the person's case.

(c) The costs collected shall be paid to the finance director and deposited in a fund to be known as the school crossing guard fund. This fund shall be administered under the direction of the city council and may be used only for the following purposes:

(1) Operating a school crossing guard program;

(2) If the money received exceeds the amount necessary to fund the school crossing guard program the money may be:

(A) Deposited in an interest-bearing account; or

(B) Expended for programs designed to enhance child safety, health or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention.

Sec. 1.08.063 Technology fund

(a) All defendants convicted in trial of a misdemeanor offense in municipal court shall be assessed a four dollar ($4.00) technology fee as cost of court.

(b) A person shall be considered convicted if:

(1) A sentence is imposed on the person;

(2) The person is placed on community supervision, including deferred adjudication community supervision; or

(3) The court defers final disposition of the person's case.

(c) The costs collected shall be paid to the finance director and deposited in a fund to be known as the municipal court technology fund. This fund shall be administered under the direction of the city council and may be used only to finance the following items when used for the purpose of technological enhancements for a municipal court:

(1) Computer systems;

(2) Computer networks;

(3) Computer hardware;

(4) Computer software;

(5) Imaging systems;

(6) Electronic kiosks;

(7) Electronic ticket writers; and

(8) Docket management systems.

Sec. 1.08.064 Collection fee

Defendants owing a debt or having an account receivable, other than a forfeited bond, with the city municipal court more than sixty (60) days past due shall be assessed a collection fee equal to thirty (30) percent of the debt owed if the account or debt has been referred to an attorney or collection agency for collection.

(1) A defendant is not liable for the collection fees authorized under this section if the judge of the municipal court determines that the defendant is indigent, or has insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine.

(2) In the event the amount collected from a defendant is less than the total costs owed by the defendant, the amount paid to the comptroller and the amount permitted to be retained by the municipal court will be reduced by an equal percentage in order to fully compensate the attorney or collection agency, not to exceed the percentage specified as allowable collection costs in the contract between the city and the attorney or collection agent.

Sec. 1.08.065 Special warrant expense

(a) After due notice, a special expense of twenty-five dollars ($25.00) shall be assessed against each person for whom a warrant of arrest is issued and served for an offense under section 38.10 of the Penal Code or section 543.009 of the Transportation Code.

(b) The costs collected shall be paid to the finance director or his designee and deposited in the municipal treasury for the use and benefit of the municipality.

(c) The presiding judge of the municipal court or his designee shall promulgate a procedure to ensure that due notice is provided before the special expense is assessed against any person.

Sec. 1.08.066 Juvenile case manager fund

(a) All defendants convicted of a fine-only misdemeanor offense in municipal court shall be assessed a five dollar ($5.00) juvenile case manager fee as cost of court.

(b) A person shall be considered convicted if:

(1) A sentence is imposed on the defendant; or

(2) The defendant receives deferred disposition, including dismissal of a misdemeanor charge on commitment of a chemically dependent person.

(c) The costs collected shall be paid to the finance director and deposited in a fund to be known as the juvenile case manager fund. This fund shall be administered under the direction of the city council and may be used only to finance the salary and benefits of juvenile case managers employed by the municipal court.

(d) The municipal court judge is authorized to waive the fee in a case where financial hardship is demonstrated.

Sec. 1.08.067 Credit card processing fees

(a) Payment of fees or costs by credit card or electronic means. The municipal court clerk and any other municipal officer collecting fees, fines, court costs and other charges for the municipal court for the city are hereby authorized to accept payment by credit card of such fees, fines, court costs or other charge and to collect a fee for processing the payment by credit card.

(b) Processing or handling fee. The municipal court clerk and any other municipal officer is hereby authorized and directed to assess a processing fee not to exceed five percent (5%) of the amount of the fee, fine, court cost, or other charge being paid by the use of a credit card, as an amount reasonably necessary and related to the expense incurred by the city, as authorized by section 132.003(b), Texas Local Government Code.

(c) Service charge. If for any reason a payment by credit card is not honored by the credit card company on which the funds are drawn, the municipal officer shall collect a service charge from the person who owes the fee, fine, court cost, or other charge to the city. The service charge is in addition to the original fee, fine, court cost, or other charge and is for the collection of that original amount. The amount of the service charge shall be the same amount as the fee charged for the collection of a check drawn on an account with insufficient funds, as authorized by section 132.004, Texas Local Government Code.

(d) Encumbrance of credit cards. The presiding judge is hereby authorized to enter into agreements with companies which issue credit cards to collect and seize credit cards issued by the company that are outdated or otherwise unauthorized and the judge is further authorized to charge the company a fee for the return of said credit cards, as authorized by section 132.005, Texas Local Government Code.

(e) Disposition of fees and charges. Processing fees and service charges collected pursuant to this section shall be deposited in the general fund of the city, as provided by section 132.006(b), Texas Local Government Code.

ARTICLE 1.09 TAXATION[*]

Division 1. Generally

Secs. 1.09.001–1.09.030 Reserved

Division 2. Ad Valorem Taxation[‡]

Sec. 1.09.031 Optional residence homestead exemption

Effective May 17, 2005, all previously adopted optional residence homestead exemptions for individuals who are sixty-five years of age or older or who are disabled shall be repealed.

Sec. 1.09.032 Tax freeze for residence homesteads

(a) Definitions.

Disabled. Has the same meaning as set forth in Texas Tax Code section 11.13(m)(1), as it currently exists or may be amended.

Residence homestead. Has the same meaning as set forth in Texas Tax Code section 11.13(j)(1), as it currently exists or may be amended.

Tax Code. The Texas Tax Code as it currently exists or may be amended.

(b) Residence homestead tax freeze for elderly and disabled people. There is hereby created and established a tax freeze on the amount of property taxes imposed by the city on the residence homesteads of individuals age sixty-five or older or who are disabled, which shall be governed by section 11.261 of the Tax Code, as follows:

(1) The tax freeze shall become effective beginning with the 2004 tax year, and shall remain effective for each successive tax year.

(2) The total amount of ad valorem taxes imposed on the residence homestead of a person who qualified that residence homestead for the exemption in accordance with the Tax Code as that of a person who is sixty-five years of age or older or who is disabled shall not be increased while it remains the residence homestead of that person or that person's spouse who is disabled or sixty-five years of age or older.

(3) If the person who is sixty-five years of age or older or who is disabled dies in a year in which the person received a residence homestead exemption, the total amount of ad valorem taxes imposed on the residence homestead shall not be increased while it remains the residence homestead of that person's surviving spouse if:

(A) The surviving spouse is disabled or fifty-five years of age or older at the time of the person's death;

(B) The residence homestead of the deceased person is also the residence homestead of the surviving spouse on the date of the person's death; and

(C) The residence homestead remains the residence homestead of the surviving spouse.

(4) Notwithstanding anything contained herein, taxes on the residence homestead may be increased to the extent the value of the homestead is increased by improvements other than repairs and other than improvements made to comply with governmental requirements.

(5) A person may not freeze taxes for more than one residence homestead, no matter where located, in the same year. A person may designate a new residence homestead within the city in accordance with the Tax Code.

(6) The limitation on taxes provided by this section may expire in accordance with section 11.261(d) of the Tax Code. If a tax limitation is erroneously allowed, back taxes may be assessed in accordance with section 11.261(e) of the Tax Code.

Secs. 1.09.033–1.09.060 Reserved

Division 3. Uniform Tax Abatement Policy

Sec. 1.09.061 Policy adopted

The city adopts this policy of tax abatement ("policy") for qualified business that proposes a project ("project") to develop, redevelop and improve taxable qualifying real property or tangible personal property located on the real property, or both ("property"). The city is willing to provide a subsidy to a property owner(s) in the form of a special exemption from certain ad valorem taxes provided the real property owner and, where applicable, its lessee, agrees to accept and abide by this policy. The city will, on a case-by-case basis, give consideration to providing tax abatement as a stimulation for economic development. Nothing herein shall imply or suggest that the city is under any obligation to provide tax abatement to any applicant. All applicants shall be considered on a case-by-case basis, and the decision to approve or deny tax abatement shall be at the discretion of the city council.

Sec. 1.09.062 Definitions

(a) *Qualified business*. A person or business entity that meets the following criteria:

(1) The person or business entity owns qualifying real property ("real property owner"); or

(2) The person or business entity leases qualifying real property from the real property owner ("lessee") and authorizes its lessor real property owner to contract on its behalf for tax abatement on the lessee's qualifying tangible personal property; and

(3) The real property owner or its lessee is engaged in or has provided substantial commitment to initiate the active conduct of trade or business in a reinvestment zone; and

(4) The real property owner or its lessee is engaged in one or more of the following activities:

(A) "Manufacturing," as defined by the Standard Industrial Classification (SIC), series 2000 and 3000.

(B) "Regional distribution facilities," as defined by SIC Code series 4200, and as further defined by SIC Code 4200, and as further defined by serving areas outside the San Angelo Metropolitan Statistical Area (MSA).

(C) "Data processing services," as defined by SIC Code series 4800 or SIC Code series 7300.

(D) "Telecommunications services," as defined by SIC Code series 4800 or SIC Code series 7300.

(E) "Renovation or restoration" of any commercial building located in a district established by ordinance by the city council as an historic, cultural, heritage, or conservation district, if the value added to the ad valorem tax base is certified by the director of the Tom Green County appraisal district to be equal to, or greater

than, $30,000.00. Tax abatement will be available for rental residential buildings. Abatement is not available for homes or apartments occupied by their owners. Building enlargement costs do not qualify.

(F) "Corporate offices" of eligible businesses and other businesses, including retail establishments, not necessarily listed in the SIC series in subsections (A), (B), (C), and (D) above, as the job and capital criteria are met for the corporate office location.

(5) The person or business entity or its lessee creates new permanent jobs and capital investment and generally imports new wealth into the city.

(b) *Property owner*. Means, as appropriate to the context, either or both of the following:

(1) The owner of qualifying real property.

(2) A person or business entity which leases qualifying real property and owns qualifying tangible personal property located on said real property.

(c) *Permanent job*. A full-time or full-time equivalent employment position created by the qualified business in which a minimum of 2,080 hours are required annually.

(d) *Abatement period*. (Hereinafter defined) is seven years; limited, however, to no more than five tax years next following the timely and successful completion of the project. The period of time that the taxes are abated will be referred to as the "abatement period."

(e) *First tax year*. The commencement of construction of the project.

(f) *Tax year*. A calendar year.

(g) *Actual construction*. Site improvement activity initiated more than thirty days prior to the submission of an application for tax abatement and is concluded with the completion of the project qualifying for tax abatement under this policy.

Sec. 1.09.063 Abatement schedule

Subject to the remaining terms of this policy, the abatement of ad valorem taxes on property shall be according to the following formula:

(1) For projects eligible under section 1.09.062(a)(4)(A), (B), (C), (D), and (F):

Percent of Created Value to be Abated	**Capital Cost of the Project* or Permanent Jobs****	
0%	$0 - $249,999	0 - 4
20%	$250,000 - $500,000	5
30%	$500,001 - $750,000	10
40%	$750,001 - $1,000,000	15

50%	$1,000,001 - $2,500,000	20
60%	$2,500,001 - $5,000,000	25
75%	Over $5,000,000	30

*Minimum $250,000 capital required

**Minimum of 5 jobs required to be created, regardless of capital investment

(2) For projects eligible under section 1.09.062(a)(4)(E): 100% of created value to be abated.

Sec. 1.09.064 Tax abatement request procedure

Prior to beginning the actual construction work on the project proposed for tax abatement, the real property owner requesting tax abatement and its lessee, where the request includes a request for tax abatement on the lessee's qualifying tangible personal property, must submit an official application form to the city and:

(1) Provide the city with:

(A) A description of the project clearly defining the work to be performed;

(B) A statement agreeing to expend a designated amount ("project cost") for the project;

(C) A separate statement agreeing that the required minimum number of full-time jobs will be created ("required jobs") and maintained during the term of the contract; and

(D) An explanation as to how the project will provide long-term significant positive economic benefit to the community, the city and its taxpayers.

(2) Furnish the city with a written statement that tax abatement will be a significant factor in determining whether the project for the development, redevelopment or improvement of the property will take place.

(3) Agree to execute a contract (herein so called) with the city containing the covenants and conditions required by the city.

Sec. 1.09.065 Contract compliance

Should the city agree to grant an abatement to the property owner after compliance with the procedure outlined above, then:

(1) Subject to the terms and conditions of the contract, a stipulated percentage as set forth in section 1.09.063 above of those particular ad valorem real and personal property taxes ("taxes") which are generated by virtue of fair market value created

("created value") solely due to the construction and completion of the project on the real property will be abated.

(2) The period of construction ("construction period") for the project shall not go beyond the end of the third tax year. During the construction period the property owner must actually expend the project cost and within six months next following the completion of the project must submit to the city receipts verifying expenditures, and a statement that the required jobs have been created. On January 1st of each tax year following completion of the project, the property owner must submit a statement to the city that the required jobs have been continuously maintained.

(3) Within six months next following the end of the construction period, the project must be in operation, i.e., it must actively serve the purpose for which it is designed.

(4) In the event the project is either:

(A) Not complete at the minimum cost by the end of the construction period; or

(B) Is timely completed at the minimum cost but is not operational within six months next following the end of the construction period, unless granted a six-month extension by the city council; or

(C) Is timely completed at the minimum cost of less than $5,000,000.00 but the required jobs are not created or maintained as set forth in subsection (2); or

(D) Is timely completed at the minimum cost, is operational within six months next following the end of the construction period and, meets the permanent job requirements as defined in section 1.09.063, but its operations are discontinued for a continuous period of twelve months;

then the contract shall terminate with respect to the project and so shall the abatement of taxes for the created value of the project. The taxes otherwise abated with respect to the project shall be paid to the city on the date specified by law, or, if such date has passed, then within sixty (60) days of the accelerated termination of the abatement period.

(5) Employees and/or designated representatives of the city will have access to the project during the term of the contract for inspection purposes so as to determine if the terms and conditions of the contract are being met. All inspections will be made only after the giving of twenty-four (24) hours' prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the project. Inspections will be made with representatives of the property owner, and in accordance with its safety standards.

(6) In the event that:

(A) The property owner allows its ad valorem taxes owed the city to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest;

(B) The property owner violates any of the terms and conditions of the contract, and fails to cure during the cure period (as hereinafter provided);

then the contract may be terminated by the city, and all taxes otherwise abated by virtue of the contract will be recaptured and paid to the city by the property owner within sixty (60) days of the termination.

(7) If on January 1st of any tax year the legally determined fair market value of all realty improvements owned by the real property owner within the jurisdiction of the city ("realty improvements") is less than the legally determined fair market value of all realty improvements as of January 1 of the calendar year in which the contract is executed ("base value") and/or in the event that the real property owner reduces its ad valorem taxes on personal property otherwise payable to the city by participation in a foreign trade zone or by having otherwise taxable property exempt pursuant to special legislation, e.g., the "freeport amendment" ("special treatment"), then the abatement otherwise available shall be reduced for each dollar that the fair market value of realty improvements is less than the base value and, also, for each dollar of tax reduction attributable to special treatment; provided, however, that in no event shall the offset exceed the created value of the project otherwise subject to the abatement of taxes.

(8) If on January 1st of any tax year the legally determined fair market value of all tangible personal property owned by a lessee owning qualifying tangible personal property within the jurisdiction of the city ("personal property") is less than the legally determined fair market value of all personal property as of January 1 of the calendar year in which the contract is executed ("base value") and/or in the event that the lessee reduces its ad valorem taxes on personal property otherwise payable to the city by participating in a foreign trade zone, then the abatement otherwise available shall be reduced for each dollar that the fair market value of personal property is less than the base value and, also, for each dollar of tax reduction attributable to special treatment; provided, however, that in no event shall the offset exceed the created value of the project otherwise subject to the abatement of taxes.

(9) Notwithstanding any other provision herein to the contrary, in the event the city adopting this policy is required to adopt a tax rate which would subject the city to a tax rollback election under section 26.07 of the Property Tax Code, and this increase is caused by requirements set forth by the state; mandated by the judiciary; expenses required to repair, rebuild or rehabilitate improvements which are damaged or destroyed; or due to a significant decline in value of a major industrial complex located in the jurisdiction of the city, then the city may allocate the taxable value necessary to reduce the actual rate below the rollback rate to the owners of abated property based on the owner's pro-rata share of the total abated value for the current tax year.

(10) Should the city determine that the property owner is in default in the terms and conditions of the contract, then the city will notify the property owner at the address stated in the contract of such claimed default, and if such is not cured within sixty (60) days from the date of such notice ("cure period"), the contract may be terminated by the city. Any notice of default shall be in writing and shall be given by personal delivery or by certified mail, return receipt requested. In the event the notice is effected by personal delivery, the date and hour of actual delivery shall be the time and date of such notice to the business. Absent a postal strike or the stoppage of the mails, in the event of delivery of notice by registered or certified United States mail, the date and hour following 48 hours after the date and hour at which the sealed envelope

containing the notice is deposited in the United States mail, properly addressed, and with postage prepaid, shall be the time and date of such notice to the property owner.

Sec. 1.09.066 Full and final authority

The city shall have the final decision with respect to interpretation of the policy and, also, as to whether the minimum standards set forth above have been met by the property owner. (1996

Sec. 1.09.067 Termination

The policy shall terminate on the second anniversary from the date of its adoption by the city.

Secs. 1.09.068–1.09.090 Reserved

Division 4. Hotel Occupancy Tax[*]

Sec. 1.09.091 Definitions

As herein employed, the following words, terms and phrases are defined as follows:

Consideration. The cost of the room in such hotel only if the room is one ordinarily used for sleeping, and shall not include the cost of any food served or personal services rendered to the occupant of such room not related to the cleaning and readying of such room for occupancy.

Finance director. The finance director of the city.

Hotel. Any building or buildings in which the public may, for a consideration, obtain sleeping accommodations. The term shall include hotels, motels, tourist homes, houses, or courts, lodging houses, inns, rooming houses or other buildings where rooms are furnished for a consideration, but “hotel” shall not be defined so as to include hospitals, sanitariums or nursing homes.

Monthly period. The regular succeeding calendar months of each calendar year beginning with the month of January and ending with the month of December.

Occupancy. The use or possession or the right to the use or possession of any room in a hotel if the room is one ordinarily used for sleeping and if the occupant’s use, possession, or right to use or possession extends for a period of less than thirty (30) consecutive days.

Occupant. Any person, who, for a consideration, uses, possesses, or has a right to use or possess any room in a hotel if the room is one ordinarily used for sleeping.

Permanent resident. Any occupant who has or shall have the right to occupancy of any room or rooms in a hotel for at least thirty (30) consecutive days during the current calendar year or preceding year, so long as there is no interruption of payment for the period.

Person. Any individual, company, corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.

Sec. 1.09.092 Levy of tax; rate; exceptions

(a) There is hereby levied a tax upon the cost of occupancy of any hotel where the cost of occupancy is at the rate of two dollars ($2.00) or more per day, such tax to be equal to ~~five and one-half percent (5-1/2%) effective October 1, 1983, and~~ seven percent (7%) of the consideration paid by the occupant of such room to such hotel, exclusive of the occupancy taxes imposed by other governmental agencies.

Comment [JT6]: Deleted unnecessary language

Comment [JT7]: This deletion is removing unnecessary enacting language.

(b) No tax shall be imposed hereunder on a permanent resident.

(c) No tax shall be imposed on the United States, the state or an agency, institution, board, or commission of this state other than an institution of higher education.

(d) No tax shall be imposed hereunder on all foreign diplomatic personnel and federal and Texas state employees traveling on official business, except state college and university personnel.

Sec. 1.09.093 Collection

Every person owning, operating, managing or controlling any hotel shall collect the tax imposed for the city.

Sec. 1.09.094 Reports

(a) On or before the last day of the month following each calendar month, every person required to collect the tax imposed herein shall file a report with the director of finance showing the consideration paid for all room or sleeping place accommodations in the preceding month, the amount of tax collected on such occupancies, and any other information as the director of finance may reasonably require. Such persons shall pay the tax due on such occupancies at the time of filing the report. There shall also be furnished to the director of finance, at the time of payment of said tax, a copy of the ~~quarterly~~ tax report filed with the state comptroller in connection with the state hotel occupancy tax, such report to be furnished to such director of finance on or before the date the report is required to be filed with the state comptroller. The director of finance shall, upon reasonable notice, have access to books and records kept by any person required to collect the tax imposed herein which may be necessary to enable him to determine the correctness of any report filed as required by this division and the amount of taxes due under the provisions of this division.

Comment [JT8]: Deleted quarterly as in some instances there is no required quarterly report.

(b) This division shall take effect as provided by the city charter. The implementation of reporting and tax collection shall be effective from and after October 1, 1987.

Sec. 1.09.095 Use of revenue

(a) The revenue derived from this hotel occupancy tax shall only be used to promote tourism and the convention and hotel industry as limited by the Texas Tax Code, chapter 351 (Municipal Hotel Occupancy Taxes), as now enacted or hereafter amended, in accordance with resolution of the city council.

(b) The city council by contract may delegate to a person, including another governmental entity or a private organization, the management or supervision of programs and activities funded with revenue from the tax authorized by this division. The city council shall approve in writing in

advance the annual budget of the person, governmental entity or private organization to which it delegates those functions and shall require the person, governmental entity or private organization to make periodic reports to the city council at least quarterly listing the expenditures made by the person, governmental body or private organization with revenue from the tax provided by the city as authorized by law. The person, governmental entity or private organization must maintain revenue provided by the city from the tax in a separate account established for that purpose and may not commingle that revenue with any other money or maintain it in any other account. The approval by the city council of the annual budget of that person, governmental entity or private organization to whom it delegates those functions creates a fiduciary duty in that person, governmental entity or private organization with respect to the revenue provided by the city from the tax.

(c) This section shall become effective on the date of its adoption, and shall apply to taxes due and received from and after April 2, 2013.

Sec. 1.09.096 Penalties

(a) If any persons required by the provisions of this division to collect the tax imposed herein, or to make reports as required herein, and pay to the director of finance the tax imposed herein, shall fail to collect such tax, file such report or pay such tax or if any such person shall file a false report, such person shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine in accordance with the general penalty provision found in section 1.01.009 of this code.

(b) Additionally, if any person shall fail to file a report as required herein, or shall fail to pay the director of finance the tax as imposed herein when said report or payment is due, the city may bring suit to collect the tax or to enjoin the person from operating a hotel in the city until the tax is paid or the report filed. In addition to the amount of tax owed, such person is liable to the city for reasonable attorney's fees and a penalty of up to fifteen percent (15%) of the tax owed. Such person shall pay the director of finance the tax due, together with a penalty of seven and one-half percent (7-1/2%) of the tax due for the first thirty (30) days or part thereof that the same is not timely filed, and after the first thirty (30) days, such person shall pay an additional penalty of seven and one-half percent (7-1/2%) of such tax. Delinquent taxes shall draw interest at the rate of twelve percent (12%) per annum beginning sixty (60) days from the date due.

Sec. 1.09.097 Reimbursement

Any person required by this division to collect hotel occupancy taxes may deduct and withhold from that person's payment to the city, as reimbursement for the cost of collecting the tax, an amount not to exceed one percent (1%) of the amount of the tax collected and required to be reported to the city. Provided, however, any person required to pay said tax and file said reports with the city shall forfeit all rights to reimbursement for failure to pay the tax or file the reports required by the city on the dates such payments and reports are due.

Sec. 1.09.098 Successor liability

(a) If a person who is liable for the payment of a tax under this division is the owner of a hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to pay the amount due until the seller provides a receipt from the director of finance or his designate showing that the amount has been paid or a certificate showing that no tax is due.

(b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.

(c) The purchaser of a hotel may request that the director of finance or his designate issue a certificate stating that no tax is due or issue a statement of the amount required to be paid before a certificate may be issued. The director of finance or his designate shall issue the certificate or statement not later than the 60th day after the date that he receives the request.

(d) If the director of finance or his designate fails to issue the certificate or statement within the period provided by subsection (c), the purchaser is released from obligation to withhold the purchase price or pay the amount due.**"**

2) THAT all remaining subsections of Chapter 1 not amended by this ordinance remain in full force and effect.

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

SEVERABILITY:

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

4) THAT, this Ordinance shall be effective on, from and after passage.

INTRODUCED on the 1st day of November, 2016, and finally PASSED, APPROVED and ADOPTED on this the 15th day of November, 2016.

CITY OF SAN ANGELO

ATTEST:

_____
Dwain Morrison, Mayor

_____
Bryan Kendrick, City Clerk

Approved as to Form:

_____
Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Discussion and consideration of approving the Tax Increment Reinvestment Zone (TIRZ) board recommendations for funding under the Fall 2016 TIRZ Incentives Policy for the following applications: (a) 1313 North Bryant; (b) 601 W. 11th; (c) 38 N. Chadbourne; (d) 204 S. Oakes; (e) 35 E. Concho; (f) 220 MLK; (g) 204 S. Chadbourne; (h) 12 N. Chadbourne; (i) 19 E. Concho Ave; (j) 114 S. Chadbourne; (k) 138 W. Concho Ave. (Presentation by Planning & Development Services Director Jon James)

Summary/History:

At their September 27th regular meeting, the Tax Increment Reinvestment Zone (TIRZ) Board recommended approval of the following projects for funding under the TIRZ Incentives Program:

North TIRZ
(a) TJ's Frozen Yogurt & Gourmet Coffee (1313 North Bryant)
- Originally recommended funding everything except signage
- Board agreed that they should not fund signage for a business that may not last, but instead fund improvements that would benefit current and future occupants
- Subsequent to the September 26th board meeting, TJ's Frozen Yogurt announced they are closing. At their October 25th board meeting, the board recommended no longer funding this project.

(b) Wendland Tank Corp. (601 W. 11th)
- Recommended funding only a portion of the paving

South TIRZ
(c) Raw Studio & Gallery (38 N. Chadbourne)
- Recommended funding entire request

(d) Flamingo Flatts (204 S. Oakes)
- Recommended funding entire request

(e) Eggemeyer General Store (35 E. Concho)
- Recommended funding entire request

(f) DeLarnce DeWitt (220 MLK)
- Recommended funding entire request

(g) Swagito (204 S. Chadbourne)
- Recommended funding everything except signage
- Board agreed that they should not fund signage for a business that may not last, but instead fund improvements that would benefit current and future occupants

(h) Brian Raymond (12 N. Chadbourne)
- Recommended funding entire request

(i) The Casual Pint (19 E. Concho Ave)
- Recommended funding entire request

(j) Fat Boss's Pub (114 S. Chadbourne)
- Did not recommend funding this project (signage)
- Board agreed that they should not fund signage for a business that may not last, but instead fund improvements that would benefit current and future occupants

(k) West Texas Fire & Industrial Supply (138 W. Concho Ave)
- Did not recommend funding this project (parking lot paving)
- Board would reconsider if the applicant would reapply to include beautification efforts as part of parking lot improvement

If City Council concurs with these recommendations, staff will move forward with awarding the projects, finalizing the contracts, and issuing letters to proceed. Attached is a summary of the projects including the total amount requested and the amount recommended by the board. In addition, all of the project applications are included for your information.

Financial Impact:

Based on the funding recommendations of the TIRZ Board, the TIRZ – North would contribute $44,000 towards the recommended projects for funding in that portion of the TIRZ and the TIRZ – South would contribute $225,071.10 towards the recommended projects for funding in that portion of the TIRZ.
There is no impact to the General Fund.

Other Information/Recommendation:

The TIRZ Board approved funding the projects as outlined above at their regular meeting on September 27, 2016. Individual votes were taken for each project and the attached minutes provide the results of each vote.
At their October 25, 2016 meeting the Board voted to withdraw their funding recommendation for the TJ's Frozen Yogurt project by a vote of 8-1 (Edwards opposed).

Attachments:

1.	Recommended Funding (Revised)	1.Summary of funded projects - Revised.docx
2.	TIRZ Board Minutes (Approved)	2.TIRZ Board - September 27, 2016 Minutes.pdf
3.	Incentives Policy	3.IncentivesPolicy_CCapproved072115 (Updated).pdf
4.	Project Applications - North	4.North_Project_Applications.pdf
5.	Project Applications - South	5.South_Project_Applications.pdf

Presentation:

Jon James, Director of Planning & Development Services

Approvals/Reviews:

Jon James	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

North Projects	Funding Amount Requested	Funding Recommended
TJ's Frozen Yogurt & Gourmet Coffee	$62,135	$~~52,730~~
Wendland Tank Corp.	$75,000	$44,000
Total North	***$137,135***	***$44,000***
South Projects	Funding Amount Requested	Funding Recommended
Raw Studio & Gallery	$75,000	$75,000
Flamingo Flatts	$20,200.59	$20,200.59
Eggemeyer General Store	$75,000	$75,000
DeLarnce DeWitt	$19,925.51	$19,925.51
Swagito	$9,995	$4,995
Brian Raymond	$9,950	$9,950
The Casual Pint	$20,000	$20,000
Fat Boss's Pub	$9,839.97	$0
West Texas Fire & Industrial Supply	$27,000	$0
Total South	***$266,911.07***	***$225,071.10***

MINUTE RECORD OF THE CITY OF SAN ANGELO TAX INCREMENT **REINVESTMENT ZONE MEETING HELD ON Tuesday, September 27, 2016 AT 3:00 PM, MCNEASE CONVENTION CENTER, 501 RIO CONCHO DRIVE.**

PRESENT: **Voting Members:** Tim Edwards, Brenda Gunter, Dudra Butler, Johnny Silvas, Casey Barrett, Lee Pfluger, Jason Fernandez, Mike Campbell

Non-voting Members: SAISD-Dr. Jeff Bright, DSA-Del Velasquez, GAFB-Kevin Bruce, Chamber of Commerce-Dan Koeing, ASU-John Klingemann

ABSENT: William Dendle (AE)

STAFF: Jon James
Sarah Tackett
Russell Pehl
Shannon Scott
Bob Schneeman

I. Call to order, establish quorum.

The meeting was called to order at 3:00 pm. It was established that a quorum was present.

II. Public comment.
Kathy Ramirez, office manager of two businesses on North Chadbourne, would like consideration of extending the North TIRZ Zone. She was told it ends at 30th street, they are located at 3217 North Chadbourne.

III. Consideration of approving the minutes from the August 23, 2016 TIRZ Board Meeting.

Motion to approve the August 23, 2016 Board Meeting Minutes with a correction to Item VII by Mr. Johnny Silvas, seconded by Ms. Brenda Gunter and carried unanimously.

IV. Introductions of TIRZ Board and staff.

Mr. Jon James stated he thought it would be a good idea for board members to introduce themselves. Each board member introduced themselves and stated who

they represent. Mrs. Brenda Gunter added she would like the board to remain professional and courteous at all times.

No action taken.

V. Financial Report.

Mr. Jon James presented the financials. There were a few changes from what was previously sent to the board. He explained that the FY2017 funds will not be paid to the City until next September, however; the board may commit those funds as of October 1, 2016. He added that at the last meeting the board did authorize funds for the MLK Project and the widening of Concho Avenue. Mr. Casey Barrett asked if we can set goals for spending; I think we all want something that puts a good stamp on the TIRZ. Mr. Jon James stated that at an upcoming meeting staff will be reviewing the project plan. Mrs. Brenda Gunter added that we all have noticed the dynamic change in the Northern TIRZ. Downtown holds a lot of history, we need to help the overall district. I believe that if we do not set aside funds for this we will never get the streetscape program completed. Mr. Del Velasquez stated that at the last meeting it was discussed that City Council had talked about setting aside funds; the streetscape project on the northern TIRZ has added much value to that zone. We need the same change downtown. One of the goals of a Main Street City is to make the city pedestrian friendly; so downtown can be enjoyed. He added that if we have funds to utilize for this purpose, we should. Mr. Tim Edwards stated that we need to discuss what this board should accomplish, this is my second meeting on the TIRZ Board, I haven't heard anything regarding the 4 years of work done by the DDC. Mr. Jon James stated that we should probably not dive too deep into that topic; however, we can discuss at a future meeting.

No action taken.

VI. Discussion and possible action regarding the TIRZ Board's recommendations for incentive awards for FY2017.

Mr. Jon James presented a list of the submitted projects; they are listed in the order of staff recommendation. The board always has the ability fund a portion of a project if they do not agree with the total project. Please keep in mind, if a project does not receive full funding; they may back out of the project. Mr. Johnny Silvas asked what the match amount is. Projects that are more than $10,000 the owner must match the total amount of the project by 25%, $75,000 is the cap.

An overview of the evaluation criteria was presented. There was also some evaluation criteria is specific to each category. Mr. Jon James gave a brief overview of funding recommendations in the North and South TIRZ. The following projects were reviewed:

List of Projects

North Projects	Funding Amount Requested
TJ's Frozen Yogurt & Gourmet Coffee	$62,135
Wendland Tank Corp.	$75,000
Total North Funding Requested	***$137,135***
South Projects	Funding Amount Requested
Raw Studio & Gallery	$75,000
Flamingo Flatts	$20,200.59
Eggemeyer General Store	$75,000
DeLarnce DeWitt	$19,925.51
Swagito	$9,995
Brian Raymond	$9,950
The Casual Pint	$20,000
Fat Boss's Pub	$9,839.97
West Texas Fire & Industrial Supply	$27,000
Total South Funding Requested	***$266,911.07***

There was general discussion on each project. Ms. Janet Lay spoke on behalf of TJ's Frozen Yogurt; Mr. Eric Eggemeyer spoke on behalf of Eggemeyer General Store.

The following amounts were approved:

North Projects	Funding Amount Requested	Funding Approved
TJ's Frozen Yogurt & Gourmet Coffee	$62,135	$52,730
Wendland Tank Corp.	$75,000	$44,000
Total North Funding Requested	***$137,135***	***$96,730***
South Projects	Funding Amount Requested	Funding Approved
Raw Studio & Gallery	$75,000	$75,000
Flamingo Flatts	$20,200.59	$20,200.59
Eggemeyer General Store	$75,000	$75,000
DeLarnce DeWitt	$19,925.51	$19,925.51
Swagito	$9,995	$4,995
Brian Raymond	$9,950	$9,950
The Casual Pint	$20,000	$20,000
Fat Boss's Pub	$9,839.97	$0
West Texas Fire & Industrial Supply	$27,000	$0
Total South Funding Requested	***$266,911.07***	***$225,071.10***

The motions were as follows:

TJ's –
Motion to approve funding in the amount of $52,730 by Mr. Lee Pfluger, seconded by Ms. Brenda Gunter and carried unanimously.

Wendland Tank Corp –
Motion to approve funding in the amount of $44,000 by Mr. Lee Pfluger, seconded by Mr. Mike Campbell.
Yay: Pfluger, Campbell, Gunter, Butler, Edwards, Fernandez
Nay: Silvas, Barrett
Motion passes.

Mr. Johnny Silvas left the meeting at 4:08 PM.

Raw Studio & Gallery –
Motion to approve funding in the amount of $75,000 by Mr. Lee Pfluger, seconded by Ms. Gunter and carried unanimously.

Flamingo Flatts –
Motion to approve funding in the amount of $20,200.59 by Mr. Lee Pfluger, seconded by Mr. Mike Campbell and carried unanimously.

Ms. Brenda Gunter recused herself from this vote.

Eggemeyer General Store –
Motion to approve funding in the amount of $75,000 by Mr. Lee Pfluger, seconded by Ms. Brenda Gunter and carried unanimously.

DeLarnce DeWitt –
Motion to approve funding in the amount of $19,925.51 by Ms. Dudra Butler, seconded by Mr. Lee Pfluger and carried unanimously.

Swagito –
Motion to approve funding in the amount of $4,995 by Mr. Lee Pfluger, seconded by Ms. Gunter.
Yay: Pfluger, Gunter, Campbell, Butler, Edwards, Barrett
Nay: Fernandez
Motion passes.

Brian Raymond –

Motion to approve funding in the amount of $9,950 by Ms. Brenda Gunter, seconded by Mr. Jason Fernandez and carried unanimously.

The Casual Pint –

Motion to approve funding in the amount of $20,000 by Ms. Brenda Gunter, seconded by Mr. Lee Pfluger and carried unanimously.

Fat Boss's Pub –

Motion to deny funding by Ms. Brenda Gunter, seconded by Mr. Lee Pfluger and carried unanimously.

West Texas Fire & Industrial Supply –

Motion to deny funding by Mr. Tim Edwards, seconded by Mr. Lee Pfluger and carried unanimously.

VII. Announcements.

a) Next Meeting – Tuesday, October 25, 2016 at 3:00 PM

VIII. Adjournment.

Motion to adjourn by Mr. Lee Pfluger, seconded by Mr. Casey Barrett and carried unanimously. Meeting was adjourned at 4:48 PM.

Bill Dendle, ***TIRZ Chairman***

TIRZ INCENTIVE POLICY

BACKGROUND

To encourage revitalization and infill development of properties which fall within the TIRZ (Tax Increment Reinvestment Zone) area, the City of San Angelo offers many unique incentives. The TIRZ is divided into two areas, TIRZ - North and TIRZ - South, as illustrated on page 5. Contact the Economic Development Department for more information at (325) 653-7197.

The incentives are part of an overall strategy to leverage investment, lower the cost of doing business and incentivize property owners choosing to improve commercial / retail properties in the target area. They are also intended to preserve the architectural and historic character of buildings and corridors within the TIRZ - North and TIRZ - South. The Downtown Master Development Strategic Plan, adopted by the City Council in late 2013, looked at the market realities of developing within the Downtown Development District, which encompasses much of the TIRZ - South and key corridors within the TIRZ - North. Based upon the market study and the key economic drivers, three key areas of development demand were identified which the market can adequately absorb and support.

CATEGORY A - OFFICE/WORKFORCE	Demand for this type of development shows that the downtown area can support 8,646 new jobs, and 220,936 sf of office space.
CATEGORY B - RESTAURANT	Demand for this type of development shows that the downtown area can support 6 additional restaurants.
CATEGORY C - HOUSING/HOTEL	Demand for this type of development shows that the downtown area can support 613 multi-family housing units.

ELIGIBILITY

General Eligibility Information

Beginning in FY2015, incentive "targets" for the TIRZ - North and TIRZ - South areas are as follows, meaning that the goal is to fund projects that bring new business - and large impacts - to this central area in an aggressive way, while still providing funding for smaller projects (less than $10,000 total). The funding structure shown below is congruent with goals for FY2015; however, the TIRZ board may at any time fund projects with a modification to these goals, for ultimate flexibility. This policy will be updated each fiscal year, to reflect the goals set at that time.

CATEGORY A - OFFICE/WORKFORCE	Goal: $138,623	80% ($110,898) for projects from $10,000 to $75,000, total
		20% ($27,724) for projects up to $10,000, total
CATEGORY B - RESTAURANT	Goal: $138,623	80% ($110,898) for projects from $10,000 to $75,000, total
		20% ($27,724) for projects up to $10,000, total
CATEGORY C - HOUSING/HOTEL	Goal: $138,623	80% ($110,898) for projects from $10,000 to $75,000, total
		20% ($27,724) for projects up to $10,000, total

Unless specifically exempted, all projects seeking incentives must meet current building standards, codes and permitting requirements as well as be current on all taxing obligations. All incentives are subject to funding availability and final approval by the City of San Angelo/Tax Increment Reinvestment Board.

Submittal Window & Award Schedule for Proposed Projects

For FY2016:

Window 1:

November 1st, 2015 - January 31, 2016	Window for submittal of proposals & complete application packages, formulation of FY2015 TIRZ board subcommittee
February 1st - February 28, 2016	Review & evaluation/scoring of all applications; presentation of proposals to TIRZ board subcommittee for applications not administratively eligible
March 1st - March 31st, 2016	Awards made & letters to proceed issued to selected projects; any necessary agreements drafted & submitted for legal review

Window 2:

May 1st – July 31st, 2016	Window for submittal of proposals & complete application packages, formulation of TIRZ board subcommittee
August 1st – August 31st, 2016	Review & evaluation/scoring of all applications; presentation of proposals to TIRZ board subcommittee for applications not administratively eligible
September 1st – September 30th, 2016	Awards made & letters to proceed issued to selected projects; any necessary agreements drafted & submitted for legal review

Applications, Letter to Proceed, & Evaluation Criteria

For all projects - receipt of a complete application package by the Economic Development Department - and issuance to the applicant of a Letter to Proceed - is required before work can begin. The Letter to Proceed will include the deadline for completion of the project - two years from the issuance of this letter. If an extension past two years is requested, it must be presented to the TIRZ board for determination. In determining whether or not to fund a project, City staff and TIRZ board members will utilize the following criteria, some of which are contained within the recommendations of the Downtown Master Development Strategic Plan as recommended items for investment in order to realize the potential of the district, and others which were identified in the adopted River Corridor Master Development Plan and TIRZ Project Plan.

Proposed projects submitted during the window identified above will be ranked and the highest ranked will be considered for funding first. Rankings will be determined in review utilizing: a) application of the criteria below, b) the project fulfilling one or more of Categories A-C on page 2, c) the appearance of the proposed project, d) the location of the proposed project, and e) the level of investment planned / overall fiscal impact, as well as any other information determined pertinent by the group.

Does the proposed project:

- Provide connections between activities?
- Improve pedestrian & vehicular infrastructure?
- Provide or reinforce usable & defined open space?
- Strengthen the focus area's identity?
- Support the goals of making the area a cultural, leisure, and tourist destination?
- Improve the utilities and/or drainage infrastructure?
- Remediate environmental deficiencies or enhance public safety?
- Promote mixed-use development?
- Utilize architectural styles that compliment to historic areas already in existence?
- Help to mitigate or eliminate undesirable views or outside storage?
- Reduces the visual impact of parking areas?
- Preserve or provide natural landscaping?
- Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- Attract energy sector employers to the district?
- Utilize existing buildings already equipped for infill development?
- Generate activity on north side of downtown and around rail line?

Specific to Category B, does the proposed project:

- Provide a type of cuisine not already provided in the district?
- Generate daytime - as well as nighttime - activity?
- Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- Utilize public-private financing?
- Enhance the historic features of adjacent areas?
- Provide connections from downtown to Arts/Historic District?

TIRZ - North Eligibility Area

The map on page 7 highlights the eligibility area for the TIRZ - North, within which the incentives outlined within this policy are available.

TIRZ - South Eligibility Area

The map on page 8 highlights the eligibility area for the TIRZ - South, within which the incentives outlined within this policy are available.

INCENTIVE TYPES

As part of the application, the applicant will provide key information about the elements and scope of the proposed project, including but not limited to:

1. a brief narrative illustrating how this project meets the criteria outlined on the previous page,
2. elevation drawings of the proposed work,
3. a W-9,
4. a completed application,
5. and substantiation of the need for funding requested via a proposed project budget (Worksheet A).

Unlike in previous incentive policies for the TIRZ, applicant will not be required to submit bids for work. Rather, the applicant will provide the total cost of the project via an overall scope and project budget, and demonstrate how they will meet the required match, with the remaining cost constituting the request for funding. The request for funding must be composed of one or more of

the eligible incentive types, and substantiated with a cost estimate, estimated budget, or other means of documentation. Approval of proposals for funding purposes does not replace required approval by the Design and Historic Review Commission, the Planning Commission, or any other entity.

The maximum request for funding will be considered; however, the request may be: denied for funding, partially funded, or fully approved for funding, based upon how well the proposed project meets the criteria outlined on page 2. In addition, when the current year of funding is exhausted, the TIRZ board may elect to fund additional projects when funding is available, by approving the project to begin and making reimbursement - subject to all restrictions outlined in the agreement - in the following fiscal year. In no circumstance shall an existing TIRZ board make funding commitments more than one cycle in the future.

Total cost < $10,000	No minimum match required	Maximum award of $10,000
(Administratively awarded by Economic Development Department staff)		
Total cost = $10,000 or more	Minimum 25% match required	Maximum award of $75,000
(Initial reviews by TIRZ board sub-committee; final award approval by TIRZ board)		

Each project award may be issued as follows:

1. For projects < $10,000: once funding has been authorized, an agreement will be prepared which will outline the requirements of this policy and include recapture provisions in the event the project is not completed, not completed within the maximum two year period, or not completed in accordance with the approved drawings and agreement. The agreement must be executed before work may begin. Upfront payment to the applicant for 10% of the approved funds will occur once the agreement is executed; the remaining 90% will be remitted once the project is complete and deemed compliant with the approved drawings and agreement.

2. For projects = $10,000 or more: once funding has been authorized, an agreement will be prepared which will outline the requirements of this policy and include recapture provisions in the event the project is not completed, not completed within the maximum two year period, or not completed in accordance with the approved drawings and agreement. The agreement must be executed before work may begin. Upfront payment to the applicant for 10% of the approved funds will occur once the agreement is executed; the remaining 90% will be remitted once the project is complete and deemed compliant with the approved drawings and agreement.

The funding approved for the project will be composed of one or more of the following incentive areas, as deemed appropriate for the project by the review of the scope and expenditures outlined in the proposal. The package must include a proposed budget, illustrating how the amount requested by the applicant will be applied to one or more of the following areas, including documentation explaining how those figures were determined - by way of bid, certification from a design professional, or other substantiation.

Sales Tax - as part of the funding package, TIRZ funds could cover the sales tax on locally-purchased construction materials and equipment used on an approved project.

Development Fee Reductions - as part of the funding package, TIRZ funds could cover development fees, including:

- Preliminary Plat, Final Plat, Amended Plat and Replat application fees;
- Abandonment of public right-of-way application fees;
- Application fees for release of easements;
- Dedication of a public right-of-way or easement;
- Special Use, Conditional Use or Zone Change application fees;
- Building Permit fees;
- Off-site sign demolition permit fees (removal of billboards);
- Permit fees for demolition of any non-historic building or structure;
- Water tap fees.

Secondary Egress - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of additional exits *if required* by International Fire or Building codes. Written verification by the Fire or Building Code Official that the additional exit(s) are required must be provided.

Asbestos Abatement - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the abating of asbestos *if required* by International Fire or Building codes.

Sprinkler & Monitored Smoke Alarm System - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of a sprinkler or monitored smoke alarm system if required by International Fire or Building Codes. Written verification by the Fire or Building Code Official that the system is required to be provided.

Paving - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in paving if required by City Code or International Fire or Building Codes. This includes parking areas, driveways, sidewalks, and curbing. Review and approval of the proposed signage design will be based upon the design standards outlined in the River Corridor Master Development Plan.

Outside Storage Screening - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the screening of outside storage areas. Review and approval of the proposed signage design will be based upon the design standards outlined in the River Corridor Master Development Plan.

New Sign Installation - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in new exterior signage for approved projects. Review and approval of the proposed signage design will be based upon the design standards outlined in the River Corridor Master Development Plan.

Landscape Installation - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in new landscaping for approved projects. Review and approval of the proposed landscaping design will be based upon the design standards outlined in the River Corridor Master Development Plan & plant selection as outlined in the Drought Tolerant Plantings Guide.

Facade Improvement - as part of the funding package, TIRZ funds could cover a portion or all of the costs involved in facade improvements on existing buildings which are part of approved projects. Review and approval of the proposed facade design will be based upon the design standards outlined in the River Corridor Master Development Plan. For buildings identified as resources within the 2006 or 2009 Historic Resources Surveys, or which are historically designated, review and approval of the proposed design will also be based upon the design standards outlined in the Central Business/Old Town Historic District Design Guidelines. Buildings identified as resources in the 2006 and 2009 Survey are strongly encouraged to apply, at no cost to the applicant, for a Historic Overlay through the Design and Historic Review Commission.

OTHER INCENTIVES AVAILABLE

Property Tax - in addition to the funding package, TIRZ funds could cover a portion of property taxes - specifically, the increment between the original tax amount and the new tax amount following improvements - beginning with the year a Certificate of Occupancy is granted, in accordance with this schedule. These requests will also be evaluated based upon the criteria outlined on pages 2 & 3.

YEAR	1	2	3	4	5	6	7	8	9	10
REBATE	80%	90%	100%	90%	80%	70%	60%	50%	40%	30%

JOB CREATION INCENTIVES

This incentive policy does not preclude or serve as a guide for any incentives that may be granted based upon job creation by the San Angelo Development Corporation (SADC). For more information about incentives possible from this source, contact the Economic Development Department at (325) 657-7197 or visit their offices at 69 N Chadbourne.

CODE BENEFITS FOR OLDER BUILDINGS

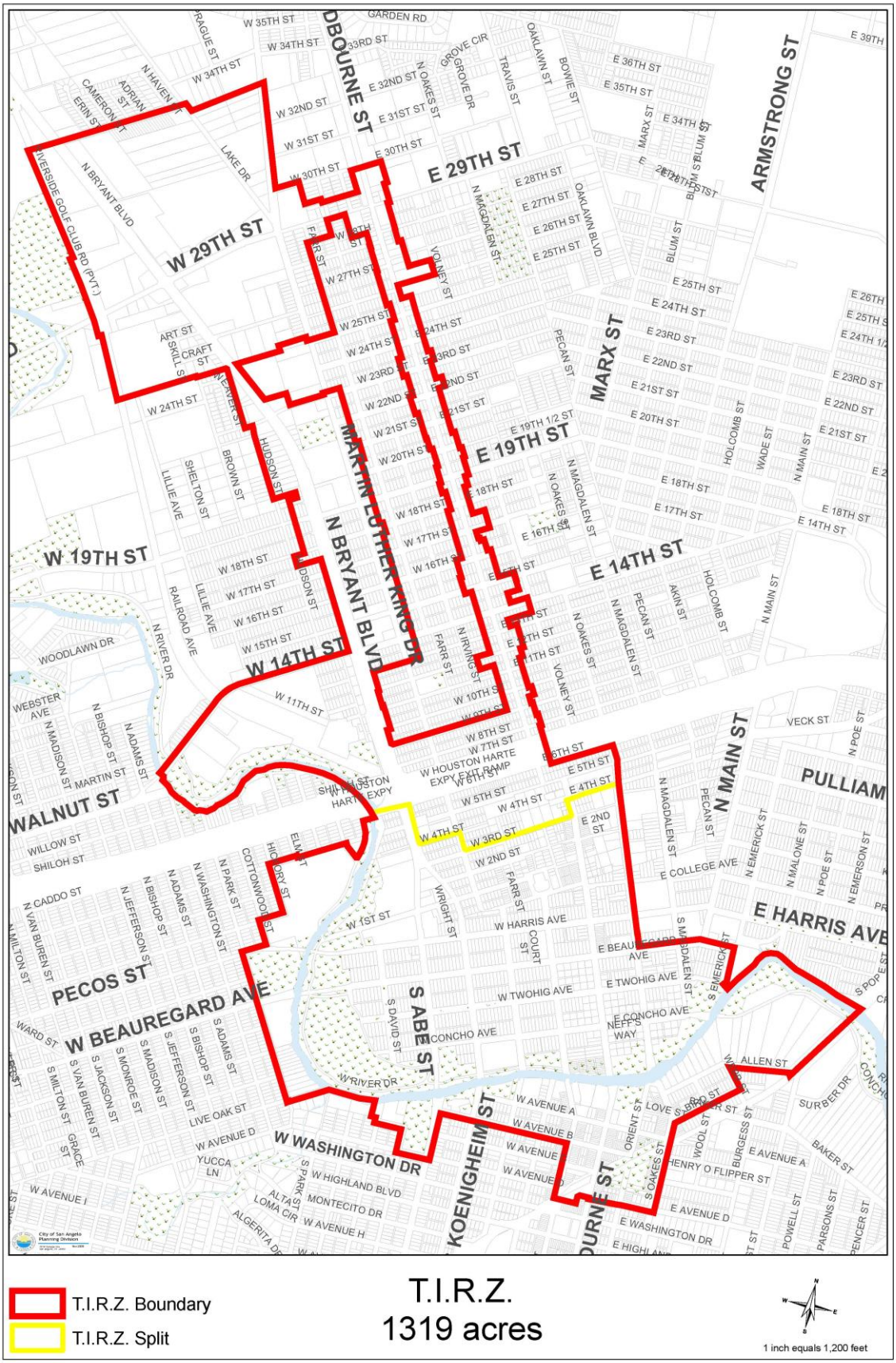
International Existing Building Code: The City of San Angelo has adopted the 2009 edition of the International Existing Building Code, a developer-friendly code that allows for improvements that consider the design limitations of older buildings to encourage adaptive reuse by allowing different levels of modification to existing structures. Contact the Permits Division at (325)657-4210 for further information regarding questions about the International Existing Building Code.

VARIANCES

Based on availability of funding and administrative approval, a variance for projects started or completed between the dates of November 1, 2013 and November 1, 2014 may be requested, to obtain reimbursement of work not currently covered by an active application or agreement. For a total project budget of less than $10,000, such requests for variance may be approved administratively. For budgets over $10,000, such requests for variance may be approved by the TIRZ board. All application requirements must be met in order to be eligible for the maximum reimbursement amounts.

APPEALS

An appeal of any administrative decision can be made to the TIRZ board.


T.I.R.Z. Boundary
T.I.R.Z. Split
T.I.R.Z.
1319 acres
1 inch equals 1,200 feet
City of San Angelo Planning Division
W 29TH ST
E 29TH ST
DOBOURNE ST
ARMSTRONG ST
MARX ST
E 19TH ST
W 19TH ST
MARTIN LUTHER KING DR
N BRYANT BLVD
E 14TH ST
W 14TH ST
WALNUT ST
N MAIN ST
PULLIAM
E HARRIS AVE
PECOS ST
W BEAUREGARD AVE
S ABE ST
W WASHINGTON DR
KOENIGHEIM ST
DOURNE ST
W HOUSTON HARTE EXPY
SHILOH HARTE EXPY
W HOUSTON HARTE EXPY EXIT RAMP
W HARRIS AVE
W TWOHIG AVE
E TWOHIG AVE
E CONCHO AVE
W CONCHO AVE
E COLLEGE AVE
W RIVER DR
W HIGHLAND BLVD
W AVENUE H
E AVENUE A
E AVENUE D
E WASHINGTON DR
HENRY O FLIPPER ST
ALLEN ST
LOVE STREET
SURBER DR
BAKER ST
POWELL ST
PARSONS ST
SPENCER ST
N MALONE ST
N POE ST
N EMERSON ST
N EMERICK ST
VECK ST
N MAGDALEN ST
PECAN ST
HOLCOMB ST
WADE ST
N MAIN ST
E 18TH ST
E 17TH ST
E 14TH ST
E 25TH ST
E 24TH ST
E 23RD ST
E 22ND ST
E 21ST ST
E 20TH ST
E 19TH 1/2 ST
E 36TH ST
E 35TH ST
E 34TH ST
E 28TH ST
E 27TH ST
E 26TH ST
E 25TH ST
E 39TH
W 35TH ST
W 34TH ST
W 33RD ST
W 32ND ST
W 31ST ST
W 30TH ST
W 27TH ST
W 25TH ST
W 24TH ST
W 23RD ST
W 22ND ST
W 21ST ST
W 20TH ST
W 18TH ST
W 17TH ST
W 16TH ST
W 15TH ST
W 11TH ST
W 10TH ST
W 8TH ST
W 7TH ST
W 5TH ST
W 4TH ST
W 3RD ST
W 2ND ST
W 1ST ST
E 5TH ST
E 4TH ST
E 2ND ST
E 32ND ST
E 31ST ST
E 30TH ST
E 16TH ST
E 11TH ST
E 10TH ST
E 8TH ST
E 7TH ST
E 6TH ST
E 5TH ST
E 4TH ST
E 3RD ST
E 2ND ST
GARDEN RD
GROVE CIR
GROVE DR
TRAVIS ST
OAKLAWN ST
BOWIE ST
OAKLAWN BLVD
N OAKES ST
N MAGDALEN ST
VOLNEY ST
PECAN ST
BLUM ST
MARX ST
FARR ST
N IRVING ST
HUDSON ST
BROWN ST
SHELTON ST
LILLIE AVE
RAILROAD AVE
N RIVER DR
WOODLAWN DR
WEBSTER AVE
N MADISON ST
N BISHOP ST
N ADAMS ST
MARTIN ST
WILLOW ST
SHILOH ST
N CADDO ST
N VAN BUREN ST
N MILTON ST
N JEFFERSON ST
N WASHINGTON ST
N PARK ST
COTTONWOOD ST
HICKORY ST
ELM ST
WRIGHT ST
COURT ST
S DAVID ST
S EMERICK ST
S MAGDALEN ST
S POPE ST
S MILTON ST
S VAN BUREN ST
S JACKSON ST
S MONROE ST
S MADISON ST
S JEFFERSON ST
S BISHOP ST
S ADAMS ST
WARD ST
GRACE ST
LIVE OAK ST
W AVENUE D
YUCCA LN
W AVENUE I
W AVENUE A
W AVENUE B
W AVENUE C
W AVENUE D
ORIENT ST
WOOL ST
BURGESS ST
S OAKES ST
S PARK ST
ALTAS LOMA CIR
ALGERITA DR
MONTECITO DR
NEFF'S WAY
LAKE DR
N HAVEN ST
ADRIAN ST
CAMERON ST
ERIN ST
PRAGUE ST
N BRYANT BLVD
RIVERSIDE GOLF CLUB RD (PVT.)
ART ST
SKILL ST
CRAFT ST
W 24TH ST

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: TJ's North Frozen Yogurt & Gourmet Coffee Date: 7-26-16

Business Owner (if different from above): Marie's Sweets, LLC

Business Address: 1313 No Bryant, 76903 Mailing Address Same

Business Phone: 325-227-4894 Secondary Phone: 325-374-6873

Email: janet@suddenlinkmail.com Fax: None

Property Owner: Lay and Bowman Investments, LLC

Remit incentive payment(s) to: ☒ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☒ TIRZ - North Eligibility Area ☐ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices. _____

☒ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.
We serve frozen yogurt, coffee & tea, smoothies, protein shakes, oatmeal.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living. _____

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☒ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☒ Paving
☒ Outside Storage Screening	☒ New Sign Installation	☒ Landscape Installation
☒ Facade Improvement	☒ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☒ Which is equal to or more than $10,000.

4B. The total estimated project cost is: $83,490.00, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: $62,135.00, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☒ Provide connections between activities?
- ☐ Improve pedestrian & vehicular infrastructure?
- ☒ Provide or reinforce usable & defined open space?
- ☒ Strengthen the focus area's identity?
- ☒ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☐ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☒ Promote mixed-use development?
- ☐ Utilize architectural styles that compliment to historic areas already in existence?
- ☒ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☒ Preserve or provide natural landscaping?
- ☐ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☐ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☐ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☒ Provide a type of cuisine not already provided in the district?
- ☒ Generate daytime - as well as nighttime - activity?
- ☒ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ■ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ■ *APPLICATION: completed & signed application (this document);*
- ■ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ■ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ■ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner Janet Lay Date: 7-26-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____

_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

July 26, 2016

We made the decision to add a TJ's Frozen Yogurt and Gourmet Coffee store to north San Angelo after our now partner, Gregg Bowman, approached us with the idea a year ago. Our store on Knickerbocker has done well so we decided that the north side of town needed one for the people that live on the north side, the people that work downtown and the people that are passing through San Angelo on Highway 87.

Our vision was to create a fun, funky place exclusive to San Angelo for people to stop by and have some of TJ's famous frozen yogurt as well as gourmet coffee, smoothies, ice tea, lemonade, protein shakes and oatmeal. We have a drive thru for those in a hurry and are open at 6:30am weekdays, 7:30 weekends. We also stay open with a full menu until 10:00 every night except Friday and Saturday when we are open until 11:00 pm.

Everything inside the building is new and we were able to create that fun, funky place with a gas station vibe. Laura, with the Chamber of Commerce, said at our ribbon cutting, "This place is great! I had no idea it was like this inside!" Our problem is that the construction (plumbing, electrical and heating/air conditioning) cost about $50,000 more than we budgeted taking the funds we had to create the same atmosphere outside that we have inside.

We need that same fun, funky atmosphere to make people passing by say, "I want to stop there!" Traffic count on N Bryant (Hwy 87) is over 60,000 a day. We want a place the people passing through will want to stop. We want to get them in to try our products. We've been told by customers that our frozen yogurt is the best in Texas. If they try us once, they will probably schedule a stop in San Angelo with us in the future.

Another problem we have is seating and parking. We can only accommodate 25 people inside. We have room under our canopy for more seating but the noise from the traffic is so loud that it doesn't provide a pleasant atmosphere for our customers. We have room for more parking but it is not paved.

Here's how we would like to accomplish our goal and money from TIRZ will enable us to do that:

1. **Our only sign blends into the background. We need something to make it stand out . We also need other signage to let people know what we're about. We plan on accomplishing that by doing the following: (see drawing)**
    A. **Surround our sign with a huge orange arrow lit with led lights at night.**
    B. **Add a 4 foot lit metal TJ's sign to the front of the building and a 4' unlit metal sign to the side of the building.**
    C. **We will add cut out metal signs of our frozen yogurt and coffee logo on the front existing wall.**
    D. **We will add to the building product pictures in the front upper windows. This will have the dual purpose of branding us and providing sun blockage inside.**
    E. **We will have product pictures on the fence leading around to the drive thru.**
    F. **We will have fun pictures of our orange TJ's truck on the building.**
2. **Our building façade is plain and we would like to dress it up by doing the following: (see drawing)**
    A. **Add rock wainscoting to all sides of the building. (customers will see all 4 sides when they go to the drive thru)**
    B. **A rock wall with an open archway is already there. We plan to fill that in with rock to provide a sound barrier and to provide a place inside the patio for a water feature.**
    C. **Add a curved rock wall that is also a planter on each side of the canopy that starts at 4 feet then goes down to 2 feet. Add a wrought iron fence above that that goes to 6 feet and has gates to be open in the daytime but close off at night to prevent theft or vandalism.**
    D. **Add Ligustrums to grow up in the planter to provide a better atmosphere in the patio area. It will be a way to block the noise but will make it cooler than just a 6 foot rock wall would.**
    E. **Add color by painting a green stripe in the black facia and creating a green frame around the signs on the north side of the building.**
    F. **Add an awning over the drive thru window to improve how it looks and to provide a shelter when it rains.**
3. **We would like to add other landscaping, a water feature and stained concrete flooring in the patio area.**
4. **We would like to add a privacy fence out of the matching metal to the building to block the view behind our property (see picture) and to provide a place for product signage.**

5. **We own a strip of land on the south side of our property. We would like to pave it to provide more parking.**

Thank you for your consideration,

Janet Lay

Janet Lay, Manager, Lay & Bowman Investments, LLC & Marie's Sweets LLC
DBA TJ's North Frozen Yogurt & Gourmet Coffee

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $21,355

Total Estimated Project Cost: $62,135

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Arrow around sign	New Sign Installation	$2900.00	$2900.00
1	LED lights around sign	New Sign Installation	$1545.00	$1545.00
1	Product signs in front window	New Sign Installation	$235.00	$1410.00
1	Lit metal TJ's Sign	Match	$1200.00	$1200.00
1	Metal TJ's Sign	Match	$400.00	$400.00
1	Metal frozen yogurt & coffee signs	Match	$200.00	$400.00
1	Product Signs on fence	Match	$310.00	$930.00
1	Product Signs in building	Match	$310.00	$620.00
2	Rock Wainscoting	Façade Improvement	$12,500.00	$12,500.00
2	Labor for rock wainscoting	Match	$6,700.00	$6,700.00
2	Masonry work for rock front and rock raised beds	Façade Improvement	$32.00	$14,080.00
2	Wrought iron fence & 2 gates	Façade Improvement	$60.00	$2,700.00
2	Paint green stripes on fascia	Match	$600.00	$600.00
2	Stained concrete flooring	Match	$15.00	$4665.00
2	Install Awning	Match	$2,000.00	$2,000.00
3	Wall fountain	Landscape Installation	$3,000.00	$3,000.00
3	Electrical outlets for wall fountain	Match	$1,300.00	$1,300.00
3	Irrigation for raised beds	Landscape Installation	$2,000.00	$2,000.00
3	Ligustrum Shrubs	Landscape Installation	$125.00	$2,000.00
3	Manufactured Topsoil	Match	$45.00	$540.00
4	Add paving to parking lot	Paving	$8.00	$20,000.00
4	Fencing and installation	Match	$2,000.00	$2,000.00
		Incentive Types		

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Janet Lay
Applicant or representative

7-26-16
Date

FOR OFFICE USE ONLY:

Damian Scavo
SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST

7-28-16
DATE

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

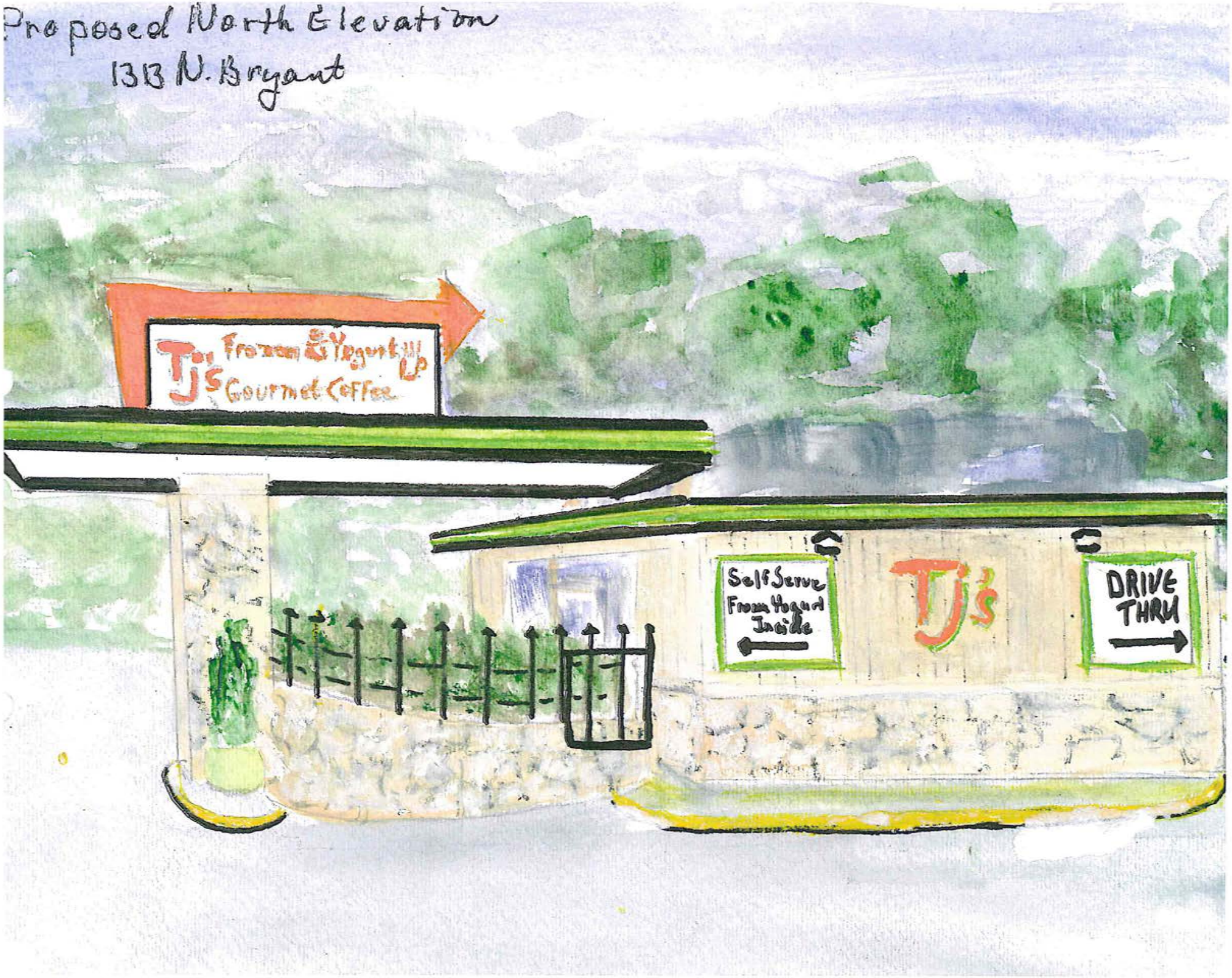
DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

Specials
Coffee

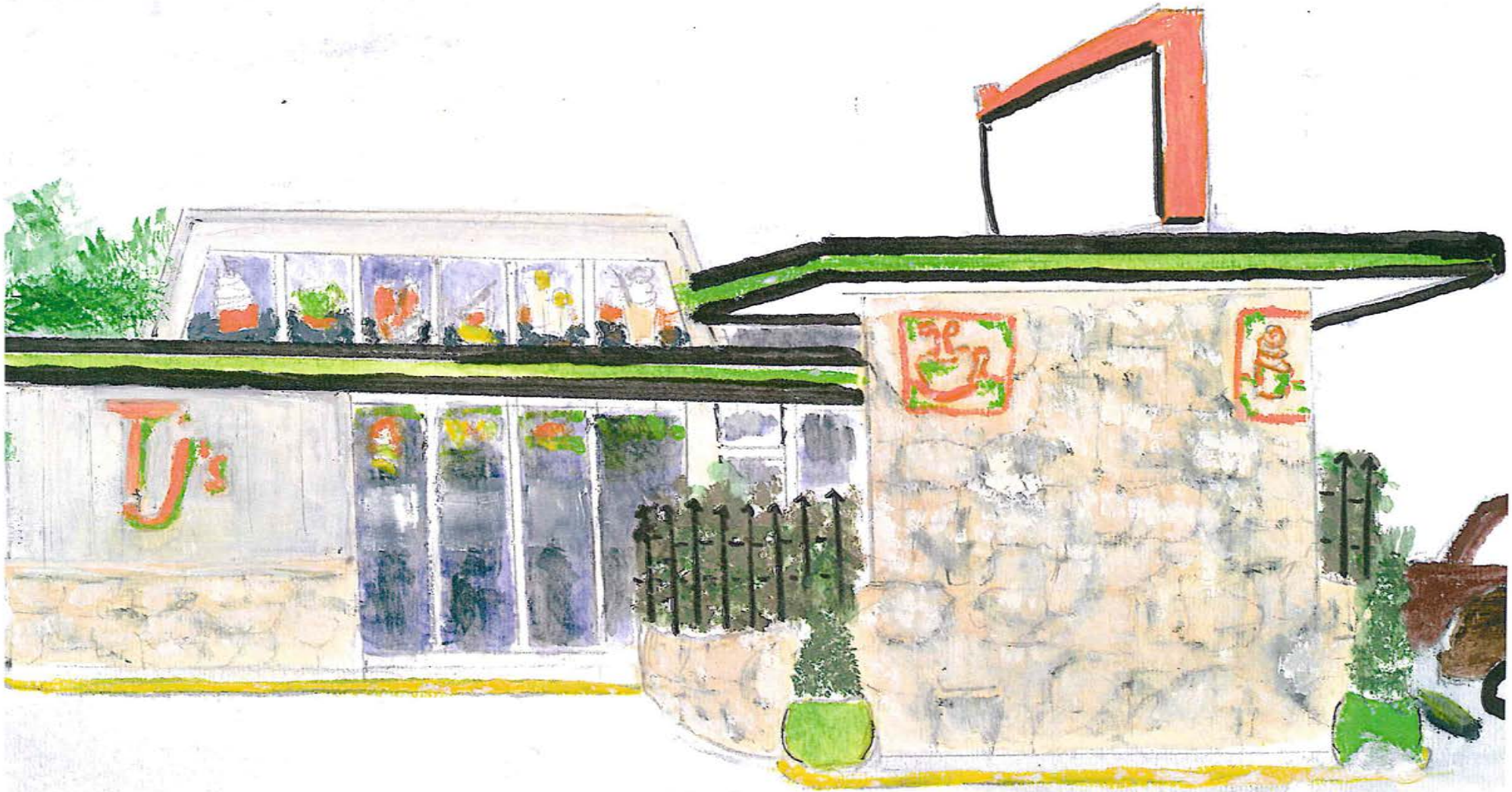
Current North Elevation
1313 N. Bryant

Proposed South Elevation
1313 N. Bryant

Proposed North Elevation
1313 N. Bryant



Proposed front elevation
1313 N. Bryant



Current South Elevation
1313 N. Bryant

Current Front Elevation
1313 W. Bryant

Effective 4/29/16

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Wendland Tank Corp. Date: 7-21-16

Business Owner (if different from above): David Hirschfeld

Business Address: 601 W. 11th St. Mailing Address 601 W. 11th St.

Business Phone: 655-6778 Secondary Phone:

Email: tboyd@wendlandmfg.com Fax: 655-0325

Property Owner: David Hirschfeld

Remit incentive payment(s) to: ☐ Property Owner ☑ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☑ TIRZ - North Eligibility Area ☐ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☑ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.
Drainage, Beautification

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☑ Paving
☑ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☑ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☑ Which is equal to or more than $10,000.

4B. The total estimated project cost is: $106,200, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: $75,000, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☑ Provide connections between activities?
- ☑ Improve pedestrian & vehicular infrastructure?
- ☑ Provide or reinforce usable & defined open space?
- ☑ Strengthen the focus area's identity?
- ☐ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☑ Improve the utilities and/or drainage infrastructure?
- ☑ Remediate environmental deficiencies or enhance public safety?
- ☐ Promote mixed-use development?
- ☐ Utilize architectural styles that compliment to historic areas already in existence?
- ☑ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☐ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☑ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☑ Attract energy sector employers to the district?
- ☑ Utilize existing buildings already equipped for infill development?
- ☑ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner Daniel Hirschfeld Date: 6-25-16

SECTION 6: REPRESENTATIVE:

I hereby designate Ted Boyd as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: 655-6778.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $31,200

Total Estimated Project Cost: $106,200

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Install Base in West Storage Yard- This will include removing existing caliche/dirt to allow for new base and to facilitate positive drainage. A 6" crushed base limestone will be installed (TXDOT Item 247, Type A, Grade (1-2). This will allow easier access for delivery trucks and forklifts loading and unloading materials and will allow for more storage and easier access to the South side of our shop where the tank fabrication process begins. Overall this will help with our flow process from delivery to the initial phase of fabricating the tanks and create a safer work environment for our employees. - Please see attached proposal from Reece Albert.	Paving	$62,900	$62,900
1	New Storage Yard SW of Railroad Tracks- This will include removing existing caliche/dirt to allow for new base and to facilitate positive drainage. A 6" crushed base limestone will be installed (TXDOT Item 247, Type A, Grade (1-2). Currently the surface area is very uneven which leads to large amounts of standing water after a rainstorm, this will help facilitate positive drainage and be more visually appealing from both Bryant and Houston Harte. – Please see attached proposal from Reece Albert.	Paving	$12,100	$12,100
2	The match would helping assist with the installation of the base in the west storage yard and helping create the new storage yard SW of the Railroad Tracks.	Match	Match	$31,200

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Ted Ford

Applicant or representative

7-28-16

Date

FOR OFFICE USE ONLY:

Shannon Scott

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST

7-28-16

DATE

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

Scott, Shannon

From: Ted Boyd <tboyd@wendlandmfg.com>
Sent: Wednesday, July 27, 2016 3:44 PM
To: Scott, Shannon
Subject: Wendland TIRZ Narrative

Follow Up Flag: Follow up
Flag Status: Flagged

Wendland Tank Corp. is applying for TIRZ funding at their location on 601 West 11th Street. Wendland, with Reece Albert doing the work, will install a 6 inch limestone base in the West storage yard as well as a limestone base in our new storage yard Southwest of the railroad tracks. This newly paved area will provide several positive aspects for the company, our customers, delivery trucks and traffic along Houston Harte expressway. Currently, our lot tends to flood during a rain instead of drain and the new base will facilitate positive drainage. Additionally, delivery trucks will have more room to load and unload making the process safer for everyone on the yard.

Once paved, the view from Houston Harte will be enhanced for traffic and potential customers who will have a better view of our shop due to the decrease in the dust during dry days which is, of course, most days here. The area South of the railroad track was purchased by Wendland early this year and we have removed the brush, homeless trash and tent city. This will cut down on the eye sore from Houston Harte and help us keep the area looking neat with better access in future clean ups and keeping the homeless issue away from the area. Wendland will then be able to pour a concrete foundation for tank storage as well as install racks for raw material storage. Currently our raw material is stored flat on the ground. Wendland will be providing whatever cost is not covered by TIRZ for this new construction. This newly paved area will attract more customers, solicitors and potential employees simply by "cleaning up" the yard with the new limestone versus the current caliche, dusty track we have. Wendland has been in business since 1921 and we have made many needed improvements over the years. I hope TIRZ will consider this new improvement worthy of their assistance.

TIRZ Incentive Policy for Wendland Tank Corp.

Wendland Tank, which was established in 1921, is looking to update the parking lot and yard. Reece Albert has submitted a bid for work to remove existing caliche/dirt to allow for a new base and to facilitate positive drainage for our West storage yard and our new storage yard Southwest of the railroad tracks. Once the caliche/dirt is removed, Reece Albert will install a 6 inch crushed limestone base (TXDOT item 247 Type A, Grade 1-2). This much needed improvement will not only create better drainage but allow us to pour a new pad for steel storage with racks as well as provide a positive aesthetic view from Houston Harte Freeway. Thank you for your consideration.

Ted Boyd

Dan Holguin

Wendland Tank Corp.

REECE ALBERT, INC.

HEAVY CONSTRUCTION, UTILITIES AND PAVING

PROPOSAL

To	Wendland Manufacturing Attn.: Dan Holguin 601 W 11th Street San Angelo, TX 76903	Date Project Location	June 30, 2016 Install base in Storage Yard 601 W 11th Street

WE, THE UNDERSIGNED, PROPOSE TO FURNISH THE NECESSARY MATERIAL, EQUIPMENT, AND LABOR TO DO THE FOLLOWING MENTIONED WORK ON ABOVE PROJECT:

Install Base in West Storage Yard

(See attached Google Earth image)

a. Remove existing caliche/dirt to allow for new base and to facilitate positive drainage.
b. Install 6" crushed limestone base (TXDOT item 247 Type A, Grade 1-2).

Total Lump Sum **$62,900.00**

New Storage Yard SW of Railroad Tracks

(Approximately 335' X 80')

a. Remove existing material to allow for new base and positive drainage.
b. Install 6" crushed limestone base (TXDOT item 247 Type A, Grade 1-2).

Total Lump Sum **$43,300.00**

NOTES:

> Prices includes sales tax on material.
> All excavated material to be wasted on site.

EXCLUSIONS:

This quote excludes all work not specifically listed above, including but not limited to the following items:

> Any costs or filings associated with T.C.E.Q. storm water runoff protection before, during, and after construction.
> Quality control testing.
> Adjustment or relocation of utilities if encountered.

PLEASE SIGN AND RETURN 1 COPY

This Proposal may be withdrawn by us if not accepted within 30 days

Said amount is due and payable in San Angelo, Tom Green County, Texas. Full payment for work accomplished shall be due on receipt of invoice. A 1% per month carrying fee will added to past due accounts. 18% of amount due shall be added if suit is brought thereon.

Accepted _____

By _____

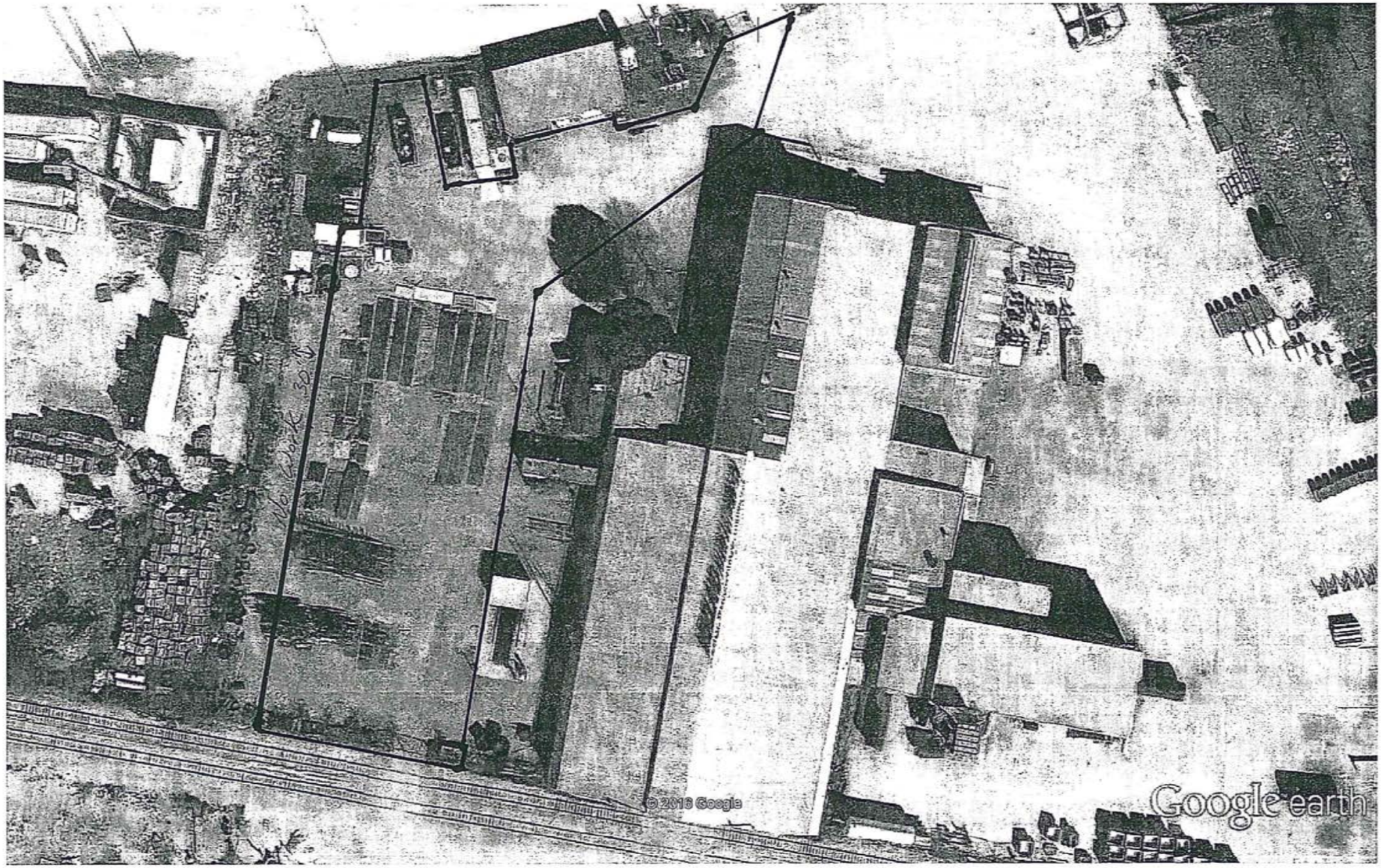
Date _____

Yours very truly,

REECE ALBERT, INC.

By _____

SKIP KLEMENT, ESTIMATOR



Google earth feet 500 meters 100

Effective 4/29/16

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Brian Raymond Date: 7-29-2016

Business Owner (if different from above): _____

Business Address: 12 Chadbourne Mailing Address 202 W. Beauregard, #A

Business Phone: (512) 574-8252 Secondary Phone: _____

Email: brian@brianraymondlaw.com Fax: _____

Property Owner: Brian Raymond

Remit incentive payment(s) to: ☑ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☑ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices. _____

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity. _____

☑ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living. _____

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☑ Facade Improvement	☑ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- [x] Which is less than $10,000;
- [ ] Which is equal to or more than $10,000.

4B. The total estimated project cost is: 9,950.- , as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 9,950.- , as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- [ ] Provide connections between activities?
- [ ] Improve pedestrian & vehicular infrastructure?
- [ ] Provide or reinforce usable & defined open space?
- [x] Strengthen the focus area's identity?
- [x] Support the goals of making the area a cultural, leisure, and tourist destination?
- [ ] Improve the utilities and/or drainage infrastructure?
- [ ] Remediate environmental deficiencies or enhance public safety?
- [x] Promote mixed-use development?
- [x] Utilize architectural styles that compliment to historic areas already in existence?
- [x] Help to mitigate or eliminate undesirable views or outside storage?
- [ ] Reduces the visual impact of parking areas?
- [ ] Preserve or provide natural landscaping?
- [ ] Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- [ ] Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- [ ] Attract energy sector employers to the district?
- [ ] Utilize existing buildings already equipped for infill development?
- [ ] Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- [ ] Provide a type of cuisine not already provided in the district?
- [ ] Generate daytime - as well as nighttime - activity?
- [ ] Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- [ ] Utilize public-private financing?
- [x] Enhance the historic features of adjacent areas?
- [x] Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner_____ Date: 7-29-2016

SECTION 6: REPRESENTATIVE:

I hereby designate Brian Raymond as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: (512) 574-8252.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

Vision - 12 Chadbourne

I love San Angelo. I grew up in San Angelo. I moved away for 19 years, but just moved back to start my own business, the Brian Raymond Law firm (address 202 W. Beauregard, 2 blocks away).

I want to see Downtown San Angelo prosper and grow while still keeping its roots in mind.

12 Chadbourne is a great building thats been an eyesore for 40 years. I want to make it pretty and be attractive for locals, tourists, businesses, and future investors.

Dark Blue outside brick walls give it a traditional look. The white trim will make it professional looking, as well the dark wood + metal trim.

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $0

Total Estimated Project Cost: $9950

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	This will include the labor and materials for blue paint on Front and Side of Building	Façade/ Property Tax	$2000	$2000
2	This will include the labor and materials for 6 front windows to be replaced	Façade/Property Tax	$4100	$4100
3	This includes the materials and labor for the decorative railing on the patio	Façade/Property Tax	$1600	$1600
4	This would include the labor to sandblast the porch	Façade/Property Tax	$800	$800
5	This includes the labor to remove the plaster from the side wall	Façade/Property Tax	$400	$400
6	This includes the materials to install a new front door	Façade/Property Tax	$1050	$1050

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Applicant or representative

7-29-2016
Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

- Put all new windows in
- Leave left window display case out, but remove right window display case. Put in windows flat with front door, to make room for a small patio w/ a metal railing.
- Awning NOT Pictured.

Effective 4/29/16

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: DeLARNCE DeWitt Date: 7-27-16

Business Owner (if different from above): _____

Business Address: 220 MLK BLVD. Mailing Address 1117 Ashford DR 76901

Business Phone (325) 374-5078 Secondary Phone: (325) 944-0269

Email: dewitt47@aol.com Fax: _____

Property Owner: DeLARNCE DeWitt

Remit incentive payment(s) to: ☑ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☑ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☑ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices. Project will create multi-use space near downtown.

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity. _____

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living. _____

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☑ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☑ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☑ Which is equal to or more than $10,000.

4B. The total estimated project cost is: 19,925.51, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 19,925.51, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☐ Provide connections between activities?
- ☐ Improve pedestrian & vehicular infrastructure?
- ☐ Provide or reinforce usable & defined open space?
- ☑ Strengthen the focus area's identity?
- ☐ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☐ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☑ Promote mixed-use development?
- ☐ Utilize architectural styles that compliment to historic areas already in existence?
- ☐ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☐ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☐ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☑ Utilize existing buildings already equipped for infill development?
- ☑ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner De Lance Dewitt Date: 7-29-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____
_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

CRITERIA FOR EVALUATION OF APPLICATION

NARRATIVE

The building located at 220 Martin Luther King Blvd. was probably built in the late 1800's of early 1900's. The building has 2 levels – a large open area on the second level and the lower level is divided into two sections.

What I propose to do is create two areas on the lower level which could house attorney offices, accountant offices, real estate offices, etc. With the close proximity to downtown, City Hall, Courthouse, Post Office and eateries, it will be attractive as office space and generate professional activity on the north side of downtown which would enhance the area.

On the second level, the idea is to renovate the space that could then be used as a loft apartment, a fitness facility, or even a community meeting facility.

Hopefully, the brief narrative is enough to give you an idea of how my proposal addresses the criteria checked in Section 5.

Climate Right Construction
800 W Ave D #2NE
San Angelo TX, 76903

Customer Estimate

Name:	Delarence Dewitt
Address:	220 Martin Luther King Blvd
Phone:	325-374-5087
Email:	
Date:	07/22/2016

How they heard about us!
Home Depot

Bid Information

Estimate:

1: Fill any mortar cracks, prep and paint exterior of building 4 sides.
Materials and Labor: $4225.00

2: Remove and replace framing on front of building, housing doors and windows.
Materials and labor: $3150.00

3:Remove and replace 4 windows on front, 2 transoms above
front doors and 1 window on the north side of building.
Materials and Labor: $3225.51

4: Remove and replace 2 front doors, ¾ lite wood, custom size.
41 ½ x 83 ½ 8" Jamb. Remove and replace 1 36" door on north side of building, 8" Jamb.
Materials and Labor: $6285.00

5: Repair any damaged window trim on upper windows, 10 windows.
Materials and labor: $1345.00

6: Remove existing electrical for front porch light, run new romex for new lamps (3). North of build, center of building
and south of building front.
Material and labor: $1695.00

Material/Labor

Material and labor: $19925.51

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $4981.37

Total Estimated Project Cost: $19,925.51

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Materials and labor to fill any mortar cracks, prep and paint exterior of building (all 4 sides).	Façade	$4225.00	4225.00
1	Materials and labor to fill any mortar cracks, prep and paint exterior of building (all 4 sides).	Match	$4225.00	$4225.00
2	Materials and labor to remove and replace framing on front of building, housing doors and windows	Façade	$3150.00	3150.00
3	Materials and labor to remove and replace 4 windows on front, 2 transoms above front doors and 1 window on the north side of the building	Façade	$3225.51	$3225.51
4	Materials and labor to remove and replace 2 front doors, ¾ lite wood, custom size. 41 ½" x 83 1/8" jamb. Remove and replace 1 36" door on north side of building 8" jamb.	Façade	$6285.00	$6285.00
5	Materials and labor to repair any damaged window trim on upper windows. 10 windows total	Façade	$1345.00	$1345.00
6	Materials and labor to remove existing electrical for front porch light, run new Romex for 3 new lamps, north of building, center of building and south of building front.	Façade	$1695.00	$1695.00
6	Materials and labor to remove existing electrical for front porch light, run new Romex for 3 new lamps, north of building, center of building and south of building front.	Match	$756.37	$756.37

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Dr Lance DeWitt — 7-28-16

Applicant or representative — Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST — DATE

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Eggemeyer General Store Date: July 29, 2016

Business Owner (if different from above): Bobby and Karen Eggemeyer

Business Address: 35 E. Concho,San Angelo Mailing Address Texas 76903

Business Phone: 325-655-1166 Secondary Phone:

Email: bobbyeggemeyer@gmail.com Fax: 325-659-0515

Property Owner: Bobby Eggeemyer

Remit incentive payment(s) to: ☐ Property Owner ☒ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☒ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☒ Sales Tax	☒ Development Fee Reductions	☒ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☒ Facade Improvement	☒ Property Tax	

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ■ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ■ *APPLICATION: completed & signed application (this document);*
- ■ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ■ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ■ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner_____ Date: 5-3-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____

_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☒ Which is equal to or more than $10,000.

4B. The total estimated project cost is: 314,207, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 75,000, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☐ Provide connections between activities?
- ☐ Improve pedestrian & vehicular infrastructure?
- ☒ Provide or reinforce usable & defined open space?
- ☒ Strengthen the focus area's identity?
- ☒ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☒ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☐ Promote mixed-use development?
- ☒ Utilize architectural styles that compliment to historic areas already in existence?
- ☒ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☒ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☒ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☐ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☒ Enhance the historic features of adjacent areas?
- ☒ Provide connections from downtown to Arts/Historic District?

Proposal to TIRZ board August 1, 2016

Eggemeyer's General Store is a family owned business that started out in 1984 as a small 1.500 sq ft gift/retail business in downtown San Angelo. In 1992 we moved our business to the current property located at 35 E. Concho. Our location currently consists of four combined buildings that offer 10,000 sq ft of retail space and just over 5,000 sq ft of storage and warehouse space. In April 2016 we purchased the property at 33 E. Concho Ave. The property directly adjoins Eggemeyer's General Store. In May of 2016, we started the expansion and renovation of this property which will include 5,000 sq ft of showroom space. This will bring our store retail space to 15,000 sq ft.

Eggemeyer's is currently considered as "the flagship business" of downtown San Angelo, and has been covered extensively in many national publications such as Southern Living and Texas highways as well as in many state and local publications. The store is a vital must see for visitors to our community and is a magnet that helps enhance the business of other proprietors in the area. Eggemeyer's General Store is modeled after the vintage General Stores of yesterday. The current showroom floor consists of original period wooden display cases, metal and porcelain advertisement signs and the general feel associated with a "general store" concept. Eggemeyer's gourmet kitchen store carries cookware, pots, pan, culinary items, local and nationally recognized cookbooks, specialty gourmet foods, sauces and dips. The store is best known for its signature sweet and hot salsa, honey glazed gourmet spiral sliced hams, and homemade fudge. We specialize in custom made coffees and specialty teas. Eggemeyers is also known for its fine Jewelry, case knives and specialty gift items. We have the largest selection of San Angelo and Texas themed products.

We would like to expand our general store concept, by bring in a larger variety of products into the store. Due to the need for more retail space for our growing business, we acquired 33 E. Concho Ave. The location is directly adjacent to the store which allows for further expansion of our successful enterprise. The new retail space will be connected to the existing retail space by opening up and restoring the original arches that once connected the two buildings.

As it currently exists the building at **33 E. Concho Ave** is an undistinguished structure that is easy to overlook but also is significantly out of character with the other historic properties on this busiest of commercial Streets in downtown San Angelo. Some aspects of the history of this property are sketchy and some things that have been written are not completely accurate. It is known however that an extraordinary saloon was once located here and was known as the Bank Exchange Saloon. It was owned and operated by one of our communities' early leading citizens, John Fitzpatrick. The saloon was directly connected to the adjacent Concho National Bank through a large interior door. It was also known to be the most beautiful and elegant saloon in all of West Texas. Prohibition ended it use as a saloon and records indicate that by 1929 it had been converted for use as Ellis Auto Parts Store and was also severely altered and "modernized". In subsequent years there were a wide variety of uses but clearly the structure had lost it formerly rich and elegant presence.

The renovations plans will not directly copy the old saloon which once graced this street but will emulate it in its form, materials and details. On the interior there is a large Roman arch entry way between the existing Eggemeyer's General Store and this property, which will be reopened to connect the two properties again. The original building was designed by noted San Angelo architect Oscar Ruffini. Ruffini drew his inspiration from a pattern book of historical architectural antecedents. His richly detailed structures were elegantly composed and although they often

combined elements from different eras and traditions of the past they succeeded in creating a feeling of both harmony and elegance. In that same tradition this proposed project would emulate the scale and details of the other prominent buildings on the block and would help draw it back together architecturally.

Although many efforts to use historical architectural details for this purpose now rely on cast stone, fiberglass and other imitative materials we intend to use the highest quality stone, brick and wood for a greater sense of historical accuracy and long-term durability. In every sense this approach from the quality of materials to the rich detailing will require far greater cost them would normally be the case and would be allowable to simply create and maintain a commercial use for the property. The intention here is to not just do a simple fix up but instead continue the precedent of quality and appropriate adaptive reuse and create something of lasting integrity beyond its contemporary use.

We recognize that maintaining and enhancing the historic character of this area is paramount to both our ongoing success and to that of the other investors on this the oldest and most historic commercial area of our community. We propose to undertake a significant facade improvement project to 33 E. Concho. It will have two large quoined pilasters reaching to and supporting a segmental Roman Keystone Arch that forms the pediment at the top of the structure. It will also have the same scale large plate glass windows with wooden mullions as the original and a repetition of the pediment arch above each window and the entrance way. On the two windows opposite the central entrance there will be a simple pediment supported by scroll brackets and four large bracket capitals with star emblems supporting the entablature. The highest quality Oak will be used for the panel door, window frames, mullions, etc.

Based upon the TIRZ criteria this project parallels the key requirements including "utilizing existing buildings", "strengthening the focus area identity", "helping create a tourist destination", reinforcing and

encouraging pedestrian activity" and "providing an aggressive financial match from the property owners". We hope that the TIRZ board will recognize and encourage this particularly significant and appropriate project that in the spirit and intention of the TIRZ effort to enhance the historic center of our community.

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $150,000

Total Estimated Project Cost: $314,207

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Exterior Metal Door (2)	Secondary Egress/Sales Tax	$971.50	$1943.00
2	Lumber for Support of Tin Ceiling- McCoy's	Sales Tax	$809.00	$809.00
2	Labor for Install of Tin Ceiling	Sales Tax	$2,500.00	$2,500.00
2	Antique Reproduction Tin Celling	Sales Tax Match	$9,500.00	$9,500.00
3	White Oak Flooring, Install, Finish & Stain	Sales Tax	$35,000.00	$35,000.00
3	Materials for Flooring- Purchased locally	Sales Tax	$6,535.00	$6,535.00
4	Wooden Panel Front Door entry- Will enlarge front door to ADA requirements	Secondary Egress	$7,800.00	$7,800.00
5	Detailed custom stone on exterior façade and labor	Façade	$10,913.00	$10,913.00
5	Detailed custom stone on exterior façade and labor	Façade Match	$59,087.00	$59,087.00
6	Renovation of existing wall to reveal original stone work, construction of new wall on back wall or retail space	Façade Match	$64,469.00	$64,469.00
7	Office and Storage Construction Materials	Sales Tax	$26,444	$26,444.00

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Eric Eguarras 7-29-16

Applicant or representative Date

FOR OFFICE USE ONLY:

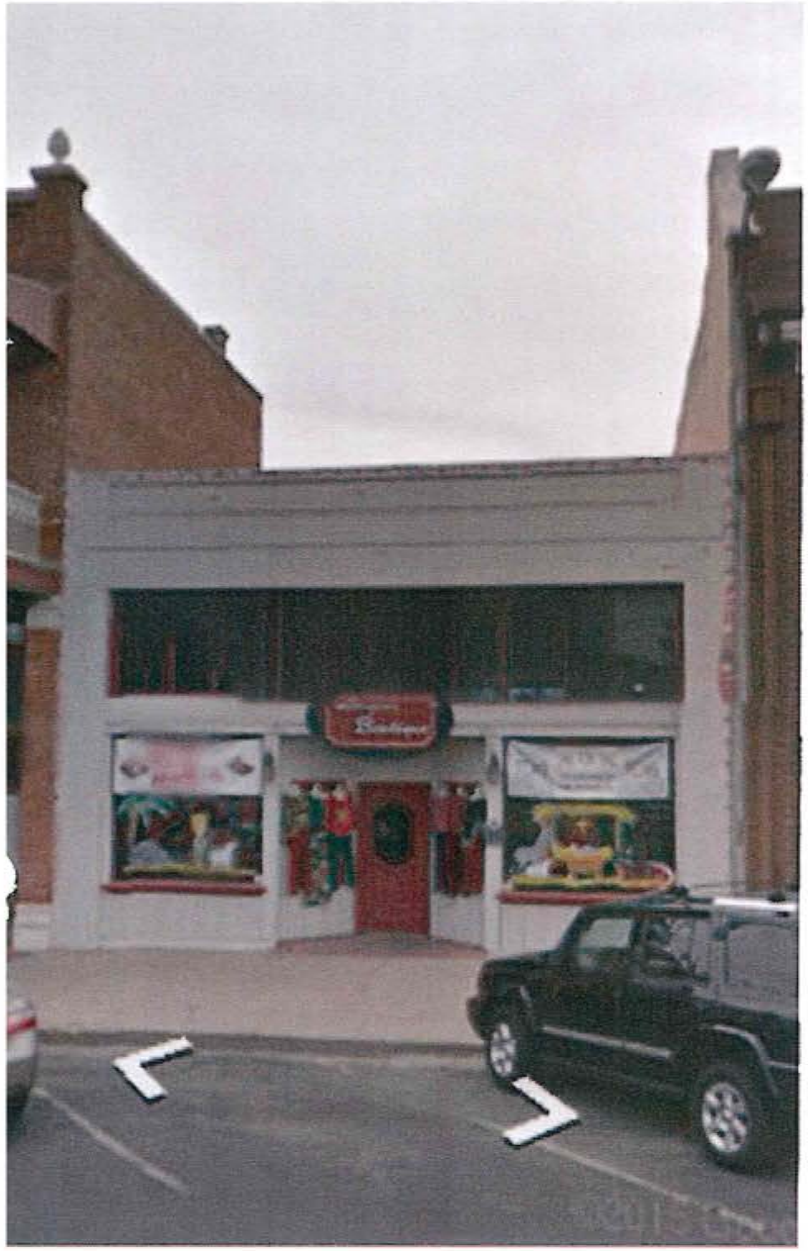
SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

Area	Description	Cost	Date	Incentive	Match
Back	Angelo Building Specialties, Metal door	1,943.54	05/24/2016	Second Egress	1,943.54
Ceiling	McCoys	809.24	05/03/2016	Match	
Ceiling	Antique Reproduction Tin Ceiling - Material	9,500.00		Match	
ceiling	labor	2,500.00		Match	12,809.24
Floor	2x4x10	$ 400		Match	
Floor	2x4x20	$ 600		Match	
Floor	3x4 in plywood	$ 3,500		Match	
Floor	Tap Cons Screws	$ 375		Match	
Floor	Plastic - 2 rolls	$ 200		Match	
Floor	Felt Rolls 15lb	$ 260		Match	
Floor	White oak flooring, install, finish and stain	$ 35,000		Match	
Floor	Nails, Screws, Rental	$ 1,200		Match	$ 41,535
Door	Door & Trim	$ 7,800		Second Egress	$ 7,800
Windows	Window & Trim	$ 10,800		Match	$ 10,800
Stone	Detailed Custom Stone	$ 32,000		Façade	
Stone	Stone Work	$ 38,000		Match	$ 70,000
Office /storage	5/8 sheet rock 4x8	$ 1,000		Match	
Office /storage	Exterior fire door	$ 900		Match	
Office /storage	Hall door	$ 200		Match	
Office /storage	Office Door	$ 200		Match	
Office /storage	Store Room Door	$ 400		Match	
Office /storage	Tub/shower tile	$ 4,000		Match	
Office /storage	toilet	$ 250		Match	
Office /storage	Vanity	$ 800		Match	
Office /storage	Sink	$ 200		Match	
Office /storage	floor	$ 2,000		Match	
Office /storage	build ????	$ 4,000		Match	
Office /storage	plumbing	$ 4,000		Match	
Office /storage	electrial	$ 20,000		Match	
Office /storage	insulation	$ 500		Match	
Office /storage	door bath	$ 200		Match	
Office /storage	Trim	$ 1,200		Match	
Office /storage	Water heater	$ 200		Match	
Office /storage	window	$ 300		Match	$ 40,350
Renovation	United Rentals 4/22/16 saw cut off 2 days	201.20	05/05/2016	Match	
Renovation	United Rentals 4/18/16 rotary hammer 2 days	138.21	05/05/2016	Match	
Renovation	United Rentals, 5/2/16 rotary hammer purchased	351.76	05/16/2016	Match	
Renovation	United Rentals 5/2-5/3/16 concrete saw	118.57	05/16/2016	Match	
Renovation	United Rentals 5/11/16 cut off saw rental 5/2-5/11	299.80	05/24/2016	Match	
Renovation	United Rentals 5/11/16 cut off saw purchased	1,240.53	05/24/2016	Match	$ 2,350
Roof	Duro Last, Energy and Enviromentaly Friendly Roof	$ 32,000		Match	$ 32,000
Skylight	Skylight	$ 8,150		Match	$ 8,150
Utilities	Air Conditioner	$ 22,000		Match	$ 22,000
Wall	Brick - Arch	$ 1,200		Match	
Wall	Veneer Brick Wall	$ 16,000		Match	
Wall	Labor - wall	$ 30,000		Match	
Wall	Back Wall	$ 8,000		Match	
Wall	Windows, Door Arches	$ 2,000		Match	

Wall	Labor-for windows, door, arch	$ 2,000		Match	
Wall	West Texas Steel & Supply, Inc.	786.84	05/05/2016	Match	
Wall	P & L Services construction labor	2,982.00	05/27/2016	Match	
Wall	City Lumber & Wholesale 4/26/16	94.16	05/31/2016	Match	
Wall	City Lumber & Wholesale 5/3/16	1,405.80	05/31/2016	Match	$ 64,469
		$ 314,207			



Effective 4/29/16

TIRZ INCENTIVES
APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Fat Boss's Pub Date: 6/27/16

Business Owner (if different from above): Cynthia Holguin + John Castillo

Business Address: 114 S. Chadbourne St. Mailing Address

Business Phone: 325-227-5155 Secondary Phone: 325-450-5774

Email: Fatboss88@gmail.com Fax: 325-658-1279

Property Owner: Robert Meyer

Remit incentive payment(s) to: ☐ Property Owner ☑ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☑ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.

☑ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☑ New Sign Installation	☐ Landscape Installation
☑ Facade Improvement	☑ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- [x] Which is less than $10,000;
- [ ] Which is equal to or more than $10,000.

4B. The total estimated project cost is: 9,839.97, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 9,839.97, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- [ ] Provide connections between activities?
- [ ] Improve pedestrian & vehicular infrastructure?
- [ ] Provide or reinforce usable & defined open space?
- [x] Strengthen the focus area's identity?
- [x] Support the goals of making the area a cultural, leisure, and tourist destination?
- [ ] Improve the utilities and/or drainage infrastructure?
- [ ] Remediate environmental deficiencies or enhance public safety?
- [ ] Promote mixed-use development?
- [ ] Utilize architectural styles that compliment to historic areas already in existence?
- [ ] Help to mitigate or eliminate undesirable views or outside storage?
- [ ] Reduces the visual impact of parking areas?
- [ ] Preserve or provide natural landscaping?
- [ ] Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- [ ] Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- [ ] Attract energy sector employers to the district?
- [ ] Utilize existing buildings already equipped for infill development?
- [ ] Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- [ ] Provide a type of cuisine not already provided in the district?
- [x] Generate daytime - as well as nighttime - activity?
- [x] Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- [ ] Utilize public-private financing?
- [ ] Enhance the historic features of adjacent areas?
- [ ] Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☒ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☒ *APPLICATION: completed & signed application (this document);*
- ☒ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☒ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☒ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner Gabi Holguin Date: 7/27/16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____
_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

Narrative:

The sign would strengthen the focus on our establishment by make us more visible to the patrons. At this time we do not have a sign which makes it difficult for new patrons to know there is a business located there or to even know what type of business we are. Our goal has always been to help in the revitalization of our Historical Downtown and as our downtown is growing and we have been part of that growth the more patrons we can get to visit our downtown will help it be the hot spot for leisure and tourist. We feel in the years downtown has really grown to be the place for people to go hang out, socialize and even do some shopping. The sign would definitely help generate daytime and night time activity by just helping grow our customer base. The more people we can get to visit our establishment would help promote visiting other establishments in downtown which would in turn generate and increase activity to our downtown. Our establishment is known by our current customers as a unique entertaining experience that provides great service to our customers we hear often from our customers that they feel like our establishment provides a big city feel. I know that the sign will help because one of the biggest things we have heard from patrons is that we need a sign to help with knowing our location or even to know that we are open.

Summary:

Fat boss's Pub is locally owned by Brother and Sister John Castillo and Cynthia Holguin. It was established in 2007 taking a chance in bringing entertainment to our Historic Downtown while offering our community a nice place to gather with friends and family to enjoy good music while taking in a variety of spirits. We also offer happy hour appetizers and show our appreciation by hosting patron appreciation events. Over the years we have been recognized by our City of San Angelo and reviewed by the public as a great night life experience. During the past 9 years our business has consistently experienced growth and our success has helped inspire others to open various establishments to our historical downtown.

We think this program is a great way to help local businesses in improving and growing in areas that could help both the business and the community. I think the signs would help to draw attention to our establishment and keep up with the growing community. It's often said from our new patrons that they didn't even know we were there after passing by us several times. A sign would help us to be more visible to the community. We take pride in our business when you walk in you realize that pride and class comes first. Having the outside saying the same with a new is important. We can only hope to draw in new and more people to a good downtown experience.

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $0

Total Estimated Project Cost: $9,839.97

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	New Sign Installation- Labor, materials and taxes to install a new custom built sign at our place of business	New Sign Installation	$9839.97	$9839.97

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Applicant or representative

7/29/16
Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

FASTSIGNS
More than fast. More than signs.
334 W. Highland Blvd.
San Angelo, TX 76903

325.227.4826

ESTIMATE

FAT BOSS PUB

CINDY (325) 227-5155

PRODUCT	DESCRIPTION	QTY	SIDES	HxW	UNIT COST	TOTAL
Sign	Custom Built Sign	1	1	73 X 67	N/A	$9090.05
Vinyl	Printed Vinyl Signs	3	1	41.5 x 41.5	110.00	$330.00
Install	Sign Installation	1	1	N/A	N/A	$660.00
					TAXES	~~$777.15~~
					TOTAL	**$10,857.20**

.0825 =
749.92
9090.05
749.92
9,839.97

Thank you for choosing ***FASTSIGNS***! We appreciate the opportunity to do business with you. Above you will find an estimate for the products you requested. If you have any questions or would like to move forward you can call the center at 325-227-4826. We require a half down payment or a PO number to make this an order. Thank you and we look forward to hearing from you soon!

Thank you for the chance to earn your business.
Sincerely,
Stacy L. McIntyre
(325) 456-7757

Note: Customer Must Electrical Service Available

You are the most important visitor on our premises. You are not dependent on us. We are dependent on you. You are not an interruption in our work. You are the purpose of it. You are not an outsider in our business. You are part of it. We are not doing you a favor by serving you. You are doing us a favor by giving us an opportunity to do so.

73in

67in

EATBOSS'S PUB
DOWNTOWN

Effective 4/29/16

TIRZ INCENTIVES
APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Flamingo Flatts Date: 7-26-16

Business Owner (if different from above): Phyllis Cox & Toni Hunter

Business Address: 204 S. Oakes Mailing Address Same

Business Phone: 325-653-0437 Secondary Phone: 325-703-6387

Email: toni@flamingoflatts.com Fax:

Property Owner: Phyllis Cox + Toni Hunter

Remit incentive payment(s) to: ☒ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☒ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☒ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☒ Which is equal to or more than $10,000.

4B. The total estimated project cost is: $20,200.59, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: $20,200.59, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☐ Provide connections between activities?
- ☐ Improve pedestrian & vehicular infrastructure?
- ☐ Provide or reinforce usable & defined open space?
- ☒ Strengthen the focus area's identity?
- ☒ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☒ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☐ Promote mixed-use development?
- ☒ Utilize architectural styles that compliment to historic areas already in existence?
- ☒ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☒ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☒ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☐ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☒ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- [x] *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- [x] *APPLICATION: completed & signed application (this document);*
- [x] *W-9: used for establishing an account for payment by the City of San Angelo;*
- [x] *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- [x] *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner Toni Hunter Date: 7-28-16

SECTION 6: REPRESENTATIVE:

I hereby designate TONI HUNTER as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: 972-740-7723.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

NARRATIVE

Section 5 – Criteria for Evaluation of Application

Does the proposed project?

Strengthen the focus area's identity?

Flamingo Flatts is housed in a downtown historic hotel located at 204 S. Oakes. Built in 1908, the exterior of the hotel with its stately columns, red brick walls, upper balcony with a full-width porch is quite imposing. It is an amazing historical building but it desperately needs a face-lift and the new windows we are asking for will enhance not only the outside of the building but will also enhance the beauty of the rooms in the hotel. In addition to being more cost effective and energy efficient.

Support the goals of making the area a cultural, leisure, and tourist destination?

We are constantly striving to make our building a "go to" destination for San Angelo. We want to increase tourism by providing a unique boutique hotel atmosphere and in addition provide a place that our locals can also use as a get-away for a long weekend. Within walking distance of many restaurants, bars, retail shopping and various points of interest...Flamingo Flatts is vital part of the downtown family.

Improve the utilities and/or drainage infrastructure?

The replacement of the windows will increase the effectiveness of our utility bill by upgrading our existing single pane windows that have been in existence since the building was erected in 1908.

Utilize architectural styles that compliment to historic areas already in existence

As a historical building the restoration of the windows will compliment the building that currently exits along with a more attractive existing façade.

Help to mitigate or eliminate undesirable views or outside storage

Currently the windows that are in place are unsightly and do not enhance the building from the outside or from the inside. **Please see photos attached.**

Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low energy heating and cooling

The windows we are requesting are Vista triple pane, white vinyl, double hung, 2 surfaces of Low e 3 glass, argon gas, extruded screen frame with a lifetime warranty....in other words beautiful and energy efficient!

Include an aggressive match by the applicant, in excess of what is minimally required

We will aggressively match this proposal in the amount of – $5,065.52

Specific to Category C, does the proposed project:

Enhance the historic features of adjacent areas?

As a historic building in downtown San Angelo any improvements to the property will most assuredly enhance the features of any of the adjacent businesses within the entire downtown. We take great pride in being a large contributor of the downtown area and we want to continue to be a big part of it's growth and improvement.

SUMMARY

Overall the work to be performed is to replace 45 non-efficient, dilapidated, single pane windows that are most definitely showing signs of advanced wear and tear and neglect due to many factors including time and weather. Replacing these existing windows with Vista triple pane, white vinyl, double hung, 2-surfaces of Low e 3 glass, argon gas, extruded screen frames, with lifetime warranty ensures this historical property remains a beautiful part of our downtown.

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $5065.52

Total Estimated Project Cost: $20,200.59

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	First Floor: 17- Double Hung Low e 3 glass Lifetime Windows, 17- Aluminum Cap & Wrap, 2- Oversize Front Windows	Façade	$8864.64	$8864.64
1	First Floor: Shipping and Tax	Match	$656.64	$656.64
2	Second Floor: 2- Oversize Front Windows, 18- Double Hung Low e 3 glass Lifetime Windows, 18- Aluminum Cap & Wrap, 3 Obscure Glass, 10- 2nd Story Charge, Disposal Charge, Shipping and Tax	Façade	$9597.96	$9597.96
2	Second Floor: 2- Shipping and Tax	Match	$710.96	$710.96
3	Porch Enclosure: 10- Double Hung Low e Glass Lifetime Windows, 12- Mull Locations, 10- Steel Window Removal, Shipping and Tax	Façade	$5302.80	$5302.80
3	Porch Enclosure: Porch Enclosure: 10- Double Hung Low e Glass Lifetime Windows, 12- Mull Locations, 10- Steel Window Removal, Shipping and Tax	Match	$5302.80	$3697.92
***	The Contractor is offering us a 15% discount because of the size of the job and the desire to help other local businesses. The original total of the job was $23,765.40 but with the 15% discount the new total will be: $20,200.59			

#	Work to be Performed	Incentive Type / Match	Unit Cost	Total
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		
		Incentive Types		

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Toni Dunter

Applicant or representative

7/28/16

Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

WINDOW DEPOT USA of West Texas

505 North Chadbourne San Angelo, TX 76903

Phone 325-227-6961
Fax 325-944-4686

(7-22-2016)

Toni and Phyllis

Quote for the replacement of the remaining windows in the Flamingo Flatts building. I am quoting each floor separately as well as the porch enclosure on the back hotel room. I am quoting the same window that we had previously installed in the 3 windows upstairs. It is our Vista triple pane, white vinyl, double hung, 2 surfaces of Low e 3 glass, argon gas, extruded screen frame, with lifetime warranty.

2nd story:

18-double hung @ $399 ea.	$7,182
18-aluminum cap and wrap @ $75 ea.	$1,350
3 obscure glass @ $35 ea.	$105
10-2nd story charge @ $20 ea.	$200
Disposal	$50
Sub-total	$8,887.00
Shipping and tax	$710.96
Total	$9,597.96

1st floor:

17-double hung @ $399 ea.	$6,783
17-aluminum cap and wrap @ $75 ea.	$1,275
2-0versize front windows @ $75 ea.	$150
Sub-total	$8,208.00
Shipping and tax	$656.64
Total	$8,864.64

Porch enclosure:

10-double hung @ $399 ea.	$3,990
12-mull locations @ $35 ea.	$420

10-steel window removal @ $50 ea.	$500
Sub-total	$4,910.00
Shipping and tax	$392.80
Total	$5,302.80

2nd floor	$9,597.96
1st floor	$8,864.64
Porch	$5,302.80
Grand total	$23,765.40

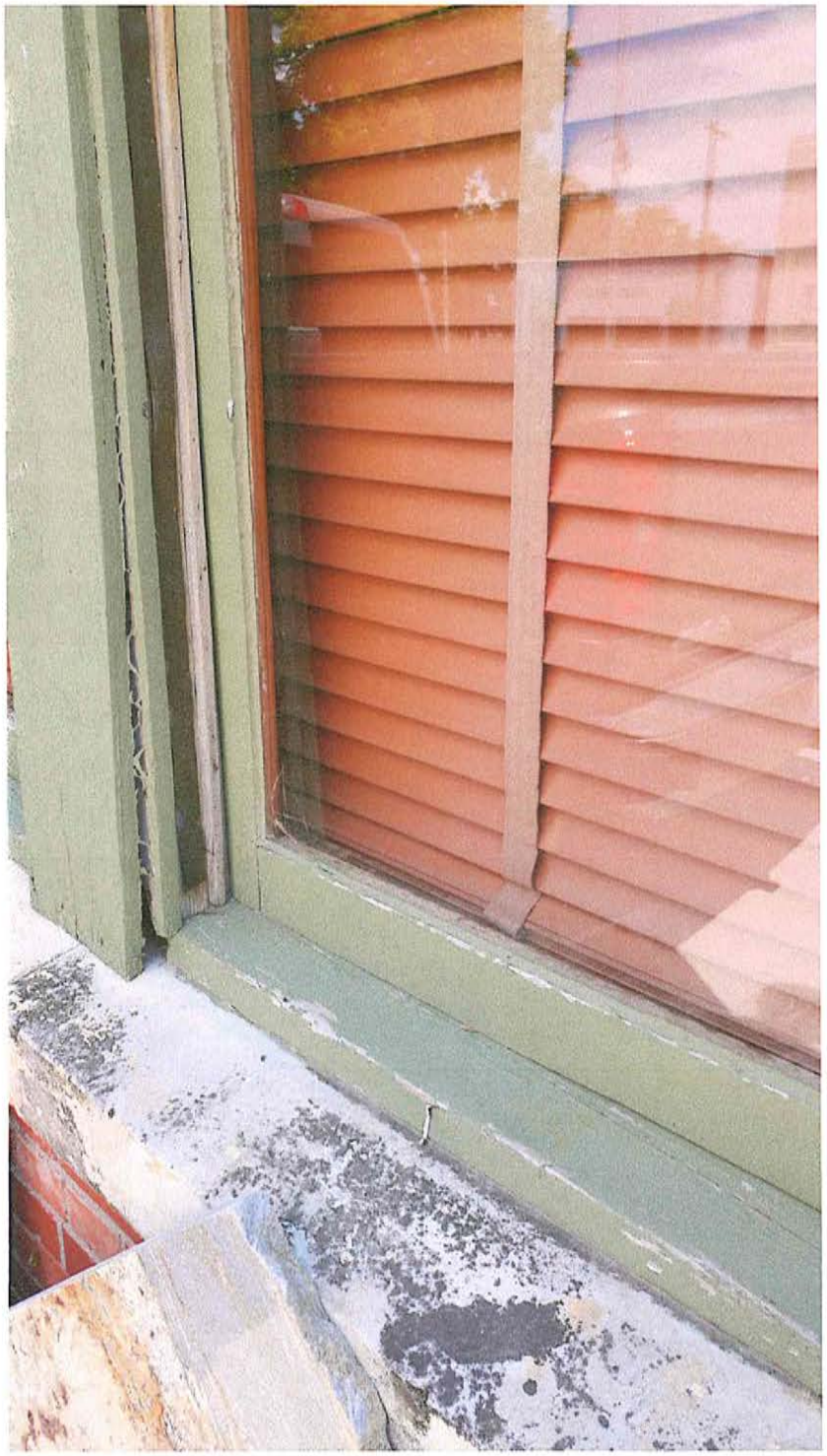
I can still honor the 15% discount because of the size of the job and the desire to help other local businesses.

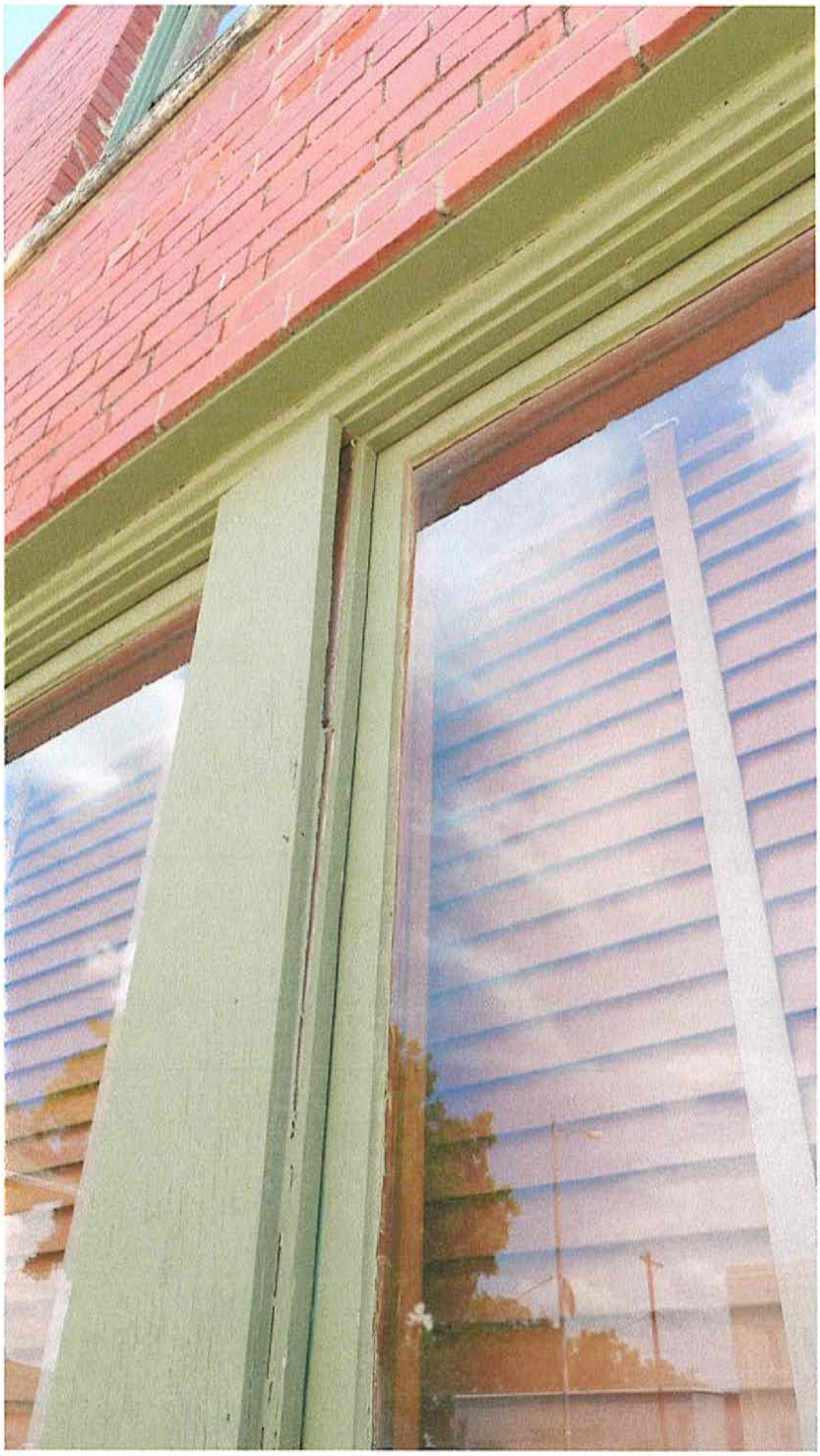
That brings the new total to:
$20,200.59 all in for the windows, installation, and exterior capping.

Let us know if you need anything else to help apply for your TIRZ grant and good luck with it. We have not had much success in receiving any help from the city on that.

Thanks, Casey

15% was deducted from UNIT COSTS on Worksheet "A"





Effective 4/29/16

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Raw Studio and Gallery Date: 7/26/16

Business Owner (if different from above): Curry and Cox, LLC

Business Address: 38 N. Chadbourne Mailing Address Same

Business Phone: 325-234-7242 Secondary Phone: 325-245-7192

Email: rawstudio38@yahoo.com Fax:

Property Owner: ~~[illegible]~~ Curry and Cox, LLC

Remit incentive payment(s) to: ☑ Property Owner ☑ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☑ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☑ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.
Art Gallery AND Studio

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☑ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☑ Landscape Installation
☑ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☑ Which is equal to or more than $10,000.

4B. The total estimated project cost is: 94,502.39, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 75,600.00, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☑ Provide connections between activities?
- ☑ Improve pedestrian & vehicular infrastructure?
- ☑ Provide or reinforce usable & defined open space?
- ☑ Strengthen the focus area's identity?
- ☑ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☑ Improve the utilities and/or drainage infrastructure?
- ☑ Remediate environmental deficiencies or enhance public safety?
- ☑ Promote mixed-use development?
- ☑ Utilize architectural styles that compliment to historic areas already in existence?
- ☑ Help to mitigate or eliminate undesirable views or outside storage?
- ☑ Reduces the visual impact of parking areas?
- ☑ Preserve or provide natural landscaping?
- ☑ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☑ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☑ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner Natiana Cox Date: 7/26/16

SECTION 6: REPRESENTATIVE:

I hereby designate David Mazur as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: 656-7353.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

Narrative
RAW 1899 – 36&38 North Chadbourne

The properties at 36 & 38 North Chadbourne were bought in anticipation of bringing new life into a part of downtown that has been dormant for 10-15 years. The deed to these properties was established in 1899 thus the new property name and insignia RAW 1899. We plan to bring this property back to a new improved version of the historic form which was built in 1922.

The front of RAW 1899 will be restored to its original form, installing new windows, door units, and sidewalk canopy as it once was. All features such as fire & smoke alarms, as mandated by the Fire Marshall, will be installed making the facility relaxing and enjoyable as well safe and reliable for all occupants. We plan to re-finish the original metal ceilings, and bring back the old stone and brick walls of the interior.

We want to be a part of the evolution of Downtown San Angelo, bringing new ideas, new business and economic enhancement to this area. The developer of this property has bought the entire block and has plans for residences, businesses, and art galleries in the works. This area will be a thriving, pedestrian friendly part of downtown that will shift more development to the north part of town which will expand the goals of the downtown (TIRZ) development scenario.

We, RAW1899 plan to offer a high end art gallery with a wine and beer pub, along with a private art studio that will bring local people and visitors to our downtown to enjoy its great amenities. We hope that with TIRZ assistance that we can further enhance our proposal and the downtown area

Scope of Work to be Performed
RAW1899

We propose to perform the following task to the properties at 36&38 North Chadbourne Street

Front Façade Improvement

1. Demo the Existing Plywood Facades on Existing Building

2. Re-frame Both Exteriors with All New Wood, Low-E Glass Double Insulated Windows New Beveled Glass Door Units, and All New Poplar Wood Trim

3. Demo Existing Sidewalk and Install New Planation Red Brick Pavers in Sand on a Herringbone Pattern

4. Construct a New Metal Canopy with Pressed Tin Ceiling and Metal Roof with New LED Recessed Lighting

5. Install (3) Copper Gas Lights on New Exterior of Building

6. Paint Entire Front Façade Wood and Brick on Exterior of Building a two-tone Dark Color

Other Re-Modeling

1. Demo Interior of Building, Wall Plaster, Revealing the Original-Existing Rock Walls & Brick

2. Install New H.V.A.C. Systems with Spiral Ductwork

3. Install All New Electrical Panels; Wire for Wall Plugs, Low Voltage, Cable Track Lighting, Fans, Chandeliers, etc.

4. Re-Plumb All Existing Bathrooms, Install New (3) Compartment Sink, Mop Sink, Hand Wash Sink

5. Construct 10' bar Front & Rear Counter

6. Construct 16x25 Concrete Patio with 4' Brick Walls, Outdoor Fireplace, Cedar Arbor with Landscaping

7. Install Commercial Grade Obscure Glass Garage Door

8. Install French Door Unit Leading out to Patio

9. Install 2-lb Foam on Ceiling in Workroom

10. Frame Office in Rear of Building

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $23,751

Total Estimated Project Cost: $94,502.39

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Brickwork on Sidewalk- Labor and material 600 ft.	Façade		38,000
1	Doors/Windows Exterior (17 Low E Windows, 4 beveled glass door units)	Façade		$14,751
1	Trim, Framing Material, Concrete, Nails	Façade		$6,500
1	300 sq. ft. Metal Canopy (w/ pressed tin ceiling tiles)	Façade		$6,350
1	Door hardware (2 sets of brass hardware, 4 brass kick-plates, 4 door closers)	Façade		$1,500
1	3 Gas lights	Façade	$600.00	$1,800
1	Carpentry Labor (framing, trim out)	Façade		$9,500
1	Demolition of Sidewalk (Labor & dump fees)	Façade		$1,200
1	Concrete Labor (Set-up and pour 600 sq. ft. concrete)	Façade		$1,500
1	Concrete Material and steel (600 ft.)	Façade		$1,500
1	Rental Fees (wet-saw/jackhammer)	Façade		$500
1	Paint/Labor/Materials	Façade		$7,500
1	Electrical Labor/Materials (rough-in, trim out, 8 canopy lights and outlets)	Façade		$1,800
1	Plumbing labor/materials (rough-in, trim out, gas lights and new water service)	Façade		$2,800
2	Security System Fire/Smoke Alarm	Fire/Smoke Alarm		$8,599
3	New Sign	Sign match		$800.00
4	8 Cypress Trees	Landscape	$150.00	$1,200.00
1	Brickwork on Sidewalk- Labor and material 600 ft.	Façade Match	$7,200	$7,200
1	Doors/Windows Exterior (17 Low E Windows, 4 beveled glass door units)	Façade Match	$14,751	$14,751
1	3 Gas lights	Façade Match	$600	$1,800

Facade 65,201 Landscapes 1200
Fire/Smoke Alarm 8,599

to substantiate these amounts and will promptly provide such information.

Applicant or representative

8-3-16

Date

FOR OFFICE USE ONLY:

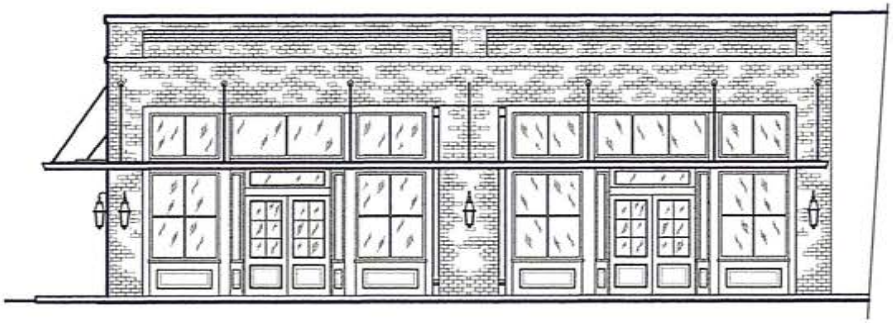
SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

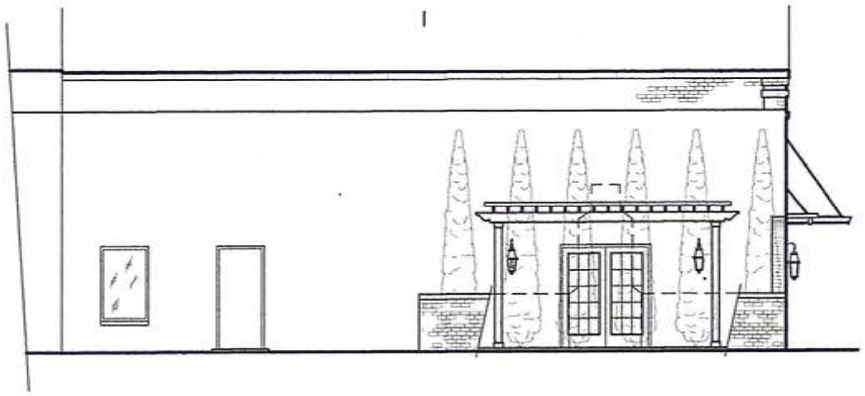
DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:**_____ **Document Effective as of: 05/01/16**

Raw 1899

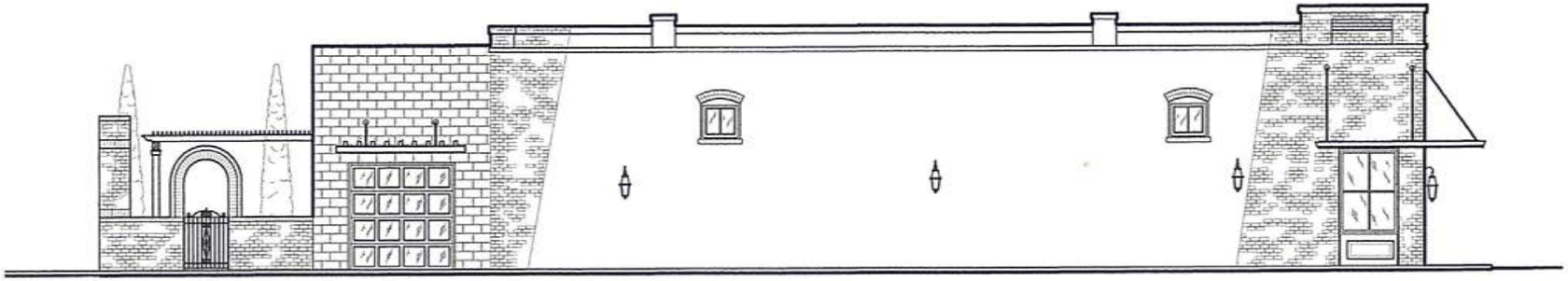
38
36



A FRONT (WEST) BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



B REAR (EAST) BUILDING ELEVATION
SCALE: 1/4" = 1'-0"

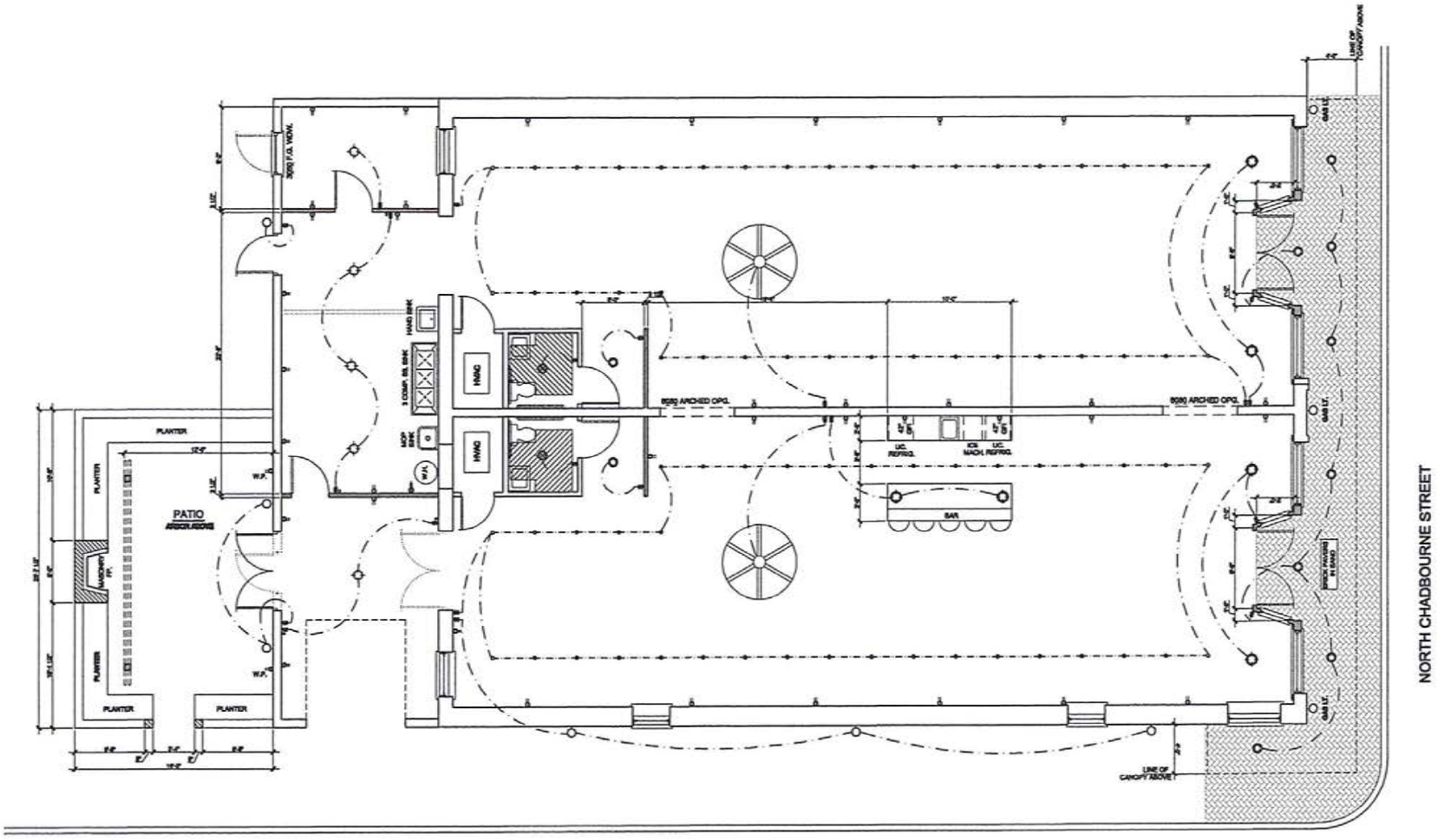


C LEFTT (NORTH) BUILDING ELEVATION
SCALE: 1/4" = 1'-0"

DENODIZ 38 & 34 N. CHADBOURNE ST.

DATE: 7/12/16
REVISIONS:

JAMES F. ROBINSON
222 S. WASHINGTON ST.
SAN ANGELO TEXAS
(325)655-6296



ELECTRICAL SYMBOLS

- 72" CLG. FAN
- 120V CLG. M'TD. INCAND.
- 120V CLG. M'TD. INCAND. PENDANT
- 6" RECESSED INCAND., TRIM KIT PER OWNER.
- 120V WALL M'TD. INCAND.
- SINGLE THROW, SINGLE POLE, WALL SWITCH
- THREEWAY WALL SWITCH
- EXH. FAN WITH LIGHT
- 120V, 15A, CONV. OUTLET, MOUNT 18" A.F.F. UNLESS NOTED OTHERWISE.
- 240V OUTLET
- 12 V WIRE LIGHT SYSTEM

DESIGNATED NORTH

A FLOOR PLAN

SCALE: 1/4" = 1'-0"

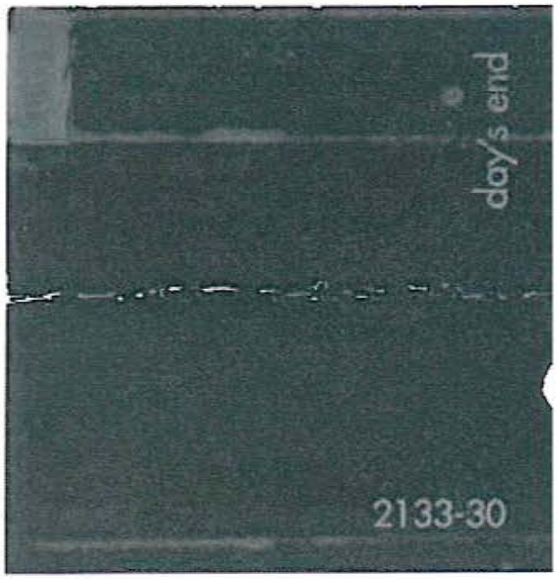
DATE: 7/12/18
REVISIONS:

JAMES F. ROBINSON
222 S. WASHINGTON ST.
SAN ANGELO TEXAS
(325)655-2099

REMODEL 38 N. CHADBOURNE ST.

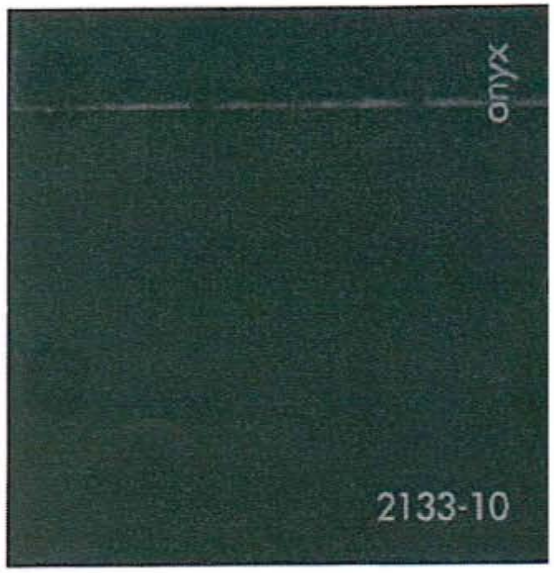
BUILDING

BODY COLOR: Benjamin Moore (2133-30 Days End)



TRIM COLOR: Benjamin Moore (2133-10 Onyx)

DOORS, WINDOW TRIM, TOP OF CANOPY



BENJAMIN MOORE® COLOR PREVIEW® 2133

SAN ANGELO FIRE MARSHAL'S OFFICE
52 WEST COLLEGE AVE., SAN ANGELO, TEXAS 76903
PHONE: 325-657-4358 FAX: 325-481-2622

To: Tyler Martin, Plan Reviewer
From: Ross Coleman, Fire Marshal

Date: July 5, 2016

Subject: Remodel 38 N. Chadbourne St./Mazure Construction Occupancy Type

The intent of the space is to house an art gallery with incidental beer and wine consumption. The space is to be open to the adjacent space for the actual painting of art. The owner has expressed interest in an open concept so that patrons of the facility can walk from the gallery area to the private studio. The use of the space as an art gallery categorizes an A3 Assembly occupancy with an occupant load calculation of 30sq. ft. per person. The serving of alcohol, specifically beer and wine, is incidental to the use of the art gallery. Because of this, the space is not considered an A2 assembly occupancy. A2 assembly occupancies require sprinkler protection at an occupant load of 100 persons or greater. For the purposes of the A3 and expansion into the private art studio for patrons viewing artwork, a reasonable alternative to minimum standards shall include installing a monitored manual fire alarm system which includes a fire alarm panel, audio visual devices and manual pull stations in installed by a licensed fire alarm company. This system shall be inclusive of both the art gallery and private studio areas. Both sides (gallery and studio) shall have adequate exiting from the front and rear of the building with illuminated exit signs. Routine annual fire inspections will be conducted of the building to ensure minimum standards are being maintained.

**Note: In the event this space becomes and A2 Assembly occupancy where the use is intended as a bar, tavern, banquet hall, nightclub, commercial kitchen or restaurant in combination with an occupant load of 100 or more, the building will have to be equipped with a full automatic sprinkler system to protect building occupants.

The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

July 25, 2016

Mr. David Mazur
1310 Mackenzie Street
San Angelo, TX 76901

Subject: RCC16-14: Mazur, a request for approval, as required per Section 12.06.003(b)(1) and 12.06.003(b)(2) of the River Corridor Development Ordinance (see below).

Location: 38 North Chadbourne Street; generally located at the southeast corner of South Chadbourne Street and East College Avenue; more specifically being All of Lot 8 and a portion of Lot 9, Harris Block, San Angelo Harris Block Addition.

Dear Sir:

At its meeting on **Thursday, July 21, 2016,** the Design & Historic Review Commission for the City of San Angelo **APPROVED WITH MODIFICATIONS** the following: (1) reconstruction of exterior brick facades on the north, east, and west elevations, painted a dark grey matte color; (2) installation of new wood doors and glass windows and painting of all wood trim, window trim, doors, and garage doors a black color; (3) installation of exterior wall sconce lights with a copper finish; (4) construction of new metal canopies, with lighting, along portions of the north, east, and west building facades, painted a black color, with 3 possible options for tiling underneath the canopy, copper, gold, or black; and (5) construction of a 416-square foot outdoor patio, **subject to the following six (6) conditions of approval:**

1. The applicant shall submit final color samples to the Director of Planning and Development Services, or his designee, for approval that provide greater tonal variation between the main building color, and the color of the proposed canopy, door and window trim, consistent with the River Corridor Design Policies, prior to construction.

2. The proposed exterior gas lights and LED lights shall not spillover onto adjacent properties, and the applicant shall obtain approval from the City Fire Marshall for the proposed gas lights at the front entrance prior to construction.

3. The colors and materials of all items shall be consistent with the renderings approved by the Design and Historic Review Commission, except for the final colors on the main building which shall be approved by the Director of Planning and Development Services, or his designee.

4. The proposed drought-resistant cypress trees shall be 3-inches in caliper and 6 feet tall at the time of planting, and the new landscaping inside the planter boxes shall be drought-resistant. Continued maintenance and irrigation of these trees and shrubs shall be required.

5. The applicant shall obtain a Building Permit for all improvements as required, from the Permits and Inspections Division.

6. The applicant will be required to obtain a Right-Of-Way Encroachment Approval from City Council for the canopies which encroach into the public right-of-way.

Please be advised that the required permits are obtainable from the City's Permits and Inspections Division. Their offices are located at 52 West College Avenue, beside San Angelo's City Hall. They may also be reached by phone at (325) 657-4210, Extension 1. We will also send a copy of this clearance letter to their attention so that they will also understand the circumstances and issue the permits accordingly.

If you have any questions concerning these proceedings, please contact the Planning Division at (325) 657-4210, Extension 1550.

Sincerely,

Jeff Fisher, Planner I

Protection 1
SECURITY SOLUTIONS®

A Proposal for

MAZUR, MR. DAVID:

Presented By: Ricky Gonzales
325-374-2610

Presented On July 15, 2016

Equipment and Investment Summary

	Site Information	Billing Information
Customer:	MAZUR, MR. DAVID	MAZUR, MR. DAVID
Address:	3836 North Chadbourne	1310 MACKENZIE ST
City, State Zip:	SAN ANGELO, TX 769014630	SAN ANGELO, TX 769014630
Bus. Phone:	3256539015	3256539015

Equipment List For: Fire Alarm

Quantity	Description
1	10ZONE CONVENTION PNL COMMUNIC
1	Hybrid Fire Alarm Communicator, also suitable for GSM Sole Path Dial Capture Requires special AlarmN
1	REMOTE LCD ANNUNCIATOR
1	16/2 SOL FPLP 1M BX RED
1	Module red 12/24 volt Sync-Circuit
2	Strobe, red
2	DACT PHONE CORDS 7 inch
2	12V, 7AH SLA
3	PULL STATION DUAL ACTION
3	2 WIRE HORN/STROBE HI CANDELA RED OUTDOOR
4	Magnetic remote test and reset station for duct and beam detector
4	Sampling Tube 5'
6	Horn/Strobe with selectable strobe settings, red
11	Smoke detector, 2-wire, photoelectric i3 with thermal sensor and built-in sounder

Sub Total Installation Cost:	$13,510.70
Estimated Install Taxes	$0.00

Protection 1

Recurring Services:

Monitoring	$27.95
Extended Service Plan	$35.50
Signaling	$10.00
Inspections	$31.57
Video	$0.00
Reporting	$0.00
Secure Access	$0.00
Identity Protection	$0.00
Lease Fee	$0.00
Sub Total Monthly Charge:	$105.02

Scope of Work

OPTION 2- OUTRIGHT PURCHASE WITH REQUIRED MONITORING AND FIRE SYSTEM ANNUAL INSPECTION

Monitored Fire Alarm System: P1 to install the following equipment

1- 10 zone Firelite Fire Alarm Control Panel

1- Keypad Annunciator (front door area)

3- Pull Stations at exit doors

11- Smoke Detectors

6- Horn/Strobes

2- Strobes (restrooms)

3- Outdoor Horn/Strobes

4- Duct Detectors Remote Test Relays

4- Duct Detector Sampling tubes

1- horn/strobe sync module

Fire Wire and Labor

ENGINEERED PLANS AND FIRE ALARM PERMIT

Conduit will be required cost NOT included in bid

Need follow up meeting with David Mazur and electrician for design of conduit run and junction boxes for fire alarm devices.

Protection 1

Protection 1
SECURITY SOLUTIONS®

A Proposal for

MAZUR, MR. DAVID:

Presented By: Ricky Gonzales
325-374-2610

Presented On July 15, 2016

Equipment and Investment Summary

	Site Information	Billing Information
Customer:	MAZUR, MR. DAVID	MAZUR, MR. DAVID
Address:	38736 North Chadbourne Security System	1310 MACKENZIE ST
City, State Zip:	SAN ANGELO, TX 769014630	SAN ANGELO, TX 769014630
Bus. Phone:	3256539015	3256539015

Equipment List For: Security System

Quantity	Description
1	Thin Door/Window Contact
1	Thin Door/Window Contact
1	Thin Door/Window Contact
1	CDMA Cell Radio Module: includes 2GIG-ANT3X external antenna
1	Go Control Security & Home Automation Control Panel
1	Passive InfraredMotion Detector
1	Passive InfraredMotion Detector
1	Passive InfraredMotion Detector
1	Passive InfraredMotion Detector
1	Passive InfraredMotion Detector
1	Passive InfraredMotion Detector
1	Thin Door/Window Contact
1	Thin Door/Window Contact

Sub Total Installation Cost:	$629.99
Estimated Install Taxes	$0.00

Recurring Services:

Monitoring	$29.95

Protection 1

Extended Service Plan	$5.00
Signaling	$12.00
Inspections	$0.00
Video	$0.00
Reporting	$0.00
Secure Access	$0.00
Identity Protection	$0.00
Lease Fee	$0.00
Sub Total Monthly Charge:	$46.95

Scope of Work

P1 to install the following for security system with interactive mobile app control:

(1) Smart Panel

(6) Indoor Wireless motion detectors

(5) Wireless Door contacts

Total Estimated Install Taxes:	**$0.00**
Total Installation Cost:	**$629.99**
Total Monthly Recurring Services Charges:	**$46.95***

* Plus applicable Tax

Protection 1

Effective 4/29/16

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Surasito

Business Owner (if different from above): Simon Cuellar Jr Date: 5-4-16

Business Address: 204 S. Chadbourne Mailing Address 204 S. Chadbourne

Business Phone: (325) 653-2582 Secondary Phone: (325) 656-5101

Email: ssj@suddenlink.net Fax:

Property Owner: Simon Cuellar Jr

Remit incentive payment(s) to: ☐ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area

(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.

☒ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

- ☐ Sales Tax
- ☐ Asbestos Abatement
- ☐ Outside Storage Screening
- ☑ Facade Improvement
- ☐ Development Fee Reductions
- ☐ Sprinkler & Monitored Smoke Alarm System
- ☐ New Sign Installation
- ☐ Property Tax
- ☐ Secondary Egress
- ☐ Paving
- ☐ Landscape Installation

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- [x] Which is less than $10,000;
- [ ] Which is equal to or more than $10,000.

4B. The total estimated project cost is: $9,995, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: $9,995, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- [ ] Provide connections between activities?
- [ ] Improve pedestrian & vehicular infrastructure?
- [ ] Provide or reinforce usable & defined open space?
- [x] Strengthen the focus area's identity?
- [x] Support the goals of making the area a cultural, leisure, and tourist destination?
- [ ] Improve the utilities and/or drainage infrastructure?
- [x] Remediate environmental deficiencies or enhance public safety?
- [ ] Promote mixed-use development?
- [x] Utilize architectural styles that compliment to historic areas already in existence?
- [x] Help to mitigate or eliminate undesirable views or outside storage?
- [ ] Reduces the visual impact of parking areas?
- [ ] Preserve or provide natural landscaping?
- [ ] Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- [ ] Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- [ ] Attract energy sector employers to the district?
- [ ] Utilize existing buildings already equipped for infill development?
- [ ] Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- [ ] Provide a type of cuisine not already provided in the district?
- [x] Generate daytime - as well as nighttime - activity?
- [x] Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- [ ] Utilize public-private financing?
- [ ] Enhance the historic features of adjacent areas?
- [ ] Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- [x] *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- [x] *APPLICATION: completed & signed application (this document);*
- [x] *W-9: used for establishing an account for payment by the City of San Angelo;*
- [x] *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- [x] *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner_____ Date: 5-20-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____

_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N — **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** — 5-20-16 **DATE**

TIRZ Incentives 204 S. Chadbourne

My wife and I, (Gloria Cuellar and Simon Cuellar Jr) owners of Swagito night club believe we have a need to improve our buildings appearance with a Façade Improvement and assistance from the TIRZ program. With a value of $5000.00 for a new overhead sign an awning and paint at the cost of $4995.00 designed by the Texas Historical Commission, would be a tremendous improvement for our building. With the total cost of $9995.00, materials and labor for the project, we believe the improvements would attract more people to our place of business thus bringing more people to the downtown area. We have owned our business for over 7 years and have drawn a good amount of people to our business and in turn have contributed a pretty good amount of tax money from our gains. With your help and support we believe we are headed in the right direction to make our downtown area thrive by drawing in, not just local, but out of town tourism or business as well.

Thank You in advance

Gloria Cuellar, Simon Cuellar Jr.

TIRZ Incentives, 204 S Chadbourne

The overall scope of the project will consist of a 2'X20' Redwood sign with SWAGITO imprinted on it at a cost of $5000.00 built and installed for the overhead entrance.

Materials for painting the front of the building and to include the painting of the new awning to be built on site at a cost of $720.00

Materials for awning and lights at a cost of $2063.00

Installation and all labor to build awning including electrical at a cost of $2212.00 for a grand total cost of the project of $9995.00

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $0

Total Estimated Project Cost: $9,995

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Sign and Installation- The sign will consist of a 2' x 20' Redwood Sign with Swagito imprinted on it. This will include the building and installation for the overhead entrance. - See attached picture of sign.	Façade Improvement	$5,000	$5,000
2	Paint and Labor- This will include painting the front of the building a reddish/brown color and painting the new awning.	Façade Improvement	$720	$720
3	Awning and Materials- This will include a new metal awning to be placed above the entrance of the building as well as new lighting underneath the awning and above the entrance. - See attached picture of sign and awning.	Façade Improvement	$2063	$2063
4	Awning and Installation- This includes the cost of labor to build and install the awning as well as the electricity for the lighting.	Façade Improvement	$2212	$2212

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Applicant or representative

7-29-16
Date

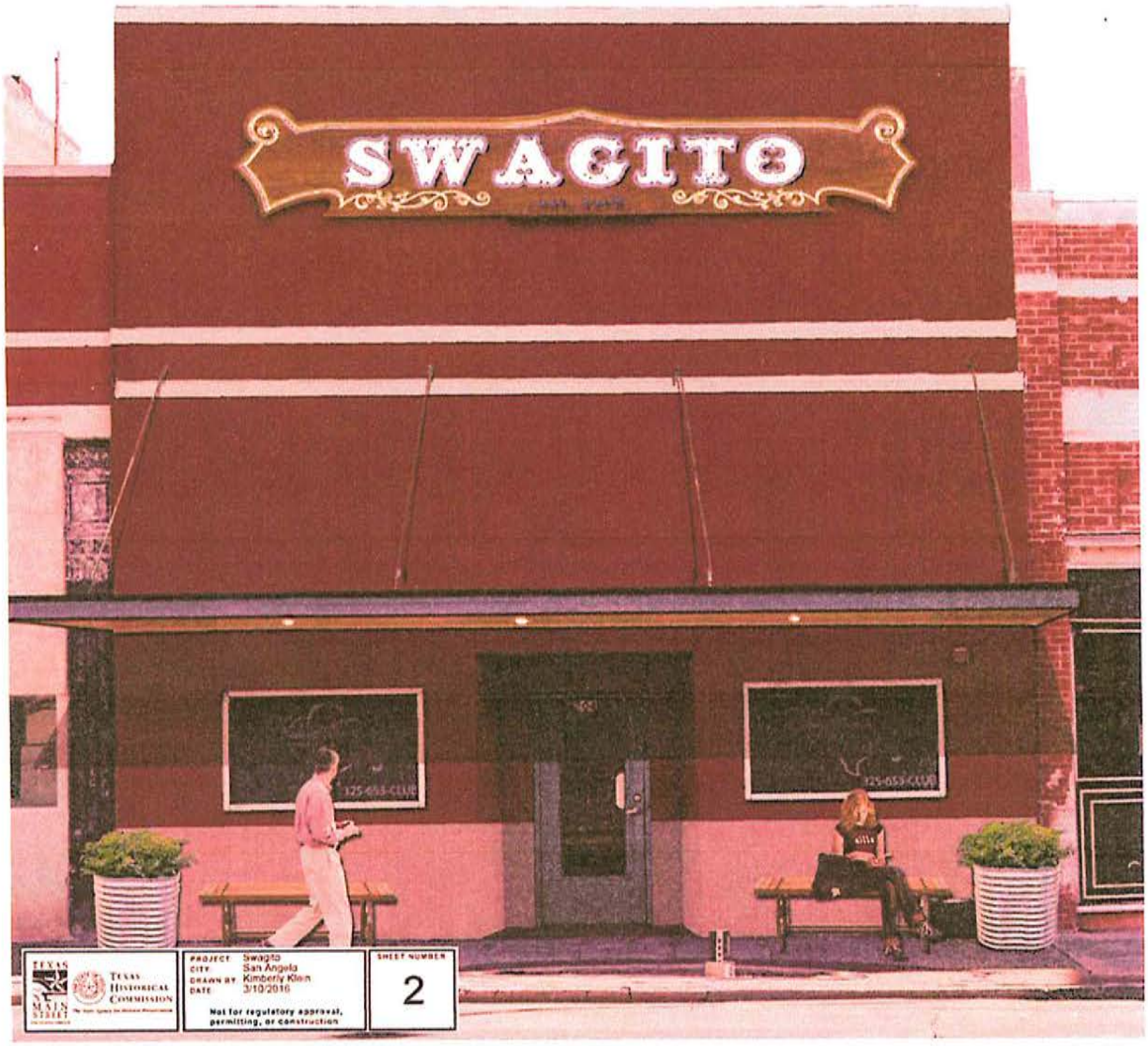
FOR OFFICE USE ONLY: Joanna Scott 7-29-16

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

Option #2



Signage Inspiration:

TIRZ INCENTIVES
APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: The Casual Pint Date: 7/29/2016

Business Owner (if different from above): Zac Marshall

Business Address: 19 E Concho Ave Mailing Address 1618 Live Oak St

Business Phone: 325-939-2337 Secondary Phone: 801-580-6295

Email: zac.marshall@thecasualpint.com Fax:

Property Owner: Eric Eggemeyer

Remit incentive payment(s) to: ☐ Property Owner ☒ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices.

☒ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity.

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living.

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☒ Sales Tax	☒ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☐ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☒ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☒ Which is equal to or more than $10,000.

4B. The total estimated project cost is: 20,000.00, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: 20,000, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☒ Provide connections between activities? -
- ☐ Improve pedestrian & vehicular infrastructure?
- ☒ Provide or reinforce usable & defined open space? -
- ☒ Strengthen the focus area's identity? -
- ☒ Support the goals of making the area a cultural, leisure, and tourist destination? -
- ☐ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☒ Promote mixed-use development? -
- ☐ Utilize architectural styles that compliment to historic areas already in existence?
- ☒ Help to mitigate or eliminate undesirable views or outside storage? -
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☐ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☐ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☐ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☒ Generate daytime - as well as nighttime - activity? -
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☒ *SUMMARY: a written summary outlining the overall scope of work to be performed;* describe Budget
- ☒ *APPLICATION: completed & signed application (this document);*
- ☒ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☒ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5* describe Sections
- ☒ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner _____ Date: 7-29-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____
_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** **DATE**

NARRATIVE

Regarding The Casual Pint Balcony

July 31, 2016

This project will:

Provide connections between activities

Provide or reinforce usable and defined open space

Strengthen the focus area's identity

Support the goals of making the area a cultural, leisure, and tourist destination

Promote mixed use development

Help mitigate or eliminate undesirable views or outside storage

Specifically this property build pertains to **Generate daytime as well Nighttime traffic**.

This project is south of Concho Ave (front doors open to Concho). facing the river adding desirable ambiance to the property both for the patron and the passing patron. The present conditions of the southside property are undesirable—simply rubble covers the area. The patio will further beautify the view both from the property and from the river and surrounding properties. City-goers will be able to partake in any downtown event that is held on the grass/river and access the patio--come and go as they please. The project will have the establishment's hours offering access 7 days a week, throughout the year. The Casual Pint is not a bar but a pub, serving only craft beer and food. Weekday hours end at 10pm, and weekends close at 12am. Furthermore, our product adds a unique blend to downtown by offering not just hundreds of craft beers and food but growler fills, on/off premise consumption, and crowler fills (canning your favorite craft beer). The latter product line will be enhanced by a back patio offering additional leisure and cultural mingling to the historic downtown San Angelo.

SUMMARY

Regarding The Casual Pint Balcony

July 31, 2016

The overall scope of work to be performed is the completion of a back patio or balcony to the existing property. The budget outlines the materials needed for the project. The materials will be bought locally at McCoy's. Labor will be a local contractor, Boyd Avery. The amount shown is from McCoy's, however, there is not a hard figure for labor because of the inconsistency. Labor ranges from 75% - 90% of material costs. When the project hits fruition exact costs will be given to the Economic Committee regarding TIRZ. The outlay of the figures are for a general deck build using composite wood for longevity and other materials that are time tested. The patio will have approximate dimensions of 32'x32' with a surrounding railing system, gate, and stairs leading to and from the patio.

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $5,000.00

Total Estimated Project Cost: $20,000

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	The project will include the materials and labor for an addition of an outdoor patio/garden. All laborers and materials will be locally purchased. McCoy's will be the raw material supplier	Sales Tax	$1,400.00	$1,400.00
2	This will include the labor and materials for the construction of an outdoor patio/garden	Façade Improvement	$18,600.00	$18,600.00
2	This will include the labor and materials for the construction of an outdoor patio/garden	Match	$5,000.00	$5,000.00

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Applicant or representative

7/29/16
Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:** _____ **Document Effective as of: 05/01/16**

002876 000000
ACCOUNT 30-03070181-000

****
* LINE ITEM QUOTE *
****

ESTIMATE

1:58 PM
7/29/2016 Page 1

ZAC MARSHALL LLC.
1618 LIVE OAK ST

SAN ANGELO, TX 76901
Phone #: (801)580-6295

Selling Store 30 | Shipping Store 30 | Sales Person 2876 CHRISTOPHER A | Our Order 492834-00

Customer P.O. | Terms CASH TERMS

Quantity Ordered	Quantity Shipped	UM	Locatio	Item Number	Description	Unit Ext/UM	Unit Price	Disc	Extended Price	
30	X	EA	444002	012803	2X6-10' #2&BTR DRY WSTRN SPEC	30/EA	5.99		179.70	T
30	X	EA	444005	010503	2X12-10' #2 SOUTHERN PINE/KDDF	30/EA	17.09		512.70	T
30	X	EA	410400	013200	2X4-96" WESTERN STUD 8'FULL	30/EA	2.49		74.70	T
65		EA	410700	012609	2X2-8' HILINE WW FURRING STRIP	65/EA	2.99		194.35	T
65	X	EA	444001	013950	4X4-8' #2 OR BTR ROUGH CEDAR	65/EA	17.99		1,169.35	T
6		CTN	070302	28089068	1/2X8 HEX BOLT GALVANIZED 25EA	6/CTN	66.99		401.94	T
14		LB	240101	12127778	3-1/8" #9 MP CH STAR R4 BULK	14/LB	8.29		116.06	T
128	X	EA	ZZZZZZ	01137340	5/4X6-16' RELIABORD CEDAR	128/EA	39.99		5,118.72	T
84	X	EA	444005	040200	CONCRETE MIX 80#	84/EA	3.97		333.48	T
2	X	EA	444001	040242	CONCRETE PALLET (EX-PORT/MAS)	2/EA	20.00		40.00	T
3		BOX	070302	28103023	1/2" FLAT WASHER GALV 50EA	3/BOX	13.49		40.47	T
3		CTN	070302	28092012	1/2-13 HEX NUT GALV 50EA	3/CTN	13.99		41.97	T
40		EA	250302	12103064	LUS26-2Z SHEAR HANGER DBL ZMAX	40/EA	2.44		97.60	T
40		EA	250202	12103061	LUS24Z SHEAR HANGER ZMAX	40/EA	.75		30.00	T

This ESTIMATE is given as a price quote only for the materials listed. It is not intended as a complete material list for your projects.
- Prices are subject to change without notice. -

Expires: 8/05/2016

Total Wt: 15,565

Net Sales	Taxable	Tax %	Tax	Total
8351.04	8351.04	8.25	688.96	9040.00

Does Not Include Labor.
Labor is approximately
75% - 90% of Materials:
$7,500 - 8,500.00.

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: West Texas Fire & Industrial Supply Date: 6/27/16

Business Owner (if different from above): _____

Business Address: 138 W Concho Avenue Mailing Address PO Box 3085

Business Phone: 325-655-5441 Secondary Phone: 325-716-1279

Email: kendall@wtxsupply.com Fax: 325-653-4111

Property Owner: KKH Properties LLC

Remit incentive payment(s) to: ☐ Property Owner ☒ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area
(NOTE: See attached maps)

Indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☒ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices. _____

☐ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity. _____

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living. _____

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy adopted 07/21/15, specifically pages 4 & 5, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose the amount in Item 4C below (& included in more detail in Worksheet B) be utilized for.

☐ Sales Tax	☐ Development Fee Reductions	☐ Secondary Egress
☐ Asbestos Abatement	☐ Sprinkler & Monitored Smoke Alarm System	☒ Paving
☐ Outside Storage Screening	☐ New Sign Installation	☐ Landscape Installation
☐ Facade Improvement	☐ Property Tax	

SECTION 4: FUNDING LEVEL

The funding level, as described on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 outlines the various procedures required for each proposal, determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

- ☐ Which is less than $10,000;
- ☒ Which is equal to or more than $10,000.

4B. The total estimated project cost is: 27000, as detailed on Worksheet A, attached. This includes any match required as outlined in the TIRZ Incentive Policy.

4C. The amount of funding requested is: $27,000, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- ☐ Provide connections between activities?
- ☒ Improve pedestrian & vehicular infrastructure?
- ☐ Provide or reinforce usable & defined open space?
- ☐ Strengthen the focus area's identity?
- ☐ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☒ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☐ Promote mixed-use development?
- ☐ Utilize architectural styles that compliment to historic areas already in existence?
- ☐ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduces the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☐ Implement environmentally-friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- ☐ Include an aggressive match by the applicant, in excess of what is minimally required?

Specific to Category A, does the proposed project:

- ☐ Attract energy sector employers to the district?
- ☐ Utilize existing buildings already equipped for infill development?
- ☐ Generate activity on north side of downtown and around rail line, as suggested in the Downtown Master Development Strategic Plan?

Specific to Category B, does the proposed project:

- ☐ Provide a type of cuisine not already provided in the district?
- ☐ Generate daytime - as well as nighttime - activity?
- ☐ Provide unique dining experiences that not only provide a service, but act as a draw for tourism?

Specific to Category C, does the proposed project:

- ☐ Utilize public-private financing?
- ☐ Enhance the historic features of adjacent areas?
- ☐ Provide connections from downtown to Arts/Historic District?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received (see page 2 of the TIRZ Incentive Policy adopted 07/21/15).

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the amount listed in Item 4B on the previous page.*

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current policy (adopted 07/21/15 by City Council).
2. I understand that no work on the proposed project may begin until and unless an official Letter to Proceed is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge the deadlines outlined on page 2 of the TIRZ Incentives Policy and realize that my funding proposal may be denied, partially approved, or approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner _____ Date: 7-24-16

SECTION 6: REPRESENTATIVE:

I hereby designate _____ as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: _____
_____.

After you have completed this application and submitted the required bids and exhibits, please mail or deliver this information to the Economic Development Department at 69 N. Chadbourne St. Within seven business days, we will contact you regarding any additional information and make arrangements to provide you with a written agreement for signature between you and the City of San Angelo.

FOR OFFICE USE ONLY:

COMPLETE? Y N | **SIGNATURE OF PLANNING & DEVELOPMENT ADMINISTRATOR** | **DATE**

WEST TEXAS FIRE & INDUSTRIAL SUPPLY

July 11, 2016

City of San Angelo
TIRZ Board
69 ~~65~~ North Chadbourne St.
San Angelo, TX 76903

Re: 2016 TIRZ Redevelopment Incentive Program Application

Dear Board,

I am hereby applying for the 2016 TIRZ Redevelopment Incentive Program.

My project consists of repairing, which would include some new paving, the parking lot located at my building located at 138 West Concho. When the last repair to this parking area was performed by a previous owner it did not properly account for drainage, and as such has damaged portions of the subsurface of the existing lot. This will continue to get worse and eventually cause failure of the surface.

As parking is very limited in the downtown area my parking lot is utilized by many groups for public use. It is a staging area for the tractors in the Rodeo parade, the YMCA utilizes it for overflow parking, and the military utilizes the area to stage for the Veterans Day parade. Additional uses have been a gathering area for the July 3rd Pops concert, it was listed and used by the Parks Department as public parking for the River Fest, the Heroes Hunt parade, and other parades and events occurring downtown.

I am happy to share this resource with the community for their use free of charge, but would respectfully request some assistance in the repair to ensure its lasting viability.

Please let me know if you have any questions.

Respectfully,
West Texas Fire & Industrial Supply

Kendall Hirschfeld

West Texas Fire Extinguisher Inc ≡ West Texas Fire & Industrial Supply
138 West Concho • San Angelo, TX 76903 ≡ PO Box 3085 • San Angelo, TX 76902
(325) 655-5441 • (325) 653-4111 fax

WORKSHEET A
Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): $6,750

Total Estimated Project Cost: $27,000

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Asphalt Paving- This will include the materials, equipment and labor for the dock area in order to saw, cut and remove paving and tie in, apply tack coat, and overlay with HMAC (Type D) paving to provide positive drainage. Front Parking Area- This will include the materials, equipment and labor in order to seal with one coat of emulsified asphalt sealer as well as striping	Paving	$23,800	$23,800
1	Asphalt Paving- This will include the materials, equipment and labor for the dock area in order to saw, cut and remove paving and tie in, apply tack coat, and overlay with HMAC (Type D) paving to provide positive drainage. Front Parking Area- This will include the materials, equipment and labor in order to seal with one coat of emulsified asphalt sealer as well as striping	Match	$6,750	$6,750
2	This will include the materials, equipment and labor required to patch the alley with HMAC (Type D) Paving	Paving	$3,200	$3,200

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Jo Cavanaugh
Applicant or representative

7/29/16
Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST DATE

RANKING INFO: _____ APPROVED FOR FUNDING? Y N FINAL INCENTIVE AMOUNT: _____

DATE OF PAYMENT: _____ CHECK NUMBER: _____ CONTRACT EXECUTED: _____ Document Effective as of: 05/01/16

SEIDEL, INC.
EST. 1946

1345 Loop 306
San Angelo, Texas 76904

325-651-7171 (FAX: 325-651-2085)

To: West Texas Fire

Project: Asphalt Paving

Location: 138 W. Concho

Proposal Date: 5/26/16

Seidel Inc. proposes to supply the materials, equipment, and labor required for the following work:

BASE BID

1. Dock Area
   a. Sawcut & remove paving @ tie-in.
   b. Apply tack coat.
   c. Overlay w/HMAC (Type D) paving to provide positive drainage.

2. Front Parking Area
   a. Seal w/one (1) coat of emulsified asphalt sealer.
   b. Striping.

TOTAL $ 23,800.00

ALT. #1

1. Patch alley w/HMAC (Type D) paving.

TOTAL $ 3,200.00

Payment Schedule: PROJECT COMPLETION

This proposal subject to acceptance within ------- days.

Accepted By: _____
(name of company)

_____
(Signature of Authorized Representative)

Respectfully Submitted:

By: Daniel Seidel
Seidel, Inc.

RECEIVED SEP 05 2008

APPLICATION FOR BOARDS and COMMISSIONS

Name: FRED M. KEY
Address: 2632 VISTA DEL ARROYO
City: SAN ANGELO State: TX Zip: 76904
Phone (Home): 944-1919 (Office): 949-2112
Resident of San Angelo since: 1971
Are you a registered voter of San Angelo? Yes: ✓ No: ____
Occupation or Business Affiliation: BROADCASTING
Position: PRESIDENT FOSTER COMMUNICATIONS
Email: FRED.KEY@FOSTERCOMMUNICATIONS.US

Fred M. Key 9-5-08
Applicant's Signature Date

NOTE: This application is information of public record. Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, P O Box 1751, San Angelo, Texas 76902-1751

Applying for:

- X Airport Advisory Board
- ____ Animal Services Board
- ____ Civic Events Board
- ____ Civil Service Commission
- ____ Development Corporation
- ____ Construction Board
- ____ Fort Concho Board
- ____ Historic Prsv Commission
- ____ Keep SA Beautiful
- ____ Park Commission
- ____ Planning Commission
- ____ Public Art Commission
- ____ Public Housing Authority
- ____ Recreation Board
- ____ River Corridor Commission
- ____ Senior Service Adv Board
- ____ TIRZ Board **additional membership requirements apply-See Code of Ordinance, Article 2.4300*
- ____ Water Advisory Board
- ____ Zoning Board of Adjustment

Recommended by:

Tell us about yourself. Feel free to use the back for more space.

Education and/or Professional Licenses: ATTENDED ASU - HOLD FCC LICENSES FOR FOUR RADIO STATIONS

Current Municipal and Civic Organization Memberships (Positions & Dates): AIRPORT BOARD

Previous Municipal Experience (Positions, Dates, Where): AIRPORT BOARD

What personal qualifications can you bring to this board? BUSINESS EXPERIENCE UNDERSTANDING OF CITY GOVT, UNDERSTANDING OF AIRPORT OPERATIONS.

What is your personal vision for the City? CONTROLLED GROWTH ESTABLISHED WITH A SOUND TAX BASE.

Why do you want to serve on this board? TO ASSIST IN KEEPING THE AIRPORT A VITAL PART IN SAN ANGELO'S ECONOMIC BASE.

Any thing else you would like for us to know?

Revised: 7/07

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Bryan Kendrick, City Clerk, City Clerk,

Meeting Date: November 1, 2016

Item type: Regular Item

Caption:

Consider appointing a member of the City Council to the MHMR Nominating Committee

Summary/History:

The MHMR Nomination Committee reviews and recommends nominees to the Concho Valley Board of Trustees. Appointment terms are for two years and members can serve up to four terms. The committee will meet at MHMR to review and select applicants.

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Bryan Kendrick Created/Initiated