



City Council Agenda 8/16/2022

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held August 16, 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 July 26, 2022 Joint Meeting with the Planning Commission, July 26, 2022 Enterprise Funds Budget Workshop, and August 2, 2022 City Council Regular Meeting minutes (Julia Antilley)
- b. Consider approving the purchase of 39 Mobile Data Terminals from Rugged Notebooks for \$157,783.50 through DIR-TSO-4075, and authorizing the City Manager to negotiate and execute all related documents (Patrick Brody)
- c. Consider awarding Task Order #7 under IDIQ contract ES-06-19 Engineering Services to Kimley-Horn and Associates Inc. in an amount of \$254,000 for Traffic Signal Design Plans for six intersections and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- d. Consider a resolution authorizing the City, along with the Metropolitan Planning Organization, to jointly apply for, and accept funds from, the Safe Streets and Roads for All Action Plan Grant Program and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- e. Consider a resolution authorizing the City to apply for, and accept funds from, the Texas Parks and Wildlife Boating Access Program and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- f. Consider approving an agreement with HUD in the amount of \$186,630 to fund a Rapid Rehousing for the Homeless program and authorizing the City Manager to negotiate and execute all related documents (Bob Salas)
- g. Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for grants, capital items, and projects (Tina Dierschke)

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. Presentation of the Downtown San Angelo, Inc. biannual report (Presentation made by DSA Executive Director Del Velasquez)
- b. Consider awarding CE-01-22 Boiler Replacement to Advanced Service Group in the amount of \$253,500 for the purchase of a shared boiler system for the Foster Communications Coliseum and Spur Arena, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Civic Events Manager Sidney Walker)
- c. Consider a resolution calling a Special Election for November 8, 2022, authorizing the City Manager to negotiate and execute an Election Contract with Tom Green County, and providing for the holding of an election to be administered by the Tom Green County Election Office (Presentation made by City Clerk Julia Antilley)
- d. Consider approving amendments to the Tax Increment Reinvestment Zone Incentives Policy (Presentation made by Planning & Development Services Director Jon James)
- e. First reading and public hearing of an ordinance for Z22-14 to rezone properties from the General Commercial/Heavy Commercial to the Low Rise Multifamily Residential zoning district, being 0.36 acres, located at 213 and 223 W. Ave. L and 1610 S. Randolph St. (Presentation made by Planning & Development Services Director Jon James)
- f. First reading and public hearing of an ordinance for Z22-16 to rezone properties from the Ranch and Estate to the Single-Family Residential and Neighborhood Commercial zoning districts; being 31.17 acres, located northwest of Arden Rd. and FM 2288 (Presentation made by Planning & Development Services Director Jon James)

7. Closed Session

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

- a. Section 551.072 - Deliberations about real property regarding Lots 7,8,9, & 10, Block 18, San Angelo Addition
- b. Section 551.071 - Consultation with attorney regarding a proposed agreement with All-Tex Irrigation & Supply, LLC for park amenities

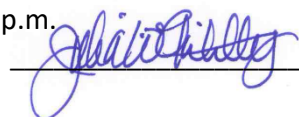
8. Follow Up and Administrative Issues

- 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 10th day of August 2022, at 5:15 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
Special Joint City Council/Planning Commission Meeting
Tuesday, July 26, 2022

City Council Members 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

Planning Commission Present:

Brittany Davis, Mayoral Representative
Luke Uherik, SMD 1 Representative
Teri Jackson, SMD 3 Representative (Vice Chair)
Travis Stribling, SMD 5 Representative (Chair)
Sam Gomez, SMD 6 Representative

1. Call to Order – City Council

With a quorum of the City Council members present, Mayor Gunter called the special session of the San Angelo City Council to order at 8:32 a.m. on Tuesday, July 26, 2022 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Call to Order – Planning Commission

With a quorum of the Planning Commission members present, Travis Stribling called the special session of the Planning Commission to order at 8:34 a.m. on Tuesday, July 26, 2022 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

3. Public Comment

Travis Stribling requested legal clarification regarding the alternative notice and newspaper timeframe for this meeting and later spoke on many items related to public notices to residents.

Assistant City Attorney Brandon Dyson clarified the legality of the notice.

Executive Director of Public Works Shane Kelton spoke regarding the TXDOT mowers on Loop 306 and the increase in trash/dust as a result and stated there is a plan in place for trash removal.

Citizen Spencer Matthews (SMD 5) objected to conducting the meeting.

City Attorney Theresa James addressed the Local Government Code provisions that allow joint meetings of the Council & Planning Commission and the alternative notice requirements.

Mayor Gunter asked the meeting to proceed and stated both items could be postponed and the two groups could reconvene at a later time to take action.

Citizen Nelda Nowlin (SMD 1) stated she was in support of postponing the items.

4. Joint Meeting Agenda

- a. Discussion and possible action on an ordinance amending Chapter 12 “Planning & Development,” Exhibit A “Zoning Ordinance,” Article 5 “General Development Standards,” Section 511 “Off-Street Parking Standards,” regarding parking for assembly occupancies in the Central Business District zoning district (Presentation made by Planning & Development Services Director Jon James)
 1. Planning Commission: Consideration of a recommendation on proposed ordinance amendments to Section 511.
 2. City Council: First reading and public hearing of an ordinance amending Section 511.

[Downtown San Angelo (DTSA) Director Del Velasquez gave an overview of the current parking situation and obstacles in downtown. He stated the main concern is preventing parking issues from hampering downtown development and suggested an education/wayfinding program.]

Citizen Heidi Meyer Brooks (SMD 5) suggested shuttles, maps, and education for large events bringing in more than 400 people and opposed requiring an additional City permit. She stated if this is postponed, she hopes there is information provided for the public and downtown property owners.

[Communications Manager Brian Groves stated this agenda went to all media partners and was shared across the city's social media accounts.]

Citizen Spencer Matthews (SMD 5) spoke about best efforts to notify the public and stated he will speak on the next item as the comment is not relevant to the motion on the table.

Motion: Commissioner Uherik made a motion, seconded by Commissioner Davis, to deny the item, as presented. The motion carried (4) ayes to (1) nay, with Commissioner Jackson casting the dissenting vote.

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, directing the Planning Commission to continue working on the item with Downtown San Angelo to propose a more detailed plan of action. The motion carried unanimously (7) ayes to (0) nays.

- b. Discussion and possible action on an ordinance amending Chapter 12 "Planning & Development," Exhibit A "Zoning Ordinance," Article 4 "Specific Use Standards," Section 406 "Bed and Breakfast Establishments and Short-Term Rentals," regarding removal of the requirement that Short-Term Rentals be separated by 500-ft, except in RS zoning districts (Presentation made by Planning & Development Services Director Jon James)
 1. Planning Commission: Consideration of a recommendation on proposed ordinance amendments to Section 406.
 2. City Council: First reading and public hearing on an ordinance amending Section 406.

Destination Marketing Organization (DMO) Vice President Diann Bayes asked Council to require all short-term rentals (STRs) to pay Hotel Occupancy Taxes (HOT) since her organization is fully funded by HOT.

[Finance Director Tina Dierschke stated a hotel audit is currently underway that includes some STRs and informed Council a contract is forthcoming to approve an audit specific to STRs.]

Citizen Heidi Brooks (SMD 5) spoke about owning downtown property but did not receive any notice and therefore did not have the opportunity to confer with her attorney regarding owners' rights and requested more transparency; she requested the item be tabled to another meeting to allow for more notification.

DTSA President Del Velasquez commented that the city provides adequate notice and citizens need to be more proactive.

Citizen Spencer Matthews (SMD 5) suggested a motion to deny due to lack of notification, stated best efforts could be brought up in future court cases against the city, and questioned the validity of public notice for this meeting.

Citizen Jamal Schumpert (SMD 2) stated the GIS map was not working and he was unable to determine what area would be impacted by this change and requested postponement to see the impacted area.

[Planning & Development Services Director Jon James stated the May 16, 2022 Planning Commission vote was 6-0.]

The Planning Commission did not motion to vote on the item due to their prior vote.

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Miller, to send the item back to the Planning Commission for reconsideration and additional public notice. The motion carried unanimously (7) ayes to (0) nays.

5. Follow Up and Administrative Issues

a. Announcements and consideration of Future Agenda Items:

Commissioner Stribling suggested a full audit of all STRs to ensure compliance with City ordinances, payment of HOT, and suggested Code Compliance help enforce compliance.

[Planning & Development Director Jon James stated when using online resources the specific address of a STR is not typically given until the transaction is completed, making enforcement difficult.]

[Finance Director Tina Dierscke restated her earlier comment regarding the hotel and STR contracts.]

DMO Vice President Diann Bayes stated she has provided a list of all STRs to Finance.

6. Adjournment – Planning Commission

Motion: Commissioner Jackson made a motion, seconded by Commissioner Davis, to adjourn the meeting. The motion carried unanimously (5) ayes to (0) nays.

There being no further business, the Planning Commission adjourned at 10:37 a.m.

7. Adjournment – City Council

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

There being no further business, the City Council adjourned at 10:38 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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

City of San Angelo, Texas
Special City Council Meeting – Enterprise Fund Budget Workshop
Tuesday, July 26, 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 Gonzalez, 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 Budget Workshop session of the San Angelo City Council to order at 10:56 a.m. on Tuesday, July 26, 2022 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. **Public Comment**

San Angelo Destination Marketing Organization (DMO) Vice President Diann Bayes asked to be able to speak regarding her budget during the Hotel Occupancy Tax (HOT) portion of the workshop.

3. **Workshop Itinerary**

- a. Discussion of matters regarding the fiscal year 2022-2023 budget preparation, including, but not limited to:
 1. Other Enterprise Funds revenue and expenditures (Presentation made by Finance Director Tina Dierschke)
 2. Other items in need of Council direction

Finance Director Tina Dierschke provided an overview of the major operating funds.

The following entities spoke regarding funds distribution of the Hotel Occupancy Tax:

- Parks & Recreation Director Carl White spoke about Texas Bank Sports Complex and Fort Concho.
- Executive Director of the San Angelo Cultural Affairs Council Jamie Highsmith spoke about their arts subgrants.
- San Angelo Museum of Fine Arts Director Howard Taylor spoke about the coffee table book showcasing 50 of the top art museums in the world with San Angelo as the center spread, showed several magazines they advertise in, and discussed how they both drive traffic to the museum. Additionally, he spoke about the approximately \$1 million they receive in grants to help support the museum and stated his replacement has been named but said he will continue working with the museum in a fundraising capacity for at least the next year.
- San Angelo Performing Arts Center Executive Director Yukio Kuniyuki stated they are making an effort to expand their audience and get heads in beds by advertising to surrounding communities.
- Civic Events Manager Sid Walker explained their ongoing facility improvement projects across several city venues and outlined other needed improvements to the facilities.
- DMO Vice President Diann Bayes argued against having her budget return to 2019 levels and stated it would likely lead to a reduction in HOT taxes for the city and DMO personnel cuts.
- DMO Director of Strategic Partnerships & Events Suzanna Valenzuela spoke about upcoming events coming to San Angelo and working with media to write about San Angelo.

- DMO Director of Sales Jonna Gaddy spoke about working with meeting planners from Austin to bring their groups to town by offering services to the groups (i.e. registration help).

The revenue and expense budgets for the following funds were discussed with support from the associated directors:

- Development Corporation - Economic Development Director Guy Andrews
- Airport Fund - Airport Director Jeremy Valgardson
- Water & Wastewater Funds - Water Utilities Director Allison Strube
- Stormwater & Solid Waste Funds - Operations Director Patrick Frerich

4. Follow Up and Administrative Issues

a. Announcements and consideration of Future Agenda Items

The August 9th General Fund Budget Workshop has been moved to Thursday, August 11, 2022.

5. Adjournment

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

There being no further business, the meeting was adjourned at 1:54 p.m.

THE CITY OF SAN ANGELO:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

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City of San Angelo, Texas
Regular City Council Meeting
Tuesday, August 2, 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 regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, August 2, 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 Police Department Chaplain Lorenzo Hatch.

3. Proclamations/Recognitions

No action taken on this item.

4. Public Comment

No action taken on this item.

5. Consent Agenda

- a. Approval of the July 19, 2022 City Council Regular Meeting minutes (Julia Antilley)
- b. Approval of BuyBoard Contract #608-20 with Centerline Supply, Inc. (Austin, TX) for the purchase of one road striper in the amount of \$80,235, budgeted for purchase in fiscal year 2022, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- c. Approval of BuyBoard Contract #608-20 with Cubic Transportation Systems for the purchase of Gridsmart traffic signal detection equipment in the amount of \$59,244, budgeted for purchase in fiscal year 2022, and authorizing the City Manager to negotiate and execute all related documents (Dustin Hohensee)
- d. Amendment of the June 21, 2022 purchase via TIPS agreement #200201 from Kings Consulting to Construction Consultants-3 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 (Jeremy Valgardson)
- e. Approval of an interlocal agreement between the City of San Angelo and Tom Green County authorizing the City Manager to negotiate and execute all related documents for HVAC Services and Equipment with Duncan Mechanical Services (Ron Lewis)
- f. Acceptance of a Memorandum of Understanding between Texas Pacifico Transportation, LTD and the City of San Angelo for railway improvements as a part of the Southwest Blvd. rehabilitation project and authorizing the City Manager to execute all related documents (Patrick Frerich)

- g. Adoption of a resolution approving the 2022 Annual Action Plan for use of CDBG and HOME grant funds as approved by City Council on July 7, 2022 and authorizing the City Manager to execute the applications, required certifications, related documents and annual funding agreement for the allocation of \$661,943 of CDBG and \$337,050 HOME grant funds, \$17,800 in program income, and \$100,000 in prior year funds (Bob Salas) (Pg. 306, 2022-062)
- h. Approval of updated guidelines for the Affordable Housing Assistance Program (AHAP) to reflect an increase of gap financing to \$50,000 as approved by the Board and ratified by City Council (Bob Salas)
- i. Ratification of a lease agreement by and between the City of San Angelo Development Corporation and Vicki Terrill Coaching and authorizing the Board President or their designee to execute all necessary documents (Nolan Sosa)
- j. Ratification of a lease agreement by and between the City of San Angelo Development Corporation and The Gold Beacon, PLLC and authorizing the Board President or their designee to execute all necessary documents (Nolan Sosa)
- k. Ratification of a copier lease agreement by and between the City of San Angelo Development Corporation and CTWP for the Business Resource Center and Business Incubator and authorizing the Board President or their designee to execute all necessary documents (Nolan Sosa)
- l. Ratification of a sponsorship for ASU SBDC, Meet the Lender Luncheon in an amount not to exceed \$500 and authorizing the Board President or their designee to execute all necessary documents (Nolan Sosa)
- m. Acceptance of an annexation petition for an unaddressed 6.9-acre tract of land in the A.B. & M Survey No. 3, Abstract No. 24, Tom Green County, Texas, located northwest of Arden Rd. and FM 2288; and setting a public hearing on the annexation for September 22, 2022 (Jon James)
- n. Second reading of an ordinance for Z22-12 to rezone properties from Low Rise Multi-Family Residential and General Commercial zoning districts to the Single Family Residential zoning district, being 22.76 acres located southeast of N. Bentwood Dr. and Crystal Point Dr. (Jon James) (Pg. 307, 2022-063)
- o. Second reading of an ordinance for Z22-13 to rezone properties from Two-Family Residential zoning district to Low Rise Multifamily Residential and General Commercial zoning districts, being 1.08 acres, located southeast of S. Koenigheim St. and W. Ave. A (Jon James) (Pg. 310, 2022-064)
- p. Second reading of an ordinance for Z22-15 to rezone properties from Two-Family Residential zoning district to Office Commercial zoning district, being 0.23 acres, located at 103 and 107 W. 14th St. (Jon James) (Pg. 313, 2022-065)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the Consent Agenda, with the exception of items 5d, 5f, 5g, and 5p. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve items 5d, 5f, 5g, and 5p, as presented by Airport Director Jeremy Valgardson, Operations Director Patrick Frerich, Neighborhood and Family Services Assistant Director Morgan Chegwidden, and Planning & Development Services Director Jon James. The motion for all four items carried unanimously (7) ayes to (0) nays, with no public comment.

6. Regular Agenda

- a. Consider matters related to Request for Proposal HR-02-22:

1. Discussion of proposals submitted for benefits regarding Medical/Pharmacy, Clinic, Dental, and Life/AD&D

2. Consider selecting Benefit Providers, authorizing staff to negotiate contracts, and authorizing the City Manager to execute all related documents (Presentation made by Holmes Murphy Assistant Vice President Julie Rickman Senior Client Service Consultant Jason Newman and Human Resources Director Bryan Kendrick)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 6a2, selecting the following benefit providers: Aetna/Shannon for Medical, Clinic, and Pharmacy; Lincoln for Dental; and, Symetra for Life/AD&D. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

Consensus: Consensus of Council was to direct staff to prepare for the General Fund Budget Workshop using the estimated 2.5% increase for both City and Employee as presented under item 6a1.

b. Discussion and direction regarding the Charter Review Committee's presentation (Presentation made by the Charter Review Committee Chair Allen Gilbert and Secretary Mark Lack)

Citizen Anna Bartosh (SMD 1) spoke in favor of an elected police chief.

Citizen Vera Kirkpatrick (SMD 6) spoke in favor of changing the qualifications to run for police chief and in favor of an elected police chief.

Consensus: Consensus of Council was to direct the committee to come back in January with a final recommendation regarding an elected versus appointed police chief.

c. Consider approving amendments to the Tax Increment Reinvestment Zone Incentives Policy (Presentation made by Planning & Development Services Director Jon James)

Citizen Evelyn Smith (SMD 5) requested clarification on whether TIRZ funds can be used for non-profits.

Consensus: Consensus of Council was to direct Jon James to bring the policy back to City Council for review after incorporating the changes discussed today.

d. First reading and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for grants, capital items, and projects (Presentation made by Finance Director Tina Dierschke)

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

a. Section 551.072 - Deliberations about real property regarding an easement for AEP in C. Berberich survey

8. Follow Up and Administrative Issues

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

No action taken on this item.

b. Approval of various Board nominations:

Keep San Angelo Beautiful: Michelle Barnett (SMD 2) and Shawn Stine (SMD 4) both to an unexpired term ending September 2023

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

There being no further business, the meeting adjourned at 11:45 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Consent Item

Caption:

Consider approving the purchase of 39 Mobile Data Terminals from Rugged Notebooks for \$157,783.50 through DIR-TSO-4075, and authorizing the City Manager to negotiate and execute all related documents (Patrick Brody)

Staff Recommendation:

Approve

Summary/History:

The Fire Department is requesting authorization to purchase 39 Mobile Data Terminals (rugged tablets) from Rugged Notebook under DIR-TSO-4075 contract. These units will replace our current outdated mobile tablets. Our current tablets are 10 years old and are becoming obsolete. The funds for this purchase are budgeted in fiscal year 2022.

Funding Source(s):

Financial Impact:

Purchase is budgeted for in accounts:

502-9000-800.07-44

101-9000-800.07-44

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. San Angelo TX Getac F110 quote 4-11-22 DIR-TSO-4075_V3 | San Angelo TX Getac F110 quote 4-11-22 DIR-TSO-4075_V3.pdf |
| 2. DIR-TSO-4075 Contract | DIR-TSO-4075 Contract.pdf |
| 3. Rugged Solutions America, LLC - TX DIR-TSO-4075 - TD SNX(Letter of Authorization) - 7.6.2022 | Rugged Solutions America, LLC - TX DIR-TSO-4075 - TD SNX(Letter of Authorization) - 7.6.2022.pdf |
| 4. DIR-TSO-4075 Appendix C Pricing Index (per Amendment 3) | DIR-TSO-4075 Appendix C Pricing Index (per Amendment 3).pdf |

Presentation:

Patrick Brody

Approvals/Reviews:

Patrick Brody	Created/Initiated
Patrick Brody	Approved
Bucky Hasty	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval



General Information

Quote Number	00014956	Created Date	7/15/2022
		Expiration Date	9/1/2022

Contact Information

Prepared By	Michael Winton	Contact Name	Ruben Acuavera
Phone	949-346-3493	Phone	(325) 657-4439
Email	michael.winton@ruggednotebooks.com	Email	ruben.acuavera@cosatx.us
Fax	218-259-6615		

Address Information

Bill To Name	City of San Angelo TX	Ship To Name	City of San Angelo TX
Bill To	72 W College Avenue DIR-TSO-4075 San Angelo, TX 76902	Ship To	72 W College Avenue San Angelo, TX 76902

Quote Line Items

Product	Description	Sales Price	Quantity	Total Price
SYN-F110-00590	GETAC : F110 G6 -i7-1165G7, WindowWins Hello Webcam, W 10 Pro x64 16GB RAM, 256GB PCIe SSD, SR (Full HD LCD+ Touchscreen+Hard Tip stylus), US Power Cord, Rear Camera, WiFi+BT+4G LTE(EM7511)w/integrated GPS/Glonass+Passthrough, BCrd, 3yb2b.	\$3,290.00	39.00	\$128,310.00
SYN-DOCK-00645	GETAC : F110G5 & G6 - Gamber Johnson Vehicle Dock, with Tri Pass-through (Power Adapter NOT included)	\$462.00	31.00	\$14,322.00
SYN-CRADLE-00304	Getac: F110G5 & G6 - Vehicle Cradle with Tri Pass-through (ex. vehicle adapter)	\$228.50	13.00	\$2,970.50
SYN-ADAPT-00538	GETAC : Getac 120W 11-16V, 22-32V DC Vehicle adapter (Bare Wire), 3 year warranty	\$95.75	44.00	\$4,213.00
SYN-BASE-00001	Getac: Universal Horizontal Surface Base	\$31.25	12.00	\$375.00
SYN-MOUNT-00306	Getac: Mounting kits; Independent Tall Tablet-Display Mount	\$60.00	31.00	\$1,860.00
SYN-MOUNT-00297	Getac: Mongoose XLE 9" Motion Attachment	\$315.25	12.00	\$3,783.00
Shipping	SERVICE: Processing, Shipping, Insurance - Ground	\$1,950.00	1.00	\$1,950.00
Note - Sales Tax Exemption	Tax exemption certificate on file	\$0.00	1.00	\$0.00

Totals

Discount	0.00%
Total Price	\$157,783.50
Grand Total	\$157,783.50

Unless credit terms are established, Rugged Notebooks accepts all major credit cards as form of payment. Rugged Notebooks verifies the identity of cardholders prior to processing a credit card payment. To prevent delays, if the shipping address differs from the bill-to address listed on your credit card, ensure that your shipping address is on-file with your credit card issuing bank. Credit Cards accepted for US and Canada shipments ONLY.



Credit Card Number _____ Exp _____ CVV: _____

Name on Card (Please Print); _____

Address: _____

Our Value Proposition to You

- **Getac & Panasonic Authorized TP3 channel Partner with 15+ years in rugged portable computing industry**
- **Full service and parts department with trained in-house repair technicians**
- **Panasonic Toughbooks Trade-in & Buy Back Program on purchased or leased units from RuggedNotebooks.com & ToughbookDepot.com, (may receive Up to 20% on refurbished and up to 40% on new Toughbooks) based on original invoiced price**
- **1, 2 and 3 year extended warranty plans on all our refurbished models with a replacement service option (Refer to terms and conditions on our website at www.ruggednotebooks.com)**
- **Life time technical support**

- Pricing valid for **5 business days** from issuance unless otherwise noted and is subject to change without notice. *Lead time is subject to availability at receipt of order (ARO); availability at time of quotation is no guarantee of availability at receipt of order.

-Tax Exemption: All agencies and companies qualifying their purchase as tax-exempt must provide appropriate proof at time of order. Orders to reseller's where the recipient is within the State of California must provide a California Resale Tax Certificate at time of order. Orders for resale should include verbiage "for resale" on any procurement documents issued.

-All credit card purchases are subject to a 3% Convenience Fee.

-All Wires are subject to a transaction fee of \$15.00

-Cancellation Policy: **ALL SALES ARE FINAL.** Only exchange for the same or greater amount allowed on refurbished units, if approved.

-Return/Exchange Policy: **New Products are non-returnable, non-exchangeable and non-refundable. ALL SALES ARE FINAL.** Buyer understands the merchandise will be built according to the specifications on the quote. Returns on refurbished products, **IF APPROVED**, are subject to a **restocking fee. All shipping costs and convenience fees are non-refundable.** There will be no refunds allowed on refurbished products with quantities of 30 units or more.

-Terms/Late Payment: If Buyer is extended net terms, Rugged Notebooks reserves the right to charge one and half percent (1.5%) interest on payments not received by the due date indicated on the Invoice.

-By signing this document, Buyer agrees to the terms of payment as listed under "Payment Terms," including the above-stated penalty for overdue payment. If a credit card is provided as the form of payment, Buyer asserts that he/she is an authorized user of the account provided and agrees to allow the total quote amount to be charged, plus any sales and e-waste tax that may not be list but is required by law to be charged.

-Buyer agrees to be bound by Rugged Notebooks' Terms and Conditions stated above. The Buyer accepts the policies listed in this Agreement as superseding any similar policies found on any website or document created by or affiliated with Rugged Notebooks.

Signature: _____ Date: _____

Print Name: _____ Title: _____

STATE OF TEXAS
DEPARTMENT OF INFORMATION RESOURCES
CONTRACT FOR PRODUCTS AND RELATED SERVICES
SYNNEX CORPORATION

1. Introduction

A. Parties

This Contract for Products and Related Services (“Contract”) is entered into between the State of Texas (“State”), acting by and through the Department of Information Resources (“DIR”) with its principal place of business at 300 West 15th Street, Suite 1300, Austin, Texas 78701, and SYNNEX Corporation (“Vendor”), with its principal place of business at 44201 Nobel Drive, Fremont, CA 94538.

B. Compliance with Procurement Laws

This Contract is the result of compliance with applicable procurement laws of the State of Texas. DIR issued a solicitation on the Comptroller of Public Accounts’ Electronic State Business Daily, Request for Offer (RFO) DIR-SDD-TMP-398, on February 16, 2017, for Emergency Preparedness and Disaster Recovery Information Technology (IT) Products and Related Services. Upon execution of this Contract, a notice of award for RFO DIR-SDD-TMP-398 shall be posted by DIR on the Electronic State Business Daily.

C. Order of Precedence

For purchase transactions under this Contract, the order of precedence shall be as follows: this Contract; Appendix A, Standard Terms and Conditions For Products and Related Services Contracts; Appendix B, Vendor’s Historically Underutilized Businesses Subcontracting Plan; Appendix C, Pricing Index; Exhibit 1, Vendor’s Response to RFO DIR-TSO-TMP-398, including all addenda; and Exhibit 2, RFO DIR-TSO-TMP-398, including all addenda; are incorporated by reference and constitute the entire agreement between DIR and Vendor governing purchase transactions. In the event of a conflict between the documents listed in this paragraph related to purchases, the controlling document shall be this Contract, then Appendix A, then Appendix B, then Appendix C, then Exhibit 1, and finally Exhibit 2. In the event and to the extent any provisions contained in multiple documents address the same or substantially the same subject matter but do not actually conflict, the more recent provisions shall be deemed to have superseded earlier provisions.

2. Term of Contract

The initial term of this Contract shall be two (2) years commencing on the last date of approval by DIR and Vendor, with one (1) optional two-year term and one (1) optional one-year renewal. Prior to expiration of each term, the contract will renew automatically under the same terms and conditions unless either party provides notice to the other party 60 days in advance of the renewal date stating that the party wishes to discuss modification of terms

or not renew. Additionally, the parties by mutual agreement may extend the term for up to ninety (90) additional calendar days.

3. Product and Service Offerings

A. Products

Products available under this Contract are limited to Emergency Preparedness and Disaster Recovery Information Technology (IT) products as specified in Appendix C, Pricing Index. Vendor may incorporate changes to their product offering; however, any changes must be within the scope of products awarded based on the posting described in Section 1.B above. Vendor may not add a manufacturer's product line which was not included in the Vendor's response to the solicitation described in Section 1.B above.

B. Services

Services available under this Contract are limited to the technical services as specified in Appendix C, Pricing Index. Vendor may incorporate changes to their service offering; however, any changes must be within the scope of services awarded based on the posting described in Section 1.B above.

4. Pricing

Pricing to the DIR Customer shall be as set forth in Appendix A, Section 8, Pricing, Purchase Orders, Invoices and Payment, and as set forth in Appendix C, Pricing Index, and shall include the DIR Administrative Fee.

Discount off MSRP offered to DIR as set forth in Appendix C, Pricing Index shall remain unchanged during two (2) year commencing on the last date of approval by DIR and Vendor and one (1) optional two-year term.

5. DIR Administrative Fee

A) The administrative fee to be paid by the Vendor to DIR based on the dollar value of all sales to Customers pursuant to this Contract is three-quarters of one percent (.75%). Payment will be calculated for all sales, net of returns and credits. For example, the administrative fee for sales totaling \$100,000 shall be \$750.00.

B) All prices quoted to Customers shall include the administrative fee. DIR reserves the right to change this fee upwards or downwards during the term of this Contract, upon written notice to Vendor without further requirement for a formal contract amendment. Any change in the administrative fee shall be incorporated in the price to the Customer.

6. Notification

All notices under this Contract shall be sent to a party at the respective address indicated below.

If sent to the State:

Kelly Parker, CTPM, CTCM

Vendor Contract No. _____

Director, Cooperative Contracts
Department of Information Resources
300 W. 15th St., Suite 1300
Austin, Texas 78701
Phone: (512) 475-1647
Facsimile: (512) 475-4759
Email: kelly.parker@dir.texas.gov

If sent to the Vendor:

Heather Hunter
SNNEX Corporation
44201 Nobel Drive
Fremont, CA 94538
Phone: (864) 349-4064
Email: heatherh@synnex.com

7. Software License Agreements

A. Shrink/Click-wrap License Agreement

Regardless of any other provision or other license terms which may be issued by Vendor after the effective date of this Contract, and irrespective of whether any such provisions have been proposed prior to or after the issuance of a Purchase Order for products licensed under this Contract, or the fact that such other agreement may be affixed to or accompany software upon delivery (shrink-wrap), the terms and conditions set forth in this Contract shall supersede and govern the license terms between Customers and Vendor. **It is the Customer's responsibility to read the Shrink/Click-wrap License Agreement and determine if the Customer accepts the license terms as amended by this Contract. If the Customer does not agree with the license terms, Customer shall be responsible for negotiating with the reseller to obtain additional changes in the Shrink/Click-wrap License Agreement language from the software publisher.**

B. Conflicting or Additional Terms

In the event that conflicting or additional terms in Vendor Software License Agreements, Vendor Shrink/Click Wrap License Agreements, Vendor Service Agreements or linked or supplemental Vendor documents amend or diminish the rights of DIR Customers or the State, such conflicting or additional terms shall not take precedence over the terms of this Contract.

In the event of a conflict, any linked documents may not take precedence over the printed or referenced documents comprising this contract; provided further that any update to such linked documents shall only apply to purchases or leases of the associated Vendor product or service offering after the effective date of the update; and, provided further, that, if Vendor has responded to a solicitation or request for pricing, no update of such linked documents on or after the initial date of Vendor's

Vendor Contract No. _____

initial response shall apply to that purchase unless Vendor directly informs Customer of the update before the purchase is consummated.

In the event that different or additional terms or conditions would otherwise result from accessing a linked document, agreement to said linked document shall not be effective until reviewed and approved in writing by Customer's authorized signatory.

Vendor shall not without prior written agreement from Customer's authorized signatory, require any document that: 1) diminishes the rights, benefits, or protections of the Customer, or that alters the definitions, measurements, or method for determining any authorized rights, benefits, or protections of the Customer; or 2) imposes additional costs, burdens, or obligations upon Customer, or that alters the definitions, measurements, or method for determining any authorized costs, burdens, or obligations upon Customer.

If Vendor attempts to do any of the foregoing, the prohibited documents will be void and inapplicable to the contract between DIR and Vendor or Vendor and Customer, and Vendor will nonetheless be obligated to perform the contract without regard to the prohibited documents, unless Customer elects instead to terminate the contract, which in such case may be identified as a termination for cause against Vendor.

The foregoing requirements do not apply to contracts between Customer and software publisher.

8. Authorized Exceptions to Appendix A, Standard Terms and Conditions for Product and Related Services Contracts.

No exceptions have been agreed to by DIR and Vendor.

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Vendor Contract No. _____

This Contract is executed to be effective as of the date of last signature.

SYNNEX CORPORATION

Authorized By: Signature on File

Name: Daniel Brennan

Title: Vice President & Senior Counsel

Date: 3/7/2018

The State of Texas, acting by and through the Department of Information Resources

Authorized By: Signature on File

Name: Hershel Becker

Title: Chief Procurement Officer

Date: 3/22/2018

Office of General Counsel: DB 3/20/2018

July 6, 2022

Re: TD SYNEX Corporation Relationship with Rugged Solutions America, LLC – TX DIR-TSO-4075

To Whom It May Concern:

TD SYNEX Corporation ("TD SYNEX") is submitting this letter to confirm its relationship with Rugged Solutions America, LLC. TD SYNEX is a publicly-traded corporation (NYSE: SNX). This letter will confirm Rugged Solutions America, LLC is authorized to purchase approved products from TD SYNEX and has the authority to resell such products to any reseller or end user in the United States.

The information in this letter is current as of the date hereof only. The statements included in this letter are based upon information known to TD SYNEX as of the date of this letter and TD SYNEX assumes no obligation to update information contained in this letter. Please feel free to contact the undersigned if you have any questions or concerns.

Sincerely,



Ed Somers

SVP GOVSolv

TD SYNEX Corporation

Appendix C Pricing Index
Amendment 3 to DIR-TSO-4075
SYNNEX Corporation

Brand	Product Description	DIR Customer Discount % off MSRP *
Getac	Notebook	21.75%
Getac	Tablet	16.35%
Getac	Accessories	12.50%
Getac	Video	12.50%
Getac	Support	12.50%
Fortinet	Category A Hardware & Services	10.00%
Fortinet	Professional Services & Training	1.00%
Black Box	A/V	26.00%
Black Box	A/V iCompel	10.00%
Black Box	Cables	32.00%
Black Box	Datacomm	26.00%
Black Box	Infrastructure	26.00%
Black Box	KVM Non-Secure	26.00%
Black Box	KVM Secure	10.00%
Black Box	Manual Switches	37.00%
Black Box	Networking	26.00%
Black Box	Storage Devices	26.00%
Black Box	Testers	26.00%
Black Box	Tools	26.00%
Bosch	Bosch Audio	23.00%
Bosch	Bosch Security including Cameras	44.00%
Christie Digital	High resolution video walls / workstation displays	17.00%
Symantec	All	10.00%
Fortinet	FortiGuard & FortiGate	10.00%
Fortinet	Coterm	1.00%
Related Services		DIR Customer Discount % off MSRP *
Analysis and Design		5.00%
Application Certification		5.00%
Configuration and Integration		5.00%
Consulting		5.00%
Data Backup Assessment, Design & Implement.		5.00%
Deployment Services		5.00%
Desktop Services		5.00%
Disaster Recovery		5.00%
Engineering		5.00%
Hard Drive Removal & Retention by the Buyer		5.00%
Help Desk Support		5.00%
Installation		5.00%
Lan/Wan Infrastructure Services		5.00%
Network Design & Management		5.00%

Related Services	DIR Customer Discount % off MSRP *
Network Operating Systems Engineering	5.00%
Regulatory Compliance Implementation Svs.	5.00%
Software Upgrades and Data Migration	5.00%
Technical Support	5.00%
Training, Customer Education	5.00%
Image, HW insertion, asset tag, asset number in BIOS	40.00%
Custom Image Load per unit	34.00%
Consigned asset tag placement	36.00%
Asset Tagging - per unit	57.00%
Assessment and associated reporting of storage consumption, utilization, design services for a capacity appropriate, optimized storage solution (1st Array)	16.00%
Additional array	14.00%
Storage Implementation Services (per hour)	5.00%
Assessment and associated reporting of server consumption, utilization, operating system status, design services for a capacity appropriate/optimized server and Private Cloud solution	20.00%
Server/Private Cloud Implementation Services (per hour)	5.00%
Wireless installation (survey required prior). Price includes travel and labor for 1 day. Typically up to 8 AP's are configured, mounted and tested in 1 day (does not include controller setup).	5.00%
Wireless network controller setup, security, BYOD implementation services (per hour)	5.00%
Wireless site survey for up to 250K sq ft per day. Price includes travel and Labor. Technician will evaluate signal strength and coverage based on AP customer is looking to implement, power and cabling requirements, and site readiness	5.00%
Wireless site survey for up to 250K sq ft per day. Price includes travel and Labor. Technician will evaluate signal strength and coverage based on AP customer is looking to implement, power and cabling requirements, and site readiness	5.00%
CAT5 PVC cable drop 295ft max. Price includes cable material and labor in addition to day rate for installation.	5.00%
CAT5 Plenum cable drop 295ft max. Price includes cable material and labor in addition to day rate for installation.	5.00%
Basic remote security assessment bundle including: external vulnerability assess 10 IP addresses, internal vulnerability assess 50 IP addresses, phone or email social engineering test 20 users	5.00%
Remote internal vulnerability assessment of 50 IP addresses	5.00%
External web application vulnerability assess 3 IP addresses	5.00%
External penetration test 5 IP address bundle	5.00%
Internal penetration test 5 IP address bundle	5.00%
Phone social engineering testing 30 users bundle	5.00%
Phone social engineering testing 50 users bundle	5.00%
Email social engineering testing 100 users bundle	5.00%
Email social engineering testing 200 users bundle	5.00%
External vulnerability assessment 20 IP addresses	5.00%
External vulnerability assessment 50 IP addresses	5.00%
External vulnerability assessment 100 IP addresses	5.00%
Basic onsite security assessment including: external vulnerability assess, internal vulnerability assess, social engineering pretext testing, compliance review, physical	5.00%
Advanced onsite security assessment including: external vulnerability assess (100 IP addresses), internal vulnerability assess (250 IP addresses), phone social engineering testing, compliance review, physical security review (2 sites), and security policy review (30 policies)	5.00%

Related Services	DIR Customer Discount % off MSRP *
1 - 2 Devices - Annual Price Per Device	5.00%
3 - 10 Devices - Annual Price Per Device	5.00%
11 - 25 Devices - Annual Price Per Device	5.00%
26 - 50 Devices - Annual Price Per Device	5.00%
51 - 100 Devices - Annual Price Per Device	5.00%
101+ Devices - Annual Price Per Device	5.00%
1 - 2 Devices - Annual Price Per Device	5.00%
3 - 10 Devices - Annual Price Per Device	5.00%
11 - 25 Devices - Annual Price Per Device	5.00%
26 - 50 Devices - Annual Price Per Device	5.00%
51 - 100 Devices - Annual Price Per Device	5.00%
101+ Devices - Annual Price Per Device	5.00%
1 - 2 Devices - Annual Price Per Device	5.00%
3 - 10 Devices - Annual Price Per Device	5.00%
11 - 25 Devices - Annual Price Per Device	5.00%
26 - 50 Devices - Annual Price Per Device	5.00%
51 - 100 Devices - Annual Price Per Device	5.00%
101+ Devices - Annual Price Per Device	5.00%
Management and Analytics of Video	5.00%

The seal of the City of San Angelo, Texas, is a circular emblem. It features a central design with a yellow sun rising over a green mountain range, which is set against a blue background representing water. The words "THE CITY OF SAN ANGELO" are written in a circle around the top, and "TEXAS" is at the bottom, flanked by two stars.

Item type: Consent Item

Fund: Account: Project Number: Amount Budgeted:

528

528-3200-800-0730

\$254,000

Financial Impact:

The City will be responsible for \$254,000 in design costs for the six intersections.

Other Information/Recommendation:

Staff recommends awarding Task Order #7 to Kimley-Horn and Associates and authorizing the City Manager to execute any related documents.

Attachments:

1. Exhibit A Scope_Traffic Signal Design_CoSA HSIP PSE Exhibit A Scope_Traffic Signal Design_CoSA HSIP PSE.pdf

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Kevin Pate	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

**EXHIBIT “A”
SCOPE OF SERVICES**

**Agreement between the City of San Angelo, Texas (City)
and Kimley-Horn and Associates, Inc. (Consultant)**

For the following project:

**Development of Traffic Signal Design Plans
at Various Locations using
HSIP (Highway Safety Improvement Program) Grant Funding**

PROJECT DESCRIPTION

The scope of services consists of the development of traffic signal design plans for the six (6) intersections defined below, located in the City of San Angelo, Texas. Intersections 1-2 are expected to let in April 2023 under a single package and intersections 3-6 are expected to let in August 2023 under a separate single package. Changes to this submittal structure can be accommodated as an Additional Service.

Intersection	Type of Improvement		Tentative TxDOT Letting Date	
	Signal Modification Design	Full Signal Design	April 2023	August 2023
1 Sunset Drive at Southwest Boulevard	✓		✓	
2 Arden Road at Sherwood Way		✓	✓	
3 FM 388 (Avenue L) at Chadbourne Street		✓		✓
4 US 87 (Bryant Blvd) at W. 29th Street		✓		✓
5 US 87 (Bryant Blvd) at Knickerbocker Rd/W. Avenue Q		✓		✓
6 US 87 (Bryant Blvd) at W. 19th Street	✓			✓

The tasks consist of preparation of permanent signal design sheets, general notes, quantities, probable construction cost estimates, technical specifications, and coordination with San Angelo District TxDOT District Office and City. The traffic signal designs will be prepared using TxDOT and City of standards where applicable. Exhibits of proposed improvements are shown for each intersection in the **Attachments** section. Proposed design will be limited to elements shown in these exhibits.

Consultant shall perform the following Professional Services:

TASK SUMMARY

1. Project Management and Meetings

Consultant will organize, prepare for, and facilitate one kick-off meeting, with the following objectives in mind:

- Discuss the scope and roles of the Consultant,
- Discuss specific project requirements and any special design or coordination needs,
- Discuss deliverables,
- Discuss project schedule,
- Identify the protocol for project communications,

- Plan for specific documents that will require TxDOT and/or City of San Angelo review and comment, and
- Identify the need for, and the provision of, existing conditions data.

In the general vicinity of the project intersections, the Consultant will perform one in-field review and visually verify existing signage, existing signal infrastructure, existing pedestrian elements, and other existing elements. This along with the obtained topographic survey will form the basis of the designs. After the 60% submittal, the Consultant will prepare for and schedule one conference call with City and TxDOT staff to receive/communicate about comments, if needed.

2. Survey

Using a subconsultant, the Consultant will provide professional surveying services in general accordance with current published TxDOT requirements as outlined below:

- Project scope will be within a 150' radius of each intersection.
- Additional data collection.
 - Coordinate with Texas 811 to locate and mark existing franchise and public utilities prior to performing the field survey.
 - Survey limits are not anticipated to extend onto private property.
- Perform topographic survey of the existing ground based on visible features and markers along the project limits identified above.
- Establish horizontal control points and a vertical control benchmark circuit as needed throughout the project. Set control points based on NAD-83.
- Gather available existing right-of-way and easement information. Identify easements available through typical research methodologies (i.e. plats). Undocumented easements may not be identified. Title research may be performed as an additional service only upon written City authorization.
- Review topographic survey, available records from the City and information gathered from the franchise utilities.
- Compile above information into a survey base file to be used for the design. Base file will be in MicroStation SS10.

It is assumed that additional ROW will not be required. Therefore, no ROW strip map or instruments of conveyance are anticipated but could be provided as an Additional Service.

3. Signal Design Services

The design will be prepared using base mapping from the survey and field investigation. The design will be prepared at 1" = 40' on 11" x 17" plan sheets using Microstation SS10. The traffic design package will consist of the following plan sheets.

- **Existing Conditions and Removals Layout Sheet:** existing signal infrastructure, proposed removals, and existing pavement markings.
- **Traffic Signal Layout Sheet:** proposed signal layout plan, overhead signs, pedestrian elements, curb ramp design, and signal phasing diagram.

- **Signs, Markings, and Ramp Details Sheet:** with proposed signs, proposed pavement markings, proposed curb ramp design, and summary charts.
- **Traffic Signalization Detail Sheet:** with tabulation of quantities, APS chart, conductor routing chart, electrical chart, detection details, and general notes.

This proposal does not include design of improvements that increase capacity such as left turn or right turn lane roadway design, or coordination with outside agencies other than TxDOT.

4. Design Deliverables

All design sheets from the tasks above will be combined with the sheets identified below to create a single design submittal for each of the two (2) TxDOT lettings.

- **Cover Sheet:** intersection location key map and description of project
- **General Notes:** standard general notes applicable to TxDOT and City of San Angelo
- **Summary of Quantities:** summary of quantities and Opinion of Probable Construction Costs (OPCC) using TxDOT bid items
- **Standard Detail Sheets:** applicable standards as required by TxDOT

Deliverables: The Consultant will develop the following deliverables for this task:

- **60% Submittal:** The Consultant will prepare and submit an electronic copy of the construction drawings to TxDOT and City for review.
- **90% Submittal:** The Consultant will address one round of TxDOT and City review comments and submit an electronic copy of the construction drawings to TxDOT and City for review. The Consultant will submit plans in accordance with 90% submittal format.
- **100% (Draft) Submittal:** The Consultant will address one round of TxDOT and City review comments and submit an electronic copy of the construction drawings to TxDOT and City for review. The Consultant will submit plans in accordance with 100% draft submittal format.
- **100% (Final) Submittal:** The Consultant will address one round of TxDOT and City review comments and provide an electronic copy of the signed and sealed construction drawings.

5. TxDOT Coordination

The Consultant will perform the following coordination items with TxDOT:

- Prepare the following forms and paperwork:
 - **Form 1002:** PS&E Transmittal Data
 - **Form 2229:** Significant Project Procedures
 - **Form 2443:** Plans, Specifications, Estimates (PSE) Stage Gate Checklist
 - **Form 2699:** Determination of Additional Project-Specific Liquidated Damages
- Prepare the following forms with signature from the City of San Angelo

- Utility certification
 - Right-of-way acquisition certification
 - Relocation advisory assistance certification
 - Right-of-way encroachment certification
 - Railroad certification
- Upload quantity data to TxDOT CONNECT

It is assumed that TxDOT San Angelo District will apply for all necessary TDLR inspections. The Consultant will not perform RAS or TDLR certification or coordination.

Additional Services

City and Consultant agree that the following services are beyond the Scope of Services described in the tasks above. However, Consultant can provide these services, if needed, upon the City's written request. Any additional amounts paid to the Consultant as a result of any material change to the Scope of the Project shall be agreed upon in writing by both parties before the services are performed. These Additional Services include, but are not limited to, the following:

- Soils and/or material testing
- Public involvement
- Environmental evaluation
- Traffic counts, traffic modeling, traffic projections, traffic signal timing
- Illumination design
- Drainage design
- Design of any surface drainage improvements other than that listed in the scope
- Detailed traffic control plan design
- Detailed traffic control plan narrative
- Preparation for and attendance at meetings besides meetings identified above
- Assist the City as an expert witness in litigation in connection with the project or in hearings before approving and regulatory agencies
- Redesign to reflect project scope changes requested by the City, required to address changed conditions or change in direction previously approved by the City, mandated by changing governmental laws, or necessitated by the City's acceptance of substitutions proposed by the Contractor
- Submittal to Texas Department of Licensing and Registration (TDLR) for ADA requirements
- Construction Phase Services RPR – Construction inspection and pay estimate management
- SWPPP inspections / coordination
- Providing professional services associated with the construction phase of the project
- Any services not listed in the Scope of Services

Schedule

The Consultant will work with the City to develop a mutually acceptable project schedule to meet the two (2) TxDOT anticipated letting dates of April 2023 and August 2023.

- End of Scope of Services –

EXHIBIT "A"
FEE BREAKDOWN

The Consultant will perform the services in Tasks 1 - 5 for the total lump sum fee below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client.

Task and Fee Summary Table

Task		Fee	Fee Type
Task 1	Project Management and Meetings	\$16,700	LS
Task 2	Survey	\$38,900	LS
Task 3	Signal Design Services	\$157,200	LS
Task 4	Deliverables	\$18,800	LS
Task 5	TxDOT Coordination	\$22,600	LS
Lump Sum (LS) TOTAL:		\$254,200	

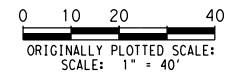
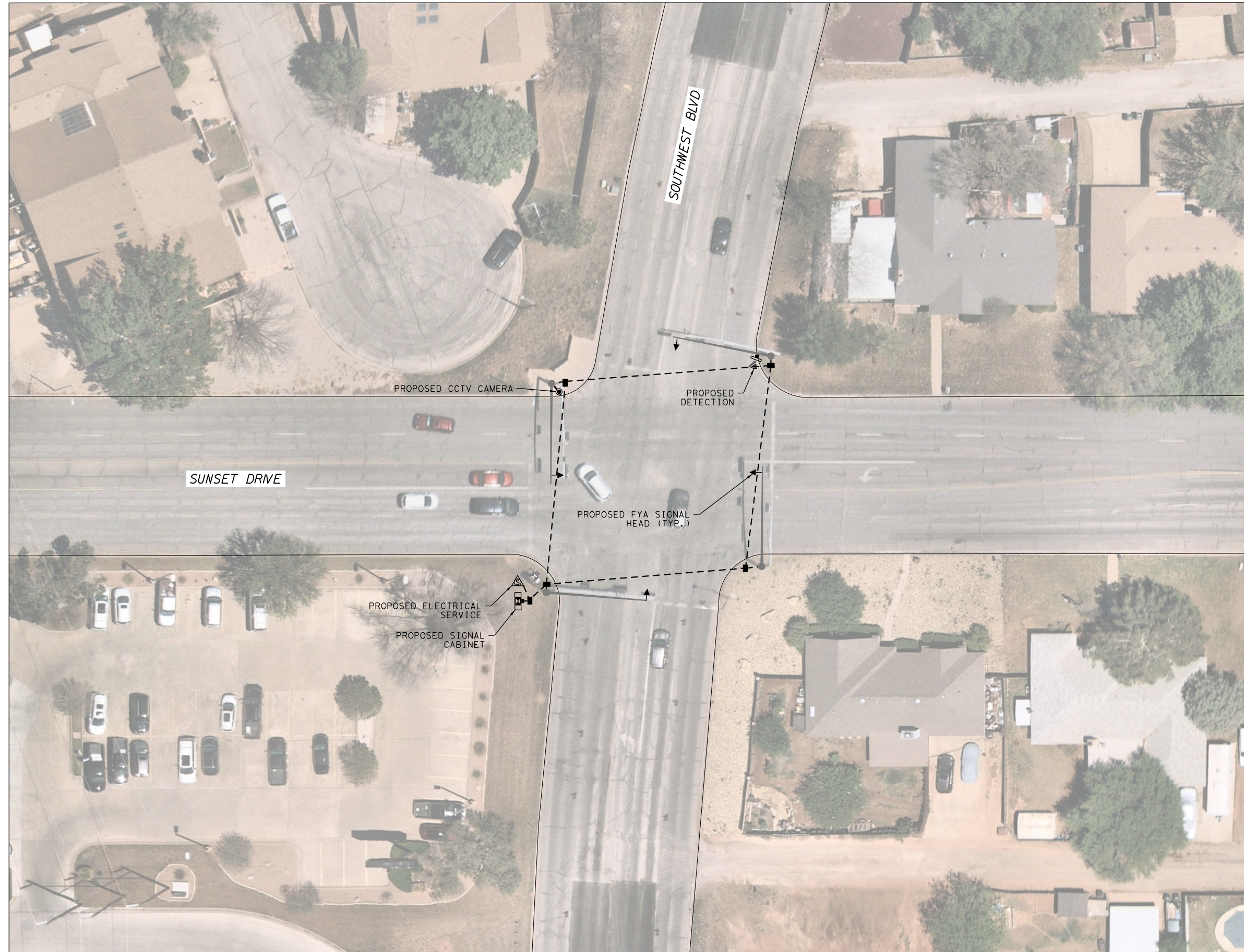
Below is a breakdown of design fees per intersection:

Intersection		Design Fee Per Intersection
1	Sunset Drive at Southwest Boulevard	\$20,700
2	Arden Road at Sherwood Way	\$49,000
3	FM 388 (Avenue L) at Chadbourne Street	\$48,500
4	US 87 (Bryant Blvd) at W. 29th Street	\$48,900
5	US 87 (Bryant Blvd) at Knickerbocker Rd/W. Avenue Q	\$57,500
6	US 87 (Bryant Blvd) at W. 19th Street	\$29,600
TOTAL		\$254,200

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

ATTACHMENTS

- **Exhibit 1:** Sunset Drive at Southwest Boulevard
- **Exhibit 2:** Arden Road at Sherwood Way
- **Exhibit 3:** FM 388 (Avenue L) at Chadbourne Street
- **Exhibit 4:** US 87 (Bryant Blvd) at W. 29th Street
- **Exhibit 5:** US 87 (Bryant Blvd) at Knickerbocker Rd/W. Avenue Q
- **Exhibit 6:** US 87 (Bryant Blvd) at W. 19th Street



LEGEND

- | | |
|---|--|
|  | EXISTING SIGNAL POLE |
|  | EXISTING TRAFFIC SIGNAL CONTROLLER
CABINET AND CONCRETE PAD |
|  | EXISTING GROUND BOX |
|  | EXISTING CONDUIT |
|  | PROPOSED TYPE D GROUND
BOX W/ APRON |
|  | PROPOSED CONDUIT |
|  | PROPOSED GRIDSMART
DETECTOR AND LABEL |

CONCEPTUAL TYPICAL APPLICATION
HIRON FERNANDO, P.E. 123288
KIMLEY-HORN, FIRM F-928 11/10/2021
FOR HSIP APPLICATION ONLY
NOT TO BE USED FOR ANY OTHER PURPOSE

EXISTING AND PROPOSED LOCATIONS SHOWN ON THIS PLAN ARE DIAGRAMMATIC ONLY. THIS EXHIBIT IS PRELIMINARY AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES.

Kimley»Horn

F-928

13455 Noel Road
Two Galleria Office Tower, Suite 700
Dallas, Texas 75240

Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Texas Department of Transportation

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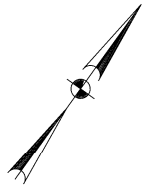
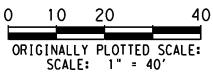
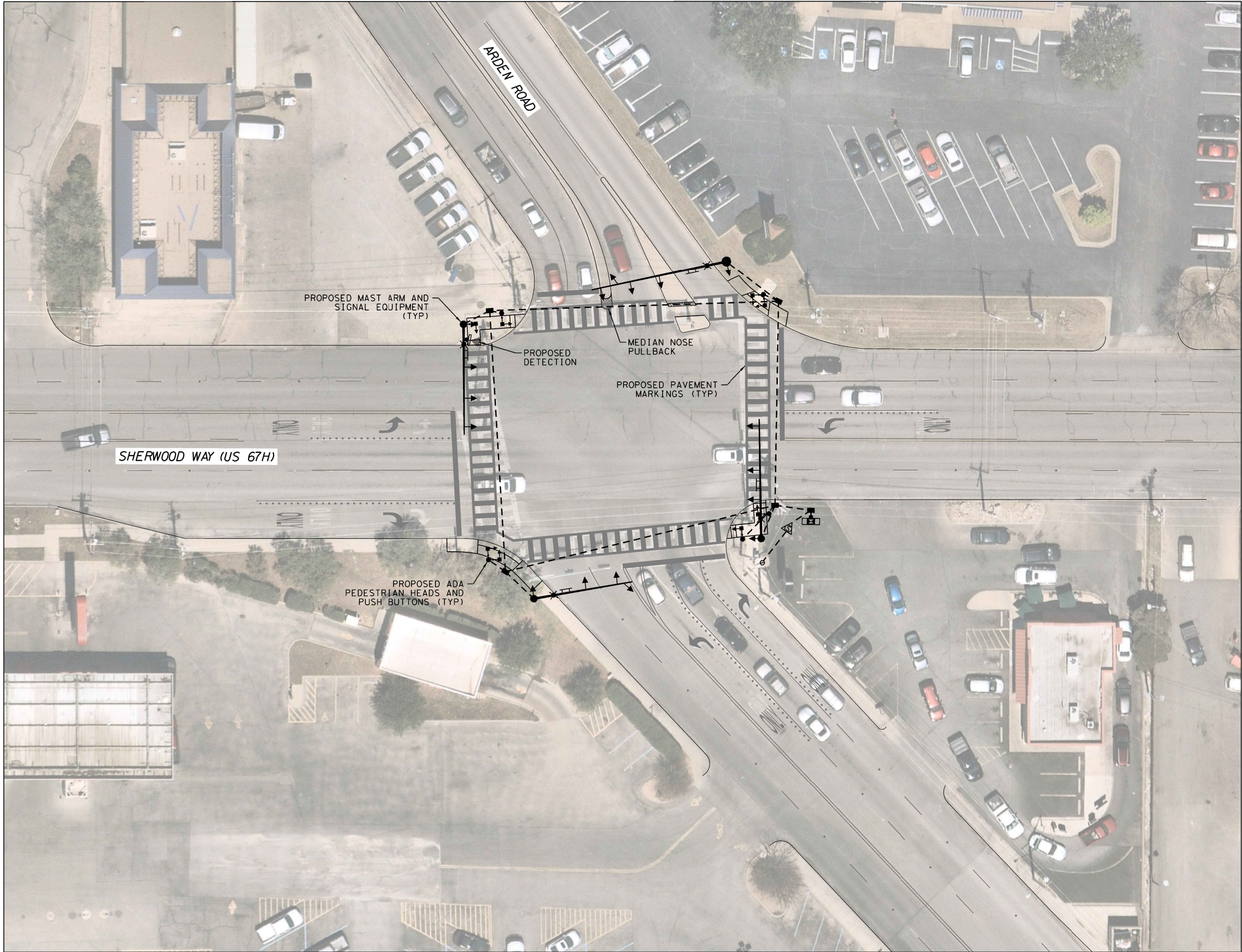
TRAFFIC SAFETY IMPROVEMENTS

EXHIBIT 1

SUNSET DRIVE AT SOUTHWEST BLVD

DESIGN ASA	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
GRAPHICS ASA	STATE	DISTRICT	COUNTY	VA
CHECK HMF	TEXAS	SJT		SHEET NO. 2
CHECK HMF	CONTROL	SECTION	JOB	

PLOTTED: 11/16/2021 40'-0000 ft / in. BY: Abby Axelsson
FILENAME: K:\DAL_TPTD\project\064586902 - San Angelo 2021 HSIP Applications\CADD\Task 2 - Arden at US 67\CSA-HSIP_2A_Arden at Sherwood.dgn



LEGEND

- TYPICAL PROPOSED MAST ARM COMBINATION SIGNAL WITH PEDESTRIAN SIGNAL, PUSH BUTTON, LED LUMINAIRE (250W E.Q.), AND SIGNAGE
- TRAFFIC SIGNAL CONTROLLER CABINET AND CONCRETE PAD
- PROPOSED TYPE D GROUND BOX W/ APRON
- PROPOSED CONDUIT
- PROPOSED ELECTRICAL SERVICE
- PROPOSED GRIDSMART DETECTOR AND LABEL

CONCEPTUAL TYPICAL APPLICATION
HIRON FERNANDO, P.E. 123288
KIMLEY-HORN, FIRM F-928 11/10/2021
FOR HSIP APPLICATION ONLY
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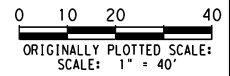
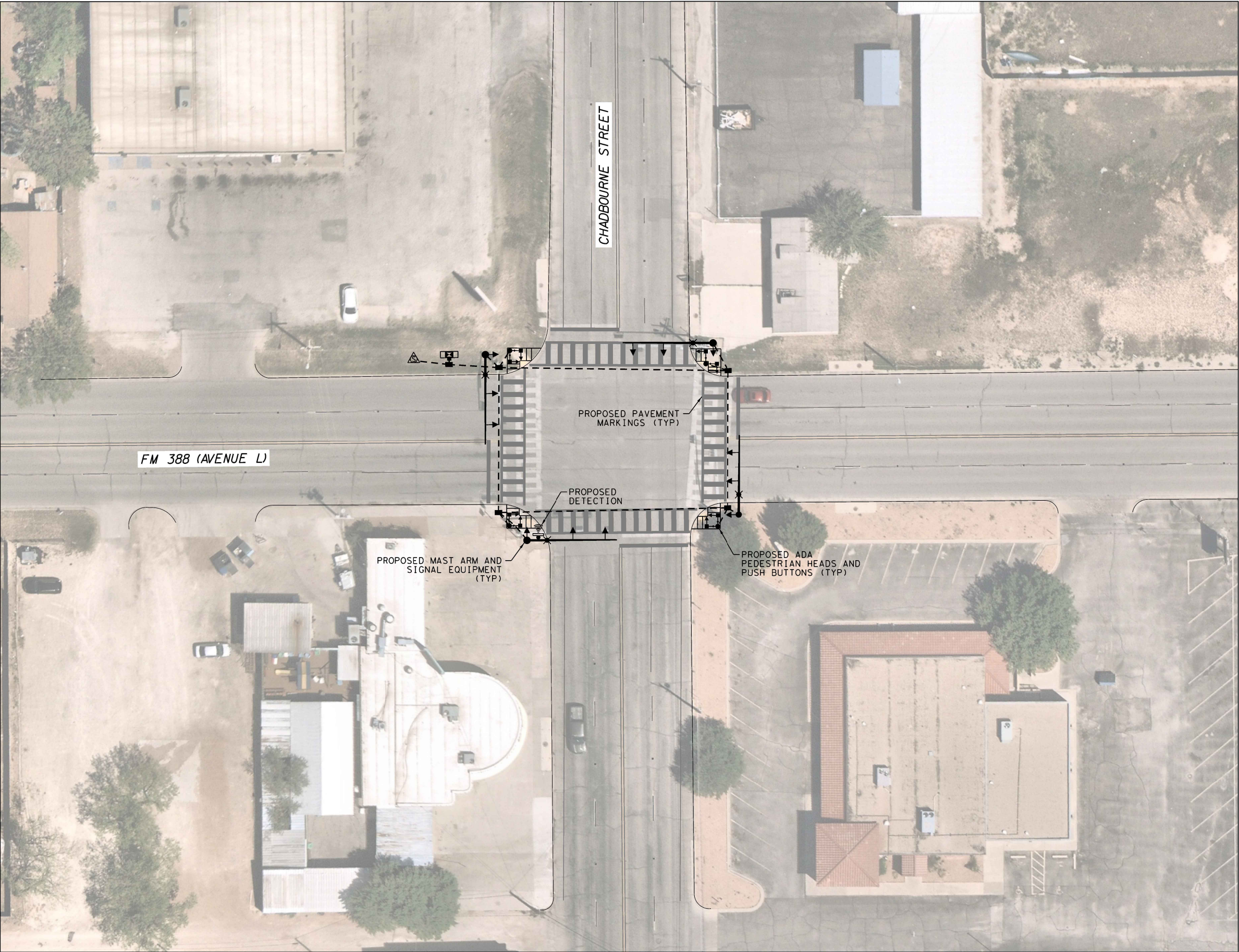
TRAFFIC SAFETY IMPROVEMENTS

EXHIBIT 2

SHERWOOD WAY (US 67H)
AT ARDEN ROAD

DESIGN	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
ASA				VA
GRAPHICS				
ASA	STATE	DISTRICT	COUNTY	SHEET NO.
CHECK	TEXAS	SJT		2
HMF	CONTROL	SECTION	JOB	
CHECK				
HMF				

PLOTTED: 11/16/2021 40'-0000 ft / in. BY: Abby Axelsson
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LEGEND

- TYPICAL PROPOSED MAST ARM COMBINATION SIGNAL WITH PEDESTRIAN SIGNAL, PUSH BUTTON, LED LUMINAIRE (250W E.Q.), AND SIGNAGE
- TRAFFIC SIGNAL CONTROLLER CABINET AND CONCRETE PAD
- PROPOSED TYPE D GROUND BOX W/ APRON
- PROPOSED CONDUIT
- PROPOSED ELECTRICAL SERVICE
- PROPOSED GRIDSMART DETECTOR AND LABEL

CONCEPTUAL TYPICAL APPLICATION
HIRON FERNANDO, P.E. 123288
KIMLEY-HORN, FIRM F-928 11/10/2021
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THE CITY OF SAN ANTONIO
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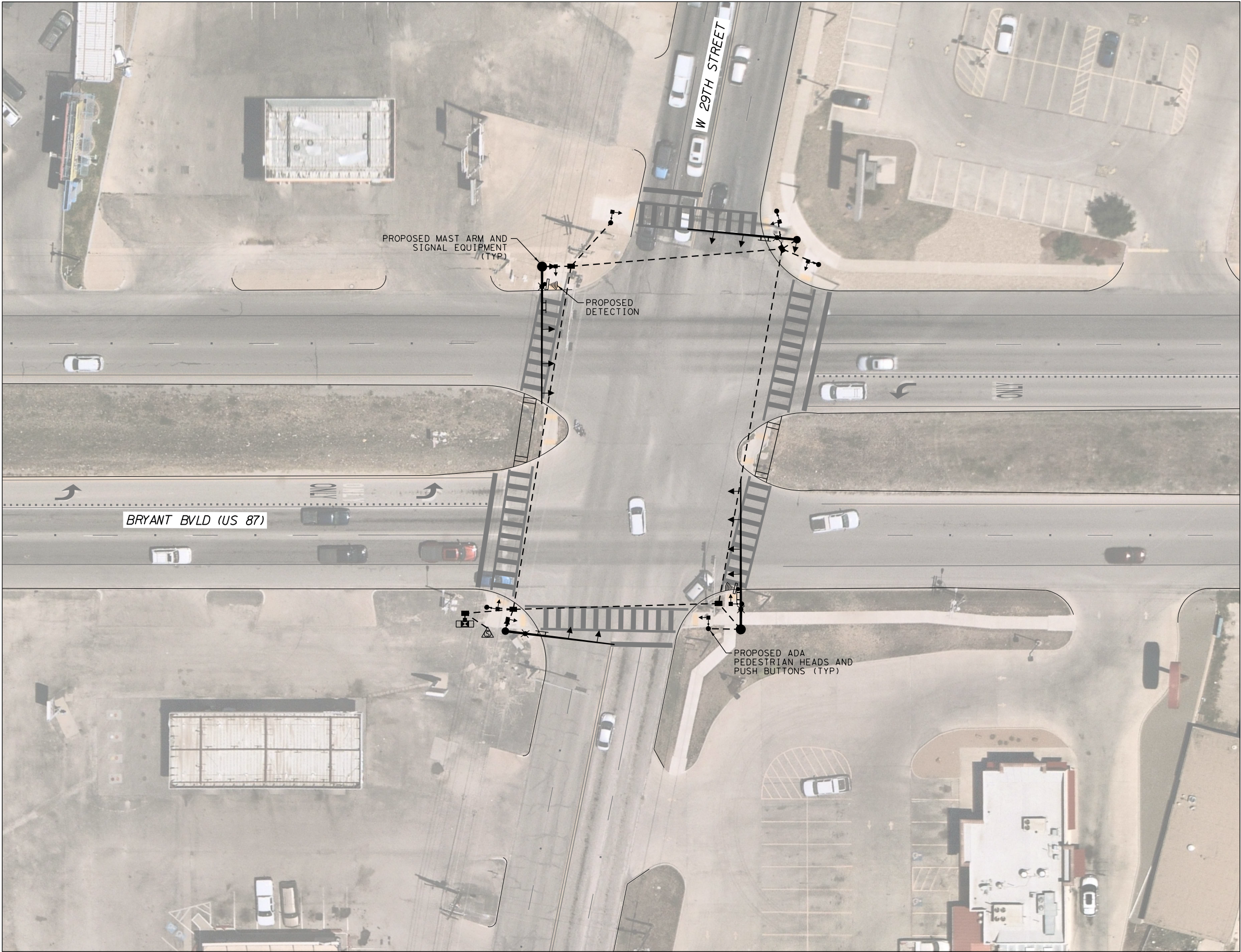
TRAFFIC SAFETY IMPROVEMENTS

EXHIBIT 3

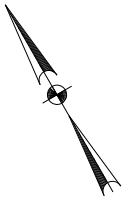
FM 388 (AVENUE L) AT
CHADBOURNE STREET

DESIGN ASA	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
GRAPHICS ASA	STATE	DISTRICT	COUNTY	VA
CHECK HMF	TEXAS	SJT		2
CHECK HMF	CONTROL	SECTION	JOB	

11/11/2021 40,000 ft / in. BY: Abby Avelson
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0 10 20 40
ORIGINALLY PLOTTED SCALE:
SCALE: 1" = 40'



LEGEND

- TYPICAL PROPOSED MAST ARM COMBINATION SIGNAL WITH PEDESTRIAN SIGNAL, PUSH BUTTON, LED LUMINAIRE (250W E.Q.), AND SIGNAGE
- TRAFFIC SIGNAL CONTROLLER CABINET AND CONCRETE PAD
- PROPOSED TYPE D GROUND BOX W/ APRON
- PROPOSED CONDUIT
- PROPOSED ELECTRICAL SERVICE
- PROPOSED GRIDSMART DETECTOR AND LABEL

CONCEPTUAL TYPICAL APPLICATION
HIRON FERNANDO, P.E. 123288
KIMLEY-HORN, FIRM F-928 11/10/2021
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TRAFFIC SAFETY IMPROVEMENTS

EXHIBIT 4

BRYANT BOULEVARD (US 87)
AT W 29TH STREET

DESIGN ASA	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
GRAPHICS ASA	STATE	DISTRICT	COUNTY	VA SHEET NO.
CHECK HMF	TEXAS	SJT		2
CHECK HMF	CONTROL	SECTION	JOB	

11/16/2021 40,000 ft / in. BY: Abby Avelson
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ORIGINALLY PLOTTED SCALE:
SCALE: 1" = 40'



LEGEND

- TYPICAL PROPOSED MAST ARM COMBINATION SIGNAL WITH PEDESTRIAN SIGNAL, PUSH BUTTON, LED LUMINAIRE (250W E.Q.), AND SIGNAGE
- TRAFFIC SIGNAL CONTROLLER CABINET AND CONCRETE PAD
- PROPOSED TYPE D GROUND BOX W/ APRON
- PROPOSED CONDUIT
- PROPOSED ELECTRICAL SERVICE
- PROPOSED GRIDSMART DETECTOR AND LABEL

NOTES:

1. PLANNED SIDEWALK IMPROVEMENT PROJECT ON SW CORNER. FURTHER SIDEWALK/RAMP IMPROVEMENTS WILL BE NEEDED WHEN PROPOSED PEDESTRIAN POLE IMPROVEMENTS ARE INSTALLED.

CONCEPTUAL TYPICAL APPLICATION
HIRON FERNANDO, P.E. 123288
KIMLEY-HORN, FIRM F-928 11/10/2021
FOR HSIP APPLICATION ONLY
NOT TO BE USED FOR ANY OTHER PURPOSE

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TRAFFIC SAFETY IMPROVEMENTS

EXHIBIT 5

BRYANT BOULEVARD (US 87)
AT KNICKERBOCKER ROAD

DESIGN	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
ASA			VA
GRAPHICS	STATE	DISTRICT	COUNTY
ASA	TEXAS	SJT	
CHECK	CONTROL	SECTION	JOB
HMF			
CHECK			
HMF			

	EXISTING SIGNAL POLE
	EXISTING TRAFFIC SIGNAL CONTROLLER CABINET AND CONCRETE PAD
	EXISTING GROUND BOX
	EXISTING CONDUIT
	TYPICAL PROPOSED MAST ARM COMBINATION SIGNAL WITH PEDESTRIAN SIGNAL, PUSH BUTTON, LED LUMINAIRE (250W E.Q.), AND SIGNAGE
	PROPOSED TYPE D GROUND BOX W/ APRON
	PROPOSED CONDUIT
	PROPOSED GRIDSMART DETECTOR AND LABEL

EXISTING AND PROPOSED LOCATIONS SHOWN ON
THIS PLAN ARE DIAGRAMMATIC ONLY. THIS
EXHIBIT IS PRELIMINARY AND IS NOT
INTENDED FOR CONSTRUCTION PURPOSES.



PLOTTED: 11/11/2021
 FILENAME: K:\DAL_TPTO\1project\064586902 - San Angelo 2021 HSIP Applications\CADD\Task 5 - Bryant at 19th\COSA-HSIP_5A-Bryant & 19th.dgn
 BY: Abby.Axelsson
 40,000 ft / in.

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BRYANT BOULEVARD (US 87)
AT 19TH STREET

DESIGN ASA	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
GRAPHICS ASA				VA
CHECK HMF	STATE	DISTRICT	COUNTY	SHEET NO.
CHECK HMF	TEXAS	SJT		2
CHECK HMF	CONTROL	SECTION	JOB	

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Frerich, Director of Operations, Operations, (325) 657-4206

Meeting Date: August 16, 2022

Item type: Consent Item

Caption:

Consider a resolution authorizing the City, along with the Metropolitan Planning Organization, to jointly apply for, and accept funds from, the Safe Streets and Roads for All Action Plan Grant Program and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Adopt

Summary/History:

The United States Department of Transportation has made funding available for a two-step process to provide regional, local, and Tribal entities a funding mechanism to achieve safer streets, roads, and other transportation facilities through their Safe Streets and Roads for All Grant (SS4A). These grant initiatives are to help these entities prevent roadway deaths and serious injuries and move toward a "Zero-Deaths" goal.

SS4A Grants can be Action Plan Grants or Implementation Grants. Step One involves formulating an official Action Plan that identifies safety deficiencies and remediation opportunities. For Step Two, once an Action Plan is in place, governmental entities can apply for Implementation Grants for the construction of projects identified within the Action Plan.

With Council's authorization, the City, as a joint applicant with the MPO, would apply for an Action Plan Grant to cover the cost of formulating the official Action Plan. A joint application would allow the City or the MPO, independently, to apply for Implementation Grants in the future.

Funding Source(s):

Financial Impact:

SS4A Grants require a 20% match.

Other Information/Recommendation:

Staff recommends adopting the resolution allowing the City and MPO to submit a joint application for a Safe Streets and Roads for All Action Plan Grant and receive any awarded funding, and authorizing the City Manager to execute any related documents.

Attachments:

1. Resolution approving application for SS4A grant Resolution approving application for SS4A grant.docx

Presentation:

Patrick Frerich

Approvals/Reviews:

Patrick Frerich

Shane Kelton

Theresa James

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Final Approval

RESOLUTION XXXXXXXX

**A RESOLUTION OF THE SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY MANAGER TO
SUBMIT AN APPLICATION FOR SAFE STREETS AND ROADWAYS FOR ALL (SS4A) GRANT
FUNDS FROM THE US DEPARTMENT OF TRANSPORTATION TO BE USED FOR THE CREATION
OF AN ACTION PLAN FOR SAFER STREETS AND ROADWAYS IN SAN ANGELO**

WHEREAS, the US Department of Transportation is providing an opportunity for states, Tribes, and local governments to obtain funding to address safety issues on streets and roadways; and,

WHEREAS, the grants will provide part of the funding for the creation of an Action Plan that will identify deficiencies, opportunities, and remediation actions to make San Angelo's streets, roadways, and other transportation facilities safer; and,

WHEREAS, the Action Plan will provide a guide for future street infrastructure projects and opportunities to apply for grant funding for those projects; and,

WHEREAS, the grant requires a local match of a minimum of 20 percent.

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

SECTION 1: The City Manager is hereby authorized to apply for and accept grant funds from the US Department of Transportation for the purposes stated above.

SECTION 2: The City Manager, or his designee, is hereby authorized and directed to execute such grant applications, agreements and related documents necessary for their application for the purposes stated.

ADOPTED this 16th day of August 2022.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Shane Kelton
Executive Director of Public Works

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Consent Item

Caption:

Consider a resolution authorizing the City to apply for, and accept funds from, the Texas Parks and Wildlife Boating Access Program and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Adopt

Summary/History:

The Boating Infrastructure Grant, through the Texas Parks and Wildlife Boating Access Program, provides funding to assist in the design, construction, and/or renovation of public boat ramps that provide access to public waters for recreational boating. The grant will be used to offset the costs of design and planning of boat ramps currently identified as a part of the Lake Nasworthy Capital Improvement Projects recently authorized by the voters.

The grant application will solicit funding for improvements to the Fisherman's Road Boat Ramp and Red Bluff Boat Ramp, as well as up-to two non-motorized boating access points. Improvements will include their respective parking rehabilitation, shoreline stabilization, boat ramp improvements, and courtesy dock replacement as appropriate.

The Boating Infrastructure Grant provides 75% of the cost of the project with the City responsible for the remaining 25%.

Funding Source(s):

Financial Impact:

If selected, matching funds for the grant are available in the 532-Lake Nasworthy Capital Fund.

Other Information/Recommendation:

Staff recommends adopting a resolution allowing the City to submit a grant application to the Texas Parks and Wildlife in response to the Boating Access Program's Boating Infrastructure Grant solicitation and accepting any funds awarded from the application, and authorizing the City Manager to execute any related documents.

Attachments:

1. TPWD BOATING

ACCESS_GRANT_APPLICATION_AUTHORIZATION_RESACCESS_GRANT_APPLICATION_AUTHORIZATION_RES
O-LAKE NAS

TPWD BOATING

O-LAKE NAS.docx

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz

Patrick Frerich

Shane Kelton

Theresa James

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY'S APPLICATION TO THE TEXAS PARKS AND WILDLIFE BOAT ACCESS PROGRAM FOR FUNDING THE CITY OF SAN ANGELO LAKE NASWORTHY BOAT RAMP IMPROVEMENTS PROJECT

WHEREAS, the City of San Angelo's five year Capital Improvement Plan (CIP) includes boat ramp improvements at Lake Nasworthy; and,

WHEREAS, the City of San Angelo (City) desires to submit a Grant Application to Texas Parks and Wildlife under its Boat Access Program for a grant funding the Boat Ramp Improvements at Lake Nasworthy; and,

WHEREAS, a City Council resolution of support is required as part of the application process in response to the Texas Parks and Wildlife under its Boat Access Program Call for Project applications; and,

WHEREAS, the City Council for the City of San Angelo shall provide additional sources of funding in support of the application for a match of no less than 25%.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1. The foregoing recitals are true and correct and are adopted as a part of this Resolution.
- Section 2. The City of San Angelo City Council supports funding this project as described in the Texas Parks and Wildlife Boat Infrastructure Grant Call for Projects (including the required local match of 25%) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing.
- Section 3. The City of San Angelo will serve as the public sponsor and lead project contact on this project.
- Section 4. The City of San Angelo is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.
- Section 5. The City of San Angelo will designate a Responsible Person in Charge, a Project Manager, and a Qualified Person to be actively involved in the project before beginning any work on the project.
- Section 6. The City of San Angelo authorizes staff to proceed to secure such professional and consultant services as are requisite to develop and submit an application to Texas Parks and Wildlife under its Boat Access Program for a grant funding the Boat Ramp Improvements at Lake Nasworthy prior to September 22, 2022, in response to the Texas Parks and Wildlife under its Boat Infrastructure Grant Call for Projects.

PASSED, APPROVED, and ADOPTED on this the 16th day of August, 2022.

THE CITY OF SAN ANGELO

Attest: _____
Julia Antilley, City Clerk

Brenda Gunter, Mayor

Approved As to Form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Consent Item

Caption:

Consider approving an agreement with HUD in the amount of \$186,630 to fund a Rapid Rehousing for the Homeless program and authorizing the City Manager to negotiate and execute all related documents (Bob Salas)

Staff Recommendation:

Approve

Summary/History:

On September 15, 2020, Council approved an agreement with HUD as part of the Continuum of Care (CoC) grant to fund a Rapid Rehousing (RRH) for the Homeless program. The grant is renewed annually with the 2022 grant amount set at \$186,630.00. The grant is for 12 months from November 1, 2011 to October 31, 2023 with the Public Housing Authority acting as the City's subrecipient and manager of the program. The goal of RRH is to provide homeless individuals with case management and an opportunity to obtain permanent housing. This will be the third year of CoC funding.

Funding Source(s):

Financial Impact:

If approved, the City will receive \$186,630.00 which will be distributed to the PHA as subrecipients to manage the program, with the exception of \$15,930.00 for City administration and \$900 for HMIS system costs.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------------------------|-----------------------------------|
| 1. | 2022 Grant agreement with HUD | 2022 Grant agreement with HUD.pdf |
|----|-------------------------------|-----------------------------------|

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas
Theresa James

Created/Initiated
Approved

Jeffrey Tomlinson
Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Approved
Final Approval



U.S. Department of Housing and Urban Development
Office of Community Planning and Development
307 W. 7th St.
Suite 1000
Ft. Worth, TX 76102

Grant Number: TX0576L6T072102
Tax ID Number: 75-6000659
Unique Entity Identifier [SAM]: KZC2VLA6F2P9

CONTINUUM OF CARE PROGRAM (CDFA# 14.267) GRANT AGREEMENT

This Grant Agreement (“this Agreement”) is made by and between the United States Department of Housing and Urban Development (“HUD”) and City of San Angelo (the “Recipient”).

This Agreement, the use of funds provided under this Agreement (the “Grant” or “Grant Funds”), and the operation of projects assisted with Grant Funds are governed by

1. title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the “Act”);
2. the Continuum of Care Program rule at 24 CFR part 578 (the “Rule”), as amended from time to time;
3. and the Notice of Funding Opportunity for the fiscal year in which the funds were awarded.

The terms “Grant” or “Grant Funds” mean the funds that are provided under this Agreement. The term “Application” means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, technical submission documents, and any information or documentation required to meet any grant award condition. Capitalized terms that are not defined in this agreement shall have the meanings given in the Rule.

The Application is incorporated herein as part of this Agreement, except that only the project (those projects) listed below are funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control.

HUD’s total funding obligation authorized by this grant agreement is \$186,630, allocated between the project(s) listed below (each identified by a separate grant number) and, within those projects, between budget line items, as shown below. The Grant Funds an individual project will receive are as shown in the Application on the final HUD-approved Summary Budget for the project. Recipient shall use the Grant Funds provided for the projects listed below, during the budget period(s) period stated below.

Grant No.	Grant Term	Performance Period	Budget Period	Total Amount
TX0576L6T072102	12 months	11-01-2022 - 10-31-2023	11-01-2022 - 10-31-2023	\$186,630
a. Continuum of Care planning activities				\$0
b. Acquisition				\$0
c. Rehabilitation				\$0
d. New construction				\$0
e. Leasing				\$0
f. Rental assistance				\$94,800
g. Supportive services				\$75,000
h. Operating costs				\$0
i. Homeless Management Information System				\$900
j. Administrative costs				\$15,930
k. Relocation Costs				\$0
l. HPC homelessness prevention activities:				
Housing relocation and stabilization services				\$0
Short-term and medium-term rental assistance				\$ 0

Pre-award Costs for Continuum of Care Planning

The Recipient may, at its own risk, incur pre-award costs for continuum of care planning awards, after the date of the HUD selection notice and prior to the effective date of this Agreement, if such costs: a) are consistent with 2 CFR 200.458; and b) would be allowable as a post-award cost; and c) do not exceed 10 percent of the total funds obligated to this award. The incurrence of pre-award costs in anticipation of an award imposes no obligation on HUD either to make the award, or to increase the amount of the approved budget, if the award is made for less than the amount anticipated and is inadequate to cover the pre-award costs incurred.

These provisions apply to all Recipients:

If any new projects funded under this Agreement are for project-based rental assistance for a term of fifteen (15) years, the funding provided under this Agreement is for the performance period stated herein only. Additional funding is subject to the availability of annual appropriations.

The budget period and performance period of renewal projects funded by this Agreement will begin immediately at the end of the budget period and performance period of the grant being renewed. Eligible costs incurred between the end of Recipient's budget period and performance period under the grant being renewed and the date this Agreement is executed by both parties may be reimbursed with Grants Funds from this Agreement. No Grant Funds for renewal projects may be drawn down by Recipient before the end date of the project's budget period and performance period under the grant that has been renewed.

For any transition project funded under this Agreement the budget period and performance period of the transition project(s) will begin immediately at the end of the Recipient's final operating year under the grant being transitioned. Eligible costs, as defined by the Act and the Rule incurred between the end of Recipient's final operating year under the grant being transitioned and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

HUD designations of Continuums of Care as High-performing Communities (HPCS) are published in the HUD Exchange in the appropriate Fiscal Years' CoC Program Competition Funding Availability page. Notwithstanding anything to the contrary in the Application or this Agreement, Recipient may only use grant funds for HPC Homelessness Prevention Activities if the Continuum that designated the Recipient to apply for the grant was designated an HPC for the applicable fiscal year.

The Recipient must complete the attached "Indirect Cost Rate Schedule" and return it to HUD with this Agreement. The Recipient must provide HUD with a revised schedule when any change is made to the rate(s) included in the schedule. The schedule and any revisions HUD receives from the Recipient will be incorporated into and made part of this Agreement, provided that each rate included satisfies the applicable requirements under 2 CFR part 200 (including appendices).

This Agreement shall remain in effect until the earlier of 1) written agreement by the parties; 2) by HUD alone, acting under the authority of 24 CFR 578.107; 3) upon expiration of the budget period and performance period for all projects funded under this Agreement; or 4) upon the expiration of the period of availability of Grant Funds for all projects funded under this Agreement.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Recipient's applicant profile in e-snaps. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Agreement constitutes the entire agreement between the parties, and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

**UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development**

By:



(Signature)

Shirley Henley, Director

(Typed Name and Title)

June 22, 2022

(Date)

RECIPIENT

City of San Angelo

(Name of Organization)

By:

(Signature of Authorized Official)

(Typed Name and Title of Authorized Official)

(Date)

Indirect Cost Schedule

Agency/Dept./Major Function	Indirect Cost Rate	Direct Cost Base

This schedule must include each indirect cost rate that will be used to calculate the Recipient's indirect costs under the grant. The schedule must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elects to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR §200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Base Allocation Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.

To learn more about the indirect cost requirements, see 24 CFR 578.63; 2 CFR part 200, subpart E; Appendix IV to Part 200 (for nonprofit organizations); and Appendix VII to Part 200 (for state and local governments).

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Traci Cartwright, Budget Analyst, Budget,

Meeting Date: August 16, 2022

Item type: Consent Item

Caption:

Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for grants, capital items, and projects (Tina Dierschke)

Staff Recommendation:

Adopt

Summary/History:

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

- Railroad Museum Fencing
- Police Body Cameras
- 2022 Streets Bond issue
- WIC additional grant allocation for overtime

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
General Fund			-\$70,067
Intergovernmental			\$0.00
General Debt			\$0.00
General Equipment Replacement			\$0.00
2022 Streets CO			\$0.00

Financial Impact:

See attached memos for additional information on each project.

Other Information/Recommendation:

Attachments:

- | | | |
|----|------------------------------------|--|
| 1. | 2022 08.02 Presentation - BA Memos | 2022 08.02 Presentation - BA Memos.pdf |
| 2. | 2022 08.02 Ordinance | 2022 08.02 Ordinance.docx |
| 3. | BA Memo - ALL | BA Memo - ALL.pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

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



City Council

August 2, 2022

Budget Amendments

Tina Dierschke

Budget amendment

General Fund	Revenue	Expense
Railway Museum of San Angelo	28,160	
Fencing Replacement		28,160

Budget amendment

General Fund	Revenue	Expense
General Fund Transfer Out		70,067
Police - Body Cameras	70,067	70,067

Budget amendment

General Fund	Revenue	Expense
Certification of Obligation, Series 2022	16,161,688	
Street Improvements		16,161,688

Budget amendment

Intergovernmental Fund	Revenue	Expense
Texas Health and Human Services Grant	122,607	
WIC Overtime		122,607

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info@cosatx.us



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 GRANTS, CAPITAL ITEMS, AND PROJECTS.

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 2nd day of August 2022, and finally PASSED on this 16th day of August 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)
General	28,160	98,227	(70,067)
Intergovernmental	122,607	122,607	-
General Debt Services	3,853	3,853	-
General Equipment Replacement	70,067	70,067	-
2022 Streets CO	16,161,688	16,161,688	-
	\$16,386,375	\$16,456,442	\$(70,067)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Street Improvements	Certificate of Obligation, Series 2022	16,165,541	16,165,541	-
WIC Overtime	WIC Grant	122,607	122,607	-
Fencing for the Railway Museum	General fund	28,160	28,160	-
Body Cameras and licenses	General Equipment Replacement	70,067	140,134	(70,067)
		\$16,386,375	\$16,456,442	\$(70,067)

Memo

To: Tina Dierschke, Finance Director
From: Ron Lewis, Facilities Maintenance Manager
Date: 08/02/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Amending lease between COSA & the Railway Museum allowing COSA to purchase fencing from the Texas Correction Industries then the Railway Museum to reimburse COSA.

Source of Funding:

General fund until reimbursed by Railway Museum.

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

No

Project/Budget to be amended	Revenue	Expense
Railway Museum of San Angelo	28,160	28,160

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: David Howard, Asst. Police Chief
Date: 08/02/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Year 2 of a 5 year contract for 45 additional body cameras for a total of 190 body cameras and licenses, and redaction software upgrade.

Source of Funding:

General Fund Balance

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

August 13, 2020 City Council Budget Workshop

Project/Budget to be amended	Revenue	Expense
General Fund - Transfer to Equipment Replacement		70,067
Police - Body Cameras	70,067	70,067

Additional Comments:

During the 2020 budget workshop, City Council discussed the funding plan for these costs. The initial cost of \$24,500 was funded utilizing Police forfeitures funds. Council directed PD staff to seek out additional grant dollars for years 2-5 of the contract amount, if funds were not located the City would fund this expenditure. Efforts to secure a grant have been unsuccessful. The majority of body worn camera grants are currently being offered to Departments that do not have an existing body worn camera program.

Memo

To: Tina Dierschke, Finance Director
From: Ryan Gaddy, Assistant Finance Director
Date: 08/02/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

2022 Certificates of Obligation Issue for Streets Improvements

Source of Funding:

Debt Issue Proceeds

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

City Council, June 21, 2022

Project/Budget to be amended	Revenue	Expense
2022 Streets Certificate of Obligations	\$16,161,688	\$16,161,688

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Cristina Eureste, WIC Manager
Date: 08/02/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Allocation of \$122,607 in additional funding from our Local Agency's Reissuance under Cash Value Benefits (CVB Amount).

Source of Funding:

Texas Health and Human Services

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

Yes, grant application approved in budget ordinance adopted September 21, 2021.

Project/Budget to be amended	Revenue	Expense
Grant	122,607	
Overtime		122,607

Additional Comments:



201 S. Chadbourne



112 W. Beauregard



7 N. Chadbourne



29 S. Chadbourne



222 S. Koenigheim

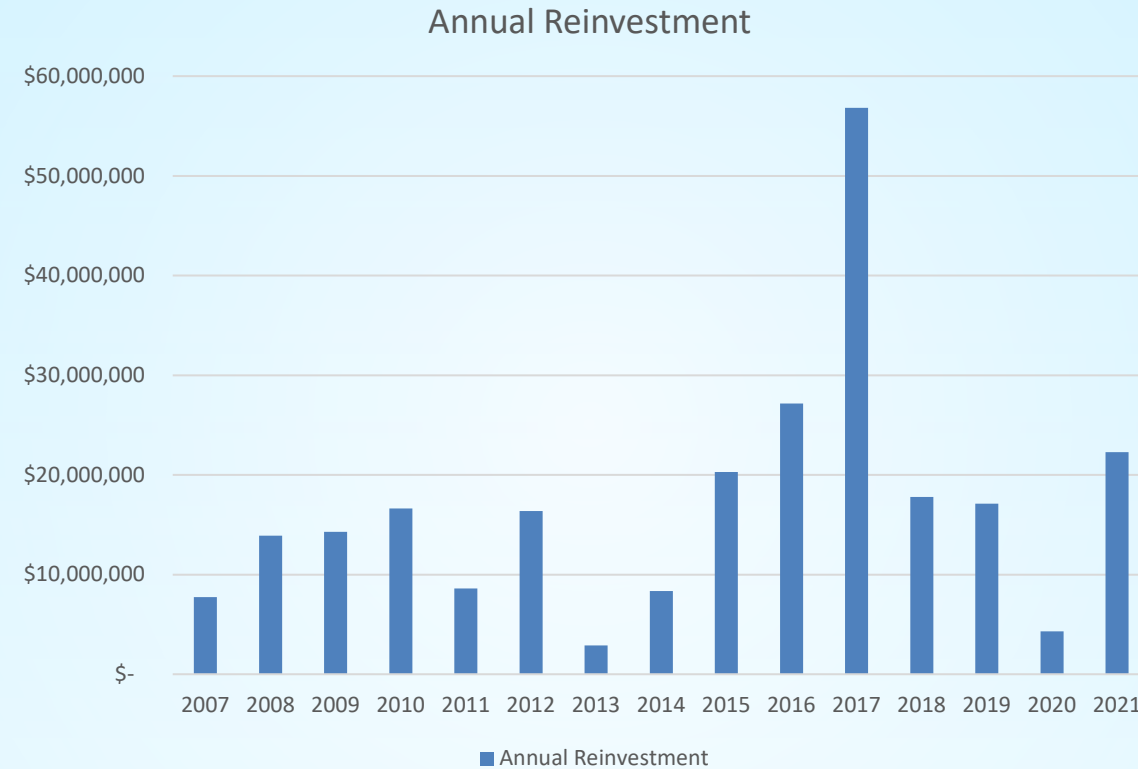


Mixed Beverage/Sales Report

2020-2022 Combined Quarterly Sales & Mixed Beverage Tax Report								
Time Period	San Angelo	% Change previous year over current year	CBD	% Change previous year over current year	% of Total	Main Street	% Change previous year over current year	% of Total
2022 1st Quarter	5,959,489	6%	188,919	37%	3%	433,336	16%	7%
2022 2nd Quarter	6,122,578	3%	198,967	20%	3%	467,332	14%	8%
Combined 1st-2nd	12,082,067		387,886			900,668		
2021 1st Quarter	5,601,442	-1%	138,221	-20%	2%	373,846	-12%	7%
2021 2nd Quarter	5,940,629	21%	165,538	80%	3%	408,545	38%	7%
2021 3rd Quarter	6,008,935	13%	162,921	91%	3%	424,390	35%	7%
2021 4th Quarter	5,708,742	7%	173,675	41%	3%	437,208	22%	8%
Combined 1st-4th	23,259,748		640,355			1,643,989		
2020 1st Quarter	5,634,448	6%	173,180	-1.30%	3%	422,496	1.34%	7%
2020 2nd Quarter	4,890,573	-6%	92,219	-49.45%	2%	295,281	-33.14%	6%
2020 3rd Quarter	5,319,298	1%	85,254	-53.88%	2%	314,868	-18.52%	6%
2020 4th Quarter	5,348,469	-2%	123,132	-21.25%	2%	359,677	-14.69%	7%
Combined 1st-4th	21,192,788		473,785			1,392,322		
1st Qtr \$ Change 2020-2021	-\$33,006		-\$34,959			-\$48,650		
2nd Qtr \$ Change 2020-2021	\$1,050,056		\$73,319			\$113,264		
3rd Qtr \$ Change 2020-2021	\$689,637		\$77,667			\$109,522		
4th Qtr \$ Change 2020-2021	\$360,273		\$50,543			\$77,531		
1st Qtr \$ Change 2021-2022	\$358,047		\$50,698			\$59,490		
2nd Qtr \$ Change 2021-2022	\$181,949		\$33,429			\$58,787		



Reinvestment Report



\$254,651,784 - Total



Chadbourne Streetscape



New Businesses 2021-2022

Business	Location	Service
The Loft San Angelo	230 N Chadbourne	Air bnb
Interstellar	68 N Chadbourne St	Wholesale
Composite Image	55/50 N Chadbourne ST	Art studio/gallery
Ranch Road Boots	14 N Chadbourne St	Custom made boots
The Monk Art Gallery & Wine Bar	118 S Chadbourne St	Art gallery, bar
Plateau Brewing Co. & Southern Smoke BBQ	214 S Chadbourne St	Brewery, restaurant
Tatu Therapy	227 S Chadbourne St	Tattoo parlor
The Hive Creative Studio	9 W Beauregard Ave	Tattoo makeup, retail, vendor boutique
WTX Boba Teahouse	13 W Beauregard Ave	Boba tea, Korean eats
Centurion Planning & Design	19 W. Beauregard Ave	Engineering and surveying
Public Hype	19 W Beauregard Ave	Limited edition sneakers
The She Shack	31 W Twohig Ave	Jewelry
West Texas Integrative Medicine	314 E Twohig Ave	Apothecary, acupuncture
Casa Rosa	334 W Concho Ave	Wedding/party venue
Cord Financial Services	113 E Concho Ave	Software company office space
Texas Angels Boutique	113 E. Concho, Ste 130	Retail boutique
Cowboy-UP Chocolates	6 E Concho Ave	Chocolates, sweets
Fossil Petroleum	125 S Irving St	Oil and natural gas



New Businesses 2021-2022

Business	Location	Service
Couture Lash Studio & Academy	220 N Chadbourne St	Lash extensions, academy
Urban Salt	23 W Beauregard Ave	Restaurant, bar
Myers Drug Pharmacy	11 W Beauregard Ave	Pharmacueticals
Texas Trust Credit Union	337 W Twohig Ave	Banking
Farmers Insurance	208 S Irving St	Insurance agency
Social Security Administration Offices	130 S Irving St	Social security
Serenity's Casual Wear	113 E Concho, Suite 190	Retail women & children
Luigi's Italian Restaurant & Bar	421 S Chadbourne St	Restaurant



South Total (YTD) | \$ 221,722.00

2022 TIRZ Projects

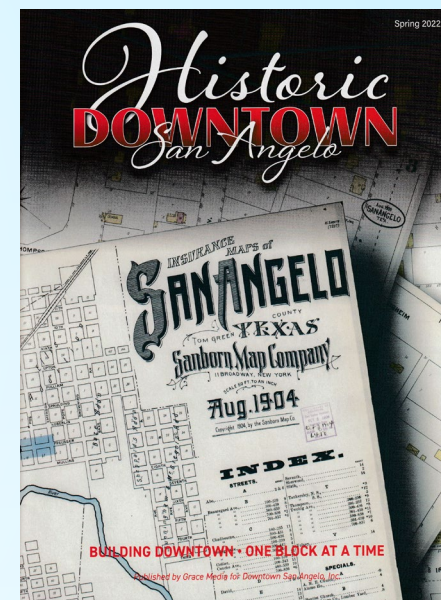
Amount	Address	Business Name	Incentives Received	
\$ 26,813.00	641 S. Chadbourne	Monday Shorts, LLC	Façade Improvement, Outside Storage Screening	
\$ 28,613.00	643 S. Chadbourne	Baja Properties, LLC.	Façade Improvement, Outside Storage Screening	
\$ 22,190.00	416 S. Oakes	Concho Christmas	Façade Improvement, Sidewalk, Landscaping	
\$ 20,658.00	109 S. Chadbourne	Zetzman Properties	Fire Sprinkler & Monitored Smoke Alarm System	
\$ 55,931.00	17 W. Beauregard	Babiash Sisters, LLC	Façade Improvement, Sidewalk	
\$46,125.00	13 E. Twohig	C3H2 Properties, LLC	Façade Improvement	
\$ 21,392.00	61 N. Chadbourne	BDJ Burke	Façade Improvement	





Marketing & Promotions

- Sheep Spectacular
- Downtown Strong Stroll
- Historic Downtown Magazine



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SAN ANGELO 

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Regular Item

Caption:

Consider awarding CE-01-22 Boiler Replacement to Advanced Service Group in the amount of \$253,500 for the purchase of a shared boiler system for the Foster Communications Coliseum and Spur Arena, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Civic Events Manager Sidney Walker)

Staff Recommendation:

Approve

Summary/History:

On Feb 18, 2022, the #1 boiler was deemed out of service due to internal water tubes leaking due to old age per Facility Maintenance. This boiler is shared between the Foster Communications Coliseum and the Spur Arena. The boilers are about 20+ years old and are needed to maintain heat in both venues. The tubes leaking water are causing the boiler to make steam, which is a major concern and could possibly cause staff and guest safety issues. After working with Purchasing and Facility Maintenance, we sent out an RFP to accept proposals for replacing the failed unit.

We received two proposals from Advanced Service Group and West Techs Chill Water Specialists. We would like to award the proposal to Advanced Service Group (ASG) to replace both boilers to the amount of \$253,500. SASSRA has agreed to reimburse the City of San Angelo for half of the cost, per our lease agreement with them.

Funding Source(s):

Financial Impact:

Currently there is \$1,607,686 available in the HOT Fund 605 balance.

Other Information/Recommendation:

Attachments:

1. City Council - Civic Events

City Council - Civic Events.pptx

Presentation:

Sidney Walker

Approvals/Reviews:

Sidney Walker	Created/Initiated
Carl White	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



City Council

Aug 16, 2022

Foster Communications Coliseum

- Coliseum and Spur Arena share two boilers (1999)
- One boiler unit went down in February
- Cannot operate both areas consistently without both units working.



Foster Communications Coliseum

- Walk-through at the Coliseum - Jul 13
- RFP closed - Jul 21
- Received two proposals
- Selected: Advanced Service Group

Foster Communications Coliseum

Two boiler units

\$255,000

August

- Council Approves Purchase

November

- Product Arrives

January

- Installation Complete

Funding Sources

• Hotel Occupancy Tax Fund	\$1,607,686
• Civic Events Fund 410	\$1,078,786
• Restricted for Facility Use Fees	\$353,271

Fund Balances as of June 30, 2022

Capital Improvement Costs

	HOT	Civic Events	Facility Use Fees	Total
McNease Convention Center		\$450,000	\$350,000	\$800,000
Foster Communications Coliseum	\$255,000*			\$255,000
	\$255,000	\$450,000	\$350,000	

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Regular Item

Caption:

Consider a resolution calling a Special Election for November 8, 2022, authorizing the City Manager to negotiate and execute an Election Contract with Tom Green County, and providing for the holding of an election to be administered by the Tom Green County Election Office (Presentation made by City Clerk Julia Antilley)

Staff Recommendation:

Adopt

Summary/History:

As required by City Charter Section 47, an Initiative Committee successfully completed all required steps to propose a new ordinance to the City Council. The City Council did not approve the ordinance as submitted. Therefore, the Initiative Committee had an option to have the ordinance in its original form submitted to the voters of the City of San Angelo, which will take place in November.

Funding Source(s):

Financial Impact:

The most recent costs for May General Elections have been:

2021: \$18,403.28

2017: \$28,503.12

2016: \$60,661.03

2015: \$28,313.78

Election costs vary due to the number of local political subdivisions conducting an election and runoff expenses.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | 2022-08-16 (xx) Resolution #2022-xxx Joint Special Election Nov. 2022 with translation | 2022-08-16 (xx) Resolution #2022-xxx Joint Special Election Nov. 2022 with translation.docx |
| 2. | Notice_Order of Special Election AW1-6 and AW1-13 | Notice_Order of Special Election AW1-6 and AW1-13.docx |

Presentation:

Julia Antilley

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

RESOLUTION 2022-xxx

A RESOLUTION OF THE CITY COUNCIL OF SAN ANGELO, TEXAS, ORDERING A SPECIAL ELECTION BE HELD NOVEMBER 8, 2022, FOR THE PURPOSE OF PROPOSING TO THE VOTERS A PROPOSITION TO MAKE SAN ANGELO A SANCTUARY CITY FOR THE UNBORN; DESIGNATING LOCATIONS OF POLLING PLACES; PROVIDING FOR DATES, TIMES AND PLACES FOR EARLY VOTING BY PERSONAL APPEARANCE; AUTHORIZING A JOINT ELECTION WITH OTHER LOCAL POLITICAL SUBDIVISIONS THAT JOIN IN A JOINT ELECTION INTERLOCAL AGREEMENT WITH THE COUNTY AND CITY; MAKING PROVISIONS TO CONDUCT THE ELECTION THROUGH AN AGREEMENT WITH THE COUNTY AND OTHER PROVISIONS INCIDENTAL AND RELATED TO THE PURPOSE OF THIS RESOLUTION; ORDERING CANVASSING AND PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of San Angelo, Texas (City Council) pursuant to provisions of the Texas State Constitution, Texas Election Code, and Home Rule Charter has determined to call a special election proposing to the voters a proposition to make San Angelo a Sanctuary City for the Unborn. As required by the City Charter Section 47, an Initiative Committee successfully completed all required steps to propose a new ordinance to the City Council and when the City Council did not opt to approve the ordinance, the Initiative Committee demanded the ordinance in its original form be submitted to the voters of the City of San Angelo (City); and

WHEREAS, Tom Green County (TGC), Tom Green County Election Administration, City, Veribest Independent School District (VISD), and Wall Independent School District (WISD) entered into a Master Interlocal Agreement for Joint Elections effective December 6, 2011 and automatically renewing annually through December 31, 2022, stipulating for election services to be provided by Tom Green County Election Administration, in anticipation of the holding joint elections from and after May 2012 through May 2022; and

WHEREAS, the election on November 8, 2022, may be held jointly with local political subdivisions that opt to enter into an interlocal agreement for joint election under terms stipulated in the Master Interlocal Agreement with the county and city as authorized under Section 271.002 of the Texas Election Code.

WHEREAS, TGC adopted a voting system for use in the elections in compliance with section 123.001 of the Texas Election Code.

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

Section 1: The recitals stated in the preamble hereof are found to be true and correct and are adopted as a part of this resolution.

Section 2: The City Council hereby orders a Special Election to be held November 8, 2022, being the next uniform election date, which is not less than seventy-eight (78) days from the date of this resolution, for the purpose of fulfilling the city's obligation of placing the proposition to Make San Angelo a Sanctuary City for the Unborn on the ballot as required by City Charter.

Section 3: The special election ordered to be held November 8, 2022, shall be held jointly with such school districts or other local political subdivisions that opt to enter into an interlocal agreement for joint election as authorized under Section 271.002 of the Texas Election Code and pursuant to terms of the Master Interlocal Agreement for joint elections effective December 6, 2011 through December 31, 2022, in anticipation of holding joint elections in May of each year from and after May 2012, through May of 2022, with such other local political subdivisions that join in a joint election interlocal agreement with the county and city.

Section 4: The official ballots for said election shall conform to the Texas Election Code, as amended, to permit the electors to vote for or against the proposition, shown on **Exhibit "A."**

Section 5: Early Voting by personal appearance shall be conducted during the following days/times:

October 24 - October 28, 2022 from 8:00 A.M. to 5:00 P.M.
October 29, 2022 from 7:00 A.M. to 7:00 P.M.
October 30, 2022 from 12:00 P.M. to 6:00 P.M.
October 31 - November 4, 2022 from 7:00 A.M. to 7:00 P.M.

The city will utilize the early voting branch locations, shown on **Exhibit "B"**, adopted as part of this Resolution, and designated by TGC as outlined in the Election Code Section 42.002 entitled "Required Use of County Precincts."

Application for ballot by mail shall be mailed to:

City Clerk / City of San Angelo
c/o Vona Hudson, Tom Green County Elections Administrator
Edd B. & Frances Frink Keyes Bldg., 113 W. Beauregard Ave.
San Angelo, Texas 76903

Applications for ballot by mail must be received no later than the close of business on Friday, October 28, 2022.

Section 6: The Election Day polling places where qualified voters shall cast ballots will be at the locations designated by TGC as provided for in **Exhibit "B"** attached hereto and adopted as part of this Resolution.

Section 7: The City of San Angelo authorizes the Tom Green County Elections Administrator, as the Contracting Officer, to make any necessary changes to election judges and/or polling locations without further action by City Council or approval by the City of San Angelo, to include the selection of additional people/places, or changes to existing people/places, or moving the election judges/alternates from one location to another.

Section 8: Said election shall be conducted using the voting systems adopted by TGC under Section 123.001b3B of the Texas Election Code with the same terms approved by the County and the results canvassed and announced as prescribed by the Texas Election Code, as amended, and only duly qualified electors shall be qualified to vote.

Section 9: The City Clerk is directed and required to publish a notice of said elections as required by law.

Section 10: 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 11: It is officially determined and declared that the meeting at which this Resolution was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting was given as required by Chapter 551, as amended, of the Texas Government Code.

Section 12: The City Manager is hereby authorized to execute any documents necessary to hold an election on November 8, 2022, including but not limited to, a contract with the county and any LPSs.

Section 13: This Resolution shall be effective from and after the date of its adoption.

ADOPTED this 16th day of August 2022.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO FORM:

Theresa James, City Attorney

RESOLUCIÓN 2022-xxx

UNA RESOLUCIÓN DEL CONCEJO MUNICIPAL DE SAN ANGELO, TEJAS, QUE ORDENA QUE SE CELEBRE UNA ELECCIÓN ESPECIAL EL 8 DE NOVIEMBRE DE 2022, CON EL FIN DE PROPONER A LOS VOTANTES UNA PROPUESTA PARA HACER DE SAN ANGELO UNA CIUDAD SANTUARIO PARA LOS NO NACIDOS; DESIGNACIÓN DE LUGARES DE VOTACIÓN; ESTABLECER FECHAS, HORARIOS Y LUGARES PARA LA VOTACIÓN ANTICIPADA EN PRESENCIA PERSONAL; AUTORIZAR UNA ELECCIÓN CONJUNTA CON OTRAS SUBDIVISIONES POLÍTICAS LOCALES QUE SE UNEN EN UN ACUERDO INTERLOCAL DE ELECCIÓN CONJUNTA CON EL CONDADO Y LA CIUDAD; HACER DISPOSICIONES PARA REALIZAR LA ELECCIÓN MEDIANTE UN ACUERDO CON EL CONDADO Y OTRAS DISPOSICIONES INCIDENTALS Y RELACIONADAS CON EL PROPÓSITO DE ESTA RESOLUCIÓN; SOLICITUD DE ESCRUTINIO Y PUBLICACIÓN; DISPONIBILIDAD DE LA DIVISIBILIDAD; Y PROPORCIONAR UNA FECHA EFECTIVA

POR CUANTO, el Concejo Municipal de San Angelo, Texas (Concejo Municipal) de conformidad con las disposiciones de la Constitución del Estado de Texas, el Código Electoral de Texas y el Estatuto de Autonomía ha determinado convocar una elección especial proponiendo a los votantes una propuesta para convertir a San Angelo en un Santuario Ciudad para los no nacidos. Como lo requiere la Sección 47 de los Estatutos de la Ciudad, un Comité de Iniciativa completó con éxito todos los pasos requeridos para proponer una nueva ordenanza al Concejo Municipal y cuando el Concejo Municipal no optó por aprobar la ordenanza, el Comité de Iniciativa exigió que la ordenanza en su forma original fuera presentado a los votantes de la Ciudad de San Angelo (Ciudad); y

POR CUANTO, el Condado de Tom Green (TGC), la Administración Electoral del Condado de Tom Green, la Ciudad, el Distrito Escolar Independiente de Veribest (VISD) y el Distrito Escolar Independiente de Wall (WISD) celebraron un Acuerdo Interlocal Maestro para Elecciones Conjuntas a partir del 6 de diciembre de 2011 y se renueva automáticamente anualmente hasta el 31 de diciembre de 2022, estipulando que los servicios electorales serán proporcionados por la Administración Electoral del Condado de Tom Green, en previsión de la celebración de elecciones conjuntas desde mayo de 2012 hasta mayo de 2022; y

POR CUANTO, la elección del 8 de noviembre de 2022 se puede llevar a cabo conjuntamente con las subdivisiones políticas locales que opten por celebrar un acuerdo interlocal para elecciones conjuntas según los términos estipulados en el Acuerdo Interlocal Maestro con el condado y la ciudad, según lo autorizado por la Sección 271.002 de Texas Código Electoral.

POR CUANTO, el Condado de Tom Green (TGC), la Administración Electoral del Condado de Tom Green, la Ciudad, el Distrito Escolar Independiente de Veribest (VISD) y el Distrito Escolar Independiente de Wall (WISD) celebraron un Acuerdo Interlocal Maestro para Elecciones Conjuntas a partir del 6 de diciembre de 2011 y se renueva automáticamente anualmente hasta el 31 de diciembre de 2022, estipulando que los servicios electorales serán proporcionados por la Administración Electoral del Condado de Tom Green, en previsión de la celebración de elecciones conjuntas desde mayo de 2012 hasta mayo de 2022; y

POR CUANTO, TGC adoptó un sistema de votación para usar en las elecciones de conformidad con la sección 123.001 del Código Electoral de Texas.

AHORA, POR LO TANTO, EL CONCEJO MUNICIPAL DE SAN ANGELO, TEJAS RESUELVE QUE:

Sección 1: Los considerandos establecidos en el preámbulo del presente se encuentran verdaderos y correctos y se adoptan como parte de esta resolución.

Sección 2: Por la presente, el Concejo Municipal ordena una Elección Especial que se llevará a cabo el 8 de noviembre de 2022, siendo la próxima fecha de elección uniforme, que no sea menos de setenta y ocho (78) días a partir de la fecha de esta resolución, con el fin de cumplir la obligación de la ciudad de incluir en la boleta electoral la propuesta de Hacer de San Angelo una Ciudad Santuario para los No Nacidos, según lo exige la Constitución de la Ciudad.

Sección 3: La elección especial ordenada para el 8 de noviembre de 2022 se llevará a cabo conjuntamente con los distritos escolares u otras subdivisiones políticas locales que opten por celebrar un acuerdo interlocal para elecciones conjuntas según lo autorizado por la Sección 271.002 del Código Electoral de Tejas y de conformidad con los términos del Acuerdo Interlocal Maestro para elecciones conjuntas a partir del 6 de diciembre de 2011 hasta el 31 de diciembre de 2022, en anticipación de la celebración de elecciones conjuntas en mayo de cada año a partir de mayo de 2012 y hasta mayo de 2022, con otras subdivisiones políticas locales que se unen en un acuerdo interlocal de elecciones conjuntas con el condado y la ciudad.

Sección 4: Las boletas oficiales para dicha elección se ajustarán al Código Electoral de Tejas, según enmendado, para permitir que los electores voten a favor o en contra de la propuesta, que se muestra en el Anexo "A".

Sección 5: La votación anticipada en persona se llevará a cabo durante los siguientes días/horas:

24 de octubre - 28 de octubre de 2022 de 8:00 de la mañana hasta las 5:00 de la tarde

29 de octubre de 2022 de 7:00 de la mañana hasta las 7:00 de la tarde

30 de octubre de 2022 de 12:00 de la tarde hasta las 6:00 de la tarde

31 de octubre - 4 de noviembre de 2022 de 7:00 de la mañana hasta las 7:00 de la tarde

La ciudad utilizará las ubicaciones de las sucursales de votación anticipada, que se muestran en el **Anexo "B"**, adoptado como parte de esta Resolución, y designado por el Condado de Tom Green como se describe en la Sección 42.002 del Código Electoral titulada "Uso requerido de los precintos del condado".

La solicitud de boleta por correo se enviará por correo a:

Secretaria Municipal / Ciudad de San Angelo
c/o Vona Hudson, administradora de elecciones del condado de Tom Green
Edd B. y Frances Frink Keyes Bldg., 113 W. Beauregard Ave.
San Angelo, Tejas 76903

Las solicitudes de boletas por correo deben recibirse antes del cierre de operaciones del viernes 28 de octubre de 2022.

Sección 6: Los lugares de votación del Día de las Elecciones donde los votantes calificados emitirán su voto estarán en los lugares designados por el Condado de Tom Green según lo dispuesto en el **Anexo "B"** adjunto y adoptado como parte de esta Resolución.

Sección 7: La Ciudad de San Angelo autoriza al Administrador de Elecciones del Condado de Tom Green, como Oficial de Contrataciones, a realizar los cambios necesarios en los jueces electorales y/o lugares de votación sin más acción del Concejo Municipal o aprobación de la Ciudad de San Angelo, para incluir la selección de personas/lugares adicionales, o cambios a personas/lugares existentes, o mover a los jueces/suplentes electorales de un lugar a otro.

Sección 8: Dicha elección se llevará a cabo usando los sistemas de votación adoptados por TGC bajo la Sección 123.001b3B del Código Electoral de Tejas con los mismos términos aprobados por el Condado y los resultados sondeados y anunciados según lo prescrito por el Código Electoral de Tejas, según enmendado, y sólo los electores debidamente calificados estarán calificados para votar.

Sección 9: Se ordena y requiere que el Secretario Municipal publique un aviso de dichas elecciones según lo exige la ley.

Sección 10: Los términos y disposiciones de esta Resolución se considerarán separables en el sentido de que si alguna parte de esta Resolución se declara inválida, la misma no afectará la validez de las demás disposiciones de esta Resolución.

Sección 11: Se determina y declara oficialmente que la reunión en la que se adoptó esta Resolución estuvo abierta al público y se notificó públicamente la hora, el lugar y el tema del asunto

público que se considerará en dicha reunión según lo exigen las Capítulo 551, según enmendado, del Código de Gobierno de Tejas.

Sección 12: Por la presente, se autoriza al administrador de la ciudad a ejecutar todos los documentos necesarios para celebrar una elección el 8 de noviembre de 2022, incluidos, entre otros, un contrato con el condado y cualquier LPS.

Sección 13: La presente Resolución entrará en vigor a partir de la fecha de su adopción.

ADOPTADO este 16 de agosto de 2022.

LA CIUDAD DE SAN ÁNGELO, TEJAS:

DAR FE:

Julia Antilley, Secretaria de la Ciudad

Brenda Gunter, Alcaldesa

APROBADA EN FORMA:

Theresa James, Abogada de la Ciudad

EXHIBIT "A"
BALLOT LANGUAGE

Proposition A: The Code of Ordinances for the City of San Angelo shall be amended by enacting an ordinance outlawing abortion, declaring San Angelo a Sanctuary City for the Unborn, making various provisions and findings, providing for severability, and establishing an effective date.

If approved this ordinance will outlaw abortion and make San Angelo a Sanctuary City for the Unborn.

___ **FOR THE ORDINANCE**

___ **AGAINST THE ORDINANCE**

ANEXO "A"
IDIOMA DE LA BOLETA

Propuesta A: El Código de Ordenanzas de la Ciudad de San Angelo será enmendado mediante la promulgación de una ordenanza que prohíbe el aborto, declarando a San Angelo una Ciudad Santuario para los No Nacidos, haciendo varias disposiciones y determinaciones, proporcionando separabilidad y estableciendo una fecha efectiva.

Si se aprueba, esta ordenanza prohibirá el aborto y convertirá a San Angelo en una Ciudad Santuario para los No Nacidos.

___ **POR LA ORDENANZA**

___ **CONTRA LA ORDENANZA**

EXHIBIT "B"

**POLLING PLACES FOR NOVEMBER 8, 2022 SPECIAL ELECTION AND RELATED EARLY
VOTING DATES**

EARLY VOTING (VOTACIÓN ADELANTADAS)

During early voting, any person residing in Tom Green County may go to the following locations and vote on all officers or measures for which the person is entitled to vote during the following days/times.

(Durante la votación anticipada, cualquier persona que resida en el condado de Tom Green puede ir a los siguientes lugares y votar por todos los funcionarios o medidas por las que la persona tiene derecho a votar durante los siguientes días/horarios.)

Hours:

October 24 - October 28, 2022 from 8:00 A.M. to 5:00 P.M.

(8:00 de la mañana hasta las 5:00 de la tarde empezando el 24 de octubre y terminando el 28 de octubre 2022)

October 29, 2022 from 7:00 A.M. to 7:00 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde el 29 de octubre 2022)

October 30, 2022 from 12:00 P.M. to 6:00 P.M.

(12:00 de la tarde hasta las 6:00 de la tarde el 30 de octubre 2022)

October 31 - November 4, 2022 from 7:00 A.M. to 7:00 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde empezando el 31 de octubre y terminando el 4 de noviembre 2022)

Locations:

Main Branch:	
Edd B. and Frances Frink Keyes Bldg.	113 W. Beauregard Ave., Election Office
Branch Location:	
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne St., Annex Bldg.
Westlake Ace Hardware	1821 Knickerbocker Rd., Sales Floor
Riverside Golf Course	3301 Riverside Golf Course Rd., Restaurant
MHMR Services for the Concho Valley-Admin. Bldg.	1501 W. Beauregard Ave., Jack Ray Rm.

ELECTION DAY (DIA DE LAS ELECCIONES)

On Election Day, any person residing in Tom Green County may go to any of the polling places designated by Tom Green County pursuant to Texas Election Code Section 42.002 and vote on all officers or measures for which the person is entitled to vote.

(Durante el día de la elección, cualquier votante puede ir a este lugar y votar en todos los temas para los cuales son elegibles.)

Hours:

November 8, 2022, 7 A.M. to 7 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde el 8 de noviembre 2022)

Locations:

Polling places as of August 16, 2022 were:

(Los lugares de votación desde el 16 de agosto eran:)

Angelo Bible Church	3506 Sherwood Way, Lobby
Belmore Baptist Church	1214 S. Bell St., Fellowship Hall
Calvary Baptist Church	2401 Armstrong St., Fellowship Center
Ranch 277	20707 US Hwy 277 S, Christoval, TX, Multi-purpose Rm.
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne St., Annex Bldg.
SAF First Assembly of God Church	1442 Edmund Blvd., Fellowship Hall
Grape Creek Community Center	8207 US Hwy 87N, Rm. A-2
Keating Paint & Body	5050 N. Chadbourne St., Reception Area
Paulann Baptist Church	2531 Smith Blvd., The Chapel
Oak Grove Senior Apts.	4359 Oak Grove Blvd., Multi-purpose Rm.
Southgate Church of Christ	528 Country Club Rd., Fellowship Hall
Southside Recreation Center	2750 Ben Ficklin Rd., Multi-purpose Rm.
St. Ambrose Catholic Church	8602 Loop 570, Wall, TX, Fellowship Hall
MHMR Services for the Concho Valley-Admin. Bldg.	1501 W. Beauregard Ave., Jack Ray Rm.
Veribest Baptist Church	50 FM 2334, Veribest, TX, Fellowship Hall
Wesley Trinity United Methodist Church	301 West 18 th St., Fellowship Hall
TXDOT	4502 Knickerbocker Rd., Bldg. E, Training Rm.
West Texas Rehabilitation Center	1925 University Ave., Conference Center

The polling locations above are subject to change, they are posted on the Tom Green County Elections website and available to the public at <http://www.co.tom-green.tx.us/page/electionsHome>.

(Los lugares de votación anteriores están sujetos a cambios, están publicados en el sitio web de elecciones del condado de Tom Green County Elections y están disponibles para el público en <http://www.co.tom-green.tx.us/page/electionsHome>).

**NOTICE / ORDER OF SPECIAL ELECTION
(AVISO/ ORDEN DE ELECCION ESPECIAL)**

To the registered voters of the City of San Angelo, Texas:
(A los votantes registrados de la Ciudad de San Angelo, Tejas):

An election is hereby ordered to be held November 8, 2022 for the purpose of voting on:
(Por la presente se ordena celebrar una elección el 8 de noviembre de 2022 con el propósito de votar sobre:)

Notice is hereby given of an election ordered to be held Tuesday, November 8, 2022 at the polling places listed below, open from 7:00 a.m. to 7:00 p.m., for voting at a special election on a proposition to make San Angelo a Sanctuary City for the Unborn.

(Por la presente se da aviso de una elección ordenada que se llevará a cabo el martes 8 de noviembre de 2022 en los lugares de votación que se enumeran a continuación, abiertos de 7:00 de la mañana hasta las 7:00 de la tarde, para votar en una elección especial sobre una propuesta para hacer de San Angelo un Ciudad Santuario para los No Nacidos.)

EARLY VOTING (VOTACIÓN ADELANTADAS)

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(Durante la votación anticipada, cualquier persona que resida en el condado de Tom Green puede ir a los siguientes lugares y votar por todos los funcionarios o medidas por las que la persona tiene derecho a votar durante los siguientes días/horarios.)

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West Texas Rehabilitation Center	1925 University Ave., Conference Center

The polling locations above are subject to change, they are posted on the Tom Green County Elections website and available to the public at <http://www.co.tom-green.tx.us/page/ele.ElectionsHome>.

(Los lugares de votación anteriores están sujetos a cambios, están publicados en el sitio web de elecciones del condado de Tom Green County Elections y están disponibles para el público en <http://www.co.tom-green.tx.us/page/ele.ElectionsHome>).

Applications for Ballots By Mail (ABBM)s shall be mailed to:

(Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:)

City Clerk, City of San Angelo
c/o Vona Hudson, Tom Green County Elections Administrator
Edd B. & Frances Frink Keyes Building
113 W. Beauregard Ave.
San Angelo, Texas 76903
325-659-6541
vona.hudson@co.tom-green.tx.us
<https://www.tomgreencountytx.gov/page/ele.ElectionsHome>

(Oficinista de La Ciudad de San Angelo
c/o Vona Hudson, Administradora de Elecciones del Condado de Tom Green
Edd B. & Frances Frink Keyes Building
113 W. Beauregard Ave
San Angelo, Texas 76903
325-659-6541
vona.hudson@co.tom-green.tx.us
<https://www.tomgreencountytx.gov/page/ele.ElectionsHome>)

ABBM's must be received no later than the close of business Friday, October 28, 2022.

(Las solicitudes para las boletas postales deben ser recibidas no más tarde de la hora de cierre de negocio el viernes 28 de octubre, 2022)

Federal Post Card Applications (FPCAs) must be received no later than the close of business Friday, October 28, 2022.

(Las Tarjetas Federal Postal de Solicitud deben recibirse no más tarde de la hora de cierre de negocio el viernes 28 de octubre, 2022)

Issued this the 16th day of August, 2022.

(Emitido este 16 día de agosto, 2022.)

Signature of Mayor (Firma de la Alcaldesa)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jon James, Director of Planning & Development Services, Planning and Development Services, x1180

Meeting Date: August 16, 2022

Item type: Regular Item

Caption:

Consider approving amendments to the Tax Increment Reinvestment Zone Incentives Policy (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Approve

Summary/History:

Update:

In addition to the changes noted below, as recommended by the TIRZ Board, staff has made the following additional changes to the proposed Policy document based on the direction by City Council at the August 2, 2022 meeting (shown in yellow highlight on the attached document):

- Changed criteria to promote "tax base **or employment**".
 - Clarified that parking improvements must be parking for a business.
 - Added requirement that the property cannot be sold for 2 years, and the property must remain taxable for at least 5 years, after completion of the project or project incentive grant would have to be paid back.
 - Added requirement that projects must be completed within 18 months of completion of the signed agreement, with an option for extension by the Board. (The current requirement is 2 years.)
-

A few months ago the Tax Increment Reinvestment Zone (TIRZ) Board began discussions on possible changes to the TIRZ Incentive Policies for the incentive grant program. Currently there are two policies, one for the North TIRZ area and one for the South TIRZ area. After multiple discussions with the TIRZ Board, staff drafted these revised policies based on their input, as well as comments staff has heard from applicants in previous cycles. Below is a summary of the major changes in this revised document:

- The two TIRZ policies have been combined into one policy, since over 90% of the policies were the same. The new policy simply identifies provisions that only apply to one area or the other.
- The new policy introduces new prioritization criteria to assist the Board and Council in comparing applications, especially when funding is not available to fund all projects.

- This prioritization places the highest priority on historic preservation, housing, and building aesthetics, with secondary priority on landscaping and other aesthetic improvements not related to the building, as well as health/safety improvements, like fire sprinklers (see subsequent change below). Lower priority is given to eligible interior improvements, signage, and parking lots/paving.
- Also, projects or owners that have not received recent funding will be prioritized over those that have received funding; improvements to blighted properties over those already improved; improvements visible from the street over those that are not; occupied or to-be-occupied buildings over vacant buildings; and projects that will expand the tax base over ones that do not.
- The new policy clarifies that matching funds put toward the project must also be for TIRZ-eligible improvements (this has been applied by the Board in recent years as part of their discretionary review, but was not formally a part of the policy).
- In addition, there are a number of cleanup items to simplify the policy and clarify certain provisions.

At their July meeting, the TIRZ Board approved some additional revisions to the TIRZ Incentive Policy (highlighted in the attached document), including:

- Fire sprinkler projects moved to "High" priority for project rankings
- In the North TIRZ area, parking lot improvements are eligible as a standalone project (previously parking lot paving was only eligible for funding as part of a larger project)
- In the North TIRZ area, the application cycles (twice per year) are eliminated, allowing incentive applications at any time throughout the year (South TIRZ projects would still be done during 1-2 yearly cycles)
- In the North TIRZ area, matching fund requirements were reduced. With the proposed changes, a match would only be required for projects over \$25,000 (up from \$10,000) and the matching amount for larger projects was reduced from 25% to a 10% match.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their January 11, 2022 meeting, the TIRZ Board unanimously recommended approval of these changes by a vote of 6-0.

At their July 26, 2022 meeting, the TIRZ Board unanimously recommended approval of additional changes to the policy by a vote of 6-0.

At the August 2, 2022 meeting, the City Council provided direction to staff on additional changes to bring back at an upcoming meeting.

Attachments:

1.
- TIRZ Incentives Policy Combined (Draft Revisions August 2022) with additional Council changes
- TIRZ Incentives Policy Combined (Draft Revisions August 2022) with additional Council changes.pdf

Presentation:

Jon James

Approvals/Reviews:

Jon James	Created/Initiated
Holly Voth	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval



TIRZ ~~SOUTH~~ INCENTIVES POLICY

BACKGROUND

To encourage revitalization and infill development of properties which fall within the ~~South TIRZ Tax Increment Reinvestment Zone (TIRZ)~~ area, the City of San Angelo offers many unique incentives. The goal is to fund projects that bring new business and positive impacts to this area in an aggressive way. Please refer to the maps ~~at the end of this document on page 7 of the TIRZ South Incentives Policy~~ to see if your business/property falls within the ~~South~~ zone. For more information, contact ~~Shannon Scott~~ in the Economic Development Department at 325-653-7197 ~~ex. 4~~.

These incentives are part of an overall strategy to leverage investment, lower the cost of doing business and incentivize property owners choosing to improve properties in the target area. They are also intended to preserve the architectural and historic character of buildings and corridors within the South zone.

Specifically excluded from the TIRZ ~~South~~ Incentives Policy are properties zoned RS.

Non-profit organizations are not eligible for TIRZ incentives in the South zone, with the exception of government entities.

Non-profit organizations may be eligible for TIRZ incentives in the North zone, if the TIRZ Board and City Council make a finding that a significant economic impact will be created as a result of the project. Providing funding for a non-profit organization under this policy shall require a favorable vote of at least three-fourths of all the members of the TIRZ Board and City Council.

ELIGIBILITY

1. Must fall within the North or South TIRZ boundary (see ~~pg. 7 for a the~~ maps of the South Zone at the end of this document)
2. The *Project Criteria* listed below will be considered when making grants, but will not necessarily be required.
3. The request for funding must be composed of one or more of the eligible *Incentive Types* listed on pages 2 and 3 below

PROJECT CRITERIA

Does the Project:

- Provide connections between activities?
- Improve pedestrian & vehicular infrastructure?
- Provide or reinforce usable & defined open space?
- Strengthen the focus area's identity?
- Support the goals of making the area a cultural, leisure and tourist destination?
- Improve the utilities and/or drainage infrastructure?
- Remediate environmental deficiencies or enhance public safety?
- Promote mixed-use development?
- Utilize architectural styles that compliment to historic areas already in existence?

- Help to mitigate or eliminate undesirable views or outside storage?
- Reduce the visual impact of parking areas?
- Preserve or provide natural landscaping?
- Implement environmentally friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- Include an aggressive match by the applicant, in excess of what is minimally required?

INCENTIVE TYPES

- **Façade Improvement-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in façade improvements on existing buildings which are part of approved projects. Signage can be funded as part of broader aesthetic improvements, but generally will not be funded as a standalone project, with the exception of repair and revitalization of historic signage in the downtown. In the South zone, Review and approval of the proposed façade design will be based upon the design standards outlined in the River Corridor Master Development Plan. For buildings identified as resources within the 2006-~~or~~ 2009 or 2021 Historic Resources Survey, or which are historically designated, the review and approval of the proposed design will also be based upon the design standards outlined in the Central Business/Old Town Historic District Design Guidelines. Buildings identified as resources in the 2006-~~and~~ 2009, or 2021 Survey are strongly encouraged to apply, at no cost to the applicant, for a Historic Overlay through the Design and Historic Review Commission.
- **Historic Preservation-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the preservation, sustainability and conservation of historic buildings, structures and materials that maintain or revitalize the building or property's historical integrity.
- **Landscape Installation-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in new landscaping for approved projects. Review and approval of the proposed landscaping design will be based upon the design standards outlined in the River Corridor Master Development Plan and plant selection as outlined in the Drought Tolerant Plantings Guide.
- **Outside Storage Screening-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the screening of outside storage areas.
- **Paving-** As part of an overall funding package, TIRZ funds could cover a portion or all of the costs involved in paving (or demolition as part of an overall redevelopment project). This could include parking areas, driveways, sidewalks, and curbing on properties where such improvements are associated with a business or other use (i.e., not improvements to an undeveloped lot or vacant property). However, independent paving projects in the South TIRZ area, such as for a parking lot, will generally not be funded unless part of a larger improvement project or where the parking lot includes aesthetic improvements such as screening, landscaping, etc. to help improve the appearance of the property and the zone.
- **Secondary Egress-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of additional exits *if required* by International or Fire Building codes. Written verification by the Fire or Building Code Official that the additional exit(s) are required must be provided.
- **Asbestos Abatement-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the abating of asbestos *if required* by International Fire or Building codes.

- **Fire Sprinkler System & Monitored Smoke Alarm System-** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of a fire sprinkler system or monitored smoke alarm system.
- **Sales Tax-** As part of the funding package, TIRZ funds could cover the sales tax on locally-purchased construction materials used on an approved project.
- **Property Tax-** As part of the funding package, TIRZ funds ~~could~~may be considered to cover a portion of property taxes – specifically the increment between the original appraised tax amount and the new appraised tax amount following improvements – beginning with the year a Certificate of Occupancy is granted in accordance with the schedule below. Property Tax incentives will only be considered for projects that have an overall total investment of \$750,000 or more. This is generally not a preferred funding mechanism but will be considered on a case-by-case basis for substantial projects based on the projected economic impact to the City. Applicants that are awarded for property tax incentive funding must show proof of payment of property taxes on or before February 1st of the payment year or will face forfeiture of their tax rebate for that year. Year 1 will include the first year in which the improvements are reflected in the new appraised value from the Tom Green County appraisal district. **Property tax incentives will be awarded in addition to the other listed incentives and are not counted toward the maximum award amounts.**

Year Rebate	Year 1	Year 2	Year 3	Year 4	Year 5
	100%	90%	80%	70%	60%

- **Job Creation Incentives-** This Incentive Policy does not preclude or serve as a guide for any incentives that may be granted based upon job creation by the City of San Angelo Development Corporation (COSADC). For more information about incentives possible from this source, contact ~~Shannon Scott~~ in the Economic Development Department at 325-653-7197 ~~ex. 4~~.
- **Development Fee Reductions-** As part of the funding package, TIRZ funds could cover development fees including:
 - Preliminary Plat, Final Plat, Amended Plat and Replat application fees
 - Abandonment of public right-of-way application fees
 - Application fees for release of easements
 - Dedication of a public right-of-way or easement
 - Special Use, Conditional Use or Zone Change application fees
 - Building Permit fees
 - Off-site sign demolition permit fees (removal of billboards)
 - Permit fees for demolition of any non-historic building or structure
 - Architectural fees
 - Engineering fees
 - Water tap fees

REQUIRED APPLICATION DOCUMENTS

- A completed application
- A substantiation of the need for funding requested via a proposed project budget (Worksheet A)
- A brief narrative illustrating how the project meets the *Project Criteria* outlined on page 1
- Zone impact statement projecting the activity, economic benefit and positive impact of property taxes that will be generated as a direct result of the completion of the project(s).
 - Activities/benefits generated by the Project
 - Activities/benefits of adjacent properties
 - How the project will enhance the District
- Current appraised value of the subject property
- Renderings/Elevation drawings of the proposed work (What the project will look like when complete)
- Current photos
- A completed W-9
- Approval letter from the Design and Historic Review Commission (DHRC), (if applicable)
- Prior TIRZ funding (if applicable) that has been previously awarded to the subject property or applying applicant

(The Application and Project Budget (Worksheet A) can be found online at cosatx.us/TIRZ).

AWARD AMOUNTS

SOUTH	If total cost of Project is less than or equal to \$10,000	25% minimum match required from applicant	Maximum award of \$10,000
NORTH	If total cost of Project is less than or equal to \$10,000 <u>\$25,000</u>	No minimum match required from applicant	Maximum award of \$10,000 <u>\$25,000</u>
NORTH	If total cost of Project is greater than \$10,000 <u>\$25,000</u>	25% <u>10%</u> minimum match required from applicant	Maximum award of \$75,000
SOUTH	If total cost of Project is greater than \$10,000	25% minimum match required from applicant	Maximum award of \$75,000

Each project award may be issued as follows:

- ~~For projects less than or equal to \$10,000:~~ Once the incentive funding has been authorized by the ~~Economic Development Department~~ City Staff, the TIRZ Board and the City Council, an Incentive Agreement will be prepared which will outline the requirements of the policy and include recapture provisions in the event that the project is not completed within ~~the maximum two year~~ an 18 month period, or not completed in accordance with the approved drawings and Incentive Agreement. If the project cannot be completed within the ~~2-year~~ 18 month period, ~~an extension~~ s must be requested and granted by the TIRZ Board. Work can begin on other portions of the project, however, *work may not begin on the approved incentive items until an Incentive Agreement is executed and a Letter to Proceed is issued.* ~~Upfront payment to the applicant for 10% of the approved incentive funds will occur once the Incentive Agreement is executed; the remaining 90%~~ Payment of the incentive funds will be remitted once the project is complete and deemed compliant with the approved drawings and Incentive Agreement.
- A property subject to a TIRZ Incentive Agreement may not be sold for a period of 2 years after the completion of the project, subject to recapture of incentive funds for noncompliance. In addition, any taxable property subject to a TIRZ Incentive Agreement must remain as taxable

property for a period of at least 5 years after the completion of the project, subject to recapture of incentive funds for noncompliance.

- Project costs used as matching funds must be for TIRZ-eligible expenses.
- ~~For projects greater than \$10,000:~~ Once the incentive funding has been authorized by the Economic Development Department Staff, The TIRZ Board and the City Council, an Incentive Agreement will be prepared which will outline the requirements of the policy and include recapture provisions in the event that the project is not completed within the maximum two-year period, or not completed in accordance with the approved drawings and agreement. ~~If the project cannot be completed within the 2 year period, an extension must be requested and granted by the TIRZ Board. Work can begin on other portions of the project, however, work may not begin on the approved incentive items until an Incentive Agreement is executed and a Letter to Proceed is issued.~~ Upfront payment to the applicant for 10% of the approved incentive funds will occur once the Incentive Agreement is executed; the remaining 90% of the incentive funds will be remitted once the project is complete and deemed compliant with the approved drawings and Incentive Agreement.

AWARD RANKINGS

Projects in the South TIRZ area will be considered during one or more application cycles each Fiscal Year. Projects in the North TIRZ area will be considered throughout the year and applications may be submitted at any time. Proposed projects submitted during the application window(s) identified on pages 3 and 4 will be ranked and the highest ranked will be considered for funding first.

Rankings will be determined in review utilizing:

- The project fulfilling one or more of the *Project Criteria* listed on page 1
- The appearance of the proposed project
- The location of the proposed project
- Projects will be prioritized based on the following:
 - High priority – housing, historic preservation, fire sprinklers and related improvements, and building aesthetics
 - Medium priority – landscaping, other aesthetic improvements, and other health/safety improvements (fire sprinklers, etc.)
 - Low priority – internal building improvements and signage
 - Lowest priority – parking lots and other paving (and only funded as part of a larger project)
- In general, sites and/or owners that have not received funding within the past year will be prioritized over those that have received funding.
- Projects improving a blighted property will be prioritized over properties that are not blighted.
- Physical improvements visible from a public street right-of-way will be prioritized over improvements that are not visible from a public street right-of-way.
- An occupied building or one with immediate occupancy planned will be prioritized over vacant buildings.
- A project that will expand the tax base or employment within the zone will be prioritized over one that does not.
- The level of investment/overall fiscal impact, as well as any other information determined pertinent by the staff, the TIRZ subcommittee ~~or~~, TIRZ Board, and City Council.

OTHER IMPORTANT INFORMATION

- For all projects – Receipt of a complete application package by the Economic Development Department – and issuance to the applicant of a Letter to Proceed and signed Executed Incentive Agreement is required before work can begin on the approved incentive items.

- The Letter to Proceed will include the completion date on the portion of the project that is approved for incentive funding - **two years 18 months** from the issuance of this letter. If an extension past **two years 18 months** is requested, it must be presented to the TIRZ Board for determination.
- Unlike in previous TIRZ incentive policies, applicants will not be required to submit bids for work. Rather, the applicant will provide the total cost of the project via an overall scope and project budget (Worksheet A), and demonstrate how they will meet the required match, with the remaining cost constituting the request for incentive funding. The request for incentive funding must be composed of one or more of the eligible *Incentive Types* and substantiated with a cost estimate, estimated budget, or other means of documentation.
- The maximum request for incentive funding will be considered; however, the request may be denied for incentive funding, approved for partial incentive funding, or fully approved for incentive funding, based upon how well the proposed project meets the *Project Criteria* outlined on page 1. In addition, when the current year of incentive funds are exhausted, the TIRZ Board may elect to fund additional projects when incentive funding is available, by approving the project to begin and making reimbursement – subject to all restrictions outlined in the Incentive Agreement – in the following fiscal year. In no circumstance shall an existing TIRZ Board make incentive funding commitments more than one cycle in the future.
- In 2017, the TIRZ Board voted to annually allocate at least 25% of TIRZ funding for public projects from each the North and South zones. Public project allocated funds will be accumulated annually until spent.
- All application requirements must be met in order to be eligible for the maximum reimbursement amounts.
- An appeal of any administrative decision can made to the TIRZ Board.
- All Incentive Agreements must be signed and executed within 60 days of City Council approval or applicant will forfeit all approved incentive funding.

OTHER IMPORTANT INFORMATION – SOUTH ONLY

- In determining whether or not to fund a project, City Staff and TIRZ Board Members will utilize the *Project Criteria*, some of which are contained within the recommendations of the Downtown Master Development Strategic Plan as recommended items for investment in order to realize the potential of the district, and others which were identified in the adopted River Corridor Master Development Plan and TIRZ Project Plan.

In 2013, The City Council adopted *The Downtown Master Development Strategic Plan*, which identified 3 areas of focus that the TIRZ South Zone should support.

- Category A - OFFICE/WORKFORCE- This includes potential building area, vacant office space and new office space
- Category B - RESTAURANT/ENTERTAINMENT- This includes food services and drinking places, full-service restaurants, limited service eating places, special food services, drinking places - alcoholic beverages
- Category C - HOUSING/HOTEL- This includes multi-family units

In addition, the TIRZ Board identified the following additional area of focus for the TIRZ South Zone.

- Category D - RETAIL/SALES

ZONING REQUIREMENTS

Any business which applies for incentives through the TIRZ Policy and is currently zoned CG/CH must rezone their property ~~in compliance with CG/CH Rezoning Plan or any other zoning classification approved by the City of San Angelo Planning Division~~. Proposals for CG/CH zoning were banned by the San Angelo Planning Commission and City Council in 1972 due to the harmful effects created such as unlimited outside storage and a range of incompatible allowed uses. ***Rezoning fees for this item will be waived.***

Unless specifically exempted, all projects seeking TIRZ incentive funding must meet current building standards, codes and permitting requirements as well as be current on all taxing obligations. All TIRZ incentives are subject to incentive funding availability and final approval by the City Council. The City of San Angelo has adopted the International Existing Building Code, a developer - friendly code that allows for improvements that consider the design limitations of older buildings to encourage adaptive reuse by allowing different levels of modification to existing structures. Contact the Permits Division at 325-657-4210 for further information regarding questions about the International Existing Building Code.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z22-14 to rezone properties from the General Commercial/Heavy Commercial to the Low Rise Multifamily Residential zoning district, being 0.36 acres, located at 213 and 223 W. Ave. L and 1610 S. Randolph St. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant requested a rezoning of 213 and 223 W. Avenue L, and 1610 S. Randolph Street from CG/CH to RM-1 to allow construction of multifamily residential units facing W. Avenue L. Planning Staff had initiated rezoning of the remainder of the block (all lots to RM-1 to recognize the existing homes and CG on the east-most lot to recognize an existing restaurant. However, several residents opposed, and on July 18, 2022, the Planning Commission recommended approval of just the three addresses mentioned above to RM-1 and to leave the remainder as is, zoned CG/CH. This item was originally presented to the Planning Commission on June 20, 2022 but was tabled due to questioning by the Commission for staff to research the sale of 213 and 223 W. Avenue L. Planning Staff subsequently confirmed information in the County deed records and Appraisal District showing the applicant as the owner of the subject properties.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On June 20, 2022, the Planning Commission voted unanimously 5-0 to table the zone change to allow staff time to research the ownership questions raised for 213 and 223 W. Avenue L.

On July 18, 2022, the Planning Commission voted unanimously 6-0 to recommend approval of the zone change from General Commercial/Heavy Commercial (CG/CH) to Low Rise Multifamily Residential (RM-1) for 213 and 223 W. Avenue L, and 1610 S. Randolph St.

Attachments:

1. Staff Report (Z22-14) Staff Report (Z22-14).pdf

2. Ordinance (Z22-14)

Ordinance (Z22-14).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 - Z22-14

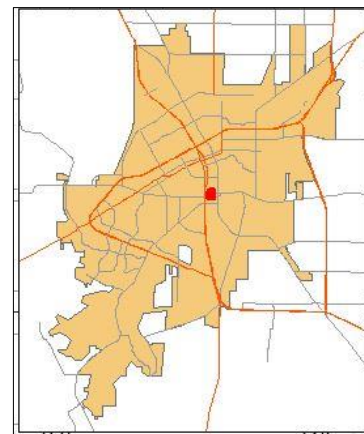
Scheduled Hearings:

Planning Commission: July 18, 2022

City Council 1st reading: August 16, 2022

City Council 2nd reading: September 6, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-14: 200 Blk. Of W. Avenue L	
SYNOPSIS:			
The applicant requested a rezoning of 213 and 223 W. Avenue L, and 1610 S. Randolph Street from CG/CH to RM-1 to allow construction of multifamily residential units facing W. Avenue L. Planning Staff had initiated rezoning of the remainder of the block (all lots to RM-1 to recognize the existing homes and CG on the east-most lot to recognize an existing restaurant. However, several residents opposed, and on July 18, 2022, the Planning Commission recommended approval of just the three addresses mentioned above to RM-1 and leave the remainder as is, CG/CH. This item was originally presented to the Planning Commission on June 20, 2022 but was tabled due to questioning of legality of the same of 213 and 223 W. Avenue L. Planning Staff found no evidence of any illegalities and the warranty deed reflects the current property owners.			
LOCATION:		LEGAL DESCRIPTION:	
Southeast of S. Koenigheim St. and W. Ave. A		Lots 1-7 in Block 116, Fort Concho Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho	CG/CH	N- Neighborhood	0.362 acres
NOTIFICATIONS:			
28 notifications for Z22-04 were mailed within a 200-foot radius on May 6, 2022. Five responses were received in opposition (see attached).			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Low Rise Multifamily Residential (RM-1) on 1610 S. Randolph Street, and 213 and 223 W. Avenue L being 0.53 acres, located southeast of W. Avenue L and S. Randolph Street.			
PROPERTY OWNER/PETITIONER:			
<i>Applicant:</i> Zill Properties and Investments LLC (Zane Willard) and City of San Angelo			
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 properties are located within the City's "Neighborhood" Future Land Use in the Comprehensive Plan. Rezoning to RM-1 would be consistent with these policies which call to "promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo's neighborhoods." The applicant of rezoning 213 and 223 W. Avenue L if approved would allow four new residential units, consistent with the above policy to provide more housing.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The requested RM-1 would allow the current uses and comply with the applicable development standards for these districts. The applicant has expressed interest in replatting 213 and 223 W. Avenue into a single lot in an east-west orientation, and expand the lot depth of 1610 S. Randolph Street in the same orientation. This would bring both lots into compliance with RM-1 zoning (minimum 60' x 100' for apartment living which would allow all other housing types also).
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.** Rezoning the properties to RM-1 would be compatible with the surrounding area which contains CG/CH zoning to the west, and RS-2 zoning with mainly single-family homes to the northeast, east, and south. There is an industrial ML zoned vacant property to the north but this is intended for commercial uses in future per the Comprehensive Plan's Commercial designation. Rezoning the subject properties to RM-1 would provide an effective transition between this future commercial area, and low-density single-family area to the east and south.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The new owner of 213 and 223 W. Avenue L is seeking to rezone these properties for apartment living which triggered the City to consider expanding this zoning to include the entire block north of the alley.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** There are no anticipated adverse effects on neighboring properties. Any future development would require a review of grading, drainage, and stormwater runoff at that time.

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 more residential living in this location, consistent with the Neighborhood policies of the City's Comprehensive Plan.
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.* All properties will continue to have access from the adjoining streets, S. Randolph Street and W. Avenue L.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Low Rise Multifamily Residential (RM-1) on 1610 S. Randolph Street, and 213 and 223 W. Avenue L being 0.53 acres, located southeast of W. Avenue L and S. Randolph Street.

Note: A replat is required prior to any future development on 223 W. Avenue L and 1610 S. Randolph Street, both of which are currently substandard lot fragments.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Response Letters
Photos
Application



Rezoning

Z22-14: 200 Blk. of W. Avenue L

Council District 3 - Harry Thomas

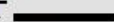
Neighborhood: Fort Concho

Scale: 1" approx. = 175 ft

SE of S. Randolph St/W. Ave. L



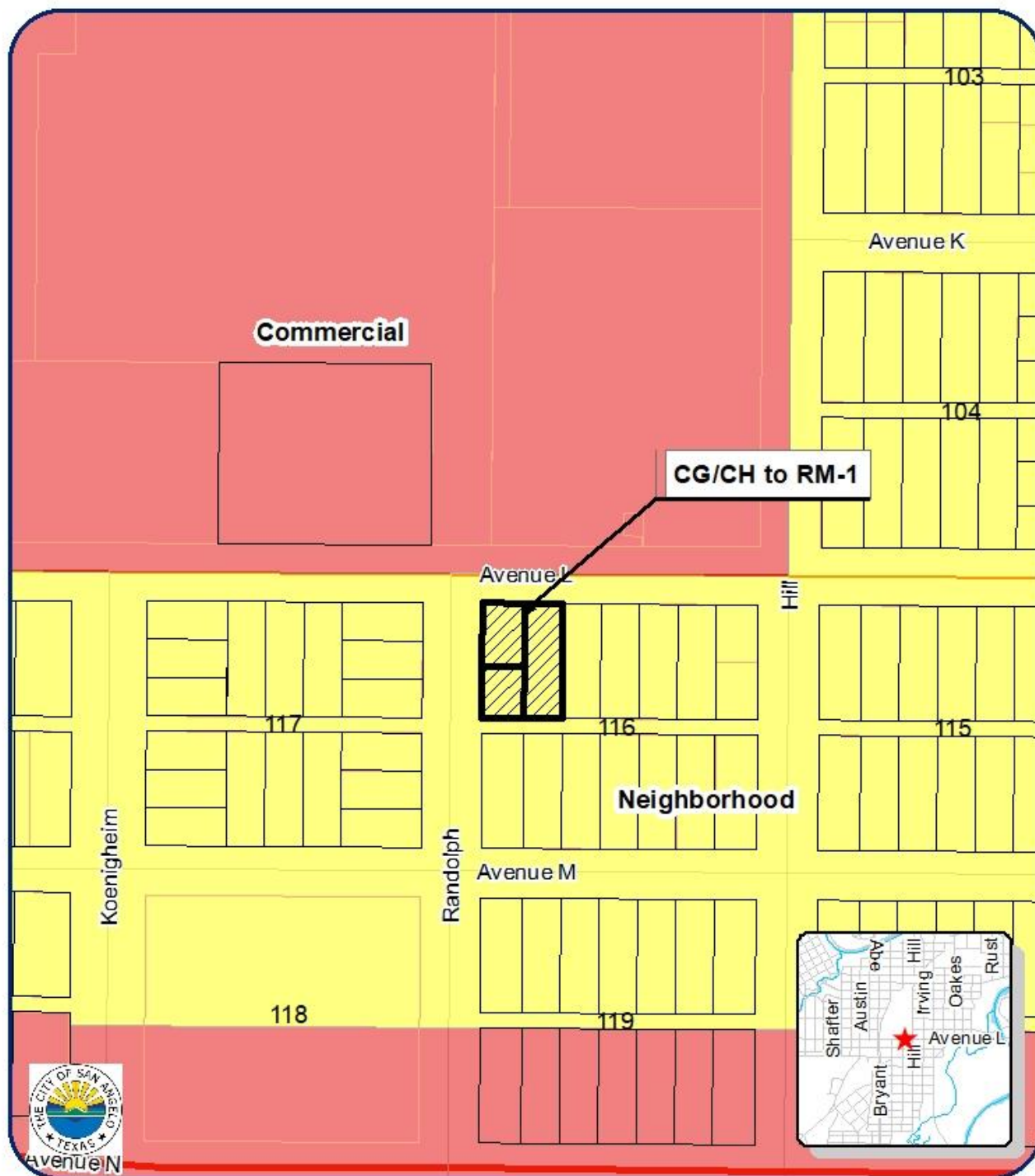
Legend

Subject Properties: 

Current Zoning: **CG/CH**

Requested Zoning Change: **RM-1**

Vision: **Neighborhood**



Rezoning

Z22-14: 200 Blk. of W. Avenue L

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 175 ft

SE of S. Randolph St/W. Ave. L



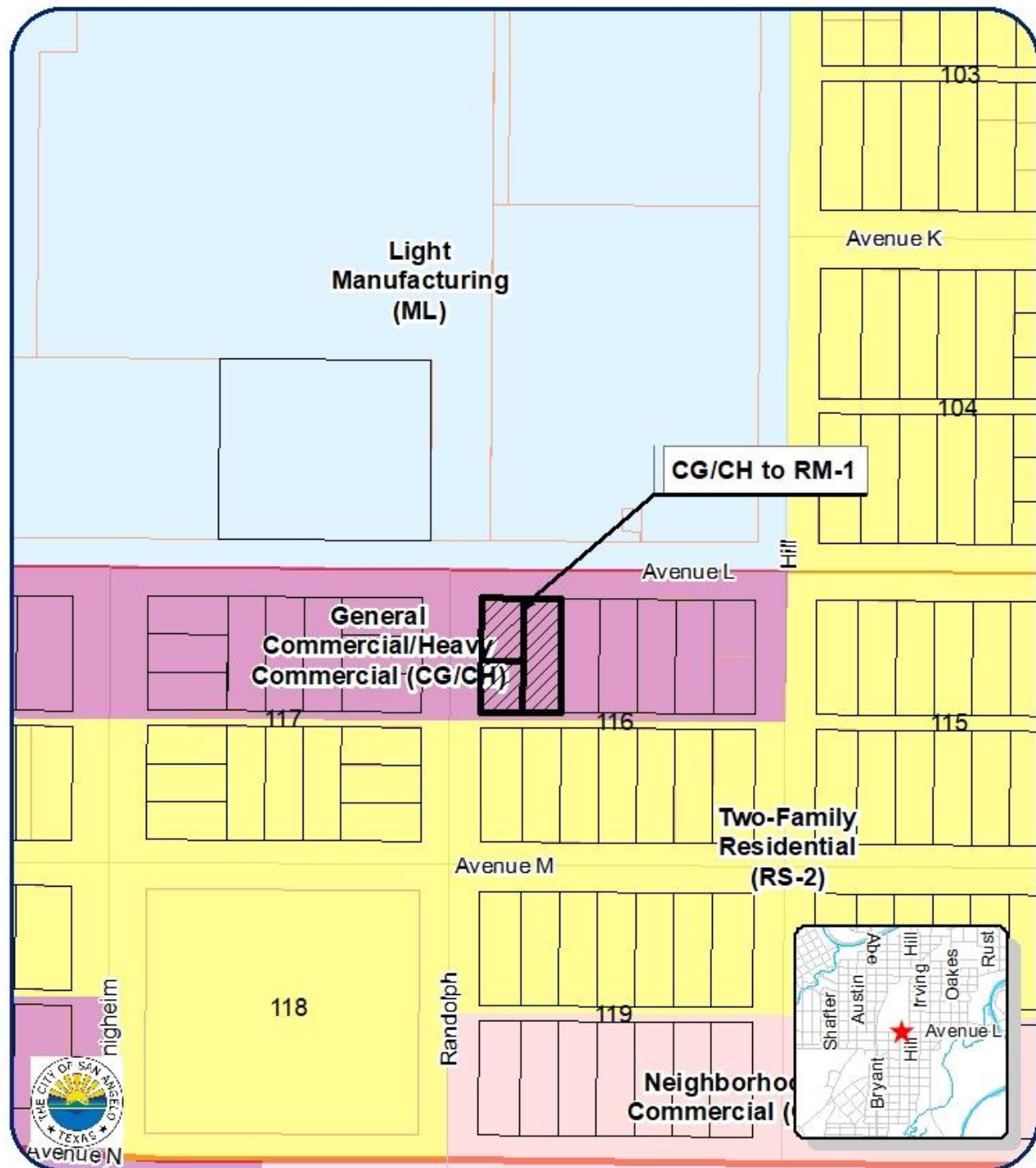
Legend

Subject Properties:

Current Zoning: **CG/CH**

Requested Zoning Change: **RM-1**

Vision: **Neighborhood**



Rezoning

Z22-14: 200 Blk. of W. Avenue L

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 175 ft

SE of S. Randolph St/W. Ave. L



Legend

Subject Properties:

Current Zoning: **CG/CH**

Requested Zoning Change: **RM-1**

Vision: **Neighborhood**



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

JACOBO BENITO & MARGARITA
517 N BROWNING ST
SAN ANGELO, TX 76903-4129

NOTICE OF PUBLIC HEARING

RE: Zone Change Z22-14

6/6/2022

On **Monday, June 20, 2022**, during a meeting scheduled to begin at **9:00 am**, the Planning Commission for the City of San Angelo will hold a public hearing on the request described below. The meeting will be held in the **East Mezzanine of City Hall, 72 West College Avenue**, to recommend approval or denial to City Council of a request by Zill Properties and Investments LLC and the City of San Angelo for a **rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Low Rise Multifamily Residential (RM-1) and General Commercial (CG) Zoning Districts**, being **1.24 acres**, located south of W. Avenue L between S. Randolph Street and Hill Street, San Angelo, Tom Green County, Texas.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below.

The attached map shows the area of this request. Only that area which is bounded by the black line on the map is being considered for this request. The solid boundary line around the subject area is only a notification area. If approved by the Planning Commission or if denied and appealed to San Angelo's City Council within the specified ten-day period, this case will be heard by City Council with a public hearing on **Tuesday, July 19, 2022 at 8:30 AM in McNease Convention Center 501 Rio Concho Dr., San Angelo, Texas 76903**.

Planning Commission members are citizens appointed by San Angelo's City Council, specifically to hear and decide certain matters regarding the use and development of land within the city limits of San Angelo. If you have questions about these proceedings, please contact **Jeff Fisher, Chief Planner**, at telephone 325-657-4210 ext. 1550 or by email address jeff.fisher@cosatx.us

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-14

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: JACOBO BENITO & MARGARITA

Parcel I.D.: 13

Address: 517 N BROWNING ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐
Additional Comments:

I am opposed ☐

Signature: _____

OK in CG on this
property but not
RM-1
at Planning Commission
changed to opposed.

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-14

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: COOK LILLIE ANN
Parcel I.D.: 6
Address: 1605 S RANDOLPH ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Lillie Ann Cook

I own my home, spent years saving. Its pretty quiet and peaceful. Trees and grass in front and beside my home. A place for my grand children to live when I'm gone. Really don't want that kind of noise and disruption. Leave the property the way it is!

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-14

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: MEJIA MOLLIE - DECEASED
Parcel I.D.: 16
Address: 211 W AVENUE L

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Smajin

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-14

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: PEREZ LOUIS A III
Parcel I.D.: 18
Address: 112 W COLLEGE AVE

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: Louis A Perez

From: [Albino Menchaca](#)
To: [Fisher, Jeff](#)
Subject: Re: Zone Change Z22-14
Date: Friday, June 24, 2022 3:27:08 PM

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

Again I Repeat I oppose any zone change to my property. I wish to keep commercial my property for future purposes. Leave mi property as is.

Thank you,

Albino Menchaca
209 West Avenue L
San Angelo Texas 76903

On Tue, Jun 21, 2022, 2:38 PM Albino Menchaca <abmenchaca60@gmail.com> wrote:

I am opposed to this zone change
Name: Menchaca Albino & Delma
Parcel I.D.: 17
Address: 209 W. Ave. L

Albino & Delma Menchaca

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-14

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: MENCHACA ALBINO & DELMA
Parcel I.D.: 17
Address: 209 W AVENUE L

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☐
Additional Comments:

I am opposed ☒

LEAVE OUR
PROPERTY AS IS
A.M

Signature:

Albino Menchaca
Delma menchaca

PARCEL I.D.: 17
ADDRESS: 209 W. AVENUE L

Photos of Site and Surrounding Area

1610 S. RANDOLPH ST.



213 and 223 W. AVENUE L



HOMES ON W. AVENUE L



1601 and 1607 S. HILL ST.



Jeff

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): Zill Properties & Investments - Zane Willard

☒ Owner ☐ Representative (Notarized Affidavit Required)

6451 Fish Hatchery Rd. San Angelo TX 76904
Mailing Address City State Zip Code

325-656-2625 conchovalleyconstruction@gmail.com
Contact Phone Number Contact E-mail Address

213 W Ave L San Angelo TX 76904
Subject Property Address City State Zip Code

Fort Concho Addition, Block 116, Lot 2, Tom Green County
Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: RS1 Proposed Zoning: Rm1 Lot size: _____

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

Section 2: Site Specific Details

Existing Use of Property: Vacant lot

*Proposed Use of Property: Multi Unit Residential Affordable Housing

*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.

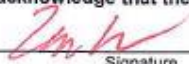
Effective January 3, 2017

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.

Zane Willard



Zill Properties & Investments

05-20-2022

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 22 - 14

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 PROPERTIES: **BEING 0.362 ACRES LOCATED AT 213 AND 223 W. AVENUE L AND 1610 S. RANDOLPH STREET;** FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) TO THE LOW RISE MULTIFAMILY (RM-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z22-14: 213 and 223 W. Avenue L and 1610 S. Randolph Street

WHEREAS, on the 18th day of July, 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 Low Rise Multifamily (RM-1) Zoning District; and,

WHEREAS, on the 16th day of August, 2022, City Council held a public hearing on Z22-14, 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 LOW RISE MULTIFAMILY (RM-1) Zoning District:

The real properties located southeast of W. Avenue L and S. Randolph Street, being Lots 1 and 2 in Block 116, Fort Concho Addition, being 0.362 acres, located at 213 and 223 W. Avenue L and 1610 S. Randolph Street, San Angelo, Tom Green County, Texas.

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

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

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

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

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

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

INTRODUCED with public hearing on the **16th day of August, 2022**, and finally PASSED, on this the **8th day of September, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

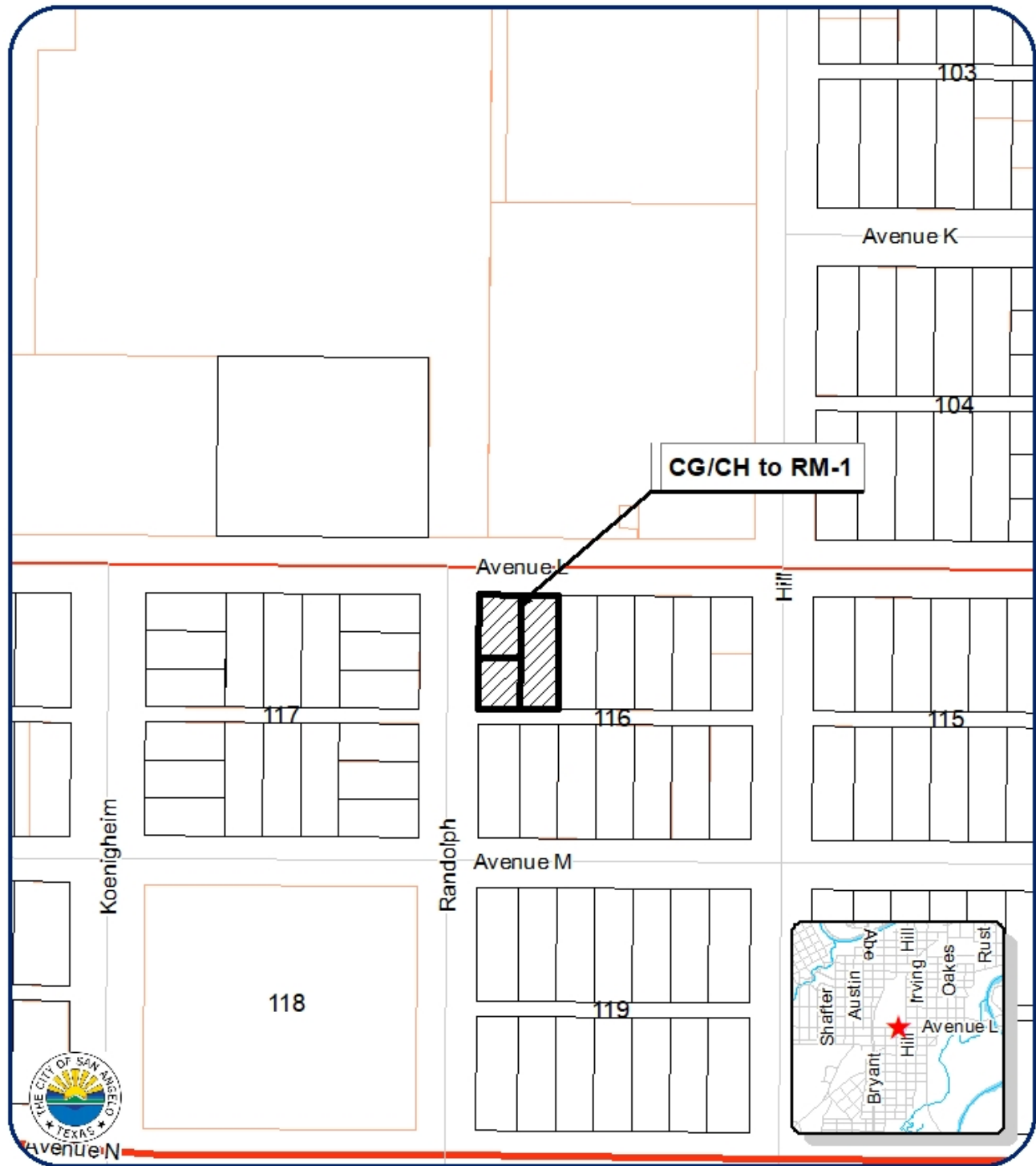
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Rezoning

222-14: 200 Blk. of W. Avenue L

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 175 ft

SE of S. Randolph St/W. Ave. L

Legend

Subject Properties:

Current Zoning: **CG/CH**

Requested Zoning Change: **RM-1**

Vision: **Neighborhood**



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: August 16, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z22-16 to rezone properties from the Ranch and Estate to the Single-Family Residential and Neighborhood Commercial zoning districts; being 31.17 acres, located northwest of Arden Rd. and FM 2288 (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicants have applied to rezone the subject properties from Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CN) Zoning Districts. The west 26.71 acres would be rezoned to RS-1 for future residential subdivisions and 4.46 acres would be rezoned CN for future neighborhood commercial development. The CN zoning is part of a larger property that connects to FM 2288 which would remain zoned R&E. Each property exceeds the minimum lot area, depth, and frontage requirements of the respective zoning districts. Access is proposed from a future local street to be constructed along the north side of the properties. This street will run east-west and connect to FM 2288 (see attached).

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On July 18, 2022, the Planning Commission voted unanimously 6-0 to recommend approval of the zone change.

Attachments:

- | | |
|--------------------------|---------------------------|
| 1. Staff Report (Z22-16) | Staff Report (Z22-16).pdf |
| 2. Ordinance (Z22-16) | Ordinance (Z22-16).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



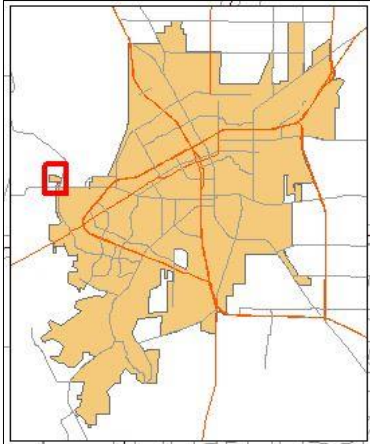
STAFF REPORT - Z22-16

Scheduled Hearings:

Planning Commission: July 18, 2022

City Council 1st reading: August 16, 2022

City Council 2nd reading: September 8, 2022

APPLICATION TYPE:		CASES:	
Rezoning		Z22-16: Northwest of Arden Rd. / F.M. 2288	
SYNOPSIS:			
The applicants have applied to rezone the subject properties from Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CN) Zoning Districts. The west 26.71 acres would be rezoned to RS-1 for future residential subdivisions and the 4.46 acres would be rezoned CN for future neighborhood commercial development. The CN zoning is part of a larger property which connects to F.M. 2288 which would remain zoned R&E at this time. Each property well exceeds the minimum lot area, depth, and frontage requirements of the respective zoning districts. Access is proposed from a future local street to be constructed along the north side of the properties. This street will run east-west and connect to F.M. 2288 (see attached).			
LOCATION:		LEGAL DESCRIPTION:	
Northwest corner of Arden Road / F.M. 2288		Being 31.17 acres out of the A. B. & M Survey No. 3, Abstract No. 24, and out of the B. S. & F Survey No. 5, Abstract No. 101	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Larry Miller Bluffs Neighborhood	R&E	N – Neighborhood, C – Commercial, T - Transitional	31.17 acres
NOTIFICATIONS:			
Two notifications for Z22-16 were mailed within a 200-foot radius on July 6, 2022. Two responses have been received to date in favor, none against (see attached).			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CG) Zoning Districts; being 31.17 acres, located northwest of Arden Rd/F.M. 2288.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owners: West Texas Land Guys and David Jensen</i> Petitioner: Russell Gully, P.E., RLS, SKG Engineering, LLC			
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 proposed to be rezoned RS-1 is predominantly in the “Neighborhood” Future Land Use designation in the City’s Comprehensive Plan, updated in 2009. The neighborhood policies call to “Promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo’s neighborhoods”. The applicant has preliminary and final residential subdivision plats for this area consistent with this policy. The property proposed to be rezoned to CN is designated “Commercial” in the Comprehensive Plan “which often are single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network.” While this designation can support heavier commercial development, Staff and the applicant agreed that this property, which is 210 feet wide, be zoned CN which allow neighborhood, less-intense commercial uses, given it will be adjacent to the RS-1 zone. Staff believes the CN will provide a buffer for the residential development to the west. The 200-foot width of this CN zone is typical for neighborhood retail store properties throughout San Angelo. Finally, there is a small strip of 130 feet which crosses the shared lot line between both properties designated “Transitional”. Both proposed zoning districts are compatible with this designation and the underlying CN provides this transition from the future RS-1 zoning to the west.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* As indicated, all lots will meet the minimum lot sizes to allow new construction. The future platting of the RS-1 will allow a minimum 50’ x 100’ lots on the 26.71 acres, and the CN zoning allows 6,000 sq. ft. lots and there is ample room for this on the 4.46 acres, including space for an extension of any future road along the south of this property to connect to the future preliminary plat and F.M. 2288.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The rezoning is compatible with the surrounding area as outlined in the Comprehensive Plan mentioned above. Both lots are presently vacant.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The applicants want to rezone the properties for future residential subdivisions and neighborhood commercial development.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the*

practical functioning of the natural environment. Staff does not anticipate any adverse environmental affects at this time. A review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues through the subdivision platting process.

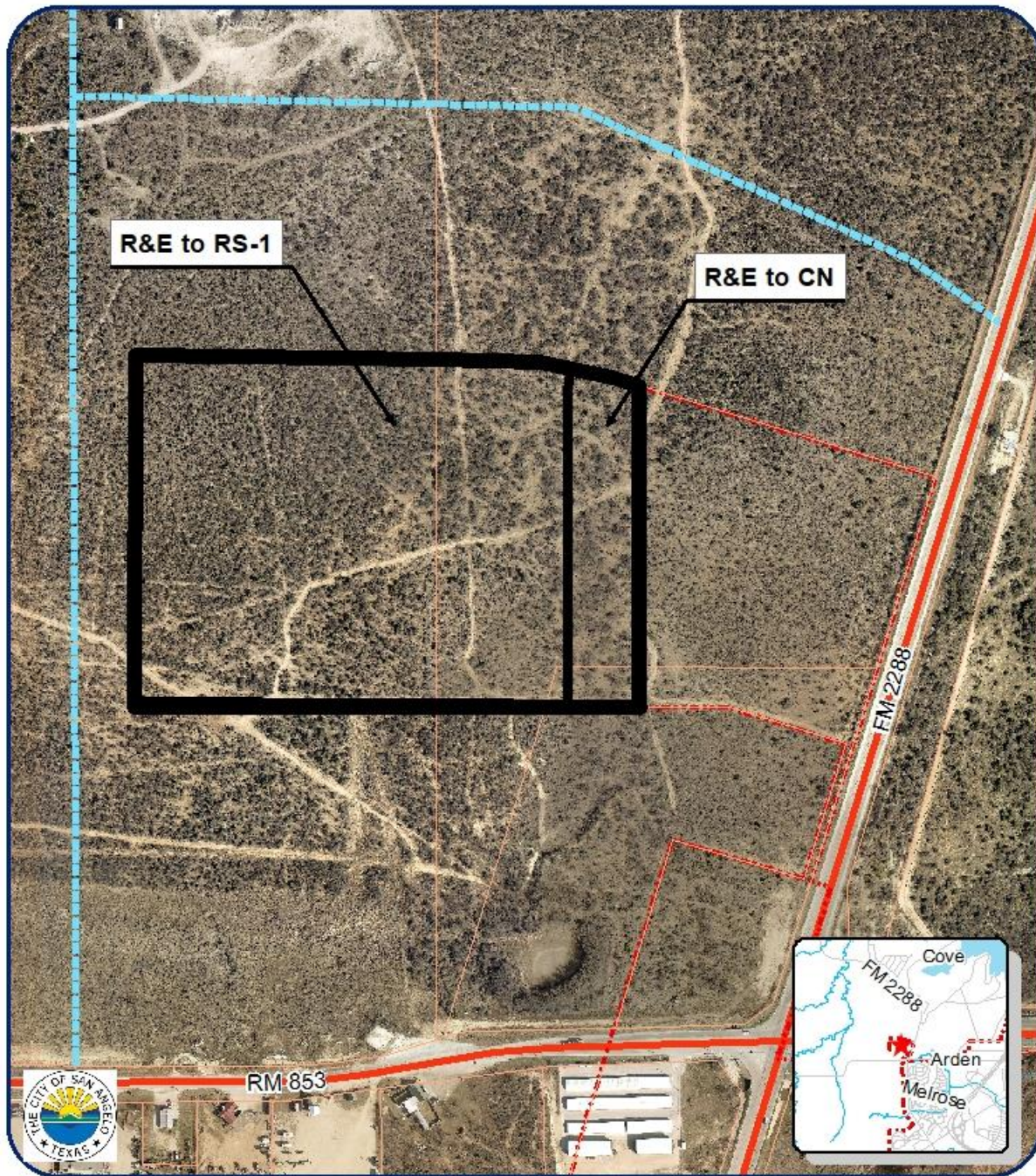
6. **Community Need.** **Whether and the extent to which the proposed amendment addresses a demonstrated community need.** Staff believes there is a need for both additional residential and small-scale, neighborhood commercial zoning in this area. This remains a predominantly passive, residential neighborhood and these uses will maintain this character.
7. **Development Patterns.** **Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.** As indicated, a new local street is planned that will run east-west and connect the properties to F.M. 2288.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CG) Zoning Districts; being 31.17 acres, located northwest of Arden Rd/F.M. 2288.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Response Letters
Photos
Proposed Zone Change Map
Application



Rezoning

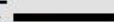
Z22-16: NW of Arden Rd/F.M. 2288

Council District 6 - Larry Miller
Neighborhood: Bluffs
Scale: 1" approx. = 375 ft

NW of Arden Rd/FM 1288



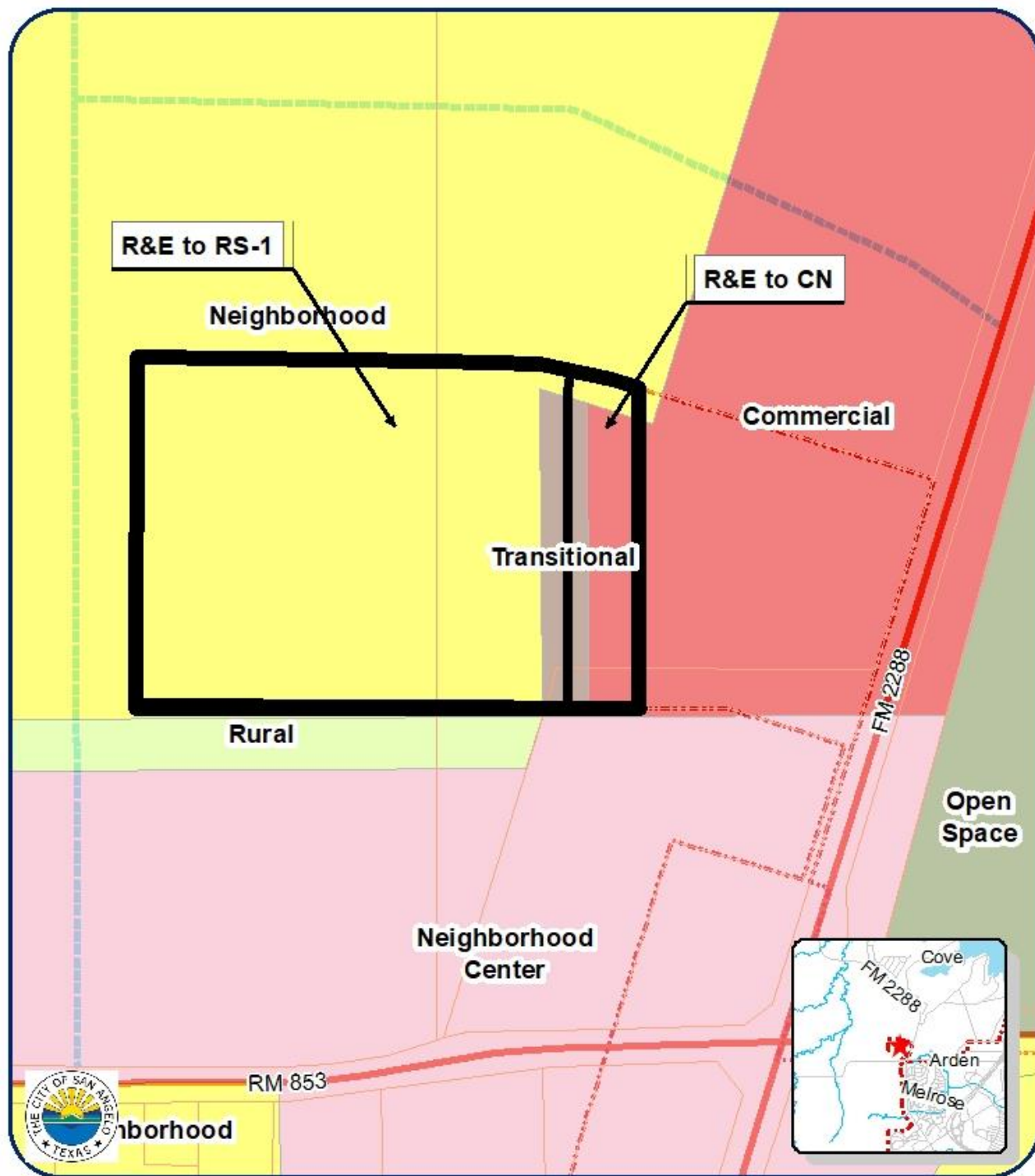
Legend

Subject Properties: 

Current Zoning: **R&E**

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

Vision: **Neighborhood,
Commercial &
Transitional**



Rezoning

Z22-16: NW of Arden Rd/F.M. 2288

Council District 6 - Larry Miller

Neighborhood: Bluffs

Scale: 1" approx. = 375 ft

NW of Arden Rd/FM 1288



Legend

Subject Properties:

Current Zoning: **R&E**

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

Vision: **Neighborhood,
Commercial &
Transitional**

August 16, 2022

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-16

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: JENSEN DAVID

Parcel I.D.: 1

Address: PO BOX 1669

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☒
Additional Comments:

I am opposed ☐Signature: 

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z22-16

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: PETRA FIRMA DEVELOPMENT GROUP INC

Parcel I.D.: 2

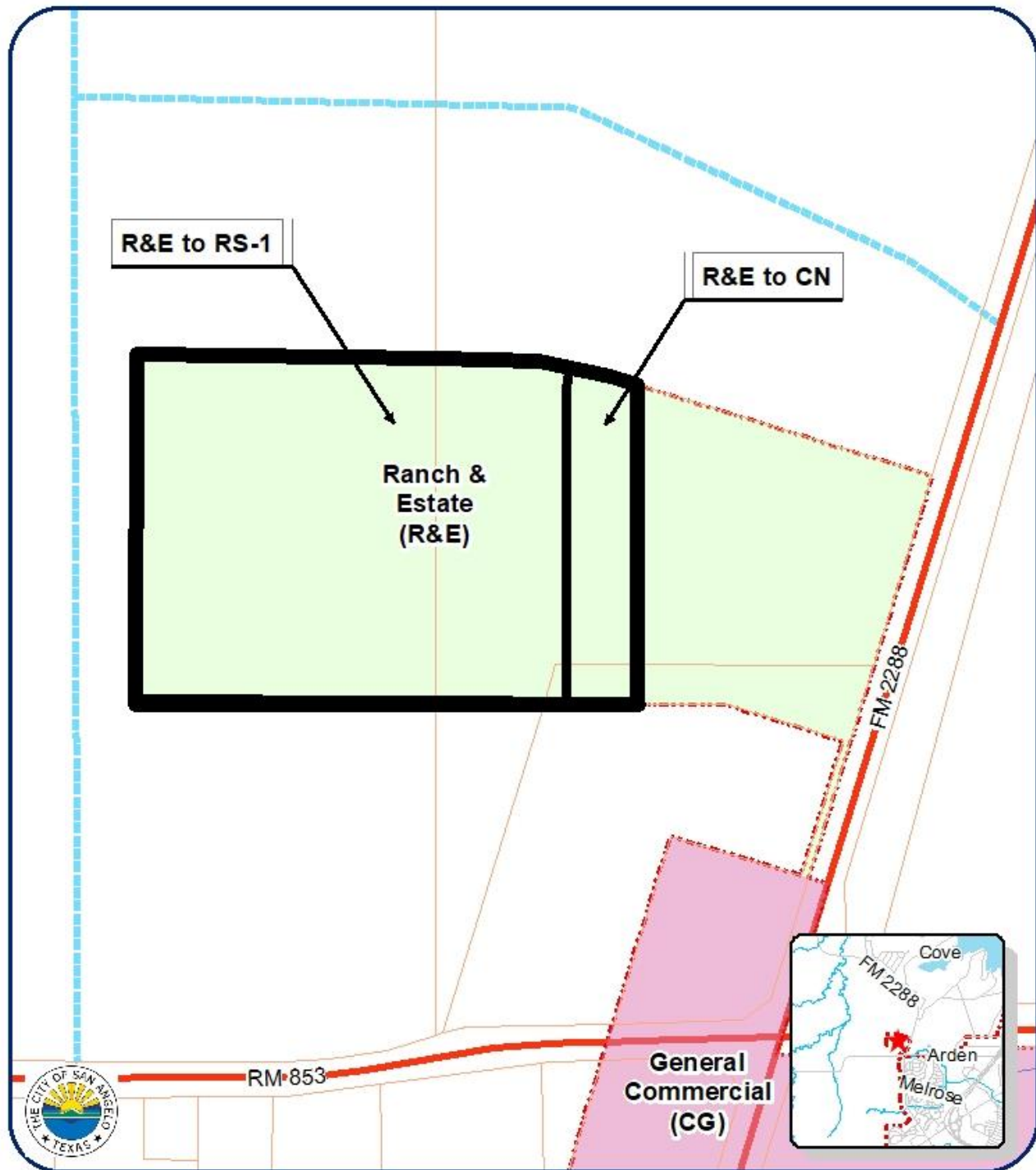
Address: PO BOX 1669

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor ☒
Additional Comments:

I am opposed ☐Signature: 



Rezoning

Z22-16: NW of Arden Rd/F.M. 2288

Council District 6 - Larry Miller

Neighborhood: Bluffs

Scale: 1" approx. = 375 ft

NW of Arden Rd/FM 1288



Legend

Subject Properties: —

Current Zoning: **R&E**

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

Vision: **Neighborhood,
Commercial &
Transitional**

Photos of Site and Surrounding Area

NORTHBOUND ON ARDEN RD.



SOUTHBOUND ON ARDEN RD.



WEST AT SUBJECT PROPERTY

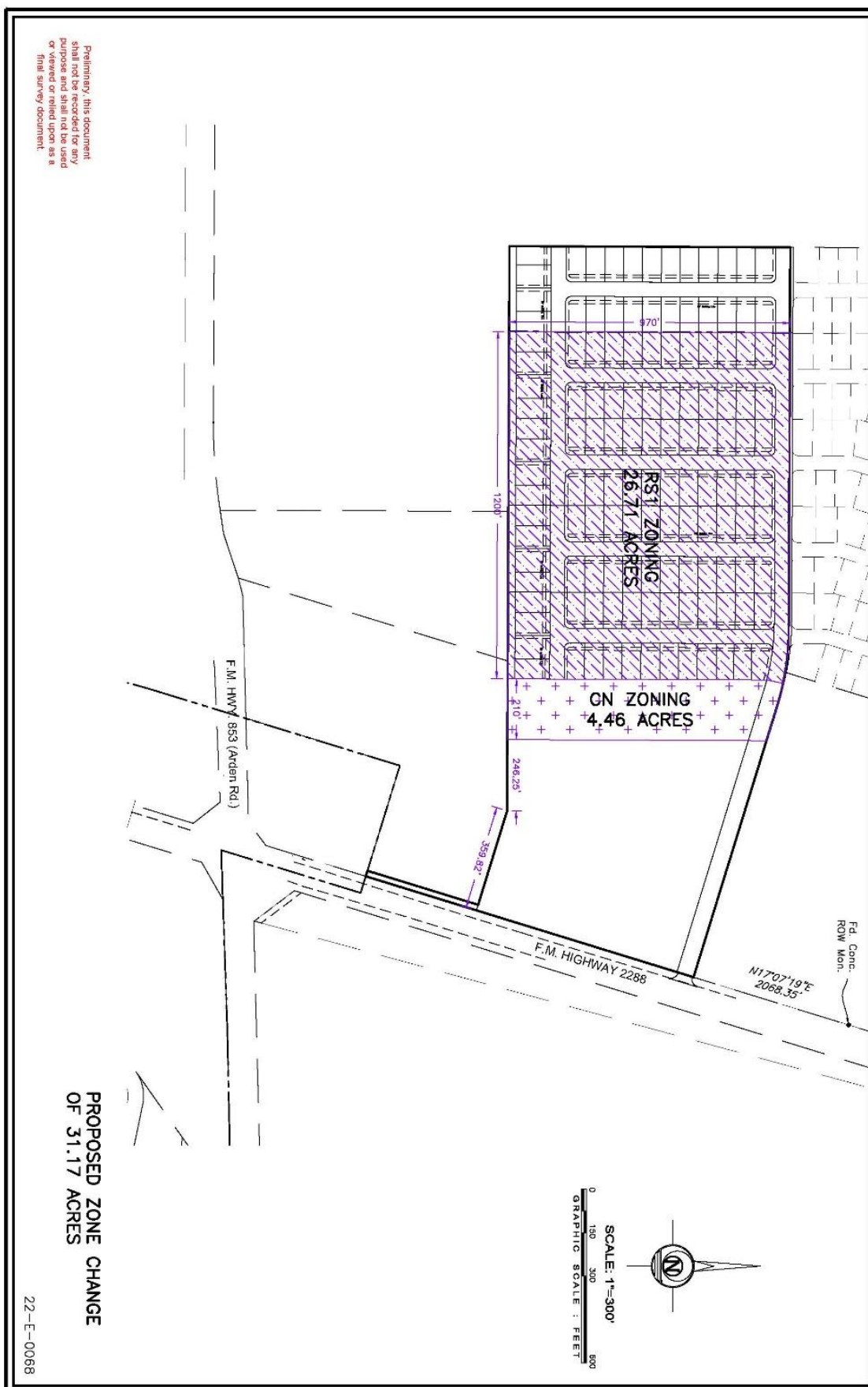


SOUTHEAST



SOUTHWEST





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): WEST TEXAS LAND GUYS SAN ANGELO, LLC

☒ Owner ☐ Representative (Notarized Affidavit Required)

8213 Alcove Lubbock Texa 79424
Mailing Address City State Zip Code
325-234-8471 emvr11@hotmail.com

Contact Phone Number Contact E-mail Address
FM 2288 San Angelo Texas 76903
Subject Property Address City State Zip Code

Abst: A-0101 S-0005, Survey: B S & F, and Abst: A-0024 S-0003, Survey: A B & M, 26.71 ACRES

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

Existing Zoning: R&E Proposed Zoning: RS1 Lot size: +50'x100'

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

Section 2: Site Specific Details

Existing Use of Property: Vacant

*Proposed Use of Property: Residential

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

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.

<u>ERIC van Rosenselaar</u>	<u>[Signature]</u>	<u>WEST TX LAND GUYS</u>	<u>6-17-2022</u>
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
<u>[Signature]</u>	<u>Russell T. Gucy</u>	<u>SKG</u>	<u>6-17-2022</u>
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 PROPERTIES: **BEING 31.17 ACRES LOCATED NORTHWEST OF ARDEN ROAD AND F.M. 2288**; FROM THE RANCH AND ESTATE (R&E) ZONING DISTRICT TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) AND NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z22-16: Northwest of Arden Road and F.M. 2288

WHEREAS, on the 18th day of July, 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 (RS-1) and Neighborhood Commercial (CN) Zoning Districts; and,

WHEREAS, on the 16th day of August, 2022, City Council held a public hearing on Z22-16, 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 SINGLE-FAMILY (RS-1) AND NEIGHBORHOOD COMMERCIAL (CN) Zoning Districts:

The real properties located northwest of Arden Road and F.M. 2288:

- a) **To be rezoned RS-1: 26.71 acres in the A.B. & M. Survey No. 3, San Angelo, Tom Green County, Texas.**
- b) **To be rezoned CN: 4.46 acres in the B. S. & F. Survey No. 5, Abstract No. 101, San Angelo, Tom Green County, Texas.**

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

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

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

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

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

INTRODUCED with public hearing on the **16th day of August, 2022**, and finally PASSED, on this the **8th day of September, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

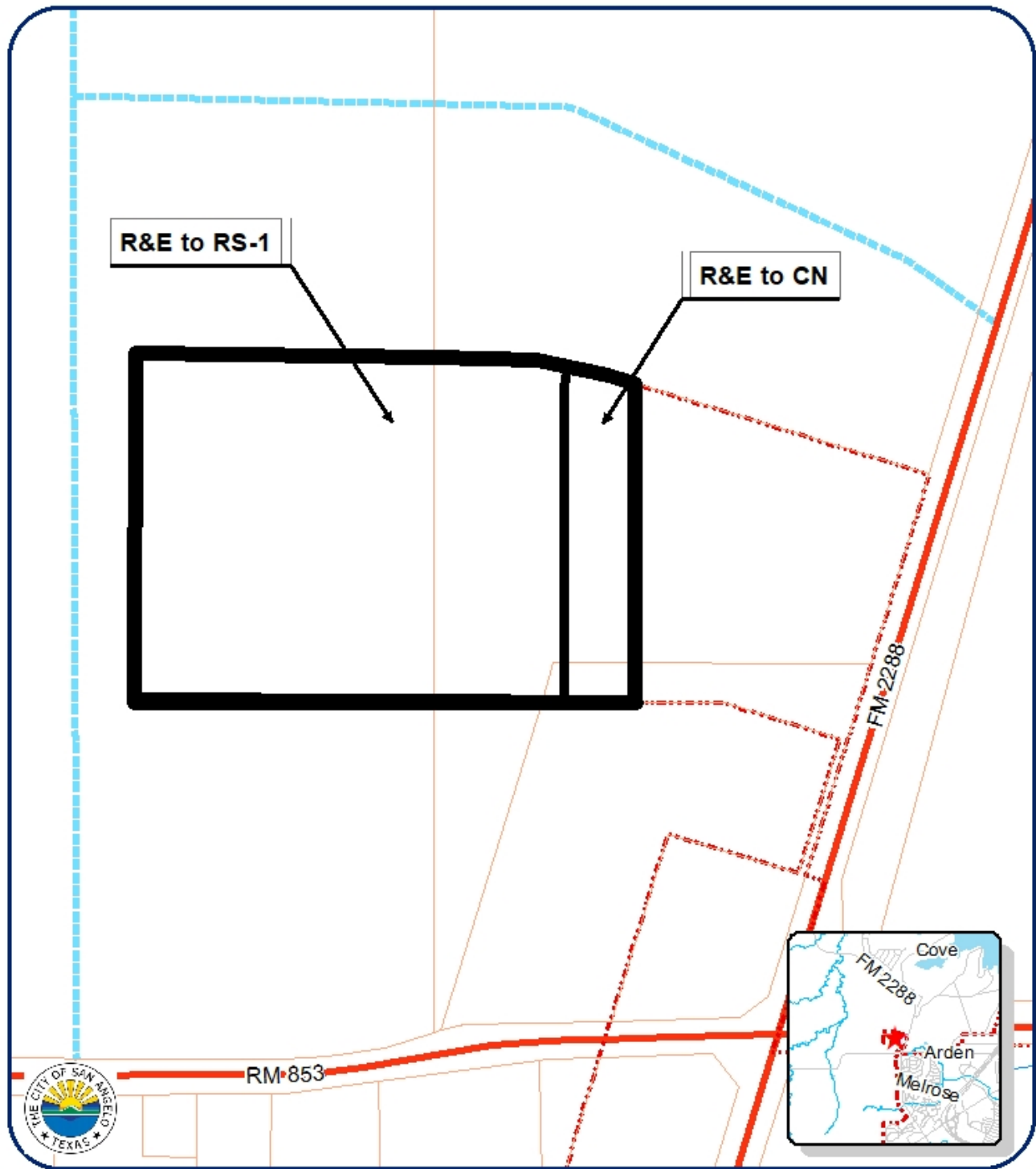
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Rezoning

Z22-16: NW of Arden Rd/F.M. 2288

Council District 6 - Larry Miller

Neighborhood: Bluffs

Scale: 1" approx. = 375 ft

NW of Arden Rd/FM 1288



Legend

Subject Properties: 

Current Zoning: **R&E**

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

Vision: **Neighborhood,
Commercial &
Transitional**