



City Council Agenda 6/21/2022

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held June 21, 2022 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order
2. Chaplain Prayer & Pledges
3. Proclamations/Recognitions
4. Public Comment

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

5. Consent Agenda

- a. Consider approving the May 31, 2022 Strategic Priorities Workshop and June 7, 2021 City Council regular meeting minutes (Julia Antilley)
- b. Consider approving an extension of the memorandum of understanding between the City and the non-profit organization Keep San Angelo Beautiful (Patrick Frerich)
- c. Consider a resolution approving non-monetary in-kind support for the Downtown San Angelo, Inc. "A Star Spangled Banner Concert" event for the Fourth of July to be held July 3, 2022 (Carl White)
- d. Consider a resolution approving the 2022-2027 Capital Improvement Plan for the City of San Angelo (Kimberly Holle)
- e. Consider authorizing the City Manager to execute an interlocal agreement with OMNIA providing for the City's participation in cooperative purchases through OMNIA (Jeff Tomlinson)
- f. Consider awarding WU-11-22 Industrial Electrical Services to Bunyard Hasty Electric, Inc. and Mike Verfurth Electric in the amount of \$175,000 per year for three years, budgeted for purchase in all applicable fiscal years and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- g. Consider approving Task Order No. 5 in the amount of \$432,500 for Design, Bidding, Construction, Post-Construction Phase, and Additional services for the North Concho River Wastewater Collection System Improvements to Enprotec / Hibbs & Todd, Inc. (eHT) to be funded by wastewater capital funds and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- h. Consider approving BuyBoard Contract #635-21 with Insituform Technologies, LLC, for sewer infrastructure rehabilitation in the amount of \$910,359, budgeted for purchase in

fiscal year 2022, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

- i. Second reading of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 37.98 acre tract, being 36.60 acres and a 1.38 acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd. (Jon James)
- j. Second reading of ordinances for the following cases for property being 37.98 acres located at the southeast corner of Country Club Rd. and S. Ratliff Rd.:
 - 1. CP22-04, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Rural to Neighborhood and Commercial; and,
 - 2. Z22-10, a request for approval to zone property to the Single-Family Residential and General Commercial zoning districts (Jon James)

6. Regular Agenda

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

- a. Consider approving the conceptual design for the renovation of the 29th St. Sports Complex and directing staff to finalize designs for the project (Presentation made by Construction Manager Al Torres)
- b. Consider awarding TIPS agreement #200201 with King Consultants for an amount not to exceed \$1,500,000 to update the North Amcom Hangar to the 'shell rent requirements', using \$196,204 from the Airport Fund balance, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Airport Director Jeremy Valgardson)
- c. Consider a resolution allowing the adjacent property owner to remove a tree in the public right-of-way adjacent to 15 W. Beauregard Ave. per Section 7.02.034 of the City Code of Ordinances (Presentation made by Planning & Development Services Director Jon James)
- d. First reading and public hearing of an ordinance for Z22-11 to rezone a property from the Ranch and Estate to the Heavy Manufacturing zoning district, being 20.0 acres, located southwest of Old Ballinger Hwy. and N. U.S. Hwy. 277 (Presentation made by Planning & Development Services Director Jon James)
- e. First reading and public hearing of an ordinance to amend the Master Thoroughfare Plan to add the proposed northern alignment of the future Interstate Highway corridor, located north of FM 2105 and connecting from U.S. Hwy. 87 on the west to U.S. Hwy. 277 and U.S. Hwy. 67 on the east (Presentation made by Planning & Development Services Director Jon James)
- f. First reading and public hearing of ordinances amending the following:
 - 1. Z22-02, an ordinance to approve a new historic district in downtown San Angelo, located between Concho River, N. Irving St., E. 4th St., and S. Oakes St.;
 - 2. An Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Section 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions and

establishing an administrative approval process; and

3. Consider a resolution approving the City's Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th St. (Presentation made by Planning & Development Services Director Jon James)

- g. First reading and public hearing to amend the Budget Ordinance for the fiscal year beginning October 1, 2021 and ending September 30, 2022 to delete a fire fighter position and add a civilian position (Presentation made by Interim Fire Chief Patrick Brody)
- h. First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for fuel and materials due to inflation (Presentation made by Finance Director Tina Dierschke)
- i. First reading and public hearing of an ordinance authorizing the issuance and sale of City of San Angelo, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022; appointing a pricing officer and delegating to the pricing officer the authority to approve on behalf of the City the sale of the Certificates, the terms of the Certificates and the offering documents for the Certificates; establishing certain parameters for the approval of such matters by the pricing officer; approving the use of a Paying Agent/Registrar Agreement; levying an annual ad valorem tax and providing for the security for and payment of said Certificates; providing an effective date; and enacting other provisions relating to the subject (Presentation made by Finance Director Tina Dierschke)
- j. Discussion and possible action nominating citizens to a charter review committee (Presentation made by City Clerk Julia Antilley)

7. Closed Session

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

- a. Section 551.071 - Consultation with attorney regarding UCRA agreements
- b. Section 551.072 - Deliberations about real property regarding 316.879 acres, Sarah R. Robertson S-0178, A-8474

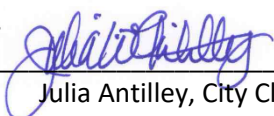
8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Announcements and consideration of Future Agenda Items

9. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 15th day of June 2022, at 6:22 p.m.



Julia Antilley, City Clerk

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

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

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

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

City of San Angelo, Texas
City Council Special Agenda – Strategic Priority Setting Workshop
Tuesday, May 31, 2022

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the Strategic Planning Workshop session of the San Angelo City Council to order at 3:07 p.m. on Tuesday, May 31, 2022 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Public Comment

No public comment.

3. Workshop Itinerary

a. Overview of Planning Workshop (Daniel Valenzuela)

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

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

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

c. Capital Improvement Priorities (Tina Dierschke/Staff)

Finance Director Tina Dierschke presented slides on CIP Active and Proposed Project Budgets.

Water Utilities Director Allison Strube, Public Works Executive Director Shane Kelton, Airport Director Jeremy Valgardson, Parks and Recreation Director Carl White, and Neighborhood and Family Services Assistant Director Morgan Chegwiddden gave descriptions and updates on their departments' Active CIP projects. Finance Director Tina Dierschke addressed the Facility Maintenance project submission and noted the only other active projects are for Fire.

Finance Director Tina Dierschke announced the CIP will be online for the public to submit comments, all comments will be sent to Council June 17, with the Public Hearing and adoption scheduled for Tuesday, June 21.

d. Top 3 Strategic Priorities Update (Staff)

1. Infrastructure (Shane Kelton, Allison Strube)

- a. Drainage
- b. Streets
- c. Water/Wastewater

2. Economic Development (Guy Andrews, Aaron Vannoy)

- a. Development Services
- b. Development Projects

- c. Commercial Development
- d. Industrial Development

3. Public Safety (Chief Carter, Assistant Chief Howard, Interim Chief Brody, Tina Dierschke)

- a. Police
- b. Fire

Information was presented by Public Works Executive Director Shane Kelton, Operations Director Patrick Frerich, Water Utilities Director Allison Strube, Economic Development Director Guy Andrews, Planning and Development Assistant Director Aaron Vannoy, Police Chief Frank Carter and Assistant Police Chief David Howard, and Interim Fire Chief Patrick Brody.

Mayor Gunter stated she would like the Police Station added to the CIP.

e. Establishing/Confirming Priorities for 2022/2023 & Funding Options (Daniel Valenzuela/Staff)

Mayor Gunter stated that Council continues to support infrastructure (drainage, streets, water), maximizing our assets (planes, trains, and automobiles and Lake Nasworthy), and Economic Development projects (including supporting the Downtown Historic District).

City Manager Daniel Valenzuela reiterated that the City Council has supported the three priorities (Infrastructure, Economic Development, and Public Safety) for the past five years and believes we should continue concentrating on them.

Council Member Hiebert requested adding a priority to review the overall compensation plan with department Directors and Managers and have an ongoing conversation with Human Resources Director Bryan Kendrick about addressing hiring and retention concerns.

~~4. Follow Up and Administrative Issues~~

~~a. Announcements and consideration of Future Agenda Items~~

No announcements.

5. Adjournment

Consensus: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting.

There being no further business, the meeting was adjourned at 8:01 p.m. by consensus.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, June 7, 2022

Present:

Mayor Brenda Gunter
Mayor Pro tem Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Karen Hesse Smith, SMD 5
Council Member Larry Miller, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, June 7, 2022, at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided, and pledges were led, by San Angelo Police Department Chaplain Lorenzo Hatch.

3. Proclamations/Recognitions

No proclamations or recognitions.

4. Public Comment

Citizen Ann Helm (SMD 1) spoke regarding MLK restroom maintenance and was asked to hold her remarks until the item is discussed as part of the Regular Agenda.

5. Consent Agenda

- a. Approval of the May 17, 2022 City Council regular meeting minutes (Julia Antilley)
- b. Adoption of a resolution accepting Lot 2, South Jackson's Red Arroyo Crossing Subdivision, from Goree-Brooks Investments, LLC for use by the Public Works Department, Stormwater Division and authorizing payment of closing costs associated with the conveyance not to exceed \$4,000 (Patrick Frerich, Manda Salladay) (Pg. 162, 2022-041)
- c. Ratification of a lease agreement by and between the City of San Angelo Development Corporation and Guerra Electrical LLC d/b/a A&M Electric and authorizing the Board President or their designee to execute all necessary documents (Nora Nevarez)
- d. Award of FS-04-22 Fuel Purchases in an annual amount of \$4,000,000 to multiple vendors and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- e. Approval of a Task Order with Enprotec Hibbs and Todd, Inc under RFQ ES-06-19, for professional services in the amount of \$120,000, budgeted for purchase in fiscal year 2022, for the Concho River sampling and modeling, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- f. Authorization of the City Manager to reject the bid received for WU-09-22 REBID Pump Station Covers (Allison Strube)
- g. Approval of Change Order #9 to ES-03-20 Chadbourne Street Improvements Project - Phase A to Ti-Zack Concrete, Inc. decreasing the total contract amount by \$76,919.89 bringing the new contract total to \$7,512,051.86 and authorizing the City Manager to negotiate and execute all related documents pending TXDOT concurrence (Shane Kelton)

- h. Award of PUR-01-22 (Rebid) Work Uniforms and Apparel to Unifirst Corp. and authorizing the City Manager to negotiate and execute all related documents (Jeff Tomlinson)
- i. Award of Task Order #5 under ES-06-19 Professional Services RFQ to Kimley Horn and Associates, Inc. in the amount of \$2,110,500, for engineering design services of Christoval Rd. from Paint Rock Rd. to S. Chadbourne St. and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- j. Adoption of a resolution authorizing the City Manager to submit a proposal and application for a Defense Community Infrastructure Pilot Program Grant for projects along Christoval Rd. with a local match not to exceed \$6,500,000 and negotiate and execute all related documents (Patrick Frerich) (Pg. 163, 2022-042)
- k. Second reading and adoption of an amendment to Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance," creating a new Section 205 "Site Plan Review," which codifies the site plan review process to ensure compliance with recent changes in state law (Jon James) (Pg. 164, 2022-043)
- l. Second reading and adoption of ordinances on the following cases for property being 0.322 acres located at 3202 and 3206 Abilene St.:
 - 1. CP22-03, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood Center to Residential **(Pg. 170, 2022-044)**
 - 2. Z22-09, a request for approval of a rezoning from the General Commercial to the Single-Family Residential zoning district (Jon James) **(Pg. 173, 2022-045)**

Motion: Council Member Thomas made a motion, seconded by Council Member Miller, to approve the Consent Agenda, as presented, with the exception of item 5i. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

Motion: Council Member Thomas made a motion, seconded by Council Member Hesse Smith, to approve the item, as presented by Operations Director Patrick Frerich. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

6. Regular Agenda

- a. Approval of a proposal by BASIC IDIQ of San Angelo for \$85,284.66 to replace and repair columns and make other minor repairs on 14 officers' quarters and other buildings at Fort Concho and authorizing the City Manager to create, negotiate, and execute an agreement (Presentation made by Fort Concho Manager Bob Bluthardt)

Motion: Council Member Thomas made a motion, seconded by Council Member Hesse Smith, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

- b. Approval of a Memorandum of Understanding between the San Angelo Area Foundation and the City of San Angelo to facilitate the construction of restroom facilities at Dr. Martin Luther King, Jr. Memorial Park and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Parks and Recreation Director Carl White)

[San Angelo Area Foundation President & CEO Matt Lewis expressed excitement in bringing bathrooms to another well-used San Angelo park.]

Citizens Mechelle Reed (SMD 1), NAACP President Sherley Spears (SMD 5), Ann Helm (SMD 1), Sherry Wehner (SMD 5), ADAC Board President Dr. Gary Jenkins (SMD 1), Elaine Welty (SMD 5), Sally Ayana (SMD 4), LuCretia Williams (SMD 4), and Shawn Wilson (SMD 4) expressed concern regarding the attached policy that addresses vandalism occurring at restrooms built with community fundraising in any park.

Motion 1: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the item, as presented. No vote taken on this motion.

Motion 2: Council Member Miller made a motion, seconded by Council Member Hesse Smith, to strike paragraph 4. This motion was withdrawn by Council Member Miller.

[City Clerk Julia Antilley clarified that the MOU does not contain any information on vandalism. Paragraph 4 as referenced is a section of the vandalism policy attached to background.]

Motion 3: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item (MOU only), as presented. The motion carried unanimously (5) ayes to (0) nays.

[Mayor Gunter stated there will be future discussions for a guiding document to manage and oversee all future restrooms built with community fundraising in any park.]

- c. First reading and public hearing of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 37.98 acre tract, being 36.60 acres and a 1.38 acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd. (Presentation made by Planning & Development Services Director Jon James)

County residents Robert Wicks, Glinda Martindale, Carmen Lira, and Shari Wicks expressed concern over lack of notification, subdivision layout, traffic, street width, public safety, easements, and water quality.

County resident and developer Casey Poyner addressed questions from City Council and addressed why alternate subdivision layouts are not feasible.

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried (4) ayes to (1) nay, with Council Member Hesse Smith casting the dissenting vote.

- d. First reading and public hearing of ordinances for the following cases for property being 37.98 acres located at the southeast corner of Country Club Rd. and S. Ratliff Rd.:
1. CP22-04, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Rural to Neighborhood and Commercial; and,
2. Z22-10, a request for approval to zone property to the Single-Family Residential and General Commercial zoning districts (Presentation made by Planning & Development Services Director Jon James)

County resident Robert Wicks expressed concern over the street width and safety concerns.

County resident and developer Casey Poyner addressed questions from City Council and agreed they can live with a Neighborhood Commercial Future Land Use.

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item as recommended by staff and the Planning Commission, changing the Future Land Use from Rural to Neighborhood and Neighborhood Commercial. The motion carried (4) ayes to (1) nay, with Council Member Hesse Smith casting the dissenting vote.

- e. First reading and public hearing of an ordinance authorizing the issuance and sale of City of San Angelo, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022; appointing a pricing officer and delegating to the pricing officer the authority to approve on behalf of the City the sale of the Certificates, the terms of the Certificates and the offering documents for the Certificates; establishing certain parameters for the approval of such matters

by the pricing officer; approving the use of a Paying Agent/Registrar Agreement; levying an annual ad valorem tax and providing for the security for and payment of said Certificates; providing an effective date; and enacting other provisions relating to the subject (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thomas made a motion, seconded by Council Member Hesse Smith, to table this item to the June 21, 2022 meeting. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

7. Closed Session

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

8. Follow Up and Administrative Issues

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

No Action take on this Item.

- b. Approval of various Board nominations:

Fort Concho Museum Board: Sarah Clemens (SMD5) to a first term ending January 2024

Keep San Angelo Beautiful Board: Ellen Groth (SMD6) to a first term ending September 2023

Parks and Recreation Advisory Board: Dee Jay Wilde (SMD5) to a first term ending December 2023

Zoning Board of Adjustment: Lyndon Roberts-Galindo (SMD5) to a first term ending January 2024

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

- c. Announcements and consideration of Future Agenda Items:

No Action Taken on this Item.

9. Adjournment

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

There being no further business, the meeting adjourned at 10:31 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeremy Miller, Solid Waste Contract Manager, Solid Waste, (325) 486-3798

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider approving an extension of the memorandum of understanding between the City and the non-profit organization Keep San Angelo Beautiful (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

The current MOU between the City and Keep San Angelo Beautiful was approved in 2019 for a 3-year term set to expire on July 1, 2022. The requested extension would move the expiration deadline of the current MOU to September 30, 2022, the end of the current fiscal year. This extension would allow staff time to work out a long-term agreement with Keep San Angelo Beautiful. The new agreement is expected to commence upon, and align with, the City's fiscal years. The current partnership with the KSAB non-profit organization has been mutually beneficial and a long-term agreement is desired.

Funding Source(s):

Financial Impact:

The Solid Waste Division currently budgets \$65,000 annually for the administrative functions of the organization. This extension would require no additional funding.

Other Information/Recommendation:

Staff recommends approving the extension of the current MOU.

Attachments:

Presentation:

Patrick Frerich

Approvals/Reviews:

Jeremy Miller
Patrick Frerich
Shane Kelton
Tina Dierschke

Created/Initiated
Approved
Approved
Approved

Theresa James
Julia Antilley

Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider a resolution approving non-monetary in-kind support for the Downtown San Angelo, Inc. "A Star Spangled Banner Concert" event for the Fourth of July to be held July 3, 2022 (Carl White)

Staff Recommendation:

Adopt

Summary/History:

Downtown San Angelo, Inc. is requesting the waiving of fees related to the "A Star Spangled Banner" concert scheduled to be held at the River Stage on July 3, 2022, as well as waiving any costs associated with the concert such as SAPD traffic control and security. In essence, the group is asking for the City to co-sponsor the concert and event.

Downtown San Angelo, Inc. has submitted a request letter and special event application.

Funding Source(s):

Financial Impact:

The non-monetary value of this request is estimated at \$4,520.00 and is based on the following:

Permit fee: \$35.00

Barricade fees: \$675.00

River Stage rental fees: \$750.00

San Angelo Police officer in-kind value: \$2,520.00

City staff in-kind value: \$240.00

Restroom trailer (if available) in-kind value: \$300.00

Refundable deposits would also normally be required and the value of those deposits is \$500.00.

A Certificate of Insurance (COI) is still required and must be acquired before the concert and event. The COI is not a fee, rather it covers liabilities for the City, Downtown San Angelo, Inc., as well as participants and spectators. This is a hard cost and difficult to estimate. Downtown San Angelo must secure the COI for the concert at their expense.

Other Information/Recommendation:

Attachments:

1. 22-0325_RESOLUTION
2. Exhibit A

22-0325_RESOLUTION.docx
Exhibit A.pdf

Presentation:

Carl White

Approvals/Reviews:

Carl White
Theresa James
Jeffrey Tomlinson
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING FUNDING TO DOWNTOWN SAN ANGELO, INC. TO SUPPORT THE 2022 STAR SPANGLED BANNER CONCERT AND DECLARING A PUBLIC PURPOSE.

WHEREAS, The Fourth of July is a federal holiday that allows us all to celebrate the independence of our country and the freedoms we enjoy; and

WHEREAS, one of the ways San Angelo has historically celebrated our independence and freedoms is through a concert and fireworks display; and

WHEREAS, Downtown San Angelo, Inc. has requested that the City of San Angelo partner with them and waive permit fees, rental fees, barricade fees, police officer fees, and employees to assist with the concert for the concert; and

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

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

Part 1: That the City of San Angelo is authorized to provide in kind donations to Downtown San Angelo, Inc. for the purpose of hosting a Star Spangled Banner Concert in the form of waiver of permit fees, rental fees, barricade fees, police officer fees, and employees as outlined in the request letter attached hereto as Exhibit A.

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

Part 3: That Downtown San Angelo, Inc. shall provide a report to the City Operations department at the conclusion of the event documenting the success of the event.

PASSED and APPROVED THIS 21st day of June, 2022.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

Downtown San Angelo, Inc
24 W. Concho Ave
San Angelo, TX 76903

June 8, 2022

Daniel Valenzuela
City of San Angelo
72 W College Ave
San Angelo, TX 76903

Dear Mr. Valenzuela:

Downtown San Angelo, Inc. will be hosting the 2022 Star Spangled Banner Concert & Fireworks show on Sunday, July 3, 2022. We hope to provide an enjoyable fireworks display, along with additional patriotic entertainment for the community.

The Star Spangled Banner Concert & Fireworks show will be held at the Bill Aylor Memorial River Stage. Gates will open at 12:00 pm, with free admission to the public. Our event will commence with an opening ceremony at 7:00 pm and include performances beginning at 7:30 p.m. The entertainment lineup includes live music from the Mariachi Alma Mexicana, the San Angelo Community Band, and the Chicago Tribute Authority of Texas. An elaborate fireworks show will begin at dusk.

We have learned from the previous year that expense fees to pull off a decent show can be excessive. We are requesting the city's assistance to help alleviate the costs listed below.

River Stage Fees:

Rental Fee \$500

Move-in Fee \$250

Additional Staff to assist with monitoring facilities and clean-up - \$240

SAPD Security \$45.00 an Hour - need 8 Officers at peak period 6pm – 11:30 p.m. and 2 officers from Noon – 6 :00 pm We are estimating cost of \$2,520.

Cost at Neff's Park/Special Events: \$535

Permits for closure of Oakes Street Bridge and Fireworks = \$110.00

The City of San Angelo and San Angelo Host will receive their respective percentages of all concession sales.

If you have any questions and would like to meet with us, please let us know. We will gladly make arrangements to discuss this matter further.

Total sponsorship request of \$4,155. Please let us know at your earliest convenience, of approval of your support.

Sincerely,

Del Velasquez

Executive Director
Downtown San Angelo Inc.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider a resolution approving the 2022-2027 Capital Improvement Plan for the City of San Angelo (Kimberly Holle)

Staff Recommendation:

Adopt

Summary/History:

The capital planning process and Capital Improvement Plan (CIP) were established to provide a routine process for identifying, evaluating, and advocating the capital needs of the City of San Angelo. Street, water, drainage, and park projects are in the CIP, as are new facilities and facility improvements. The formal CIP process was implemented in 2007 and is required by the City charter. The CIP aids the City Council when making funding allocations in the annual operating budget.

The new online format of the CIP, provides an opportunity for citizens to voice their opinions. Public comments will be accepted until June 16, 2022. Details will be included in City Council's Friday packet.

The final proposed 2022-2027 CIP for the Council's consideration is available on the budget's web page (<https://city-san-angelo-tx-projects.cleargov.com/>). Approval of this resolution is the final step to adopt the 2022-2027 CIP. With this CIP in place, staff will continue to stay the course on researching solutions to these major issues.

In compliance with the charter regulations, the proposed CIP is published on the internet with a public notice that the Council will conduct a public hearing at this meeting. The City Charter also requires the CIP to be introduced to City Council five months prior to the final submission of the budget.

Funding Source(s):

Financial Impact:

None at this time. Funding will be discussed during the fiscal year 2022-23 budget and future years' budget preparation processes.

Other Information/Recommendation:

Staff recommends approval of the 2022-2027 Capital Improvement Plan and adoption of the resolution.

Attachments:

1. 2022 CIP Resolution from legal
2. 2022 05-18 Department Report CIP
3. CIP Presentation

2022 CIP Resolution from legal .docx
2022 05-18 Department Report CIP.pdf
CIP Presentation.pptx

Presentation:

Kimberly Holle

Approvals/Reviews:

Kimberly Holle
Theresa James
Jeffrey Tomlinson
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval

**A RESOLUTION OF THE CITY OF SAN ANGELO ADOPTING THE
2022-2027 CAPITAL PROGRAM**

WHEREAS, the City Charter for the City of San Angelo, Texas, provides that the City Manager shall prepare and submit to the City Council a multi-year capital program before the final date for submission of the budget; and,

WHEREAS, on June 21, 2022 the City Manager presented a 2022-2027 capital program, which revises and extends the 2021-2026 capital program adopted by the City Council on April 6, 2021; and,

WHEREAS, the contents of the 2022-2027 capital program comply with the requirements of Section 59A of the City Charter for the City of San Angelo;

WHEREAS, pursuant to Section 59A of the City Charter for the City of San Angelo, the City Council by resolution shall adopt the capital program with or without amendment after public hearing and on or before adoption of the annual budget.

WHEREAS, as of this date, the 2022–2023 annual budget has not yet been adopted;

WHEREAS, in accordance with Section 59A of the City Charter for the City of San Angelo, after compliance with all publication and notice requirements, a public hearing for City Council to consider adoption of the proposed 2022-2027 capital program was held on June 21, 2022.

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

SECTION 1. The facts and matters set forth in the preamble of this resolution are bound to be true and correct.

SECTION 2. It is hereby officially found and determined that the meeting at which this resolution was passed and adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Local Government Code.

SECTION 3. The 2022-2027 capital program is hereby adopted by majority vote of the City Council without amendment, subject to deletion, modification or suspension during the course of the fiscal year based on events, changes in technology or other circumstances which justify such action.

**PASSED, APPROVED AND ADOPTED THIS 21st DAY OF
JUNE, 2022.**

ATTEST:

CITY OF SAN ANGELO, TEXAS

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Tina Dierschke, Finance Director

Theresa James, City Attorney

Department	Request Title	Active/Propose	Total
Airport	Airport Storage Barn	Proposed	500,000 *
	Construct South Taxilane	Proposed	3,386,000
	Tower Reconstruction	Proposed	10,500,000
	Terminal Bathroom Improvements	Proposed	444,444
	Jet Bridge Reconstruction	Proposed	2,222,222
	Terminal Parking Lot Reconstruction	Proposed	3,400,000 *
	Convert RWY 9-27 to Taxiway H, Reconstruct Taxiway H, Rehab RWY 3-21	Proposed	6,186,000
	Terminal Drainage Improvements	Proposed	4,300,000
	Upgrade Terminal Cameras	Active	500,000
Total Airport			\$31,438,666
Animal Services	Animal Shelter Rehabilitation	Active	345,000
Total Animal Services			\$345,000
Civic Events	Foster Communications Coliseum Renovation	Proposed	1,050,000
	McNease Convention Center Improvements	Proposed	400,000
	Bill Aylor Sr. Memorial River Stage Improvements	Proposed	750,000
Total Civic Events			2,200,000
Engineering	A&M Waterline Replacement	Active	4,400,000
	SL 378 Utility Relocations	Active	5,260,000
	Randolph Water Line Replacement	Active	5,698,104
	Street Construction - General	Active	6,100,000
	Stormwater - Quality Improvement Projects	Active	2,000,000
	Shady Point Rd. Bridge Replacement	Proposed	160,000
	Drainage - River Valley Ln.	Proposed	470,000 *
	Reconstruction of Foster Rd.	Active	3,627,700 *
	Stormwater - Sunset Lake & Parkview Lake Improvements	Active	1,275,000
	Construction of Rick's Dr. Sidewalk	Proposed	565,000 *
	Reconstruction of S. Jackson St. from Knickerbocker Rd. to Railroad Tracks	Active	1,364,365 *
	Reconstruction of Avenue N from Sherwood Way to S. Chadbourne St.	Active	18,047,821
	Mill and Overlay of Sunset Dr. from Loop 306 to Foster Rd.	Active	14,353,609
	Mill and Overlay of Smith Blvd. from Pulliam St. to Gordon Blvd.	Active	3,709,574
	Mill and Overlay of Howard St. from Glenna St. to Sherwood Way	Active	3,470,539
	Mill and Overlay of E. Harris Ave. from N. Abe St. to N. Bell St.	Active	6,968,961
	Mill and Overlay of Glenna Dr., Edmund, & 29th St.	Active	13,259,836
	Mill and Overlay of Christoval Rd. from Paint Rock Rd. to S. Chadbourne St.	Proposed	3,388,278
	Mill and Overlay of S. Chadbourne St. from River to Avenue L	Proposed	2,301,229
	Mill and Overlay of N. Chadbourne St. from Loop 306 to 43rd St.	Active	9,032,757 *
	Sewer Main Replacements	Active	12,000,000
	Water Main Replacements	Active	12,000,000
	Stormwater - W. Avenue P	Active	445,995
	Reconstruction of N. Chadbourne St. from Loop 306 to River	Active	29,821,709 *
	Reconstruction of College Hills Blvd. from Loop 306 to Avenue N	Active	32,661,094
	Reconstruction of Bell St. from Concho River to Old Ballinger Hwy.	Active	2,954,274
	Mill and Overlay of Southwest Blvd. Phase A & B	Active	2,658,156
	Full Depth Reclamation of Rio Concho Drive	Active	1,300,000
	Mill and Overlay of Johnson St. from Sherwood Way to Knickerbocker	Active	10,240,644
	Johnson Street and Avenue N Sidewalks	Proposed	2,700,000 *
	Twin Mountain Drive Extension	Proposed	14,100,000 *
Total Engineering			\$226,334,645
Facilities Maintenance	City Hall - Exterior Wall Waterproofing	Proposed	4,000,000 *
	Security Equipment Replacement	Active	100,000
Total Facilities Maintenance			4,100,000
Fire	Ambulance	Active	2,300,000 *
	Fire Engine Replacement	Active	2,250,000 *
	Land for future Fire Stations	Proposed	1,090,000
	Fire Training Center Classroom Addition	Proposed	1,500,000
Total Fire			7,140,000

Department	Request Title	Active/Propose	Total
Fort Concho	Fort Concho Officers' Row and Company Street Reconstruction	Proposed	205,000
	Fort Concho Barracks and Mess Halls 3 and 4 Reconstruction	Active	3,950,000 *
	Fort Concho Visitors' Center Restoration and Improvements	Active	3,810,000
	Fort Concho Officers' Quarters 8 Restoration	Proposed	280,000 *
	Fort Concho Officers' Quarters 6 Restoration	Proposed	310,000 *
	Fort Concho Officers' Quarters 2 Renovation	Proposed	176,000 *
Total Fort Concho			8,731,000 *
Operations	Emergency Trailer Storage	Active	100,000
	Public Works Facility	Proposed	6,520,000
	City Hall Annex - 34 E. Harris Avenue	Active	5,810,000 *
	Street and Bridge Facility Improvements	Proposed	850,000
	Traffic Signal Replacement	Proposed	1,295,000 *
	Twin Mountain Dr. and Knickerbocker Rd. Signal	Proposed	385,000
	Traffic Operations Facility	Proposed	880,000 *
	City Fuel Site Improvements	Proposed	1,000,000 *
	New Landfill Site	Active	9,924,000 *
Total Operations			26,764,000 *
Parks	Dog Park Pavilion	Active	75,000
	Brown Neighborhood Park Renovation	Proposed	50,000
	Twin Buttes Reservoir Recreational Trails and Trailheads Improvements	Active	300,000
	Sunken Garden Park/Sculpture Gardens Improvements	Proposed	1,765,160
	South Concho Park and Trail renovation and improvements	Proposed	200,777 *
	Santa Rita Neighborhood /School Park renovation	Proposed	189,500
	Riverbank Stabilization	Active	1,063,357
	Kids' Kingdom Playground Replacement	Proposed	1,200,000
	Restrooms for Martin Luther King, Jr. Memorial Park	Proposed	250,000
Total Parks			5,093,794
Recreation	29th Street Sports Complex Improvements	Active	1,566,655
	Improved Nature Trail at Lake Nasworthy	Proposed	250,000
	Improvements for Santa Fe Crossing	Proposed	42,183
	A/C North Side Recreation Center Gymnasium	Proposed	50,000
	New Filtration System for Municipal Pool	Active	262,045
Total Recreation			2,170,883
Police	Renovation of City Hall Annex to Accommodate Police Department	Proposed	3,000,000
	New Police Training Academy	Proposed	3,500,000
	Repairs and updates to existing Police Training Academy	Proposed	73,000
	PSC/911 Dispatch Center	Proposed	30,000
	Police Station Maintenance & Improvements	Proposed	56,638
Total Police			6,659,638
State Office	Chase State Office Building Improvements	Proposed	653,000
Total State Office			653,000
Water Utilities	Water Production Control Center and Lab	Proposed	1,000,000
	Water Chemical Building and Appurtenances	Proposed	1,000,000
	Elevated Storage for Water Distribution System	Proposed	11,000,000
	Water Treatment Plant Improvements	Active	62,402,900
	New Clearwell with New Piping	Active	9,000,000
	Hickory Groundwater Expansion	Active	47,075,000
	City Hall Annex Improvements	Proposed	100,000
	North Concho River Wastewater System Improvements	Active	5,500,000
	Lift Station Improvements	Active	1,200,000
	Vacuum Truck	Active	820,000
	Water Reclamation Plant Improvements	Active	55,536,300
	Lake Nasworthy Sewer System Improvements	Active	31,800,000
	Lake Operations Maintenance Facility	Proposed	600,000
Total Water Utilities			227,034,200
Total Capital Projects			\$548,664,826

* A portion of these projects have an undetermined funding source.



City Council

June 21, 2022

Capital Improvement Plan

Kimberly Holle

2022-27 Capital Improvement Plan

- 47 active projects: \$448 million
- 51 proposed projects: \$100 million
- 98 total projects: \$548 million

Department	Active	Proposed	Total
Water Utilities	213,334,200	13,700,000	227,034,200
Engineering	202,650,138	23,684,507	226,334,645
Airport	500,000	30,938,666	31,438,666
Operations	15,834,000	10,930,000	26,764,000
Fort Concho	7,760,000	971,000	8,731,000
Fire	4,550,000	2,590,000	7,140,000
Police	-	6,659,638	6,659,638
Parks	1,438,357	3,655,437	5,093,794
Facilities Maintenance	100,000	4,000,000	4,100,000
Civic Events	-	2,200,000	2,200,000
Recreation	1,828,700	342,183	2,170,883
State Office	-	653,000	653,000
Animal Services	345,000	-	345,000
Total Capital Projects	448,340,395	100,324,431	548,664,826

2022-27 Capital Improvement Plan

- Public comments will be sent to City Council on June 17th
- Public hearing & adoption on Tuesday, June 21st

2022-27 Capital Improvement Plan

Task	
✓	Budget staff sent instructions to divisions
✓	Projects submitted by divisions
✓	Draft published online
✓	Public comments compiled and sent to Council
	Adopt plan

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info@cosatx.us



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeffrey Tomlinson, Purchasing Manager, Purchasing, 3256574220

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an interlocal agreement with OMNIA providing for the City's participation in cooperative purchases through OMNIA (Jeff Tomlinson)

Staff Recommendation:

Approve

Summary/History:

Consider approving the City Manager to negotiate and execute all related documents that allow the City to join OMNIA, a cooperative purchasing program for Municipalities.

Funding Source(s):

Financial Impact:

No cost or fee to join at this time.

Other Information/Recommendation:

Attachments:

- | | |
|--|---|
| 1. Terms and Conditions OMNIA 05.23.22 | Terms and Conditions OMNIA 05.23.22.pdf |
|--|---|

Presentation:

Jeff Tomlinson

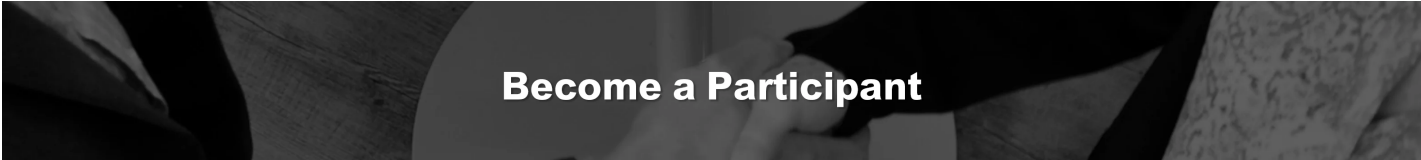
Approvals/Reviews:

Jeffrey Tomlinson	Created/Initiated
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Brandon Dyson	Approved
Julia Antilley	Final Approval

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MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

This Master Intergovernmental Cooperative Purchasing Agreement (this "**Agreement**") is entered into by and between those certain government agencies that execute a Principal Procurement Agency Certificate ("**Principal Procurement Agencies**") with National Intergovernmental Purchasing Alliance Company, a Delaware corporation d/b/a OMNIA Partners, Public Sector and/or Communities Program Management, LLC, a California limited liability company d/b/a U.S. Communities (collectively, "**OMNIA Partners**"), in its capacity as the cooperative administrator, to be appended and made a part hereof and such other public agencies ("**Participating Public Agencies**") who register to participate in the cooperative purchasing programs administered by OMNIA Partners and its affiliates and subsidiaries (collectively, the "**OMNIA Partners Parties**") by either registering on the OMNIA Partners website (www.omniapartners.com/publicsector (www.omniapartners.com/publicsector?hsLang=en) or any successor website), or by executing a copy of this Agreement.

RECITALS

WHEREAS, after a competitive solicitation and selection process by Principal Procurement Agencies, in compliance with their own policies, procedures, rules and regulations, a number of suppliers have entered into "**Master Agreements**" (herein so called) to provide a variety of goods, products and services ("**Products**") to the applicable Principal Procurement Agency and the Participating Public Agencies;

WHEREAS, Master Agreements are made available by Principal Procurement Agencies through the OMNIA Partners Parties and provide that Participating Public Agencies may purchase Products on the same terms, conditions and pricing as the Principal Procurement Agency, subject to any applicable federal and/or local purchasing ordinances and the laws of the State of purchase; and

WHEREAS, in addition to Master Agreements, the OMNIA Partners Parties may from time to time offer Participating Public Agencies the opportunity to acquire Products through other group purchasing agreements.

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, and of the mutual benefits to result, the parties hereby agree as follows:

1. Each party will facilitate the cooperative procurement of Products.
2. The Participating Public Agencies shall procure Products in accordance with and subject to the relevant federal, state and local statutes, ordinances, rules and regulations that govern Participating Public Agency's procurement practices. The Participating Public Agencies hereby acknowledge and agree that it is the intent of the parties that all provisions of this Agreement and that Principal Procurement Agencies' participation in the program described herein comply with all applicable laws, including but not limited to the requirements of 42 C.F.R. § 1001.952(j), as may be amended from time to time. The Participating Public Agencies further acknowledge and agree that they are solely responsible for their compliance with all applicable "safe harbor" regulations, including but not limited to any and all obligations to fully and accurately report discounts and incentives.
3. The Participating Public Agency represents and warrants that the Participating Public Agency is not a hospital or other healthcare provider and is not purchasing Products on behalf of a hospital or healthcare provider; provided that the foregoing shall not prohibit Participating Public Agency from furnishing health care services so long as the furnishing of healthcare services is not in furtherance of a primary purpose of the Participating Public Agency.
4. The cooperative use of Master Agreements shall be in accordance with the terms and conditions of the Master Agreements, except as modification of those terms and conditions is otherwise required by applicable federal, state or local law, policies or procedures.
5. The Principal Procurement Agencies will make available, upon reasonable request, Master Agreement information which may assist in improving the procurement of Products by the Participating Public Agencies.
6. The Participating Public Agency agrees the OMNIA Partners Parties may provide access to group purchasing organization ("**GPO**") agreements directly or indirectly by enrolling the Participating Public Agency in another GPO's purchasing program, provided that the purchase of Products through the OMNIA Partners Parties or any other GPO shall be at the Participating Public Agency's sole discretion.
7. The Participating Public Agencies (each a "**Procuring Party**") that procure Products through any Master Agreement or GPO Product supply agreement (each a "**GPO Contract**") will make timely payments to the distributor, manufacturer or other vendor (collectively, "**Supplier**") for Products received in accordance with the terms and conditions of the Master Agreement or GPO Contract, as applicable. Payment for Products and inspections and acceptance of Products ordered by the Procuring Party shall be the exclusive obligation of such Procuring Party. Disputes between Procuring Party and any Supplier shall be resolved in accordance with the law and venue rules of the State of purchase unless otherwise agreed to by the Procuring Party and Supplier.

8. The Procuring Party shall not use this Agreement as a method for obtaining additional concessions or reduced prices for purchase of similar products or services outside of the Master Agreement. Master Agreements may be structured with not-to-exceed pricing, in which cases the Supplier may offer the Procuring Party and the Procuring Party may accept lower pricing or additional concessions for purchase of Products through a Master Agreement.
9. The Procuring Party shall be responsible for the ordering of Products under this Agreement. A non-procuring party shall not be liable in any fashion for any violation by a Procuring Party, and, to the extent permitted by applicable law, the Procuring Party shall hold non-procuring party harmless from any liability that may arise from the acts or omissions of the Procuring Party.
10. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE OMNIA PARTNERS PARTIES EXPRESSLY DISCLAIM ALL EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES REGARDING ANY PRODUCT, MASTER AGREEMENT AND GPO CONTRACT. THE OMNIA PARTNERS PARTIES SHALL NOT BE LIABLE IN ANY WAY FOR ANY SPECIAL, INCIDENTAL, INDIRECT, CONSEQUENTIAL, EXEMPLARY, PUNITIVE, OR RELIANCE DAMAGES, EVEN IF THE OMNIA PARTNERS PARTIES ARE ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. FURTHER, THE PROCURING PARTY ACKNOWLEDGES AND AGREES THAT THE OMNIA PARTNERS PARTIES SHALL HAVE NO LIABILITY FOR ANY ACT OR OMISSION BY A SUPPLIER OR OTHER PARTY UNDER A MASTER AGREEMENT OR GPO CONTRACT.
11. This Agreement shall remain in effect until termination by either party giving thirty (30) days' written notice to the other party. The provisions of Paragraphs 6 - 10 hereof shall survive any such termination.
12. This Agreement shall take effect upon (i) execution of the Principal Procurement Agency Certificate, or (ii) registration on the OMNIA Partners website or the execution of this Agreement by a Participating Public Agency, as applicable.

☐ By checking this box, I indicate that I have read and agree to the Terms and Conditions

☐ By checking this box, I indicate that I have read and understand our [Privacy Notice](#)

(<https://info.omniapartners.com/hubfs/Policies/OMNIA-Partners-Website-Privacy-Notice.pdf?hsLang=en>) and accept and agree to be bound by these [Terms of Use](#) (<https://info.omniapartners.com/hubfs/Policies/OMNIA-Partners-Terms-of-Use.pdf?hsLang=en>)

CONTINUE

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider awarding WU-11-22 Industrial Electrical Services to Bunyard Hasty Electric, Inc. and Mike Verfurth Electric in the amount of \$175,000 per year for three years, budgeted for purchase in all applicable fiscal years and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

Staff Recommendation:

Approve

Summary/History:

The City solicited bids from local electrical contractors. Bids were received from two contractors. The two contractors were Bunyard Hasty Electric Inc. and Mike Verfurth Electric both located in San Angelo, TX. The proposal included two sections (Section "A" Industrial Electrical & Section "B" Instrumentation and Controls).

This bid is for a three year contract to provide 24/7 industrial, instrumentation and control services for Water Utilities.

Funding Source(s):

Financial Impact:

Total estimated annual expenditure of \$175,000 - budgeted within the Water Utilities Utility Maintenance Operating Budget from both the water and sewer funds.

Other Information/Recommendation:

It is recommended the bids be accepted as stated below and the City Manager or City Manager Designee be authorized to execute any related documents.

Section "A" Industrial Electrical:

- Primary - Bunyard Hasty Electric, Inc.
- Secondary - Mike Verfurth Electric

Section "B" Instrumentation and Controls

- Primary - Mike Verfurth Electric

Attachments:

1. 00 WU-11-22 Bid Tabulation

00 WU-11-22 Bid Tabulation.pdf

Presentation:

Allison Strube

Approvals/Reviews:

Allison Strube

Allison Strube

Shane Kelton

Theresa James

Jeffrey Tomlinson

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

Vendor: Verfurth Electric

A. Industrial Electrical - Hourly Rates and Parts Mark-up

Regular Hourly Rate		Overtime Hourly Rate		Hourly Rate Weekends & Holidays		Bidder's Minimum Charge \$'s and/or Hours	Parts Mark-up %	Average price/Hr 1 Journeyman & 1 Helper
Licensed Journeyman	Apprentice	Licensed Journeyman	Apprentice	Licensed Journeyman	Apprentice			
\$ 105.00	\$ 60.00	\$ 157.50	\$ 120.00	\$ 210.00	\$ 120.00	\$105	24%	\$165

B. Instrumental and Controls - Hourly Rates and Parts Mark-up

Regular Hourly Rate (Technician)	Overtime Hourly Rate (Technician)	Hourly Rate Weekends & Holidays (Technician)	Bidder's Minimum Charge \$'s and/or Hours	Parts Mark-up %	Technician & 1 Helper
\$ 120.00	\$ 180.00	\$ 240.00	\$ 120.00	\$ 24.00	\$180

C. Electricians

Number of Master Electricians currently employed by your company	1
Number of licensed journeyman electricians currently employed by your company	1
Number of licensed apprentice electricians currently employed by your company	1

Vendor: Bunyard Hasty Electric, Inc.

A. Industrial Electrical - Hourly Rates and Parts Mark-up

Regular Hourly Rate		Overtime Hourly Rate		Hourly Rate Weekends & Holidays		Bidder's Minimum Charge \$'s and/or Hours	Parts Mark-up %	Average price/Hr 1 Journeyman & 1 Helper
Licensed Journeyman	Apprentice	Licensed Journeyman	Apprentice	Licensed Journeyman	Apprentice			
\$ 75.00	\$ 50.00	\$ 112.50	\$ 75.00	\$ 112.50	\$ 75.00	3 Hour	40%	90

B. Instrumental and Controls - Hourly Rates and Parts Mark-up - (No Bid)

Regular Hourly Rate (Technician)	Overtime Hourly Rate (Technician)	Hourly Rate Weekends & Holidays (Technician)	Bidder's Minimum Charge \$'s and/or Hours	Parts Mark-up %	Technician & 1 Helper
	No Bid				

C. Electricians

Number of Master Electricians currently employed by your company	1
Number of licensed journeyman electricians currently employed by your company	2
Number of licensed apprentice electricians currently employed by your company	9

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Andy Vecellio, Assistant Director, Water Utilities, 325-657-4218

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider approving Task Order No. 5 in the amount of \$432,500 for Design, Bidding, Construction, Post-Construction Phase, and Additional services for the North Concho River Wastewater Collection System Improvements to Enprotec / Hibbs & Todd, Inc. (eHT) to be funded by wastewater capital funds and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

Aging wastewater collection system infrastructure is in need of replacement and upgrades to maintain and improve the integrity of the wastewater collection system. This project will replace the Shiloh lift station and force main that has exceeded its useful life and is problematic due to maintenance and repairs necessary to maintain functionality. The lift station and force main will be replaced with new gravity sewer mains to minimize the impact on future operations and maintenance. The gravity sewer main will begin in the general proximity of the existing Shiloh Lift Station near the Shiloh Street ramp of the W. Houston Harte Expressway, west of the Concho River and North Bryant Boulevard, and will extend to an existing 30-inch diameter gravity wastewater collection main at Sante Fe Park Drive adjacent to the Sante Fe Golf Course.

The task order scope of services includes professional services for the preliminary design, final design, bidding, construction, post-construction phases, and additional services. Preliminary design services will include the development and evaluation of three alternate route options, including preliminary design exhibits and an opinion of probable construction cost for each of the three identified routes. Final design services will include developing plans, specifications, and bid documents, in addition to design survey and assistance with permits required for the project. Bidding phase services will include assistance during the bid phase as necessary, including, but not limited to, issuing addenda and evaluation of bid proposals and contractor qualifications. Construction phase services include construction contract administration, participation at the pre-construction conference, and technical assistance during project construction. Post-construction phase services include operations and maintenance technical assistance and assistance during the warranty phase. Additional services include surveying, environmental, geotechnical, and construction materials testing to supplement and assist during the design and construction phases of the project.

The project schedule includes 90 days for the preliminary design phase and 90 days for the final design phase.

Funding Source(s):

Financial Impact:

Funding for the project is from FY22 wastewater capital funds.

Other Information/Recommendation:

Staff recommends City Council approval of Task Order No. 5 and that the City Manager be authorized to execute the task order and any related documents.

Attachments:

- | | | |
|----|--|--|
| 1. | Exhibit A - N Concho River WW Sys Improvements_05.23.2022_TO#5 | Exhibit A - N Concho River WW Sys Improvements_05.23.2022_TO#5.pdf |
| 2. | Exhibit B - N Concho River WW Sys Improvements_05.23.2022_TO#5 | Exhibit B - N Concho River WW Sys Improvements_05.23.2022_TO#5.pdf |
| 3. | San Angelo N Concho River Wastewater System Improvements OPPC (05.23.2022) | San Angelo N Concho River Wastewater System Improvements OPPC (05.23.2022).pdf |
| 4. | North Concho River WW Imp-Project Location | North Concho River WW Imp-Project Location.pdf |
| 5. | North Concho River WW Imp-Force Main Abandon | North Concho River WW Imp-Force Main Abandon.pdf |
| 6. | 2022-06-21 North Concho River WW Imp | 2022-06-21 North Concho River WW Imp.pdf |

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Allison Strube	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Andy Vecellio	Approved
Allison Strube	Approved
Julia Antilley	Final Approval

EXHIBIT "A"

SCOPE OF SERVICES NORTH CONCHO RIVER WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

Provider shall provide Basic and Additional Services associated with TASK ORDER NO. 5 between the CITY and PROVIDER for Professional Services dated _____, 2022 for the City of San Angelo North Concho River Wastewater Collection System Improvements Project. General scope of the project to include:

- Provider shall design and assemble drawings and specifications for proposed improvements consisting of replacement of certain existing wastewater collection system gravity trunk lines and manholes from the Santa Fe Park Golf Course on the east side of the North Concho River, for approximately 4,500 LF, crossing the North Concho River and Houston Harte Freeway, to the existing Shiloh Wastewater Lift Station, in order to retire and abandon the lift station that has reached the end of its service life, and continue to provide wastewater service to the lift station's service area by gravity flow through the North Concho River Wastewater Trunk Line.

I. Basic Services

A. Preliminary Design Phase

1. Once authorized by the City, the Provider shall:
 - a. Conduct a Project Kickoff Meeting. Meeting shall include key members of Engineer's Project Team and the City. The meeting shall focus on the scope of work, schedule, deliverables, protocols for communication throughout the project, and coordination on initial data collection activities.
 - b. Coordinate collection of initial Design Survey information as required for Preliminary Design Phase.
 - c. Develop Preliminary Design Phase exhibit drawings showing the extent and limit of the proposed improvements, consisting of 3 alternative route options, including identification of all impacted properties along each route. Parcel information to be based on latest City GIS mapping database.
 - d. Furnish the Preliminary Design Phase exhibit drawings to and review them with City.
 - e. Based on the information contained in the Preliminary Design Phase exhibit drawings, submit an Opinion of Probable Construction Cost (OPCC) for construction of the proposed improvements along each of the 3 identified routes.
 - f. Advise City if additional reports, data, information, or services of the types not contained in this Agreement are necessary and assist City in obtaining such reports, data, information, or Services.
 - g. Provider's Services under the Preliminary Design Phase will be considered complete when the Preliminary Design Phase documents required above have been delivered to the City.

B. Final Design Phase

1. Under the Final Design Phase, Provider shall perform the following tasks:
 - a. Prepare Final Design Phase Drawings and Specifications indicating the scope, extent, and

character of the Work to be performed and furnished by Contractor. Specifications will be prepared, where appropriate, in general conformance with standard City specification format.

- b. Coordinate Geotechnical Investigations at up to five (5) boring locations as approved by the City.
 - c. Coordinate collection of additional Design Survey information as required for Final Design Phase.
 - d. Coordinate and obtain TxDOT and GLO permitting required along the selected route. Anticipated for two (2) TxDOT Permits and one (1) GLO Easement for crossing of highways and rivers.
 - e. Advise City of any adjustments to the OPCC and any adjustments to Total Project Costs known to Provider.
 - f. Furnish the Design Phase documents to and review them with City. Make any final modifications or changes as requested by the City.
 - g. Submit 2 copies and 1 pdf of the Final Design Phase Documents and OPCC to City.
 - h. Provide project AutoCAD drawing files to the City for use in development of as-built drawings.
2. Provider's Services under the Final Design Phase will be considered complete on the date when the final copies of the Final Design Phase Documents required above have been delivered to the City.

C. Bid Phase

1. After acceptance by City of the final Design Phase Documents and the most recent OPCC as determined in the Final Design Phase, Provider shall perform the following tasks:
- a. Assist City in advertising for and obtaining proposals for the Work for the prime contract and, if applicable, attend a pre-Bid conference.
 - b. Issue Addenda as appropriate to clarify, correct, or change the Drawings and Specifications included in Bidding Documents.
 - c. Consult with City as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Contractor for those portions of the Work as to which such acceptability is required by the Bidding Documents.
 - d. Assist City in evaluating bids or proposals.
 - e. City will deliver to Provider an electronic copy of the bid proposals and will review the qualifications of the low bidder along with the Provider. After review and discussion of low bidder qualifications between City and Provider, Provider will develop an Engineer's letter of recommendation of award.
2. The Bidding Phase will be considered complete upon commencement of the Construction Phase or upon cessation of negotiations with prospective Contractors.

D. Construction Phase

1. *General Administration of Construction Contract* – The City will provide General Administration of the Construction Contract. Provider will assist as defined below and otherwise requested by City.
2. With written notice to proceed, Provider shall provide the following services for the prime contract:
3. *Pre-Construction Conference*. Attend and participate in a Pre-Construction Conference hosted by the City prior to commencement of Work at the Site.
4. *Visits to Site and Observation of Construction*. In connection with observations of Contractor's work in progress while it is in progress:
 - a. Perform site visits at critical stages of Work (start-up, final completion) and upon request by the City.
 - b. Make periodic visits to the Site at intervals appropriate to the various stages of construction, as Provider deems necessary, in order to observe as an experienced and qualified design professional the progress and quality of the Work. Such visits and observations by Provider, and the Project Inspector, if any, are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress or to involve detailed inspections of Contractor's work in progress beyond the responsibilities specifically assigned to Provider in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Provider's exercise of professional judgment as assisted by the Project Inspector, if any. Based on information obtained during such visits and such observations, Provider will determine in general if Contractor's work is proceeding in accordance with the Contract Documents, and Provider shall keep City informed of the progress of the Work.
 - c. The purpose of Provider's visits to, and representation by the Project Inspector, if any, at the Site, will be to enable Provider to better carry out the duties and responsibilities assigned to and undertaken by Provider during the Construction Phase, and, in addition, by the exercise of Provider's efforts as an experienced and qualified design professional, to provide for City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. Provider shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Provider have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, or for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Provider neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
 - d. The City will perform project inspection and construction oversight. Copies of inspection reports will be provided by City as requested by Provider.
5. *Defective Work*. Recommended to City that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Provider believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
6. *Clarifications and Interpretations; Field Orders*. Issue necessary clarifications and interpretations of the

Contract Documents to allow the orderly completion of the Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Provider may issue Field Orders through the City's representative, authorizing minor variations from the requirements of the Contract Documents.

7. *Change Orders and Work Change Directives.* Recommend Change Orders and Work Change Directives to the City, as appropriate, and support the City in the preparation of Change Orders and Work Change Directives as required.
8. *Shop Drawings and Samples.* Review and take appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto. Provider has an obligation to meet any Contractor's submittal schedule that has earlier been acceptable to Provider.
9. *Substitutes and "or-equal."* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor, but subject to a reasonable number of substitution requests.
10. *Inspections and Tests.* Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Provider's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Provider shall be entitled to rely on the results of such tests.
11. *Disagreements between City and Contractor.* Render formal written decisions on all claims of City and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of Contractor's work. In rendering such decisions, Provider shall be fair and not show partiality to City or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
12. *Applications for Payment.* City will review and process applications for payment.
13. *Contractor's Completion Documents.*
 - a. Receive and review maintenance and operating instructions, schedules, and guarantees.
 - b. Receive certificates of inspection, tests and approvals, Shop Drawings, samples and other data approved as specified, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. The extent of such Provider's review will be limited as stated.
 - c. Provider shall transmit these documents to City.
13. *Substantial Completion.* Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with City and Contractor, conduct an inspection to determine if the Work is Substantially Complete.
14. *Final Notice of Acceptability of the Work.* Conduct a final inspection to determine if the completed

Work of Contractor is acceptable so that Provider may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Provider shall also provide a "Notice of Acceptability of Work" that the Work is acceptable to the best of Provider's knowledge, information, and belief and based on the extent of the services provided by Provider under this Agreement.

- C. *Duration of Construction Phase.* The Construction Phase will commence with the execution of the Construction Agreement and will terminate upon written recommendation by Provider for final payment to Contractor.
- D. *Limitation of Responsibilities.* Provider shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing any of the Work. Provider shall not be responsible for failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.

E. *Post-Construction Phase*

- 1. Under the Post-Construction Phase, Provider shall perform the following tasks:
 - a. Provide assistance in connection with the testing and adjusting of Project equipment or systems.
 - b. Assist City in training City's staff to operate and maintain Project, equipment, and systems.
 - c. Assist City in developing procedures for control of the operation and maintenance of, and record keeping for Project equipment and systems.
 - d. Together with City, visit the Project to observe any apparent defects in the Work, assist City in consultations and discussions with Contractor concerning correction of any such defects, and make recommendations as to replacement or correction of Defective Work, if present.
 - e. City will prepare Record Drawings using final design AutoCAD drawing files provided by Provider.
- 2. The Post-Construction Phase services may commence during the Construction Phase and, if not otherwise modified in this Exhibit A, will terminate at the end of the Correction Period.

II. *Additional Services – Having a Determined Scope and Requiring City's Authorization in Advance*

- A. With written notice to proceed, Provider shall provide the following additional services:
 - 1. Provide Design Survey for wastewater collection system improvements along the route corridor, including legal property boundaries, existing surface improvements and topographical elevation information, existing water and wastewater utilities, existing franchise utilities, water surfaces, etc., along the final selected route alignment, as necessary for design of the proposed improvements. City to locate and open existing manholes for survey.
 - 2. Provide coordination with Regulatory Agencies and required documents for Environmental clearance for the selected route, including GLO Easement.
 - 3. Provide Geotechnical Investigations of up to 3 test bore sites along the proposed route after City approval of Preliminary Design Phase.

4. Provide Construction Materials Testing (CMT) Services during construction to identify construction material compliance with the plans and specifications.

III. Additional Services- Not having a Determined Scope and Requiring City's Authorization in Advance

- A. If authorized in writing by City, Provider shall furnish or obtain from others Additional Services of the types listed below. These services will be paid for by City.
 1. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Provider or its design requirements including, but not limited to, changes in size, complexity, City's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date of this Agreement or are due to any other causes beyond Provider's control.
 2. Furnishing services of Provider's Consultants for other than Basic Services, or authorized Additional Services.
 3. Services attributable to multiple prime construction contracts, in excess of the one (1) contemplated under this Agreement.
 4. Services during out-of-town travel required of Provider other than for visits to the Site or City's office, or the Texas Commission on Environmental Quality.
 5. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by City; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.
 6. Assistance in connection with Bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
 7. Providing assistance in resolving any Hazardous Environmental Condition in compliance with current Laws and Regulations.
 8. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other dispute resolution process related to the Project.
 9. Other services performed or furnished by Provider not otherwise provided for in this Agreement.

EXHIBIT "B"

**COMPENSATION AND SCHEDULE
NORTH CONCHO RIVER WASTEWATER COLLECTION SYSTEM IMPROVEMENTS**

This EXHIBIT B, consisting of 3 pages, referred to in and part of TASK ORDER NO. 5 between CITY and PROVIDER for Professional Services dated _____, 2022 for the City of San Angelo North Concho River Wastewater Collection System Improvements Project.

I. For Basic Services Having a Determined Scope – Lump Sum Method of Payment

A. CITY shall pay PROVIDER for Basic Services set forth in Exhibit A, as follows:

1. Lump Sum Amount of \$315,000.00 for Basic Services based on the following assumed distribution of compensation:

TASK I.A	Preliminary Design Phase	\$120,000
TASK I.B	Final Design Phase	\$137,500
TASK I.C	Bid Phase.....	\$15,000
TASK I.D	Construction Phase	\$35,000
TASK I.E	Post Construction Phase.....	\$7,500

2. PROVIDER may alter the distribution of compensation between individual tasks noted for basic services herein to be consistent with services actually rendered, but shall not exceed the total Lump Sum amounts unless approved in writing by the CITY.
3. The Lump Sum includes compensation for PROVIDER's services and services of PROVIDER's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Reimbursable Expenses.
4. The portion of the Lump Sum amount billed for PROVIDER's services will be based upon PROVIDER's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

II. For Additional Services Having a Determined Scope – Lump Sum Method of Payment

A. CITY shall pay PROVIDER for Additional Services set forth in Exhibit A, as follows:

1. Lump Sum Amount of \$102,500.00 for Additional Services based on the following assumed distribution of compensation:

TASK II.A.1	Surveying.....	\$60,000
TASK II.A.2	Environmental	\$30,000
TASK II.A.3	Geotechnical Investigation.....	\$12,500

2. PROVIDER may alter the distribution of compensation between individual tasks noted for additional services herein to be consistent with services actually rendered, but shall not exceed the total Lump

Sum amounts unless approved in writing by the CITY.

3. The Lump Sum includes compensation for PROVIDER's services and services of PROVIDER's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Reimbursable Expenses.
4. The portion of the Lump Sum amount billed for PROVIDER's services will be based upon PROVIDER's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

III. For Additional Services Having a Determined Scope – Time & Expense Method of Payment

A. CITY shall pay PROVIDER for Additional Services set forth in Exhibit A, as follows:

1. Time & Expense Amount of \$15,000.00 for Additional Services based upon the established Schedule of Charges for Additional Services. Estimated Not to Exceed (NTE) amounts of compensation are as follows:

TASK III.A Construction Materials Testing... \$15,000

B. Schedule of Charges is subject to an annual adjustment in January.

IV. Schedule of Services

A. Time of Completion for Design Phase Services of the project from written Notice to Proceed (NTP) are as follows:

TASK I.A Preliminary Design Phase 90 days

TASK I.B Final Design Phase (Following Task I.A) 90 days

V. For Services Not Having a Determined Scope – Time and Expense Method of Payment

A. CITY shall pay PROVIDER for services not having a defined scope on a time and expense basis according to the following Schedule of Charges. Services not determined herein will not be performed unless authorized in writing by CITY.

B. Schedule of Charges (See attached):

Enprotec / Hibbs & Todd, Inc.
CURRENT HOURLY CHARGES FOR PROFESSIONAL SERVICES

Charges include all salaries, salary expense, overhead, and profit.

Principal.....	\$ 230.00 per hour
Senior Project Manager	190.00 per hour
Project Manager	170.00 per hour
Senior Engineer / Geologist.....	150.00 per hour
Project Engineer / Geologist.....	135.00 per hour
Staff Engineer I / Geologist I.....	120.00 per hour
Staff Engineer II / Geologist II.....	105.00 per hour
RPLS I	155.00 per hour
Operations Specialist / Regulatory Compliance Specialist	150.00 per hour
Contract Operator (Certified Class A/B Operator)	120.00 per hour
Contract Operator (Certified Class C/D Water Operator)	100.00 per hour
Engineering / Field Technician I	135.00 per hour
Engineering / Field Technician II	110.00 per hour
Engineering / Field Technician III.....	85.00 per hour
Survey Tech I	85.00 per hour
Survey Tech II	65.00 per hour
CAD I.....	130.00 per hour
CAD II	100.00 per hour
CAD III	65.00 per hour
Administrative	70.00 per hour
Survey Party	225.00 per hour - 3 man
.....	200.00 per hour - 2 man
.....	175.00 per hour - 1 man

Expense Items

Consultants, Contractors & Supplies	Cost plus 10%
Travel (out of town only)	Current IRS rate per mile
Lodging and meals (out of town trips).....	Actual cost



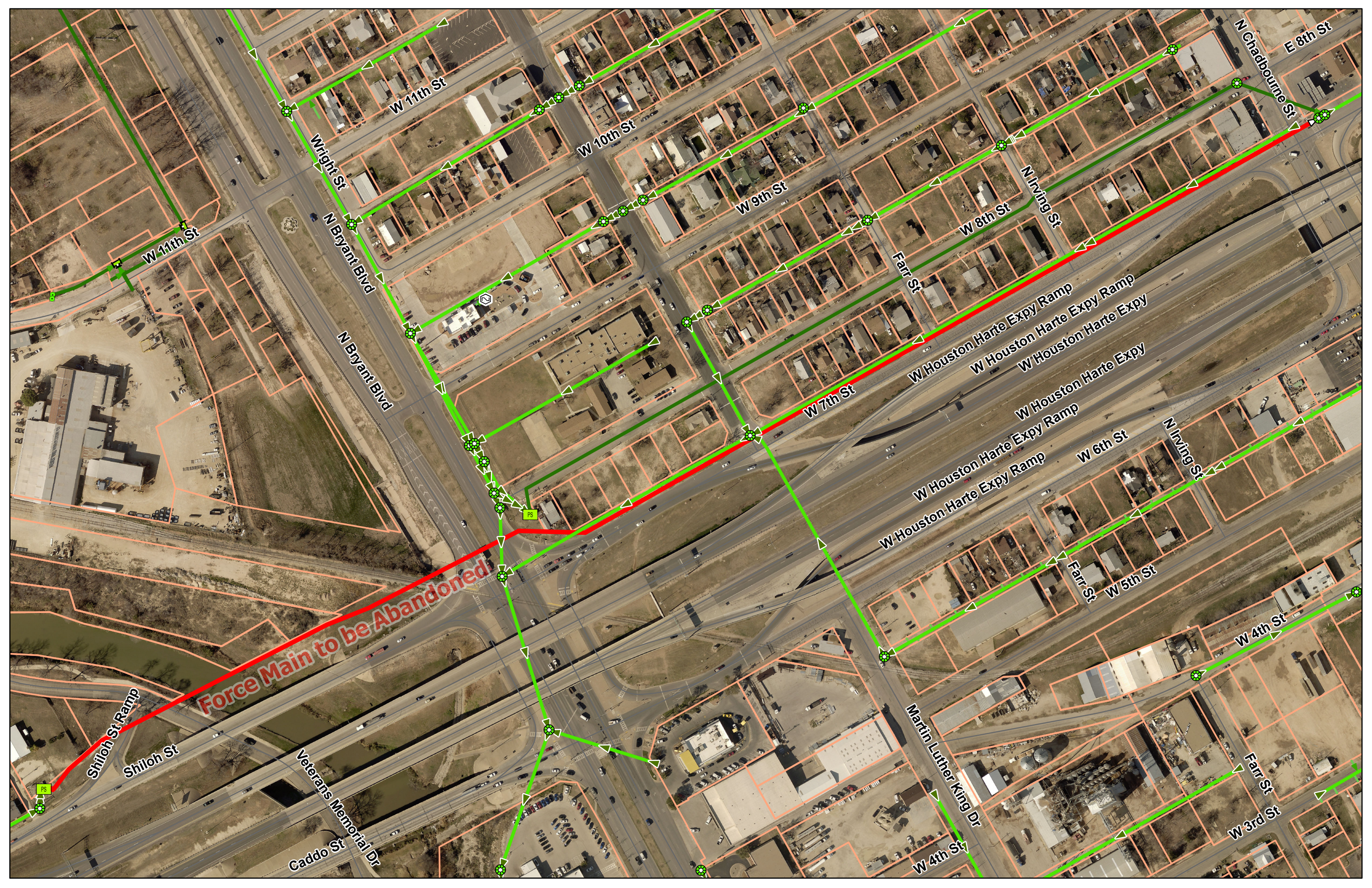
N Concho River Wastewater System Improvements
Opinion of Probable Project Costs (OPPC)
City of San Angelo
May 2022

CONSTRUCTION COSTS					
ITEM #	QUANTITY	UNIT	ITEM DESCRIPTION	UNIT COST	TOTAL
1	1	LS	Mobilization, Bonding & Insurance	\$ 250,000.00	\$ 250,000.00
2	7100	LF	Trench Excavation and Safety Plan	\$ 2.50	\$ 17,750.00
3	500	LF	6" PVC Sanitary Sewer Line by Open Cut	\$ 180.00	\$ 90,000.00
4	500	LF	8" PVC Sanitary Sewer Line by Open Cut	\$ 200.00	\$ 100,000.00
5	500	LF	12" PVC Sanitary Sewer Line by Open Cut	\$ 230.00	\$ 115,000.00
6	1000	LF	18" PVC Sanitary Sewer Line by Open Cut*	\$ 270.00	\$ 270,000.00
7	800	LF	21" PVC Sanitary Sewer Line by Open Cut*	\$ 300.00	\$ 240,000.00
8	200	LF	21" PVC Sanitary Sewer Line by Special Method TBD (N Concho River Crossing)*	\$ 1,200.00	\$ 240,000.00
9	500	LF	21" PVC Sanitary Sewer Line in 30" Steel Casing by Jack & Bore (Houston Harte Crossing)*	\$ 1,800.00	\$ 900,000.00
10	1500	LF	24" PVC Sanitary Sewer Line by Open Cut*	\$ 250.00	\$ 375,000.00
11	1500	LF	30" PVC Sanitary Sewer Line by Open Cut*	\$ 400.00	\$ 600,000.00
12	100	LF	30" PVC Sanitary Sewer Line in 42" Steel Pipe Casing by Jack & Bore (Beauregard Crossing)*	\$ 2,200.00	\$ 220,000.00
13	10	EA	48" Diameter FRP Manhole (All Depths)	\$ 22,000.00	\$ 220,000.00
14	18	EA	60" Diameter FRP Manhole (All Depths)	\$ 28,000.00	\$ 504,000.00
15	1500	LF	Rehabilitation/Lining of Existing Sewer Lines (6"-18")**	\$ 150.00	\$ 225,000.00
16	5	EA	Rehabilitation/Lining of Existing Manholes (48", <10' Deep)	\$ 18,000.00	\$ 90,000.00
17	5	EA	Reconnect Existing 6" Sewer Line	\$ 3,500.00	\$ 17,500.00
18	1	EA	Reconnect Existing 8" Sewer Line	\$ 4,000.00	\$ 4,000.00
19	1	EA	Reconnect Existing 12" Sewer Line	\$ 4,500.00	\$ 4,500.00
20	1	EA	Reconnect Existing 15" Sewer Line	\$ 5,500.00	\$ 5,500.00
21	2	EA	Reconnect Existing 18" Sewer Line	\$ 6,500.00	\$ 13,000.00
22	1	LS	Abandon & Demo Existing Shiloh Lift Station (Remove Structures to 4' Below Grade and Backfill)	\$ 150,000.00	\$ 150,000.00
23	5000	LF	Abandon Existing Sewer Line (Remove or Grout Fill) **	\$ 40.00	\$ 200,000.00
24	15	EA	Abandon & Demo Existing Sewer Manhole (Remove to 4' Below Grade and Backfill)	\$ 4,500.00	\$ 67,500.00
25	5000	SY	Surface Restoration (4,500' x 10') (Final Grading, Seeding and Growth Establishment)	\$ 7.00	\$ 35,000.00
26	1000	SY	Asphalt Pavement Repair (1,800' x 5')	\$ 120.00	\$ 120,000.00
27	100	SY	Concrete Pavement Repair (180' x 5')	\$ 220.00	\$ 22,000.00
28	100	LF	Concrete Curb & Gutter Replacement	\$ 100.00	\$ 10,000.00
29	1	LS	Bypass Pumping	\$ 250,000.00	\$ 250,000.00
30	1	LS	Stormwater Controls	\$ 15,000.00	\$ 15,000.00
31	1	LS	Traffic Controls	\$ 25,000.00	\$ 25,000.00
CONSTRUCTION COST ESTIMATE (ROUNDED)					\$ 5,400,000.00
Contingency (15%)					\$ 810,000.00
TOTAL CONSTRUCTION COST ESTIMATE					\$ 6,210,000.00
NON-CONSTRUCTION COSTS					
BASIC SERVICES					
1	Preliminary Design Phase				\$ 120,000.00
2	Final Design Phase				\$ 137,500.00
3	Bid Phase Assistance				\$ 15,000.00
4	Construction Phase ***				\$ 35,000.00
5	Post Construction Phase				\$ 7,500.00
SUBTOTAL BASIC SERVICES					\$ 315,000.00
ADDITIONAL SERVICES					
1	Surveying				\$ 60,000.00
2	Environmental				\$ 30,000.00
3	Geotechnical Investigation				\$ 12,500.00
4	Construction Materials Testing				\$ 15,000.00
SUBTOTAL ADDITIONAL SERVICES					\$ 117,500.00
SUBTOTAL NON-CONSTRUCTION					\$ 432,500.00
TOTAL PROJECT COST ESTIMATE					\$ 6,642,500.00

*Estimated using SDR-26 Pipe on 18" and above.
**Cleaning and Camera Inspection of to-be demo'ed/abandoned and new mains to be performed by the Contractor.
***Construction Phase Engineering only. City to provide Inspection.

DOCUMENT FOR INTERIM REVIEW, NOT
INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMITTING PURPOSES







City Council

6/21/2022

North Concho River Wastewater Collection
System Improvements

Water Utilities Assistant Director
Andy Vecellio, P.E.

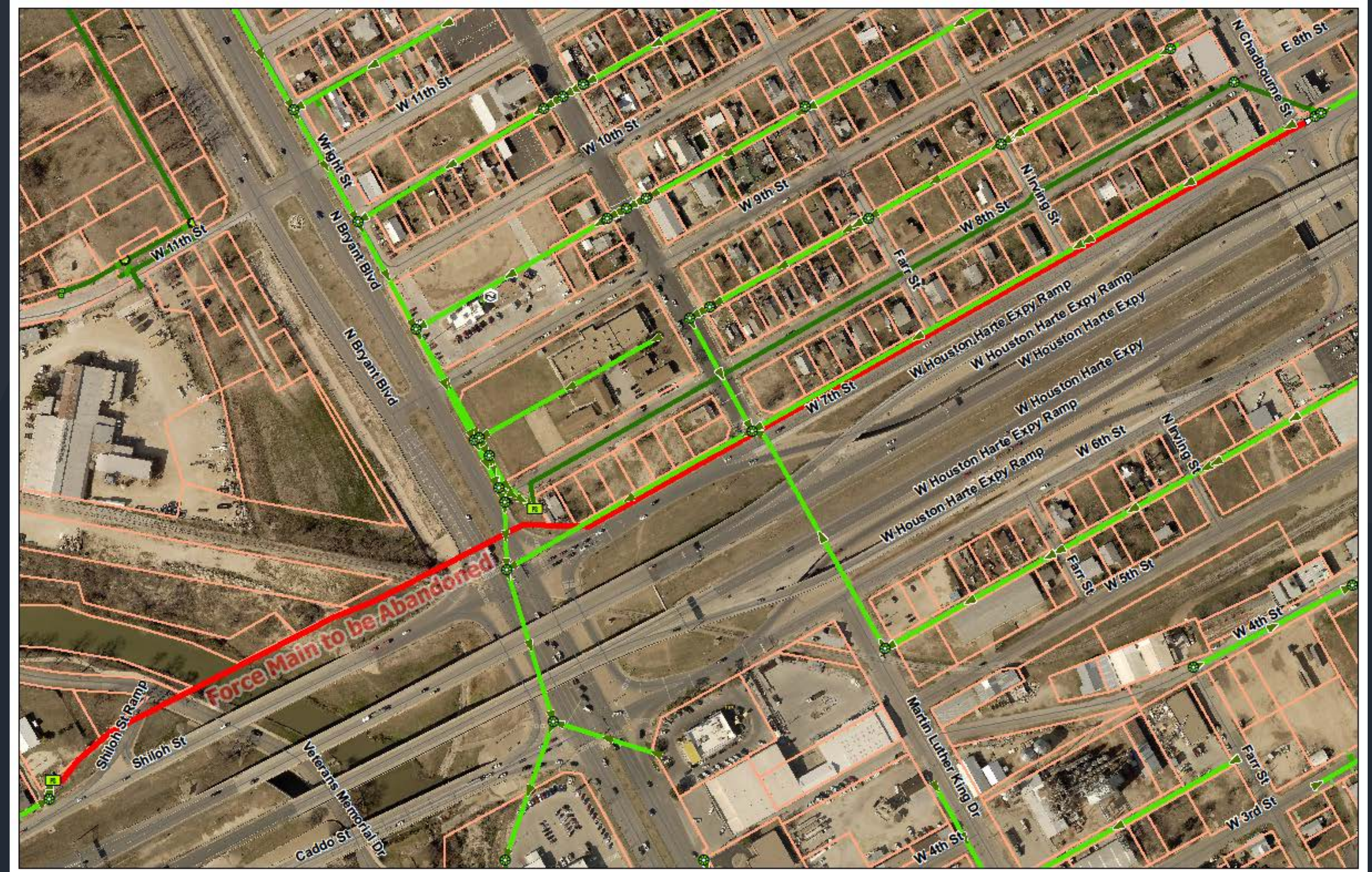
Project Scope

- 4,500 Feet of Wastewater Collection Trunk Main
- Crossing of the North Concho River
- Crossing of Houston Harte Freeway



Project Scope

- Abandon Shiloh Lift Station
- Abandon 3,200 Feet of Force Main
- Preliminary Project Construction Cost Estimate of \$6.2 Million



Task Order Scope

- Preliminary Design, Final Design, Bidding Phase, Construction Phase, and Post-Construction Phase Services
- Additional Services of Surveying, Environmental, Geotechnical, and Construction Materials Testing
- Total Fee = \$432,500
- Final Designed scheduled for completion in early 2023

Staff recommendation

Staff's recommendation is for the City Council to **APPROVE** Task Order No. 5 in the amount of \$432,500 to Enprotec / Hibbs & Todd, Inc. (eHT) for Professional Services for the North Concho River Wastewater Collection System Improvements and authorizing the City Manager to negotiate and execute all related documents.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Andy Vecellio, Assistant Director, Water Utilities, 325-657-4218

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Consider approving BuyBoard Contract #635-21 with Insituform Technologies, LLC, for sewer infrastructure rehabilitation in the amount of \$910,359, budgeted for purchase in fiscal year 2022, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

Aging sewer infrastructure that has deteriorated due to the degradation, corrosion, and cracking of metallic and clay sewer pipe has resulted in inflow/infiltration (I & I) and structural concerns. The project focuses on sewer lines at Alta Loma Elementary School, Central Freshman Campus on Oakes Street, Loop 306 near Ethicon, and Willow Street and N. Washington Street near Shiloh Street. Rehabilitation to the sewer lines will be completed using an industry recognized rehabilitation method known as Cured In Place Pipe (CIPP). This method allows for rehabilitation of the sewer lines with minimal to no ground disturbance. Deteriorating manholes in the project locations will also be rehabilitated. The City will be utilizing BuyBoard bid options with Insituform Technologies, LLC, to provide structural stability and reduce I & I for existing pipes at the locations shown on the attached map.

The project consists of the rehabilitation of approximately 1,420 feet of 18-inch diameter sewer pipe, approximately 1,070 feet of 8-inch diameter sewer pipe, and 17 manholes.

City Staff and the Contractor have coordinated with the San Angelo ISD to minimize disturbances to the school schedule. The project is expected to be completed before the end of October, with priority scheduling at the ISD properties to minimize the impact on the schools.

Funding Source(s):

Financial Impact:

Funding for the project is from the fund balance for account 270-5400-800-0730.

Other Information/Recommendation:

Staff recommends that the contract be awarded to Insituform Technologies, LLC and the City Manager be authorized to execute any related documents.

Attachments:

- | | | |
|----|--|--|
| 1. | Insituform Buyboard Proposal - City of San Angelo - Alta Loma CFC Loop 306 Sewer Rehabilitation - 13June2022 | Insituform Buyboard Proposal - City of San Angelo - Alta Loma CFC Loop 306 Sewer Rehabilitation - 13June2022.pdf |
| 2. | Insituform CIPP-GeneralLocation | Insituform CIPP-GeneralLocation.pdf |
| 3. | AltaLomaElementary | AltaLomaElementary.pdf |
| 4. | CentralFreshmanCampus | CentralFreshmanCampus.pdf |
| 5. | Loop306atEthicon | Loop306atEthicon.pdf |
| 6. | Willow&Washington | Willow&Washington.pdf |
| 7. | 2022-06-21 Insituform WW Collection Improvements | 2022-06-21 Insituform WW Collection Improvements.pdf |

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Allison Strube	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Allison Strube	Approved
Julia Antilley	Final Approval



17988 Edison Avenue
Chesterfield, MO 63005
www.insituform.com

Timothy N. Naylor
3413 Hunter Rd., San Marcos, Tx 78666
Phone: 512-677-8732
tnaylor@aegion.com

June 13, 2022

AAJA-101GTS5

Ms. Allison Strube, P.E.
Director of Water Utilities
City of San Angelo
Water Utilities Department
301 W. Beauregard Ave.
San Angelo, Tx 76903

Buyboard Proposal

Project Name: Alta Loma, CFC, Loop 306, Willow Sewer Rehabilitation

Insituform Technologies, LLC. (Insituform) herein proposes to furnish all labor, materials, equipment, and services for accomplishing the referenced task, as described in the project location maps presented by the City of San Angelo, utilizing The Local Government Purchasing Cooperative Contract #635-21 administered through the BuyBoard.

Assumptions and Qualifications

The pricing in this proposal assumes that all Technical Specifications set forth by the Buyboard, City of San Angelo (COSA), where applicable, will be adhered to. Any changes to these specifications must be noted and agreed upon by both parties prior to finalizing proposal pricing. Right of Entry and Workable Easements shall be provided by COSA and the San Angelo Independent School District (SAISD) for work to be performed at mutually agreeable times and dates. Insituform shall request for access no less than one week in advance.

Water shall be provided at no cost to Insituform for all construction phases of this project. Insituform will follow all required deposit, backflow prevention, and metering procedures. COSA shall provide Insituform with a suitable dumpsite for debris removed from the pipe during the cleaning process. Evidence suggest that the pipe is severely deteriorated. COSA shall provide for any point repairs other than the one identified and proposed herein, if required. There is an item in this proposal for Insituform to provide a formal, stamped traffic control plan, if necessary. However, traffic control has been included in this proposal for a daily rate.

There is a Bond item in this proposal for Insituform to provide COSA with Payment, Performance Bonds and Certificate of Insurance. It is understood that a tax-exempt certificate shall be provided by COSA.

Proposal Terms and Conditions

Terms and Conditions from The Local Government Purchasing Cooperative Contract are available upon request from the Buyboard. The terms and conditions from the Buyboard shall be after that of COSA and subject to acceptance by Insituform. Any changes to these conditions must be noted and agreed upon by both parties.

Proposal Pricing

San Angelo					
Alta Loma Loop					
		Unit of	Per Bid		
Bid Item per Docs	Description	Measure	Quantity	Bid Price	Total
1	Travel and Mobilization- Clean and TV Crew	EA	1	\$ 5,000.00	\$ 5,000.00
2	8" Clean and TV	LF	1,070	\$ 5.00	\$ 5,350.00
3	18" Clean and TV	LF	1,420	\$ 12.00	\$ 17,040.00
4	Tuberculation/Grease Removal (Gravity Pipeline)	INDIA/LF	25,560	\$ 2.00	\$ 51,120.00
5	Bypass System Equip/pipe delivery, tear down, pick up 6"	EA	1	\$ 8,500.00	\$ 8,500.00
6	Bypass System Equip/pipe delivery, tear down, pick up 8"	EA	1	\$ 24,000.00	\$ 24,000.00
7	Bypass System Equip/pipe delivery, tear down, pick up 10"	EA	1	\$ 37,500.00	\$ 37,500.00
8	Set Up 6" Pump (Per Pump)	EA	6	\$ 1,250.00	\$ 7,500.00
9	Set Up 6" Piping	LF	400	\$ 7.00	\$ 2,800.00
10	Set Up 8" Piping	LF	1,100	\$ 12.00	\$ 13,200.00
11	Set Up 10" Piping	LF	3,000	\$ 16.00	\$ 48,000.00
12	Operate 6" pumping System (Fuel & Maint. Per pump)	DAY	8	\$ 650.00	\$ 5,200.00
13	Operate 8" pumping System (Fuel & Maint. Per pump)	DAY	8	\$ 650.00	\$ 5,200.00
14	Operate 10" pumping System (Fuel & Maint. Per pump)	DAY	8	\$ 650.00	\$ 5,200.00
15	Bypass Pump watch labor	DAY	24	\$ 2,250.00	\$ 54,000.00
16	Bypass Line watch labor	DAY	16	\$ 1,250.00	\$ 20,000.00
17	Bypass - Street Ramp (Setup, Operate, Maintain)	DAY	7	\$ 450.00	\$ 3,150.00
18	Travel and Mobilization- Excavation Crew	EA	1	\$ 6,000.00	\$ 6,000.00
19	Point repair 8" (8'- 12' deep) including restoration	EA	1	\$ 13,500.00	\$ 13,500.00
20	Remove Cleanout and Install New 4' DIA MH including restoration	EA	1	\$ 17,300.00	\$ 17,300.00
21	Force Main Tie-in for bypass and restoration	LS	1	\$ 22,050.00	\$ 22,050.00
22	MH 1061 - widen bottom of MH for plugging	LS	1	\$ 4,500.00	\$ 4,500.00
23	Travel and Mobilization- CIPP Crew	EA	1	\$ 7,500.00	\$ 7,500.00
24	8" x 6.0mm	LF	1,070	\$ 35.00	\$ 37,450.00
25	6" - 12" CIPP Setup Charge Per Install Length	LF	1,070	\$ 15.00	\$ 16,050.00
26	CIPP Short Length Add-On (<300 LF)	INDIA/FT	2,240	\$ 9.75	\$ 21,840.00
27	18" x 9.0mm	LF	1,420	\$ 65.00	\$ 92,300.00
28	15" - 21" CIPP Setup Charge Per Install Length	LF	1,420	\$ 25.00	\$ 35,500.00
29	Non-Standard Resin System Add-On	INDIA/FT	13,680	\$ 7.25	\$ 99,180.00
30	Internal reconnects	EA	9	\$ 275.00	\$ 2,475.00
31	6" - 18" Post TV Inspection After Rehabilitation	LF	2,490	\$ 2.00	\$ 4,980.00
32	Travel and Mobilization- MH Rehab Crew	EA	1	\$ 5,500.00	\$ 5,500.00
33	Install New MH frame and cover (supplied by City) Paved	EA	4	\$ 3,100.00	\$ 12,400.00
34	Install New MH frame and cover (supplied by City) Non-Paved	EA	7	\$ 1,750.00	\$ 12,250.00
35	Manhole, Pipe or Other Structures - 1" Geospray Rehab	SQFT	1,584	\$ 49.75	\$ 78,804.00
36	MH Bench/Invert Rehab w/ flow through plugs	EA	17	\$ 750.00	\$ 12,750.00
37	Setup for Injection grouting	EA	10	\$ 650.00	\$ 6,500.00
38	Injection grouting in MH	Gal	10	\$ 300.00	\$ 3,000.00
39	Traffic control	Day	22	\$ 600.00	\$ 13,200.00
40	Lighted Arrow Board (Per Arrow Board)	Day	22	\$ 185.00	\$ 4,070.00
41	Traffic Control Plan (3rd Party Certified)	EA	3	\$ 1,000.00	\$ 3,000.00
42	Owner Contingency Allowance	AL	1	\$ 50,000.00	\$ 50,000.00
43	Bond	LS	1	\$ 15,500.00	\$ 15,500.00
					\$ 910,359.00

OFFERED BY:

ACCEPTED BY:

INSITUFORM TECHNOLOGIES, LLC.

CITY OF SAN ANGELO, TX



TIMOTHY NAYLOR
512-677-8732

SIGNATURE

DATE

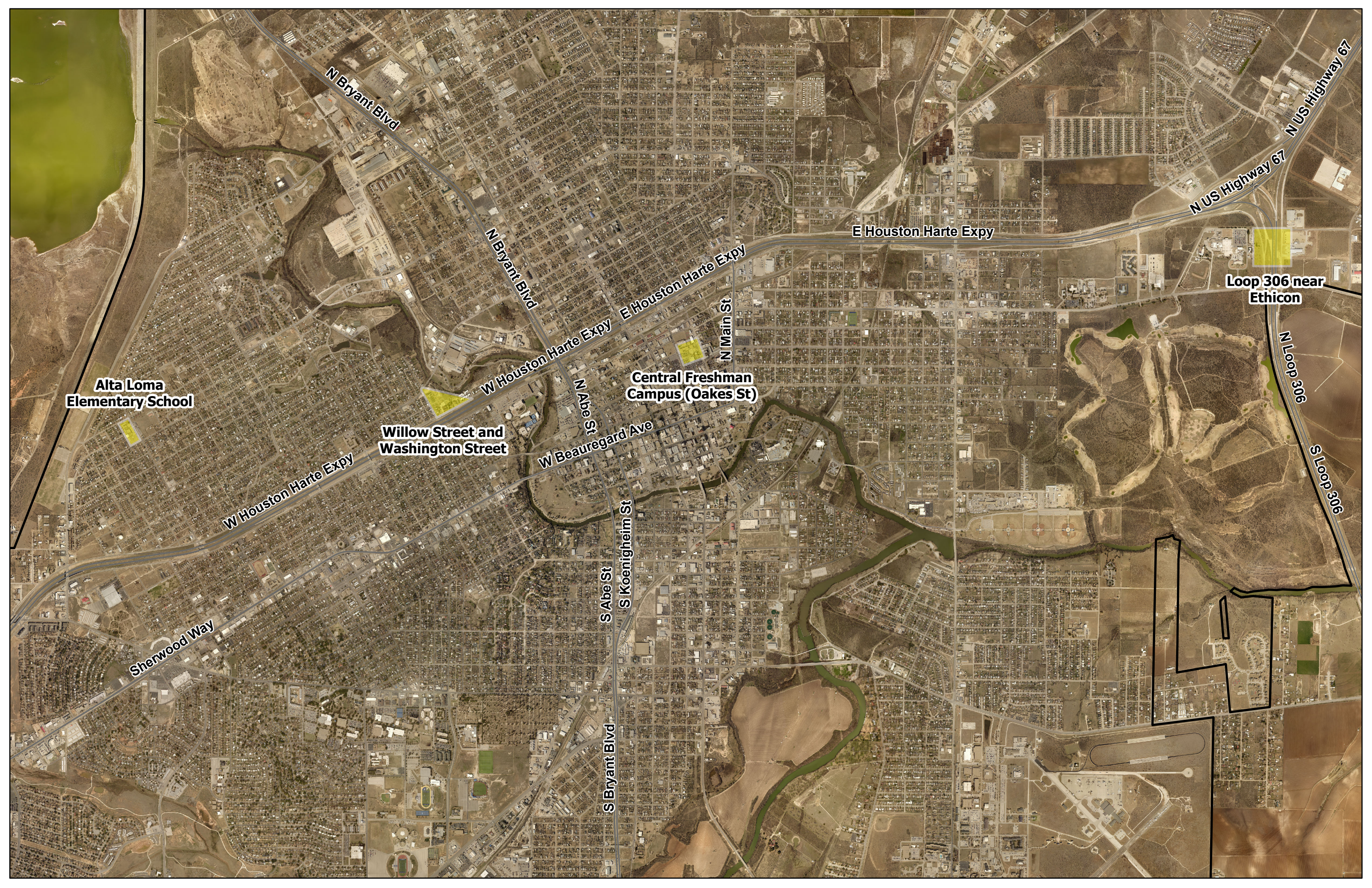
NAME

TITLE

Is this Project Tax Exempt? _____. If yes, then please provide Tax Exemption Form and, where applicable, Project Exemption Form.

Does this Project require Certified Payroll? _____. Are there wage rates? _____. If yes, please provide a copy of the wage rates.

This accepted proposal constitutes a formal agreement. If you initiate a purchase order or other contract document, it shall not be acknowledged without this accepted proposal as an attachment.



N Bryant Blvd

N US Highway 67

E Houston Harte Expy

N US Highway 67

Loop 306 near
Ethicon

N Loop 306

S Loop 306

Alta Loma
Elementary School

W Houston Harte Expy

Willow Street and
Washington Street

W Houston Harte Expy

Central Freshman
Campus (Oakes St)

N Main St

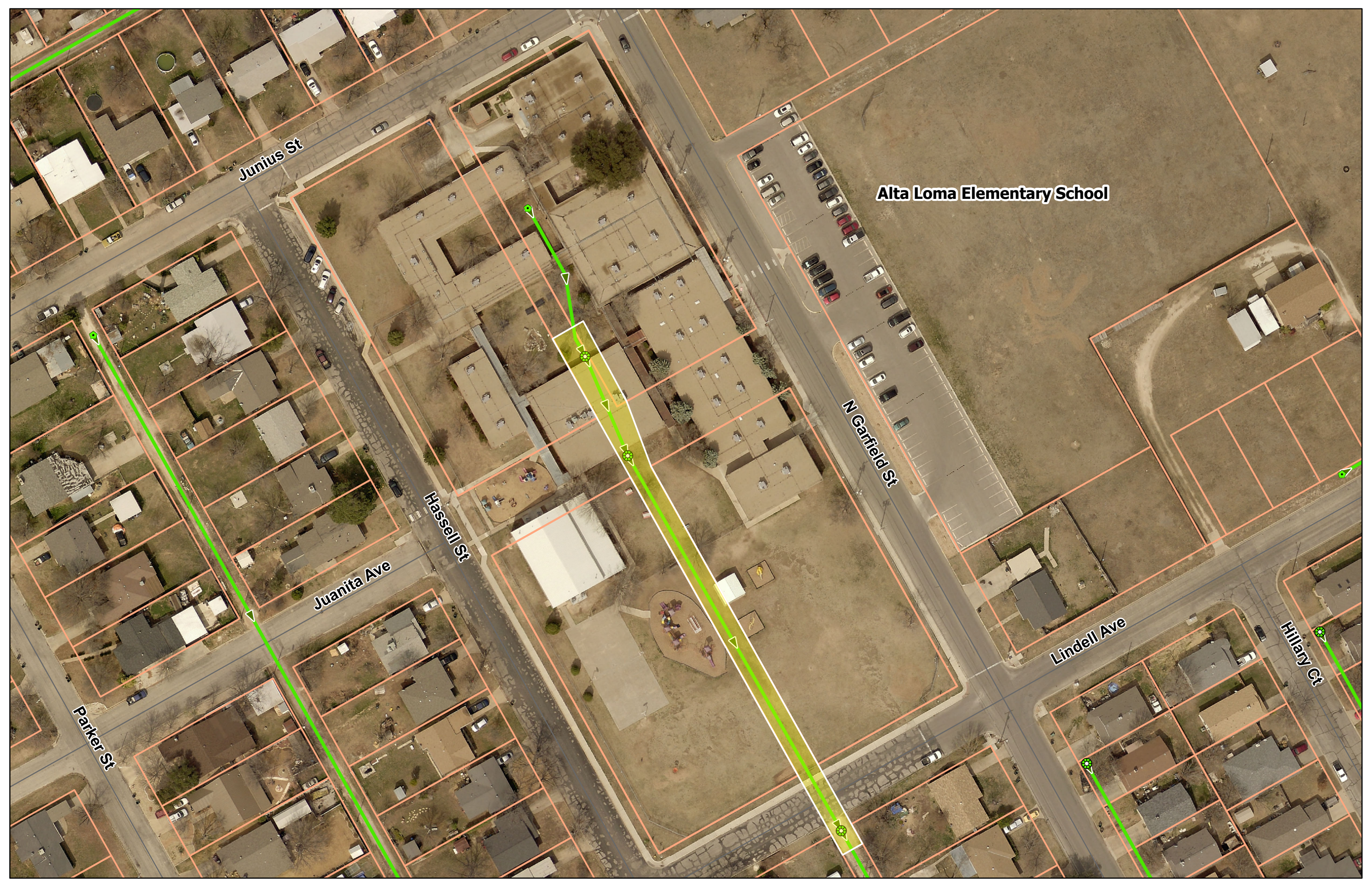
N Abe St

W Beauregard Ave

S Abe St
S Koenigheim St

S Bryant Blvd

Sherwood Way



Junius St

Alta Loma Elementary School

N Garfield St

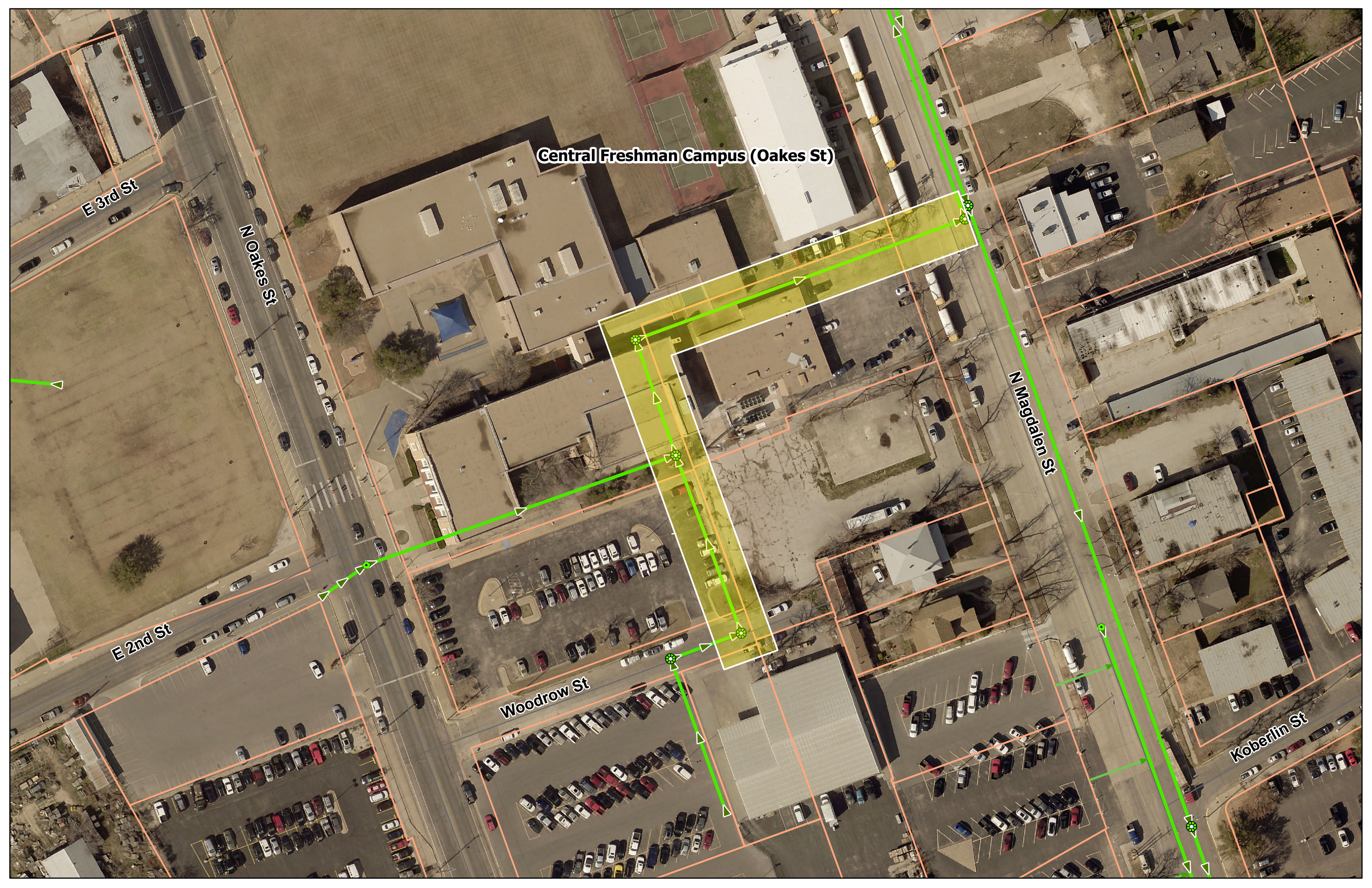
Hassell St

Juanita Ave

Lindell Ave

Parker St

Hillary Ct



Central Freshman Campus (Oakes St)

E 3rd St

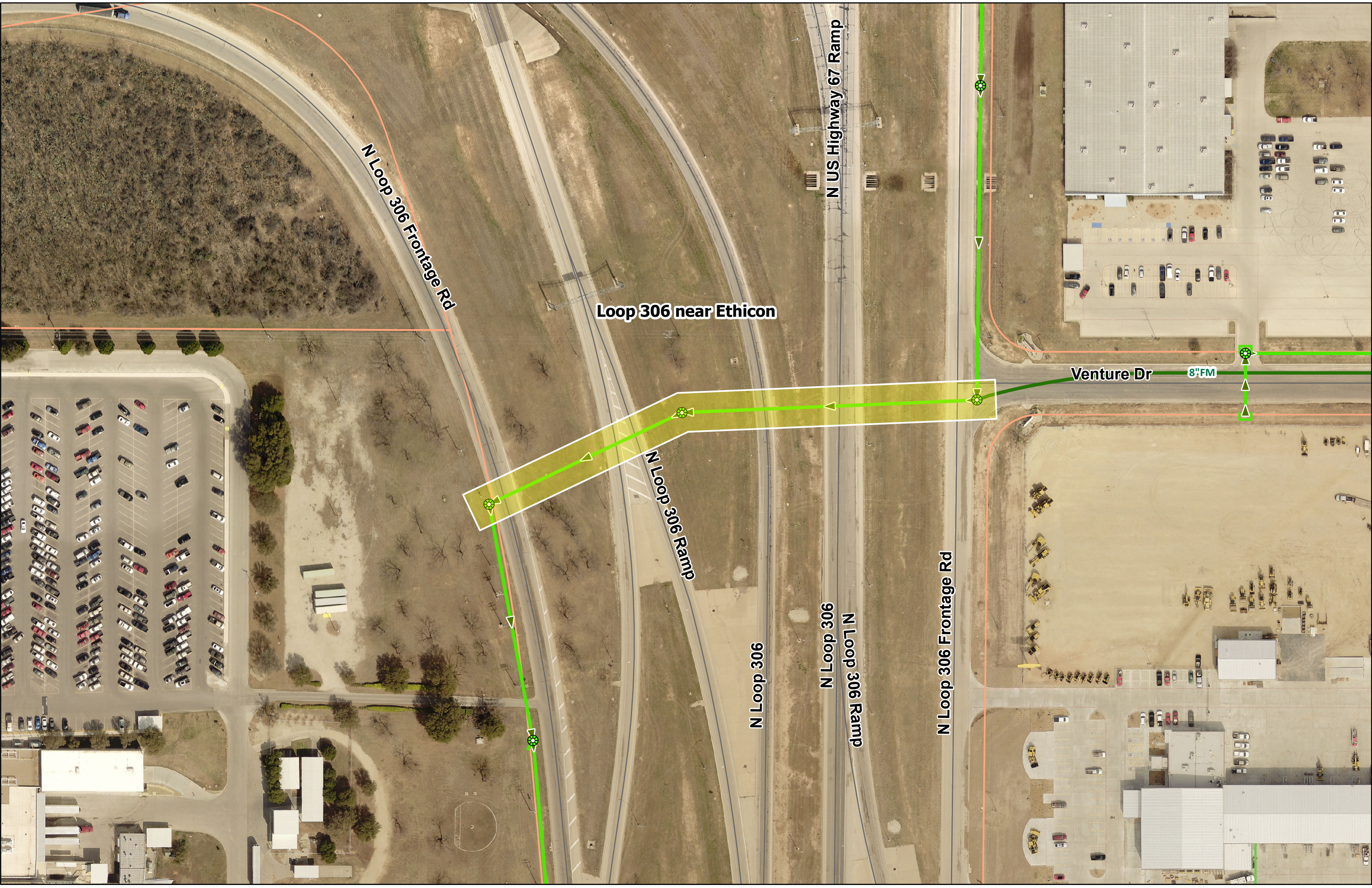
N Oakes St

N Magdalen St

Koberlin St

Woodrow St

E 2nd St



N Loop 306 Frontage Rd

Loop 306 near Ethicon

N US Highway 67 Ramp

Venture Dr 8"FM

N Loop 306 Ramp

N Loop 306

N Loop 306

N Loop 306 Ramp

N Loop 306 Frontage Rd



Willow Street and Washington Street

N Park St

Willow St

N Washington St

N Adams St

Shiloh St

W Houston Harte Expy Ramp

W Houston Harte Expy

W Houston Harte Expy



City Council

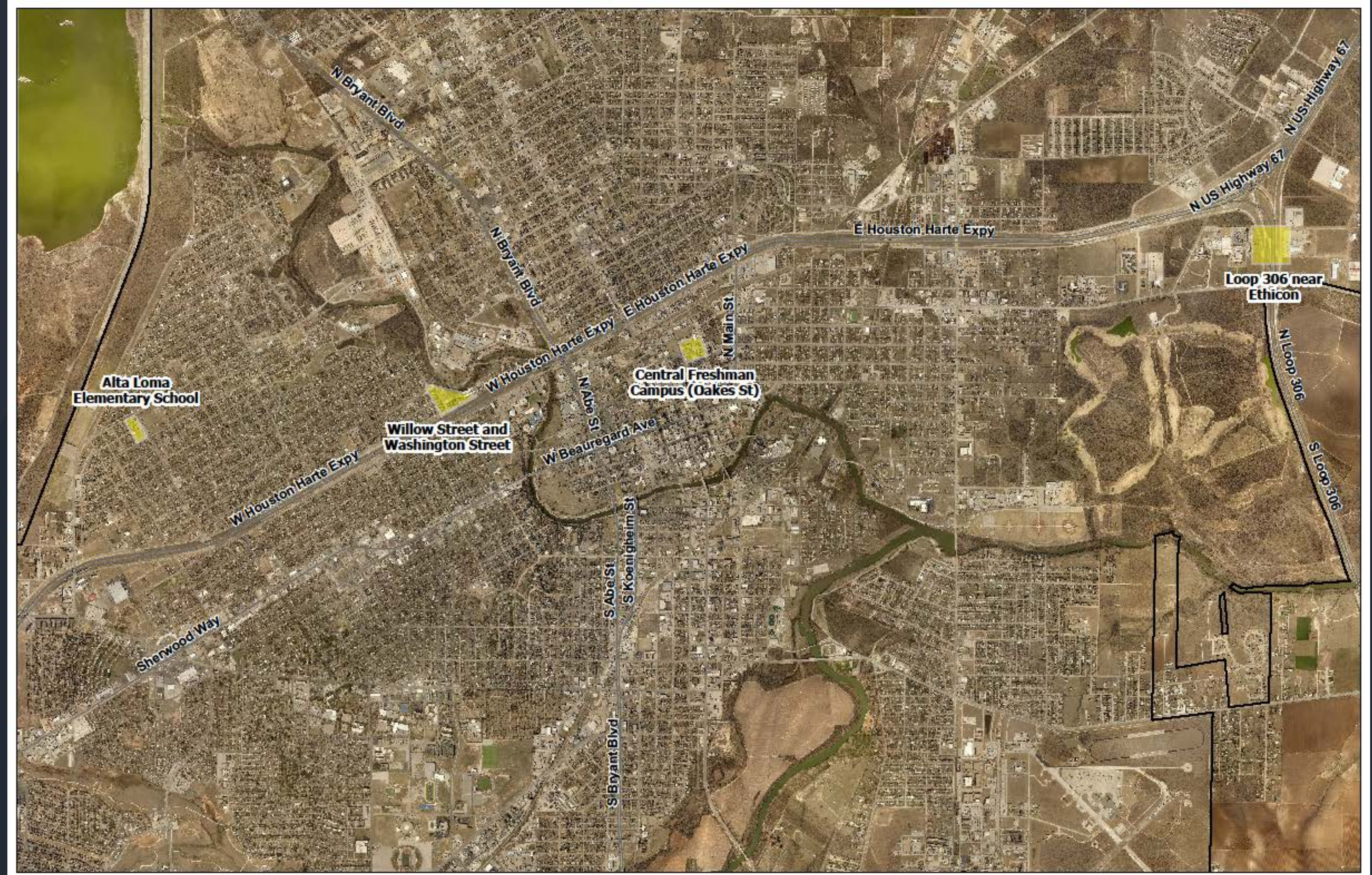
6/21/2022

Alta Loma, Central Freshman Campus, Loop 306,
and Willow Street Sewer Rehabilitation

Water Utilities Assistant Director
Andy Vecellio, P.E.

Rehabilitation Scope

- 1,420 Feet of 18-Inch
- 1,070 Feet of 8-Inch
- 17 Manholes
- One Point Repair
- Project Cost of \$910,359
- Project completion by end of October, 2022



Alta Loma Elementary School



Central Freshman Campus (Oakes Street)



Loop 306 near Ethicon



Willow St. and N. Washington St.



Existing Sewer Lines



Existing Sewer Lines



Similar Project Completion Photos



Staff recommendation

Staff's recommendation is for the City Council to **APPROVE** an agreement under BuyBoard Contract #635-21 with Insituform Technologies, LLC, in the amount of \$910,359 for sanitary sewer collection system improvements and authorizing the City Manager to negotiate and execute all related documents.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Second reading of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 37.98 acre tract, being 36.60 acres and a 1.38 acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd. (Jon James)

Staff Recommendation:

Approve

Summary/History:

The applicant, Dorado Bay, LLC, has filed this application to annex the subject property into the City Limits for a future single-family residential subdivision and commercial lot. They have also filed concurrent applications to amend the Comprehensive Plan and zone the property for a new single-family subdivision along with a future commercial lot (CP22-04 and Z22-10).

On April 18, 2022, the Planning Commission approved a final plat for the subject area for 52 single-family residences and the commercial lot. All of the lots are a minimum of 0.5 acre and are able to utilize private septic systems for sewage. Conditions of approval, however, included that the property must be annexed into the City before they could access city utilities and that the property be zoned for the proposed number and size of lots.

Portions of this area are currently within the water service area of the Millersview-Doole Water Supply Corporation (MDWSC). The owner has requested the Public Utility Commission to remove the area within their property from the CCN (certificate of convenience and necessity) water supply area of the Water Supply Corporation, which allows exclusive service by Millersview-Doole, and have requested that they be allowed to access the City of San Angelo water system. In the event this change is not approved, the owner would continue to use the private water supply corporation for water service.

The included Annexation Service Plan details the services to be provided to this area upon annexation.

Funding Source(s):

Financial Impact:

There is no direct and immediate fiscal impact from this annexation.

However, this annexation obligates the City to long-term provision of City services and maintenance of infrastructure within the annexed area.

Other Information/Recommendation:

City Council is the approval authority for annexations and a vote is required by Council to approve the annexation.

On June 7, 2022, City Council voted 4-1 to approve the annexation on First Reading, with Mayor Gunter, and Council Members Miller, Thomas, and Thompson voting in favor, and Council Member Hesse-Smith voting against.

This item was presented to the Planning Commission on May 16, 2022 for their information and discussion only, as no formal action is required by the Commission.

Attachments:

- | | | |
|----|---|--|
| 1. | Ordinance & Service Plan (Annexation Fairway Downs) | Ordinance & Service Plan (Annexation Fairway Downs).docx |
| 2. | Memo_CC_FairwayDowns_Annexation | Memo_CC_FairwayDowns_Annexation.pdf |

Presentation:

Jon James

Approvals/Reviews:

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

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS AN UNADDRESSED 37.98-ACRE TRACT OF LAND COMPRISED OF 36.60 ACRES AND A 1.38-ACRE ACCESS EASEMENT IN THE M. MAYER SURVEY NO. 169, ABSTRACT NO. 1647, LOCATED WITHIN BLOCK 9 OF THE UPTON AND COLLINS SUBDIVISION, SOUTHEAST OF COUNTRY CLUB ROAD AND S. RATLIFF ROAD, TOM GREEN COUNTY, TEXAS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 37.98 acres situated immediately south of the City Limits, generally located southeast of Country Club Road and S. Ratliff Road, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on May 3, 2022; and,

WHEREAS, under Section 43.016 of the Texas Local Government Code, the City is required to offer the owner a development agreement if the Territory is appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, that guarantees continuation of the extraterritorial status of the area, and authorizes enforcement of all regulations and planning authority of the city that do not interfere with the use of the area for agriculture, wildlife management, or timber;

WHEREAS, the City has offered the Territory owners a development agreement under Section 43.016 as the Territory is currently appraised for agricultural use, and the owners have declined the agreement, electing instead to seek annexation of the Territory; and,

WHEREAS, a public hearing on the annexation was held, the 7th day of June 2022, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

- Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.
- Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.
- Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City, and incorporated into the adjacent Single Member District No. 1 (SMD 1).
- Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.
- Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.
- Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.
- Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.
- Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in

adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED with public hearing on the 7th day of June, 2022, and finally PASSED, APPROVED AND ADOPTED on this the 21st day of June, 2022.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Julia Antilley, City Clerk

Theresa James, City Attorney

[LIFE OF THE GOAT](#) | [GOATS DOING COOL THINGS](#) | [SHEEP DOING AWESOME THINGS](#) | [FLUFFY SHEEP DOING CUTE THINGS](#)

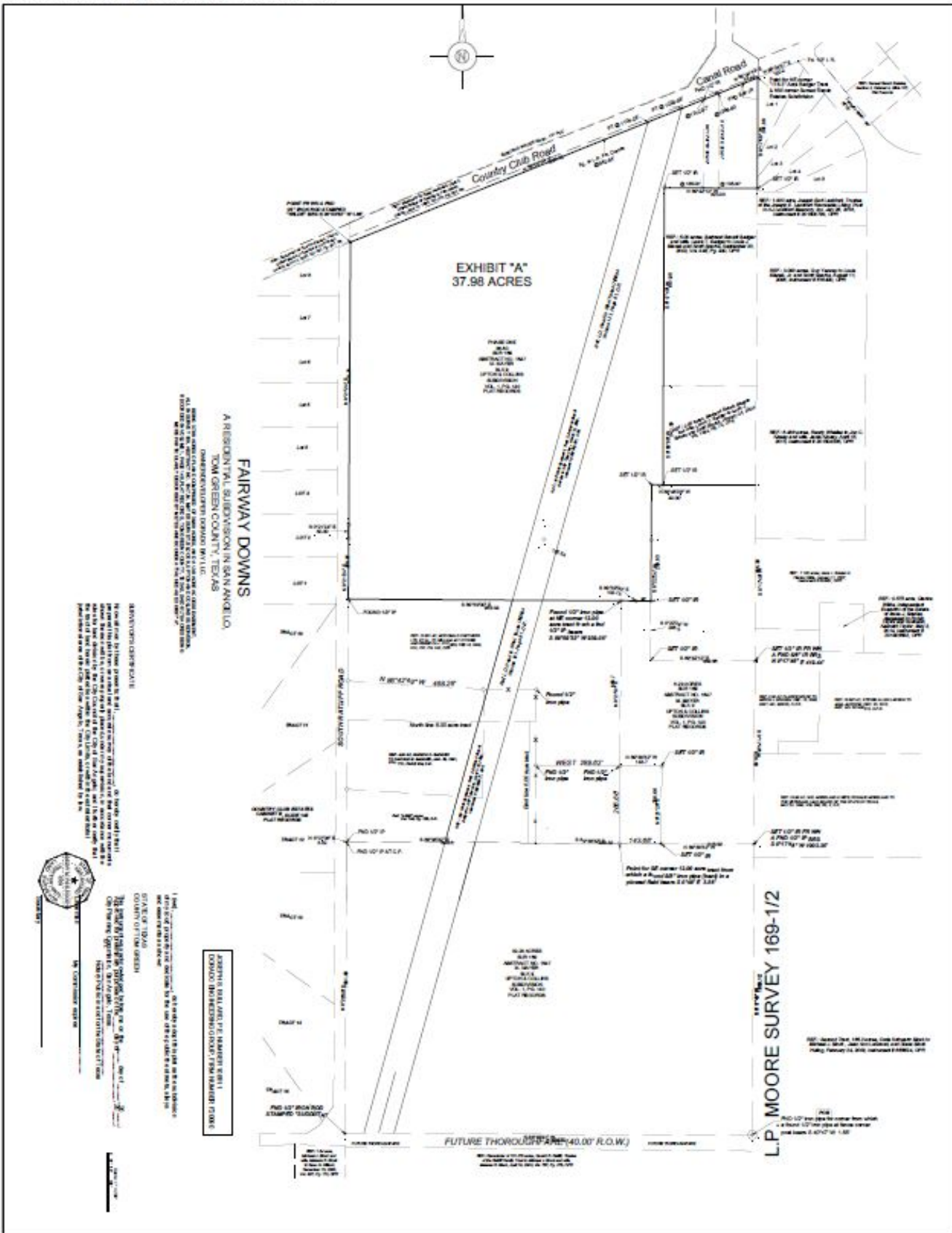


Exhibit "A" (Legal Description and Survey)

BEING 37.98 ACRES OF LAND COMPRISED OF 36.60 ACRES, AND A 1.38 ACRE ACCESS EASEMENT, ALL IN SURVEY 169, ABSTRACT NO. 1647, M. MAYER SURVEY, BLOCK 9, UPTON AND COLLINS SUBDIVISION, RECORDED IN VOLUME 1, PAGE 140, PLAT RECORDS, TOM GREEN COUNTY, TEXAS, SAID 81.70 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found $\frac{1}{2}$ " iron pipe for the southwest corner of this tract, along the east line of Ratliff Road, and the northwest corner of a 10.881 acre tract out of Survey 169, Abstract No. 1647, M. Mayer Survey, Block 9, Upton and Collins Subdivision, recorded in Volume 757, Page 342, Official Public Records, Tom Green County, Texas, from which a found $\frac{1}{2}$ " iron pipe bears S $0^{\circ}21'28''$ W 853.23 feet;

THENCE N $0^{\circ}21'24''$ E 970.73 feet along the west line of this tract, the east line of said Ratliff Road, to a point for the northwest corner of this tract, and the northwest corner of said Ratliff road, from which a found $\frac{1}{2}$ " iron rod with cap stamped "WILDE" bears N $25^{\circ}45'52''$ W 1.56 feet;

THENCE N $68^{\circ}00'53''$ E 1459.05 feet along the north line of this tract, the south line of Country Club Road, at 942.64 feet, a found 4" iron pipe corner post, continuing along, at 1312.57 feet, pass a found $\frac{1}{2}$ " iron rod, continuing along, at 1366.60 feet, pass a found $\frac{1}{2}$ " iron rod, and for a total distance of 1459.05 feet, to a found $\frac{5}{8}$ " iron rod for an angle corner of this tract, along the south line of Canal Road;

THENCE N $68^{\circ}04'42''$ E 53.42 feet along the north line of this tract, the south line of Canal Road, to a point for the northeast corner of this tract, and the northwest corner of Sunset Ranch Estates, Section 2, recorded in Cabinet A, Slide 107, Plat Records, Tom Green County, Texas;

THENCE S $0^{\circ}17'48''$ W 381.06 feet along the east line of this tract, the west line of said Sunset Ranch Estates, to a set $\frac{1}{2}$ " iron rod for an ell corner of this tract;

THENCE N $89^{\circ}42'12''$ W 320.00 feet along the south line of this tract, the north line of 5.00 acres out of Survey 169, Abstract No. 1647, M. Mayer Survey, Block 9, Upton and Collins Subdivision, recorded in Volume 945, Page 430, Official Public Records, Tom Green County, Texas, to a set $\frac{1}{2}$ " iron rod for an ell corner of this tract, and the northwest corner of said 5.00 acres;

THENCE S $0^{\circ}17'48''$ W 681.00 feet along the east line of this tract, the west line of said 5.00 acres, to a set $\frac{1}{2}$ " iron rod for an angle corner of this tract, the southwest corner of said 5.00 acres, and the northwest corner of 2.50 acres of land out of Survey 169, Abstract No. 1647, M. Mayer Survey, Block 9, Upton and Collins Subdivision, recorded in Volume 1082, Page 72, Official Public Records, Tom Green County, Texas;

THENCE S $0^{\circ}03'08''$ W 341.39 feet along the east line of this tract, the west line of said 2.50 acres, to a set $\frac{1}{2}$ " iron rod for an ell corner of this tract, the southwest corner of said 2.50 acres, and along the north line of 5.00 acres out of Survey 169, Abstract No. 1647, M. Mayer Survey, Block 9, Upton and Collins Subdivision, recorded as Instrument No. 617331, Official Public Records, Tom Green County, Texas

THENCE N $89^{\circ}46'28''$ W 40.00 feet along the south line of this tract, the north line of said 5.00 acres, to a set $\frac{1}{2}$ " iron rod for an ell corner of this tract

THENCE S $0^{\circ}22'24''$ W 399.69 feet along the east line of this tract, the west line of said 5.00 acres, to a set $\frac{1}{2}$ " iron rod for the southeast corner of this tract;

THENCE N $89^{\circ}39'00''$ W along the south line of this tract, and the north line of said 10.881 acres, at 102.73 feet, pass a found $\frac{1}{2}$ " iron pipe for the northeast corner of said 10.881 acres, continuing along, at 939.04 feet, for a total distance of 1041.77 feet, to the place of beginning containing 37.98 acres in Tom Green County, Texas.

Surveyed on the ground under my supervision according to the Minimum Standards of the Professional Land Surveying Practices Act and General Rules of Procedures and Practices set forth by the Texas Board of Professional Land Surveying.

Grady Glyn Sudduth
Registered Professional Land Surveyor No. 5309
March 18, 2022
File Name: FAIRWAY_DOWNS_DORADO_FN

EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ____ day of June, 2022, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

By: _____
Daniel Valenzuela
City Manager

Attest:

Julia Antilley, City Clerk

DORADO BAY, LLC (OWNER)

By: _____
Casey Poynor
Manager

Approved as to Form and Legality:

Theresa James, City Attorney

Approved as to Content:

Jon James, Planning &
Development Services Director

SERVICE PLAN FOR EXTENSION OF MUNICIPAL SERVICES TO AN AREA DESCRIBED AS FOLLOWS:

Generally located southeast of Country Club Road and S. Ratliff Road, and specifically described as an unaddressed 37.98-acre tract of land comprised of 36.60 acres and a 1.38-acre access easement within Block 9 of the Upton and Collins Subdivision, and in the M. Mayer Survey No. 169, Abstract No. 1647, Tom Green County, Texas (Dorado Bay, LLC).

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: Police protection provided by Tom Green County Sheriff's Office.

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide. Fire service provided by volunteer fire departments.

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

The Office of Fire Prevention will provide permitting and inspection services upon annexation. This includes issuing permits and conducting fire sprinkler, fire alarm, commercial hood or special agent system inspections as well as occupancy and maintenance inspections for any new construction and remodeling projects, as well as any other applicable enforcement of adopted codes and standards within the City of San Angelo.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the city will be extended to the newly annexed area after the effective date of annexation.

4. MAINTAINING WATER AND WASTEWATER FACILITIES

Existing Services: None

Services to be provided:

Water and sanitary sewer service to the area will be provided in accordance with the City Code of Ordinances and departmental policy, as amended.

Lots adjacent to S. Ratliff Road are currently serviced by Millersview-Doole Water Supply Corporation (MDWSC) through an existing Certificate of Convenience and Necessity (CCN). These lots shall not be serviced by the City unless released from MDWSC's CCN through agreement approved by the Public Utility Commission of Texas (PUC). In the event that an agreement is not approved by the PUC, lots currently under MDWSC shall continue to be supplied by MDWSC under the CCN.

5. MAINTAINING ROADS, STREETS, AND ALLEYWAYS

Existing Services: Provided by Tom Green County.

Services to be provided:

Developers of land within the newly annexed territory will be required to provide streets in accordance with applicable ordinances of the City of San Angelo, and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Existing Services: None

Services to be provided:

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will

be maintained under private ownership and responsibility.

7. BUILDING INSPECTION

Existing Services: None

Services to be provided:

The Building Inspection Department will provide building permitting services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Subdivision Ordinance. These services can be provided within the department's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of San Angelo shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas. Subject to funding by Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those.

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will then be responsible for ongoing maintenance of drainage facilities.

12. STREET LIGHTING

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

MEMO



Meeting

Date: June 7, 2022

To: City Council

From: Jeff Fisher, AICP
Chief Planner

Agenda Item: First reading and public hearing of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 37.98 acre tract, being 36.60 acres and a 1.38 acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd.

Background:

The applicant, Dorado Bay, LLC, has filed this application to annex the subject property into the City Limits. They have also filed concurrent applications to amend the Comprehensive Plan and zone the property for a new single-family subdivision along with a future commercial lot. The Comprehensive Plan Amendment would change 35.65 acres from Rural to Neighborhood and 2.33 acres from Rural to Commercial, facilitating the proposed zoning to RS-1 on the Neighborhood portion, and CG on the Commercial portion. **On May 16, 2022, Staff presented the annexation as a discussion item, and the proposed Comprehensive Plan Amendment and Rezoning to the Planning Commission for recommendation. Consistent with Staff's recommendation, the Planning Commission recommended Neighborhood Future Land Use and RS-1 zoning on the residential portion of the property for the new subdivision, but for the commercial lot, recommended the less intense Neighborhood Center Future Land Use instead of Commercial, and CN zoning instead of CG, given the property's mainly low density residential surroundings.**

On April 18, 2022, the Planning Commission had approved a final plat for the subject area for 52 single-family residences and the commercial lot. All of the lots are a minimum of 0.5 acre and are able to utilize private septic systems for sewage. A condition of approval however, was that the property be annexed with appropriate zoning to allow city services before the plat is recorded (and development can occur). This includes connecting to the city water main, or continuing to use the Millersview-Doole Water Supply Corporation (MDWSC). The owner has requested the Public Utility Commission to remove their current CCN (certificate of convenience and necessity),

which allows exclusive service by the MDWSC, and allow the lots to connect to City water. In the event this change is not approved, the owner would continue to use the MDWC for water service.

Compatibility with the City's Annexation Policies:

The City's 2009 Strategic Plan Update to its Comprehensive Plan sets certain policies for annexation of land into the City Limits. The property is identified in the City's Annexation Plan as "immediate". The annexation policies call to "focus immediate short-term annexation efforts on areas already served by City water system but which remain outside City limits." The property is immediate adjacent to the existing city water line along Country Club Road and will either connect to city water or continue to use the private water supply as outlined above.

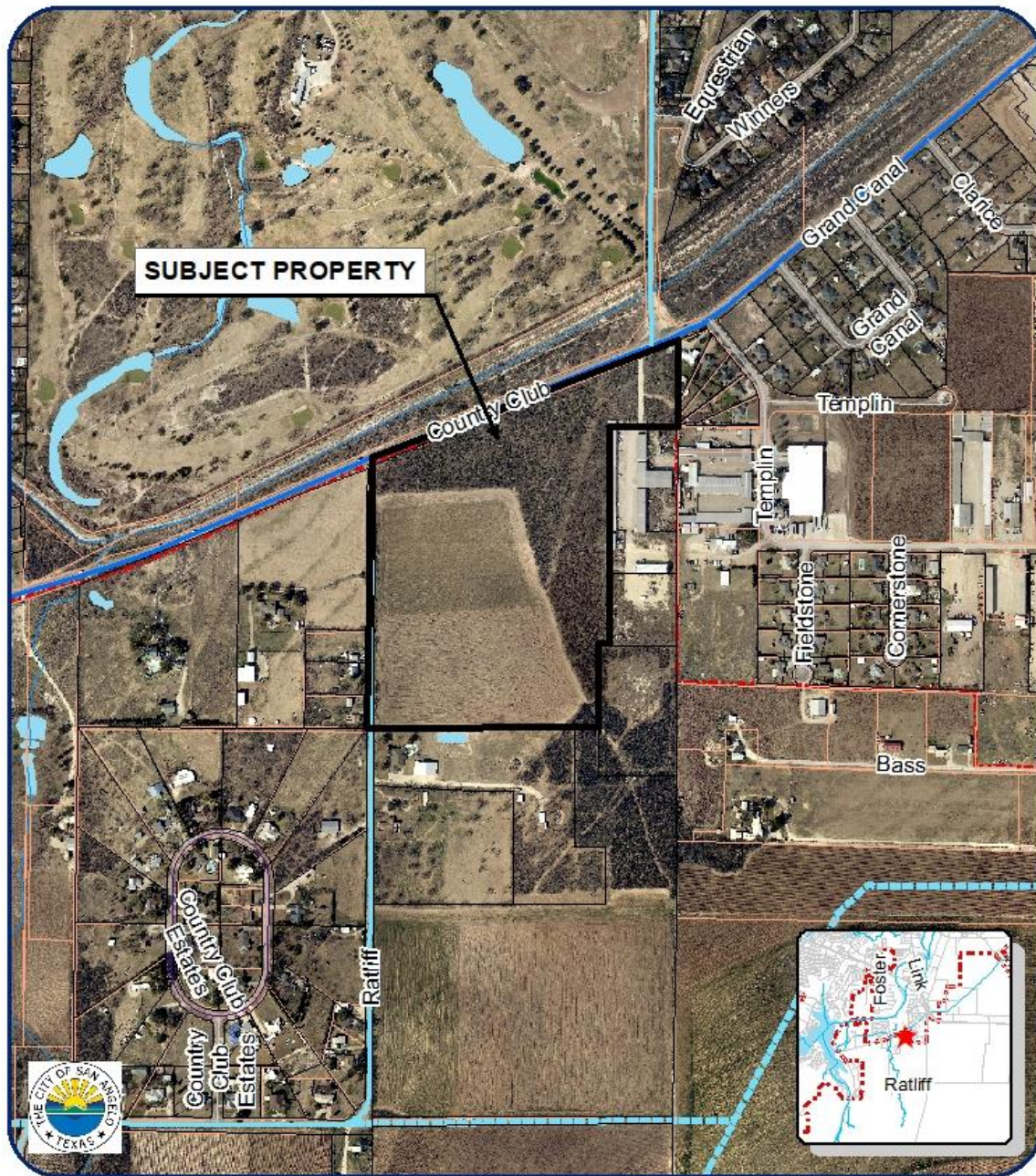
Staff has provided required written notice to school districts and public entities, as well as circulating relevant departments and staff, and has prepared the required Service Plan (see attached Ordinance and Service Plan). The Service Plan outlines the city services that will be provided upon annexation.

Recommendation:

Staff recommends **APPROVAL** of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 37.98 acre tract, being 36.60 acres and a 1.38 acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd.

Attachment:

Aerial Map
Future Land Use Map
Zoning Map
Annexation Petition
Survey



Annexation

Fairway Downs

Council District 1 - Tommy Hiebert

Neighborhood: Country Club

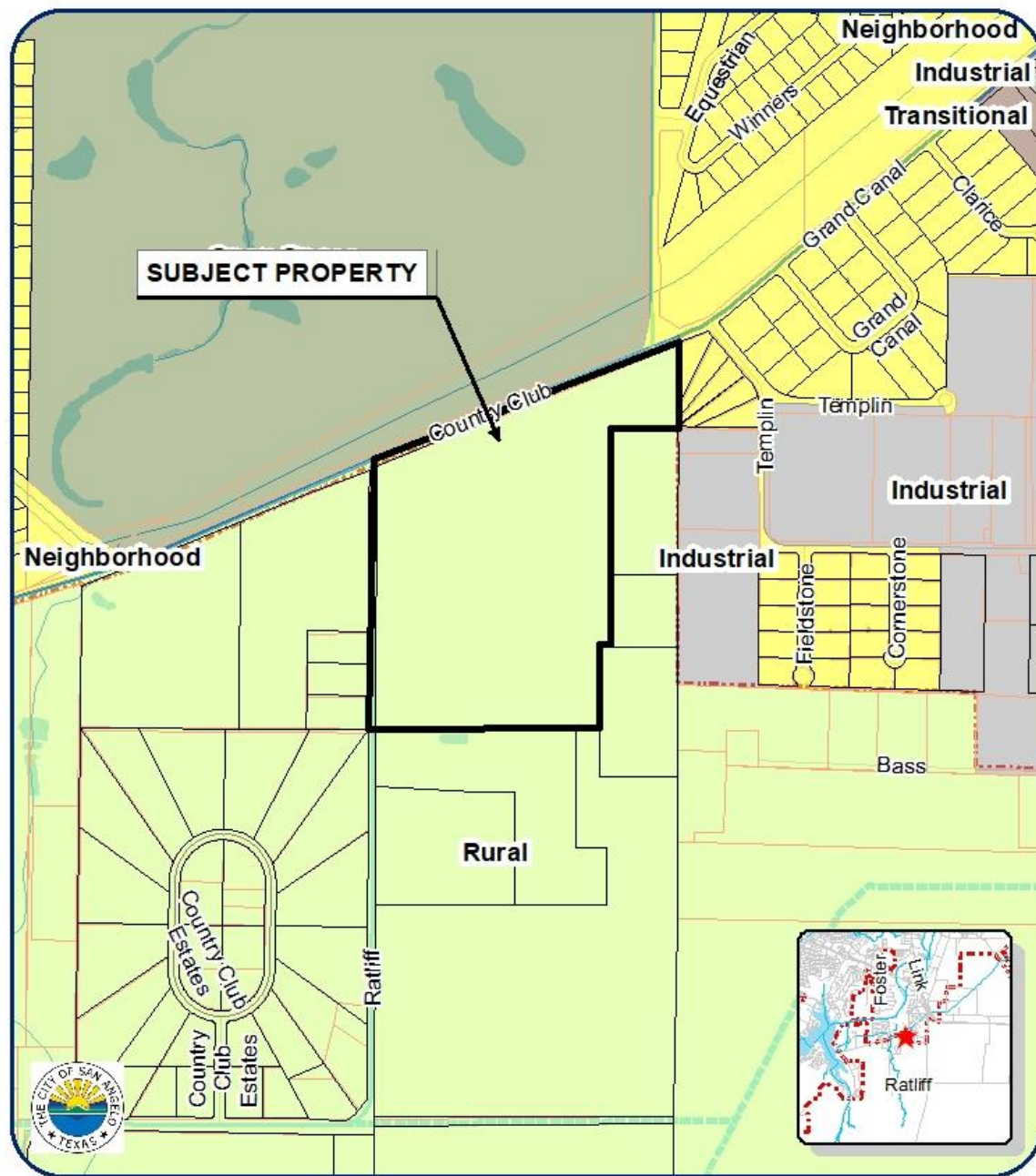
Scale: 1" approx. = 625 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties:  N
Current Zoning: N/A
Requested Zoning Change: RS-1 and CG
Vision: Rural
Requested Vision Change: Neighborhood and Commercial





Annexation

Fairway Downs

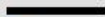
Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

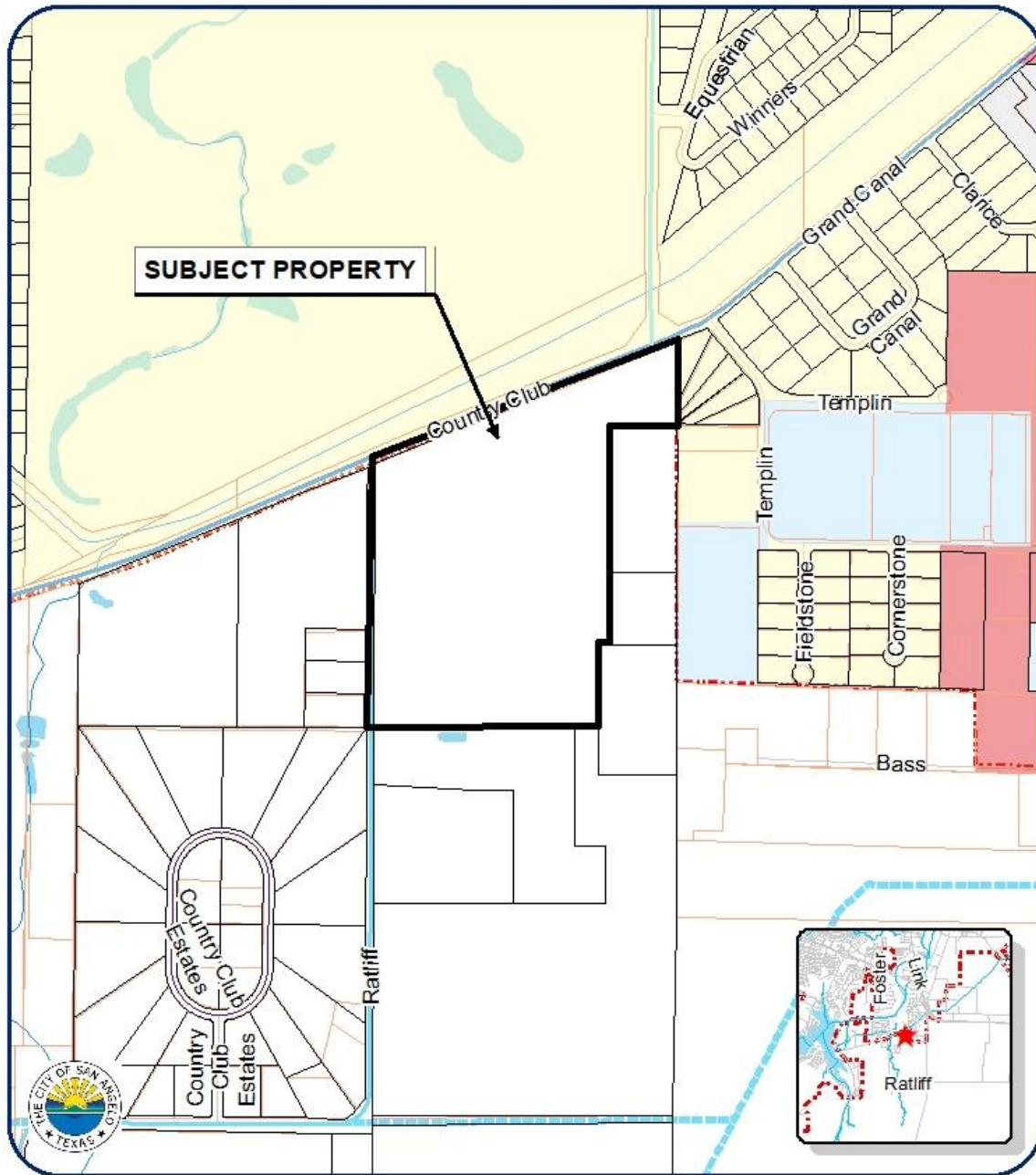
SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties: 
 Current Zoning: **N/A**
 Requested Zoning Change: **RS-1 and CG**
 Vision: **Rural**
 Requested Vision Change: **Neighborhood and Commercial**

N





Annexation

Fairway Downs

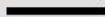
Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties: 
 Current Zoning: **N/A**
 Requested Zoning Change: **RS-1 and CG**
 Vision: **Rural**
 Requested Vision Change: **Neighborhood and Commercial**

N





PHASE 1 - FINAL PLAT
FAIRWAY DOWNS
TOM GREEN COUNTY
SAN ANGELO, TEXAS

DATE:	5/18/2022
VERSION:	REV D
PREPARED BY:	JOSEPH BULLARD, P.E.
DRAWN BY:	ROBERT D. HARD, P.E.
CHECKED:	JOSEPH BULLARD, P.E.
APPROVED:	CASEY POYNOR

Petition Requesting Annexation by Landowner

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF SAN ANGELO, TX

The undersigned owner of the hereinafter described tract of land, which is vacant and without residents hereby petition your honorable Body to extend the present city limits so as to include as part of the City of San Angelo, TX, the property described in Exhibit "A", by metes and bounds and attached herein.

CASEY A POYNOR certifies that the aboce described tract of land is contiguous and adjacent to the City of San Angelo, TX, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having interest in said land.

Signed: [Signature]

Printed Name: Casey A Poyner

Entity: Orlando Bay LLC

Title: Managing Member

Date: 3/31/2022

The State of Texas

County of Tom Green

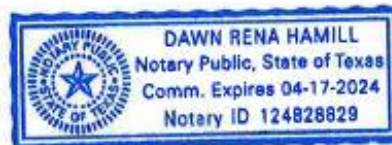
BEFORE ME, this instrument was acknowledged on 3/31/2022 by

Casey Poyner

[Signature]

Notary Public, State of Texas

My Commission expires: 4/17/2024



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Consent Item

Caption:

Second reading of ordinances for the following cases for property being 37.98 acres located at the southeast corner of Country Club Rd. and S. Ratliff Rd.:

1. CP22-04, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Rural to Neighborhood and Commercial; and,
2. Z22-10, a request for approval to zone property to the Single-Family Residential and General Commercial zoning districts (Jon James)

Staff Recommendation:

Approve

Summary/History:

The applicant has submitted applications for a Comprehensive Plan Amendment and Rezoning for the property to facilitate development of single family home lots on the property. They are also requesting to be annexed into the City which is running concurrently with these requests. On April 18, 2022, the Planning Commission approved a final plat for the subject property, conditioned upon the completion of the annexation and rezoning to allow the sized lots proposed. The Comprehensive Plan amendment would change the Future Land Use on the 35.65 acres from "Rural" to "Neighborhood" and the zoning would be designated as Single-Family Residential (RS-1) for the single-family homes on most of the property. On a small 2.33-acre portion, the proposed change is to a Future Land Use designation from "Rural" to "Commercial" with a zoning of General Commercial (CG). However, the staff recommendation is for a lower intensity designation of "Neighborhood Center" and Neighborhood Commercial (CN) zoning on this portion of the property, given the proximity to residential homes.

At their May 16, 2022, Planning Commission Meeting, the Commission voted to recommend approval of the staff recommendation by a vote of 4-2.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On June 7, 2022, City Council voted to approve both items on First Reading as recommended by the Planning Commission, by a vote of 4-1, with Mayor Gunter, Council Members Miller, Thomas and Thompson voting in

favor, and Council Member Hesse-Smith voting against.

On May 16, 2022, the Planning Commission voted 4-2 to **RECOMMEND APPROVAL** of the requested changes to the "Neighborhood" Future Land Use and Single-Family Residential (RS-1) zoning on 35.65 acres; and **RECOMMENDED APPROVAL** of the staff recommended alternative of “Neighborhood Center” Future Land Use and Neighborhood Commercial (CN) zoning on the 2.33 acres.

Vice Chair Jackson, and Commissioners Self, Uherik, and Davis voted in favor. Chair Stribling and Commissioner Gomez were opposed.

Attachments:

- | | | |
|----|-------------------------------------|---|
| 1. | Staff Report (CP22-04_Z22-10) | Staff Report (CP22-04_Z22-10).pdf |
| 2. | Ordinance (CP22-04) | Ordinance (CP22-04).docx |
| 3. | Ordinance (Z22-10) | Ordinance (Z22-10).docx |
| 4. | All Correspondence (CP22-04_Z22-10) | All Correspondence (CP22-04_Z22-10).pdf |

Presentation:

Jon James

Approvals/Reviews:

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



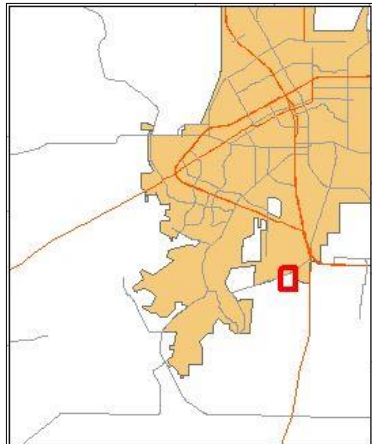
STAFF REPORT – CP22-04/Z22-10

Scheduled Hearings:

Planning Commission: May 16, 2022

City Council 1st reading: June 7, 2022

City Council 2nd reading: June 21, 2022

APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP22-04/Z22-10: Southeast corner of Country Club Road and S. Ratliff Road	
SYNOPSIS:			
On April 18, 2022, the Planning Commission approved a final plat for the subject property. The applicant has now submitted applications for a Comprehensive Plan Amendment and Rezoning for the subject property to facilitate development of the platted lots. They are also requesting to be annexed into the City which is running concurrently with these requests. The Comprehensive Plan would change the Future Land Use and zoning on the 35.65 acres from Rural to Neighborhood and Single-Family Residential (RS-1) for the single-family homes, and would change the Future Land Use and zoning on the 2.33-acre lot from Rural to Commercial and General Commercial (CG) for commercial development. On May 16, 2022, the Planning Commission voted 4-2 in favor of Staff's recommendation to approve the Neighborhood Future Land Use and RS-1 zoning, but to scale back the commercial lot from Commercial to Neighborhood Center Future Land Use and from CG to CN zoning.			
LOCATION:		LEGAL DESCRIPTION:	
Southeast corner of Country Club Road and S. Ratliff Road.		37.98 acres in the M. Mayer Survey No. 169 and within Block 9 of the Upton and Collins Subdivision	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Country Club Neighborhood	N/A	R – Rural	37.98 acres
NOTIFICATIONS:			
9 notifications for CP21-06 and Z21-09 were mailed within a 200-foot radius on May 3, 2022. No responses in support or in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the "Rural" to the "Neighborhood" Future Land Use and to zone property Single-Family Residential (RS-1) on 35.65 acres; and DENIAL of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the "Rural" to the "Commercial" Future Land Use and to zone property General Commercial (CG) on 2.33 acres, and ALTERNATIVELY RECOMMENDS APPROVAL of "Neighborhood Center" Future Land Use and Neighborhood Commercial (CN) zoning on the 2.33 acres.			
PROPERTY OWNER/PETITIONER:			
Property Owner and Applicant: Dorado Bay, LLC (Casey Poynor)			
STAFF CONTACT:			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Comprehensive Plan Amendments and Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 below. Comprehensive Plan Amendments are reviewed in the context of the San Angelo Strategic Plan, the 2009 Update to the Comprehensive Plan and outlined in #1 below:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** Staff supports the Comprehensive Plan Amendment to **Neighborhood** on the 35.65-acre portion of the property. The land to the east, northeast, and northwest is already zoned Single-Family Residential and designated Neighborhood in the Comprehensive Plan. The Neighborhood designation and the RS-1 zoning would facilitate construction of the new single-family lots. Staff is not supportive of the **Commercial** Future Land Use. Commercial Uses per the Future Land Use policies “are often single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage into the major street network” and the policies encourage transitional and intermediate uses in between commercial areas and neighborhoods. The commercial lot is an exclusive lot next to a residential area and Staff believes the **Neighborhood Center** designation would be more appropriate given proximity to the residential neighborhood.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The lots will comply with the proposed zoning districts. All the residential lots are at least 0.5-acre and will comply with the RS-1 and CG standards. However, Staff recommends Neighborhood Commercial (CN) instead of General Commercial (CG) on the commercial lot given its location next to a residential neighborhood. The CN district intent statement in the Zoning Ordinance is to provide commercial development that serves and is supported by a relatively small area which should be low intensity with small floor areas. CN would limit outdoor storage to within 5 feet of a building wall instead of 10% of the lot area in CG. These provisions would limit the overall scale of development but still allow a wide range of retail commercial uses (see attached handouts). Uses that would be considered more intense and require additional buffering or screening are not allowed by right in CN but would be allowed in CG such as Self-Service Storage, Vehicle Wash and Manufacturing Craft by Artisan. CG would also with a conditional use option for certain Industrial Services, Warehouse and Freight and Wholesale Trade, uses not appropriate in residential neighborhoods.
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.** RS-1 with CN zoning would be compatible with the surrounding area, but CG would not be for the reasons noted above.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property is being annexed into the City Limits and requires the designation of an appropriate zoning district consistent with the Future Land Use Plan.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse environmental affects at this time. A drainage study was required as a condition of the plat. At time of permitting, a further review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The property is located within the “Immediate” area for Annexation in the City’s Annexation Plan. It is also surrounded by residential homes to the southwest, northwest, and northeast. Staff believes there is a community need for more residential housing, along with a small-scale neighborhood commercial lot.
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 approved plat will provide access to the subdivision from Country Club Road, a major collector road, and S. Ratliff Road, a minor collector road. As part of the subdivision plat approval, the applicant is required to pave an additional 8 feet for Ratliff Road on their incremental half to improve the road to the required standard. The Planning Commission approved the plat and Staff believes the proposed development and street connections are adequate to serve this area.

Recommendation:

Staff recommends **APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Rural” to the “Neighborhood” Future Land Use and to zone property Single-Family Residential (RS-1) on 35.65 acres; and **DENIAL** of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Rural” to the “Commercial” Future Land Use and to zone property General Commercial (CG) on 2.33 acres, and **ALTERNATIVELY RECOMMENDS APPROVAL** of “Neighborhood Center” Future Land Use and Neighborhood Commercial (CN) on the 2.33 acres.

Note:

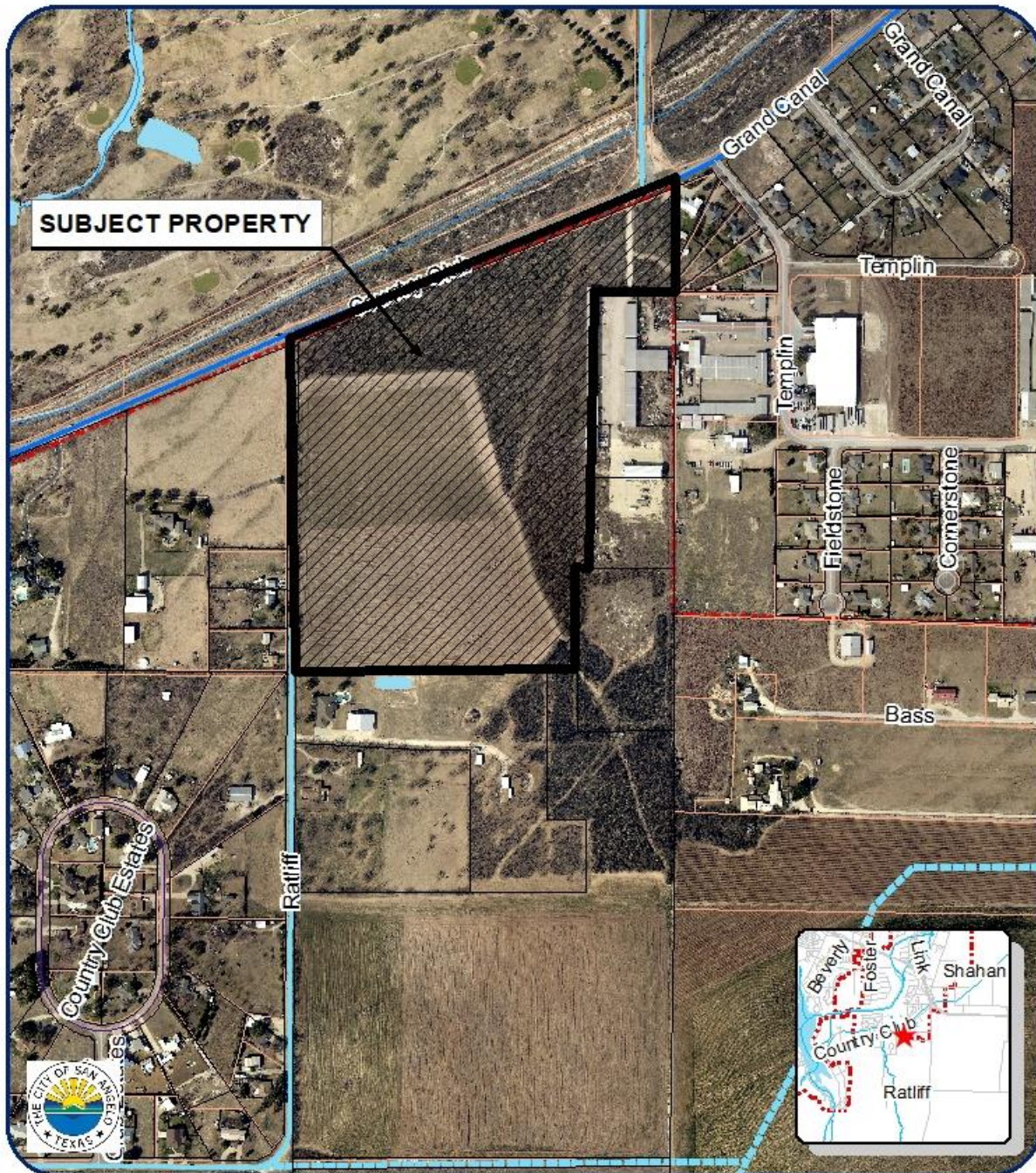
1. Prior to approval, the property is to be annexed into the City Limits.

Attachments:

Aerial Map, Future Land Use Map, Zoning Map

Photographs

Applications

**Rezoning****Z22-10: Country Club Rd/S. Ratliff Rd.**

Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 500 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

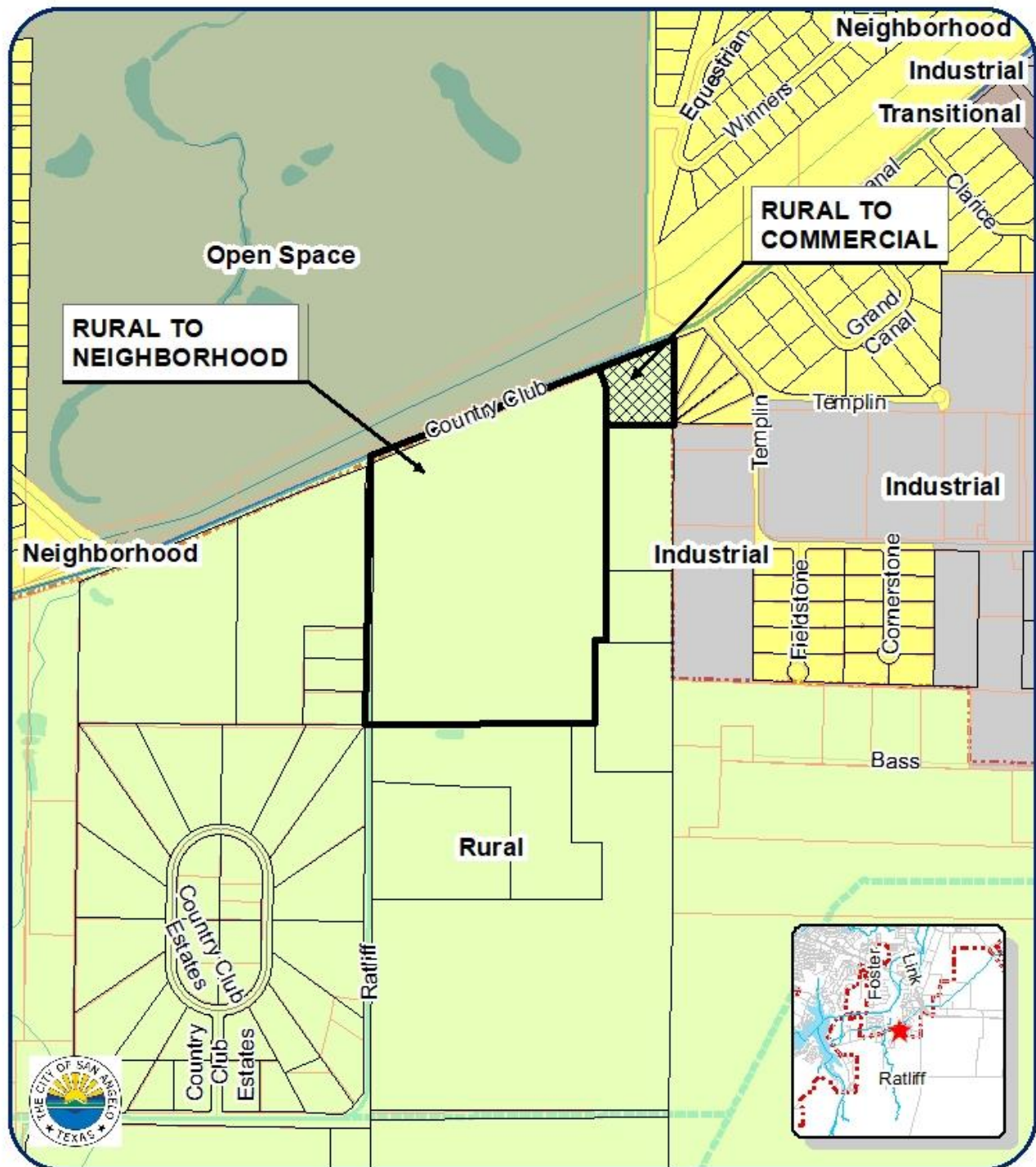
Subject Properties: —

Current Zoning: **N/A**Requested Zoning Change: **RS-1 and CG**Vision: **Rural**Requested Vision Change: **Neighborhood and Commercial**

N



June 7, 2022

**Comp. Plan and Rezoning****CP22-04/Z22-10: Country Club Rd/S. Ratliff Rd.**

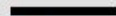
Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

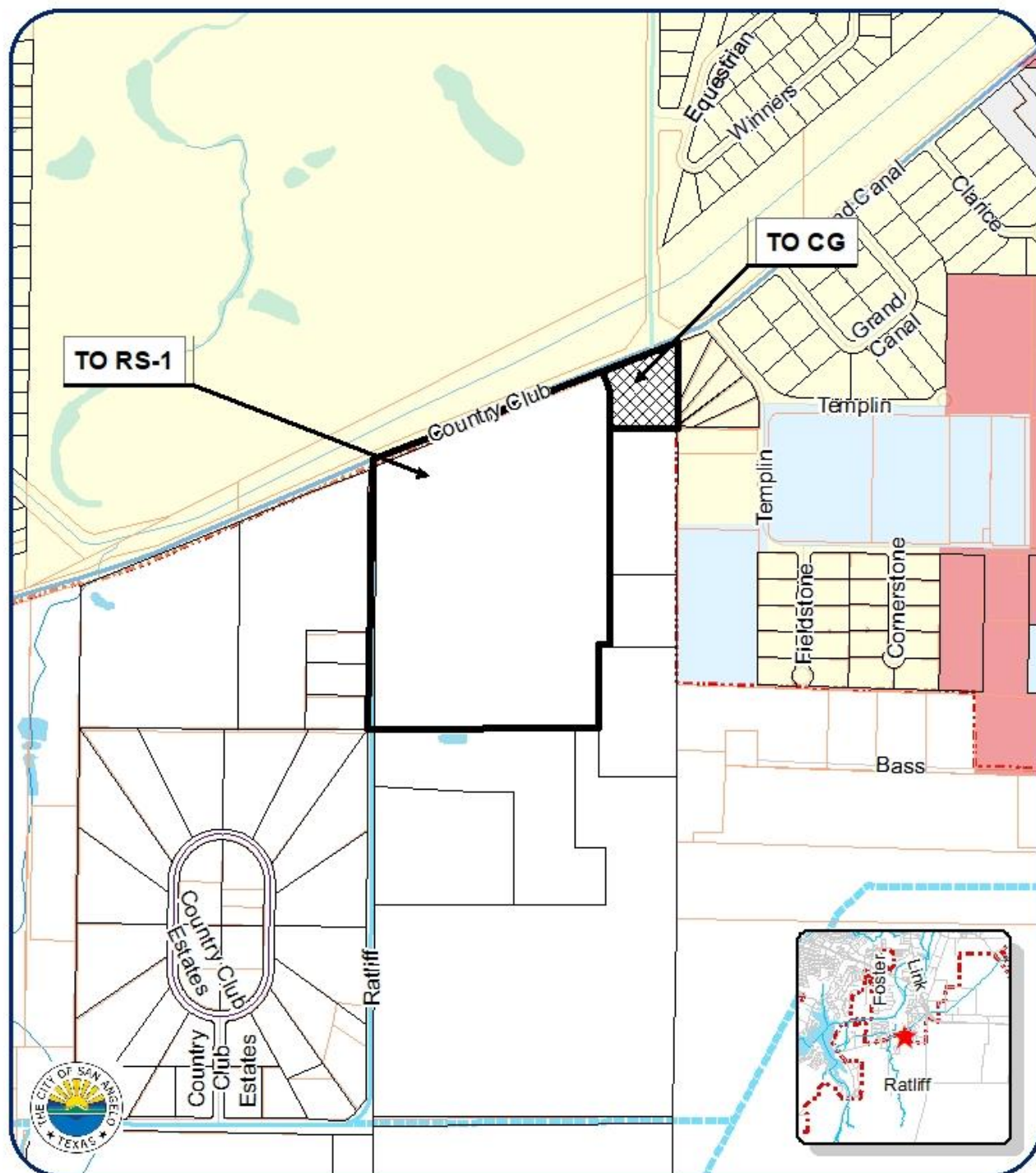
SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties: 
 Current Zoning: **N/A**
 Requested Zoning Change: **RS-1 and CG**
 Vision: **Rural**
 Requested Vision Change: **Neighborhood and Commercial**



June 7, 2022

**Comp. Plan and Rezoning****CP22-04/Z22-10: Country Club Rd/S. Ratliff Rd.**

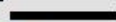
Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties: 

Current Zoning: **N/A**

Requested Zoning Change: **RS-1 and CG**

Vision: **Rural**

Requested Vision Change: **Neighborhood and Commercial**



Photos of Site and Surrounding Area

SOUTH AT SUBJECT PROPERTY



EAST ON COUNTRY CLUB ROAD



EAST AT SUBJECT PROPERTY



SOUTH ON S. RATLIFF ROAD



Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Request to Amend Comprehensive Plan

**Section 1: Basic Information**Name of Applicant(s): Dorado Bay, LLC☒ Owner☐ Representative (Notarized Affidavit Required)424 S. Chadbourne St.San AngeloTX76903

Mailing Address

City

State

Zip Code

325-226-3906

Contact Phone Number

casey.poynor@doradoconstructiongroup.com

Contact E-mail Address

1805 Country Club RdSan AngeloTX76904

Subject Property Address

City

State

Zip Code

Lot Size: 37.98Zoning: R&E**Section 2: Site Specific Details**Existing Use of Property: AgricultureProposed Use of Property: Single Family Residential and CommercialExisting Comprehensive Plan Land Use Designation: RuralRequested Comprehensive Plan Land Use Designation: Neighborhood and Commercial

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

land development

June 7, 2022

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

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

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

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

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

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

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

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

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

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

Casey A Poynor

Signature of licensee or authorized representative

3/31/2022

Date

Casey A Poynor

Printed name of licensee or authorized representative

Dorado Bay, LLC

Name of business/Entity of representative

FOR OFFICE USE ONLY:

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

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

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

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

Effective January 3, 2017



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

**Section 1: Basic Information**Name of Applicant(s): Dorado Bay, LLC☒ Owner☐ Representative (Notarized Affidavit Required)**424 S. Chadbourne St.**

San Angelo

TX

76903

Mailing Address

City

State

Zip Code

325-226-3906

casey.poynor@doradoconstructiongroup.com

Contact Phone Number

Contact E-mail Address

1805 Country Club Road

San Angelo, TX 76904

Subject Property Address

City

State

Zip Code

Phase 1 Fairway Downs Subdivision, 37.98 acres (35.65 and 2.33), Survey 169, Abstract 1647, M. Mayer Survey, Block 9

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

Upton and Collins Subdivision

Existing Zoning: R&EProposed Zoning: ~~RS-1 & CG~~ Lot size: 35.65 & 2.33

RS-1 (Lots 101 thru 152)
CG (Lot 300)

RS-1 (35.65 acres)
CG (2.33 acres)

(Zoning Map available on [City Maps](#))**Section 2: Site Specific Details**Existing Use of Property: Agriculture*Proposed Use of Property: Residential and Commercial

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

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

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

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

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

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

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

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

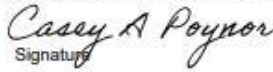
June 7, 2022

Section 3 continued : Applicant(s) Acknowledgement

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

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

Casey A Poynor



Dorado Bay, LLC

3/31/22

Owner Name (Print)

Signature

Company/Organization (If Applicable)

Date

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:
☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ -- ____

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ ____

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

Sign Deposit \$37.50

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

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

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

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

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

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

Publication date: ____/____/____

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

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS LOCATED AT THE SOUTHEAST CORNER OF COUNTRY CLUB ROAD AND S. RATLIFF ROAD, BEING A TOTAL OF 37.98 ACRES IN THE M. MAYER SURVEY NO. 169, ABSTRACT NO. 1647, AND WITHIN BLOCK 9 OF THE UPTON AND COLLINS SUBDIVISION; FROM "RURAL" TO "NEIGHBORHOOD" AND "NEIGHBORHOOD CENTER" IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP22-04

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

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

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

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

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

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

The real properties located at the southeast corner of Country Club Road and S. Ratliff Road, being a total of 37.98 acres in the M. Mayer Survey No. 169, Abstract No. 1647, and within Block 9 of the Upton and Collins Subdivision, Tom Green County, Texas; from “Rural” to “Neighborhood” and “Neighborhood Center” in connection with an annexation.

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

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

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

INTRODUCED on the **7th day of June, 2022**, and finally ADOPTED on this the **21st day of June, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

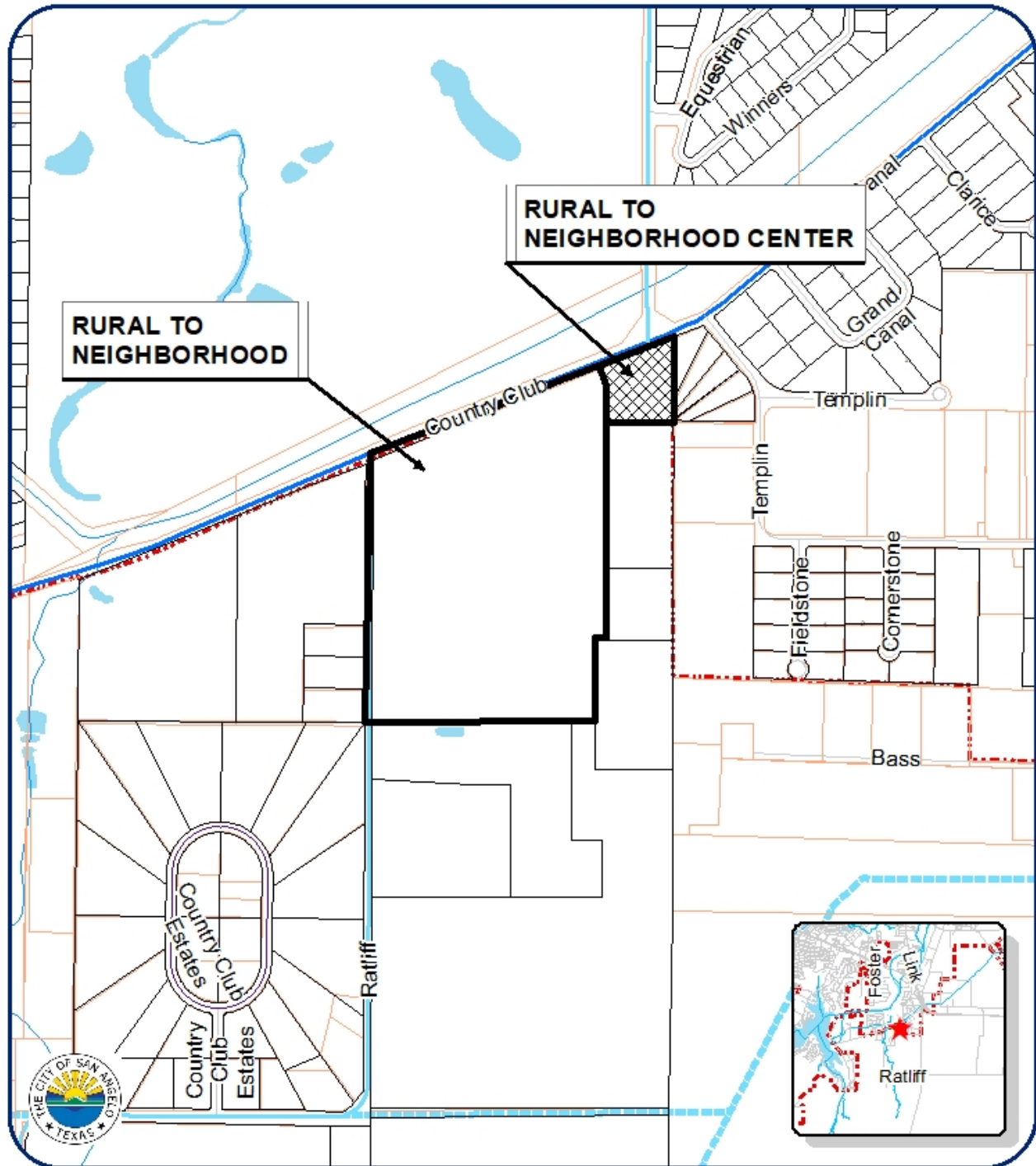
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Comprehensive Plan Amendment

CP22-04: Country Club Rd/S. Ratliff Rd.

Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties:

Current Zoning: **N/A**

Requested Zoning Change: **RS-1 and CG**

Vision: **Rural**

Requested Vision Change: **Neighborhood and Commercial**

N



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 ZONING AND CLASSIFYING THE FOLLOWING PROPERTY: **37.98 ACRES IN THE M. MAYER SURVEY NO. 169, ABSTRACT NO. 1647, AND WITHIN BLOCK 9 OF THE UPTON AND COLLINS SUBDIVISION, TOM GREEN COUNTY, TEXAS, LOCATED AT THE SOUTHEAST CORNER OF COUNTRY CLUB ROAD AND S. RATLIFF ROAD;** FROM UNZONED LAND TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) AND NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICTS IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z22-10: Southeast corner of Country Club Road and S. Ratliff Road

WHEREAS, on the 16th day of May, 2022, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family Residential (RS-1) and Neighborhood Commercial (CN) Zoning Districts; and,

WHEREAS, on the 7th day of June, 2022, City Council held a public hearing on Z22-10, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property located at the southeast corner of Country Club Road and S. Ratliff Road, being 37.98 acres in the M. Mayer Survey No. 169, Abstract No. 1647, and within Block 9 of the Upton and Collins Subdivision, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED with public hearing on the **7th day of June, 2022**, and finally PASSED, on this the **21st day of June, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

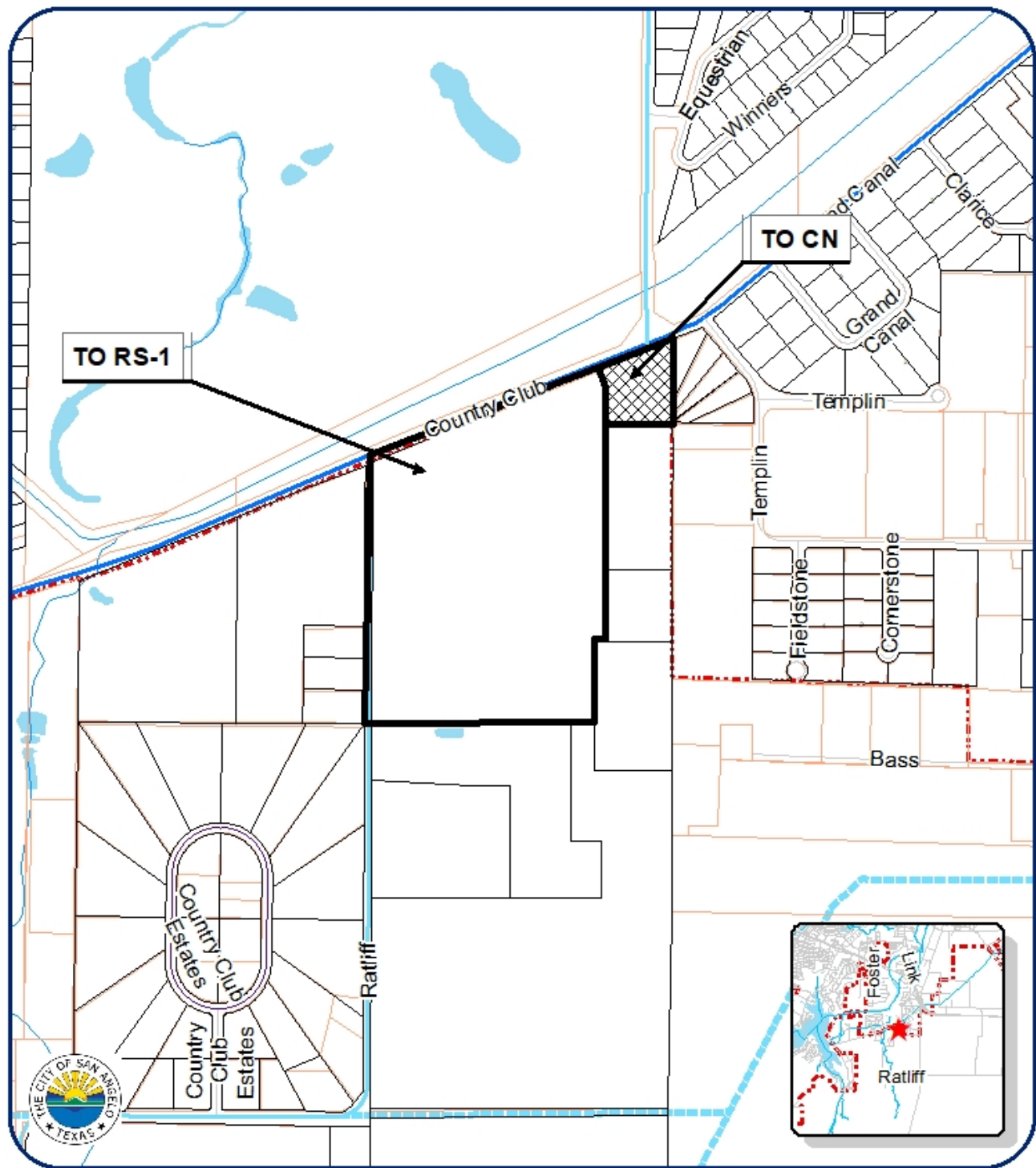
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Zoning

222-10: Country Club Rd/S. Ratliff Rd.

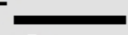
Council District 1 - Tommy Hiebert

Neighborhood: Country Club

Scale: 1" approx. = 625 ft

SE of Country Club Rd/S. Ratliff Rd, 37.98 ac.

Legend

Subject Properties: 

Current Zoning: **N/A**

Requested Zoning Change: **RS-1 and CG**

Vision: **Rural**

Requested Vision Change: **Neighborhood and Commercial**

N



PETITION

Received
051622
gt

Date: 2 May 2022 File Numbers:

To: San Angelo City Council / Planning Board/ Whom it May Concern

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change which would zone the property for residential from rural. The following are the reasons for the concerns which will be discussed further at the City Planning meeting on 16 May 2022, at 9 a.m.

The very safety of our citizens is at risk due to the increased traffic on Ratliff Road, Country Club Road, and Grand Canal Road, especially at the intersection of Hwy 227 an already a congested, dangerous intersection. The addition of 112 houses is a significant number and the existing road system is already struggling to handle the current traffic. Further complicated by six years of construction vehicles.

Also our quality of living will be effected by the decrease of property values due to the transformation of a quiet rural area, (the main reason we paid to live outside the city limit), now transformed into a bustling suburban area with convenience stores and businesses. Not to mention several houses having a street pointing directly into their front door.

Lastly, the desecration of wildlife habitat, another reason to live outside the city limit, including deer, turkey, birds, not to mention, kestrels, great horned owls, and many snake species necessary for controlling the rodent population.

Signature	Printed Name	Address(House # and Street Name)
Shari + Robert Wicks	Shari + Robert Wicks	6925 S. Ratliff Rd
Verda R. Bloys	Verda R. Bloys	6913 S. Ratliff Rd,
George D. McClung	GEORGE DAN MCCLUNG	7289 S. RATLIFF RD
Nita Sue McClung	Nita Sue McClung	7289 S. RATLIFF RD.
Mikel Watts	Mikel Watts	7309 S. Ratliff Rd,
Jennifer Michael Lewis	Jennifer Michael Lewis	7349 S. Ratliff
Bill + Laura Frost	BILL + LAURA FROST	1902 County Club Est
Mike Martindale	Mike & Glenda Martindale	7351 S. Ratliff Rd
Billie Ruth Hodges	Billie Ruth Hodges	7341 Ratliff
Ricky Etheredge	Ricky Etheredge	2015 C.C. Est. Co.

King & Mary Rash Kirby & Nancy Rankin 2012 Country Club Est Circle

Saturday Stars 2042 Country Club Estate Circle San Angelo 76904

Mack D Roller Mack D. Roller Jr 2055 Country Club Est. Cir
SAN ANGELO TX 76904

John Mark D Roller John Mark D Roller 2055 Country Club Est. Cir
SAN ANGELO TX 76904

Kristine M. Roller Kristine M Roller 2055 Country Club Est Cir
San Angelo, TX 76904

Ronald & Mary Christian 2051 C.C. Est. Cir
76904

Maritza Martinez / Richard Morris 2062 CC Estate Cir 76904

Ruth Dadds / Mickey Dadds 2072 Co. Club Est. Circle
76904

Randall Wrobel RANDALL Wrobel 1965 Country Club Est Circle

Faye Wrobel Faye Wrobel 1965 Country Club Est Circle
76904

Rosemary Richards ROSEMARY RICHARDS 1962 Country Club
Est 76904

Wm A Richards Wm A Richards 1962 Country Club Est

W. B. Holmes Fred Holmes 2032 Country Club Est. Cir. 76904

Diane Leftman Diane Leftman 1455 Country Club Estate Circle
76904

Diane Leftman Diane Leftman 1455 Country Club Estate Circle

Charlene Foltz Gradyford 1975 Country Club
Estate Circle

Frank S. Ratliff 7373 S. Ratliff Rd

Liam Rosas 7338 S Ratliff

Lennie Omer 7342 S Ratliff Rd

Roy Johnson Roy Johnson 1945 C.C.E.C. 763-9857

Amanda Ritchie Amanda Ritchie 2025 Country Club
Estate Circle

Kristin Seidel-Haeller 7441 S. Ratliff Rd. 325-939-1045

Suzanne M. Seidel 6881 S. Ratliff Rd. 325-651-6881



Received
051622
pf

To Whom it May Concern,

We are writing to express our strong opposition to Case #'s CP22-04 and Z22-10, the proposed rezoning at the intersection of Country Club Road and South Ratliff Road. While we may be unable to prevent development of the proposed subdivision "Fairway Downs," nearly all residents in the surrounding neighborhoods are completely opposed to the addition of multi-family housing that will disrupt the tranquil environment, cause traffic and safety problems, destroy the local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. The introduction of 52 houses in the first Phase and 68 in the second Phase will greatly increase the traffic on Ratliff Road, Country Club/Grand Canal Road, and will make the dangerous intersection of highway 277 more treacherous. Unless further planning is underway and a traffic light installed, we foresee this is already hazardous roadway will yield unsafe conditions, traffic delays, and the risk of death due to accidents. Additionally, the intersection of Grand Canal and Country Club Road is near a curve with a blind spot; it is already risky to cross with many close calls. The influx of traffic increases the chance of accidents.

Traffic on Ratliff Road is already quite heavy and has increased due to the large delivery trucks and 18-wheelers supporting the new solar field and from several local businesses. The road is barely wide enough for two cars, and when a large truck is approaching, you must move off to the dirt because there is no paved shoulder. The addition of eight feet will help but will still leave no room for error when trying to turn or pass. Which leads to the question of where the eight feet will come from. Many older residents and children live along Ratliff Road, and they will be subjected to a safety concern by what will become an extra busy road. Residents will be forced to move mailboxes during the road construction, endure the inconvenience of the displaced mailboxes and the work to replace them once the work is done, and then face the safety concerns imposed crossing the now extra busy road.

Lastly, our concern is the impact on property values and the nightmarish disturbance residents face with six years of construction. There was no consideration for those living adjacent to the construction site as the approved plan has a road pointing right in their front door. Also gone will be what many consider a major selling point, a rural area, so close to the city where wildlife flourished. Deer, turkey, birds, not to mention kestrels and great horned owls, and many snake species necessary for controlling the rodent population, live on the subject property and will see their habitat destroyed. Having horses, chickens, or purple martin colonies are reasons people move out here; now it will be considered a bustling suburb with traffic, noise, and businesses. And, the county residents, those who rely on water wells and septic systems will also face potential issues that are caused by this rezoning.

We were disappointed that no notices were mailed; and prior to the rezoning sign being placed no one had the common courtesy to give any kind of a heads up that this was going to happen or have their voice heard. That is the reason we are just now submitting the petition at this point of the process.

For the reasons discussed above, we urge you to disapprove the proposed rezoning. Thank you for your continued service and support of our communities.

Best regards,

Concerned residents

April 21, 2022

Received
042122 gf

To Whom It May Concern,

My wife and I live at 6925 S. Ratliff Road, which is across the street from the projected development of the "37.98 acres in M. Mayer Survey 169, Abstract No. 1647" named "Fairway Downs." And we have deep concerns about the discovery of your project and the disruption it will cause us from this day forward. Not only will the construction process alter the landscape and environment, but it will cause changes that directly affect our lives. As a result, we would like to know what recourse, if any, is at our disposal to offset the monumental distortion of our neighborhood.

We understand the need for houses in the local area, but we protest the disregard for those of us impacted by the sizable insertion of this subdivision. Our home's front porch, which was built in time of significantly different traffic patterns, is a mere 42 feet from the edge of S. Ratliff Road. There is already significant street noise and traffic from the many residents on Ratliff Road, Country Club Estates, and from the patrons of Country Club for Dogs, causing us to erect a wood fence to buffer the obtrusion. The road expansion and the construction of 50-plus homes, along with approved commercial venues, during the first phase alone will be intolerable. The initiation of the phase two construction will further disrupt our lives.

It is disheartening to have such a sizeable development unsettle our lives. Besides the stream of traffic and disturbance this will bring, there will be significant disruption from the construction as well. There are already many "close calls" with traffic on Country Club Road and Grand Canal, particularly between S. Ratliff Road and US 277. The recent addition of 20 houses, (with more construction underway), off Hilton Head Boulevard only added to the stream of traffic. Without foresight and modification, "Fairway Downs" significantly increases the risk on this thoroughfare, not to mention the already dangerous intersection with US 277.

Shari and I served our country for a combined 55 years of active military service and as retirees we thought we had found an affordable, quiet sanctuary. And after 14 years of investment, we felt this was our forever home. Although it is an unknown, we fear this will most likely lower our property value on top of disrupting our lives. Regretfully, we don't see staying here now, requiring us to uproot our lives yet again, and that of my wife's mother, who also lives with us since her father passed.

We are asking you and the Planning Board because we've never been in this situation, and we have question. We are wondering why someone didn't give us a notice or heads up; maybe that does not fall to the Planning Board, but maybe it does. Does incorporating to the city also affect us? What happens with our taxes? But we are learning quickly, and we will find out; we need guidance and would appreciate assistance. I guess if it were your family, you would probably be feeling the same way.

Thank you for your time and we look forward to hearing from you.

Respectfully,

Robert and Shari Wicks
(325) 315-7144/7155



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

Consider approving the conceptual design for the renovation of the 29th St. Sports Complex and directing staff to finalize designs for the project (Presentation made by Construction Manager Al Torres)

Staff Recommendation:

Direction from Council

Summary/History:

This proposed project is to renovate and improve the facilities at the 29th Street Sports complex and would include: renovation of the main baseball field including new bleachers and bathrooms, development of new practice field area along the river, a new pedestrian bridge connecting this complex to Kirby Park, and walking trails around the complex.

This complex was the previous home to the San Angelo Girls Fast Pitch Association and NLL since the 1970's. In 2010, \$1,750,000 was allocated towards a 'youth sports facility' from a ½ cent sales tax referendum. Council authorized hiring a firm for design and construction drawings in 2016. The CD's were completed but the project was never constructed. That original design consisted of renovating all three existing baseball fields and to remove the hill located at the center of the fields. The old concession and restroom building at the top of the hill would be demolished and relocated. The design also included batting cages.

In looking at the requirements of the City now, the focus of this project has changed somewhat. There is still a great need for another usable baseball field (overflow for tournaments, practice field, game field for NLL), but there is also a great need for more multipurpose practice fields. We recognized that the flat areas along the river could be developed into usable practice fields. Currently the grassy areas of Kirby Park are overflowing with teams practicing soccer. Our feeling is that a pedestrian bridge crossing over from Kirby Park would allow citizens more fields to practice on and also increase the number of walking trails, another popular pastime at Kirby Park.

The ball field to be renovated would be designed to handle a variety of circumstances, much like the fields of Quad 4 at the Texas Bank Sports Complex. The project would require the contractor to regrade the field as specified, then our Parks Department would be responsible for installation of the turf. The hill adjacent to the field would still be removed as it creates ADA issues. A new restroom is shown adjacent to the field and would likely be shown as an alternate bid. There is water service on the site but no sewer lines, so this would be done with a septic system as the old restrooms here were.

Lastly in this project is an area shown to be developed as a BMX dirt track. There is a local BMX group that has shown interest in developing this track. As part of this project we would dedicate a space and that group would develop the track. Surplus soil from demolition and development of the project could be placed here for their use in developing the field.

The costs associated with this project include onetime construction and development costs, and additional annual maintenance costs.

The onetime costs include development of the field, new practice field, pedestrian bridge, trails, bmx grading, bathroom, equipment and tools, Contractor P&E, Engineering Fees, and a Contingency fund of \$100,000 for a total of for an approximate cost of **\$1,485,382**.

Increased recurring Annual costs including salary, fuel, fertilization, etc., would be approx.. **\$93,356**.

Staff recommends moving forward with this project. The majority of the CD's would be completed in-house but Engineering Services would be contracted for MEP and Irrigation design.

Funding Source(s):

Financial Impact:

The anticipated cost for the construction and renovations is \$1,485,382 (including a \$100,000 contingency fee). Anticipated additional annual recurring costs would be approximately \$93,356 (including FTE and maintenance supplies). These recurring costs would not impact this fiscal year's budget but would start with the next fiscal year.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | Cost overview | Cost overview.xlsx |
| 2. | East 29th Sports Complex
Renovation_Maintenance Cost Estimates
December ... | East 29th Sports Complex Renovation_Maintenance
Cost Estimates Decemberdocx |

Presentation:

Alfonso Torres

Approvals/Reviews:

Carl White	Created/Initiated
Alfonso Torres	Approved
Theresa James	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

29th Street Cost overview

One Time Costs	
----------------	--

Ball Field	\$302,982
Practice Field	\$151,000
Bridge	\$225,000
Trails	\$190,000
Bathroom	\$230,000
BMX Rough grade/fencing	\$22,000

Equipment/Tools	\$78,000
	\$1,198,982

Profit/Overhead	\$130,000
Contingency	\$100,000
Permits	\$6,400
A/E Fees	\$50,000
Total Addtl Fees	\$286,400

One Time Costs - In House/by others	
-------------------------------------	--

Parking lot repaved	\$160,500
New turf	\$105,376
BMX course	\$20,000
	\$285,876

\$5,265 \$147,426

Total Overall Cost \$1,771,258

Annual Costs	
--------------	--

Salary/Fuel/Fertilizer, etc	\$93,356
-----------------------------	-----------------

East 29th Sports Complex Renovation Project

Annual Maintenance Cost Estimates

February 2022

Proposed Fields:

<u>Field</u>	<u>Improved Turf</u>	<u>Infield Clay</u>
1. Practice baseball field	N/A	N/A
2. Practice baseball field	N/A	N/A
3. Landscape turf	40,689 sq. ft.	N/A
4. Baseball Field (325' fence)	84,682 sq. ft.	22,825 sq. ft.
5. Practice soccer/football field (far west)	137,890 sq. ft.	N/A
Total =	263,261 sq. ft.	22,825 sq. ft.
	(6.0 acres)	(0.52 acres)

- The proposed site has approximately 30 acres that is currently maintained at a very low level of service. (Approximately \$15,000/year primarily for servicing entire site and additional fertilizer for one field)
- With the new improvements, this will leave approximately 24 acres of unimproved and 6 acres of improved turf areas to maintain.

Park's staff has evaluated the current maintenance (low level) and the expected improved maintenance for the East 29th Sports Complex site. The Parks Division does not have the staff to offer the appropriate and expected infield and facility maintenance for this newly renovated site. Consequently, we will be requesting to add one Maintenance Worker position to cover the daily facility maintenance and infield clay/turf maintenance. This employee will also assist with irrigation system checks, minor irrigation repairs, and pesticide/fertilizer applications for this site. Our proposal includes changing the Seasonal Maintenance Worker (TBSC-Facilities) position to a full-time Maintenance Worker position and charge half of his or her salary/benefits to the Texas Bank Sports Complex (TBSC) account and half to the Parks account. This employee would work mornings at the East 29th Sports Complex location, then the afternoons at the TBSC. Given the fact that Park's staff has not been able to maintain consistent employment in past years with the Seasonal position at the TBSC, it is our recommendation to convert it to a full-time position and benefit both locations.

Anticipated Capital Equipment Costs (nonrecurring)

➤ One ½ ton extended cab pickup	\$32,000
➤ One Exmark/Kubota 72" deck zero-turn mower	\$16,500
➤ One Toro Workman utility vehicle	\$13,500
➤ One 10' flatbed trailer	\$3,500
➤ One Infield Rascal with attachments	\$6,000
➤ One Graco Fieldlazer paint sprayer	<u>\$2,500</u>
Total =	\$74,000

Anticipated Minor Tool Costs (nonrecurring)

(101 6000 452 06 12)

➤ Misc. hand tools	\$500
➤ Stihl weedeater	\$400
➤ Stihl blower	\$600
➤ Accupro rotary spreader	\$800
➤ Step ladder	\$150
➤ Backpack sprayer	\$150
➤ Misc. rakes, shovels, etc.	\$200
➤ Soil probe	\$100
➤ Trash picker	\$25
➤ Chalking equipment	\$300
➤ Hoses with nozzles	\$400
➤ Infield drag mats	<u>\$375</u>
Total =	\$4,000

Additional Estimated Annual Personnel Costs (recurring)

(101 6000 452...at 50% and 203 6019 451... at 50%)

- | | | |
|--------------------------|----------------|-----------------|
| ➤ One Maintenance Worker | Total = | \$21,756 |
|--------------------------|----------------|-----------------|
- Salary and benefits (50% Parks; 50% TBSC) = \$35,796
 - Converting Seasonal Maintenance Worker at TBSC to full-time Maintenance Worker to use at both sites
 - Utilizing \$14,040 from TBSC Seasonal worker funds which are currently budgeted

Additional Estimated Annual Operations Costs (recurring)

(101 6000 452)

➤ 01-30 Over-Time	\$2,400
➤ 04-11 Irrigation Water (turf and infield clay)	\$35,000
• (28"per year @ \$7.00/1,000 gal.)	
➤ 04-13 Electricity	\$8,400
➤ 04-23 Custodial	\$1,500
➤ 04-30 General Maint. (irrigation, misc. supplies)	\$4,000
➤ 04-31 Grounds Maint. (facilities, dumpster, etc.)	\$6,000
➤ 04-32 Equipment Maint.	\$750
➤ 04-33 Fleet Services (vehicle maint.)	\$2,000
➤ 04-42 Equipment Rentals	\$500
➤ 06-13 Uniforms	\$150
➤ 06-15 Botanical/Ag (fertilizer, pesticides, clay, etc.)	\$9,000
➤ 06-18 Safety Supplies	\$300
➤ 06-26 Fuel	<u>\$800</u>
Total =	\$70,800

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

Consider awarding TIPS agreement #200201 with King Consultants for an amount not to exceed \$1,500,000 to update the North Amcom Hangar to the 'shell rent requirements', using \$196,204 from the Airport Fund balance, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Airport Director Jeremy Valgardson)

Staff Recommendation:

Approve

Summary/History:

Under the 'shell rent requirements' in our recently executed lease with Customs and Border Protection, we are required to get the North AMCOM Hangar up to code before occupancy. The shell rent requirements include:

AC Units and Heaters: Get all HVAC components operational.

Hangar Exhaust Fans: Fix broken fans to original operation

Electrical: Update electrical panels to current code

Restrooms: Make ADA compliant

Lighting: Change hangar bay lighting to LED lights

Doors: Repair main hangar door

Fire suppression: Install fire suppression to meet code in North AMCOM Hangar and AMO Hangar.

Asbestos: Inspect hangar for asbestos and mitigate as necessary

We have selected King Consultants under TIPS Agreement 200201 to complete the work because they have the environmental certificates to complete the project in it's entirety, including asbestos abatement.

Customs and Border Protection has signed a lease for the North AMCOM hangar and will occupy the hangar once all improvements have been made. CBP is also making their own improvements to the offices and storage areas on each side of the hangar (roughly \$2 Million).

The North AMCOM CBP Lease will add \$193,260/yr to the airport operating fund.

Funding Source(s):

Fund:

Account:

Project Number:

Amount Budgeted:

Airport Fund	220-3901-514.05-66	AP0002	\$1,500,000
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Financial Impact:

Funding source:

\$196,204 - Airport Operating Fund Balance

\$1,303,204 - Departmental Savings due to the reallocation of costs to grant funds

Other Information/Recommendation:

Attachments:

- | | | |
|----|--------------------------------|------------------------------------|
| 1. | CBP Lease SJT 8154 Hangar Road | CBP Lease SJT 8154 Hangar Road.pdf |
| 2. | Copy of CC-3 Estimate | Copy of CC-3 Estimate.pdf |
| 3. | AP-0002 Airport Budget Memo | AP-0002 Airport Budget Memo.pdf |

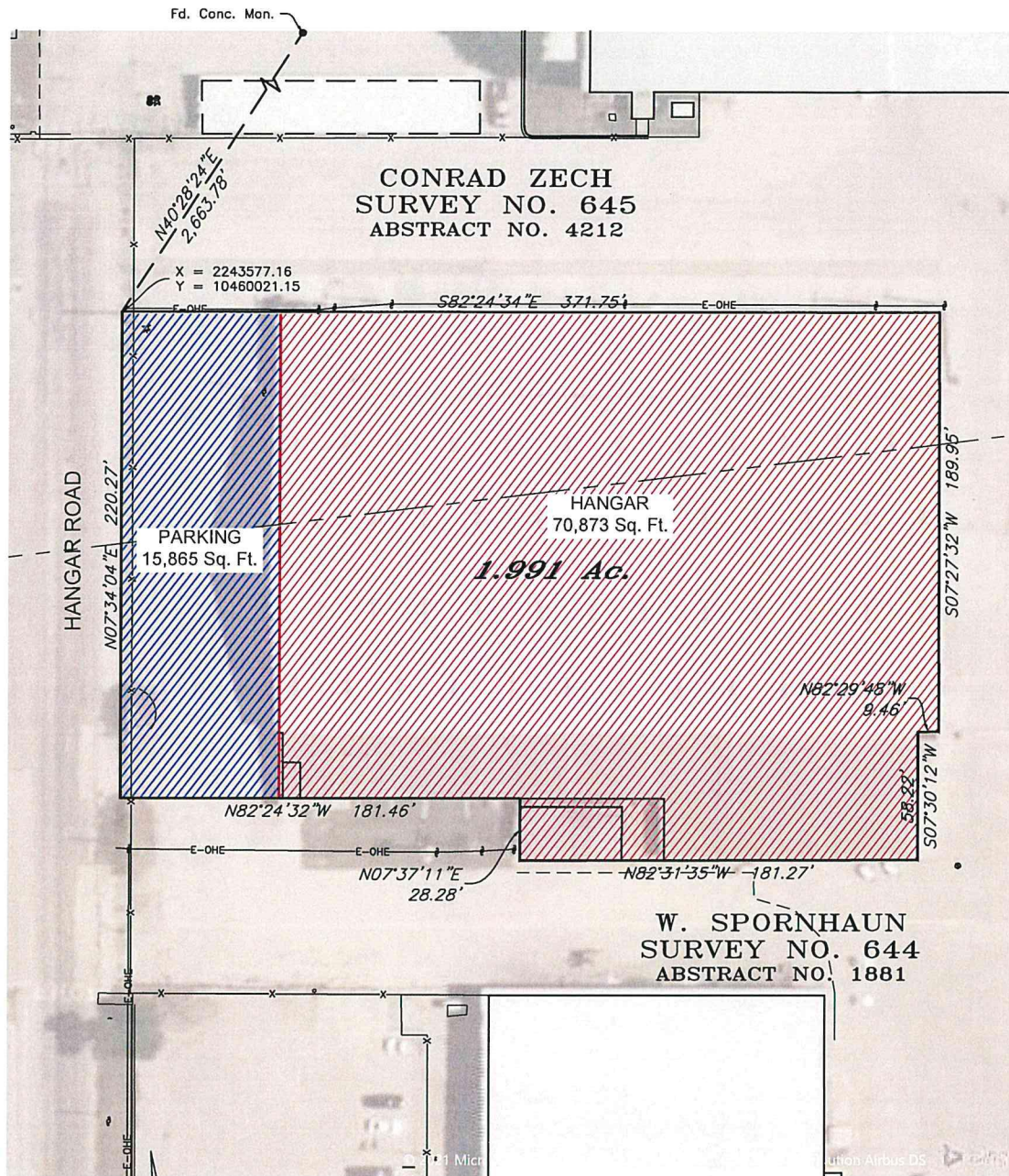
Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson	Created/Initiated
Kimberly Holle	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

"Exhibit A"



SCALE: 1" = 50'



BEARINGS HEREON ARE BASED ON
TEXAS COORDINATE SYSTEM NAD83
- TEXAS CENTRAL ZONE BY GPS
OBSERVATION.

8154 HANGAR ROAD

MAP SHOWING A 1.991 ACRE LEASE TRACT OUT
OF CONRAD ZECH SURVEY NO. 645, ABSTRACT
NO. 4212 AND W. SPORNHAUN SURVEY NO.
644, ABSTRACT NO. 1881, CITY OF SAN
ANGELO, TOM GREEN COUNTY, TEXAS.

SKG

ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET PHONE: 325.655.1288
SAN ANGELO, TEXAS 76903 FAX: 325.657.8189

FIRM No.: 10102400
www.skge.com

20-S-1732

“Exhibit B”

Preoccupancy Shell Requirements

The following list the Shell items that must be performed of by the Lessor before the acceptance of occupancy.

AC units, thermostats & condenser. Lessor will perform a Preventive Maintenance on all units confirming the t-stats and condensers are in proper working condition.

Fire Alarm, if the fire alarm control unit is over 25 years old as of the Lease Award Date, Lessor shall install a new fire alarm system in accordance with the requirements of NFPA 72, National Fire Alarm and Signaling Code prior to Government acceptance and occupancy of the Space.

Install a Fire Suppression system (Automatic Fire Sprinkler System) in accordance to local fire code for Hangar(s) with Maintenance services are being utilized.

Service Large hanger exhaust fans and small ones in storage and office areas. Lessor will perform Preventive Maintenance's on exhaust fans to confirm they are in proper working condition.

Clean Electrical panels. Electrical panels shall be inspected and cleaned to ensure proper working order.

Hanger restrooms need to bring up to code. Lessor shall Repair/replace leaking fixtures, correct plumbing that is exposed outside of the walls in office space and ensure plumbing meets code. Shall replace missing doors from bathroom stalls.

Exterior hanger lights need to work or be repaired. Lessor shall repair exterior lighting that is inoperable and ensure it is in proper operable status to include photocell system associated with the exterior lighting.

Service Hanger main doors. Lessor shall complete routine Preventive Maintenance to confirm proper safe operation of the main Hangar doors.

Lessor to repair the Glass Entry store front door next to street, door sticks and drags.

Entry sliding gate need service and repair. Lessor to perform a Preventive Maintenance and repair as necessary.

Lessor to repair exterior doors from hanger to parking. Some doors have holes, are misaligned, and/or do not close/lock properly. They should be replaced if not repairable.

Service hanging lights in hanger and replace bulbs. Some lights do not work and may need bulbs or replacement of fixtures. Confirm all lighting is operational.

Lessor to Clean hanger & storage area any trash and any additional materials that are not facility related. In addition, lessor shall clean hanger wall of residue and other solvents from previous tenants.

Necessary preventative maintenance and repairs on all shell items must be performed during entire rental period.

CONSTRUCTION CONSULTANTS-3

CC-3

City of San Angelo - San Angelo Airport
8618 Terminal Circle
San Angelo, TX 76904

6/10/2022

North AMCOM & AMO Hanger

Construction Consultants-3

TIPS# 200201

Division Totals	
Division 01 - General Requirements	\$ -
Division 02 - Existing Conditions (Asbestos Abatement)	\$ 24,000.00
Division 03 - Concrete	\$ -
Division 04 - Masonry	\$ -
Division 05 - Metals	\$ -
Division 06 - Wood, Plastics, and Composites	\$ -
Division 07 - Thermal and Moisture Protection (Roofing)	\$ 46,000.00
Division 08 - Openings (Hangar Doors)	\$ 12,000.00
Division 09 - Finishes	\$ -
Division 10 - Specialties	\$ -
Division 11 - Equipment	\$ -
Division 12 - Furnishings	\$ -
Division 13 - Special Construction	\$ -
Division 14 - Conveying Equipment	\$ -
Division 21 - Fire Suppression	\$ 840,746.00
Division 22 - Plumbing	\$ -
Division 23 - Heating, Ventilating, and Air Conditioning (HVAC)	\$ 253,069.81
Division 26 - Electrical	\$ 65,159.75
Division 27 - Communications	\$ -
Division 28 - Electronic Safety and Security	\$ -
Division 31 - Earthwork	\$ -
Division 32 - Exterior Improvements	\$ -
Division 33 - Utilities	\$ -
Division 34 - Transportation	\$ -
RS MEANS PRICING TOTAL (MODIFIED BY CITY COST INDEX)	\$ 1,240,975.50
CC-3 Over Head & Profit 7.5 & 7.5= 15%	\$ 186,146.32
SUBTOTAL	\$ 1,427,121.80
	\$ -
SUBTOTAL	\$ 1,427,121.80
P&P BOND	\$ 42,813.65
TOTAL PRICE	\$ 1,469,935.45

CONSTRUCTION CONSULTANTS-3

Memo

To: Tina Dierschke, Finance Director
From: Jeremy Valgardson
Date: 06/14/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Allow use of \$196,204 of fund blance to help fund the 'shell rent requirements' for the CBP North AMCOM Hangar.

Source of Funding:

Airport Fund Balance

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

Project/Budget to be amended	Revenue	Expense
CBP North AMCOM Hangar (AP0002)		196,204

Additional Comments:

Total project cost of \$1,500,000

Funding Sources

\$196,204 - Airport Operating Fund Balance

\$1,303,796 - Departmental Savings due to the reallocation of costs to grant funds

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

Consider a resolution allowing the adjacent property owner to remove a tree in the public right-of-way adjacent to 15 W. Beauregard Ave. per Section 7.02.034 of the City Code of Ordinances (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

On December 7, 2021, City Council approved the removal and replacement of a tree on the adjacent property, 17 W. Beauregard Avenue, by a different owner. The owners of this property, 15.W. Beauregard Avenue, are requesting that the large Oak tree in front of their property be removed as well to allow them to repair the sidewalk. They claim that the roots of the tree have created this issue and therefore the tree needs to be removed. They have provided a tree replacement plan that includes a new 8-foot tall Chinese Pistache tree, and two planter boxes consistent with those found in the Chadbourne Street project. The second planter to the west will connect to the one the owner of 17 W. Beauregard is constructing.

Staff believes that the new tree and planter is consistent with the Chadbourne Street Project, the City's Comprehensive Plan (adopted in 2003), and the Strategic Update (adopted in 2009) that encourage streetscaping downtown, including street trees, as part of overall beautification efforts. Staff is therefore in support of the request.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends adoption of the attached resolution, approving the tree removal and replacement plan.

Attachments:

- | | | |
|----|---|--|
| 1. | 15_W_Beauregard Ave (Resolution) | 15_W_Beauregard Ave (Resolution).docx |
| 2. | 15_W_Beauregard Ave (Indemnity Agreement) | 15_W_Beauregard Ave (Indemnity Agreement).docx |
| 3. | Applicant's Tree Removal Request | Applicant's Tree Removal Request.pdf |

Presentation:

Jon James

Approvals/Reviews:

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN ANGELO, TEXAS, TO CONDITIONALLY ALLOW
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS
LOCAL 886 TO REMOVE A CERTAIN TREE WITHIN THE
WEST BEAUREGARD AVENUE PUBLIC RIGHT-OF-WAY;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR
AN EFFECTIVE DATE**

WHEREAS, International Association of Firefighters Local 886 is the Applicant and owner of 15 West Beauregard Avenue located on the south side of West Beauregard Avenue between South Irving Street and South Chadbourne Street; identified as Lot 18D in the 1st Replat in Block 8, San Angelo Main Town Block 1-10, A-D (Village of St. Angela) to the City of San Angelo, Tom Green County, Texas (hereinafter referred to as the “Property”); and

WHEREAS, the Applicant seeks to remove the existing tree and planter and repair the existing sidewalk in front of the Property in the West Beauregard Avenue right-of-way; and

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

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

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

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

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

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

Section 3. Authorization is conditioned upon Applicant constructing the new tree, tree planter box, and sidewalk design as shown on the tree replacement plan on Exhibit “C”. All design and construction shall be consistent with the tree removal and replacement plan for 17 W. Beauregard Avenue.

Section 4. Authorization is conditioned upon the Applicant being responsible for all repairs and associated costs; and a final site inspection by City Operations.

Section 5. Authorization is conditioned upon Applicant providing the City of San Angelo with an executed release and hold harmless agreement in substantially the form attached hereto.

Section 6. The terms and provisions of this Resolution shall be deemed to be severable in that if any portion of this Resolution shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Resolution.

Section 7. This Resolution shall be effective from and after the date of adoption.

PASSED, APPROVED and ADOPTED on this 21st day of June, 2022.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

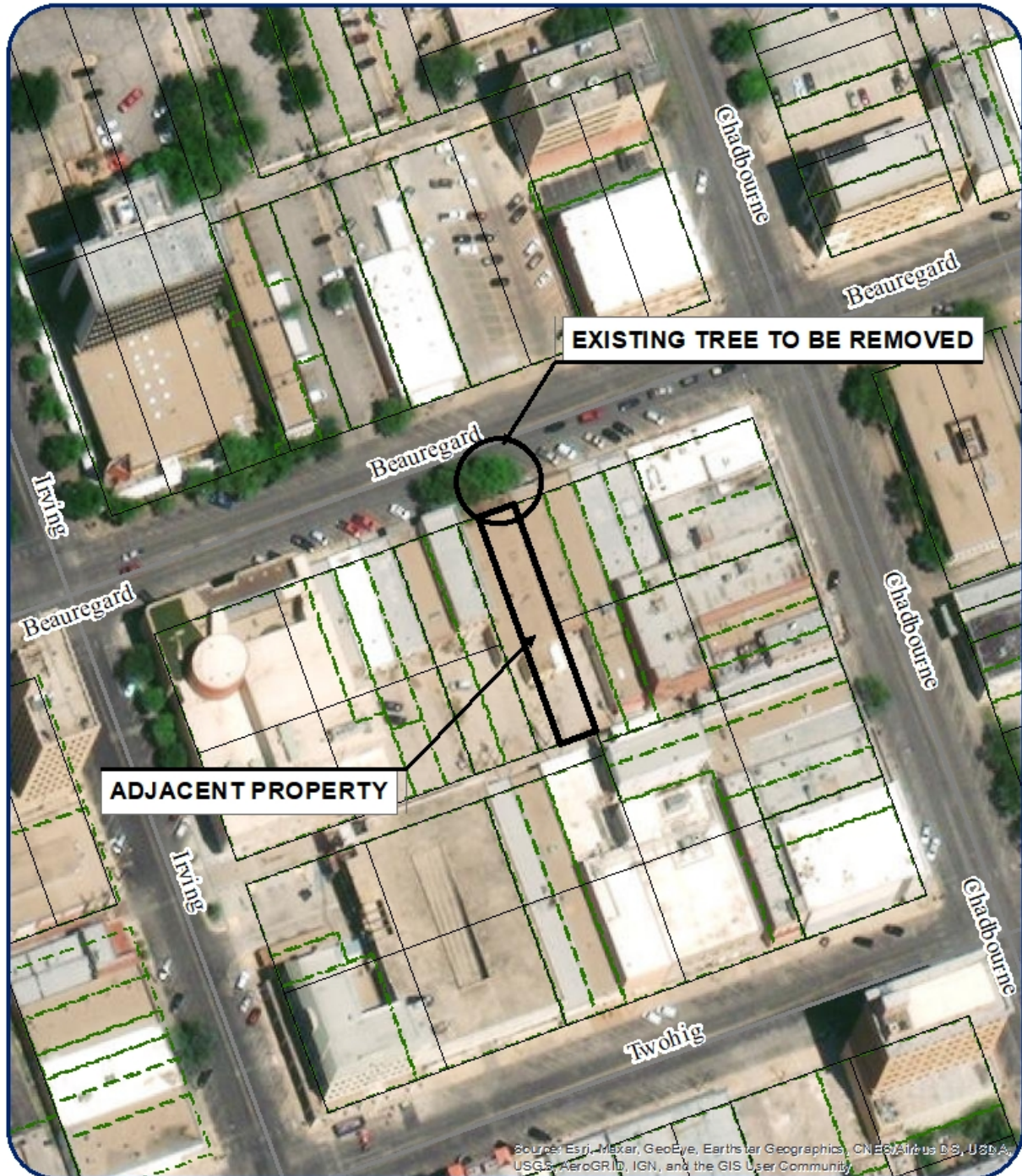
Julia Antilley, City Clerk

Approved as to Form:

Theresa James, City Attorney

Exhibit "A"

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



Tree Removal in City Right-Of-Way

International Assoc. of Firefighters Local 886

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 100 ft

15 W. Beauregard Ave.

Legend

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

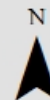
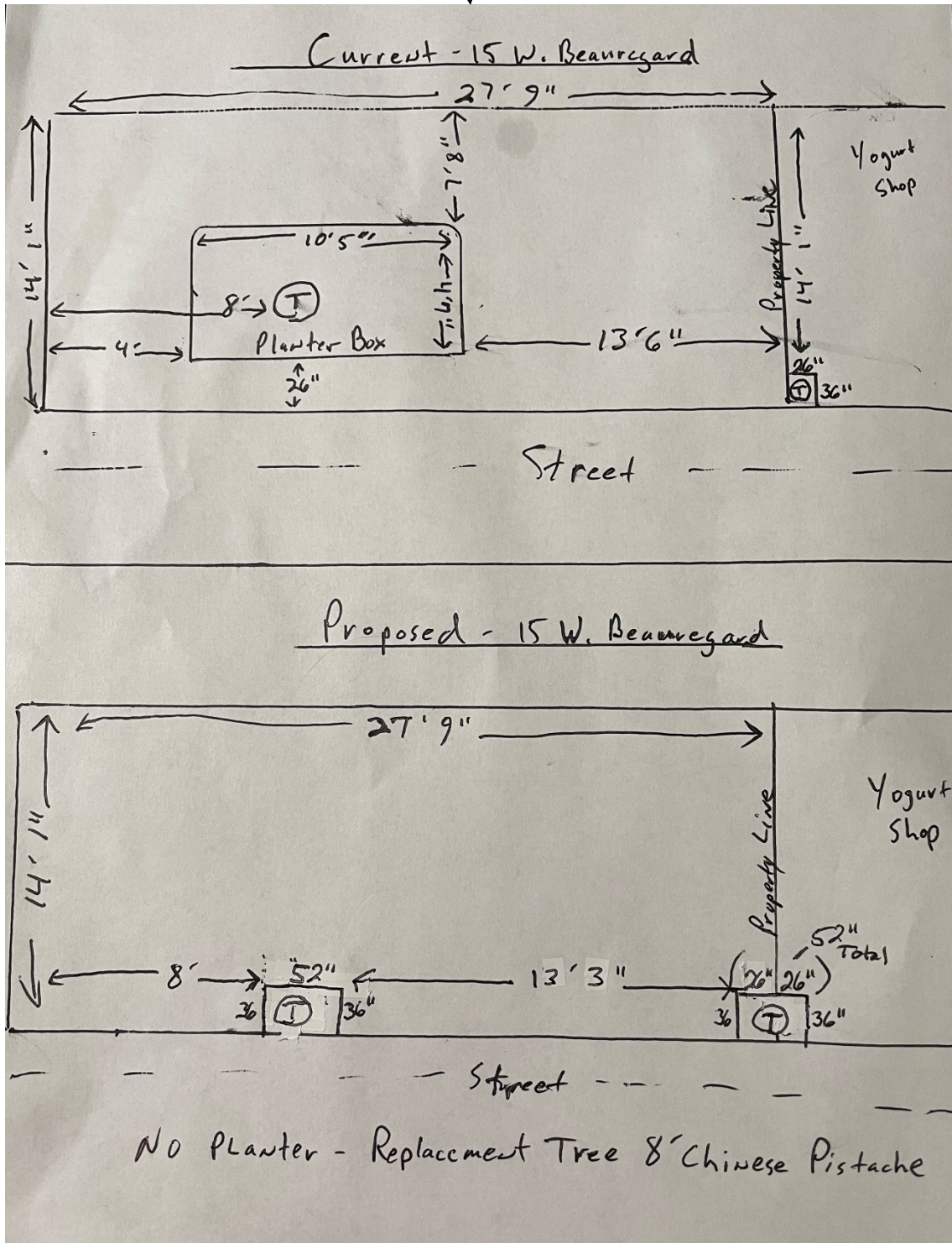


Exhibit “B”
Tree location



Exhibit "C"
Tree Replacement Plan



RELEASE OF LIABILITY, HOLD HARMLESS AND INDEMNITY AGREEMENT

- Releasor:** International Association of Firefighters Local 886
- Releasee:** City of San Angelo, Texas, and its council members, board and commission members, officials, agents, guests, invitees, consultants and employees
- Premises:** Sidewalk area and street right of way along West Beauregard Avenue, adjacent to Property owned by Releasor addressed as 15 West Beauregard Avenue, and described as Lot 18D in the 1st Replat in Block 8, San Angelo Main Town, Block 1-10, A-D (Village of St. Angela), City of San Angelo, Tom Green County, Texas.
- Warranty:** The undersigned warrants that they have the proper authority to execute this Release of Liability, Hold Harmless and Indemnity Agreement.

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

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

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

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

Signatures on following page.

DATED and effective from and after _____ day of _____
_____, 2022.

RELEASOR:

International Association of Firefighters Local 886

By: _____
Mason Matthews, President



The San Angelo Fire Fighters Association owns the property/building at 15 W. Beauregard. The sidewalk in front of our current building and our former adjacent building, located at 17 W. Beauregard, is in very poor condition. Both addresses each have a large oak tree in brick planters, on the sidewalk, directly in front of the two buildings. These trees' roots have grown in a way that they are applying pressure to the existing sidewalk concrete and large cracks have formed. These cracks make the sidewalk very uneven and create a hazard for anyone who might be walking, running, or riding any kind of wheeled device. We have had several citizens trip over these cracks and Fire Fighter Association members have had to assist them. I have also been contacted by a citizen recently who tripped on a crack and fell at our front door and was injured. The new owners of 17 W. Beauregard (Babiash Sisters LLC) have already asked for City Council's permission to remove the tree in front of their property so that they can then fix the sidewalk. We would also like to ask your permission to remove the tree in front of our building. We have discussed the possibility of just fixing/redoing the sidewalk, but the tree and its roots will continue to grow and could possibly damage the concrete again in the future. As a non-profit organization, we do not have/generate the funds to fix the sidewalk every so often as the tree's roots continue to grow. We do believe that trees are valuable and part of history, as the tree has been there for many years (long before we owned the property). We are more than willing to plant another tree in place of the one that we are asking to remove. If granted to permission to remove this tree and plant a new one, we plan to join with the new owners at 17 W. Beauregard to redo the stretch of sidewalk in front of both buildings. Thank you.

Sincerely,

Mason Matthews-President

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z22-11 to rezone a property from the Ranch and Estate to the Heavy Manufacturing zoning district, being 20.0 acres, located southwest of Old Ballinger Hwy. and N. U.S. Hwy. 277 (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant has submitted this rezoning request to change the zoning from Ranch and Estate (R&E) to the Heavy Manufacturing (MH) Zoning District. The applicant intends to use the site for a concrete batching plant. The Future Land Use Plan designates over 3 miles of Industrial land along Old Ballinger Road. Included in this cluster is the San Angelo Landfill to the northwest, materials storage and other businesses to the south, and the subject property. Staff believes that the proposed rezoning is compatible with the Comprehensive Plan policies. Any future development will also be required to be 100 feet from the adjacent properties to the west and east zoned Ranch and Estate (R&E) per the Zoning Ordinance.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On May 16, 2022, the Planning Commission voted unanimously 6-0 to approve the rezoning.

Attachments:

- | | |
|--------------------------|---------------------------|
| 1. Staff Report (Z22-11) | Staff Report (Z22-11).pdf |
| 2. Ordinance (Z22-11) | Ordinance (Z22-11).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher

Created/Initiated

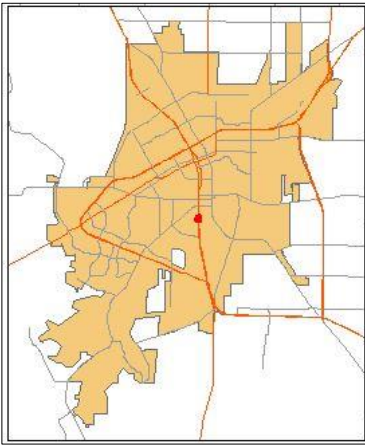
Zachary Rainbow
Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Approved
Approved
Approved
Approved
Approved
Final Approval



STAFF REPORT - Z22-11

Scheduled Hearings:
Planning Commission: May 16, 2022
City Council 1st reading: June 21, 2022
City Council 2nd reading: July 7, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-11: Southwest of Old Ballinger Highway/N. U.S. Highway 277	
SYNOPSIS:			
The applicant has submitted this rezoning request to change the zoning from Ranch and Estate (R&E) to the Heavy Manufacturing (MH) Zoning District. The applicant intends to use the site for a concrete batching plant.			
LOCATION:		LEGAL DESCRIPTION:	
Southwest of Old Ballinger Highway and N. U.S. Highway 277		20.0 acres of land out of J. A. Egglestone Survey No. 2, Abstract No. 4894	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Paulann Neighborhood	R&E	I – Industrial	20.0 acres
NOTIFICATIONS:			
9 notifications for Z22-04 were mailed within a 200-foot radius on May 3, 2022. No responses have been received to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Ranch and Estate (R&E) to the Heavy Manufacturing (MH) Zoning District, being 20.0 acres, located southwest of Old Ballinger Highway and N. U.S. Highway 277.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner and Applicant:</i> Hipolito Cruz Ramirez dba P & L Trucking			
STAFF CONTACT:			
Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The property is located within an “Industrial” Future Land Use designation in the City’s 2009 Comprehensive Plan update. Industrial areas “support industry and the plan recommends clustering potentially hazardous industries into a limited number of larger, isolated areas to minimize negative effects on residential areas.” The Future Land Use Plan designates over 3 miles of Industrial land along Old Ballinger Road. Included in this cluster is the San Angelo Landfill to the northwest, materials storage and other businesses to the south, and the subject property. Therefore, the proposed rezoning is compatible with the Comprehensive Plan policies.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The applicant recently purchased the unplatted 20-acre property from a larger 97.19-acre property. At 20 acres in size, the property well exceeds the minimum 6,000 sq. ft. lot area, minimum 50-foot width, and minimum 80-foot depth for an MH properties. The property is immediately east of 3929 Old Ballinger Highway which contains a home and is zoned for residential (R&E). The Zoning Ordinance requires a minimum 100-foot separation for any MH use from an adjoining residential district. This provision will ensure that the west 100 feet of the property is free and clear from development, providing a buffer from the home to the west. In addition, a minimum 6-foot tall privacy fence will be required along the west and east property lines abutting R&E residential zoning, reducing some potential negative impacts on the adjacent residential property to the west.
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 property is surrounded by industrial uses to the north and south. With the zoning requirements above, Staff believes the proposed request will be compatible with the surrounding area.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property remains vacant and has recently been purchased for future industrial development. Staff believes the development will be appropriate for this area. The Comprehensive Plan as indicated calls for industrial uses on this property and surrounding 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.** The property remains unplatted and any development will require a subdivision plat. A review of drainage, grading, and stormwater will be

conducted by Engineering Services to address any environmental issues at time of platting and permitting.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Staff believes there is a community need for industrial uses given the large amount of industry in the area and the Comprehensive Plan which calls for more industrial uses here.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The property will have direct, abutting access onto Old Ballinger Highway, a minor arterial road designed to carry large traffic volumes and which is in close proximity to Highway 277. As part of the platting process, Old Ballinger Road will be required to be widened to the required standard to accommodate future development.

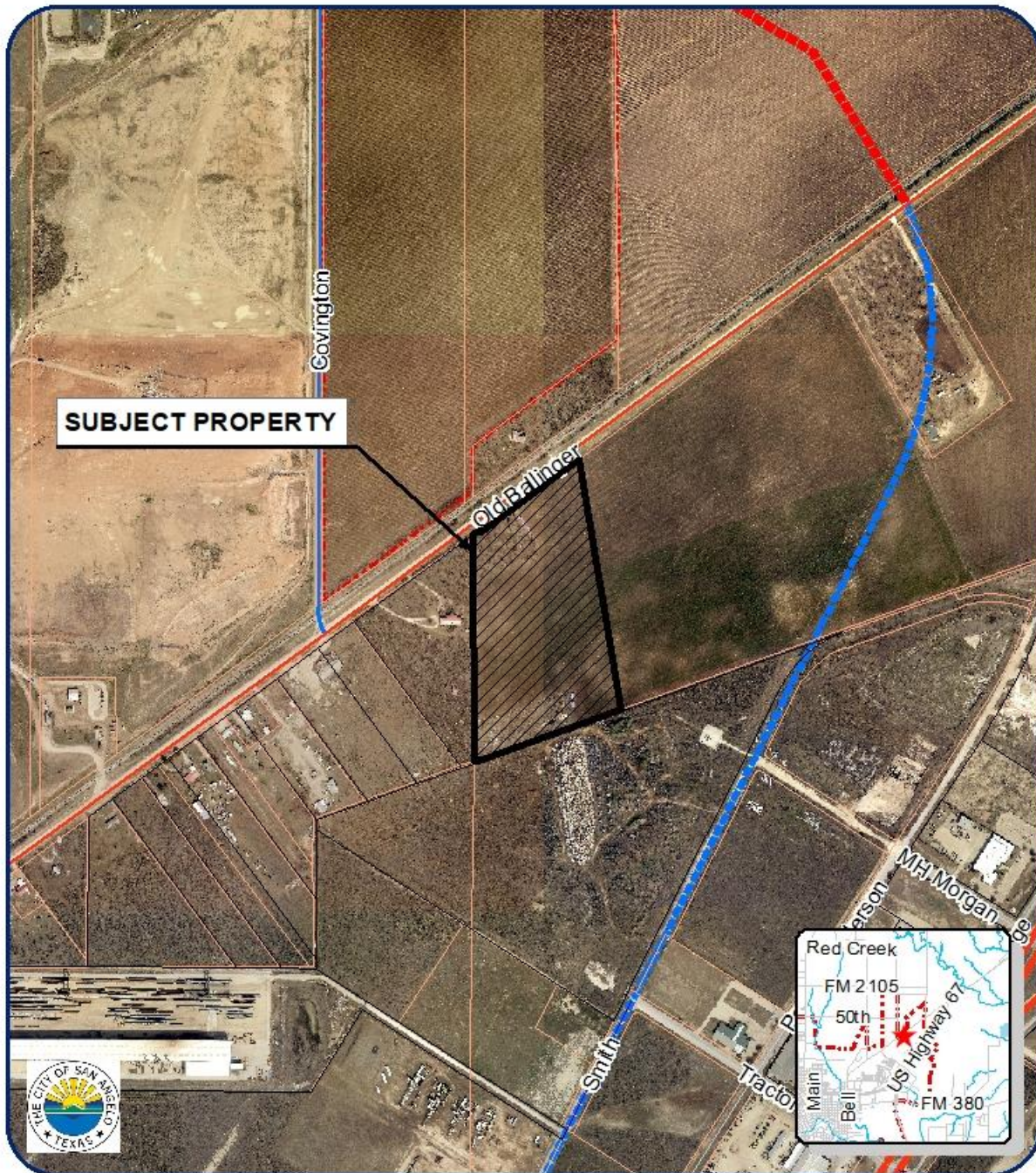
Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Ranch and Estate (R&E) to the Heavy Manufacturing (MH) Zoning District, being 20.0 acres, located southwest of Old Ballinger Highway and N. U.S. Highway 277.

Note: The applicant will be required to plat the property and the remainder that was recently created from the sale. The remainder may be part of a preliminary plat but a final plat will be required for the subject property prior to any development.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Application



Rezoning

Z22-11: Old Ballinger Hwy/N. U.S. Hwy 277

Council District 4 - Lucy Gonzales

Neighborhood: Paulann

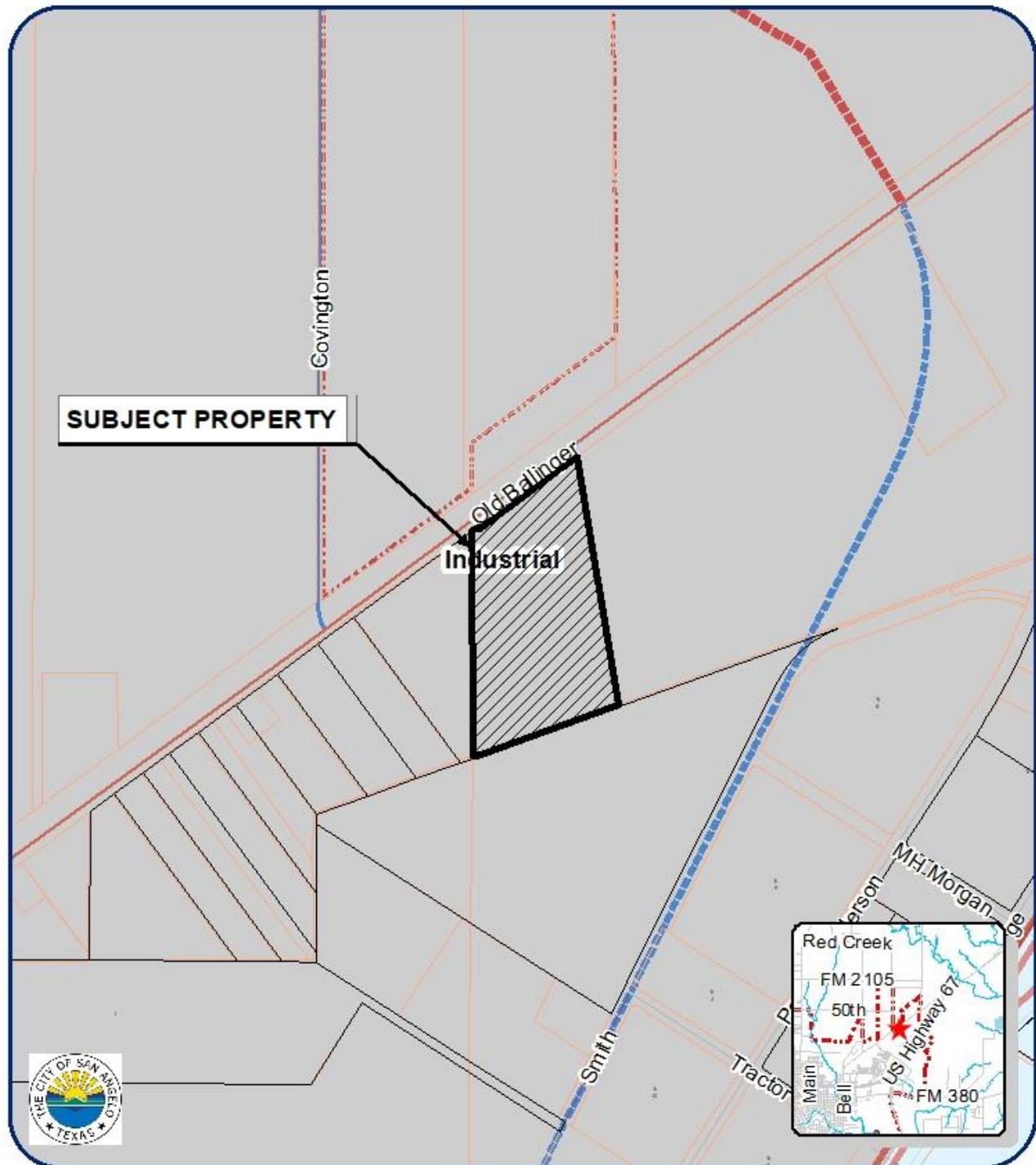
Scale: 1" approx. = 700 ft

SW of Old Ballinger Hwy/N. U.S. Hwy 277, 20 ac.

Legend

Subject Properties: 
Current Zoning: **R&E**
Requested Zoning Change: **MH**
Vision: **Industrial**



**Rezoning****Z22-11: Old Ballinger Hwy/N. U.S. Hwy 277**

Council District 4 - Lucy Gonzales

Neighborhood: Paulann

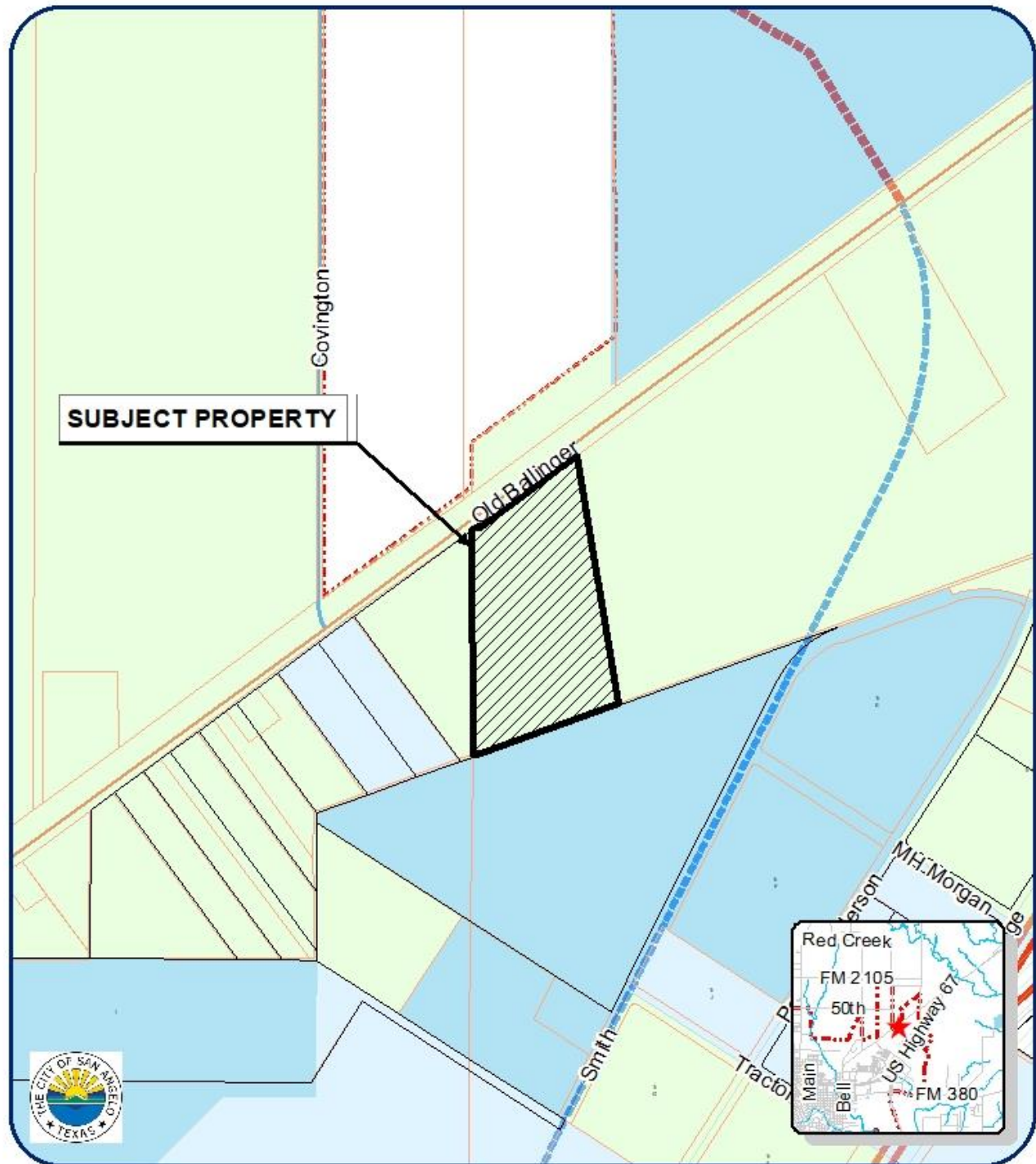
Scale: 1" approx. = 700 ft

SW of Old Ballinger Hwy/N. U.S. Hwy 277, 20 ac.**Legend**

Subject Properties: —

Current Zoning: **R&E**Requested Zoning Change: **MH**Vision: **Industrial**

June 21, 2022

**Rezoning****Z22-11: Old Ballinger Hwy/N. U.S. Hwy 277**

Council District 4 - Lucy Gonzales

Neighborhood: Paulann

Scale: 1" approx. = 700 ft

SW of Old Ballinger Hwy/N. U.S. Hwy 277, 20 ac.**Legend**Subject Properties: Current Zoning: **R&E**Requested Zoning Change: **MH**Vision: **Industrial**

Photos of Site and Surrounding Area

SOUTH AT SUBJECT PROPERTY



ADJACENT PROPERTY TO WEST



WEST



EAST



NORTH



Effective January 3, 2017

City of San Angelo, Texas – Planning Division 52 West College Avenue Application for Approval of a Zone Change	
Section 1: Basic Information	
Name of Applicant(s): <u>Hipolito Cruz Ramirez, dba P & L Trucking</u>	
☒ Owner ☐ Representative (Notarized Affidavit Required)	
7641 Harriet Road	San Angelo Texas 76905
Mailing Address	City State Zip Code
325-939-1166	<u>roy40acosta@yahoo.com</u>
Contact Phone Number	Contact E-mail Address
4101 OLD BALLINGER HWY	San Angelo Texas 76905
Subject Property Address	City State Zip Code
Acres: <u>97.189, Subd: OLSEN S/D, Tract: 1, 97.189 ACRES</u>	
Legal Description (can be found on property tax statement or at www.tcomgreencad.com)	
Tax ID: <u>60-58000-0000-001-10</u>	
Existing Zoning: <u>R & E</u> Proposed Zoning: <u>MH</u> Lot size: <u>20.00</u>	
(Zoning Map available on City Maps)	
Section 2: Site Specific Details	
Existing Use of Property: <u>Vacant</u>	
*Proposed Use of Property: <u>Heavy Manufacturing</u>	
*Use separate attachment if necessary	
Section 3: Applicant(s) Acknowledgement	
(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)	
☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.	
☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.	
☒ If approved, a zone change is applied to the property, not the property owner.	
☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.	
☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.	
☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.	
☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.	
☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.	

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Hipolito Cruz Ramirez



P & L Trucking

3/23/22

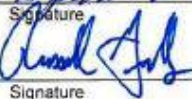
Owner Name (Print)

Signature

Company/Organization (If Applicable)

Date

Russell Gully



SKG Engineering

3.23.22

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ -- ____

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ ____

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

Sign Deposit \$37.50

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

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

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

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

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

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

Publication date: ____/____/____

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

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: **20.0 ACRES OF LAND OUT OF THE J. A. EGGLESTONE SURVEY NO. 2, ABSTRACT NO. 4894, RECORDED AS INSTRUMENT NO. 202101896, O.P.R., TOM GREEN COUNTY, TEXAS, LOCATED SOUTHWEST OF OLD BALLINGER HIGHWAY AND N. U.S. HIGHWAY 277; FROM THE RANCH AND ESTATE (R&E) ZONING DISTRICT TO THE HEAVY MANUFACTURING (MH) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Z22-11: Southwest of Old Ballinger Highway and N. U.S. Highway 277

WHEREAS, on the 16th day of May, 2022, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Heavy Commercial (MH) Zoning District; and,

WHEREAS, on the 21st day of June, 2022, City Council held a public hearing on Z22-11, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property located southwest of Old Ballinger Highway and N. U.S. Highway 277, being 20.0 acres of land out of the J. A. Egglestone Survey No. 2, Abstract No. 4894, recorded as Instrument No. 202101896, O.P.R., Tom Green County, Texas.

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

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

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

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

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

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

INTRODUCED with public hearing on the **21st day of June, 2022**, and finally PASSED, on this the **7th day of July, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

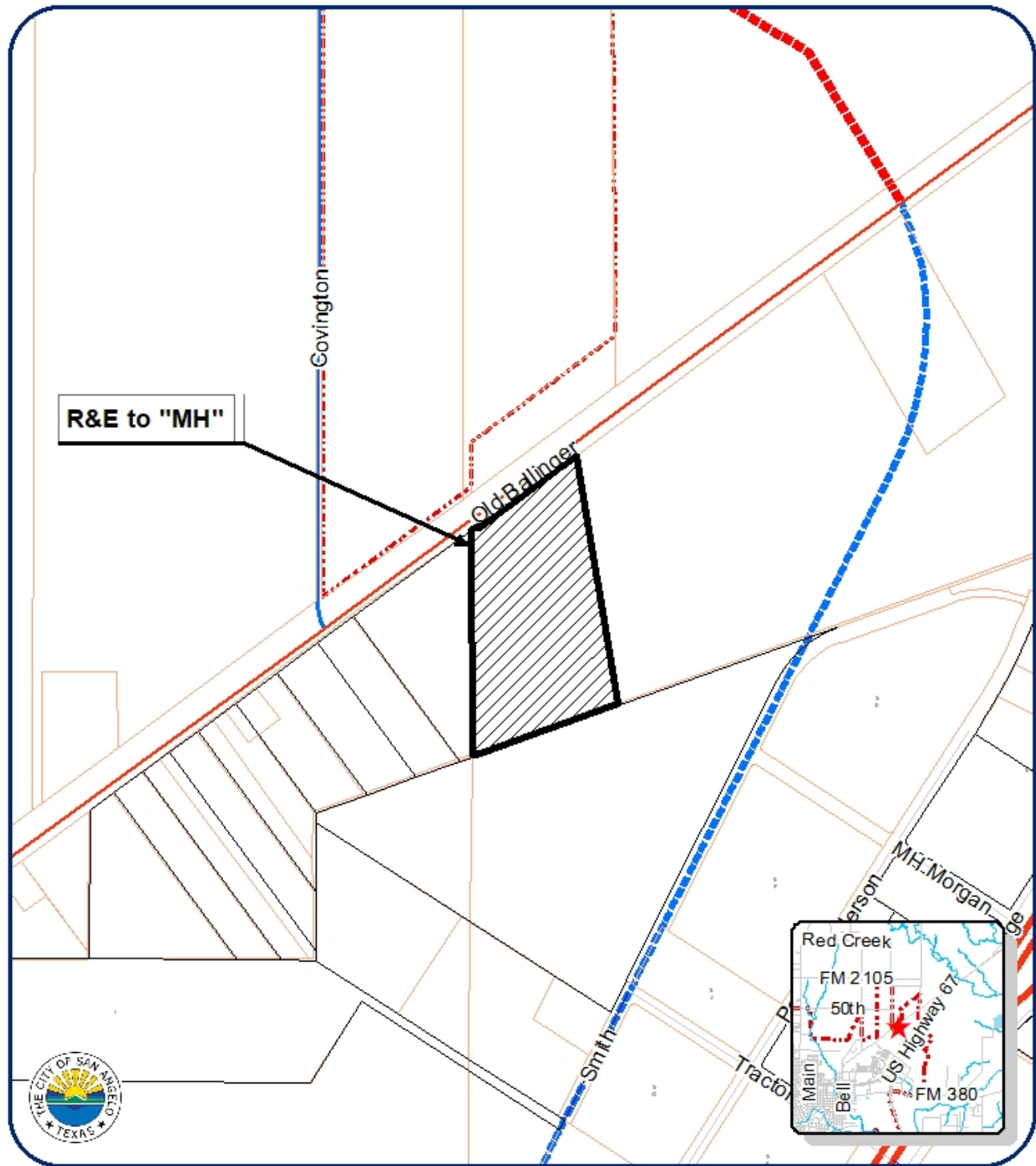
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Rezoning

Z22-11: Old Ballinger Hwy/N. U.S. Hwy 277

Council District 4 - Lucy Gonzales

Neighborhood: Paulann

Scale: 1" approx. = 700 ft

SW of Old Ballinger Hwy/N. U.S. Hwy 277, 20 ac.

Legend

Subject Properties:

Current Zoning: **R&E**

Requested Zoning Change: **MH**

Vision: **Industrial**

N



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance to amend the Master Thoroughfare Plan to add the proposed northern alignment of the future Interstate Highway corridor, located north of FM 2105 and connecting from U.S. Hwy. 87 on the west to U.S. Hwy. 277 and U.S. Hwy. 67 on the east (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

A new Interstate Highway has been designated for San Angelo and this proposal is to reflect the current concept map for the route along the far north side of the City on the City's long range plan in order to ensure preservation and protection of this future route as development occurs in the area. This route, shown on the attached maps, will be an east-west connection north of FM 2105, connecting from U.S. Highway 87 on the west to U.S. Highway 277 and U.S. Highway 67 on the east.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval of this amendment to the Master Thoroughfare Plan.

On May 16, 2022, the Planning Commission voted 3-3, and the proposed MTP amendment was brought forward without recommendation.

Attachments:

1. REPORT - MTP Amendment - Interstate Corridor (1) REPORT - MTP Amendment - Interstate Corridor (1).docx
2. Ordinance (MTP Northern Interstate Corridor) Ordinance (MTP Northern Interstate Corridor).docx

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher
Zachary Rainbow
Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval



STAFF REPORT

Planning Commission: May 16th, 2022
City Council 1st reading: June 21st, 2022
City Council 2nd reading: July 7th, 2022

APPLICATION TYPE:		CASE:	
Master Thoroughfare Plan Amendment		Interstate Highway Corridor	
SUMMARY:			
An amendment to the Master Thoroughfare Plan to add the proposed northern alignment of the future Interstate Highway corridor on the far north side of San Angelo, located north of FM 2105 and connecting from US Highway 87 on the west to US Highway 277 and US Highway 67 on the east. On May 16, 2022, the Planning Commission voted 3-3, and the proposed MTP amendment was brought forward without recommendation, although Staff recommends approval.			
LOCATION:		LEGAL DESCRIPTION:	
North of FM 2105, from US Hwy 87 on the west to US Hwy 277 and US Hwy 67 on the east		N/A	
SM DISTRICT / NEIGHBORHOOD:	ZONING DISTRICT:	VISION PLAN:	SIZE:
Outside the city limits; north of SMD 2, Tom Thompson & SMD 4, Lucy Gonzales; Extraterritorial Jurisdiction (ETJ)	N/A Not in city limits	Rural	N/A
NOTIFICATIONS:			
19 notifications were mailed to property owners affected by this proposed change.			
THOROUGHFARE PLAN			
Future Interstate Highway: 300' wide future corridor based on selected concept plan			
STAFF RECOMMENDATION:			
Staff recommends approval of the proposed amendment to the Master Thoroughfare Plan to add the proposed Interstate Highway corridor on the north side of San Angelo.			
PROPERTY OWNER/PETITIONER:			
Owner: <i>City of San Angelo</i>			
STAFF CONTACT:			
Jon James Planning Director (325) 657-4210 jon.james@cosatx.us			

Master Thoroughfare Plan Amendment:

The San Angelo Comprehensive Plan, adopted in 2003 and updated in 2009, includes the Master Thoroughfare Plan (MTP) that designates the functional classification of existing transportation facilities in the City of San Angelo, as well as future planned major thoroughfares (freeways, arterials, and collectors). Staff periodically reviews areas and proposes amendments based new information or changing development patterns.

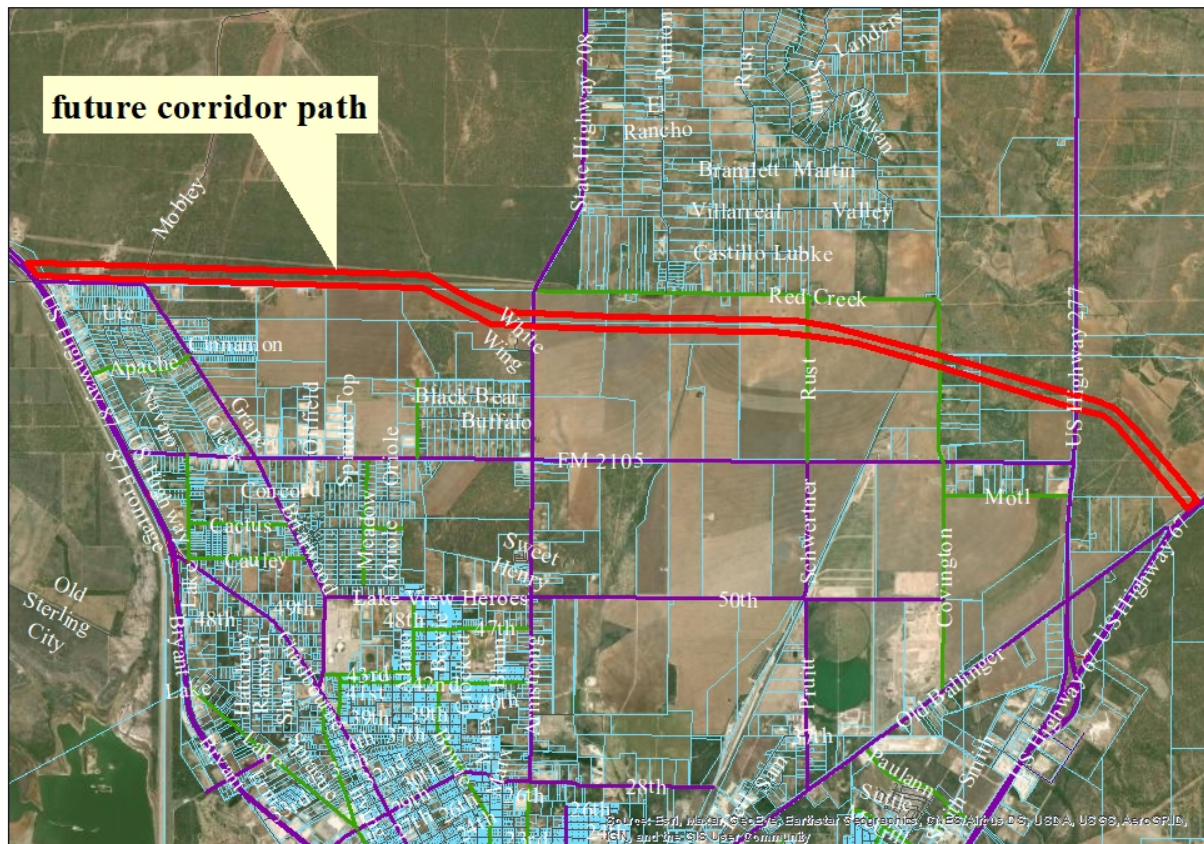
In this case, a new Interstate Highway has been designated for San Angelo and this proposal is to recognize the current concept map for the route along the far north side of the City. This route, shown on the attached maps, will be an east-west connection north of FM 2105, connecting from US Highway 87 on the west to US Highway 277 and US Highway 67 on the east.

Recommendation: Staff's recommendation is for the Planning Commission to recommend **approval** of the Master Thoroughfare Plan Amendment and for City Council to grant final approval.

Attachments:

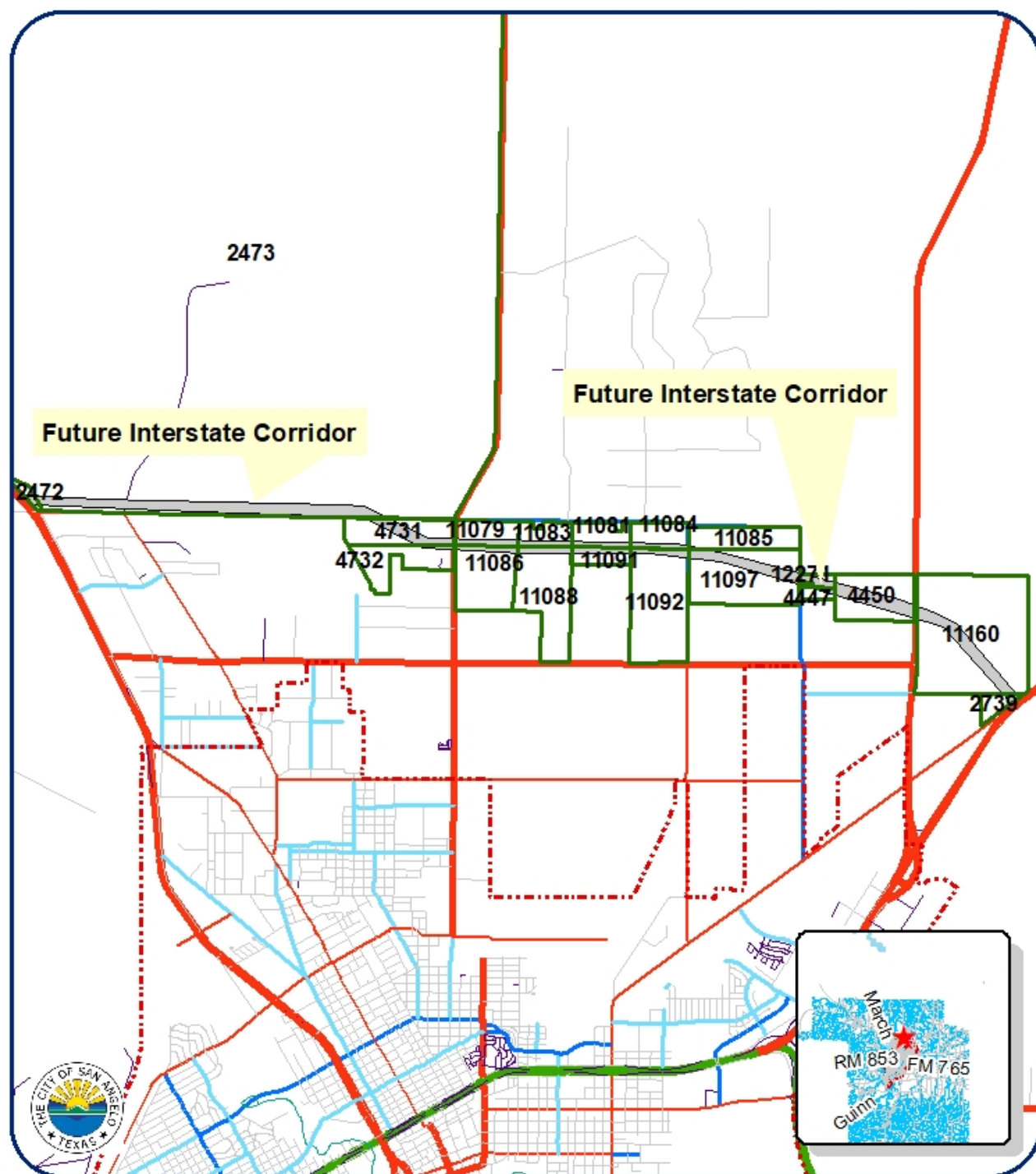
Proposed Interstate Corridor Map
Notification Map

MTP Amendment, Northern Interstate Corridor



0 0.35 0.7 1.4 2.1 2.8 Miles





Notification Map

Future Interstate Corridor

Council District: N/A

Neighborhood: N/A

Scale: 7,000 3,500 0 7,000 Feet

Subject Properties:



N



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS **AMENDING THE MASTER THOROUGHFARE PLAN AND MAP OF THE COMPREHENSIVE PLAN**; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Master Thoroughfare Plan Amendment: Interstate Highway Corridor

WHEREAS, the City of San Angelo is a Home Rule municipal corporation operating under a municipal charter adopted as authorized by Article XI, Section 5 of the Texas Constitution; and,

WHEREAS, in 2003, pursuant to the authority under Chapter 213 of the Texas Local Government Code, the City of San Angelo adopted a Comprehensive Plan for promoting the long range sound development of the City and promoting public health, safety and welfare, updated in 2009 with the adoption of a strategic plan; and,

WHEREAS, the Comprehensive Plan includes the Master Thoroughfare Plan (MTP) and map; and,

WHEREAS, the City Planning and Development Services Department has examined adding a proposed northern alignment of the future Interstate Highway corridor on the far north side of San Angelo, located north of FM 2105 and connecting from US Highway 87 on the west to Highway 277 and US Highway 67 on the east; in order to provide for improved public safety, traffic efficiency, and to accommodate for the future Interstate; and,

WHEREAS, the City Planning and Development Services Department has conducted an analysis of existing and projected future development in the area; demand on the existing street network; existing zoning and future land trends; potential land acquisitions; the relocation of buildings, structures, and utilities; and proposed alternate routes for the subject roads; and,

WHEREAS, the City Planning and Development Services Department has consulted with other relevant City departments, the County Commissioner for this area, and the San Angelo Metropolitan Planning Organization (SA-MPO); and,

WHEREAS, on May 16, 2022, a public meeting was held at the Planning Commission to provide the public an opportunity to comment on the proposed amendment; and, and after holding said public hearing thereon, the Planning Commission forwarded

the proposed MTP amendment to Council without recommendation due to a tie vote of 3-3, pursuant to the Planning Commission Bylaws;

WHEREAS, Staff caused to be prepared and delivered a report and recommendation to City Council that the MTP be amended; and,

WHEREAS, proper notice of public hearing upon this ordinance has been posted in accordance with applicable law; and,

WHEREAS, City Council has conducted the necessary public hearing thereon and desires to amend the MTP as set forth in Exhibit "A" to this Ordinance.

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

Section 1 The recitals set forth above are deemed to be the findings and determinations made by the City Council and are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2 The Master Thoroughfare Plan and map component of the Comprehensive Plan is hereby amended as set forth in **Exhibit "A"** to this Ordinance, as if fully set forth herein.

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

Section 4. This ordinance shall be effective from and after the date of its adoption.

INTRODUCED on the **21st day of June, 2022**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of July, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

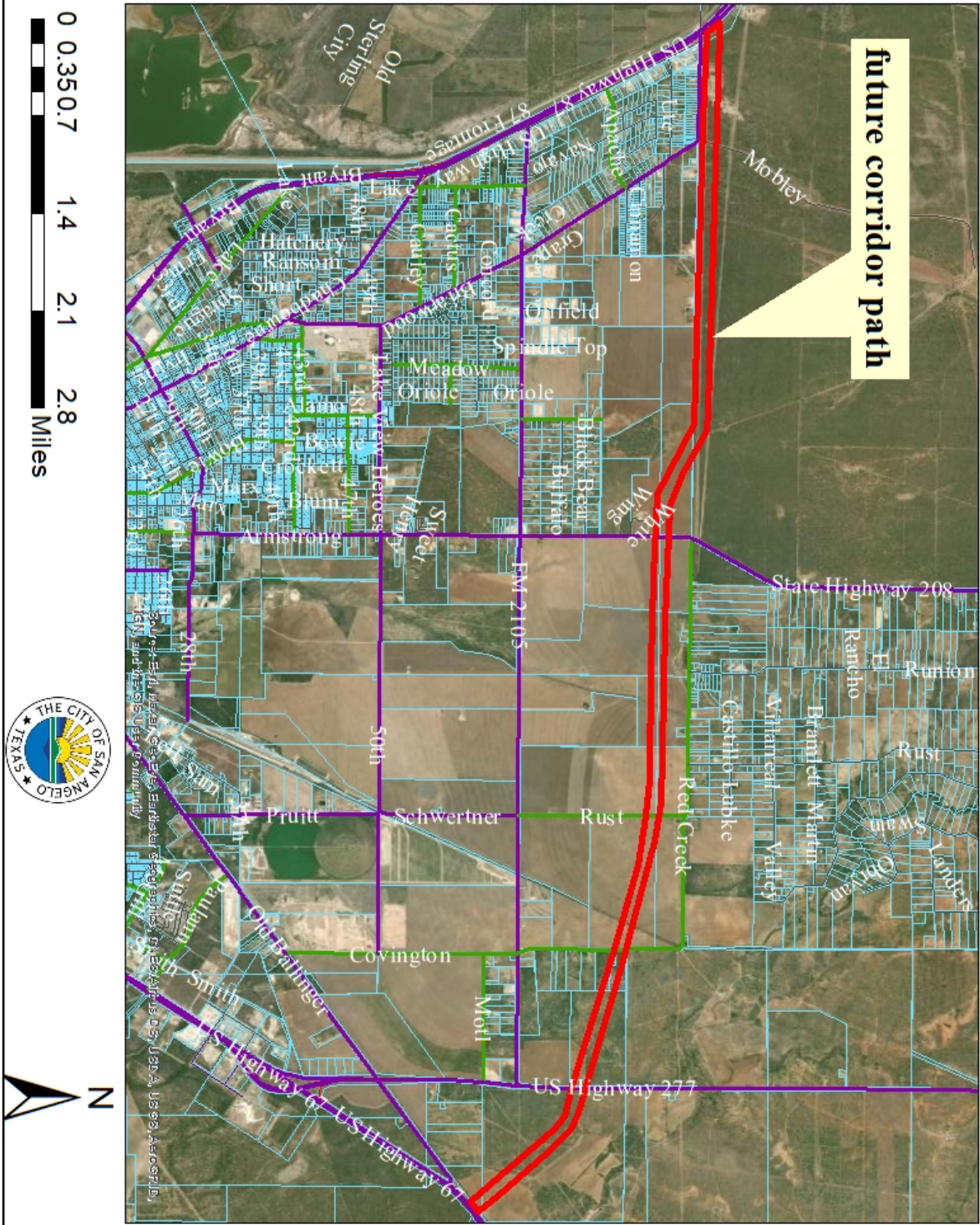
APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT A

MTP Amendment, Northern Interstate Corridor



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing of ordinances amending the following:

1. Z22-02, an ordinance to approve a new historic district in downtown San Angelo, located between Concho River, N. Irving St., E. 4th St., and S. Oakes St.;
2. An Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Section 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions and establishing an administrative approval process; and
3. Consider a resolution approving the City’s Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th St. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

On January 20, 2022, the DHRC recommended approval of this proposed historic district, but State Law also required that property owners are sent a statement of intent explaining the regulations, procedures, tax benefits, and rehabilitation options associated with the designation which are outlined in this report. Therefore, this item will be presented to the DHRC again on Thursday, June 16, 2022 for a final recommendation. Staff has notified all 144 affected property owners and included the statement of intent, as well as the 58 owners within 200’ of the affected properties. A three-fourths majority vote is required by the DHRC for property owners that do not consent to their property becoming historically designated. For all properties recommended to be approved historic by the DHRC, City Council action is required.

- 1) The first item is to approve the new Chadbourne Street Historic District in Downtown San Angelo. This would not affect underlying zoning and not impose any requirements on existing buildings until property owners go to re-develop and make exterior improvements or demolish buildings or structures on their properties. In that case, a Certificate of Appropriateness would be required to be submitted to the City for review by Staff with a final decision by either the DHRC or Planning Director (see Item 2);
- 2) The second item is to amend the criteria for a Certificate of Appropriateness which includes an administrative review process for certain improvements by the Planning Director (see staff report attached).
- 3) The final item is to adopt historic guidelines for the Central Business District which will include the new

Historic District. This will allow Staff to review these guidelines when Certificate of Appropriateness applications are submitted for review.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

These items will be presented to the Design and Historic Review Commission (DHRC) on Thursday, June 16, 2022 for a recommendation. City Council has the final decision on each item.

Attachments:

- | | | |
|----|--|--|
| 1. | June 16, 2022, Downtown Historic District Report | June 16, 2022, Downtown Historic District Report.pdf |
| 2. | Ordinance (Historic Overlay Zone Z22-02) | Ordinance (Historic Overlay Zone Z22-02).pdf |
| 3. | Ordinance (Zoning Ordinance Changes) | Ordinance (Zoning Ordinance Changes).pdf |
| 4. | Resolution Historic Guidelines | Resolution Historic Guidelines.docx |

Presentation:

Jon James

Approvals/Reviews:

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

MEMO



Meeting

Date: June 16, 2022

To: Design and Historic Review Commission (DHRC)

From: Jeff Fisher, AICP
Chief Planner

Requests: Public Hearing and Consideration of the Following Items:

- 1) Z22-02: an Ordinance to adopt a new Historic District in Downtown San Angelo, generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street;
- 2) An Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Section 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions, and establishing an administrative process; and,
- 3) A resolution adopting the City’s Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th Street.

Item 1: Creation of a New Historic District in Downtown San Angelo:

- On January 20, 2022, the DHRC recommended approval of this proposed historic district as shown on the **attached map**. However, State Law also requires that property owners are sent a statement of intent explaining the regulations, procedures, tax benefits, and rehabilitation options associated with the designation which are outlined in this report (see Item 2). Therefore, Staff re-notified all 144 affected property owners and included the statement of intent, as well as the 58 owners within 200’ of the affected properties.
- A three-fourths majority vote is required by the DHRC for property owners that do not consent to their property becoming historically designated. For all properties recommended to be approved historic by the DHRC, City Council action is required. This is scheduled for their June 21, 2022 City Council meeting.
- **If approved, a Certificate of Appropriateness would be required for exterior construction (see Item 2). However, underlying zoning would not be affected. If you are zoned CBD which allows a retail store, you would still be allowed to operate a retail store. Exterior construction however would be subject to a design review process.**

Background:

- In September 2020, the City of San Angelo commissioned HHM & Associates, Inc. of Austin, Texas, to undertake a historic resources survey of downtown San Angelo. The project identified, documented, and evaluated all buildings, structures, sites, landscapes, and objects within the survey boundaries regardless of construction date.

- The report recommended four Downtown Historic District options per the attached map. Planning Staff are recommending the first option “Chadbourne Corridor Commercial Historic District” being approximately 78 acres generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street.
- Each property surveyed received a ranking of high, medium, or low to be designated historic. High priority were determined to be “contributing” to the historic significance and character of the district and are eligible for listing in the National Registry of Historic Places (NRHP). Medium priority properties were those that were also contributing but ineligible for NRHP listing. Low priority properties were those that were “non-contributing” to the historic significance and character of the district.

Recommended Action – Item 1:

Staff recommends **APPROVAL** of the new Downtown Historic Overlay Zone, generally located north of Concho River, east of N. Irving Street; south of E. 4th Street; and west of S. Oakes Street.

Item 2: Amending the criteria for a Certificate of Appropriateness – CofA (required for exterior construction and demolitions on historic properties) and creating an administrative process:

- Historic properties currently require a “Certificate of Appropriateness” application for any exterior construction. This includes exterior reconstruction, alteration, rehabilitation, additions or relocation of buildings. Interior construction does not require an approval, although may still require a building permit.

Review Process for Certificate of Appropriateness (CofA) applications	
<i>Current</i>	<i>Proposed</i>
• no distinction between high, medium and low priority properties	• Different process for high and medium versus low priority properties
• all properties require a CofA	• high and medium properties and demolitions on all properties require a CofA; low priority require a Downtown District approval (lower standard)
• all properties subject to 10 criteria in the Zoning Ordinance from the <i>Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings</i>.	• high and medium properties and demolitions subject to 10 criteria in Zoning Ordinance, and: • City’s Central Business District (CBD) Historic Guidelines; • Secretary of Interior’s Guidelines for Treatment of Historic Properties; • Historic surveys/other information indicating original building design • Low priority properties only subject to current guidelines in Downtown District
• All CofA requests must be approved by DHRC	• New administrative process allowing the Planning Director to approve certain

	requests consistent with admin. process for Downtown Zone approvals (include signs under 50 sq. ft., fences or walls without messaging, exterior painting, etc. (see attached)).
No provision specifying requirements for demolitions by willful act or negligence	Provision added to require CofA's for demolitions by willful act or negligence, owner required to repair or restore the structure

Recommended Action – Item 2:

Staff recommends **APPROVAL** of an Ordinance amending Chapter 12, Planning and Development of the City Code of Ordinances, Exhibit A – Zoning Ordinance, Sections 211 “Historic Overlay Zone”, amending the criteria and process for a Certificate of Appropriateness and demolitions, and establishing an administrative process.

Item 3: Adopting the Historic Preservation Design Guidelines for the Central Business District (CBD) and expanding the boundary north to 4th Street

- Planning Staff have used these guidelines since 2010 when reviewing Certificate of Appropriateness requests, however, no formal action has been taken to officially adopt them. Given the new historic district (Item 1) which will encompass 144 properties and the increased need for historic preservation of San Angelo’s buildings, Staff recommends formally adopting these guidelines and expanding the boundary north to 4th Street to encompass all of the properties in the proposed Chadbourne Corridor Historic District **(See attached map in yellow)**. This will allow Staff to review these guidelines in addition to others when reviewing Certificate of Appropriateness requests. These can then be added to the City’s website and communicated to applicants so they full understand the process and what is being reviewed.

Recommended Action – Item 3:

Staff recommends **APPROVAL** of a resolution adopting the City’s Historic Preservation Design Guidelines for the Central Business District and expanding the boundary north to 4th Street.

Attachments:

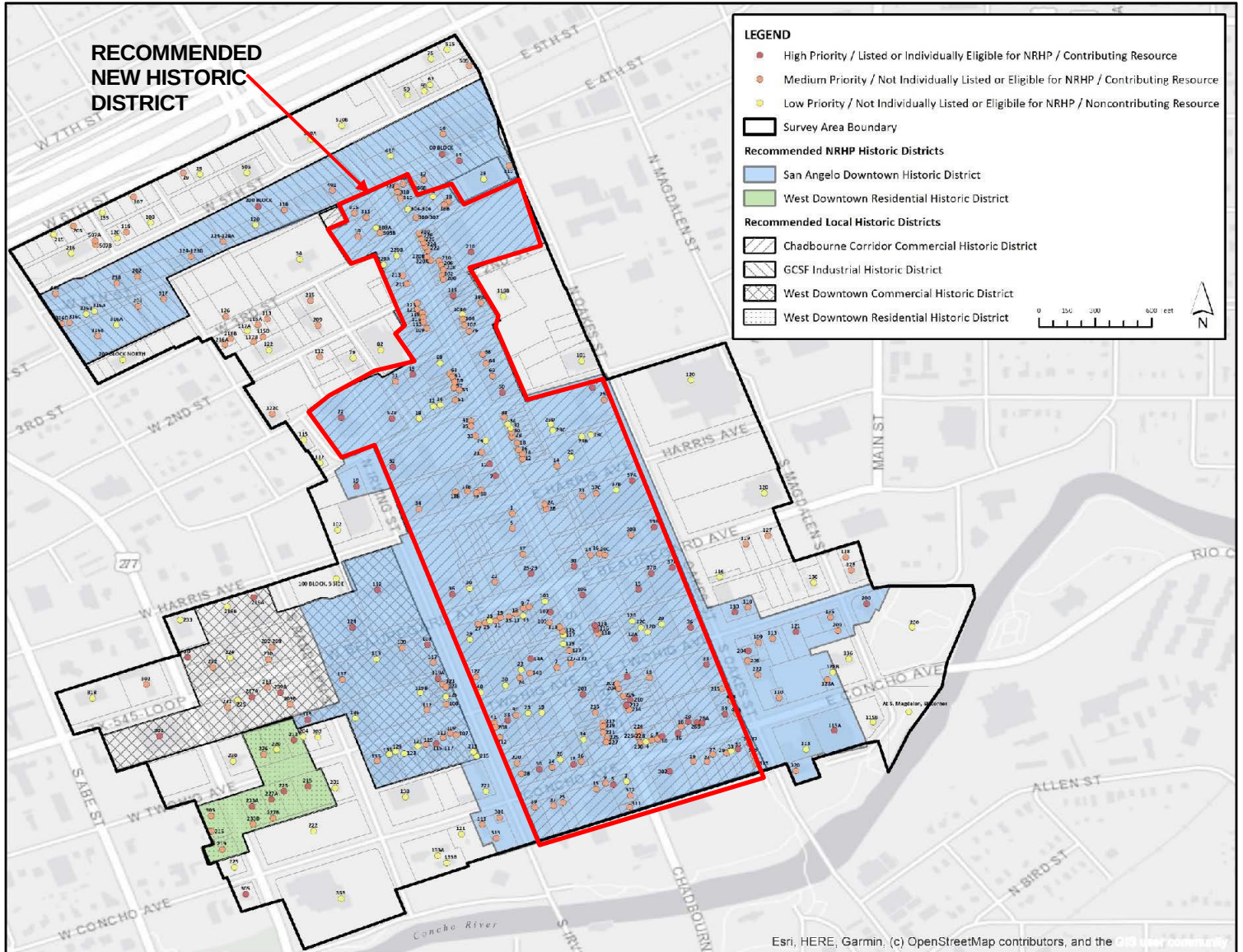
Recommended Historic District

Overall Map

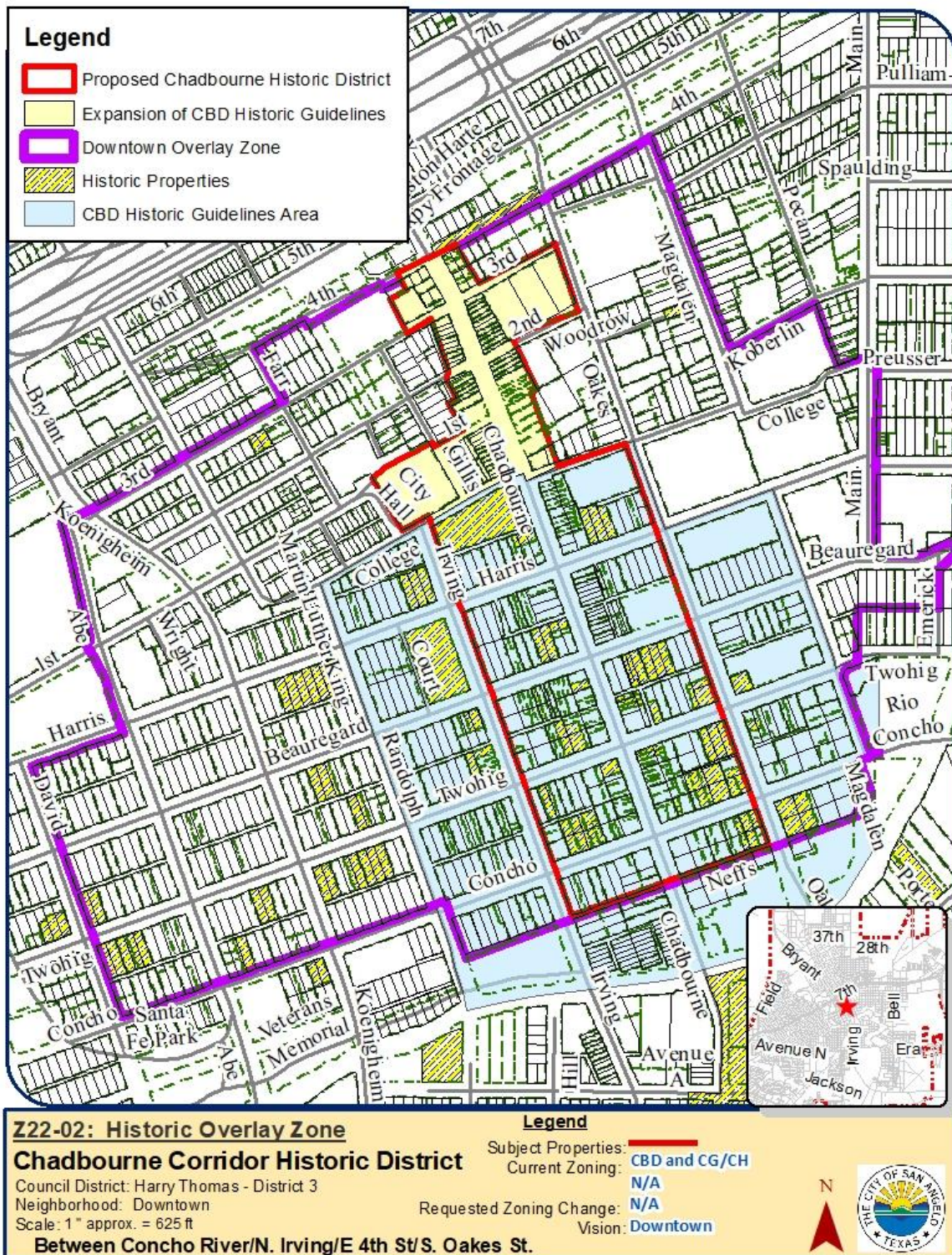
Notice Map – Property Owners

Notice Map – Owners within 200 feet

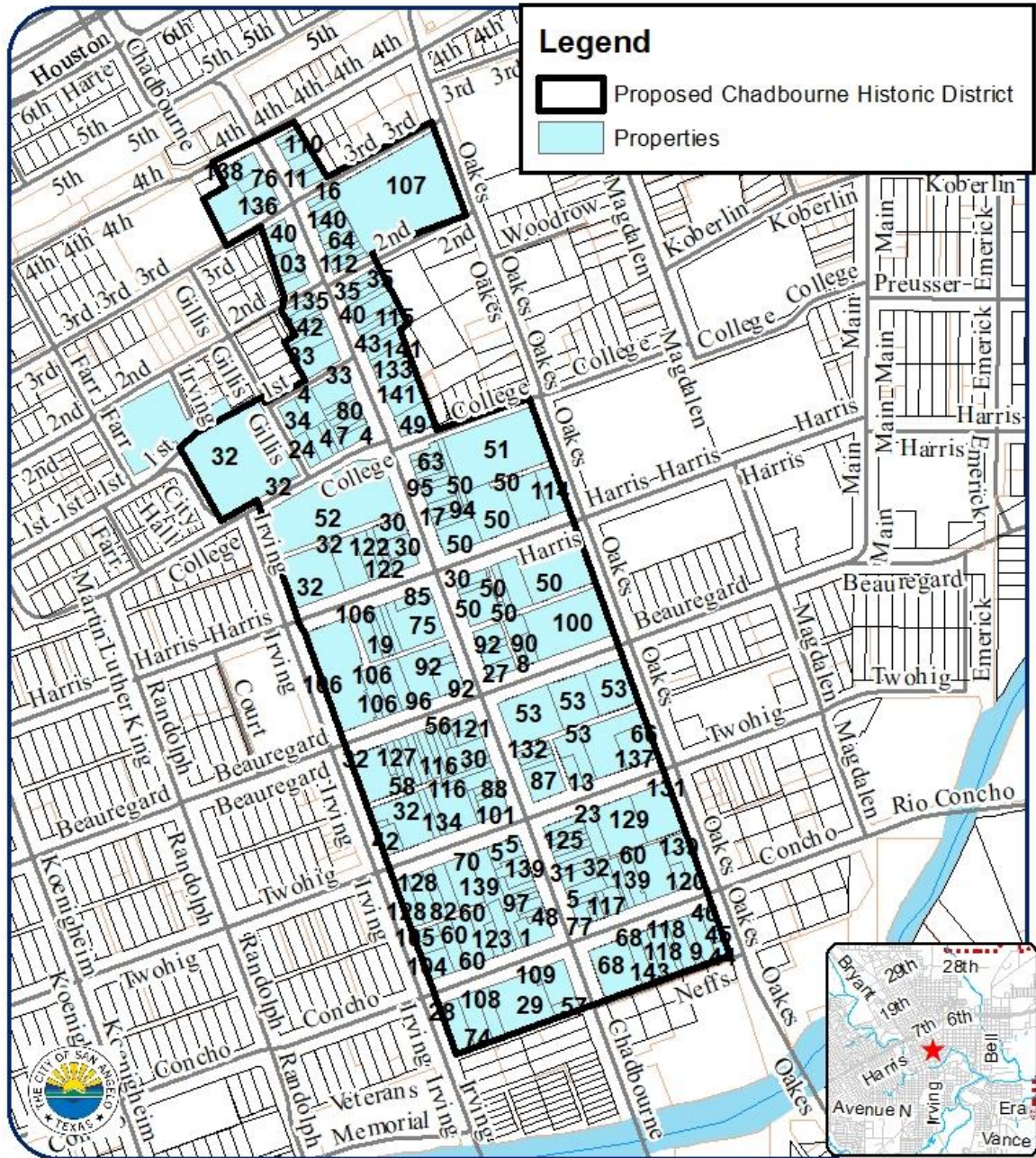
RECOMMENDED HISTORIC DISTRICTS – HISTORIC SURVEY



OVERALL MAP



Notice Map – Property Owners



Z22-02: Historic Overlay Zone

Chadbourne Corridor Historic District

Council District 3- Harry Thomas

Neighborhood: Downtown

Scale: 1" approx. = 500 ft

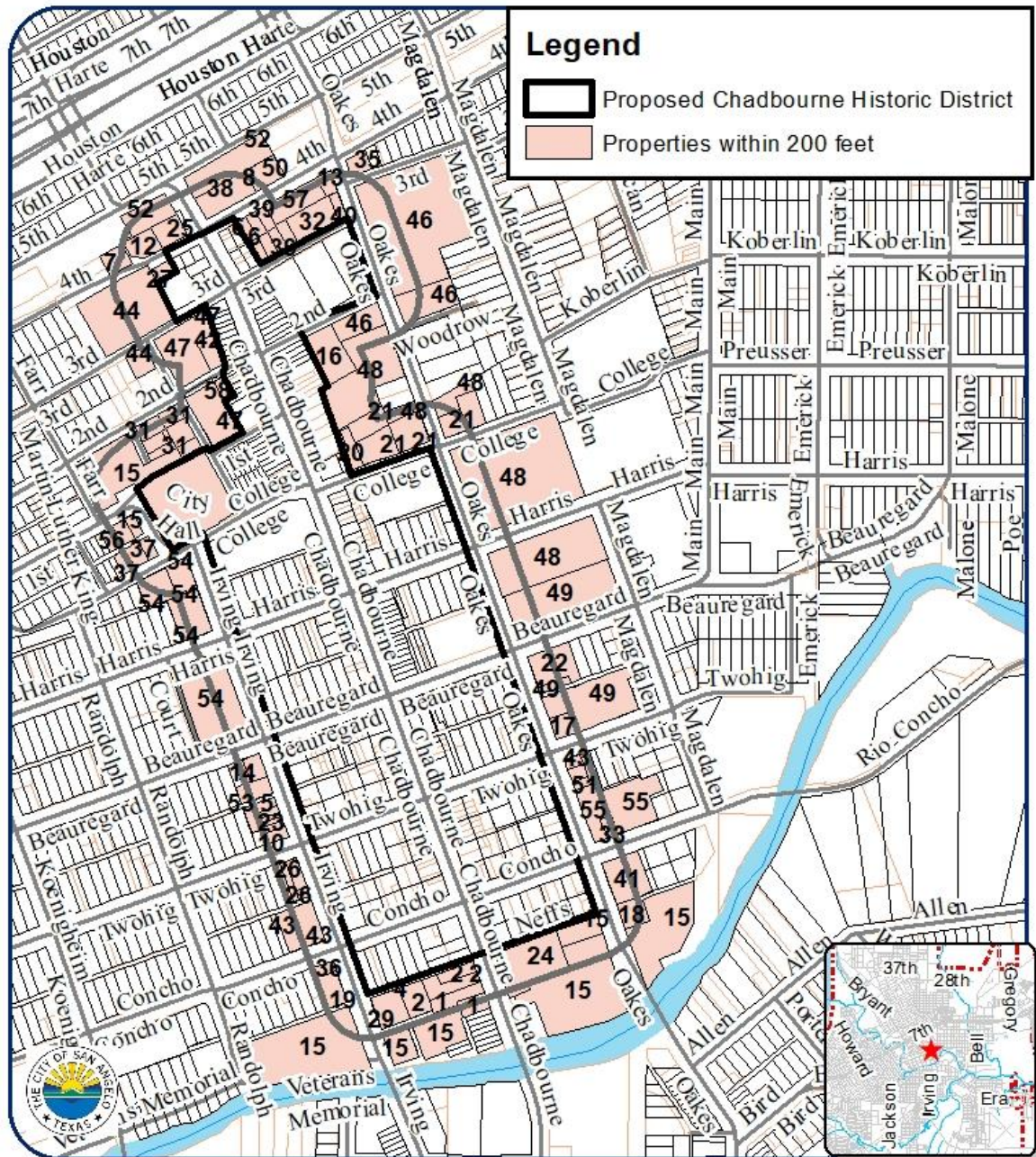
Between Concho River/N. Irving/E. 4th St/S. Oakes St.

Legend

Subject Properties: **CBD and CG/CH**
 Current Zoning: **N/A**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



Notice Map – Owners within 200 feet



Z22-02: Historic Overlay Zone

Chadbourne Corridor Historic District

Council District 3- Harry Thomas

Neighborhood: Downtown

Scale: 1" approx. = 600 ft

Between Concho River/N. Irving/E. 4th St/S. Oakes St.

Legend

Subject Properties: **CBD and CG/CH**
 Current Zoning: **N/A**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



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 ADOPTING A HISTORIC OVERLAY ZONE BOUNDARY MAP, AND DESIGNATING THE HISTORIC OVERLAY ZONE TO THAT AREA, LOCATED **NORTH OF CONCHO RIVER, EAST OF N. IRVING STREET, SOUTH OF E. 4TH STREET, AND WEST OF S. OAKES STREET**; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z22-02: Chadbourne Street Downtown Historic District

WHEREAS, pursuant to Section 211(B) of the City of San Angelo Zoning Ordinance and Texas Local Government Code Section 211.0165, the Design and Historic Review Commission (DHRC) is the designated authority for recommending approval to City Council of historic landmarks and districts; and,

WHEREAS, on the 16th day of June, 2022, the DHRC for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Historic District; and,

WHEREAS, on the 21st day of June, 2022, City Council held a public hearing on Z22-02, pursuant to published notice, and has considered the application, comments, reports and recommendations of the DHRC and staff, public testimony, and other relevant support materials.

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described Historic District Overlay Zone as shown on **Exhibit "A"** - Chadbourne Street Downtown Historic District, the boundary of which is generally described as being within the following parameters:

The real property generally located north of Concho River, east of N. Irving Street, south of E. 4th Street, and west of S. Oakes Street, comprising approximately 79.6 acres; San Angelo, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED with public hearing on the **21st day of June, 2022**, and finally PASSED, on this the **7th day of July, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

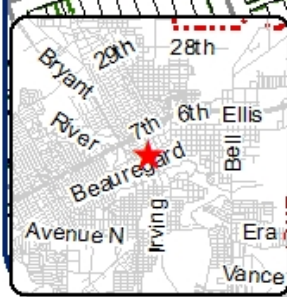
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Z22-02: Historic Overlay Zone

Chadbourne Corridor Historic District

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 475 ft

Between Concho River/N. Irving/E 4th St/S. Oakes St.

Legend

Subject Properties:

Current Zoning: CBD and CG/CH

Requested Zoning Change: N/A

Vision: Downtown

N

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12 "PLANNING AND DEVELOPMENT", EXHIBIT "A" "ZONING ORDINANCE", ARTICLE 2 "DEVELOPMENT REVIEW", SECTION 211 "HISTORIC OVERLAY ZONE", BY AMENDING THE CRITERIA AND PROCESS FOR A CERTIFICATE OF APPROPRIATENESS AND DEMOLITIONS, AND ESTABLISHING AN ADMINISTRATIVE PROCESS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under Section 211 of the Zoning Ordinance, the City of San Angelo has adopted a Certificate of Appropriateness process for reviewing new exterior construction and demolition on historic properties within the City of San Angelo; and,

WHEREAS, on June 16, 2022, a public meeting was held at the Design and Historic Review Commission to provide the public an opportunity to comment on the proposed amendments to Section 211; and after holding a public hearing thereon, the Design and Historic Review Commission recommended approval of the amendments; and,

WHEREAS, after having held a public hearing, considered public comment, and considered recommendations from City staff and the Design and Historic Review Commission, City Council desires to amend the ordinance as it relates to review criteria and process for a Certificate of Appropriateness and demolitions, including a new administrative review process.

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

Section 1: That Chapter 12 "Planning and Development", Exhibit A "Zoning Ordinance", Article 2 :Development Review", Section 211 Historic Overlay Zone" of the City of San Angelo Code of Ordinances is hereby amended as shown on **Exhibit "A."**

Section 2: The terms and provisions of this ordinance shall be deemed to be severable in that if any portion of this ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this ordinance.

Section 3: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED with public hearing the 21st day of June, 2022, and finally passed this July 7th, 2022.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit A

Sec. 211. - Historic Overlay Zone

A. *Purpose.* The Historic Overlay Zone provides additional regulations that supplement the underlying base district regulations for the purpose of preserving historic landmarks and districts.

B. *Procedure for Designation of Landmark or District.* Designation of historic landmarks or districts is accomplished through encompassing each such landmark or district within a Historic Overlay Zone by amendment to the Official Zoning Map for the City. Such an amendment must be approved by ordinance of City Council, following a public hearing and recommendation by the Design and Historic Review Commission, which shall act in place of the Planning Commission. The procedures of [Section 213](#) regarding amendments to the Official Zoning Map shall apply, with delegation of the Planning Commission's duties and responsibilities to the Design and Historic Review Commission, and using criteria set forth in subsections C and D below.

C. *Criteria for Designation of Historic Landmarks.* A Historic Landmark may be designated through application of the Historic Overlay Zone if it:

1. possesses significance in history, architecture, archaeology, or culture;
2. is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
3. is associated with the lives of persons significant in our past;
4. embodies the distinctive characteristics of a type, period, or method of construction;
5. represents the work of a master designer, builder, or craftsman;
6. represents an established and familiar visual feature of the city;
7. possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
8. has yielded, or may be likely to yield, information important in prehistory or history.

D. *Criteria for Designation of Historic Districts.* A Historic District may be designated through application of the Historic Overlay Zone if it:

1. Contains properties and an environmental setting that meet one or more of the criteria for designation of an historic landmark; and
2. Constitutes a distinct section of the city.

Exhibit A

E. *Certificate of Appropriateness Required.* No person shall carryout any exterior new construction, reconstruction, alteration, restoration; any exterior rehabilitation, including any addition to or expansion of an existing building; or, relocation of any historic landmark, on any property within a historic district without first securing a Certificate of Appropriateness. Nor shall any person make any material change in the light fixtures, signage (other than content of message), sidewalks, fences, steps, paving, building exterior or other exterior elements in a historic district or to a landmark, visible from a public right-of-way in that district, which affect the appearance and design cohesiveness within the district of the historic building or landmark, without first obtaining a Certificate of Appropriateness from either the Design and Historic Review Commission or Planning Director, as outlined below.

F. *Certificate of Appropriateness Required for Demolition.* A permit for the demolition of an historic landmark or property within an historic district, including secondary buildings and landscape features, shall not be granted by the Building Official, without the review of a completed application for a Certificate of Appropriateness approved by the Design and Historic Review Commission, as provided for above.

G. Review by Planning Director. The Planning Director, or designee, may:

1. Review and approve, conditionally approve, or disapprove applications for the following:

a. Like-for-like replacement, using the same material and design as the original and does not require structural modifications;

b. Signage:

i. All signs under 50 square feet;

ii. Replacement of an existing sign that is substantially similar.

c. Fences or walls that do not include any signage or message, nor contain any graphics, video, or television display;

d. Landscaping associated with a private park, or within a public street right-of-way;

e. Exterior painting or repainting of any part of a structure;

f. All telecommunication towers and related facilities less than or equal to 35 feet in height;

g. Any construction not visible from a public street right-of-way;

h. Construction which is required by law, for the purpose of safety and access, including parking areas, driveways, sidewalks and walkways;

i. Temporary structures and/or signs that will be in place no longer than thirty consecutive days;

Exhibit A

j. A food truck with a temporary food permit.

2. Refer any application to the Design and Historic Review Commission for review and approval.

3. *Appeal of Planning Director's Decision.* An applicant, designated representative or aggrieved individual may appeal a decision of the Planning Director made under this Section to the Design and Historic Review Commission by filing a written, signed notice of appeal stating the grounds for appeal with the Planning Director within 30 days of the Director's written decision.

H. Review by Design and Historic Review Commission (DHRC). The DHRC has authority to review and approve, conditionally approve, or disapprove all requests that are not reviewed by the Planning Director under subsection G.1 or referred by the Planning Director under subsection G.2.

I. Certificate of Appropriateness Application Procedure.

1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Planning Director or designee. The application shall contain:

a. Name, address, telephone number of applicant, detailed description of proposed work.

b. Location and current photograph of the property and adjacent properties and historical photographs, if available.

c. Elevation drawings of the proposed changes.

d. Samples or description of materials to be used.

e. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property.

f. Any other information which the Planning Director or designee may deem necessary in order to visualize the proposed work.

g. Samples of materials to be used.

2. A building permit shall not be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design and Historic Review Commission. The Certificate of Appropriateness required by this section shall be in addition to, and not in lieu of, any permit for building or other construction-related activity that may be required by any other City ordinance.

3. The Design and Historic Review Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the fully completed application and

Exhibit A

application fee is received. The commission may take one of the following actions on the application for permit: approve, approve with modifications, or deny.

4. All decisions of the Design and Historic Review Commission shall be in writing, adopted by motion of the Commission. The written decision shall include a statement of relevant findings. The decision shall be filed in the office of the Planning Director, with a copy mailed to the applicant.

J. *Criteria for Approval of a Certificate of Appropriateness.* Approval of applications for Certificates of Appropriateness shall be determined by the Planning Director without public hearing, or by the Design and Historic Review Commission following a public hearing on the matter. In considering an application for a Certificate of Appropriateness, the Planning Director or Commission shall be guided by the guidelines below, and any other specific design guidelines adopted for a particular district or landmark:

1. Properties that have been designated as “high” or “medium” priority within a historic resources survey, or those with a “low” priority designation for which demolition is requested, or those with no designation but within a historic district or designated as a landmark, shall be reviewed with the following criteria:

a) The City’s Central Business District Design Guidelines, Old Town District Design Guidelines, or other such guidelines approved by the City Council for the area within which the property falls;

b) Any historic surveys or other information that would indicate the original design of the building or structure;

c) The *Guidelines for the Treatment of Historic Properties* from the Secretary of the Interior; and,

d) The following standards from the Secretary of the Interior's *Standards for the Rehabilitation of Historic Buildings*:

1. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.

2. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its

Exhibit A

environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

2. Properties designated as “low” priority, for which demolition is not being requested, shall not require a Certificate of Appropriateness. However, if located within the River Corridor, Downtown District, or Cultural District Overlay Zones, they will require a District Overlay Zone approval as outlined under Section 212 of the Zoning Ordinance, and shall be subject to review of any approved design guidelines adopted for these districts.

K. Properties subject to a certificate of appropriateness review under this Section 211 do not require District Overlay Zone approval under Section 212 of the Zoning Ordinance.

L. Economic Hardship Application Procedure.

1. After receiving written notification from the Design and Historic Review Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or, this process may be simultaneous with the original Certificate of Appropriateness application procedure. No building permit or demolition permit shall be issued, unless the Commission makes a finding that hardship exists.

Exhibit A

2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:

- a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
- b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.

3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.

4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the Planning Director. Following the hearing, the Commission has thirty (30) days in which to prepare a written recommendation to the building official.

5. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by mail and a copy filed with the Planning Department. The Commission's decision shall state the reasons for granting or denying the hardship application.

M. *Appeal.* An applicant for a Certificate of Appropriateness dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after the written decision of the Commission is filed in the Planning Director's office with a copy mailed to the applicant. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner and according to the same procedures as provided in [Section 213](#) of [Chapter 12](#), Exhibit A "Zoning Ordinance," of the Code of Ordinances of the City of San Angelo, except that review and public hearing by the Planning Commission shall not be necessary.

N. *Enforcement.* All work performed pursuant to a Certificate of Appropriateness issued under this Zoning Ordinance shall conform to any requirements included therein. It shall be the duty of the Building Official or his/her designee to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Design and Historic Review Commission and verification by the Building Official, the Building Official shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

RESOLUTION 2022-XXX

A RESOLUTION OF THE CITY OF SAN ANGELO TEXAS, ADOPTING THE CITY'S HISTORIC PRESERVATION DESIGN GUIDELINES, CENTRAL BUSINESS DISTRICT, FOR COMMERCIAL, RESIDENTIAL, AND MIXED-USE PROPERTIES; AND EXPANDING THE BOUNDARY FROM COLLEGE AVENUE NORTH TO 4TH STREET, APPLYING THE GUIDELINES TO AN AREA LOCATED BETWEEN RANDOLPH STREET TO THE WEST, 4TH STREET TO NORTH, MAGDALEN STREET TO THE EAST, AND THE CONCHO RIVER TO THE SOUTH

WHEREAS, the City of San Angelo recommends adoption of these Historic Preservation Design Guidelines for Commercial, Residential & Mixed-Use Properties in the Central Business District (the "Guidelines"), allowing them to be reviewed with Certificate of Appropriateness requests within the new Historic District of Downtown San Angelo; and,

WHEREAS, these Guidelines were originally created in 2010 and have been providing guidance as part of previous Certificate of Appropriateness requests on historic properties within the designated area by City Staff and the Design and Historic Review Commission (DHRC);

WHEREAS, the Guidelines boundary map currently stops at College Avenue and does not encompass all of the area identified in the recently completed Historic Resources Survey of downtown, and this Resolution would amend the map to be extended to 4th Street to encompass all properties recommended for inclusion within a historic district depicted in Exhibit "A";

WHEREAS, on June 16, 2022, the DHRC for the City of San Angelo made a recommendation to approve these Guidelines.

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

Section 1: This Resolution is hereby approved, adopting the Guidelines depicted as Exhibit "B" and allowing City Staff and the Design and Historic Review Commission (DHRC) to review them for new Certificate of Appropriateness and other related historic review requests;

Section 2: That the current Guidelines boundary map depicted in Exhibit "A" attached hereto and shown in blue, be expanded north to 4th Street to also encompass the area in yellow.

Section 3: In all other respects, the use of all affected Properties shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended. This Resolution adopting new historic guidelines, as hereby authorized, shall have no fundamental effect upon the subject properties underlying or base zoning classification.

ADOPTED on this the 21st day of June 2022.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

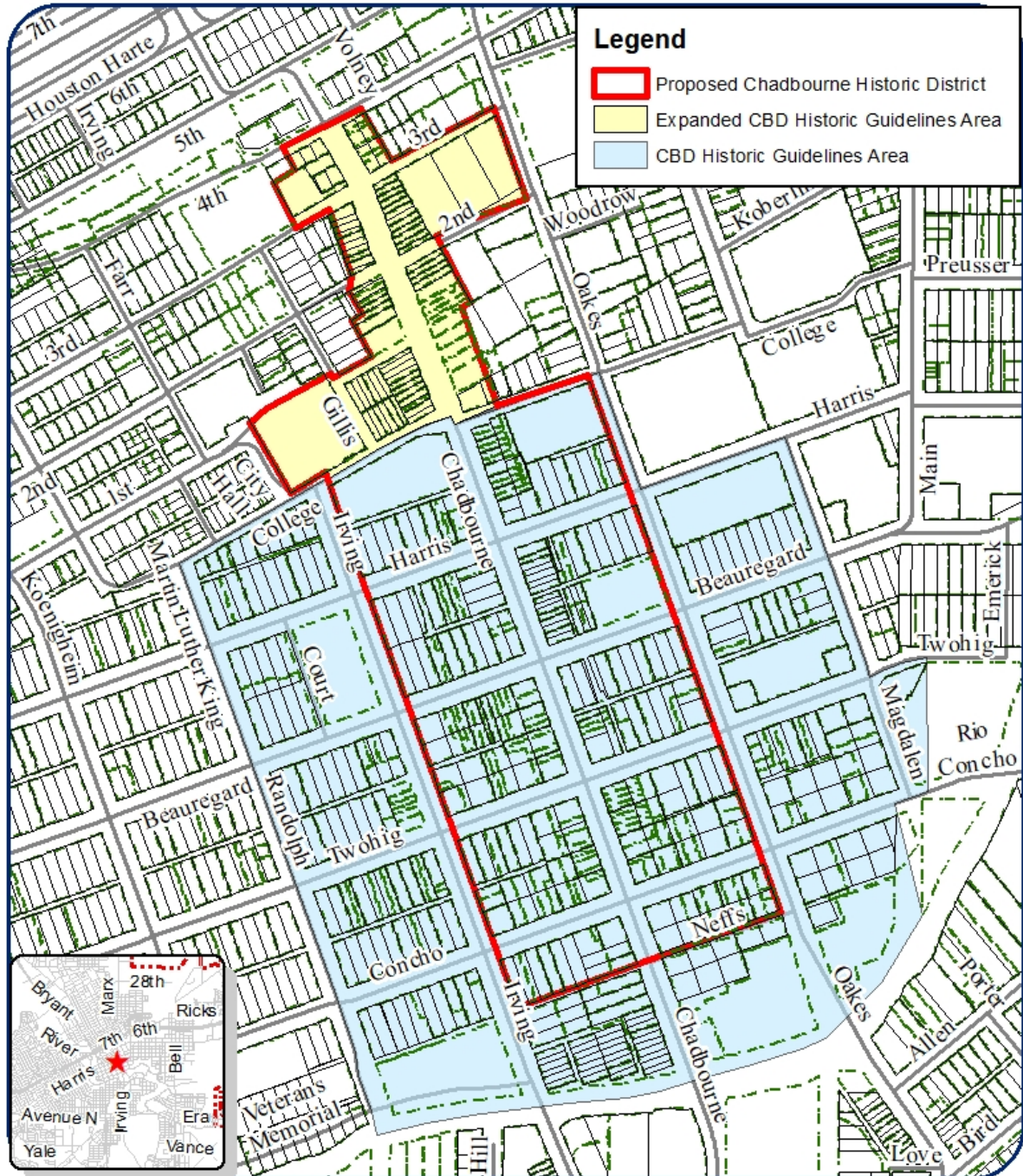
Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT "A"



Z22-02: Historic Overlay Zone

Chadbourne Corridor Historic District

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 500 ft

Between Concho River/N. Irving/E 4th St/S. Oakes St.

Legend

Subject Properties: —

Current Zoning: CBD and CG/CH

N/A

Requested Zoning Change: N/A

Vision: Downtown

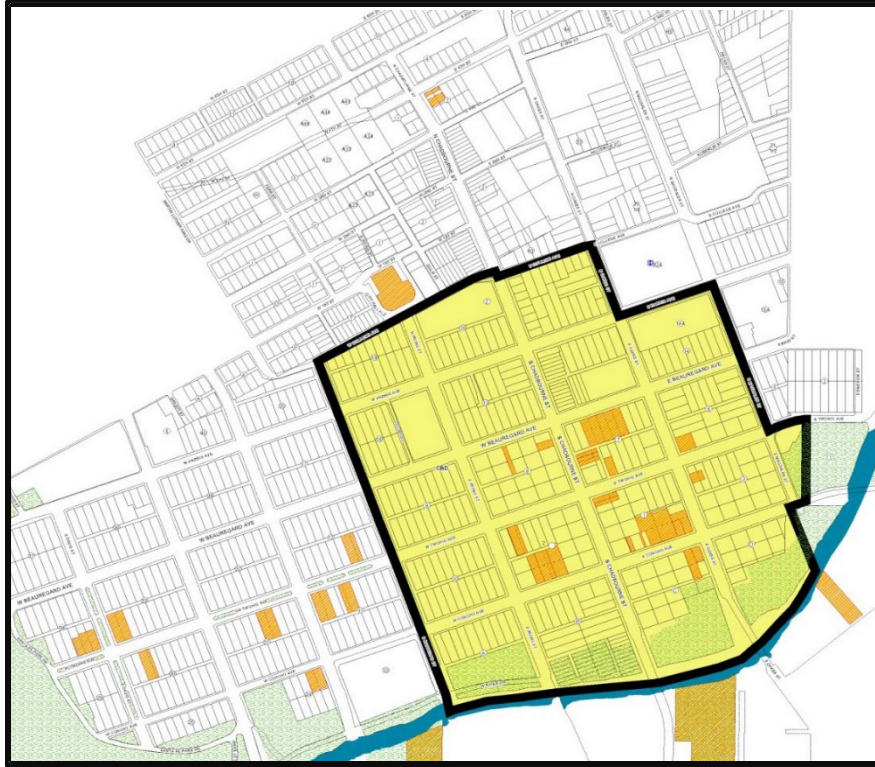
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Exhibit "B"

Historic Preservation Design Guidelines

Central Business District

Commercial, Residential & Mixed-Use
Properties San Angelo, Texas

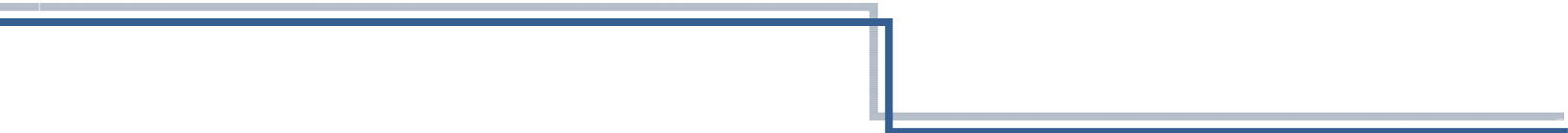


Planning Division

Historic Preservation Commission

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SECTION ONE

Introduction and General Information

Purpose Statement

The historic central business district and surrounding historic areas are vital contributors to the character of the San Angelo community. The following design guidelines were developed with the intent to:

Preserve the historic character and visual identity within the central business and historic overlay districts.

Infill the remaining vacant properties and encourage adaptive re-use of existing buildings while maintaining the historic character of the downtown core.

Revitalize investment interest in the District, encouraging greater retail, service, and commercial activity on the street.

Guide the future historic preservation and development efforts through visioning and planning

Historic Preservation Commission

The Historic Preservation Commission, or HPC, was established in 1993 by the City Council to recommend, promote, protect, and enhance the integrity of landmarks and districts of historical and cultural significance.

The Commission consists of nine members appointed by the City Council, and may serve up to two consecutive terms. Ex-officio members include the Director of Planning and Development, the Chief Building Official, and the Historic Preservation Officer.

Certificate of Appropriateness Process (CA)

Any exterior alteration, demolition or new construction, including new exterior paint colors, changing windows or doors, signs, light fixtures, landscaping, to buildings or structures **designated as historic or designated as a landmark individually require a Certificate of Appropriateness (CA)**. Approval of such a certificate is given by the San Angelo Historic Preservation Commission.

Applications for a CA are reviewed by city staff then presented for review at a monthly Historic Preservation Commission meeting. At the meeting, the applicant and any other interested parties are invited to speak about the proposed project. At the end of the discussion, the Commission votes whether to approve the application as submitted, to approve with conditions, or to deny the application.

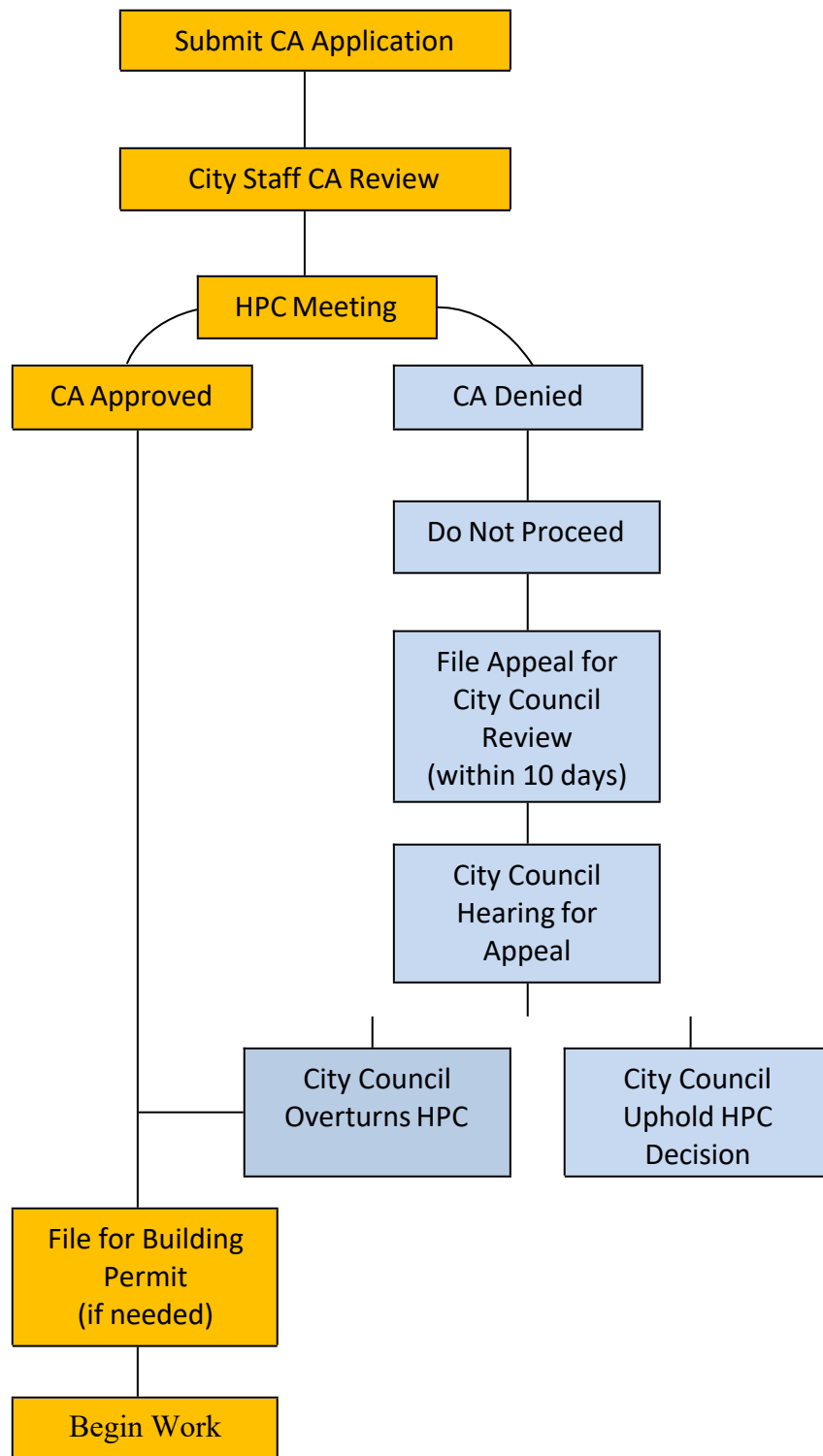


Chart 1: Certificate of Appropriateness Flow Chart

Key Principles: Residential and Commercial

Building Setbacks

A wide variety of building setbacks can be seen throughout the Central Business District. Much of this variety is due to the influence of the automobile and need to provide on-site parking and development in a post-zoning ordinance era. This parking typically has been provided in front of the building for consumer convenience. However, this trend has caused an erosion of the edge of buildings located along a sidewalk like that seen historically. Therefore, it is strongly encouraged that new developments should build on this original tradition of building placement and locate parking in the side and rear when feasible. That being stated, it is a vital interest to the City of San Angelo to preserve the mature tree canopy within the area as much as possible and locate buildings in a manner that preserves the natural character of the area.

Mass and Scale

A variety of building sizes exist in our Historic and Central Business District areas. While contemporary design approaches are encouraged, developments should continue to exhibit a variety in sizes, similar to the buildings seen traditionally.

Building Materials

Building materials of structures should contribute to the visual continuity of the area. They should appear similar to those seen traditionally to establish a sense of visual continuity.

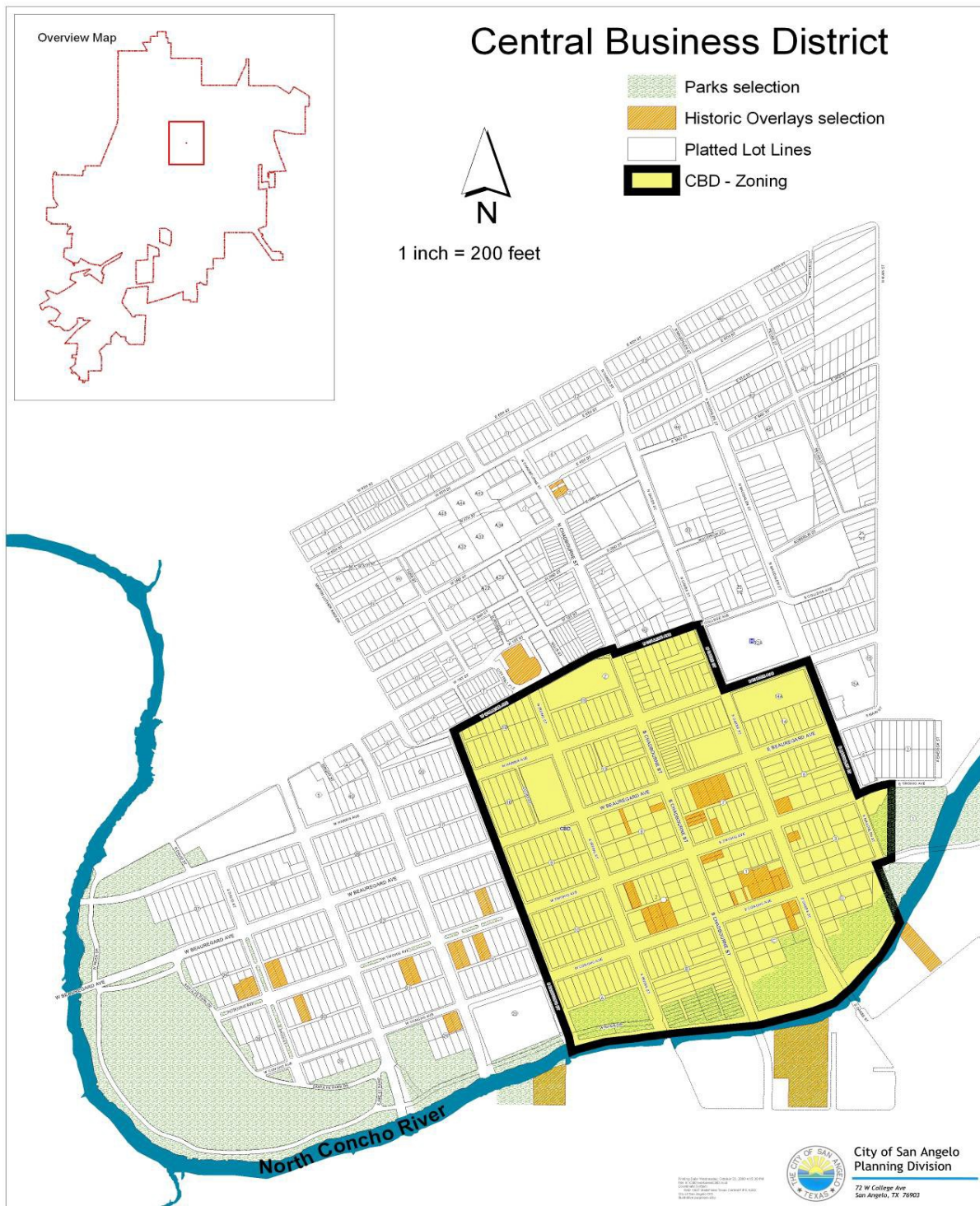
Architectural Character

The Central Business District is made up of architectural styles from the early 1900's. The City wishes to build upon these architectural styles by expanding their use outside the Central Business District. Commercial, office, medical, retail and industrial buildings throughout the Central Business District should build upon these styles utilizing their architectural features and details on new structures. They should also relate to one another through the consistent use of similar building materials, storefronts, recessed entries and the alignment of these different elements along a block. This tradition is strongly encouraged for new developments in the district. The neighborhoods of the Design District represent a number of different architectural styles and reflect the time periods in which they were constructed. Commercial construction within the District may utilize residential architectural design thus blending the uses and the visual harmony of *differing construction eras*.

Pedestrian Environment

The district should provide a controlled, organized automobile system that provides a safe pedestrian environment. Development should include direct, well marked linkages from the sidewalk to a well defined front door entry. Streets, sidewalks and landscaping should define the road edge and encourage walking, sitting and other pedestrian activities.

Map of Central Business District & Surrounding Historic Overlay Areas



SECTION TWO

Alteration Guidelines – Residential, Commercial & Mixed-Use

The Central Business District contains a significant number of structures that are important to the original fabric of the community. Special consideration should be given to preserve these buildings and utilize them whenever possible. Utilization of these buildings often requires additions and alterations to adapt a residential structure into a commercial building or a commercial building into a residential use and should be done carefully so not to visually impact the significant nature of the original building.

Alterations

Design an alteration to be compatible with the original character of the property.

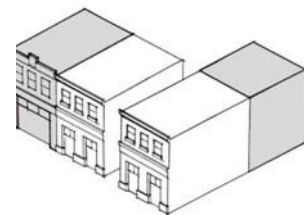
- Avoid alterations that would damage historic features.
- Avoid alterations that would hinder the ability to interpret the design character of the original building.
- Alterations that seek to imply an earlier period than that of the building are inappropriate.
- For example, mounting a sign panel in a manner that causes decorative moldings to be chipped or removed would be inappropriate.

Visual Impact

Minimize the visual impacts of an addition to a commercial building.

Two distinct types of additions are considered to be appropriate, ground level or rooftop.

First, a ground-level addition that involves expanding the footprint of a structure may be considered. Such an addition should be to the rear or side of a building. This will have the least impact on the character of a building, but there may only be limited opportunities to do this.



- An addition shall be compatible in scale, materials and character with the main building.
- An addition shall relate to the building in mass, scale and form. It should be designed to remain subordinate to the main structure.
- An addition to the front of a building is inappropriate. However, where a building is set back from the front property line, the first consideration for the placement of an addition should be to fill the gap between the existing building and sidewalk. This will maintain the consistent established front building line set back desired in the Central Business District.

- An addition shall not damage or obscure architecturally important features. For example, loss or alteration of a cornice line should be avoided.

Second, an addition to the roof may be designed that is simple in character and set back substantially from the front of a building. In addition, the materials, window sizes and alignment of trim elements on the addition should be compatible to those of the existing structure. An addition may be made to the roof of a commercial building if it does the following:

- An addition should be set back from the primary, character-defining facade, to preserve the perception of the historic scale of the building.
- Its design should be modest in character, so it will not attract attention from the historic facade.
- The addition should be distinguishable as new, although in a subtle way.

Another option, which will only be considered on a case-by-case basis, is to design an addition to the front building face of the existing building. This option may only be considered on a “newer” or more contemporary building that was originally constructed set back from the front property line or sidewalk edge.

Addition Compatibility

Design an addition to a structure to be compatible with the primary building.

An addition to a structure can radically change its perceived scale and character if inappropriately designed. When planning an addition, consider the effect the addition will have on the building itself. When creating an addition, keep the size of the addition small, in relation to the main structure. If an addition must be larger, it should set apart from the main structure and connected with a smaller linking element. A design for a new addition that would create an appearance inconsistent with the character of the building, especially an historic one, is discouraged.

One also should consider the effect the addition may have on the character of a street or neighborhood, as seen from the public right-of-way. For example, a side addition may change the sense of rhythm established by side yards in the block. Locating the addition to the rear could be a better solution in such a case.

- Design a new addition so that character of the original building can be clearly seen. In this way, a viewer can understand the history of changes that have occurred to the building. An addition shall be compatible in scale, materials and character with the main building.
- An addition should be made distinguishable from the original building, even in subtle ways, so that the character of the original can be interpreted.
- Creating a jog in the foundation between the original and new structures may help to define an addition.



- Even applying a new trim board at the connection point between the addition and the original structure can help define the addition.
- Place an addition at the rear of a building or set it back from the front to minimize the visual impacts.
- Locating an addition at the front of a structure is inappropriate.
- Do not obscure, damage, destroy or remove original architectural details and materials of the primary structure.
- An addition shall relate to the historic building in mass, scale and form. It shall be designed to be subordinate to the main structure.
- While a smaller addition is visually preferable, if a residential addition would be significantly larger than the original building, one option is to separate it from the primary building, when feasible, and then link it with a smaller connecting structure.
- An addition should be simple in design to prevent it from competing with the primary facade.
- Consider adding dormers to create second story spaces before changing the scale of the building by adding a full second floor.
- The roof form of a new addition shall be in character with that of the primary building.
- Typically, gable, hip and shed roofs are appropriate for residential additions. Flat roofs are appropriate for commercial buildings.
- Repeat existing roof slopes and materials.
- If the roof of the primary building is symmetrically proportioned, the roof of the addition should be similar.

Adapting Residential to Commercial

When adapting a residence to a commercial use, respect the residential character of the building.

Seek uses that are compatible with the historic character of the building. The openness of a front yard should be preserved for example. Converting a building to a new use that is different from that which its design reflects is considered to be "adaptive use." When residential use ceases to be viable, the first preference is to choose new uses that minimize the negative changes in building features. Often there are new uses that are inherently less disruptive to residential structures such as a bed and breakfast, professional offices, small specialty restaurants and personal service businesses.

- Seek uses that are compatible with the historic character of the building.
- The primary goal should be preserving the original residential character, appearance and scale of the structure.
- Avoid altering porches and original windows and doors.

Rehabilitation

The best way to preserve or rehabilitate older building materials is through well-planned maintenance. Wood surfaces, for example, should be protected with a good application of paint. In some cases, historic building materials may be deteriorated. When deterioration occurs, repairing the material rather than replacing it is preferred. Frequently, damaged materials can be patched or consolidated using special bonding agents. In other situations, however, some portion of the material may be beyond repair and may be replaced. The new material should match the original in appearance. Rather than replace original materials, some property owners may consider covering them. **Aluminum and vinyl siding are examples of materials that are often discussed and are not allowed.**

When restoring a historic building, one should take note of the buildings unique architectural details. Historic architecture of the late 19th and 20th century involved many design techniques, one of which was symmetry. When replacing building materials recognize and consider the symmetrical characteristics of your building. If a building has these characteristics one shall attempt to maintain the symmetrical balance of the original buildings appearance. Images of historic building symmetry can be seen below.



SECTION THREE

Historic Overlay & CBD – Commercial Developments

New Commercial Development

Commercial development and new infill construction should relate to existing historic buildings found in all Historic Overlay and Central Business Districts. The use of traditional building materials, architectural elements, and building size and mass should be continued and evident in all new construction.

All new commercial development, new construction, and storefront reconstruction to a historically landmarked and zoned building shall require design approval by the Historic Preservation Commission. An approved “Certificate of Appropriateness” is required before construction may commence.

Building Materials & Color Palette

The use of traditional building materials found in the area should be continued. Brick and stone—used for building walls, supports and foundations—were the primary materials used in many historic commercial buildings. In each case, the distinct characteristics of the building material, including the scale of the material unit, its texture and finish, contribute to the historic character of a building. Aluminum and vinyl siding are examples of materials that are often discussed and are not allowed.

- Materials shall appear to be similar to those used traditionally.
- Brick and cast stone were the traditional materials of commercial style buildings
- A simple material finish is encouraged for a large expanse of wall plane.
- A matte, or non-reflective, finish is preferred.
- Polished stone should be avoided as a primary material.

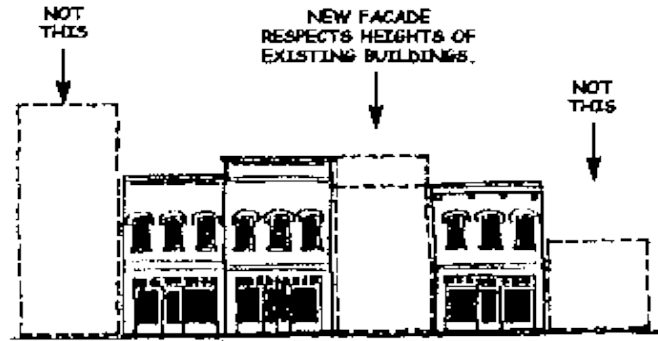
The appropriate use of color can be used to embellish building façade elements and enhance the attractive details of commercial buildings and should not disguise or overpower them. Colors should compliment neighboring buildings and reflect a traditional color palette. Extremely bright, fluorescent or neon colors shall not be permitted as the primary color on the facades of buildings. Only colors similar to or comparable to the palette adopted by the National Trust for Historic Preservation will be allowed.

See Appendix A for the adopted color palette for the City of San Angelo.

Mass, Size and Form

A building's mass, size and form should complement its exterior relationship to adjoining buildings and to its users or pedestrians.

- Building heights vary in the Central Business District and yet there is a strong sense of similarity in scale.
- Building wall offsets, including projections, recesses, changes in floor level, or changes of materials should be used to add architectural variety and interest, and to relieve the visual impact of a blank wall.
- While single buildings may span several of the 20 to 30-foot wide properties, the individual lot width is still expressed as a distinct bay or module. Buildings should reflect this pattern.
- Traditional floor heights should be expressed with horizontal moldings, alignment of windows and other architectural details.
- Floor-to-floor heights shall appear to be similar to those seen traditionally. In particular, the windows in a building should appear similar in height to those seen traditionally. Windowsills, moldings and cornices are among those elements that may be seen to align.



Architectural Elements

Include architectural elements similar to those seen traditionally such as recessed entries, display windows, kickplates, transom windows, cornices, vertically oriented upper-story windows, awnings.

Architectural elements are the individual components of a building, including walls, doors, windows, cornices, parapets, roofs, pediments, and other features. Ornamentation and details of elements such as cornices and parapets are original components that “dress up” a building and give it a sense of style and character. Ornamental items include hoodmolds, trim at doors and windows; plaques and medallions; signboards or sign panels; date or name stones; and simple geometric shapes in metal, stone, or concrete. For a commercial storefront building, a rehabilitation or new project should include as many as possible these defining elements.

Cornices

Cornices, which are usually found at the top of building walls, and ornamental moldings or belt courses, which are located just above storefronts, are horizontal projecting elements that provide a visual break in or termination to a wall. A parapet is an upward extension of a building wall above the roofline, sometimes ornamental, capped with brick, stone or tile, and frequently decorative elements or

panels are placed in it, and sometimes plain, used to give a building a greater feeling of height or a better sense of proportion.

Storefronts

- While commercial structures in the Central Business District may be set back from the street edge is important to provide a storefront that defines the main entry from the street for both the pedestrian and the automobile.
- Alternative designs that are contemporary interpretations of traditional storefronts may be considered.
- New designs should continue to convey the character of typical storefronts, including the transparent character of the display window.
- On traditional storefronts, first floors should be more transparent than upper floors. Upper floors should appear more solid than first floors.
- Avoid a blank wall appearance that does not provide interest to pedestrians.
- Large surfaces of glass are inappropriate on the upper floors and sides of commercial buildings. If necessary, divide large glass surfaces into smaller windows that are in scale with those seen traditionally.

Entrances

- Maintain recessed entries where they are found.
- The repetition of recessed entries provides a rhythm of shadows along the street, which helps establish a sense of scale.
- These recessed entries were designed to provide protection from the weather and the repeated rhythm of these shaded areas along the street helps to identify business entrances. Typically, recessed entries were set back between three and five feet.
- Clearly define the primary entrance with an awning, canopy or other architectural or landscape feature.
- Secondary public entrances are also encouraged on a larger building or along an alley if there is parking in the rear of the site.



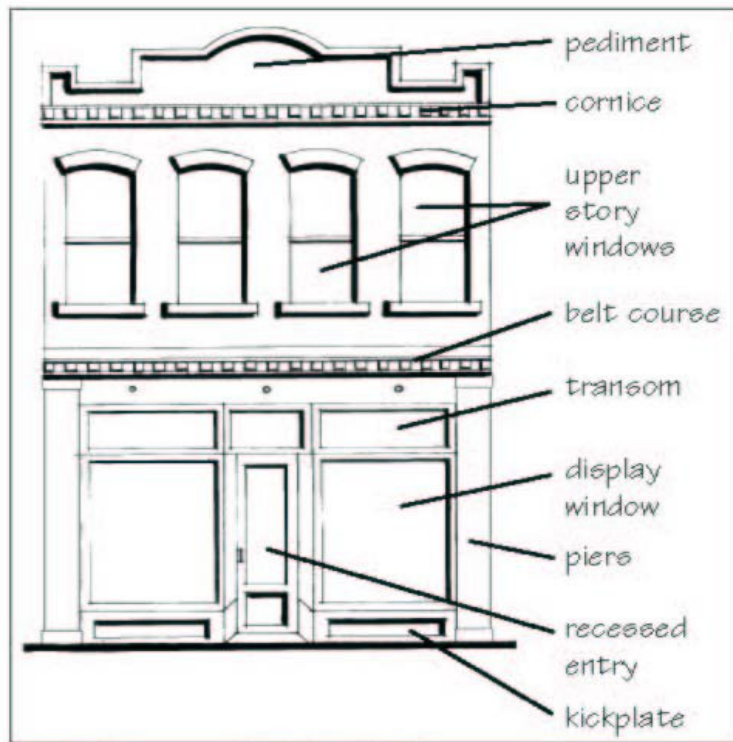
Windows and Doors

Windows and doors are some of the most important character-defining features of older structures. They give scale to buildings and provide visual interest to the composition of individual facades. Windows and doors often are inset into relatively deep openings or they have surrounding casings and sash components that have a substantial dimension that cast shadows which also contributes to the character of the historic style. A typical, upper-story window is twice as tall as it is wide. These proportions are within a limited range; therefore, upper-story windows in new construction should relate to the window proportions seen traditionally.

Features important to the character of a window include its clear glass, frame, sash, mullions, glazing, sills, heads, jambs, moldings, operation, location and relation to other windows. Features important to the character of a door include the door itself, doorframe, screen door, threshold, glass panes, paneling, hardware, detailing, transoms and flanking sidelights.

Window Types and Façade Details

- Display windows: The main portion of glass on the storefront, where goods and services are displayed. This will help maintain the interest of the street to pedestrians by providing views to goods and activities inside first floor windows.
- Transom windows: The upper portion of the display window, separated by a frame.
- Kickplate windows: Found beneath the display window. Sometimes called a bulkhead panel.
- Upper-story windows: Windows located above the street level. These usually have a vertical orientation.



Storefront Guidelines

When restoring a façade a primary goal should be to retain the original shape of the transom glass in historic storefronts. Transoms, the upper glass band of traditional storefronts, introduced light into the depths of the building, saving on light costs. Traditionally, most storefront windows had a vertical emphasis. The proportions of these windows contribute to the character of each residence and

commercial storefront. Windows should also attempt to align with others in a block. Windows, lintels and their trim elements should align with those on adjacent older buildings.

The Installation of window air-conditioners in windows on building fronts is inappropriate. As well as very ornate windows or doors that are not appropriate to the building's architectural style or time period.

Awnings and Canopies

- An awning or canopy should be similar to those seen traditionally. Traditionally, awnings and canopies were noteworthy features of buildings in downtown and their continued use is preferred.
- An awning compatible in material and construction to the style of the building is encouraged.
- Use awning colors that are compatible with the overall color scheme of the facade. Solid colors or simple, muted-stripe patterns are appropriate.
- The awning should fit the opening of the building.
- Simple shed shapes are appropriate for rectangular openings.
- Internal illumination of an awning is inappropriate. Lights may be concealed in the underside of a canopy directed downward, however.
- A fixed metal/wooden canopy may be considered.
- Appropriate supporting mechanisms are wall-mounted brackets, chains and posts.
- Mount an awning or canopy to accentuate character-defining features. It should be mounted to highlight moldings that may be found above the storefront and should not hide character-defining features such as transom windows. Its mounting should not damage significant features and traditional details.

Commercial Design Styles

New interpretations of traditional building styles are encouraged. A new design that draws upon the fundamental similarities among older buildings in the area without copying them is preferred. This will allow the building to be seen as a product of its own time and yet be compatible with its historic neighbors. Buildings that are similar in scale and overall character to those seen historically are strongly encouraged. New infill construction should be a balance of new and old in design. This applies to architectural details as well as the overall design of a building.

Italianate - Circa 1885-1900

Originally inspired by farmhouses found in Northern Italy, this blending of classical and romantic features became one of the most popular of the picturesque styles in the United States. Because of its ornate details, such as bracketed cornices, this style was easily adapted to simple buildings and storefronts. As the details and

features of this style were capable of being interpreted in wood, masonry or iron, it was also very adaptable in the various regions of the country.

With this adaptability and the sensibilities of the times, its popularity grew for commercial buildings.

Characteristics

- Tall, narrow, double-hung windows, often with arched or round arch heads (commonly referred to as “punched” windows as opposed to “ribbon” windows)
- Windowpanes are either one-over-one or two-over-two
- Protruding sills
- Quoins at building corners
- Double doors with glass panels
- Transom, often curved, above the front door
- Brackets, modillions and dentil courses
- Flat roof with ornate cornices
- Decorative paired brackets



Vernacular Commercial Storefronts - Circa 1900-1920

Usually between one and four stories, the vernacular commercial building is divided horizontally into two distinct bands. The first floor is more commonly transparent, so goods can be displayed, while the second story is usually reserved for residential or storage space. A steel beam that spans the glass opening typically supports the upper floor. However, many one-story examples also exist. A kick plate is found below the display window while above the display window, a smaller band of glass, a transom, is seen. Also, the main door is frequently recessed.

These buildings have stone and brick facades. Ornamental detail exists, but is simple, limited to a shallow molding such as a cornice. Some cornices were made of masonry, while others were made of stamped metal. Many carry simplified Italianate detailing. In essence, these buildings lack distinctive detail, contrasting them with the revival styles that were also popular during this period.

Characteristics

- Cast-iron supported storefronts
- Large display windows
- Transom lights
- Kickplate
- Recessed entry
- Tall second story windows and cornice



SECTION FOUR

Historic Overlay & CBD – Residential Developments

The residential component of the Central Business District should develop in a manner that is inviting to pedestrians while retaining the feel of older neighborhoods. Development should include a mix of building types, including older structures and newer structures constructed in an architectural style that contributes to a sense of visual continuity and strengthening the residential experience. Where appropriate, a combination of uses is encouraged, including single family, townhouses and multi-family.

Building Materials & Color Palette

Building materials should contribute to the visual continuity of the area. The materials should appear to be consistent and compatible with that of the traditional residential styles of the area. The materials should complement the surrounding area and aid the sense of historical identity.

- Materials shall appear to be similar to those used traditionally.
- Brick and cast stone were the traditional materials of commercial style buildings
- A simple material finish is encouraged for a large expanse of wall plane.
- A matte, or non-reflective, finish is preferred.
- Polished stone should be avoided as a primary material.

When replacing elements that were originally part of a historic building, special care should be taken. The new building materials should be as close to the original production material as possible. It is suggested that a builder research the proposed building to find evidence of the actual detail they plan to restore. This evidence can be found as documented photographs, drawings, or remaining physical evidence. If no evidence exists, elements typical of the architectural style may be used.

The appropriate use of color can be used to embellish building façade elements and enhance the attractive details of commercial buildings and should not disguise or overpower them. Colors should compliment neighboring buildings and reflect a traditional color palette. Extremely bright, fluorescent or neon colors shall not be permitted as the primary color on the facades of buildings. Only colors similar to or comparable to the palette adopted by the National Trust for Historic Preservation will be allowed.

See Appendix A for the adopted color palette for the City of San Angelo.

Mass, Size and Form

A building's mass, size and form should complement its exterior relationship to adjoining buildings and to its users or pedestrians. The form of a residential building should aid the surrounding pedestrian environment.

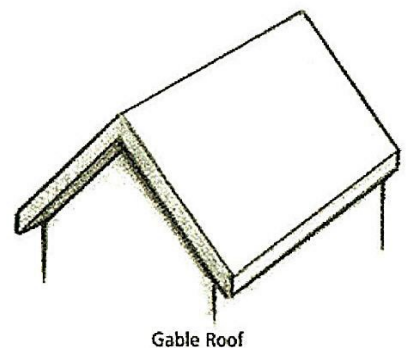
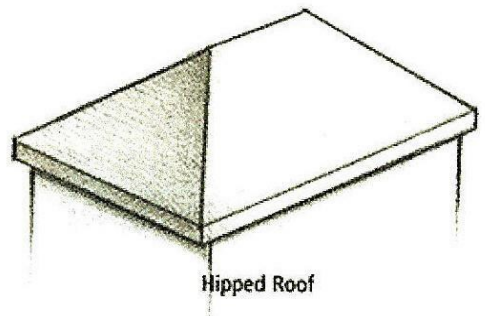
- Building heights vary in the Central Business District residential areas, yet there is a strong sense of similarity in scale.
- Building wall offsets, including projections, recesses, changes in floor level, or changes of materials should be used to add architectural variety and interest, and to relieve the visual impact of a blank wall. These recesses and projection should relate to the surrounding pedestrian activity.
- While single buildings may span several of the 20- to 30-foot wide properties, the individual lot width is still expressed as a distinct bay or module. Buildings should reflect this pattern.
- Traditional floor heights should be expressed with horizontal moldings, alignment of windows and other architectural details.
- Floor-to-floor heights shall appear to be similar to those seen traditionally. In particular, the windows in a building should appear similar in height to those seen traditionally. Windowsills, moldings and cornices are among those elements that may be seen to align.

Architectural Elements

This section presents architectural design information for individual building elements that are influential to the overall character of Central Business District residential buildings. When the elements are appropriately used in combination with one another buildings will reflect an appropriate “look and feel” that is consistent with Central Business District.

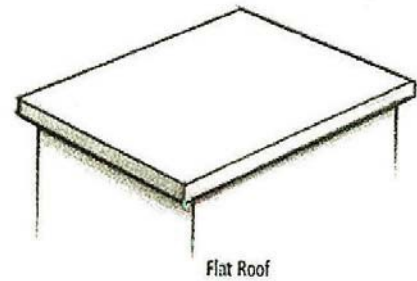
Roof

The character of the roof is a major feature for most historic structures. When repeated along the street, the repetition of similar roof forms contributes to a sense of visual continuity for the neighborhood. In each case, the roof pitch, its materials, size and orientation are all distinct features that contribute to the character of a roof. Gabled and hip forms occur most frequently in residential areas while flat roofs appear on older commercial buildings in San Angelo.



Although the function of a roof is to protect a structure from the elements, it also contributes to the overall character of the building. The Central Business District has seen the construction of various roof forms.

- In residential areas, most roof forms are pitched, such as gabled and hipped.
- Avoid altering the angle of an older roof. Instead, maintain the perceived line and orientation of the roof as seen from the street.
- Often repairing a basically sound roof can be much less expensive than a complete replacement. If a new roof is necessary, try to match the color, material, and pattern of the old as closely as possible.
- Water from downspouts should drain away from the building properly. If this is not possible, a downspout should empty onto a metal or concrete splash block that slopes downward and away from the building.



Porches

Many residential styles and building types developed with the porch as a prime feature of the front facade. A porch protects an entrance from rain and provides shade in the summer. It also provides a sense of scale to the building and provides a space for residents to sit and congregate. A porch provides stylistic details to the house, and in some cases is an integral part of an architectural style. Because of their historical importance and prominence as character-defining features, porches should be preserved and they should receive sensitive treatment during exterior rehabilitation. Porches vary as much as architectural styles. They differ in height, scale, location, materials and articulation. Some are simple one-story structures, while others may be complex with elaborate details and finishes. These elements often correspond to the architectural style of the house and therefore the building's design character should be considered before any major rehabilitation work is begun.

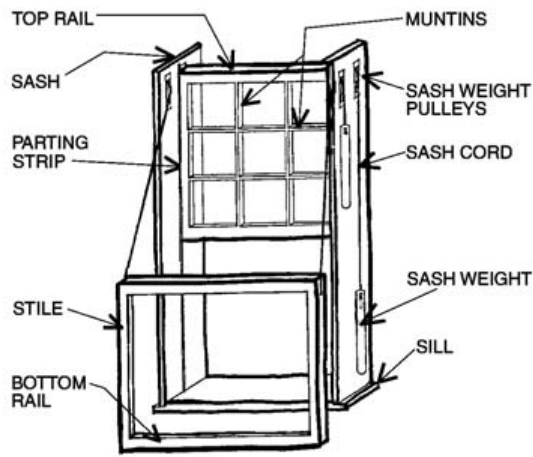


- Maintain the existing location, shape, details, and columns of the porch.
- Missing or deteriorated decorative elements should be replaced with new wood, milled to match existing elements. Match the original proportions and spacing of balusters when replacing missing ones.
- Unless used historically, wrought iron porch posts and columns are inappropriate.
- Enclosing a porch with opaque materials that destroy the openness and transparency of the porch is inappropriate. When a porch is enclosed or screened, it shall be done with a clear transparent material. This material should be placed behind porch columns.

Windows and Doors

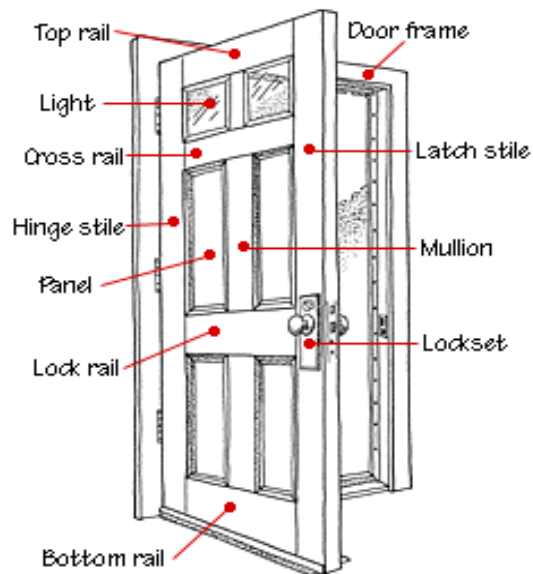
Windows and doors are some of the most important character-defining features of older structures. They give scale to buildings and provide visual interest to the composition of individual facades. Windows and doors often are inset into relatively deep openings or they have surrounding casings and sash components that have a substantial dimension that cast shadows which also contributes to the character of the historic style. A typical, upper-story window is twice as tall as it is wide. These proportions are within a limited range; therefore, upper-story windows in new construction should relate to the window proportions seen traditionally.

Typical Window Details



Features important to the character of a window include its clear glass, frame, sash, mullions, muntins, glazing, sills, heads, jambs, moldings, operation, location and relation to other windows. Features important to the character of a door include the door itself, doorframe, screen door, threshold, glass panes, paneling, hardware, detailing, transoms and flanking sidelights.

Typical Door Details



Queen Anne Victorian Style Residential - Circa 1880-1910

Decorative detailing is one of the main characteristics of this architectural style. Houses typically have irregular shaped, hipped roofs often with steep pitches. Typically the buildings are asymmetrical in shape with one dominant front-facing gable. Extensive detailing is utilized to avoid a smooth-wall appearance. Detailing can take multiple forms such as patterned shingles; “gingerbread” type spindle work; and cutaway bay windows and towers. Porches are partial or full-width and often extend along one sidewall. Spindle work is also used extensively on porches and friezes.

Characteristics

- Steeply pitched, hipped roofs of irregular shape.
- Dominant front-facing gable
- Irregular shapes utilizing cutaway bay window and towers
- Extensive detailing to avoid a smooth-walled appearance
- Asymmetrical faced with partial or full-width porch
- Extensive use of spindle work on porches and friezes



Folk Victorian Style Residential - Circa 1870-1910

This style is defined by the presence of Victorian decorative detailing on simple folk house forms and are typically much less elaborate than the Victorian styles that they mimicked. The primary areas for the detailing are the porch and cornice line. There are a number of subtypes but the most common one in Central Business District is the asymmetrical gable front with wing and covered porch. Porch supports are commonly either turned spindles or square posts with beveled corners.

Characteristics

- Simple folk house form
- Gable front with wing
- Single story with covered porch
- Spindle work porch details



Prairie Style Residential – Circa 1900-1920

This style is sometimes referred to as the Prairie Box or American Foursquare. It has a simple square or rectangular plan, low pitched hipped roof and symmetrical façade. One story wings, porches or carports are common and subordinate to the principal two-story mass. The entrance is often a conspicuous focal point of the façade. Hipped dormers are common as are full-width front porches. Characteristic horizontal decorative elements often consist of contrasting caps on porch or balcony railings as well as piers and chimneys. Other elements include contrasting wood trim between stories and horizontal siding.

Characteristics

- Low-pitched roof usually hipped.
- Widely overhanging eaves
- Two stores with one story wings or porches
- Eaves, cornices, and façade detailing with horizontal lines
- Massive, square porch supports
- Hipped dormers



Craftsman Style Residential - Circa 1905-1930

This particular style originated in California and is often referred to as a bungalow, especially in the single story version. Front gabled porches and house are most common. Porches may be either full or partial width and may be covered by either the main roof or a separate, extended roof. Single story is the most common but one and one half are not uncommon.

Columns for porch roofs are typically shorter, square upper columns resting upon more massive piers.

Characteristics

- Low-pitched, gabled roof (occasionally hipped).
- Wide, unenclosed eave overhang
- Roof rafters usually exposed
- Decorative beams or braces commonly added under gables
- Full or partial width covered porches
- Tapered square porch column



SECTION FIVE

Historic Overlay & CBD – Signage and Screening

Signage

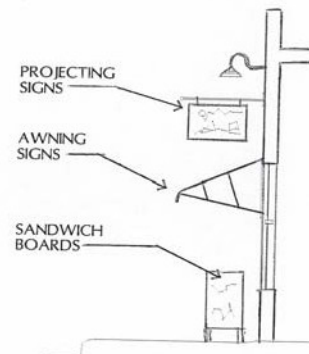
Signs can have a tremendous effect on the historic character of a building. Signage was a vital aspect of late 19th and early 20th century commercial areas and today it plays a great role in defining the identity of historic areas. In some situations, historic signs give continuity to an area and become community landmarks in themselves. Careful consideration should be given to the size, placement and graphics of a sign in order to create a uniform district and preserve the details of historic buildings. **For sign regulations, please see the San Angelo Ordinance (Chapter 12 Planning & Development, Article 12.600).**



Sign Types

Typical historic signs

- Roof top signs
- Painted signs at doors and windows
- Building face mounted or painted signs
- Sandwich boards
- Perpendicular projecting signs



Projecting signs: Projecting signs are mounted perpendicular to the building façade and were used in both pre-war and mid-century periods.

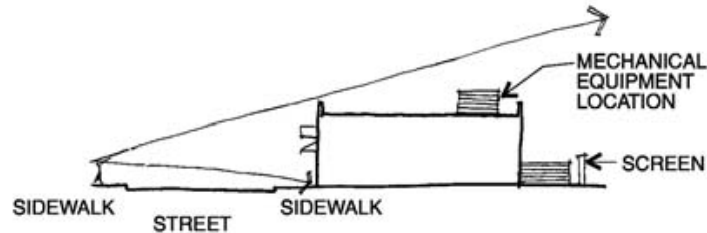
Awning Signs: These types of signs were mounted on the awning or canopy edges.

Window or Door Signs: Directly applied to the display window or door window, window signs help to attract the attention of pedestrians passing by.

Building façade mounted or painted signs: Signs of this type can help emphasize the historic details of a façade. Common during the pre-war period, these signs were painted or mounted directly on building facades.

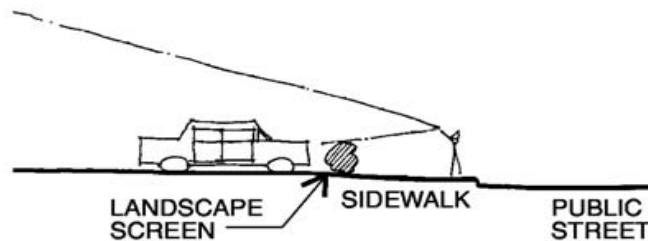
Screening Service and Mechanical Areas

Service and mechanical areas should be screened from the street and other pedestrian areas. Where possible, garbage and equipment areas should be positioned toward the rear of the property and screened from the street. Historic commercial properties with front entry loading areas or garages shall be well maintained and designed to fit the character of the front façade.



At historical properties, mechanical equipment like satellite dishes and air conditioners should not be located in front or visible portion of the property. This type of equipment shall be placed so that they are not visible to pedestrians and do not detract from the historic character of the buildings.

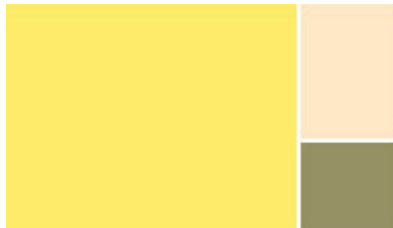
Plants and landscaping can be used as a mechanism to add screening and character to historic buildings and neighborhoods. Landscaping should be appropriate to the historic character of the neighborhood and enhance the overall surrounding environment. Care should be taken not to block significant views of the historic building.



APPENDIX A – HISTORIC COLOR PALETTE APPROVED BY COSA

Wall	Trim
	Accent

Classical / Colonial - 1800's



WALL	Classical Yellow	SW 2865
TRIM	Classical White	SW 2829
ACCENT	Colonial Revival Green Stone	SW 2826



WALL	Colonial Revival Stone	SW 2827
TRIM	Colonial Revival Tan	SW 2828
ACCENT	Classical White	SW 2829

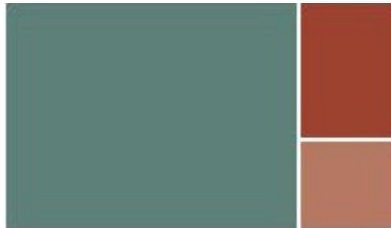


WALL	Colonial Revival Gray	SW2832
TRIM	Colonial Revival Sea Green	SW 2825
ACCENT	Classical Gold	SW 2831

Victorian – 1900's



WALL	Renwick Olive	SW 2815
TRIM	Rookwood Dark Brown	SW 2808
ACCENT	Renwick Golden Oak	SW 2824



WALL	Rookwood Blue Green	SW 2811
TRIM	Rookwood Terra Cotta	SW 2803
ACCENT	Rookwood Rose Beige	SW 2804



WALL	Downing Straw	SW 2813
TRIM	Rookwood Red	SW 2802
ACCENT	Rookwood Dark Green	SW 2816



WALL	Renwick Heather	SW 2818
TRIM	Downing Slate	SW 2819
ACCENT	Downing Stone	SW 2821



WALL	Downing Earth	SW 2820
TRIM	Downing Sand	SW 2822
ACCENT	Rookwood Amber	SW 2817

Suburban Modern – 1950's



WALL Harvest Gold
TRIM Avocado
ACCENT Super White

SW 2858
SW 2861
SW 6995



WALL Westchester Gray
TRIM Chelsea Gray
ACCENT Stratford Blue

SW 2849
SW 2850
SW 2864



WALL Stratford Blue
TRIM Super White
ACCENT Plymouth Green

SW 2864
SW 6995
SW 2852



WALL Peace Yellow
TRIM Caribbean Coral
ACCENT Sycamore Tan

SW 2857
SW 2854
SW 2855

Suburban Modern – 1950’s cont’d.



WALL	Caribbean Coral	SW 2854
TRIM	New Colonial Yellow	SW 2853
ACCENT	Fairfax Brown	SW 2856



WALL	Burma Jade	SW 2862
TRIM	Super White	SW 6995
ACCENT	Beige	SW 2859



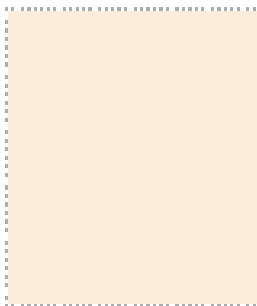
WALL	Sycamore Tan	SW 2855
TRIM	Sage Green Light	SW 2851
ACCENT	Powder Blue	SW 2863

APPENDIX B – RECOMMENDED COLORS BY THE NATIONAL TRUST FOR HISTORIC PRESERVATION

CLASSICAL/COLONIAL

1800

IT IS THE TRUE AMERICAN STYLE. First created by Thomas Jefferson, this balanced blend of 18th century neoclassicism and 19th century romanticism emulated the spirit of a new nation with its leanings toward Ancient Greek and Roman style. Yellowish whites were used to simulate ancient marble. Rookwood Shutter green was used on outside blinds for its resemblance to the bronze shutters of Renaissance buildings. It's a style that continues in popularity today, and you'll find every authentic shade in our Preservation Palette.



Classical White
SW 2829



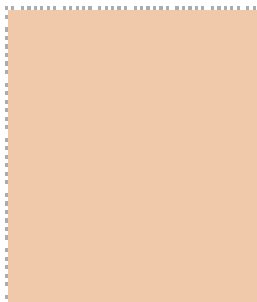
Classical Yellow
SW 2865



Classical Gold
SW 2831



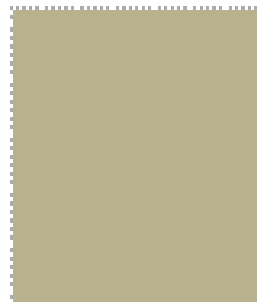
Colonial Revival Gray
SW 2832



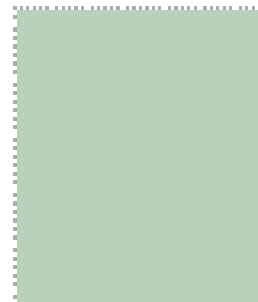
Colonial Revival Tan
SW 2838



Colonial Revival Stone
SW 2827



Colonial Revival Green Stone
SW 2826



Colonial Revival Sea Green
SW 2825

IT WAS A PERIOD OF CONTRASTS. *Natural shades of sand, stone, slate and earth, on homes designed in the style of a Gothic revival. Accents were everything, with ornate windows, doors and cornices painted in vivid hues that featured every ornament. And whether you're faithfully restoring a home in perfect detail, or simply love the look, our Victorian Preservation Palette has all the authentic colors you need.*



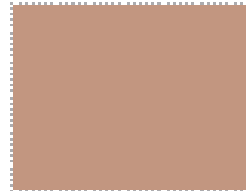
Bookwood Dark Red
SW 2801



Bookwood Red
SW 2802



Bookwood Terra Cotta
SW 2803
"Gallatin Accent"® Vivid Yellow



Bernwick Bone Beige
SW 2804



Bookwood Dark Brown
SW 2806



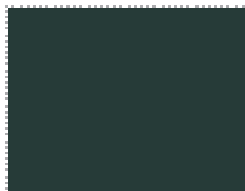
Bookwood Medium Brown
SW 2807



Bookwood Brown
SW 2808



Bernwick Beige
SW 2805



Bookwood Slather Green
SW 2809



Bookwood Sash Green
SW 2810



Bookwood Blue Green
SW 2811



Bookwood Jade
SW 2812



Bookwood Dark Green
SW 2816



Bernwick Olive
SW 2813



Bookwood Antique Gold
SW 2814



Downing Straw
SW 2815



Bernwick Golden Oak
SW 2824



Bookwood Clay
SW 2825



Downing Sand
SW 2822



Downing Stone
SW 2821

IT WAS A WHOLE NEW OUTLOOK ON LIFE. *The war was over, and Americans were ready to settle down and enjoy the simplicity and prosperity victory had brought. Homes became smaller, more alike and more easily produced. And the brighter, sunnier colors they painted them in reflected a newfound optimism. Whether you're nostalgic for the 50's style, or are refurbishing in exact detail, our Preservation Palette has the colors you need.*



Peace Yellow
SW 2857



Harvest Gold
SW 2858 P1



Edge
SW 2859



Sage
SW 2860



New Colonial Yellow
SW 2853 P1



Caribbean Coral
SW 2854



Sycamore Tan
SW 2855



Fairfax Brown
SW 2856



Avocado
SW 2861



Burma Jade
SW 2862



Powder Blue
SW 2863



Stratford Blue
SW 2864 P1



Hymn Green
SW 2852



Sage Green Light
SW 2851



Chelsea Gray
SW 2850

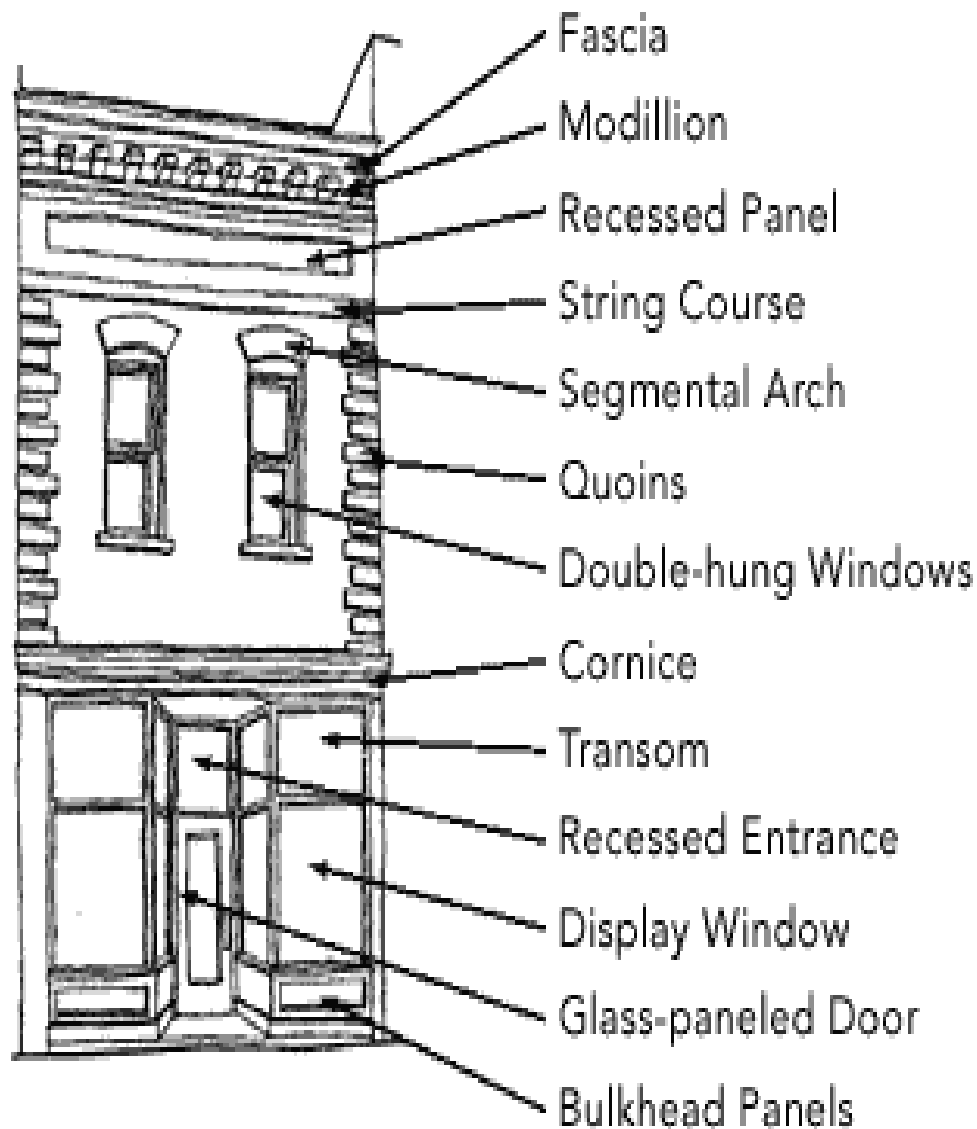


Wickham Gray
SW 2849

APPENDIX C – GLOSSARY OF TERMS

Traditional Historic District – Site Characteristics

Commercial Facades – The Components



DEFINITIONS:

CORNICE	A horizontal molded projection that crowns or completes a building or wall
DORMERS	A window set vertically into a small gable projecting from a sloping roof
FASCIA	Abroad and distinct band of color
MODILLION	An ornamental bracket used in series under a cornice
PALETTE	The range of colors used in a particular painting or by a particular artist
PARAPETS	A low protective wall or railing along the edge of a raised structure such as a roof or balcony
QUOINS	Any of the stones used in forming such an angle, often being of large size and dressed or arranged so as to form a decorative contrast with the adjoining walls
TRANSOM	A horizontal crosspiece over a door or between a door and a window above it

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing to amend the Budget Ordinance for the fiscal year beginning October 1, 2021 and ending September 30, 2022 to delete a fire fighter position and add a civilian position (Presentation made by Interim Fire Chief Patrick Brody)

Staff Recommendation:

Approve

Summary/History:

The Fire Department is requesting amending COSA 2021-2022 budget ordinance, lowering Fire Fighter rank number from 90 to 89 and reclassifying the position to civilian.

Currently, Howard College is the accrediting body for our Paramedic program. In 2021, Howard College moved to a traditional college schedule, extending the program to a 30-month curriculum. The Fire Department was forced to provide our own instructor to keep the program within a 12 month time frame. If we did not provide this position, our students would be in the academy for 36 months, creating multiple unfilled positions and uncontrollable overtime numbers. The Fire Department made the required adjustments internally and reassigned the only qualified personnel to fill this instructor role.

Our current EMS instructor has given his intent to retire in the next 3-6 months. The Fire Dept. is requesting to amend the code of ordinances and reclassify this position to be civilian. This will allow the department to seek qualified external applicants. Currently, we do not have any personnel within the department that meet the criteria to fill this role. The time frame to acquire the certifications required for lead instructor of a paramedic program will take approximately two years (required certifications: EMS Coordinator, EMS Instructor, and Administrator of Record).

Current salary and benefit package for firefighter: \$66,429

Proposed salary grade for civilians-Grade 28 pay range \$56,413---\$84,620

The budget division has confirmed the Fire Dept has available funding in our salaries budget to fund the difference in pay.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
-------	----------	-----------------	------------------

Full-Time Salaries

101-9000-422.01-10

\$0.00

Financial Impact:

Current salary and benefit package for Firefighter \$66,429

Proposed salary grade for civilian - Grade 28 pay range \$56,413 - \$84,620

The Budget division has confirmed the Fire Department has available funding in their salaries budget to fund the difference.

Other Information/Recommendation:

Attachments:

1. Ordinance removing FF position

Ordinance removing FF position.docx

Presentation:

Patrick Brody

Approvals/Reviews:

Patrick Brody

Created/Initiated

Patrick Brody

Approved

Theresa James

Approved

Tina Dierschke

Approved

Julia Antilley

Final Approval

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

WHEREAS, in the 2021-2022 adopted budget for the City of San Angelo, the City Council approved 90 Fire Fighters and 616 Civilians, and

WHEREAS, the Chief of the San Angelo Fire Department wishes to reallocate positions within the Fire Department to reduce the number of Fire Fighters to 89 and increase the number of civilian employees to 617; and

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

The Classification plan for authorized positions found in the City's budget for fiscal year 2021-2022 be amended as follows:

"Classification plan for authorized positions:

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	21
Fire Engineer (or Driver)	49
Fire Fighter	89
Fire Department – Civil Service Subtotal	179
Police Chief	1
Assistant Chief	2
Police Lieutenant	7
Police Sergeant	28
Police Officer	142
Police Department – Civil Service Subtotal	180
Civilians	617
Total Staffing Levels	975"

INTRODUCED with public hearing on the 21st day of June, 2022, and finally **PASSED** on this 7th day of July, 2022.

ATTEST:

THE CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for fuel and materials due to inflation (Presentation made by Finance Director Tina Dierschke)

Staff Recommendation:

Adopt

Summary/History:

A budget amendment is necessary to increase revenue and expenses related to fuel and material operating budgets due to inflation.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Fleet Services	301-0000-340.01-00		\$500,000.00
Fleet Services	301-1800-500.06-24		\$500,000.00
Fleet Services	301-0000-340.03-00		\$400,000.00
Fleet Services	301-1800-500.06-25		\$400,000.00

Financial Impact:

Increasing revenue and expenditure on fuel (\$500,000) and materials (\$400,000).

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|--|
| 1. | 2022 05.03 Ordinance | 2022 05.03 Ordinance.docx |
| 2. | Budget Amendment Memo - 301 | Budget Amendment Memo - 301.pdf |
| 3. | 2022 06.21 Presentation - BA Memos Fuel | 2022 06.21 Presentation - BA Memos Fuel.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle
Theresa James
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, FOR UNPLANNED EXPENDITURES.

WHEREAS, the City of San Angelo has determined that certain budgeted amounts should be amended due to purchases, and

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2021-2022 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 21st day of JUNE 2022, and finally **PASSED** on this 7th day of JULY 2022.

ATTEST:

THE CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

Exhibit A

City of San Angelo
Proposed Budget Amendment

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
Fleet Services	900,000	900,000	-
	\$900,000	\$900,000	\$-

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Material and Fuel cost increases	Departmental Contributions	900,000	900,000	-
		\$900,000	\$900,000	\$-

Memo

To: Tina Dierschke, Finance Director
From: Ryan Kramer, Senior Fleet Manager
Date: 06/09/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Increase revenue and expense for fuel and materials operating budgets

Source of Funding:

301 - Fleet Services

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

No

Project/Budget to be amended	Revenue	Expense
Gas and Oil	500,000	500,000
Materials	400,000	400,000

Additional Comments:

Increases requested due to rising fuel costs, parts and repairs.



City Council

June 21, 2022

Budget Ordinance Amendments

Tina Dierschke

Budget amendment

Fleet Services	Revenue	Expense
Gas & Oil	500,000	500,000
Material	400,000,	400,000

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



info@cosatx.us



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance authorizing the issuance and sale of City of San Angelo, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022; appointing a pricing officer and delegating to the pricing officer the authority to approve on behalf of the City the sale of the Certificates, the terms of the Certificates and the offering documents for the Certificates; establishing certain parameters for the approval of such matters by the pricing officer; approving the use of a Paying Agent/Registrar Agreement; levying an annual ad valorem tax and providing for the security for and payment of said Certificates; providing an effective date; and enacting other provisions relating to the subject (Presentation made by Finance Director Tina Dierschke)

Staff Recommendation:

Adopt

Summary/History:

Adopt an ordinance for the issuance of Series 2022 Certificates of Obligation. Series 2022 certificates are associated with projects related to Street Improvements and Reconstruction.

Publication of notice of intention to issue combination tax and limited surplus revenue Certificates of Obligation was approved by the City Council on April 5, 2022.

Funding Source(s):

Financial Impact:

Debt service obligation associated with issuance: \$16,000,000

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | 5.26.2022 - San Angelo - Certificates of Obligation | 5.26.2022 - San Angelo - Certificates of Obligation.pdf |
| 2. | Ordinance (San Angelo 2022 COs)v2 | Ordinance (San Angelo 2022 COs)v2.pdf |
| 3. | Timeline San Angelo CO Series 2022 5.27.22 | Timeline San Angelo CO Series 2022 5.27.22.pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Final Approval



City of San Angelo, Texas

Parameters Sale - Certificates of Obligation, Series 2022

June 7, 2022



SPECIALIZED PUBLIC FINANCE INC.
FINANCIAL ADVISORY SERVICES

Vince Viaille | Managing Director

Office 214.373.3911 | Cell 806.773.4546
vince@spfmuni.com

Patrick Q. Smith | Director

Office 214.373.3911 | Cell 214.499.0412
patrick@spfmuni.com

Overview of the Plan of Finance

Summary



- On April 5th, the City of San Angelo (the “City”) approved a Notice of Intent to issue Certificates of Obligation as part of its rolling issuance program.
- The proposed Certificates of Obligation will be amortized over a 20-year term.
- No tax rate increase is anticipated as part of the rolling Certificates of Obligation program.
- Today, the City will consider delegation of the sale to the Pricing Officer(s). The deadline for bids to be submitted is June 9, 2022 at 10:00am. Once the bids are received, the Pricing Officer will award the Certificates to the winning bidder as calculated by the lowest interest rate.
- Within the analysis, the following primary assumptions are utilized:
 - Current interest rates plus 25 basis points as a hedge against potential upward rate movement.
 - Assessed value growth of 3% annually (2022-2031); and 1% thereafter.
 - 97.5% tax rate collections.

Proforma Debt Service – Certificates of Obligation Program

Tax Supported Debt Service



FYE 9/30	Adjusted Taxable Value ⁽²⁾	Est. AV Growth	Existing Tax Supported D/S	Certificates of Obligation			Estimated Existing & Proposed Tax Supported D/S	Estimated I&S Tax Rate ⁽³⁾
				Prelim. \$16,000,000 Series 2022				
				Dated: May Principal	TIC. @ 3.82% Interest	Total D/S		
2022	\$5,515,748,574	-	\$4,905,176	\$ -	\$ -	\$ -	\$4,905,176	0.0936
2023	5,681,221,031	3.00%	4,040,774	475,000	669,641	1,144,641	5,185,415	0.0936
2024	5,851,657,662	3.00%	3,921,225	835,000	585,375	1,420,375	5,341,600	0.0936
2025	6,027,207,392	3.00%	3,367,200	290,000	568,500	858,500	4,225,700	0.0719
2026	6,208,023,614	3.00%	3,523,150	290,000	559,800	849,800	4,372,950	0.0722
2027	6,394,264,322	3.00%	3,620,450	240,000	551,850	791,850	4,412,300	0.0708
2028	6,586,092,252	3.00%	3,792,950	165,000	545,775	710,775	4,503,725	0.0701
2029	6,783,675,019	3.00%	3,826,075	165,000	540,825	705,825	4,531,900	0.0685
2030	6,987,185,270	3.00%	3,578,975	650,000	526,975	1,176,975	4,755,950	0.0698
2031	7,196,800,828	3.00%	3,573,719	855,000	498,500	1,353,500	4,927,219	0.0702
2032	7,268,768,836	1.00%	3,579,981	890,000	463,600	1,353,600	4,933,581	0.0696
2033	7,341,456,525	1.00%	3,562,422	925,000	427,300	1,352,300	4,914,722	0.0687
2034	7,414,871,090	1.00%	3,564,706	965,000	389,500	1,354,500	4,919,206	0.0680
2035	7,489,019,801	1.00%	3,561,969	1,000,000	350,200	1,350,200	4,912,169	0.0673
2036	7,563,909,999	1.00%	3,385,634	1,040,000	309,400	1,349,400	4,735,034	0.0642
2037	7,639,549,099	1.00%	3,597,825	1,085,000	266,900	1,351,900	4,949,725	0.0665
2038	7,715,944,590	1.00%	3,597,188	1,135,000	222,500	1,357,500	4,954,688	0.0659
2039	7,793,104,036	1.00%	2,333,400	1,175,000	176,300	1,351,300	3,684,700	0.0485
2040	7,871,035,076	1.00%	2,334,500	1,225,000	128,300	1,353,300	3,687,800	0.0481
2041	7,949,745,427	1.00%	-	1,270,000	78,400	1,348,400	1,348,400	0.0174
2042	8,029,242,881	1.00%	-	1,325,000	26,500	1,351,500	1,351,500	0.0173
			\$62,999,418	\$16,000,000	\$ 7,886,141	\$23,886,141	\$ 91,553,459	

Assumptions:

(1) Financing assumptions represent current interest rates plus 25 basis points.

(2) FY2022 Assessed Valuation are the current Net Taxable Assessed Value.; Estimated assessed valuation growth rates provided by the City.

(3) Est. tax collections rate: 97.5%

Parameters for the Sale of Certificates



- An overview of a parameters bond sale for the Series 2022 Certificates:
- The proposed parameters are designed to provide the City with flexibility to access the bond market in a timely and efficient manner with the goal of achieving the lowest possible cost of funds.
- In a parameters sale, the Council delegates final pricing authority to the selected pricing officer(s).

<i>Parameters Overview (2022 Certificates)</i>	
Maximum Allowable Par Amount.....	\$16,000,000 Par Amount
Maximum Final Maturity.....	February 15, 2042

History of Tax-Exempt Interest Rates

The Bond Buyer's 20 Bond G.O. Index



History of Municipal Interest Rates



Financing Timeline

Proposed Series 2022 Certificates



April						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

 Denotes City Council Meeting Date
 Denotes Closing Date

Date	Task
Tuesday, April 5, 2022	<u>City Council Meeting</u> - Financing update from Specialization Public Finance Inc. ("SPFI") for the issuance of the Certificates. The City Council will consider an Ordinance authorizing the publication of the notice of intent to issue the Certificates. (8:30 AM)
Friday, April 8, 2022	First publication of notice of intent to issue Certificates in the newspaper of general circulation.
Friday, April 15, 2022	Second publication of notice of intent to issue Certificates in the newspaper of general circulation.
Week of: Monday, April 18, 2022	SPFI distributes the Preliminary Official Statement ("POS") for comments and requests rating from S&P Global Ratings ("S&P") & Fitch Ratings ("Fitch").
Week of: Monday, May 9, 2022	Conference call with S&P and Fitch.
Friday, May 27, 2022	Receive rating from S&P and Fitch.
Tuesday, May 31, 2022	SPFI to post the POS.
Tuesday, June 7, 2022	<u>City Council Meeting</u> - The Council will consider the Ordinance authorizing a Parameters Sale of the Certificates. (8:30 AM)
Thursday, June 9, 2022	<u>Competitive Sale</u> - Receive bids on the Certificates from broker/dealers. The bids are tabulated and verified by SPFI and awarded by the Pricing Officer.
Thursday, July 7, 2022	<u>Closing Date</u> - Proceeds from the Certificates are delivered to the construction fund.



ORDINANCE NO. 2022-__

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SAN ANGELO, TEXAS COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022; APPOINTING A PRICING OFFICER AND DELEGATING TO THE PRICING OFFICER THE AUTHORITY TO APPROVE ON BEHALF OF THE CITY THE SALE OF THE CERTIFICATES, THE TERMS OF THE CERTIFICATES AND THE OFFERING DOCUMENTS FOR THE CERTIFICATES; ESTABLISHING CERTAIN PARAMETERS FOR THE APPROVAL OF SUCH MATTERS BY THE PRICING OFFICER; APPROVING THE USE OF A PAYING AGENT/REGISTRAR AGREEMENT; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS	§
COUNTY OF TOM GREEN	§
CITY OF SAN ANGELO	§

WHEREAS, the City Council of the City of San Angelo, Texas (the "Issuer"), deems it advisable to issue Certificates of Obligation in the amount and for the purposes hereinafter set forth;

WHEREAS, the Certificates of Obligation hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Local Government Code and Subchapter B, Chapter 1502, Government Code;

WHEREAS, the City Council has heretofore passed a resolution authorizing and directing the City Clerk to give notice of intention to issue Certificates of Obligation, and said notice has been duly posted on the Issuer's internet website and duly published in a newspaper of general circulation in the Issuer, said newspaper being a "newspaper" as defined in §2051.044, Texas Government Code, as amended;

WHEREAS, the Issuer received no petition from the qualified electors of the Issuer protesting the issuance of such Certificates of Obligation;

WHEREAS, no bond proposition to authorize the issuance of bonds for the same purpose as any of the projects being financed with the proceeds of the Certificates of Obligation was submitted to the voters of the Issuer during the preceding three years and failed to be approved;

WHEREAS, the Issuer is an "Issuer" under Section 1371.001(4)(P), Texas Government Code, having (i) a principal amount of at least \$100 million in outstanding long-term indebtedness, in long-term indebtedness proposed to be issued, or a combination of outstanding or proposed long-term indebtedness and (ii) some amount of long-term indebtedness outstanding or proposed to be issued that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation;

WHEREAS, the City Council of the Issuer hereby finds and determines that it is in the best interests of the Issuer to issue the Certificates of Obligation hereinafter authorized, for the purposes stated, and to delegate to the Pricing Officer (hereinafter designated) the authority to act on behalf of the Issuer in selling and delivering the Certificates of Obligation and setting the dates, price, interest rates, interest payment

periods and other procedures relating thereto, as hereinafter specified, with such information and terms to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing Officer, all in accordance with the provisions of Section 1371.053, Texas Government Code; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. ch. 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The certificates of the City of San Angelo, Texas (the "Issuer") are hereby authorized to be issued and delivered in the maximum aggregate principal amount hereinafter set forth for paying all or a portion of the Issuer's contractual obligations incurred in connection with or a portion of the Issuer's contractual obligations to be incurred in connection with: (i) constructing and improving streets, roads, alleys, bridges and sidewalks including related utility relocation, drainage, signalization, landscaping, screening walls, lighting and signage; and (ii) legal, fiscal and engineering fees in connection with such projects (collectively, the "Project").

Section 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES AND INTEREST RATES OF CERTIFICATES. Each Certificate of Obligation issued pursuant to this Ordinance shall be designated: "CITY OF SAN ANGELO, TEXAS COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATE OF OBLIGATION, SERIES 2022," and initially there shall be issued, sold, and delivered hereunder fully registered certificates, without interest coupons, payable to the respective Registered Owners thereof (with the initial certificate being made payable to the initial purchaser as described in Section 11 hereof), or to the registered assignee or assignees of said certificates or any portion or portions thereof (in each case, the "Registered Owner"). The Certificates of Obligation shall be in the respective denominations and principal amounts, shall be dated, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

The term "Certificates" as used in this Ordinance shall mean and include collectively the certificates initially issued and delivered pursuant to this Ordinance and all substitute certificates exchanged therefor, as well as all other substitute certificates and replacement certificates issued pursuant hereto, and the term "Certificate" shall mean any of the Certificates.

Section 3. DELEGATION TO PRICING OFFICER. (a) As authorized by Section 1371.053, Texas Government Code, as amended, the Assistant City Manager and Finance Director of the Issuer (each, a "Pricing Officer") are hereby authorized to act on behalf of the Issuer in selling and delivering the Certificates and carrying out the other procedures specified in this Ordinance, including, determining the date of the Certificates, any additional or different designation or title by which the Certificates shall be known, the price at which the Certificates will be sold, the years in which the Certificates will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Certificates shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Certificates, including without limitation, procuring municipal bond insurance, including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements, and

approving modifications to this Ordinance and executing such instruments, documents and agreements as may be necessary with respect thereto, if it is determined that such insurance would be financially desirable and advantageous, all of which shall be specified in the Pricing Certificate, provided that:

- (i) the aggregate original principal amount of the Certificates shall not exceed \$16,000,000;
- (ii) the final maturity of the Certificates shall not exceed February 15, 2042; and
- (iii) the maximum interest rate shall not exceed the highest rate permitted by Chapter 1204, Texas Government Code.

(b) In establishing the aggregate principal amount of the Certificates, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) above, which shall be sufficient in amount to provide for the purposes for which the Certificates are authorized and to pay costs of issuing the Certificates. The delegation made hereby shall expire if not exercised by the Pricing Officer prior to the 180th following the adoption of this Ordinance. The Certificates shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) In satisfaction of Section 1201.022(a)(3)(B), Texas Government Code, the City Council of the Issuer hereby determines that the delegation of the authority to the Pricing Officer to approve the final terms of the Certificates as set forth in this Ordinance is, and the decisions made by the Pricing Officer pursuant to such delegated authority and incorporated into the Pricing Certificate will be, in the Issuer's best interests, and the Pricing Officer is hereby authorized to make and include in the Pricing Certificate a finding to that effect.

Section 4. CHARACTERISTICS OF THE CERTIFICATES.

(a) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the designated office of the bank named in the Pricing Certificate as the paying agent/registrar for the Certificates (the "Paying Agent/Registrar"), books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

(b) Authentication. Except as provided in subsection (i) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which initially were issued and delivered pursuant to this Ordinance, approved by the Office of the Attorney General of the State of Texas (the "Attorney General"), and registered by the Office of the Comptroller of Public Accounts of the State of Texas (the "Comptroller").

(c) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(d) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(e) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Certificates that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be a single entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(f) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(g) Book-Entry Only System. The Certificates issued in exchange for the Certificates initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof and the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsections (i) and (j) of this Section, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(h) Blanket Letter of Representations. The previous execution and delivery of the Blanket Issuer Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates. Should DTC require an updated Blanket Issuer Letter of Representations to be submitted by the Issuer, the Issuer's Finance Director is hereby authorized and directed to execute and deliver an updated Blanket Issuer Letter of Representations to DTC in the name and on behalf of the Issuer. Notwithstanding anything to the contrary contained herein, while the Certificates are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Blanket Issuer Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(i) Certificates Registered in the Name of Cede & Co. With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Certificates, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(j) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the

representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(k) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Blanket Issuer Letter of Representations of the Issuer to DTC.

(l) General Characteristics of the Certificates. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance. The Certificate initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the FORM OF CERTIFICATE set forth in this Ordinance.

(m) Cancellation of Initial Certificate. On the closing date, one initial Certificate representing the entire principal amount of the Certificates, payable in stated installments to the order of the initial purchaser of the Certificates or its designee, executed by manual or facsimile signature of the Mayor and City Clerk, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for the initial Certificate, the Paying Agent/Registrar shall insert the Delivery Date on Certificate No. T-1, cancel the initial Certificate and deliver to The Depository Trust Company ("DTC") on behalf of such purchaser one registered definitive Certificate for each year of maturity of the Certificates, in the aggregate principal amount of all of the Certificates for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC.

Section 5. FORM OF CERTIFICATES. The form of the Certificates, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance:

(a) Form of Certificate.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL
AMOUNT
\$_____

CITY OF SAN ANGELO, TEXAS
COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATE OF OBLIGATION
SERIES 2022

<u>Interest Rate</u>	<u>Delivery Date</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
	_____, 2022	_____, ____	

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

ON THE MATURITY DATE specified above, the City of San Angelo, in Tom Green County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the Interest Rate per annum specified above. Interest is payable on _____, 20__, and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the registered owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, Texas, which is the "Paying Agent/Registrar" for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Certificate Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared at the close of business on the last business day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days

thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Certificate for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Certificate that on or before each principal payment date, interest payment date, and accrued interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Certificate Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IF THE DATE for the payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a series of Certificates dated _____, 2022, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$_____ for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) constructing and improving streets, roads, alleys, bridges and sidewalks including related utility relocation, drainage, signalization, landscaping, screening walls, lighting and signage; and (ii) legal, fiscal and engineering fees in connection with such projects.

ON _____, 20__, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Certificates called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST 30 days prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the registered owner of each Certificate to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall

not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Certificate Ordinance.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Certificate Ordinance, this Certificate may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered certificates, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Certificate Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Certificate Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and

such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate is additionally secured by and payable from a limited pledge of the Surplus Revenues of the Issuer's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are payable from all or part of said revenues, all as provided in the Certificate Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to amend the Certificate Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Certificates.

BY BECOMING the registered owner of this Certificate, the registered owner thereby acknowledges all of the terms and provisions of the Certificate Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Certificate Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Certificate and the Certificate Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in his absence, by the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Clerk of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

(signature)
City Clerk

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Certificate is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Certificate Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

[NAME OF PAYING AGENT/REGISTRAR]
[CITY], [STATE]
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT

(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Comptroller's Registration Certificate.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Certificate and that this Certificate has been registered this day by me.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) Initial Certificate Insertions.

- (i) The initial Certificate shall be in the form set forth is paragraph (a) of this Section, except that:
- A. immediately under the name of the Certificate, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF SAN ANGELO, TEXAS, in Tom Green County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on _____ in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years</u>	<u>Principal Installments</u>	<u>Interest Rates</u>
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(Information from Pricing Certificate to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the respective Interest Rate per annum specified above. Interest is payable on _____, 20__, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

C. The Initial Certificate shall be numbered "T-1."

Section 6. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be accounted for separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Certificates. All amounts received from the sale of the Certificates as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates are additionally secured by a limited pledge, not to exceed \$1,000, of revenues of the Issuer's waterworks and sewer system that remain after the payment of all maintenance and operation expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are secured by a lien on all or any part of the net revenues of the Issuer's waterworks and sewer system, constituting "Surplus Revenues". The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to subsection (a) of this section, to the extent necessary to pay the principal and interest on the Certificates. Notwithstanding the requirements of subsection (a) of this section, if Surplus Revenues or other lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to subsection (a) of this section may be reduced to the extent and by the amount of the Surplus Revenues or other lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Chapter 1208, Texas Government Code, applies to the issuance of the Certificates of Obligation and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates of Obligation are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the registered owners of the Certificates of Obligation a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 7. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Certificates, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in subsections (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2)

gives notice of the reservation of that right to the owners of the Defeased Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsections 6(a)(i) or (ii). All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Certificates.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

Section 8. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the registered owner applying for a replacement certificate shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Certificate, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this , in the event any such Certificate shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificate, the Issuer may authorize the payment

of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the registered owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Sec. 1206.022, Government Code, this Section 9 of this Ordinance shall constitute authority for the issuance of any such replacement certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 4(b) of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 10. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Certificates (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed by the Certificates (the "Project") are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Certificates, other than investment property acquired with –

(A) proceeds of the Certificates invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 90 days or less until such proceeds are needed for the purpose for which the Certificates or refunding bond are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the rules and regulations of the United States Department of the Treasury ("Treasury Regulations"), and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Certificates;

(7) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Certificates or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Certificates in contravention of the requirements of section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(10) to assure that the proceeds of the Certificates will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Certificateholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Proceeds. The Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations

or rulings are hereafter promulgated which impose additional requirements which are applicable to the Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Certificates under section 103 of the Code.

(d) The Issuer hereby authorizes and directs the Mayor, City Manager, Assistant City Manager, and Finance Director to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, which may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

(e) Allocation Of, and Limitation On, Expenditures for the Project. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in Section 1 of this Ordinance (the "Project") on its books and records in accordance with the requirements of the Internal Revenue Code. The Issuer recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the Issuer recognizes that in order for proceeds to be expended under the Internal Revenue Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired. The Issuer agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Certificates. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(f) Disposition of Project. The Issuer covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Certificates. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(g) Reimbursement. This Ordinance is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

Section 11. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Certificates shall be sold and delivered subject to the provisions of Sections 1 and 3 through a competitive sale pursuant to the terms and provisions of the Notice of Sale and Bidding Instructions, Official Bid Form, and Preliminary Official Statement distributed on June 15, 2022, as supplemented and amended (collectively, the "Preliminary Official Statement") which documents the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers (the "Initial Purchaser") of the Certificates shall be designated. The Certificates shall initially be registered in the name of the Initial Purchaser thereof as set forth in the Pricing Certificate.

(b) The Pricing Officer is hereby authorized, in the name and on behalf of the Issuer, to approve, distribute, and deliver a final official statement relating to the Certificates to be used by the Initial Purchaser in the marketing of the Bonds. The distribution and use of the Preliminary Official Statement prior to the date hereof has been and is hereby approved by the governing body of the Issuer, and its use in the offer and sale of the Certificates is hereby approved.

(c) The Mayor, City Manager, City Clerk and Finance Director, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such documents, certificates and instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the sale of the Certificates and the Official Statement. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 12. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Pricing Officer is hereby authorized to have control of the Initial Certificate and all necessary records and proceedings pertaining to the Certificates pending their delivery and the investigation, examination, and approval by the Attorney General of the State of Texas, and registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Initial Certificate, said Comptroller (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Certificates. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the Initial Purchaser to accept delivery of the Certificates is subject to the Initial Purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Certificates to the Initial Purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Certificates is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor or City Manager of the Issuer and the Mayor and the City Manager are each hereby authorized to execute such engagement letter.

Section 13. INVESTMENT AND SECURITY OF FUNDS. (a) Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with other certificate proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on certificate proceeds that are required to be rebated to the United States of America pursuant to Section 10 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

(b) The Issuer may place proceeds of the Certificates (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds

Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 14. CONSTRUCTION FUND.

The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2022 Certificate of Obligation Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said Fund shall be transferred to the Interest and Sinking Fund and used in the manner described in Section 6 of this Ordinance.

Section 15. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, (A) within six months after the end of each fiscal year ending in or after 2022, financial information and operating data with respect to the Issuer of the general type included in the final Official under Tables 1 through 6 and 8 through 15; and (B) within 12 months after the end of each fiscal year ending in or after 2022, audited financial statements, if the Issuer commissions an audit and it is completed by the required time. If audited financial statements are not available by the required time, the Issuer will provide unaudited financial information of the type in the numbered tables described above by the required time and will provide the Issuer's annual audited financial statements when and if such audited financial statements become available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;
2. Modifications to rights of Certificateholders;
3. Certificate calls;
4. Release, substitution, or sale of property securing repayment of the Certificates;
5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
6. Appointment of a successor or additional trustee or the change of name of a trustee; and
7. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Issuer, any of which affect security holders, if material.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;
2. Unscheduled draws on debt service reserves reflecting financial difficulties;
3. Unscheduled draws on credit enhancements reflecting financial difficulties;
4. Substitution of credit or liquidity providers, or their failure to perform;
5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;
6. Tender offers;
7. Defeasances;
8. Rating changes;
9. Bankruptcy, insolvency, receivership or similar event of an obligated person; and

10. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Issuer, any of which reflect financial difficulties.

For the purposes of the above described event notices, the term "financial obligation" means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or source of payment for, an existing or planned debt obligation, or (ii) a guarantee of (i) or (ii); provided, however, that a "financial obligation" shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Certificates no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with

respect to the Certificates in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Certificates. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 16. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Certificates aggregating in principal amount 51% of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates;
- (2) Reduce the rate of interest borne by any of the outstanding Certificates;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;

(4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or

(5) Change the minimum percentage of the principal amount of any series of Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Certificates a copy of the proposed amendment and cause notice of the proposed amendment to be published at least once in a financial publication published in The City of New York, New York or in the State of Texas. Such published notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Certificates.

(d) Whenever at any time within one year from the date of publication of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the publication of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Certificate during such period. Such consent may be revoked at any time after six months from the date of the publication of said notice by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

(g) For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the registration books kept by the Paying Agent/Registrar.

Section 17. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers or employees of the Issuer or the City Council.

Section 18. APPROPRIATION. To pay the debt service coming due on the Certificates, if any, prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 19. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 20. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

(Execution Page Follows)

APPROVED AND ADOPTED ON THE 7TH DAY OF JUNE, 2022.

THE CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

Attest:

Julia Antilley, City Clerk

Approved As to Form:

Approved As to Content:

Rodolfo Segura Jr
McCall, Parkhurst & Horton L.L.P.

Tina Dierschke, Finance Director
City of San Angelo, Texas

[CITY SEAL]

CITY OF SAN ANGELO, TEXAS
\$16,000,000* COMBINATION TAX & LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2022 (THE “CERTIFICATES”)

FINANCING SCHEDULE*

AS OF MAY 27, 2022

April							May							June							July						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4						1	2
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
																					31						

Date	Task
Tuesday, April 5, 2022	City Council Meeting - Financing update from Specialization Public Finance Inc. (“SPFI”) for the issuance of the Certificates. The City Council will consider an Ordinance authorizing the publication of the notice of intent to issue the Certificates. (8:30 AM)
Friday, April 8, 2022	First publication of notice of intent to issue Certificates in the newspaper of general circulation.
Friday, April 15, 2022	Second publication of notice of intent to issue Certificates in the newspaper of general circulation.
Monday, April 25, 2022	SPFI distributes the Preliminary Official Statement (“POS”) for comments and requests rating from S&P Global Ratings (“S&P”) & Fitch Ratings (“Fitch”).
Week of: Monday, May 9, 2022	Conference call with S&P and Fitch.
Friday, May 27, 2022	Receive rating from S&P and Fitch.
Wednesday, June 15, 2022	SPFI to post the POS.
Tuesday, June 21, 2022	City Council Meeting – The Council will consider the Ordinance authorizing a Parameters Sale of the Certificates. (8:30 AM)
Thursday, June 23, 2022	Competitive Sale – Receive bids on the Certificates from broker/dealers. The bids are tabulated and verified by SPFI. (10:00 AM)
Thursday, July 21, 2022	Closing Date – Proceeds from the Certificates are delivered to the construction fund.

*Preliminary, subject to change.

Denotes City Council Meeting Date
 Denotes Closing Date

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 21, 2022

Item type: Regular Item

Caption:

Discussion and possible action nominating citizens to a charter review committee (Presentation made by City Clerk Julia Antilley)

Staff Recommendation:

Direction from Council

Summary/History:

By state law a city's Charter can be amended no more than every two years. The City's Charter was last amended at an election held in November 2015.

Funding Source(s):

Financial Impact:

There is no cost to create a Charter Review Committee.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval