



City Council Agenda 2/7/2023

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held February 7, 2023 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 January 17, 2023 City Council regular meeting minutes (Heather Stastny)
- b. Consider approving an amendment to the current lease agreement with Concho Valley Council of Governments-West Texas RSVP (Retired Senior Volunteer Program) for an extension of 3 months from April 1, 2023 to June 30, 2023 (Sandra Aguilar)
- c. Consider approving an amendment to the Skyline Lease Agreement, 8926 Hangar Rd., for a special use permit and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)
- d. Consider awarding CFM-02-23 Pest Control Services for various COSA Facilities to MDK Services, LLC in an amount not to exceed \$11,908 annually (for the full 5-year term not to exceed \$59,540) and Bug Express in an amount not to exceed \$16,055 annually (for the full 5-year term not to exceed \$80,275) budgeted for purchase in each fiscal year, and authorizing the City Manager to negotiate and execute all related documents (Ron Lewis)
- e. Consider approving Sourcewell Contract #110421-TIM for the purchase of one bucket truck body from Versalift (Waco, TX), in the amount of \$110,408, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- f. Consider authorizing the City to apply for a grant to the National Endowment for the Arts for design work totaling \$80,000 (50% City match) at Bart DeWitt Park (river park from Chadbourne St. to Concho Ave.) and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- g. Consider a resolution accepting the San Angelo Police Officers Coalition as the recognized police association representing the majority of police officers with the San Angelo Police Department per the filed petition (Bryan Kendrick)

- h. Consider a resolution authorizing emergency repairs of High Service Pump No. 5 at the Water Treatment Plant in the amount of \$69,806 to Smith Pump Company, Inc., and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- i. Consider a resolution to allow the Concho Valley Homeless Planning Coalition to use the Carl Ray Recreation Center as an Emergency Warming Station (Bob Salas)
- j. Consider a resolution authorizing financial support in the amount of \$25,000 to the Rail Museum to be used as the local match for a grant to fund an elevator renovation project in the depot building (Michael Dane)
- k. Consider ratifying an advertising services agreement by and between the City of San Angelo Development Corporation and Media Advantage, LLC. in the amount of \$32,700 annually and authorizing the Board President to execute all necessary documents (Michael Dane)
- l. Consider ratifying COSADC's approval of the sale of approximately nine acres of land in the Industrial Park Phase II to Big Country Equipment at a price of \$45,000 per acre, the total area to be determined by a survey on the ground and the total price to be calculated based on that area, and authorizing the Board President to negotiate and execute a real estate sales contract and all required documentation with approval by City Council (Michael Dane)
- m. Consider ratifying a professional services agreement between COSADC and Duncan Mechanical Service, Inc., not to exceed \$50,000 per year with an option to extend for one year, and authorizing the Board President or their designee to execute all necessary documents (Michael Dane)
- n. Consider resolutions calling and ordering the May 6, 2023 elections, authorizing the execution of an agreement for Election Services with Tom Green County Elections Administration, and authorizing the City Manager to execute all related documents for:
 - 1. a General Election for Single Member District Council Members 1, 3, and 5
 - 2. a Special Election reviewing the Chief of Police provisions in the City Charter (Heather Stastny)
- o. Consider resolutions approving the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Tina Dierschke)
- p. Second reading and consideration of the following ordinances:
 - 1. amending Chapter 6 "Fire and Rescue" of the San Angelo Code of Ordinances by amending Article 6.03, Section 6.03.031 "Adoption and Amendments" and amending Article 6.06 "Open Burning" (Billy Clemons)
 - 2. amending Chapter 4 "Building and Construction" of the San Angelo Code of Ordinances by deleting and replacing Article 4.04 "Technical and Construction Codes and Standards" by adopting the International Codes 2021 and the National Electrical Code 2020 with amendments (Charlie Kemp)
- q. Second reading of an ordinance for Z22-23 to rezone properties from the Single-Family Residential zoning district to the Two-Family Residential zoning district, being 2.129 acres, located at the northwest corner of Travis St. and E. 30th St. (Jon James)
- r. Second reading of ordinances on the following cases for property being 0.58 acres located at 3707 N. Chadbourne St.:
 - 1. CP22-06, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood to Commercial;

2. Z22-24, a request for approval of a rezoning from the Single-Family Residential zoning district to the General Commercial zoning district (Jon James)

6. Regular Agenda

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

- a. Consideration of an item to reconsider the abandonment of approximately 4,060-ft of the right-of-way of Cox Ln., beginning near 1861 Cox Ln. and extending 2,330-ft to the west, then 1,730-ft south, ending approximately 320-ft north of the intersection of Sunset Dr. and Foster Rd. (Presentation made by Planning & Development Services Director Jon James)
- b. Consider ratifying a COSADC resolution authorizing the Board President to negotiate and execute a professional services agreement with Kimley-Horn and Associates, Inc., in an amount not to exceed \$83,500 plus expenses to perform professional engineering and design services evaluation of non-potable fire suppression pump station at the San Angelo Regional Airport (Mathis Field), a project authorized under Chapter 505 of the Development Corporation Act for infrastructure improvements necessary for development at Mathis Field, subject to approval of the City Council (Presentation made by Economic Development Interim Director Michael Dane)
- c. Consider a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the remainder of the 2022-2023 term (Presentation made by Deputy City Clerk Heather Stastny)
- d. First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, for an additional full-time parks position for the purpose of maintenance activities within the Tax Increment Investment Zones and capital expenses (Presentation made by Finance Director Tina Dierschke)

7. Closed Session

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

- a. Section 551.072 - Deliberations about real property regarding 122.36 acres out of Survey 644, Abstract 1181 W. Spornhawn and out of Survey 645, Abstract 4212 C. Zech

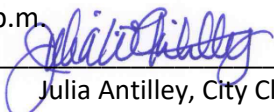
8. Follow Up and Administrative Issues

- 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 2nd day of February 2023, at 3:52 p.m.



Julia Antilley, City Clerk

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

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

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

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

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, January 17, 2023

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, January 17, 2023 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

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

3. Proclamations/Recognitions

- a. January 2023 was proclaimed School Board Recognition Month

4. Public Comment

Citizen Jasper McClellan (SMD 5) spoke regarding several traffic signal and street repair projects.

Citizen Rocky Templin (SMD 6) requested a review of the residential sidewalk requirements and procedures for obtaining and filing sidewalk waivers.

Citizens Amy Mizell-Flint (SMD 5), Rachel Hill with San Angelo Clubhouse, Larry Benton III (SMD 1), Benjamin Andrebe (SMD 3), Robert Bowling (SMD 5), Brandie Beall (SMD 1), all spoke in favor of supporting the local homeless community and reopening a shelter to provide housing.

Citizen Gary Cortese (SMD 3) requested manhole covers be replaced on Bell St.

Zane White (SMD 6) expressed concern regarding the city's enforcement of the sign ordinance and made a formal request for an item to be placed on a future agenda.

5. Consent Agenda

- a. Approval of the January 3, 2023 City Council regular meeting minutes (Julia Antilley)
- b. Award of WU-02-23 Water Distribution/Wastewater Collection Warehouse Inventory to Morrison Supply Company and Core & Main based on the lowest unit bid for each item in compliance with the specifications, budgeted for purchase in all applicable fiscal years, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- c. Authorization of an expenditure of \$305,018.16 under the existing maintenance agreement for the annual renewal of the Hexagon operating system for the Police Department and authorizing the City Manager to negotiate and execute all related documents (Frank Carter)
- d. Consider ratifying COSADC approval of proposed revisions to the COSADC Bylaws (Michael Dane)

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to approve the Consent Agenda, with the exception of item 5d. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

[Deputy City Attorney Brandon Dyson clarified portions of the revised Bylaws.]

Motion: Mayor Gunter made a motion, seconded by Council Member Thomas, to deny ratification of the Bylaw changes (item 5d). The motion carried unanimously (6) ayes to (0) nays, with no public comment.

6. Regular Agenda

- a. Update and direction on the Buffalo Soldiers Memorial project, led by the local unit of the NAACP, at El Paseo de Santa Angela Park, including clarification of the City property that is encompassed by the project (Presentation made by Parks & Recreation Director Carl White)

San Angelo Area Foundation President Matt Lewis stated the wooden fence bordering the subject project would be approximately 7-ft. tall and could be deconstructed at a later date to incorporate the adjacent properties for future city use.

Consensus: Consensus of Council was to move forward with the project as presented, noting the concerns, and allowing for the fence to be removed at a later date if needed.

- b. Adoption of a resolution supporting the private fundraising efforts to construct splash pads at City parks (Presentation made by Parks and Recreation Director Carl White) (Pg 43, 2023-006)

[Recreation Manager Brent Casey discussed the annual maintenance cost and additional personnel costs to operate the proposed facilities and outlined the potential operating schedule.]

[Parks and Recreation Director Carl White noted the city would take on all maintenance and operation costs of the splashpads. He agreed to bring the final splashpad layouts with signage back to Council before installation.]

All-Tex Irrigation Owner Jeff Perrine committed to making up to a \$200,000 donation to start fundraising efforts and is requesting full naming rights for the lifetime of the splashpads.

San Angelo Area Foundation President Matt Lewis stated the project will be a part of San Angelo Gives in May 2023 as an eligible 501(c)(3) organization.

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

- c. First public hearing and consideration of the following ordinances:
1. amending Chapter 6 "Fire and Rescue" of the San Angelo Code of Ordinances by amending Article 6.03, Section 6.03.031 "Adoption and Amendments" and amending Article 6.06 "Open Burning" (Presentation made by Fire Marshal Billy Clemons)
2. amending Chapter 4 "Building and Construction" of the San Angelo Code of Ordinances by deleting and replacing Article 4.04 "Technical and Construction Codes and Standards" by adopting the International Codes 2021 and the National Electrical Code 2020 with amendments (Presentation made by Building Official Charlie Kemp)

[Fire Marshall Billy Clemons presented item 6c1]

[Fire Chief Patrick Brody provided additional details on the importance of adopting an updated Fire Code.]

Ener-Tel Services Sales Representative Ryan Mathews provided clarification regarding the requirement of sprinklers in R-4 structures.

Citizens Rocky Templin (SMD 6), Gary Cortese (SMD 3), and County Resident Tony Jones expressed concern with proposed changes to the fire code.

New Quorum:

Quorum for item 6c2 through remainder of meeting:

Mayor Brenda Gunter

Council Member Tommy Hiebert, SMD 1

Council Member Harry Thomas, SMD 3

Council Member Karen Hesse Smith, SMD 5

Council Member Larry Miller, SMD 6

[Building Official Charlie Kemp presented item 6c2]

Wall resident Kristen Oliver, citizens Rocky Templin (SMD 6) and Gary Cortese (SMD 3), and County Resident Tony Jones expressed concern with proposed changes to the building code.

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to approve item 6c1 as presented, and item 6c2 with the following amendments: approving the use of R-30 insulation for attics, authorizing the use of ResCheck 2009 with approved R-30, eliminating the requirement for sprinklers in single-family (RS-1) and two-family (RS-2 - duplexes and townhomes) dwellings, and eliminating the enforcement of required preset thermostats in homes. The motion carried (5) ayes to (0) nays.

- d. First reading and public hearing of an ordinance approving the abandonment of approximately 4,060-ft. of the right-of-way of Cox Ln., beginning near 1861 Cox Ln. and extending 2,330-ft. to the west, then 1,730-ft. south, ending approximately 320-ft. north of the intersection of Sunset Dr. and Foster Rd. (Presentation made by Planning & Development Services Director Jon James)

SMD 1 residents Dorothy Hoelscher, Melissa Rauterkus, Mary Wilson, Phillip Bengé, Sabrina Lewis, Brandie Beall, Barbara Bengé, and Jerry Wilson expressed concern over the potential increase of traffic in the neighborhood.

[Public Works Executive Director Shane Kelton reviewed traffic study results conducted from Tuesday, January 10 through Thursday, January 12, 2023.]

Dorado Construction Group Project Manager Hillary Bueker clarified the property line of the proposed housing addition and re-focused the discussion to today's item, the abandonment of Cox Lane, addressed citizens' concerns regarding stormwater run-off, and increased traffic.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item as presented. The motion failed (3) ayes to (2) nays with Council Members Hesse Smith and Miller casting the dissenting votes.

[Mayor Gunter asked to bring the item back for reconsideration at the next meeting (as outlined in Chapter 1, Article 1.03, Section 1.03.002b2) voting whether to waive the six month waiting period.]

- e. First reading and public hearing of an ordinance for Z22-23 to rezone properties from the Single-Family Residential zoning district to the Two-Family Residential zoning district, being 2.129 acres, located at the northwest corner of Travis St. and E. 30th St. (Presentation made by Planning & Development Services Director Jon James)

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

- f. First reading and public hearing of ordinances on the following cases for property being 0.58 acres located at 3707 N. Chadbourne St.:
 1. CP22-06, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood to Commercial;
 2. Z22-24, a request for approval of a rezoning from the Single-Family Residential zoning district to the General Commercial zoning district (Presentation made by Planning & Development Services Director Jon James)

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

- g. Update on employment vacancy rate (Requested by Council Member Miller) (Presentation made by Human Resources Director Bryan Kendrick)

No Action Taken on this Item.

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. Deliberations about real property regarding 122.36 acres out of Survey 644, Abstract 1181 W. Spornhawn and out of Survey 645, Abstract 4212 C. Zech

No Action Taken on this Item.

8. Follow Up and Administrative Issues

- a. Consideration of items discussed in Closed Session, if needed
- b. Approval of various Board nominations

Civic Events Advisory Board: Laurie Dicello (SMD3) to a first term ending December 2024

Civil Service Commission: Billie DeWitt to a first term ending January 2025

Design and Historic Review Commission: Kenna Archer (SMD2) to an unexpired term ending September 2023

Fort Concho Museum Board: George Balli (SMD2) and Monty Stanley (SMD4) to a first full term, Tracy Simpson (Mayor) and Tommy Earnest (SMD1) to a first term, Donald Barnhart (Mayor) and Yukio Kuniyuki (SMD3) to a second term, Jason Pierce (SMD1) to a third term, all ending January 2025

Parks and Recreation Advisory Board: Suzi Marshall (SMD3) and Alicia Olshanski (SMD4) to a first term ending December 2024

Planning Commission: Trinidad Aguirre (SMD4) to a first full term, Kandi Pool (SMD3) to a first term, Travis Stribling (SMD5) to a third term, all ending January 2025

Tax Increment Reinvestment Zone: Jon Mark Hogg (SMD1) as Chairman of the board for a one-year term ending January 2024

Zoning Board of Adjustment: Teri Jackson (SMD3) to an unexpired term ending January 2024, Dietrick Tillis (SMD4) and Julie Efferson (Mayor Pro Tem/Alternate 2) to a first full term, Bobby Guerrero (SMD2) and Stephanie Hamby (Alternate 1/Mayor Pro Tem) to a third term, all ending January 2025

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

- c. Announcements and consideration of Future Agenda Items

- Consider moving the May 2 meeting to Thursday, May 4, 2023
- Consider moving the May 16 meeting to Wednesday, May 17, 2023 to include canvassing of the May 6 election results

Consensus: Consensus of Council was to move the two regular meetings in May to the proposed dates.

9. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to adjourn the meeting. The motion carried unanimously (5) ayes to (0) nays, with no public comment.

There being no further business, the meeting adjourned at 2:37 p.m.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Heather Stastny, Deputy City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sandra Aguilar, Recreation Supervisor - Senior Services, Senior Services

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider approving an amendment to the current lease agreement with Concho Valley Council of Governments-West Texas RSVP (Retired Senior Volunteer Program) for an extension of 3 months from April 1, 2023 to June 30, 2023 (Sandra Aguilar)

Staff Recommendation:

Approve

Summary/History:

Concho Valley Council of Governments-West Texas RSVP (Retired Senior Volunteer Program) has the current lease with the City of San Angelo-Recreation from March 1, 2021 to March 31, 2023. Concho Valley Council of Governments has moved its offices to a larger building, adding more office space for their programs, which includes West Texas RSVP moving to their new location. To give the staff more time to move to these offices, RSVP is requesting an extension of the current lease for 3 months (April 1 to June 30, 2023).

Funding Source(s):

Financial Impact:

Current rent is \$410 per month and will stay the same for the requested 3 month extension.

Other Information/Recommendation:

Attachments:

- | | |
|--|---|
| 1. 21-0177_RSVP LEASE AGREEMENT_COSA-CVCOG.doc (002) | 21-0177_RSVP LEASE AGREEMENT_COSA-CVCOG.doc (002).pdf |
|--|---|

Presentation:

Sandra Aguilar

Approvals/Reviews:

Sandra Aguilar

Created/Initiated

Brent Casey	Approved
Carl White	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

LEASE AGREEMENT

THE CITY OF SAN ANGELO, a Texas home rule municipal corporation, hereinafter known as "Lessor", hereby leases, under the following terms and conditions as hereinafter set out, unto CONCHO VALLEY COUNCIL OF GOVERNMENTS, WEST TEXAS RSVP, a Texas not for profit corporation, hereinafter known as "Lessee", property described at paragraph number 1. "PREMISES" below.

1. PREMISES.

1.1 The leased premises include the property described in **Exhibit "A"** attached and made a part of this Lease Agreement for all purposes (hereinafter referred to as "Premises" or "Leased Premises").

2. TERM.

2.1 The term of this Lease shall be for two (2) years and one (1) month, beginning March 1, 2021, and ending on March 31, 2023.

3. RENT.

3.1 Amount. Lessee shall pay City as rent for Leased Premises, a sum of Four Hundred Ten and No/100 Dollars (\$410.00) on or before the fifteenth (15th) of each month during the term of the lease.

4. USE OF LEASED PREMISES.

4.1 Use. The primary intended use of the Leased Premises by Lessee shall be only for activities associated with the senior volunteer service agency program and volunteer services offices and for uses normally incident thereto and for no other purpose. Such use includes access to the public restrooms and use of a small portion of the basement for storage. Lessee shall also be permitted to use the kitchen and large activity area so long as such use is coordinated with Lessor.

4.2 Termination.

4.2.1 If at any time the Leased Premises and any improvements thereon shall cease to be used for the purpose specified in Section 4.1, or if the Leased Premises shall be deserted or vacated, or if Lessee defaults in performance of any other term or condition of this Lease Agreement, Lessor shall have the right to terminate this Lease Agreement by giving fifteen (15) days written notice to Lessee during which time Lessee may cure the breach of the Lease Agreement and thereby avoid termination.

4.2.2 At any time after expiration of the first three year term of this Lease Agreement, Lessor shall also have the right to terminate this Lease Agreement for any use deemed more appropriate by the City Council after written notice is given to Lessee and the elapse of ninety (90) days. If termination occurs under this

provision, Lessee shall have the right to remove only those improvements placed by Lessee during the current term of this Lease Agreement, provided such improvements can be removed without damage to Lessor's property, but in no event shall Lessor be required to reimburse Lessee for improvements which remain on the Premises or expenses incurred by Lessee in connection with removal of the improvements.

5. CONDITION OF LEASED PREMISES.

- 5.1 Disclaimer of Warranties. ALL WARRANTIES OF LESSOR THAT MAY ARISE IN COMMON LAW ARE EXCLUDED. LESSOR GIVES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE CONDITION OF THE LEASED PREMISES OR ANY IMPROVEMENTS THEREON, INCLUDING WARRANTY OF HABITABILITY OR FITNESS FOR A PARTICULAR USE. THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE AND PROGRAM AGREEMENT, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.
- 5.2 Improvements. It is agreed by the parties that Lessee, subject to the prior approval of the City Council of the City of San Angelo, shall have the right from time to time at its sole cost and expense, to construct on the Leased Premises such buildings or structural improvements, and such structural alterations, additions, and changes therein as Lessee may deemed necessary or convenient for the purpose of conducting activities relating to the uses described herein.
- 5.3 Permits. If Lessee constructs any building or improvement on the leased property, Lessee shall comply with the terms of this Lease Agreement, with the Building, Electrical, Mechanical, and Plumbing Codes of the City of San Angelo as adopted and amended by ordinance, with ordinances of the City of San Angelo, and with the laws of the State of Texas, so far as one or more of them may be applicable.
- 5.4 Maintenance. Lessee agrees, at Lessee's expense, to keep and maintain any and all structures in place, erected, or caused to be erected or placed on the Leased Premises in good and tenantable condition and appearance, and further agrees to keep said Premises in a neat, clean, and respectable condition by prompt removal of all trash, litter, debris, and junk, and will keep said Premises cleared of all objectionable matter.
- 5.5 Failure to Maintain. In the event Lessee shall fail to keep said Leased Premises maintained as herein required, as determined in the sole discretion of Lessor, then the Lessor, after notice to Lessee of the default and providing time to comply as herein provided, shall have the power and express authority to cause or require the Premises to be cleaned, cleared, mowed, or repaired, and Lessee expressly agrees that the cost of any such cleaning, clearing, mowing, or repairing shall be deemed additional rent, becoming past due thirty (30) days from the date on which any such work or repair is completed and notice of the amount due is given to Lessee, past due amounts to accrue interest at the rate of six (6) percent per annum until paid in full.

6. RESERVATIONS, LIMITATIONS AND CONDITIONS.

- 6.1 Reservations. Lessor, its agents or assigns, reserves the privilege and right at any time to execute and deliver valid oil, gas, and other mineral leases upon the Premises, valid right-of-way easements for gas, oil, or water pipelines, telephone, cable, electric pole transmission lines, or other utility lines on said Premises, or any part thereof, and in such event this Lease Agreement shall be subject and subordinate to the rights, terms and privileges of any such oil, gas, and other mineral lease or such easements as may have been executed heretofore or hereafter by Lessor, its agents or assigns.
- 6.2 Easements. An easement across the Premises is hereby reserved and retained by Lessor for the purpose of laying sewer and water lines and/or for necessary rights-of-way for roads, alleys, or other throughways.
- 6.3 No Assignment or Subletting. Lessee may not transfer, assign or sublet this Lease Agreement, in whole or in part, without the prior written consent of Lessor, which consent may be withheld in the sole discretion of Lessor.
- 6.4 No Encumbrances. Lessee shall not have the right to encumber the Leased Premises without first securing written consent from Lessor given by authority of the City Council of the City of San Angelo; provided however, this provision shall not prohibit Lessee from encumbering its personal property which may be removed from the realty without injury to the realty.
- 6.5 Lessor's Right to Enter. At all times during the term of the Lease Agreement, Lessor or its agents shall have the right to enter said Premises during reasonable hours for the purpose of examining and inspecting the same and determining whether Lessee shall have complied with all of its obligations hereunder in respect to all the terms and conditions of this Lease Agreement.

7. DEBTS RELATED TO LEASED PREMISES.

- 7.1 Taxes. Lessee shall pay and discharge all taxes, general and special assessments, and other charges of every description which during the term of this Lease Agreement may be levied on or assessed against the Leased Premises and all interest therein and all improvements and other property thereon, whether belonging to Lessor or Lessee, or to which either of them may become liable. Lessee shall pay all such taxes, charges, and assessments to the public officer charged with the collection thereof not less than fifteen (15) days before the same shall become delinquent, and LESSEE AGREES TO INDEMNIFY AND SAVE HARMLESS LESSOR FROM ALL SUCH TAXES, CHARGES AND ASSESSMENTS. The provisions of this paragraph shall survive the expiration or termination of this agreement. Failure to pay such taxes and special assessments as provided herein shall, at the option of Lessor, result in termination of this Lease Agreement.
- 7.2 Incidental Charges. Lessee shall pay or cause to be paid all incidental charges, including, but not limited to, permit fees incurred in connection with its operations and use of the Leased Premises.

8. COVERAGES.

8.1 INDEMNIFICATION AND INSURANCE.

See **Exhibit “B”** attached hereto and incorporated herein for all purposes.

9. SURRENDER OF PREMISES.

9.1 Restoration. Unless this Lease Agreement is terminated under Section 4.2, in which case the provisions of 4.2 apply, the Premises and any improvements and fixtures shall remain the property of Lessor. All improvements and fixtures restored to possession of Lessor, regardless of how this Lease Agreement is terminated, shall be in good condition (reasonable wear and tear, acts of nature, or casualties associated with civil disorders or military activities excepted).

9.2 Delivery. Lessee agrees to promptly and peacefully deliver possession of the Leased Premises and improvements to Lessor upon termination of this Lease Agreement.

9.3 Abandoned Property. All items of personal property, remaining in or on the Leased Premises after the expiration of sixty (60) days following the termination of this Lease Agreement shall be deemed abandoned by Lessee and shall become the property of Lessor.

10. MISCELLANEOUS.

10.1 Invalid or Illegal Provisions. If any clause or provision of this Lease Agreement is illegal, invalid, or unenforceable under present or future laws effective during the term of this Lease Agreement, then and in that event, it is the intent of the parties that the remainder of this Lease Agreement shall not be affected. It is also the intent of the parties to this Lease Agreement that in lieu of each clause or provision of this Lease Agreement that is illegal, invalid, or unenforceable, there are added as a part of this Lease Agreement a clause or provision as similar in terms to such illegal, invalid, or unenforceable clause or provision as may be possible to be legal.

10.2 Terms of the Essence. IT IS UNDERSTOOD AND AGREED BETWEEN THE PARTIES HERETO THAT EACH AND EVERY TERM, STIPULATION AND RESTRICTION CONTAINED HEREIN IS OF THE ESSENCE TO THIS LEASE AND PROGRAM AGREEMENT, THE VIOLATION OF WHICH SHALL ENTITLE LESSOR, AT ITS OPTION, TO TERMINATE THIS LEASE AND PROGRAM AGREEMENT. FAILURE TO EXERCISE SUCH OPTION AT ANY TIME SHALL NOT BE CONSTRUED AS A WAIVER OF ANY CONDITION OF THIS LEASE AND PROGRAM AGREEMENT.

10.3 Remedies.

10.3.1 Upon Termination. Any termination of this Lease Agreement shall not relieve Lessee from the payment of any sum or sums that then shall be due and payable

to Lessor hereunder, or any claim for damages then or theretofore accruing against Lessee hereunder, and any such sum or sums or claim for damages by any remedy provided by law, or from recovering damages from Lessee for any default thereunder. The provisions of this paragraph shall survive the expiration or termination of this agreement.

10.3.2 Cumulative Remedies. All rights, options, and remedies of the parties contained in this Lease Agreement or otherwise shall be construed and held to be cumulative, and no one of them shall be exclusive of the other, and either party shall have the right to pursue any one or all such remedies or any other remedy or relief which may be provided by law, whether or not stated in this Lease Agreement. No waiver by Lessor of a breach of any of the covenants, conditions, agreements, or restrictions of this Lease Agreement shall be construed or held to be a waiver of any succeeding or preceding breach of the same or any other covenant, condition, or restriction herein contained.

10.3.3 Right of Prevailing Party. If any legal action is brought by either of the parties hereto, it is expressly agreed that the prevailing party in such legal action shall be entitled to recover from the other party reasonable attorney's fees in addition to any other relief that may be awarded. For the purposes of this clause, the prevailing party is the party in whose favor final judgment is entered. In the event that declaratory or injunctive relief alone is granted, the court may determine which, if either, of the parties shall be considered to be the prevailing party. The amount of reasonable attorney's fees shall be determined by the court, in the trial of such action or in a separate action brought for that purpose. Attorney's fees awarded under the provisions of this paragraph shall be in addition to any other relief that may be awarded.

10.4 Notices. Any notice required or permitted to be given to a party under this Lease Agreement, shall be in writing and shall be deemed given (i) on the day it is delivered personally (with receipt); or (ii) the day after it is deposited with a nationally recognized courier service for next-day delivery; or (iii) three (3) days after it is deposited in the U.S. certified mail, postage prepaid, return receipt requested, addressed as follows:

If to Lessor: City of San Angelo
Attn: Carl White
72 W. College Avenue
San Angelo, Texas 76903

If to Lessee: Concho Valley Council of Governments
Attn: Executive Director, John Austin Stokes
West Texas RSVP
2801 W. Loop 306 Suite A
San Angelo, Texas 76904

10.5 Amendments. No modification of this Lease Agreement shall be binding unless it be in writing and executed in due form by Lessor and Lessee.

10.6 Easements and Restrictions. Lessee takes this Lease Agreement and the Leased Premises subject to all recorded easements and restrictions affecting the occupation and use thereof, and subject to all statutes, ordinances, and regulations of competent governmental authority affecting the occupancy and use thereof, and the construction and maintenance of improvements thereof.

10.7 Relationship of Lessor and Lessee. The relationship between Lessor and Lessee at all times shall remain solely that of Landlord and Tenant and shall not be deemed a partnership or joint venture.

10.8 Headings. The paragraph headings contained herein are for convenience and reference and are not intended to define, extend, or limit the scope of any provisions of this Lease Agreement.

10.9 Interpretation; Venue. This Lease Agreement shall be construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Tom Green County, Texas.

10.10 Anti-Discrimination. Lessee agrees that it will not violate any federal, state, civil rights, or discrimination laws. A finding of violation of any such laws by a trial court or appropriate state or federal agency is a material breach of this Lease Agreement which may result in the termination of this Lease Agreement or such other remedy as Lessor may deem appropriate.

10.11 Compliance with ADA. Lessee agrees to make any and all displays, events, or activities on Leased Premises accessible to individuals with disabilities in compliance with the Americans with Disabilities Act. Lessee further agrees to provide participants with necessary impairment aids.

10.12 Hold Over. It is distinctly understood and agreed by and between Lessor and Lessee that any holding over by Lessee of the herein demised Premises after the expiration of this Lease Agreement shall operate and be construed only as a tenancy from month to month, terminable at the will of Lessor.

10.13 Entire Agreement. The Lease Agreement constitutes the entire agreement between the parties hereto, and Lessor is not bound by any agreement, stipulation, or representation made by any agent, employee, or official of Lessor.

[Signature page to follow]

EXECUTED in duplicate originals on this the 4th day of May, 2021.

LESSOR
CITY OF SAN ANGELO, Texas

DocuSigned by:
By: Daniel Valenzuela
Daniel Valenzuela, City Manager

ATTEST:

DocuSigned by:
Julia Amick
Julia Amick, City Clerk

LESSEE
CONCHO VALLEY COUNCIL OF
GOVERNMENTS
WEST TEXAS RSVP

DocuSigned by:
By: John Austin Stokes, Exec Dir CVCG
John Austin Stokes
ITS: Executive Director

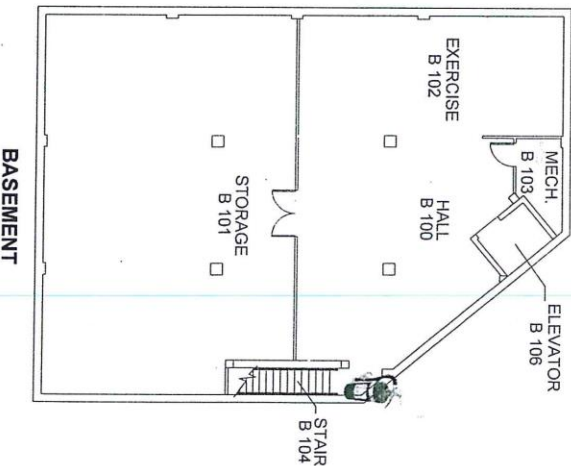
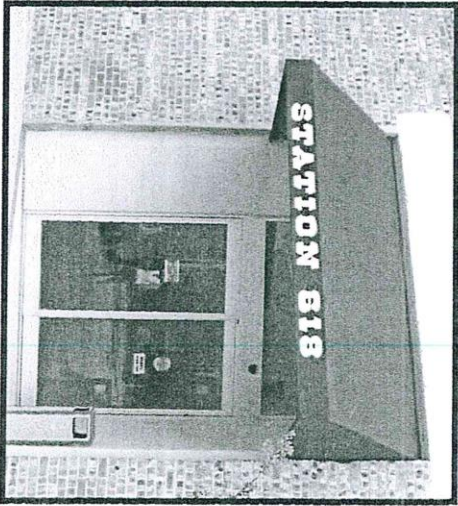
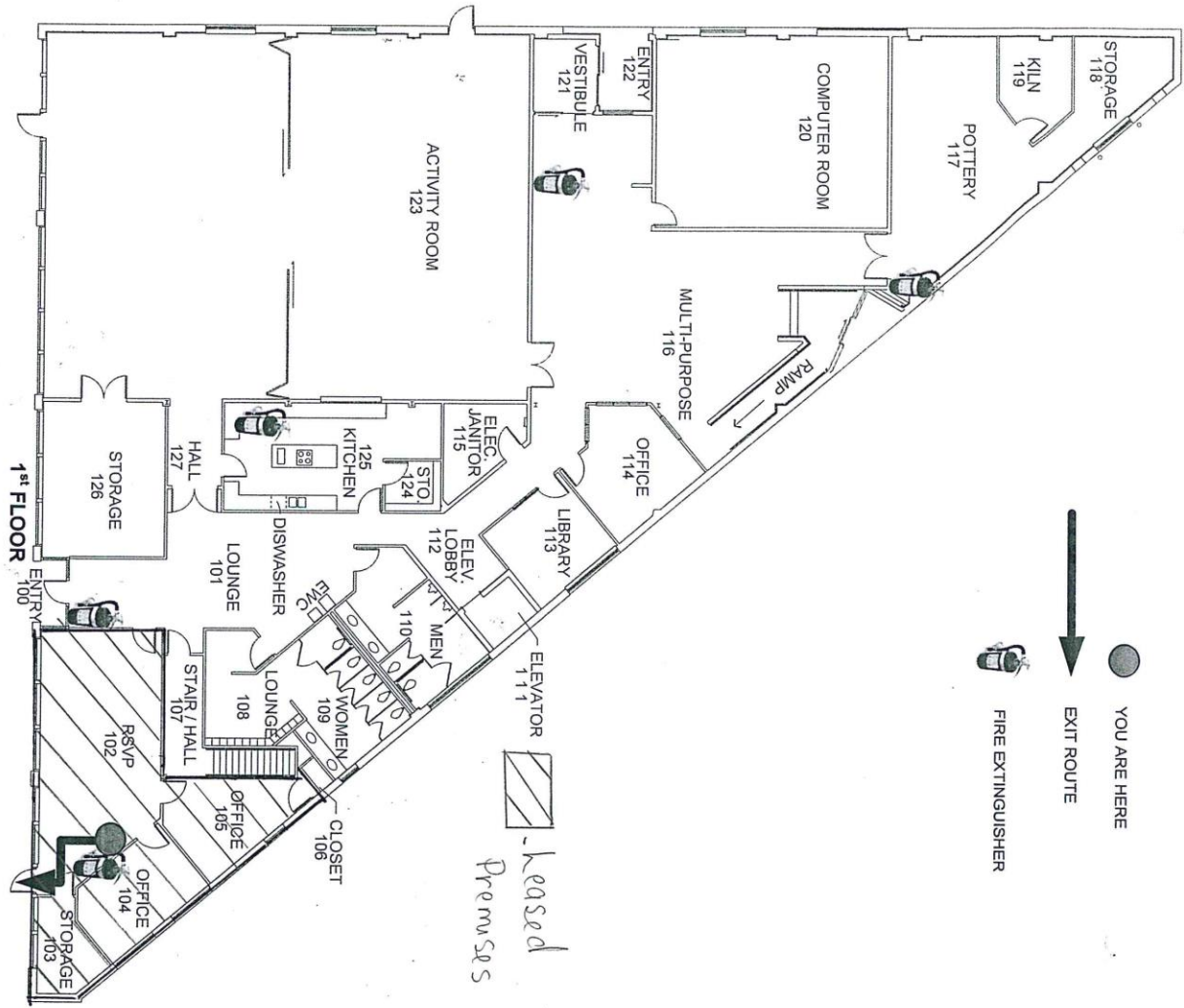
APPROVED AS TO CONTENT

DocuSigned by:
Carl White
Carl White, Director of Parks & Rec.

APPROVED AS TO FORM

DocuSigned by:
Theresa James
Theresa James, City Attorney

EXHIBIT A
LEASE AGREEMENT
DESCRIPTION OF LEASED PREMISES



**EXHIBIT B
LEASE AND PROGRAM AGREEMENT**

INSURANCE REQUIREMENTS

1 INDEMNIFICATION.

- 1.1 GENERAL INDEMNIFICATION. LESSEE AGREES TO INDEMNIFY, DEFEND, AND HOLD CITY, ITS COUNCIL MEMBERS, BOARD AND COMMISSION MEMBERS, OFFICIALS, AGENTS, GUESTS, INVITEES, CONSULTANTS AND EMPLOYEES FREE AND HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, PROCEEDINGS, SUITS, JUDGMENTS, COSTS, PENALTIES, FINES, DAMAGES, LOSSES, ATTORNEYS' FEES AND EXPENSES ASSERTED BY ANY PERSON OR PERSONS, INCLUDING AGENTS OR EMPLOYEES OF LESSEE OR CITY, BY REASON OF DEATH OR INJURY TO PERSONS, OR LOSS OR DAMAGE TO PROPERTY, RESULTING FROM OR ARISING OUT OF, THE VIOLATION OF ANY LAW OR REGULATION OR IN ANY MANNER ATTRIBUTABLE TO ANY ACT OF COMMISSION, OMISSION, NEGLIGENCE OR FAULT OF LESSEE, ITS AGENTS OR EMPLOYEES, OR THE JOINT NEGLIGENCE OF LESSEE AND ANY OTHER ENTITY, AS A CONSEQUENCE OF ITS EXECUTION OR PERFORMANCE OF THIS LEASE AND PROGRAM AGREEMENT OR SUSTAINED IN OR UPON THE PREMISES, OR AS A RESULT OF ANYTHING CLAIMED TO BE DONE OR ADMITTED TO BE DONE BY LESSEE HEREUNDER. THIS INDEMNIFICATION SHALL SURVIVE THE TERM OF THIS LEASE AND PROGRAM AGREEMENT AS LONG AS ANY LIABILITY COULD BE ASSERTED. NOTHING HEREIN SHALL REQUIRE LESSEE TO INDEMNIFY, DEFEND OR HOLD HARMLESS ANY INDEMNIFIED PARTY FOR THE INDEMNIFIED PARTY'S OWN GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.
- 1.2 PROSPECTIVE APPLICATION. ANY AND ALL INDEMNITY PROVIDED FOR IN THIS LEASE AND PROGRAM AGREEMENT SHALL SURVIVE THE EXPIRATION OF THIS LEASE AND PROGRAM AGREEMENT AND THE DISCHARGE OF ALL OTHER OBLIGATIONS OWED BY THE PARTIES TO EACH OTHER HEREUNDER AND SHALL APPLY PROSPECTIVELY NOT ONLY DURING THE TERM OF THIS LEASE AND PROGRAM AGREEMENT BUT THEREAFTER SO LONG AS ANY LIABILITY (INCLUDING BUT NOT LIMITED TO LIABILITY FOR CLOSURE AND POST CLOSURE COSTS) COULD BE ASSERTED IN REGARD TO ANY ACTS OR OMISSIONS OF LESSEE IN PERFORMING UNDER THIS LEASE AND PROGRAM AGREEMENT.

2 Insurance.

- 2.1 General Conditions. The following conditions shall apply to all insurance policies obtained by Lessee for the purpose of complying with this Lease Agreement.

- 2.1.1 Satisfactory Companies. Coverage shall be maintained with insurers and under forms of policies satisfactory to Lessor and with insurers licensed to do business in Texas.
- 2.1.2 Named Insureds. All insurance policies required herein shall be drawn in the name of Lessee, with Lessor, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees named as additional insureds, except on Workers' Compensation coverage.
- 2.1.3 Waiver of Subrogation. Lessee shall require its insurance carrier(s), with respect to all insurance policies, to waive all rights of subrogation against Lessor, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees.
- 2.1.4 Certificates of Insurance. At or before the time of execution of this Lease Agreement, Lessee shall furnish Lessor's Risk Manager with certificates of insurance as evidence that all of the policies required herein are in full force and effect and provide the required coverages and limits of insurance. All certificates of insurance shall clearly state that all applicable requirements have been satisfied. The certificates shall provide that any company issuing an insurance policy shall provide to Lessor not less than TEN (10) days advance notice in writing of cancellation, non-renewal or material change in the policy of insurance. In addition, Lessee and insurance company shall immediately provide written notice to Lessor's Risk Manager upon receipt of notice of cancellation of any insurance policy, or of a decision to terminate or alter any insurance policy. Certificates of insurance and notices of cancellations, terminations or alterations shall be furnished to Lessor's Risk Manager at City Hall, 72 West College, San Angelo, Texas 76903.
- 2.1.5 Lessee's Liability. The procurement of such policy of insurance shall not be construed to be a limitation upon Lessee's liability or as a full performance on its part of the indemnification provisions of this Lease Agreement. Lessee's obligations are, notwithstanding any policy of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its activities conducted at or upon the premises. Failure of Lessee to maintain adequate coverage shall not relieve Lessee of any contractual responsibility or obligation.
- 2.1.6 Contractors' Insurance. Lessee shall cause each Contractor and Sub-Contractor of Lessee to purchase and maintain insurance of the types and in the amounts specified below. Lessee shall require Contractors and Sub-contractors to furnish copies of certificates of insurance to Lessor's Risk Manager evidencing coverage for each Contractor and Sub-Contractor.
- 2.2 Types and Amounts of Insurance Required. Lessee shall obtain and continuously maintain in effect at all times during the term hereof, at Lessee's sole expense, insurance

coverages as follows with limits not less than those set forth below:

..TYPES OF COVERAGES

2.2.1 Commercial General Liability. This policy shall be an occurrence-type policy and shall protect the Lessee and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than the Lessee's employees) and damage to property of the Lessor or others arising out of the act or omission of the Lessee or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Lessee under the paragraph of this Lease Agreement entitled "Indemnification," including completed operations, products liability, contractual coverage, broad form property coverage, explosion, collapse, underground, premises/operations, and independent contractors (to remain in force for two years after final payment). Coverage shall not be less than:

\$ 1,000,000.00	General Aggregate
\$ 500,000.00	Products- Completed Operations
\$ 500,000.00	Personal & Advertising Injury
\$ 500,000.00	Each Occurrence
\$ 100,000.00	Fire Damage (any one fire)

2.2.2 Workers' Compensation and Employer's Liability. If Lessee hires any employees, Lessee shall maintain Workers' Compensation and Employer's Liability insurance, which shall protect the Lessee against all claims under applicable state workers' compensation laws and employer's liability. The insured shall also be protected against claims for injury, disease or death of employees which, for any reason, may not fall within the provisions of a workers' compensation law. Coverage shall not be less than:

Statutory Amount	Workers' Compensation
\$ 100,000.00	Employer's Liability, Each Accident
\$ 100,000.00	Employer's Liability, Disease – Each Employee
\$ 500,000.00	Employer's Liability, Disease - Policy Limit

The foregoing requirement will not be applicable if, and so long as, Lessee qualifies as a self-insurer under the rules and regulations of the commission or agency administering the workers' compensation program in Texas and furnishes evidence of such qualification to Lessor in accordance with the notice provisions of this Lease Agreement.

If Lessee uses contract labor, Lessee shall require its contractor to maintain the above referenced coverage and furnish copies of certificates of insurance as required herein.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeremy Valgardson, Airport Director, Airport

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider approving an amendment to the Skyline Lease Agreement, 8926 Hangar Rd., for a special use permit and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)

Staff Recommendation:

Approve

Summary/History:

The San Angelo Performing Arts Center (SAPAC) has requested to use the Skyline Hangar (8926 Hangar Road) for a public fundraiser dinner and dance presentation. The lease allows for non-aeronautical use of the hangar as long as fire code can be met for occupancy, and the tenant (Skyline) receives an amendment for such use. The Fire Marshal has inspected the facility and has given his conditional approval assuming they follow certain fire mitigation efforts. We have reached out to TSA and cleared the event with them. No public will be granted access to the outside airport ramp.

Funding Source(s):

Financial Impact:

No financial impact.

Other Information/Recommendation:

Attachments:

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson
Theresa James

Created/Initiated
Approved

Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ron Lewis, Facilities Maintenance Manager, Facilities Maintenance

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider awarding CFM-02-23 Pest Control Services for various COSA Facilities to MDK Services, LLC in an amount not to exceed \$11,908 annually (for the full 5-year term not to exceed \$59,540) and Bug Express in an amount not to exceed \$16,055 annually (for the full 5-year term not to exceed \$80,275) budgeted for purchase in each fiscal year, and authorizing the City Manager to negotiate and execute all related documents (Ron Lewis)

Staff Recommendation:

Approve

Summary/History:

Facilities Maintenance worked closely with the Purchasing department to advertise an RFB for Pest Control Services. Two local vendors responded. We recommend both vendors be issued a contract that will allow COSA departments to choose which provider best meets their scheduled needs.

Funding Source(s):

Financial Impact:

Facilities Maintenance assists all COSA departments by providing multiple vendors when possible for various services. However, each building/facility manager is responsible for contacting the vendor and issuing Purchase Orders for the needed services. Expenditures will only be to the vendor selected by each department.

Other Information/Recommendation:

Attachments:

1. Bid Tabulation CFM-02-23

Bid Tabulation CFM-02-23.pdf

Presentation:

Ron Lewis

Approvals/Reviews:

Ron Lewis
Theresa James
Jeffrey Tomlinson
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval



RFB Bid Tabulation

CFM-02-23 Pest Control Services

Friday, January 20, 2023 2:00 p.m.

						BUG EXPRESS	MDK SERVICES LLC
Item	Facility	Address	Contact Person	Frequency	Visits Monitored	Annual Rate Per Facility	Annual Rate Per Facility
1	City Hall	72 W. College Ave.	Kyle Henry (325) 656-3324	Monthly	Yes	\$ 300.00	\$ 204.00
2	Community Development Building	52 W. College Ave.	Kyle Henry (325) 656-3324	Monthly	Yes	\$ 300.00	\$ 204.00
3	Storm Water	1923 St. Ann	Shelly Paschal (325)657-4201	Monthly	No	\$ 300.00	\$ 780.00
4	Santa Fe Crossing	702 S. Chadbourne St.	Sandra Aguilar (325) 657-4484	Monthly	No	\$ 240.00	\$ 180.00
5	Station 618	618 S. Chadbourne St.	Sandra Aguilar (325) 657-4484	Monthly	No	\$ 300.00	\$ 180.00
6	Carl Ray Center	1103 N. Farr St.	John Henry Perez (325) 657-4450	Monthly	No	\$ 300.00	\$ 180.00
7	Southside Recreation	2750 Ben Ficklin Rd.	John Henry Perez (325) 657-4450	Monthly	No	\$ 300.00	\$ 180.00
8	Municipal Pool	18 E. Avenue A	John Henry Perez (325) 657-4450	Monthly	No - Call ahead for access	\$ 300.00	\$ 180.00
9	Nature Center	7409 Knickerbocker Rd.	John Henry Perez (325) 657-4450	Monthly	No	\$ 300.00	\$ 180.00
10	Municipal Court	110 S. Emerick St.	Sylvia Guadarrama (325) 657-4366	Monthly	No	\$ 300.00	\$ 240.00
11	Wastewater Treatment Plant	1898 City Farm Rd	Jerry Searcy (325) 655-3129	Quarterly	No	\$ 240.00	\$ 240.00
12	Police Department	401 E. Beauregard Ave.	Domingo Sanchez (325) 657-4311	Monthly	Yes	\$ 360.00	\$ 300.00
13	Police Training Facility	3783 FM 584	Domingo Sanchez (325) 657-4311	Monthly	Yes	\$ 600.00	\$ 420.00
14	Police Community Services	505 S. Chadbourne St.	Domingo Sanchez (325) 657-4311	Monthly	Yes	\$ 240.00	\$ 300.00
15	Police Gun Range	4569 City Farm Rd.	Domingo Sanchez (325) 657-4311	Quarterly	Yes	\$ 240.00	\$ 160.00
16	McNease Convention Center	501 Rio Concho Dr.	Becky Conoly (325) 653-9577	Monthly	No	\$ 420.00	\$ 300.00
17	Foster Communications Coliseum	50 E. 43 rd St.	Becky Conoly (325) 653-9577	Monthly	No	\$ 600.00	\$ 420.00
18	Animal Shelter	3142 Hwy 67 N.	Morgan Chegwiddden (325) 657-4224	Every 3 Weeks	Yes	\$ 595.00	\$ 504.00
19	Public Safety Communications	323 E. Beauregard Ave.	John Bouigny (325) 653-4552	Every Other Month	Yes	\$ 240.00	\$ 180.00
20	Central Fire Dept.	306 W. 1st St.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00	\$ 114.00

21	Fire Training Center	1525 S. Concho Park Dr.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
22	Fire Training Center (new)	3154 US Hwy 67 North.	Assistant Chief Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
23	Fire Station #2	4702 Southland Blvd.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
24	Fire Station #3	514 Smith Blvd.	Assistant Chief Vernon Hancock (325) 657-4355	Every Other Month	Yes	\$ 180.00
25	Fire Station #4	702 E. Avenue L	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
26	Fire Station #5	3351 TLC Way	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
27	Fire Station #6	4386 N. Chadbourne St.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
28	Fire Station #7	3225 Executive Dr.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
29	Fire Station #8	7894 Knickerbocker Rd.	Assistant Chief/Operations Cory Sanders (325) 657-4355	Every Other Month	Yes	\$ 180.00
30	Water Distribution And Collection	1948 St. Ann St.	Nathan Timm (325) 657-4295	Monthly	No	\$ 300.00
31	Cemetery Office	1120 W Avenue N	Jeremy Walker (325) 655-9475	Quarterly	No	\$ 160.00
32	Parks Dept.	1022 Veterans Memorial Dr.	Roger Havlak (325) 659-8563	Quarterly	Yes	\$ 160.00
33	Santa Fe Train Museum	703 S. Chadbourne St.	Manda Salladay (325) 657-4407	Quarterly	Yes	\$ 160.00
34	Emergency Operations Center	8485 Hangar Rd.	Jerry Huffman (325) 657-4230	Monthly	Yes	\$ 240.00
35	Ralph Chase State Services Center	622 S. Oakes St.	Richard Marshall (325) 659-7680	Monthly	No - but must have work order signed before leaving premises	\$ 360.00

\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 90.00
\$ 216.00
\$ 100.00
\$ 120.00
\$ 100.00
\$ 168.00
\$ 240.00

36	Texas Workforce Solutions	202 Henry O. Flipper St.	Richard Marshall (325) 659-7680	Monthly	No - but must have work order signed before leaving premises	\$ 360.00				\$ 240.00		
37	TSA	8618 Terminal Circle	Jeremy Valgardson (or Designee) (325) 659-6409	Monthly	No	\$ 300.00				\$ 144.00		
38	Airport Terminal	8618 Terminal Circle	Jeremy Valgardson (or Designee) (325) 659-6409	Monthly	No	\$ 300.00				\$ 180.00		
39	Airport Control Tower	8616 Terminal Circle	Jeremy Valgardson (or Designee) (325) 659-6409	Semi-Monthly	No	\$ 120.00				\$ 288.00		
40	Water Quality Lab	1324 Metcalfe St.	Tymn Combest (325) 481-2722	Quarterly	No	\$ 160.00				\$ 160.00		
41	City Hall Annex	301 W. Beauregard	Petra Trevino (325) 657-4323	Monthly	Yes	\$ 360.00				\$ 240.00		
						Monthly	Quarterly	Bi-Monthly	Monthly	Quarterly	Bi-Monthly	
42	Ft. Concho Barracks 1	630 S. Oakes	Robert Bluthardt (325)481-2730	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
43	Ft. Concho Barracks 2	630 S. Oakes	Robert Bluthardt (325)481-2731	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
44	Ft. Concho Barracks 5	630 S. Oakes	Robert Bluthardt (325)481-2732	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
45	Ft. Concho Barracks 6	631 S. Oakes	Robert Bluthardt (325)481-2733	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
46	Ft. Concho Living History Stables	630 S. Oakes	Robert Bluthardt (325)481-2733	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
47	Ft. Concho Headquarters	630 S. Oakes	Robert Bluthardt (325)481-2734	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
48	Ft. Concho Commissary	630 S. Oakes	Robert Bluthardt (325)481-2735	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
49	Ft. Concho Quartermaster	630 S. Oakes	Robert Bluthardt (325)481-2736	Monthly/Quarterly/B i-Monthly	Yes	\$ 300.00	\$ 300.00	\$ 300.00	\$ 192.00	\$ 192.00	\$ 192.00	
50	Ft. Concho Officers Quarter's 1	630 S. Oakes	Robert Bluthardt (325)481-2737	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
51	Ft. Concho Officers Quarter's 2	630 S. Oakes	Robert Bluthardt (325)481-2738	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
52	Ft. Concho Officers Quarter's 3	630 S. Oakes	Robert Bluthardt (325)481-2739	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
53	Ft. Concho Officers Quarter's 4	630 S. Oakes	Robert Bluthardt (325)481-2740	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
54	Ft. Concho Officers Quarter's 6	630 S. Oakes	Robert Bluthardt (325)481-2741	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
55	Ft. Concho Officers Quarter's 7	630 S. Oakes	Robert Bluthardt (325)481-2742	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
56	Ft. Concho Officers Quarter's 8	630 S. Oakes	Robert Bluthardt (325)481-2743	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	
57	Ft. Concho Officers Quarter's 9	630 S. Oakes	Robert Bluthardt (325)481-2744	Monthly/Quarterly/B i-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00	

58	Ft. Concho Chapel/Schoolhouse	630 S. Oakes	Robert Bluthardt (325)481-2745	Monthly/Quarterly/Bi-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00
59	Ft. Concho Hospital	630 S. Oakes	Robert Bluthardt (325)481-2746	Monthly/Quarterly/Bi-Monthly	Yes	\$ 240.00	\$ 240.00	\$ 240.00	\$ 192.00	\$ 192.00	\$ 192.00
Total Annual Base Bid All Facilities						\$ 16,055.00			\$ 11,908.00		
List any discounts available (annual pay % discount, etc.)						5%			10%		
Annual Base Bid (After Any Available Discounts)						\$ 15,252.25			\$ 10,717.20		

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Kramer, Sr. Fleet Manager, Fleet Services

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider approving Sourcewell Contract #110421-TIM for the purchase of one bucket truck body from Versalift (Waco, TX), in the amount of \$110,408, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)

Staff Recommendation:

Approve

Summary/History:

A Sourcewell quote was requested for the purchase of one bucket truck body to be mounted on a City owned pickup chassis. This unit is intended to replace an existing unit that has surpassed its useful life expectancy and will be utilized by the Traffic Operations Division for the purpose for sign and traffic signal repair and maintenance.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
501	501-3102-800.07-42		\$110,408.00

Financial Impact:

If approved, the purchase of one Bucket Truck body from Versalift (Waco, TX) will be \$110,408, budgeted in FY23.

Other Information/Recommendation:

Staff recommends award of Sourcewell Contract #110421-TIM for the purchase of one bucket truck body from Versalift (Waco, TX).

Attachments:

- | | |
|---|---|
| 1. SOURCEWELL-CITY OF SAN ANGELO TX.
VST47MHI 23626N | SOURCEWELL-CITY OF SAN ANGELO TX. VST47MHI
23626N.docx |
|---|---|

Presentation:

Ryan Kramer

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Pete Madrid Jr.	Approved
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval

Versalift
7601 Imperial Drive
Waco, Texas 76712-6608
254.399.2100



QUOTATION

SOURCEWELL N-23626

Customer: City of San Angelo
Attn: Ryan Kramer
Email: Ryan.Kramer@cosatx.us
Address:

Date: 1/19/2023
Model: VST-47-MHI

VERSALIFT SOURCEWELL
CONTRACT #110421-TIM

Model	Description	Sourcewell Base Price
VST-40-I	Insulated 40 ft. telescopic aerial platform lift, 45 ft. working height including the following standard feature items:	\$128,462.00

STANDARD SOURCEWELL FEATURES:

- 19,500 GVWR, 84" Ford F550 4X2 chassis with automatic transmission, 6.7L diesel engine, and air conditioning.
- 132" steel service body with standard compartments treadplate tops and 24" tailshelf.
- Standard platform capacity of 500 lbs. (204 kg).
- Standard 46-1/4" pedestal.
- Hydraulic pump.
- TruGuard™ 2.0 dielectric isolating system with Right Hand single stick control. All control handles are isolated and Tested per ANSI 92.2. The high resistive dielectric system is protected from direct environmental and job related contamination. TruGuard™ 2.0 technology incorporates the use of full hydraulic controls with durable metal handles and linkages
- Main A-frame outriggers.
- Full pressure turret mounted lower controls with override.
- Engine start/stop from platform and lower controls.
- Continuous rotation including one pass slip ring for start/stop system.
- Chassis insulating system.
- Six gpm (22.7 lpm) open center hydraulic system at 2500 psi (175 kg/cm²).
- Side mounted telescopic upper boom for low stowed platform.
- Fiberglass inner boom and patented ELECTROGARD provide insulation gap fully retracted meeting ANSI A92.2-2015 requirements for Category C, 46 KV and below.
- Insulation gap and including accommodations to bridge insulation gap for testing per ANSI A92.2
- ELECTROGARD and inner boom furnished with white urethane paint over a white gel coat.
- Non-lube bearings used throughout.
- One set hydraulic tools at platform.
- Integral hydraulic oil reservoir with dual sight gauges and 17 gallon (64.4 l) capacity.
- Closed 24 in. X 24 in. X 42 in. (0.61m X 0.61m X 1.07m) fiberglass platform with one curbside step (in end hung position)
- Master/slave hydraulic leveling with upper control to tilt for cleanout or rescue.
- Upper boom storage cradle with ratchet type tie down strap and tubular rubber platform support
- PTO power source.
- Hydraulic oil.
- Mounting hardware.
- Two operator's manuals and two service manuals.
- ANSI A92.2 data plate.

SOURCEWELL OPTIONS: Price shown in addition to above price.

- VST47I aerial lift in lieu of the above VST40I aerial lift _____ \$6,704.00
- 24" x 30" x 42" closed platform with cover and liner in lieu of the 24" _____ \$954.00
- Secondary stowage system _____ \$769.00

OPEN MARKET OPTION: Price shown in addition to above price.

- 122" steel body with 36" tailshelf, 40" high compartments, LED light package, grab handles and cable step at rear curbside access, master door locks, undercoating, outrigger pad holders, and wheel chock holder in lieu of the above steel body _____ \$5,764.00
- Auxiliary H-frame outriggers with interlock and valve _____ \$4,490.00
- Outrigger down alarm _____ \$420.00
- Quick disconnect tool power _____ \$162.00
- Hydraulic extending and articulating jib pole and winch for up to 1,000 lb. capacity _____ \$7,074.00
- 4-Axis right hand single stick control _____ \$828.00
- Automatic throttle control _____ \$204.00
- Auto boom latch mounted on inner boom _____ \$1,273.00
- Safety harness and lanyard _____ \$384.00
- Four (4) outrigger pads _____ \$273.00
- Two (2) wheel chocks _____ \$36.00
- Delete the above Ford F550 4x2 chassis _____ \$<-47,706.00>

(Chassis to be supplied by customer and dropped shipped to Versalift Southwest in Waco, Texas. Chassis specifications to be approved by Versalift engineering.)

Price Summary

TOTAL PRICE F.O.B. WACO, TEXAS:	\$110,091.00
DELIVERY FREIGHT TO SAN ANGELO, TEXAS:	\$ 479.00
COMPLETE TOTAL PRICE F.O.B. SAN ANGELO, TEXAS:	\$110,408.00

TERMS: Net 30 days. MSO released after receipt of payment.

SHIPMENT: Approximately 540-630 days after receipt of order, or 60 days after receipt of chassis', whichever is later.

NOTE: Prices are subject to change due to material cost surcharges.
Delivery times are subject to change without prior notice.

Best Regards,

STAN TOMCHESSON

Government Contracts Sales Coordinator

Phone: (254) 399-2167

Email: StanTomchesson@versalift.com



CITY OF SAN ANGELO, TX.
ORDER ACKNOWLEDGMENT
SOURCEWELL N-23626
VST-47-MHI

PRINT NAME: _____

SIGNATURE: _____

DATE: _____

QUANTITY: _____

OPTIONS: _____

P.O. NUMBER: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider authorizing the City to apply for a grant to the National Endowment for the Arts for design work totaling \$80,000 (50% City match) at Bart DeWitt Park (river park from Chadbourne St. to Concho Ave.) and authorizing the City Manager to negotiate and execute all related documents (Carl White)

Staff Recommendation:

Approve

Summary/History:

We have an opportunity to apply for a design related grant with the National Endowment for the Arts through their "Grants for the Arts" program. This grant, if awarded, would cover half of the cost for design work (conceptual and construction documents) for enhancements and improvements in Bart DeWitt Park (north side of the North Concho River, between Chadbourne Street and Concho Avenue).

Enhancements and improvements that are envisioned are:

- A connection from the north end of Celebration Bridge through the park, connecting to Concho Avenue along Oakes Street. This connection would include interesting features along the way with historical and interpretative information relating to the original crossing at this location between Fort Concho and downtown.
- The addition of elements making the "Neff's" area more functional for public events. This may entail additional electrical connections, lighting, pergolas, and other elements to support the hosting of events at this location.
- The addition of landscaping around the new ramp/stairs connecting the park with Chadbourne Street, as well as artistic elements and interactive elements such as slides. The goal is to better integrate this vertical connection between the park and street and make it more interesting and usable.

Funding Source(s):

Financial Impact:

The total design project budget is \$80,000. If the grant is awarded, \$40,000 of the cost would be covered by the grant. The other \$40,000 (the City's required matching funds) would come from Parks budget savings in the amount of \$30,000 and \$10,000 from Environmental Health budget savings.

Should our grant application be successful, we will return to City Council for consideration to amend our budget to accept the grant funds and set up the accounts to develop the designs.

Other Information/Recommendation:

Attachments:

Presentation:

Carl White

Approvals/Reviews:

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Veronica Sanchez, Asst Dir of HR/RM, Human Resources/Risk Management

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider a resolution accepting the San Angelo Police Officers Coalition as the recognized police association representing the majority of police officers with the San Angelo Police Department per the filed petition (Bryan Kendrick)

Staff Recommendation:

Direction from Council

Summary/History:

City of San Angelo has adopted the Meet and Confer process under Chapter 142 of the Texas Local Government Code to allow the recognized police officer association to bargain economic and non-economic issues related to the employment of police officers within the City of San Angelo. At the time Meet and Confer was adopted, the City of San Angelo City Council recognized the San Angelo Coalition of Police as the exclusive bargaining agent for the San Angelo Police Department pursuant to Texas Local Government Code §142.053.

Since that time the San Angelo Coalition of Police has reorganized as the San Angelo Police Officer's Coalition and pursuant to Texas Local Government Code §142.056 the City of San Angelo has received a petition from the San Angelo Police Officers Coalition signed by a majority of all covered police officers requesting that the City of San Angelo City Council recognize the San Angelo Police Officers Coalition as the recognized exclusive bargaining agent for meet and confer negotiations. Under Texas Local Government Code §142.056 the City Council may recognize the change as provided by the petition or order a certification election of the officers to determine whether or not to do so.

Funding Source(s):

Financial Impact:

No financial impact.

Other Information/Recommendation:

Attachments:

1. Resolution of recognition SAPOC
2. SAPOC Signed Petition

Resolution of recognition SAPOC.docx
SAPOC Signed Petition.pdf

Presentation:

Bryan Kendrick

Approvals/Reviews:

Veronica Sanchez
Theresa James
Julia Antilley
Theresa James

Created/Initiated
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL ACCEPTING A PETITION FOR RECOGNITION OF THE SAN ANGELO POLICE OFFICERS COALITION FOR MEET AND CONFER NEGOTIATIONS PURUSANT TO TEXAS LOCAL GOVERNMENT CODE §142.056

WHEREAS, the City of San Angelo has adopted the Meet and Confer process under Chapter 142 of the Texas Local Government Code to allow the recognized police officer association to bargain economic and non-economic issues related to the employment of police officers within the City of San Angelo; and

WHEREAS, at the time Meet and Confer was adopted, the City of San Angelo City Council recognized the San Angelo Coalition of Police as the exclusive bargaining agent for the San Angelo Police Department pursuant to Texas Local Government Code §142.053; and

WHEREAS, Since that time the San Angelo Coalition of Police has reorganized as the San Angelo Police Officer's Coalition; and

WHEREAS, pursuant to Texas Local Government Code §142.056 the City of San Angelo has received a petition from the San Angelo Police Officers Coalition signed by a majority of all covered police officers requesting that the City of San Angelo City Council recognize the San Angelo Police Officers Coalition as the recognized exclusive bargaining agent for meet and confer negotiations; and

WHEREAS, Under Texas Local Government Code §142.056 the City Council may recognize the change as provided by the petition or order a certification election of the officers to determine whether or not to do so.

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

Part 1: That the City of San Angelo City Council accepts the petition for recognition filed under Texas Local Government Code §142.056 as signed by a majority of the covered San Angelo Police Department officers.

Part 2: That the City of San Angelo City Council recognizes the San Angelo Police Officers Coalition as the recognized bargaining agent for police department meet and confer negotiations.

PASSED and APPROVED THIS 7th DAY OF FEBRUARY, 2023.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney



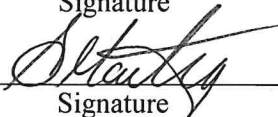
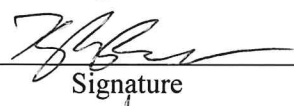
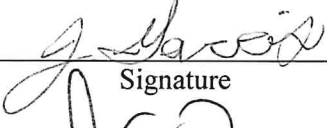
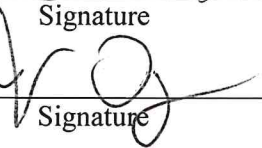
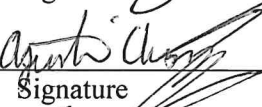
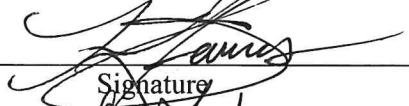
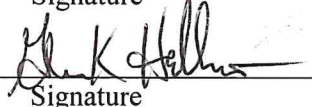
San Angelo Police Officer's Coalition

PETITION FOR RECOGNITION OF SAN ANGELO POLICE OFFICER'S COALITION AS THE SOLE AND EXCLUSIVE BARGAINING AGENT

We, the undersigned duly qualified police officers who are sworn, certified and full time employees of the City of San Angelo, present this employee petition signed by a majority of the eligible employees pursuant to Section 142.053 of the TEXAS LOCAL GOVERNMENT CODE to the Mayor and City Council of the City of San Angelo and respectfully request that the Mayor and City Council grant recognition to the San Angelo Police Officer's Coalition as the sole and exclusive bargaining agent for all eligible police officers of the San Angelo Police Department pursuant to Section 142.053. PETITION FOR RECOGNITION: ELECTION OR ACTION BY GOVERNING BODY of the TEXAS LOCAL GOVERNMENT CODE.

MATTHEW C. NAUMANN	<i>M. Naumann</i>	2296
Printed Name	Signature	Employee ID #
Noel L Anderson	<i>Noel L Anderson</i>	1230
Printed Name	Signature	Employee ID #
Garry Hamilton	<i>Garry Hamilton</i>	2682
Printed Name	Signature	Employee ID #
Bradley Reeder	<i>Bradley Reeder</i>	3121
Printed Name	Signature	Employee ID #
Timothy R Coffman	<i>Timothy R Coffman</i>	2495
Printed Name	Signature	Employee ID #
Kelly Lajoie	<i>Kelly Lajoie</i>	2101
Printed Name	Signature	Employee ID #
Sheldon Harrell	<i>Sheldon Harrell</i>	2726
Printed Name	Signature	Employee ID #
Pedro Rodriguez	<i>Ph Rj</i>	2670
Printed Name	Signature	Employee ID #
Carlos Ramirez	<i>CLR</i>	2728
Printed Name	Signature	Employee ID #
Mike Morris	<i>Mike Morris</i>	2730
Printed Name	Signature	Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

Luke Martinez		3012
Printed Name	Signature	Employee ID #
Steven Martinez		2649
Printed Name	Signature	Employee ID #
Nicolas Ingram		3124
Printed Name	Signature	Employee ID #
Kyle Reder		3095
Printed Name	Signature	Employee ID #
Jonathan Garcia		2645
Printed Name	Signature	Employee ID #
Jennifer Ogan		2575
Printed Name	Signature	Employee ID #
Parker Williams		3079
Printed Name	Signature	Employee ID #
John Bouligny		2285
Printed Name	Signature	Employee ID #
Joe Swalston		2136
Printed Name	Signature	Employee ID #
Jarett Skero		3095
Printed Name	Signature	Employee ID #
Matthew Fuz		2486
Printed Name	Signature	Employee ID #
Agustin Aron		3101
Printed Name	Signature	Employee ID #
Kara Stevens		3098
Printed Name	Signature	Employee ID #
Mya Lindsey		3122
Printed Name	Signature	Employee ID #
Glenn Halbert		2720
Printed Name	Signature	Employee ID #
Bowdy Thompson		3094
Printed Name	Signature	Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

Eduardo Salmon
Printed Name

[Signature]
Signature

2321
Employee ID #

Danielle Crowder
Printed Name

[Signature]
Signature

3071
Employee ID #

Brad Howarth
Printed Name

[Signature]
Signature

2539
Employee ID #

MARCUS HARTNETT
Printed Name

[Signature]
Signature

2660
Employee ID #

Krystle Loski
Printed Name

[Signature]
Signature

2552
Employee ID #

Logan Melton
Printed Name

[Signature]
Signature

3119
Employee ID #

~~Talon Adcox~~
Printed Name

~~[Signature]~~
Signature

~~2727~~
Employee ID #

Marius Cobbs
Printed Name

[Signature]
Signature

2641
Employee ID #

William Bowkay
Printed Name

[Signature]
Signature

2576
Employee ID #

Daniel Williams
Printed Name

[Signature]
Signature

9709
Employee ID #

Rodrigo Hernandez
Printed Name

[Signature]
Signature

2278
Employee ID #

Adrian Castro
Printed Name

[Signature]
Signature

2265
Employee ID #

Fredrick Arceneaux
Printed Name

[Signature]
Signature

2317
Employee ID #

[Signature]
Printed Name

[Signature]
Signature

2141
Employee ID #

Cee Knitter
Printed Name

[Signature]
Signature

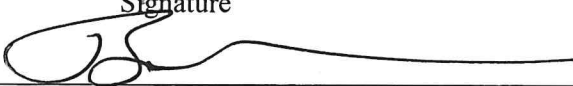
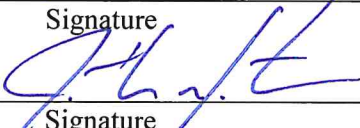
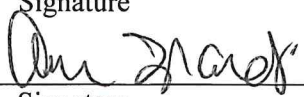
2343
Employee ID #

Torres, Victoria
Printed Name

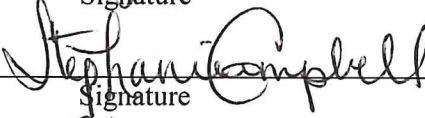
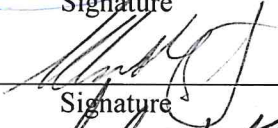
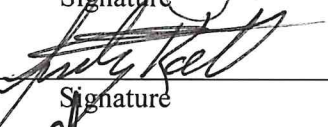
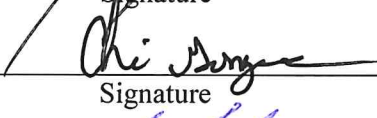
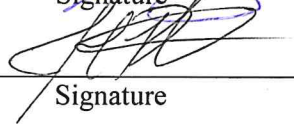
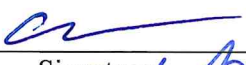
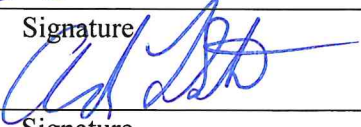
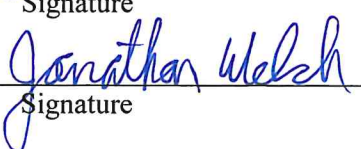
[Signature]
Signature

2217
Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

Cobey Bradshaw		2318
Printed Name	Signature	Employee ID #
Brian Gesch		3586
Printed Name	Signature	Employee ID #
Darry Ratcliffe		2806
Printed Name	Signature	Employee ID #
Benjamin Spencer		2214
Printed Name	Signature	Employee ID #
Christopher Morris		6233
Printed Name	Signature	Employee ID #
Manuel A Reyes Jr		2725
Printed Name	Signature	Employee ID #
London B. Terry		2732
Printed Name	Signature	Employee ID #
Mayberry, Trey		3007
Printed Name	Signature	Employee ID #
Branan Alexander		3092
Printed Name	Signature	Employee ID #
Shawn Holder		3673
Printed Name	Signature	Employee ID #
Eriz Warrick		2054
Printed Name	Signature	Employee ID #
Jonathan Montana		2686
Printed Name	Signature	Employee ID #
Travis Folmar		3069
Printed Name	Signature	Employee ID #
Charles Flores		2500
Printed Name	Signature	Employee ID #
Travis Griffith		2157
Printed Name	Signature	Employee ID #
Anna Harding		2691
Printed Name	Signature	Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

Larry Hoyden		7626
Printed Name	Signature	Employee ID #
Jason Gann		3017
Printed Name	Signature	Employee ID #
Andres Castro		2729
Printed Name	Signature	Employee ID #
Stephanie Campbell		3011
Printed Name	Signature	Employee ID #
Brian Stewart		2147
Printed Name	Signature	Employee ID #
Michael Nibbel		2169
Printed Name	Signature	Employee ID #
Albert D Alvarez		2307
Printed Name	Signature	Employee ID #
Andy Kolb		2156
Printed Name	Signature	Employee ID #
Chi Gonzales		2119
Printed Name	Signature	Employee ID #
Christopher Schneider		2280
Printed Name	Signature	Employee ID #
RANDALL L. HERNDON Randall L. Herndon		4090
Printed Name	Signature	Employee ID #
Emory M. Andrews		2399
Printed Name	Signature	Employee ID #
JED POLNICK		2374
Printed Name	Signature	Employee ID #
Antoine L. Callum		2142
Printed Name	Signature	Employee ID #
Adam L. Sato		3867
Printed Name	Signature	Employee ID #
Jonathan Welch		2312
Printed Name	Signature	Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

<u>Cade Solsberg</u>	<u>[Signature]</u>	<u>4166</u>
Printed Name	Signature	Employee ID #
<u>Dustin Blyden</u>	<u>[Signature]</u>	<u>2620</u>
Printed Name	Signature	Employee ID #
<u>Josh Youngs</u>	<u>[Signature]</u>	<u>2510</u>
Printed Name	Signature	Employee ID #
<u>Mark Medley</u>	<u>[Signature]</u>	<u>4141</u>
Printed Name	Signature	Employee ID #
<u>TABONE, Eric</u>	<u>[Signature]</u>	<u>2168</u>
Printed Name	Signature	Employee ID #
<u>Nathaniel Long</u>	<u>[Signature]</u>	<u>2509</u>
Printed Name	Signature	Employee ID #
<u>Tanner Tumblison</u>	<u>[Signature]</u>	<u>2359</u>
Printed Name	Signature	Employee ID #
<u>Matthew Baldwin</u>	<u>[Signature]</u>	<u>1460</u>
Printed Name	Signature	Employee ID #
<u>Daniel Welch</u>	<u>[Signature]</u>	<u>2338</u>
Printed Name	Signature	Employee ID #
<u>Roger Spearman</u>	<u>[Signature]</u>	<u>8577</u>
Printed Name	Signature	Employee ID #
<u>Jeremy Connolly</u>	<u>[Signature]</u>	<u>2263</u>
Printed Name	Signature	Employee ID #
<u>Nicholas Franchuk</u>	<u>[Signature]</u>	<u>2538</u>
Printed Name	Signature	Employee ID #
<u>Joshua Hoedermilk</u>	<u>[Signature]</u>	<u>2139</u>
Printed Name	Signature	Employee ID #
<u>ALIE SHAN</u>	<u>[Signature]</u>	<u>2118</u>
Printed Name	Signature	Employee ID #
<u>Jason Chegwidden</u>	<u>[Signature]</u>	<u>2207</u>
Printed Name	Signature	Employee ID #
<u>Timothy Pucci</u>	<u>[Signature]</u>	<u>7283</u>
Printed Name	Signature	Employee ID #

I HAVE READ THE COMPLETE PETITION STATEMENT ON THE FRONT PAGE OF THIS PETITION

Porsche Callum Porsche Callum #2629
Printed Name Signature Employee ID #

Richard Espinoza Richard Espinoza 2389
Printed Name Signature Employee ID #

Kelsey Hernandez K. Hernandez 2694
Printed Name Signature Employee ID #

Kenneth Lynn Dye II Kenneth Lynn Dye II 2989
Printed Name Signature Employee ID #

MIKE HERNANDEZ Mike Hernandez 4084
Printed Name Signature Employee ID #

James Russell James Russell 3029
Printed Name Signature Employee ID #

Matthew Vaughn Matthew Vaughn 2072
Printed Name Signature Employee ID #

Thomas Gibson Thomas Gibson 2543
Printed Name Signature Employee ID #

Keith Lane Keith Lane 2419
Printed Name Signature Employee ID #

Charles Barker Charles Barker 2250
Printed Name Signature Employee ID #

JOE J. MATA III Joe J. Mata III 2541
Printed Name Signature Employee ID #

Tony Lopez Tony Lopez 2393
Printed Name Signature Employee ID #

ABRAHAM FLORES Abraham Flores 2398
Printed Name Signature Employee ID #

ETIHAN HODGES Etihan Hodges 3029
Printed Name Signature Employee ID #

Troy Finckh Troy Finckh 3286
Printed Name Signature Employee ID #

Printed Name Signature Employee ID #

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Andy Vecellio, Assistant Director, Water Utilities

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider a resolution authorizing emergency repairs of High Service Pump No. 5 at the Water Treatment Plant in the amount of \$69,806 to Smith Pump Company, Inc., and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Adopt

Summary/History:

High Service Pump No. 5 at the Water Treatment Plant recently had a failure and needs repair. The pump is one of eight high service pumps that pump water from the treatment plant into the water distribution system for use by customers. The high service pumps alternate operation and the prolonged absence of a single pump causes additional wear on the other pumps and leaves the City vulnerable in the event of a second pump failure. The lead time for repair is approximately 10 to 12 weeks.

After the pump failure, an evaluation was completed in a timely manner by Smith Pump Company, Inc. The quote includes necessary pump repairs, pump delivery, a field technician to supervise the installation of the pump (by City personnel), and a field technician for start-up. Pump start-up includes a test run of the pump to ensure the repaired pump is working properly.

Funding Source(s):

Financial Impact:

Repair costs will be from water capital account no. 260-4400-800-0730.

Other Information/Recommendation:

Staff recommends adoption of the resolution.

Attachments:

- | | |
|--|--|
| 1. High Service Pump 5 Repair Quote | High Service Pump 5 Repair Quote.pdf |
| 2. Resolution emergency purchase high service pump 5 | Resolution emergency purchase high service pump 5.docx |

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio

Pete Madrid Jr.

Shane Kelton

Theresa James

Jeffrey Tomlinson

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

**Smith Pump Company, Inc.**

301 MB Industrial Blvd
Waco, TX 76712 US

Phone: 800-299-8909
Fax: 254-776-0023
www.smithpump.com

Quote No: 35203**Tuesday, December 27, 2022**

Page: 2

Pump Repair - HSP #5 - 24FHC-5Recommended repairs / replacements:

Replace discharge column

Replace bowl bearings

Manufacture case wear rings to re-establish required clearances

Replace bowl shaft - 416 SS

Replace line shaft - 416 SS

Replace line shaft bearing

Replace stuffing box bearing and bolting

Replace packing

Blast and coat with Tnemec N140 Pot-a-Pox Epoxy (7 to 9 mils DFT)

Repair Lead Time: 10 to 12 weeks

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	57,725.00000			\$57,725.00 *

Line: 3 Part ID: 4201 Rev: 0

Pump Delivery - HSP #5 - 24FHC-5

Smith Pump to Deliver Repaired Vertical Turbine Pump

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	1,295.00000			\$1,295.00 *

Line: 4 Part ID: 4201 Rev: 0

Supervise Installation - HSP #5 - 24FHC-5

Field Service Technician to Supervise Installation of HSP #5.

Note: Does not include crane to install

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	3,173.00000			\$3,173.00 *

Line: 5 Part ID: 4301 Rev: 0

Start-Up - HSP #5 - 24FHC-5

Field Service Technician to Conduct Start-Up of HSP #5.

Quantity	U/M	Unit Price	Discount	Discounted Unit Price	Line Price
1.00	EA	3,173.00000			\$3,173.00 *

* Indicates which quantity price is included in the Total

Total: \$69,806.00

Prices are Valid Until Thursday, January 26, 2023

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL RATIFYING AN EMERGENCY PURCHASE IN THE AMOUNT OF \$69,806 TO SMITH PUMP COMPANY, INC. FOR THE PROCUREMENT OF HIGH SERVICE PUMP NO. 5 REPAIRS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §252.022 AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL RELATED DOCUMENTS.

WHEREAS, High Service Pump No. 5 at the Water Treatment Plant recently had a failure and needs repairs; and

WHEREAS, this pump is one of 8 pumps necessary for water distribution throughout the water system; and

WHEREAS, there is an urgent need to repair this pump to avoid additional wear on the other pumps and to avoid potential failure of those pumps; and

WHEREAS, Texas Local Government Code §252.022 provides an exception to the competitive bidding requirements for a procurement necessary to protect the public health or safety of the municipality's residents or when there is unforeseen damage to public machinery, equipment, or other property; and,

WHEREAS, due to the length of time it will take to bid the repair and the risk to the remaining pumps, it is necessary to quickly move forward with this emergency repair.

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

PART 1: The City Councils finds that the damage to the High Service Pump No. 5 poses health and safety concerns for the citizens of the City of San Angelo and risks damage to the remaining pumps.

PART 2: The City Manager is authorized to negotiate and execute all documents related to the purchase of repair services from Smith Pump Company, Inc. in the amount of \$69,806, such purchase being hereby ratified by this action.

PASSED and APPROVED THIS 7th DAY OF February, 2023.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bob Salas, Neighborhood Services Director, Neighborhood and Family Services

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider a resolution to allow the Concho Valley Homeless Planning Coalition to use the Carl Ray Recreation Center as an Emergency Warming Station (Bob Salas)

Staff Recommendation:

Approve

Summary/History:

Currently, there are no emergency shelters in San Angelo other than the family shelter dedicated to temporarily housing victims of domestic violence. The Concho Valley Homeless Planning Coalition (CVHPC) has in the past funded hotel stays for those who find themselves unsheltered during extreme cold, but funding is becoming problematic. Therefore, staff requests approval of a resolution authorizing the use of the Carl Ray Recreation Center as an Emergency Warming Station (EWS) during extremely cold weather for the duration of January 2023 thru March 2023 as needed. The EWS will be manned by the Concho Valley Homeless Planning Coalition (CVHPC) and will take responsibility for overseeing EWS operations, including vetting participants and monitoring participant behavior, clearing the room to allow regular recreational activities, and maintaining safety and cleanliness.

Funding Source(s):

Financial Impact:

Cost of heat and electricity during EWS operations.

Other Information/Recommendation:

Attachments:

- | | |
|--|--|
| 1. Resolution approving Carl Ray as Emergency Warming Center | Resolution approving Carl Ray as Emergency Warming Center.docx |
|--|--|

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas

Theresa James

Julia Antilley

Theresa James

Created/Initiated

Approved

Approved

Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING THE USE THE CARL RAY RECREATION CENTER AS AN EMERGENCY WARMING CENTER

WHEREAS, the City of San Angelo has a responsibility for the health, safety and welfare of the citizens within its boundaries; and

WHEREAS, at this time there is not a homeless shelter within the City of San Angelo; and

WHEREAS, when the temperature drops below 32 degrees the risk to human life of homeless citizens increases; and

WHEREAS, the City of San Angelo has utilized the Carl Ray Recreation Center as an emergency warming center on an as needed basis; and

WHEREAS, City management would like to formalize the agreement with the homeless coalition to continue to utilize the Carl Ray Recreation Center for an emergency shelter with defined parameters; and

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

Part 1: That the City of San Angelo finds a valid public purpose in allowing the Carl Ray Recreation Center to be used as an emergency warming center when the overnight temperature is forecast to be 32 degrees or lower.

Part 2: That the City of San Angelo will operate the emergency warming center in such a way so as not to interfere with the normal operation of the Carl Ray Recreation Center.

Part 3: That the emergency warming shelter will not be open during the day.

Part 4: That the Homeless Coalition shall be responsible for staffing the warming shelter and ensuring there is adequate security as necessary.

Part 5: That any additional costs for supplies to operate the Carl Ray Recreation Center shall be reimbursed to the City of San Angelo.

Part 6: That the Director of Neighborhood services shall provide to Council in writing an update on the provision of services under this Resolution.

Part 7: That the City Manager is authorized to execute and all documents necessary to carry out the intent of this Resolution.

PASSED and APPROVED THIS 7th DAY OF FEBRUARY, 2023.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Michael Dane, Assistant City Manager, City Manager's Office

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider a resolution authorizing financial support in the amount of \$25,000 to the Rail Museum to be used as the local match for a grant to fund an elevator renovation project in the depot building (Michael Dane)

Staff Recommendation:

Approve

Summary/History:

The Rail Museum Board is ready to move ahead with the renovation of the depot elevator. The project is estimated at \$87,517. The Board will apply for grant funds from a local foundation and would like to represent in their application that the City is participating in the funding of the project by providing the matching funds.

Funding Source(s):

Financial Impact:

\$25,000 contribution from the City to the Museum to be used as match monies for a grant that may range from \$50,000 to \$75,000.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|--|
| 1. | Resolution Matching Funds for Depot elevator renovation | Resolution Matching Funds for Depot elevator renovation.docx |
|----|---|--|

Presentation:

Michael Dane

Approvals/Reviews:

Michael Dane
Becky Dunn

Created/Initiated
Approved

Theresa James
Jeffrey Tomlinson
Tina Dierschke
Julia Antilley

Approved
Approved
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL AUTHORIZING FINANCIAL SUPPORT IN THE AMOUNT OF \$25,000 TO HISTORIC ORIENT SANTA FE DEPOT, INC. TO BE USED AS A THE LOCAL MATCH FOR A GRANT TO FUND AN ELEVATOR RENOVATION PROJECT AT THE RAIL DEPOT

WHEREAS, the City of San Angelo (“City”) has leased the Rail Depot to the Historic Orient Santa Fe Depot, Inc. (“Tenant”) for operation of a railroad museum; and

WHEREAS, in May, 2022 the City of San Angelo City Council modified the lease to allow the City of San Angelo, with the approval of City Council, to provide matching funds to assist Tenant in securing grants and donations to benefit the leased property; and

WHEREAS, Tenant is prepared to move forward with a renovation of the Depot elevator which is estimated to cost \$87,517 and will be applying for grant funds from a local foundation to complete the work; and

WHEREAS, Tenant has requested that the City contribute funds to the project in the amount of \$25,000 as a match for the grant funding they are seeking.

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

Part 1: That the City of San Angelo City Council approves \$25,000 to use as matching funds for a grant to improve the elevator in the Depot building.

Part 2: That Assistant City Manager, Michael Dane, is hereby authorized to negotiate and execute any documents necessary to carry out the authorization of this Resolution.

PASSED and APPROVED THIS 7th DAY OF FEBRUARY, 2023.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nora Nevarez, Executive Office Coordinator, COSADC

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider ratifying an advertising services agreement by and between the City of San Angelo Development Corporation and Media Advantage, LLC. in the amount of \$32,700 annually and authorizing the Board President to execute all necessary documents (Michael Dane)

Staff Recommendation:

Approve

Summary/History:

Media Advantage, LLC will be assisting COSADC with preparation of the Annual Report, redesign update and maintenance of the COSADC website, social media, business plan competition, and business retention and expansion program promotion.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Michael Dane

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Michael Dane	Approved
Brandon Dyson	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved

Theresa James
Julia Antilley

Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Schneeman, Economic Development Coordinator, Economic Development

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider ratifying COSADC's approval of the sale of approximately nine acres of land in the Industrial Park Phase II to Big Country Equipment at a price of \$45,000 per acre, the total area to be determined by a survey on the ground and the total price to be calculated based on that area, and authorizing the Board President to negotiate and execute a real estate sales contract and all required documentation with approval by City Council (Michael Dane)

Staff Recommendation:

Approve

Summary/History:

Big Country Equipment is a local equipment sales and rental company currently located on Hwy 277 South. They intend to build a new \$3M facility with \$5M in equipment. COSADC approved this sale at their meeting January 25th, 2023.

Funding Source(s):

Financial Impact:

Approximately \$405,000 in revenue dependent upon actual acreage based on a survey on the ground.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------|-----------------|
| 1. | Lot Exhibit | Lot Exhibit.jpg |
|----|-------------|-----------------|

Presentation:

Michael Dane

Approvals/Reviews:

Robert Schneeman
Michael Dane

Created/Initiated
Approved

Theresa James
Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Approved
Final Approval

Preliminary Plat
SAN ANGELO GATEWAY
ADDITION SECTION 2
CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS
Owner / Developer: The City of San Angelo Development
Corporation and AEP Texas, Inc.

Being a 206.242 Remainder of 406.674 Ac.
Located in, C.C.S.D. & R.G.N.G. RR. CO., SURVEY NO. 1111,
City of San Angelo and County of Tom Green, Texas



- LEGEND
- EXISTING LOT LINES & RIGHT OF WAY
 - PROPOSED PLAT LIMITS
 - PROPOSED STREET ROW
 - PROPOSED PLATTED LOT LINES
 - PROPOSED EASEMENTS
 - PROPOSED CENTERLINE ROAD

LOT COUNT / ACREAGE		
	LOT COUNT	ACREAGE
COMMERCIAL	21	167.099
OPEN SPACE	1	18.955
STREETS	-	20.188
TOTAL	22	206.242

CERTIFICATE OF APPROVAL

APPROVED FOR PRELIMINARY PURPOSES ON THE ____ DAY OF _____, 2011, CITY
PLANNING COMMISSION, SAN ANGELO, TEXAS.

CHAIRMAN _____

SECRETARY _____

OWNER &
DEVELOPER _____

THE CITY OF SAN ANGELO DEVELOPMENT CORP.
500 Rio Concho Dr.
San Angelo, Texas 76903
AND
AEP TEXAS, INC.
1 Riverside Plaza
Columbus, OH 43215-2055

ENGINEER: _____

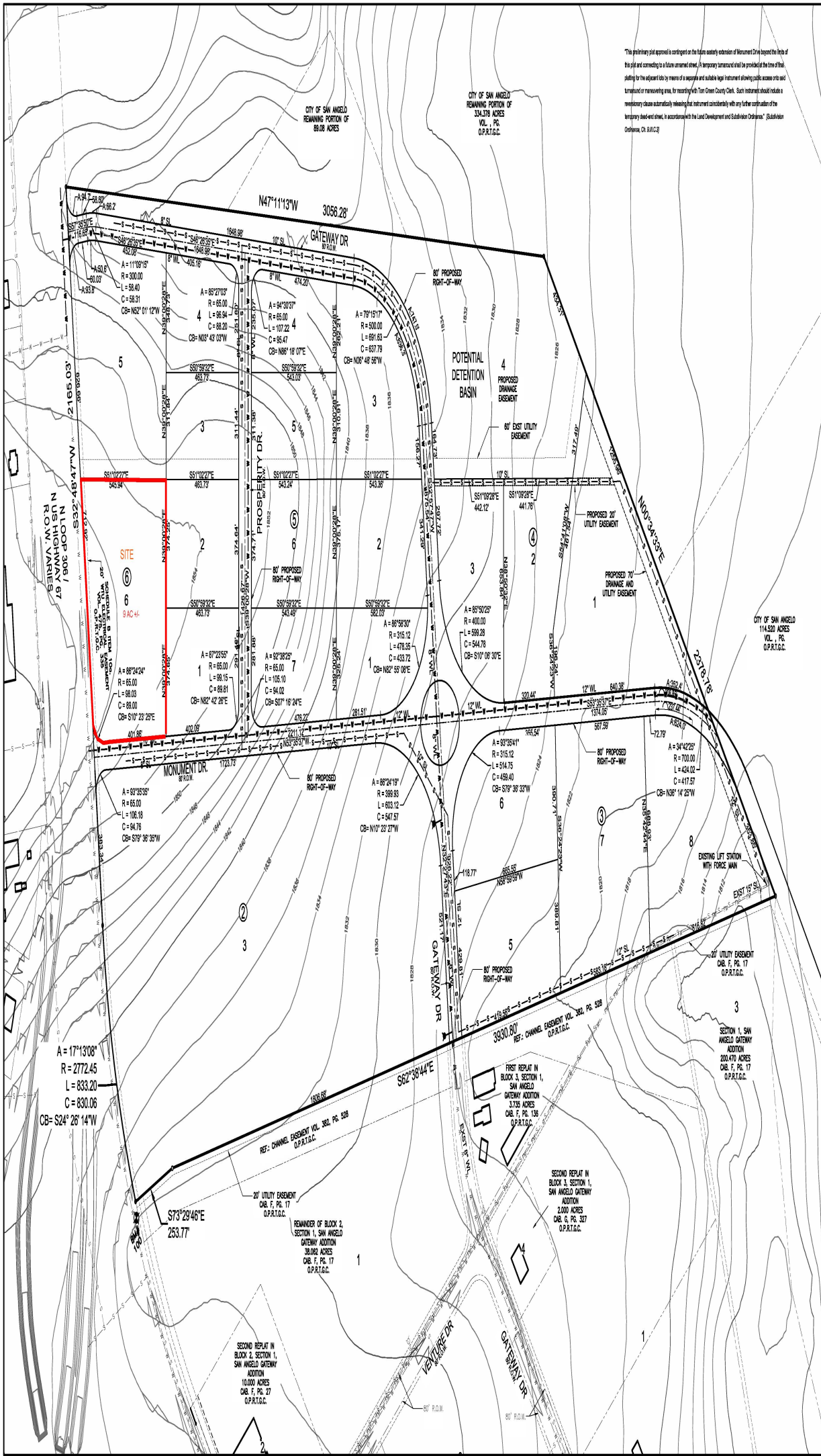
Parkhill, Smith & Cooper, Inc.
1700 W. Wall St., #100
Midland, Texas 79701
432-697-1447

SURVEYOR: _____

Aaron Burrell Land Surveyors, LLC.
415 W. Wall St., #204
Midland, Texas 79701

Preliminary Plat
SAN ANGELO
GATEWAY ADDITION
SECTION 2

"This preliminary plat approval is contingent on the future orderly extension of Monument Drive beyond the top of this plat and connecting to a future unnamed street. A temporary easement shall be provided at the time of final platting for the adjacent lots by means of a separate and suitable legal instrument allowing public access onto and through the easement area, for recording with Tom Green County Clerk. Such instrument should include a temporary clause automatically releasing that instrument coincidentally with any further extension of the temporary dead-end street, in accordance with the Land Development and Subdivision Ordinance." (Subdivision Ordinance, Ch. 6A.02.2)



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nora Nevarez, Executive Office Coordinator, COSADC

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider ratifying a professional services agreement between COSADC and Duncan Mechanical Service, Inc., not to exceed \$50,000 per year with an option to extend for one year, and authorizing the Board President or their designee to execute all necessary documents (Michael Dane)

Staff Recommendation:

Approve

Summary/History:

The staff is requesting an additional HVAC service provider. With this option, we can tend to HVAC issues in a timely manner for our tenants.

The COSADC board approved this item on January 25, 2023.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Building Maintenance		700-0700-411-04-31	\$50,000.00

Financial Impact:

This will require a budget amendment.

Other Information/Recommendation:

Attachments:

Presentation:

Michael Dane

Approvals/Reviews:

Nora Nevarez
Jeffrey Tomlinson

Created/Initiated
Approved

Tina Dierschke
Theresa James
Julia Antilley
Michael Dane
Julia Antilley

Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider resolutions calling and ordering the May 6, 2023 elections, authorizing the execution of an agreement for Election Services with Tom Green County Elections Administration, and authorizing the City Manager to execute all related documents for:

1. a General Election for Single Member District Council Members 1, 3, and 5
2. a Special Election reviewing the Chief of Police provisions in the City Charter (Heather Stastny)

Staff Recommendation:

Adopt

Summary/History:

The ordering of the General Election is a routine action required by the Election Code 3.005(a) to set the date of the election, possible runoff date, and establish polling locations for early voting with a reference to election day polling location. The General Election will be conducted to fill four-year terms for Council Members for Single Member Districts 1, 3, and 5.

The ordering of a Special Election is not scheduled, but as needed. This election for Charter provisions is a result of the Council appointed Charter Review Committee's recommendation.

The election May 6, 2023 will be administered by the Tom Green County Election Office with several other Local Political Subdivisions also contracting with TGC for election services on the same day. This has proven to be the most efficient method of conducting elections and is in the best interest of the taxpayers of the City of San Angelo.

Funding Source(s):

Financial Impact:

Election expenses are shared with the other participating entities. Staff negotiated and executed an Interlocal Agreement with Tom Green County for this and subsequent elections until 2032. The master agreement outlines that the Elections Administrator will continue to hold elections for the municipality as needed. The historical cost for previous elections has varied over the years, and is dependent on how many polling locations are necessary, how many entities share the cost, and whether a runoff election is necessary.

The City Clerk's Office estimates they will not need additional funding for this election. The November 2022

election cost \$35,867.23 with this election estimated to cost \$28,102.34. The carryover approved by City Council, in addition to the budgeted election amount, should be sufficient to fund two elections this fiscal year.

The most recent Election Costs paid directly to TGC (not including newspaper notices) have been:

November 2022: **\$35,867.23** (Sanctuary City for the Unborn Petition)

January 2022: **\$14,989.47** (Special Election for SMD 5 vacancy)

May 2021: **\$17,505.28** (SMD 2, 4, and 6 and Mayor)

May 2020: **\$0** (Police Chief - uncontested)

November 2019: **\$12,741.30** (Lake Nasworthy Fund)

May 2019: **\$0** (SMD 1, 3, and 5 - uncontested)

May/July 2017: **\$28,503.12** (SMD 2, 4, and 6 and Mayor, Special Election for SMD 1 vacancy, and SMD 6 runoff)

May/July 2016: **\$54,722.78** (SMD 1, 3, and 5 and Police Chief and SMD5 and Police Chief runoff)

Other Information/Recommendation:

Attachments:

1.	Draft contract 1.26.2023	Draft contract from Vona 1.25.2023v2.doc
2.	RESOLUTION - Special Election - Charter Amendment	RESOLUTION - Special Election - Charter Amendment.pdf
3.	RESOLUTION - Special Election - Charter Amendment (Spanish Translation)	RESOLUTION - Special Election - Charter Amendment (Spanish Translation).docx
4.	RESOLUTION - General Election - SMD 1, 3, 5	RESOLUTION - General Election - SMD 1, 3, 5.docx
5.	RESOLUTION - General Election SMD 1,3, 5 (Spanish Translation)	RESOLUTION - General Election (Spanish Translation).docx

Presentation:

Heather Stastny

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

**CONTRACT FOR ELECTION SERVICES
BETWEEN
THE ELECTIONS ADMINISTRATOR OF
TOM GREEN COUNTY, TEXAS
AND
CITY OF SAN ANGELO (COSA)
FOR THE May 6, 2023
GENERAL & SPECIAL ELECTIONS**

THIS CONTRACT is made and entered into by and between, Vona Hudson, the Elections Administrator of Tom Green County, Texas, hereinafter referred to as “Contracting Officer,” and the Local Political Subdivision, City of San Angelo, hereinafter referred to as “the LPS,” pursuant to the authority under Section 31.092(a) of the Texas Election Code. In consideration of the mutual covenants and promises hereinafter set forth, the parties to this contract agree to the following with regard to coordination, supervision, and conducting of the LPS’s May 6, 2023 (date) General and Special_(type) Elections (“the elections”).

I. RESPONSIBILITIES OF CONTRACTING OFFICER.

The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the elections:

A. *Nomination of Presiding Judges and Alternate Judges.* Within 45 days after the last party signs this contract, the Contracting Officer shall submit to the LPS for approval by its governing body a proposed list of presiding election judges (“presiding judges”) and alternate presiding judges (“alternate judges”) for each of the LPS’s Election Day polling locations shown on Exhibit H attached hereto and made part of this contract, a proposed person to serve as presiding judge of the Early Voting Ballot Board (EVBB), and two proposed persons to serve as presiding judge and alternate judge of the central counting station on Election Day. Such proposed presiding judges and alternate judges shall meet the eligibility requirements in Subchapter C of Chapter 32 of the Texas Election Code. The proposed EVBB presiding judge and the proposed central counting station presiding judge shall meet the eligibility requirements in, respectively, Sections 87.003 and 127.005(b) and Subchapter C of Chapter 32 of the Texas Election Code.

B. *Notification to Presiding Judges and Alternate Judges; Appointment of Clerks.*

1. Following the appointment of the Presiding Judges and Alternate Judges by the governing body of the LPS, in accordance with Section 32.009 of the Texas Election Code, the Contracting Officer shall notify each presiding judge and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election school(s), the eligibility requirements for election workers, the date and time of the election, the rate of compensation, the number of election clerks the presiding judge may appoint, and the name of the presiding or alternate judge, as appropriate.

2. If a presiding judge or the alternate judge does not speak both English and Spanish, and the election precinct is one subject to Sections 272.002 and 272.009 of the Texas Election Code, the presiding judge shall make reasonable efforts to appoint a sufficient number of election clerks who are fluent in both English and Spanish to serve the needs of the Spanish-speaking voters of the precinct. If the number of elections clerks appointed is insufficient to serve the needs of the Spanish-speaking voters in the election, the governing body of the LPS shall appoint at least one clerk who is fluent in both English and Spanish to serve at a central location to

provide assistance for Spanish-speaking voters. On a primary election day, the county chairs of each party holding a primary shall each appoint one clerk. [TEC Sec. 272.009 (a) (b)]

3. The Contracting Officer shall prepare writs of election to the presiding judges in accordance with Section 4.007 of the Texas Election Code to be signed by the presiding officer of the LPS's governing body or the presiding authority of the Contracting Officer's governing body. The writs of election shall be delivered to the presiding judges no later than fifteenth day before Election Day.

4. Following their appointment by the governing body of the LPS, the Contracting Officer shall notify the presiding judges of the EVBB and the central counting station of their respective appointments. The notification will also include the time and place on Election Day to which they should report, the date of the election school for them, the eligibility requirements, the rate of compensation, the number of clerks they are entitled to appoint (2-4 for the EVBB and one for the central counting station), and the names of potential clerks.

C. Contracting with Third Parties. In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third persons for election services and supplies. The cost of such third-person services and supplies will either be paid by the Contracting Officer and reimbursed to her/him by the LPS or the LPS will pay such cost directly to the third persons, as agreed by the parties at the time the services and supplies are ordered.

D. Election School(s). In accordance with Sections 32.111 and 125.009, of the Texas Election Code, the Contracting Officer shall be responsible for conducting (or for having third parties conduct) one or more, in her/his discretion, election schools to train the presiding judges, alternate judges, election clerks, and Early Voting deputies in the operation and troubleshooting of the direct record electronic (DRE) voting system and the conduct of elections, including qualifying voters, maintaining order in the polling location, and provisional voting. The Contracting Officer shall determine the date, time, and place for such school(s) and notify the presiding judges, alternate judges, and clerks of such. The Contracting Officer may hold the election school(s) on a Saturday in order to increase its availability to election workers who are employed during the regular work week. The Contracting Officer may develop and distribute a training DVD to poll workers in lieu of a training school. Poll workers who utilize the DVD for training shall be required to pass a test developed by the Contracting Officer. Additionally, Contracting Officer may offer the poll worker the option of completing the Secretary of State's online poll worker training in lieu of attending training classes. The LPS understands that the Contracting Officer cannot guarantee that the judges, clerks, or deputies attend an election school. The LPS may appropriate funds to compensate its election workers for attending training at an hourly rate not to exceed the maximum rate paid for services at a polling place and/or pay the expenses of conducting the programs. LPS may consider paying poll worker a stipend of \$15.00 per election, regardless of the number of training classes the poll worker may attend. The Contracting Officer and the LPS agree that election workers will be paid for attendance at the election school(s). Contracting Officer reserves the right to pay poll worker a stipend of \$15.00 per election, regardless of the number of training classes the poll worker may attend and the LPS shall reimburse Contracting Officer for that expense.

E. Publication/Posting of Election Notice. Except as otherwise provided by law, the following authority shall give notice of an election:

- (1) the county judge of each county wholly or partly in the territory covered by the election, for an election ordered by the governor;
- (2) the presiding officer of the governing body of a political subdivision, for an election ordered by the presiding officer or the governing body; and
- (3) the authority ordering the election, for an election ordered by any other authority. [TEC Sec. 4.002]

F. Election Supplies. The Contracting Officer shall procure, prepare, and distribute to each presiding judge (or the election worker designated by the presiding judge) for use at the polling location on Election Day (and to the Early Voting clerks during Early Voting) the following consumable election supplies: election kits from third-party vendors or the equivalent (including the appropriate envelopes, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code); pens; tape; markers; paper clips; seals; sample ballots; white envelopes; manila envelopes; thermal paper rolls for use in the Voting Equipment; and all consumable-type office supplies necessary to hold an election. If necessary, the Contracting Officer may purchase additional or make additional copies of election forms, including sample ballots and combination poll lists/signature rosters.

G. Registered Voter List. The Contracting Officer shall obtain from the Voter Registrar, or Voter Registrars, if the territory of the LPS extends into more than one county, a list or lists of registered voters in the LPS territory not covered in the county in which this contract is made and that is required for use on Election Day and for the early voting period required by law, after such lists are requested by the LPS.

H. Election Equipment.

1. The Contracting Officer shall use the voting system currently used by the Contracting Officer for the election. This voting system is variously referred to throughout this contract as “the voting system” or “the voting equipment,” and may include the equipment referred to as “DUO(s)”, “Controller(s)”, “Scanner(s)” and “DUO GO’s.” The Early Voting locations and the Election Day polling places shall have at least one voting machine that is accessible to disabled voters.

2. The Contracting Officer or her/his designee shall program the ballot for the voting system (as well as for the mail ballots) based on the information provided by the LPS in Exhibit F, including names of the candidates, names of the offices sought, order of names on the ballot, and the English and Spanish translation of the offices and any propositions. The LPS shall reimburse the Contracting Officer for the cost of such programming. The Contracting Officer will provide sufficient time to the LPS to review and approve the ballot before it is finalized provided Exhibit F is received in sufficient time to approve the ballot and meet the deadline for mailing absentee ballots. LPS shall approve the ballot in writing.

3. The Contracting Officer or her/his designee shall prepare the Controllers, Scanners and/or DUOs for Early Voting and for Election Day, including sealing them, and distribute the appropriate voting equipment to the presiding judge (or the election worker designated by her/him) who picks up the election supplies under paragraph F above. The equipment (along with the election supplies, election records, and unused election supplies under paragraph G above) shall be returned to the Contracting Officer at the conclusion of the election by the presiding judge (or the election worker designated by her/him).

4. At her/his option, the Contracting Officer may have the election supplies and voting equipment transported to the Election Day polling locations and picked up at the polling locations after the polls close on Election Night.

5. At his/her option, the Contracting Officer may have election supplies and voting equipment transported to Early Voting Branch Locations, when utilized. Such supplies and equipment will be picked up the day after the end of early voting.

I. Logic and Accuracy Testing. In advance of Early Voting (including the sending out of any mail ballots), the Contracting Officer (along with the tabulation supervisor, the presiding and alternate judges of the central counting station, and two members of the EVBB, if possible) shall conduct all logic and accuracy testing in accordance with the procedures set forth by the Texas Secretary of State. The Contracting Officer shall also cause

the publication of any required notice of such testing. The LPS shall reimburse the Contracting Officer for the cost of such testing and notice.

J. Early Voting. In accordance with Sections 31.096 and 31.097(b) of the Texas Election Code, the Contracting Officer shall serve as Early Voting Clerk for the election. The Contracting Officer shall conduct Early Voting at her/his main office. **LPS authorizes** Contracting Officer to conduct Early Voting at branch office(s) as required by the Election Code. Said branch office(s) are listed in Exhibit A.

1. The Contracting Officer shall supervise and conduct Early Voting by mail and personal appearance and shall hire the personnel needed to serve as Early Voting deputies at any Early Voting location.

2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations listed in Exhibit A, attached hereto and made part of this contract. The Contracting Officer shall ensure that the Early Voting polling locations are set up for early voting and have the necessary tables, chairs, and voting equipment.

3. The Contracting Officer shall receive mail ballot applications on behalf of the LPS. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or her/his deputies.

4. All Early Voting ballots cast by mail shall be secured and maintained by the Contracting Officer and delivered by her/him or her/his deputy for counting in accordance with Chapter 87 of the Texas Election Code to the Early Voting Ballot Board at the central counting station on the date scheduled by the Early Voting Ballot Board Judge.

K. Election Day Polling Locations. The Election Day polling locations are as set forth in Exhibit B. The Contracting Officer shall arrange for the use of the Election Day polling places and shall arrange for the setting up of the polling locations for Election Day, including ensuring that they have the necessary tables, chairs, and voting equipment.

L. Counting the Votes. The Contracting Officer shall count the votes in accordance with Chapter 127 of the Texas Election Code. The Contracting Officer shall serve as the central counting station manager and her/his chief appointed representative shall serve as the tabulation supervisor.

M. Election Reports. The Contracting Officer shall prepare the unofficial tabulation of precinct election results under Section 66.056(a) of the Texas Election Code. The unofficial tabulation of early voting results shall be made available to the LPS as soon as they are prepared but no earlier than 7:05 pm or the time by which all polling locations close on Election Day. The unofficial tabulation of Election Day precinct results shall be made available to the LPS as soon as they are prepared.

N. Provisional Votes/Determination of Mail Ballots Timely Received under Section 86.007(d) of the Texas Election Code. The Contracting Officer will verify the provisional voting affidavits after the Election so that they may provide factual information on the provisional voter's status. The Contracting Officer will reconvene the EVBB within the time set forth in Section 65.051 of the Texas Election Code for the purpose of determining the disposition of the provisional votes. At the same time, the EVBB shall review mail ballots timely received under Section 86.007(d) of the Texas Election Code to determine whether such shall be counted and to resolve any issues with such ballots. Promptly after determination of the provisional votes and resolution of any such mail ballots, the Contracting Officer shall tally the accepted provisional votes and resolved mail ballots, amend the unofficial tabulations, and submit new unofficial tabulations to the LPS.

O. *Custodian of Election Records.* After completion of the unofficial tabulation of precinct results, the Contracting Officer shall distribute the election records to the LPS Secretary, except for those records that must be distributed in accordance with Section 66.051 of the Texas Election Code. The Contracting Officer is hereby appointed the custodian of voted ballots and any backups of electronic systems used and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law. The Contracting Officer shall also maintain custody of the records pertaining to the operation of the electronic equipment.

P. *Recount.*

1. If required by law, the Contracting Officer shall have performed a partial count of electronic voting system ballots in accordance with section 127.201 of the Texas Election Code and a recount in accordance with section 129.001 of the Texas Election Code. The LPS shall reimburse the Contracting Officer for the cost of such count and recount.

2. If a recount is required in accordance with Title 13 of the Texas Election Code, the Contracting Officer shall conduct such recount and the terms of this contract shall govern such recount. The cost of any such recount is not included in the estimate set forth in Exhibit C, which is attached hereto and made a part of this contract.

II. RESPONSIBILITIES OF THE LPS. The LPS shall assume the following responsibilities:

A. *Adopting a Voting System.* Under Section 123.001 of the Texas Election Code, the LPS must adopt the voting system that will be used in the election.

B. *Establishing a Central Counting Station.* Under Section 127.001 of the Texas Election Code, the LPS must establish a central counting station at the main office of the Contracting Officer for counting the ballots.

C. *Appointment of Presiding Judges and Alternate Judges.* Promptly after receiving the proposed lists of presiding judges and alternate judges from the Contracting Officer, and within such time so as not to impede the orderly conduct of the election, under Sections 32.005, 87.002, and 127.005 of the Texas Election Code, the LPS shall approve/ratify the presiding judges and alternate judges for the Election Day polling locations, the EVBB, and the central counting station from the proposed lists.

The LPS may appoint as presiding judges and alternate judges, persons other than those on the proposed list, but acknowledges that such persons must be willing to take all necessary training with respect to the voting equipment. If from other sources, the LPS shall ensure that the appointees meet, as appropriate, the eligibility requirements in Subchapter C of Chapter 32 and Sections 87.003 and 127.005(b) of the Texas Election Code. Within five days after appointing presiding judges and alternate judges other than those on the list, the LPS shall provide a list of the appointments to the Contracting Officer. The LPS shall be responsible for any additional expenses incurred by using persons appointed via other sources.

D. *Assistance in Providing Bilingual Clerks.* In compliance with Section 272.009 of the Texas Election Code and Section I, B. 2. of this contract, and in the event the Contracting Officer is unable to find enough bilingual volunteers, the LPS shall, at its cost, have available at a central location one election clerk who is fluent in both English and Spanish to provide assistance to Spanish-speaking voters, if the election judges advise the Contracting Officer that they are unable to find bilingual election clerks and the Contracting Officer so advises the LPS. The LPS will make every effort to provide the names and telephone numbers of potential bilingual election clerks to the Contracting Officer.

E. Appointment of Early Voting Clerk. The LPS hereby appoints the Contracting Officer to serve as the Early Voting Clerk for the election and authorizes him/her to conduct Early Voting at the main office and at branch locations listed in Exhibit A.

F. Appointment of Central Counting Station Manager and Tabulation Supervisor. The LPS hereby appoints the Contracting Officer to serve as the Central Counting Station Manager and her/his appointee to serve as the tabulation supervisor.

G. Applications for Mail Ballots. The LPS shall date stamp and then immediately scan and email to the Contracting Officer all applications for mail ballots, if any, that it receives. Promptly thereafter, the LPS shall deliver or send by mail the original mail ballot applications to the Contracting Officer.

H. Election Orders and Canvass. The LPS shall prepare the election order, election notice, resolutions, official canvass, precinct return, and other pertinent election documents for adoption by the appropriate officer or governing body of the LPS. The LPS is responsible for ensuring that all necessary documents are in both English and Spanish and in compliance with state and federal laws, rules, regulations and orders.

I. Election Notice. The LPS shall be responsible for posting the notice if required under Section 4.003(b) of the Texas Election Code and shall provide copies of such to the Contracting Officer.

J. Map. If requested by the Contracting Officer, the LPS shall provide the Contracting Officer with an updated map and street index of its jurisdiction in an electronic or printed format within such time as to enable the Contracting Officer to ensure that current voter registration lists are prepared in time for the processing of early voting by mail.

K. Ballot Information. By February 28, 2023, the LPS shall provide the Contracting Officer with the office names, including place designations, in English with Spanish translations, the names of the candidates as the names are to appear on the ballot as well as the order in which the names are to appear under each office, and the English and Spanish translations of any propositions that are to appear on the ballot, as well as the order of any such propositions on the ballot. LPS shall provide this information by completing Exhibit F. When necessary, LPS may provide the information by attaching a form with the information and which provides the Contracting Officer with the required language and information to program the ballot. The LPS shall promptly review and approve the final ballot for correctness when requested by the Contracting Officer to do so prior to finalization.

L. Promotion and Information About the Election. The LPS assumes the responsibility of providing information about the candidates and propositions, if any, in the election and of promoting the schedules for Early Voting and Election Day. The Contracting Officer shall have no responsibility for this.

M. Recount. If the LPS or its canvassing authority receives a recount petition, it shall immediately notify the Contracting Officer of such recount petition and provide the Contracting Officer with a copy of the petition.

III. ELECTION WORKERS

A. Number of Election Workers at Election Day Polling Locations. It is agreed by the Contracting Officer and the LPS that there shall be a minimum of three election workers at each Election Day polling location. The workers shall consist of the presiding judge, alternate judge, and one election clerk appointed by the presiding judge. The parties may agree to increase the number of workers if the poll is of a historically high voter

turnout or as determined by utilizing the formula prescribed by the Secretary of State (Exhibit G). This must be done no later than the 46th day before the Election.

B. *Number of Early Voting Deputies.* The Contracting Officer may appoint the appropriate number of deputies to work any Early Voting location.

C. *Number of EVBB Members.* It is agreed by the Contracting Officer and the LPS that the EVBB shall consist of three to five members: a presiding judge and two or four clerks appointed by the presiding judge and/or the Contracting Officer.

D. *Presiding Judge of the Central Counting Station.* It is agreed by the Contracting Officer and the LPS that there shall be a presiding judge and an alternate judge appointed for the central counting station.

E. *Compensation to be Paid to Presiding Judges, Alternate Judges, and Election Clerks.* The Contracting Officer and the LPS agree that the presiding judges, alternate judges, election clerks, and early voting deputies shall be paid for the hours actually worked at the polling location (minimum 15 hours) or the central counting station in the case of the EVBB and the presiding judge, alternate judge, and clerks of the central counting station. Rate of pay will be: EVBB, Central Counting Workers, and Judges = \$10.00, Alternate Judge = \$9.00, and Clerks = \$9.00. Unless otherwise stated, Contracting Officer shall be responsible for disbursing checks for payment to election personnel. LPS shall reimburse Contracting Officer for the costs incurred.

F. *Delivery Fee.* The election worker who picks up the election supplies and voting equipment the day before the election and who returns them after the polls close on Election Day will be paid a delivery fee of \$ 25.00 or as prescribed. This fee may be split in the event that a different election worker picks up the election supplies and voting equipment than returns them or if two people return the supplies. The presiding judge shall note the split on the compensation sheet. In the event that the Contracting Officer and her/his staff delivers and sets up the election supplies and voting equipment to the polling location, and an election worker returns them, said election worker will be entitled to only one-half of the delivery fee. In the event that the Contracting Officer and her/his staff deliver, set up, breakdown, and pickup from the polling location all of the election supplies and voting equipment, no delivery fee will be paid to the election workers. LPS is subject to a delivery fee for any delivery to the polls by the Contracting Officer and her/his staff.

G. *Pickup of the Election Supplies and Voting Equipment.* In the event the Contracting Officer does not deliver the election supplies and voting equipment to the polling location, the Contracting Officer shall have the election supplies and the voting equipment ready to be picked up by the presiding judge, or the designee of the presiding judge, at 113 W. Beauregard, San Angelo, Tom Green County, Texas dock area on May 5, 2023, during the hours designated by the Contracting Officer. Contracting Officer shall notify the presiding judge of the time supplies will be ready.

H. *Election Schools.* All election workers will attend one or more election schools, as required by the Contracting Officer, on the operation of the voting system, the qualifying of voters, provisional voting, maintaining order in the polling place, and completing the paperwork required in an election. If an election worker declines to attend such election school(s), the Contracting Officer may replace that worker with another one, subject to the approval of the LPS, unless Section 32.007 of the Texas Election Code applies. Should an election worker be appointed under Section 32.007, every effort will be made by Contracting Officer to work with said election worker to inform him/her of any information they will need in order to work in said election. Contracting Officer reserves the right to reduce the rate of pay, at a rate of \$.50 per hour, of any poll worker who does not attend any training for an election.

IV. PAYMENT

A. Reimbursable Costs and Expenses. In accordance with Section 31.100(b) of the Texas Election Code, the LPS shall pay the Contracting Officer for the actual expenses she/he incurs directly attributable to the election, including without limitation, the following: supply costs, newspaper notice publication expenses, wages, salaries and benefits of Early Voting deputies, wages, salaries and benefits of Election Day polling place workers, wages, salaries and benefits of members of the EVBB, wages, salaries and benefits of Central Counting Station presiding and alternate judge and clerks, the cost of the hours spent programming the ballot and the cost of preparing and conducting the Logic and Accuracy (L&A) Testing, a “per election” user fee (per attached Exhibit D) for each DUO, Scanner and Controller placed in service at each Election Day polling location and Early Voting polling location, a “per election” user fee (per attached Exhibit E) for each Early Voting Ballot Carrier and Election Supply Carrier, a “per election” user fee (per attached Exhibit E) for each Laptop with attachments, the cost of transportation of the voting equipment to the polling location(s) (Election Day and Early Voting) and from the polling location(s) to the Central Counting Station, and the cost of Election Day technical support, tabulation, and production of unofficial reports.

B. Administrative Fee. In accordance with Section 31.100(d) of the Texas Election Code, the LPS shall pay the Contracting Officer an administrative fee in the amount of 10% of the total cost of the contract (but not less than \$150.00) to cover the services performed by the Contracting Officer and their staff.

C. Billing.

1. As soon as reasonably possible after the election, the Contracting Officer will submit an itemized invoice to the LPS for (1) actual costs and expenses directly attributable to the coordination, supervision, and conducting of the election and incurred or promised on behalf of the LPS by the Contracting Officer, and (2) the Contracting Officer’s administrative fee under Section 31.100(d) of the Texas Election Code. Costs and expenses for which reimbursement is sought shall be supported by appropriate documentation.

2. To the extent that the costs and expenses are incurred in connection with a polling location used by more than one local political subdivision, such as (without limitation) the cost of renting polling locations and voting equipment, programming the voting equipment, L&A Testing of the voting equipment and programming, wages, salaries and benefits of election workers, and the Contracting Officer’s office Election Day Support, such costs shall be divided equally among the local political subdivisions using a common polling location.

D. Payment. The LPS will make every effort to pay Contracting Officer within thirty (30) days from the receipt of invoice of actual cost of supplies, expenses and contract personnel in accordance with the Texas Election Code. If the LPS disputes any portion of the invoice, the LPS shall notify the Contracting Officer within such 30-day period or the invoice will be deemed to be a true and accurate rendering of the amount due. Payment shall be sent to Contracting Officer for proper processing. Upon receipt of payment and processing, a receipt shall be mailed to LPS.

E. Estimated Cost of Services. A cost estimate for election expenses is set forth in Exhibit C, attached hereto and made part of this contract. The Contracting Officer agrees to advise the LPS if it becomes apparent that the actual expenses incurred by the Contracting Officer will exceed by 20% or more the estimated expenses as set forth in Exhibit C.

V. GENERAL PROVISIONS

A. Nontransferable Functions. Nothing in this contract shall authorize or permit a change in the nontransferable functions outlined in Section 31.096 of the Texas Elections Code.

B. Joint Election.

1. The parties acknowledge that the following other local political subdivisions located wholly or partly within Tom Green County will be holding an election at the same time as the LPS on May 6, 2023, unless one or more of such local political subdivisions cancels its election in accordance with Section 2.053 of the Texas Election Code:

2. The LPS does hereby agree to hold a joint election under Section 271.002 of the Texas Election Code with the other local political subdivision(s) that is (are) holding an election on May 6, 2023 in all or part of the same territory.

San Angelo Independent School District
Grape Creek ISD
Veribest ISD
Wall ISD

3. In the event of such a joint election, the LPS does hereby agree to share equally in the expense of the compensation of election workers and early voting deputies at such joint election locations, the cost of the voting equipment at such joint locations, and the cost of any other election services in connection with such joint election locations (such as the programming, logic and accuracy testing, and Election Day support from the Contracting Officer's office) that cannot be readily attributable to just one local political subdivision.

4. The parties also acknowledge, and the LPS does hereby give its consent, that

San Angelo Independent School District
Grape Creek ISD
Veribest ISD
Wall ISD

may have candidates and/or propositions appearing on the same ballot with those of the LPS. They also acknowledge, and the LPS does hereby give its consent, that the entities may use one or more of the same early voting locations and the services of the early voting deputies there and one or more of the same Election Day polling locations and the services of the election workers there. The Contracting Officer agrees that they will charge only once for the compensation paid to the election workers and early voting deputies and the use of voting equipment at a shared polling location and divide the charges equally among the local political subdivisions using the same Early Voting or Election Day polling location.

C. Cancellation of Election. If the LPS cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall only be entitled to receive (1) the actual expenses incurred by the Contracting Officer before the date of cancellation in connection with the election, and (2) an administrative fee of \$150.00. The Contracting Officer shall submit an invoice for such expenses (properly supported as described in **SECTION IV** as soon as reasonably possible after the cancellation, and the LPS shall make payment therefore in a manner similar to that set forth in **SECTION IV**. The Contracting Officer agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the LPS authorizes such major costs in advance in writing. The LPS acknowledges that one or more of the other local political subdivisions in Tom Green County, Texas with which it intended to conduct a joint election or share election costs may cancel its election in accordance with Section 2.053 of the Texas Election Code. In such event, the LPS shall remain responsible either for the full cost of the election or for a greater percentage of the cost than it anticipated, in accordance with **SECTION IV, A**.

OPT OUT PROVISION:

In the event of a natural disaster, executive orders, or proclamations by the U.S. President, Governor and/or local authorities, either contracting entity has the right to postpone or cancel this contract. Per Section C, costs that have been incurred by the contracting officer will be applied to the LPS in the event of cancellation. If LPS postpones election, Section C with regard to costs incurred, such costs will be applied to the future election costs.

D. Contract Copies to Treasurer and Auditor. In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this contract with the County Treasurer of Tom Green County, Texas and the County Auditor of Tom Green County, Texas.

E. Chargeable Election Expenses. In accordance with Section 31.100 of the Texas Election Code, only the actual expenses directly attributable to the contract may be charged, including Contracting Officer's administrative fee.

F. Representatives. For purposes of implementing this contract and coordinating activities hereunder, the Contracting Officer and the LPS designate the following individuals, and whenever the contract requires submission of information or documents or notice to the Contracting Officer or the LPS, respectively, submission or notice shall be to these individuals:

For the Contracting Officer:

Vona Hudson
Election Administrator
Office of Elections
113 W. Beauregard, Elections
San Angelo, Texas 76903
Tel: 325-659-6541
Fax: 325-657-9226
Email: vona.hudson@co.tom-green.tx.us or elections@co.tom-green.tx.us

For the LPS:

Heather Stastny
Deputy City Clerk
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903
Tel: 325-657-4405
Email : heather.stastny@cosatx.us

G. Assumption of Risk, Waiver and Release:

LPS hereby accepts and assumes all risk and responsibility and further agrees to waive, release, discharge, and covenant not to sue Contracting Officer and Tom Green County for any and all claims, losses, damages, causes of action, suits, and liability of every kind for personal injury, death, or property damage which Contracting Officer or Tom Green County may sustain while engaging in any activity upon or connected with this Contract.

It is the agreement and the express intention of the parties hereto, being Contracting Officer, Tom Green County and LPS that this assumption of risk, waiver and release is intended to protect Contracting Officer and Tom Green County from the consequences of Contracting Officer's own negligence (whether ordinary or gross), or other legal responsibility, whether such is the sole, or a concurring cause, of the injury, death or damages. For the purpose of this clause, "Contracting Officer" is defined to include Vona Hudson, Contracting Officer's employees, officers, contractors, subcontractors, representatives, agents, legal representatives, successors, and assigns.

H. Indemnification Clause:

LPS shall protect, defend, indemnify and hold harmless Vona Hudson, the Election Administrator of Tom Green County, Texas, and Tom Green County, its officers, elected officials, agents, representatives, and employees from all suits, actions, losses, damages, claims or liability of any character, type, or description, including without limiting the generality of the foregoing, all expenses of litigation, court costs, and attorney's fees for injury or death to any person or persons or property arising out of, or occasioned by the negligent acts (whether ordinary or gross) or legal responsibility, whether such is the sole, or a concurring cause, of Tom Green County and Vona Hudson, the Election Administrator of Tom Green County, Texas, or her officers, agents, representatives, employees, successors or assigns in the execution or the performance of this contract.

I. Venue. This contract is performable in Tom Green County, Texas. Venue is in Tom Green County, Texas.

J. Not a Joint Enterprise. This Agreement is not intended to create a joint enterprise. By entering this Agreement, the Parties are undertaking a governmental function or service the purpose of which is to further the public good. The Parties do not jointly or severally have a pecuniary purpose or profit motive in executing or performing this Agreement. The Parties do not have an equal or mutual right of control.

K. Sovereign Immunity. By entering into this Agreement, no Party waives sovereign immunity defenses or any other limitation of liability. No provision of this Agreement is intended to modify or waive any provision of the Texas Tort Claims Act as amended.

L. Status of Employees. Each Party shall retain supervision and control of its own employees at all times while performing this Agreement and no employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other reason. The LPS Parties each agree that all persons employed by it to furnish services hereunder are employees, agents or representatives of the respective LPS Party and not of the County, and the County agrees that all persons employed by it to furnish services hereunder are employees, agents or representatives of the County and not of the respective LPS parties. Such employees, agents or representatives of any one entity to this Agreement are not entitled to benefits conferred on any other entity's employees.

M. Entire Agreement. This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

N. Amendment. This Agreement may only be amended by the mutual agreement of the Parties hereto in writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to the Agreement shall be submitted to the governing body of each of the Parties for their consideration and approval.

O. Severability. In the event that any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

P. Exclusivity. This Agreement is non-exclusive, and nothing herein shall in any way limit the right of the Parties to enter into agreements with other individuals or entities to provide the same or similar service.

WITNESS BY MY HAND THIS THE _____ DAY OF _____, _____.

By:

Vona Hudson
Elections Administrator
Tom Green County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, _____.

By:

Daniel Valenzuela
City Manager
City of San Angelo

Its Duly Authorized Representative

Attest:

Heather Stastny, Deputy City Clerk

Exhibit A

**ELECTION
(City of San Angelo)
May 6, 2023**

Tom Green County, Texas

Early Voting Locations and Hours

Polling Place			Address			City/State	
Main Location (Building Name) Edd B. and Frances Frink Keyes			Street Address 113 W. Beauregard Election Office			San Angelo, Texas	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	4/24/23 8 am – 5 pm	4/25/23 8 am – 5 pm	4/26/23 8 am – 5 pm	4/27/23 8 am – 5 pm	4/28/23 8 am – 5 pm		
	5/1/23 9 am – 6 pm	5/2/23 9 am – 6 pm					

Exhibit B

General & Special Elections

Election Day Polling Locations

(May 6, 2023)

Tom Green County, Texas

Angelo Bible Church	3506 Sherwood Way	Lobby
Belmore Baptist Church	1214 South Bell	Fellowship Hall
Calvary Baptist Church	2401 Armstrong St.	Fellowship Center
Christoval Community Center	20022 Main, Christoval, TX	Multi-Purpose Room
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne	Annex Building
SAF San Angelo First	1442 Edmund Blvd.	Fellowship Hall
Grape Creek Community Center	8207 US Hwy 87 N	Gene Marsh Board Room
Keating Paint and Body	5050 N. Chadbourne	Reception Area
Paulann Baptist Church	2531 Smith Blvd.	The Chapel
Oak Grove Senior Apartments	4375 Oak Grove Blvd.	Multi-Purpose Room
Southgate Church of Christ	528 Country Club Rd.	Fellowship Hall
Southside Recreation Center	2750 Ben Ficklin Rd.	Multi-Purpose Room
St. Ambrose Catholic Church	8602 Loop 570	Fellowship Hall
MHMR Services of the Concho Valley, Admin. Bldg.	1501 W. Beauregard	Jack Ray Room
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 Room
St. Mark Presbyterian Church	2506 Johnson Ave.	Fellowship Hall

List as of January 18, 2023

EXHIBIT C
ESTIMATED ELECTION EXPENSES FOR May 6, 2023
City of San Angelo
(LPS NAME)
Tom Green COUNTY, TX

B1	Ballot printing	500.00
B2	Programming	
	Contests	
	Contest cost	300.00
	Recording/predefining/prep (outside)	\$0.00
B3	LA Testing Advertisement	125.00
B4	Tech Support	\$0.00
B5	Election Kits	665.00
B6	County Owned Equipment	3,000.00
B7	Non co. owned equipment	
B8	Voting Equipment Transportation	
	Co. Van 2 days	92.00
	Day rate \$85, Hr rate 10.625	
	Truck and trailer 32 hours (2 crews)	135.00
	Day rate \$125, Hr rate 15.625	
	Dock	
	(included in payroll)	
B9	Polling place rental	0
B10	Precinct workers	20,000.00
B11	Delivery fee	225.00
B12	Central Count Manager	90.00
B13	Tabulation Supervisor	35.00
B18	Supplies	\$0.00
B19	Communication	220.59
	Laptops & WiFi	
B20	Postage	35.00
B22	Security	\$0.00
B23	Misc	125.00
	Technician mileage	
	subtotal	25,547.59
	Contract Admin Fee	2,554.75
		\$28,102.34

To be split between contracting entities

EXHIBIT D

EQUIPMENT RENTAL RATES as prescribed by TOM GREEN COUNTY COMMISSIONER'S COURT Effective 03/26/2019

Touch	\$32.00 Each	Min. 1	
Touch with Access	\$35.00 Each	Min. 1	Now known as DUO
Scan	\$57.00 Each	Min. 1	
Controller with auto Ballot	\$32.00 Each	Min. 1	
vDrives	\$ 1.00 Each	Min. 2	
Battery Packs	\$ 1.00 Each	Min. 2	

Tom Green County Commissioner's Court approved rental rates for electronic voting equipment. Please note that the rates are a "per day" rate but the rate applies to actual day of use only, not if the equipment is delivered early or picked up late.

Please keep in mind that the Texas Election Code provides for exceptions to certain subdivisions regarding electronic accessibility units. Details may be found under section 61.012 & 61.013.

KIOSK RENTAL RATES as prescribed by TOM GREEN COUNTY COMMISSIONER'S COURT Effective 04/30/2019

Kiosks	\$6.75 each	Min. 5	Max. 10
Election Day Kiosks	\$6.75 each	Min. 0	Max. 30

EXHIBIT E

**EQUIPMENT RENTAL RATES
as prescribed by
TOM GREEN COUNTY COMMISSIONER'S COURT
Effective 07/21/09**

Early Voting

Ballot Carrier	\$7.00 Each	Min. 1	Max. 5
Election Supply Carrier	\$4.75 Each	Min. 1	Max. 4
Laptops with attachments	\$3.75 each	Min. 5	Max. 10

Election Day

Laptops with attachments	\$3.75 each	Min. 0	Max. 30
--------------------------	-------------	--------	---------

Tom Green County Commissioner's Court approved these additional rental rates for equipment. Please note that the rates are a "per day" rate but the rate applies to actual day of use only, not if the equipment is delivered early or picked up late.

Election Office Van

(For delivery and pickup) \$85.00/day

**Tom Green County Commissioners Court
Effective October 26th, 2010**

Moved to authorize the election office to charge a fee of \$45.00 to utilize the use of the County "trailer" (in addition to the \$85.00 for use of the van) when moving voting equipment by county trustees, deputy and one election staff.

**Tom Green County
Commissioners Court Room
Edd B. & Frances Frink Keyes Building
113 W. Beauregard
San Angelo, Texas 76903
June 20th, 2017**

**Moved to set a flat rate fee of \$130 for voting equipment delivery by county trustees and deputies, as presented.
Approved.**

**POLL WORKER SALARY RATES
as prescribed by
TOM GREEN COUNTY COMMISSIONER'S COURT
Effective 01/21/20**

Moved to approve the \$10.00 pay rate for judges and \$9.00 pay rate for alternate judges and the Election clerks in future elections, as presented.

EXHIBIT F
Ballot Language as provided by LPS
Effective _____

Date Submitted: _____ Submitted by: _____ Date Received: _____

Entity Name – English _____
Entity Name – Spanish _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Office Sought – English _____
Office Sought – Spanish _____
Candidate Name _____

Number of votes per race: _____

(For example, if conducting a race for School Board Trustee positions, will voter be able to choose more than one candidate? If yes, how many may an individual voter choose?)

Proposition/Referendum
Letter _____
Language – English

Language – Spanish

Exhibit F Continued – Examples

This list does not contain every possible option and may be revised at any time necessary.

City of San Angelo
Ciudad de San Angelo

Mayor
Alcalde

City Council Member, Single Member District ____
Concejal del Distrito de Miembro Unico ____

Chief of Police
Jefe de Policia

City Charter Proposition
Proposicións de Estatutos de la Ciudad

San Angelo Independent School District
Distrito Independente Escolar de San Angelo

Board of Trustees, At Large
Junta de Regentes, En General

Board of Trustees, Single Member, District ____
Junta de Regentes, Consejo de Distrito Núm. ____

Christoval Independent School District
Distrito Escolar Independiente de Christoval

Grape Creek Independent School District
Distrito Escolar Independiente de Grape Creek

Miles Independent School District
Distrito Escolar Independiente de Miles

Veribest Independent School District
Distrito Escolar Independiente de Veribest

Wall Independent School District
Distrito Escolar Independiente de Wall

Water Valley Independent School District
Distrito Escolar Independiente de Water Valley

Trustee
Regente

Tax Rate Roll Back Election
Reducción de Presios de Imposición

Constitutional Amendment
Enmienda Constitutional

Proposition Number ____ (indicate if spelled out or abbreviated)
Proposición Número ____

Referendum No. ____ (indicate if spelled out or abbreviated)
Referéndum, Núm. ____

For
A Favor
Against
En Contra

Yes
Sí

No
No

Write-in
Por escrito

Vote for One
Vote por uno

Vote for none, one or two
Vote por ninguno, uno o dos

Vote for none, one, two, or three
Vote por ninguno, uno, dos o tres

Straight Party
Partido Unico

Democratic
Democratico

Republican
Republicano

Libertarian
Libertariano

President/Vice-President
Presidente/Vice-Presidente

U.S. Senator
Senador de los Estados Unidos

U.S. Representative, District ____
Representante de los Estados Unidos, Distrito Núm ____

Governor
Gobernador

Lieutenant Governor
Gobernador Teniente

Attorney General
Procurador General

Comptroller of Public Accounts
Contralor de Cuentas Publicas

Commissioner of the General Land Office
Comisionado de la Oficiana General de Tierras

Commissioner of Agriculture
Comisionado de Agricultura

Railroad Commissioner
Comisionado de Ferrocarriles

Chief Justice, Supreme Court
Juez Presidente, Corte Suprema

Justice, Supreme Court, Place ____

Juez, Corte Suprema, Lugar Núm ____

Judge, Court of Criminal Appeals, Place ____
Juez, Corte de Apelaciones Criminales, Lugar Núm. ____

State Senator, District ____
Senador Estatal, Distrito Núm. ____

State Representative, District ____
Representante Estatal, Distrito Núm. ____

Chief Justice, 3rd Court of Appeals
Juez Presidente, Corte de Apelaciones, Distrito Núm. ____

District Judge, ____ Judicial District
Juez del Distrito, Distrito Judicial Núm. ____

District Attorney, ____ Judicial District
Procurador del Distrito, Distrito Judicial Núm. ____

County Attorney
Fiscal del Condado

Sheriff
Sherife

County Judge
Juez del Condado

County Court-At-Law
Juez, Corde de Ley del Condado

District Clerk
Secretario del Distrito

County Clerk
Secretario del Condado

County Treasurer
Tesorero del Condado

County Tax Assessor-Collector
Asesor-Collector de Impuestos del Condado

County Commissioner, Precinct ____
Comisionado del Condado, Precinto Núm. ____

Justice of the Peace, Precinct ____
Juez de Paz, Precinto Núm. ____

Constable, Precinct ____
Condestable, Precincto Núm. ____

County Chairman
Presidente del Condado

Unexpired Term
Duracion Restante del Cargo

EXHIBIT G
Recommended number of poll workers and equipment
As recommended by Secretary of State

Number of Election Workers Per Voting Precinct (Includes one judge and one alternate judge who serves as a clerk)		
Estimated Turnout Per Polling Location	Paper Ballot/Optical Scan (primary voting method)	Electronic Voting System (primary voting method)
200 or fewer	3	3
201 - 400	5	4
401 - 700	6	5
701 - 1,100	8	6
1,101 or more	12	8

Number of Direct Record Electronic (DRE) Units, and/or Precinct Ballot Counters		
Estimated Voter Turnout Per Voting Precinct	DRE Units	Precinct Ballot Counters
300 or fewer	2	1
301 - 450	3	1
451 - 600	4	1
601 - 900	6	1
For each additional: 300 voters	2	0

Exhibit H

Election Day Vote Centers	Judges	Alternate Judges	Maximum # of Clerks
Angelo Bible Church	Sandi Smith	Yolanda Lozano	5
Belmore Baptist Church	Becky Dickson	Linda White	4
Calvary Baptist Church	Jeannine Rundell	MariBeth Dickey	4
Christoval Community Center	Martin Cortez	Philip Montalvo	4
Concho Valley Transit District, Bus Depot	Lyleann McClellan Thee	Matthew Leal	4
SAF First Assembly of God	Carl Zabecki	Rebecca Gillis White	4
Grape Creek Community Center	County Appointee	Gena Franks	4
Keating Paint & Body	Lessee Pickard	Nancy Holcomb	4
Paulann Baptist Church	Anna Bartosh	Kat Lucas	4
Oak Grove Senior Apartments	JoAnn Turner	Thomas Bankston	4
Southgate Church of Christ	Lisa White	Stella Soto Lasswell	4
Southside Recreation Center	Domingo Sedeno	Michelle De Russo	4
St. Ambrose Catholic Church	County Appointee	Charlene Dusek	4
MHMR of the Concho Valley, Admin Bldg.	Rebecca "Becky" Long	Marie Ledbetter	4
Veribest Baptist Church	Rhonda Reed	Madge Elaine Welty	4
Wesley Trinity United Methodist Church	Delfina Leal	Ida Montez	4
TXDOT	Clarence Griffin	Jerry Montalvo	5
St. Mark Presbyterian Church	Teddye Read	Michael LePak	4

Early Voting Ballot Board	Elaine Moore	W A Busbee
Central Counting Manager	Vona Hudson	
Central Counting	Barbara Stone	Lisa Olivas Chaumont
Tabulation Supervisor	Kathy Pyburn	

Tentative List as of January 18, 2023

RESOLUTION 2023-0xx

A RESOLUTION OF THE CITY COUNCIL OF SAN ANGELO, TEXAS, ORDERING A SPECIAL ELECTION HELD THE 6TH DAY OF MAY 2023, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN ANGELO, TEXAS, THE ADOPTION OR REJECTION OF CERTAIN PROPOSITIONS EACH PROVIDING FOR AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF SAN ANGELO; MAKING PROVISION FOR THE CONDUCT OF THAT ELECTION; 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 ENTER INTO AN AGREEMENT FOR ELECTION SERVICES WITH THE COUNTY; MAKING PROVISIONS TO CONDUCT THE ELECTION THROUGH AN AGREEMENT WITH THE COUNTY; ORDERING CANVASSING AND PUBLICATION; PROVIDING FOR SEVERABILITY; AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of San Angelo, Texas (City Council), appointed a Charter Review Committee to make recommendations to the City Council for Charter amendments, and has determined it is in the best interest of the citizens to submit to the qualified voters of the city certain propositions for their adoption or rejection; and

WHEREAS, City Council is calling a special election pursuant to provisions of the Texas State Constitution, Texas Election Code, and Home Rule Charter; and

WHEREAS, Tom Green County Election Administration and the City entered into an Interlocal Agreement effective January 1, 2023 and automatically renewing annually through December 31, 2032 stipulating for election services to be provided by Tom Green County Election Administration in anticipation of holding elections from and after May 2023 through November 2032; and

WHEREAS, the election on May 6, 2023 may be held jointly with local political subdivisions that opt to enter into an agreement for election services with the county as authorized under Section 271.002 of the Texas Election Code; and

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

WHEREAS, the meeting at which this resolution was considered was open to the public as required by law, and public notice of the time, place, and purpose of said meeting was given as required by Title 5, Chapter 551, Texas Government 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 May 6, 2023, 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 submitting to the qualified voters of the City for their approval or disapproval certain propositions for amendments to the Home Rule Charter of the City of San Angelo, Tom Green County, Texas, as set forth on **Exhibit "A"** attached as part of this Resolution to include the current Charter section or subpart of Charter section followed by the same Charter section or subpart of Charter section as amended by the proposition.

Section 3: The special election ordered to be held May 6 2023, shall be held jointly with such school districts or other local political subdivisions that opt to enter into an agreement for election services as authorized under Section 271.002 of the Texas Election Code.

Section 4: The official ballot for said election shall conform to the Texas Election Code, as amended, to permit the electors to vote “For” or “Against” on each proposition, shown on **Exhibit “A”** with proposed amendments shown in detail in **Exhibit “B”** to the existing Charter of the City of San Angelo.

Section 5: Early Voting by personal appearance shall be conducted at the Edd B. and Frances Frink Keyes Building in the Elections Office on the First Floor during the following days/times:

April 24 - April 28, 2023 from 8:00 A.M. to 5:00 P.M.

May 1 - May 2, 2023 from 9:00 A.M. to 6:00 P.M.

The city will utilize multiple early voting branch locations adopted by Resolution and designated by TGC as outlined in the Election Code Section 42.002 entitled “Required Use of County Precincts” when needed. The May 6, 2023 election does not meet the outlined requirements for 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

Tel: 325-659-6541

Email: elections@co.tom-green.tx.us

Website: <https://www.tomgreencountytx.gov/page/ele.ElectionsHome>

Applications for ballot by mail must be received no later than the close of business on Tuesday, April 25, 2023.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on Tuesday, April 25, 2023.

Section 6: The Election Day polling places where qualified voters shall cast ballots will be at the locations designated by Tom Green County pursuant to Texas Election Code Section 42.002, provided for in **Exhibit “C”** 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 May 6, 2023, including but not limited to, a contract with the county, and any related documents with other entities holding an election with the TGC on the same day.

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

ADOPTED this 7th day of February 2023.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Heather Stastny, Deputy City Clerk

Brenda Gunter, Mayor

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT "A"

OFFICIAL BALLOT LANGUAGE

Place a mark in the space provided beside the statement indicating the way you desire to vote:

City of San Angelo Proposition A: Shall Section 61 "Qualifications" of the City Charter be amended to create job qualifications for the Chief of Police, requiring supervisory experience and an educational component?

☐ FOR

☐ AGAINST

City of San Angelo Proposition B: Shall Section 62 "Term of Office" of the City Charter be amended to align the Chief of Police terms with the Single Member District 1, 3, and 5 terms of office to reduce the number of elections and costs to taxpayers?

☐ FOR

☐ AGAINST

City of San Angelo Proposition C: Shall Section 64 "Authority" of the City Charter be amended to align the Chief of Police authority with those powers granted by local, state, and federal laws and city policies?

☐ FOR

☐ AGAINST

EXHIBIT "B"

FULL TEXT IF PROPOSED AMENDMENTS ARE ADOPTED

Amendment Number 1 (Proposition A)

SECTION 61. QUALIFICATIONS:

The Chief of Police shall have been a continuous resident of the City of San Angelo for a period of at least six months~~two years~~ and a resident of the State of Texas for a period of at least one year immediately prior to the filing deadline for the ~~his~~ election and shall possess the qualifications of electors in said city.

Additionally, the Chief of Police shall meet or exceed the following qualifications (to be sworn and accepted, unless challenged, challenges will be reviewed by the Civil Service Commission):

- 10 years as a sworn police officer with a minimum of 5 years demonstrated performance in a supervisory capacity (Lieutenant or above) in similar sized agency; AND,
- Masters' Peace Officer Certificate from the Texas Commission on Law Enforcement (TCOLE); OR Bachelor's in Criminal Justice; OR 4 years of military service.

Amendment Number 2 (Proposition B)

SECTION 62. TERM OF OFFICE:

The ~~term of office of the~~ Chief of Police shall serve a term of ~~for the City of San Angelo shall be~~ four (4) years and until his successor is elected and qualified, unless sooner removed from office by death, resignation, or recall.

To align terms with Single Member Districts 1, 3, and 5, the term for the election held May 4, 2024, will be a term for three (3) years, with all following elections to be for a term of four (4) years.

If the Chief of Police ceases to be a resident of the city, or is found to have violated state or federal law, they shall be deemed to have automatically resigned from office.

Amendment Number 3 (Proposition C)

SECTION 64 – AUTHORITY:

The Chief of Police shall manage and operate the ~~have exclusive control of the police department in accordance with local, state, and federal laws in addition to city policies of the City of San Angelo and shall have the right to select, employ, discharge at will and to prescribe the salaries of (within the monetary limits fixed by the city budget) the employees in such department.~~

EXHIBIT "C"

POLLING PLACES FOR MAY 6, 2023 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:

April 24 - April 28, 2023 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 abril y terminando el 28 de abril 2023)

May 1 - May 2, 2023 from 9:00 A.M. to 6:00 P.M.

(9:00 de la mañana hasta las 6:00 de la tarde empezando el 1 de mayo y terminando el 2 de mayo 2023)

Locations:

Main Branch:	
Edd B. and Frances Frink Keyes Bldg.	113 W. Beauregard Ave., Election Office

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:

May 6, 2023, 7 A.M. to 7 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde el 6 de mayo 2023)

Locations:

Polling places as of January 18, 2023 were:

(Los lugares de votación desde el 18 de enero eran:)

Angelo Bible Church	3506 Sherwood Way	Lobby
Belmore Baptist Church	1214 South Bell	Fellowship Hall
Calvary Baptist Church	2401 Armstrong St.	Fellowship Center
Christoval Community Center	20022 Main, Christoval, TX	Multi-Purpose Rm.
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne	Annex Building
SAF San Angelo First	1442 Edmund Blvd.	Fellowship Hall
Grape Creek Community Center	8207 US Hwy 87 N	Gene Marsh Board Rm.

Keating Paint and Body	5050 N. Chadbourne	Reception Area
Paulann Baptist Church	2531 Smith Blvd.	The Chapel
Oak Grove Senior Apartments	4375 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	Fellowship Hall
MHMR Services of the Concho Valley	1501 W. Beauregard	Jack Ray Room
Veribest Baptist Church	50 FM 2334, Veribest, TX	Fellowship Hall
Wesley Trinity United Methodist Church	301 West 18th St.	Fellowship Hall
TxDOT	4502 Knickerbocker Rd., Bldg. E	Training Room
St. Mark Presbyterian Church	2506 Johnson Ave.	Fellowship Hall

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>).

RESOLUCIÓN 2023-0xx

UNA RESOLUCIÓN DEL CONCEJO MUNICIPAL DE SAN ANGELO, TEJAS, QUE ORDENA CELEBRAR UNA ELECCIÓN ESPECIAL EL 6 DE MAYO DE 2023, CON EL FIN DE PRESENTAR A LOS VOTANTES CALIFICADOS DE LA CIUDAD DE SAN ANGELO, TEJAS, LA ADOPCIÓN O EL RECHAZO DE CIERTAS PROPUESTAS, CADA UNA DE LAS QUE PREVÉ ENMIENDA A LA CARTA CONSTITUTIVA DE LA AUTONOMÍA DE LA CIUDAD DE SAN ANGELO; HACER DISPOSICIONES PARA LA REALIZACIÓN DE ESA ELECCIÓN; 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 CELEBRAN UN ACUERDO PARA SERVICIOS ELECTORALES CON EL CONDADO; HACER DISPOSICIONES PARA REALIZAR LA ELECCIÓN MEDIANTE UN ACUERDO CON EL CONDADO; SOLICITUD DE ESCRUTINIO Y PUBLICACIÓN; DISPONIBILIDAD DE LA DIVISIBILIDAD; Y OTRAS DISPOSICIONES INCIDENTES Y RELACIONADAS CON EL OBJETO DE LA PRESENTE RESOLUCIÓN; Y PREVIENDO UNA FECHA EFECTIVA.

POR CUANTO, el Concejo Municipal de San Angelo, Texas (Concejo Municipal), nombró un Comité de Revisión de la Carta para hacer recomendaciones al Concejo Municipal para las enmiendas a la Carta, y ha determinado que lo mejor para los ciudadanos es presentar a los votantes calificados de la ciudad ciertas proposiciones para su adopción o rechazo; y

POR CUANTO, el Concejo Municipal está convocando una elección especial de conformidad con las disposiciones de la Constitución del Estado de Texas, el Código Electoral de Texas y el Estatuto de Autonomía;

CONSIDERANDO, que la Administración Electoral del Condado de Tom Green y la Ciudad celebraron un Acuerdo Interlocal a partir del 1 de enero de 2023 y que se renueva automáticamente anualmente hasta el 31 de diciembre de 2032 estipulando que la Administración Electoral del Condado de Tom Green brindará servicios electorales en anticipación de la celebración de elecciones a partir del mayo de 2023 hasta noviembre de 2032; y

POR CUANTO, la elección del 6 de mayo de 2023 puede celebrarse conjuntamente con las subdivisiones políticas locales que opten por celebrar un acuerdo para los servicios electorales con el condado según lo autorizado por la Sección 271.002 del Código Electoral de Texas; 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; y

POR CUANTO, la reunión en la que se consideró esta resolución estuvo abierta al público según lo exige la ley, y se dio aviso público de la hora, el lugar y el propósito de dicha reunión según lo exige el Título 5, Capítulo 551, Código de Gobierno 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 6 de mayo de 2023, 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 presentar a los votantes calificados de la Ciudad para su aprobación o desaprobación de ciertas propuestas de enmiendas a la Carta Constitutiva de Autonomía de la Ciudad de San Angelo, condado de Tom Green, Texas, como se establece en el Anexo "A" adjunto como parte de esta Resolución para incluir la sección actual del Estatuto o subparte de la sección del Estatuto seguida de la misma sección del Estatuto o subparte de la sección del Estatuto modificada por la proposición.

Sección 3: La elección especial ordenada para el 6 de mayo de 2023 se llevará a cabo conjuntamente con los distritos escolares u otras subdivisiones políticas locales que opten por celebrar un acuerdo de servicios electorales según lo autorizado por la Sección 271.002 del Código Electoral de Tejas.

Sección 4: La boleta oficial para dicha elección se ajustará al Código Electoral de Tejas, según enmendado, para permitir que los electores voten "A favor" o "En contra" de cada proposición, que se muestra en el Anexo "A" con las enmiendas propuestas que se muestran en detalle en Anexo "B" de la Carta Constitutiva existente de la Ciudad de San Angelo.

Sección 5: La votación anticipada en persona se llevará a cabo en el edificio Edd B. y Frances Frink Keyes en la Oficina de Elecciones en el primer piso durante los siguientes días/horarios:

24 de abril - 28 de abril de 2023 desde las 8:00 de la mañana hasta las 5:00 de la tarde

1 de mayo - 2 de mayo de 2023 desde las 9:00 de la mañana hasta las 6:00 de la tarde

La ciudad utilizará múltiples ubicaciones de sucursales de votación anticipada adoptadas por Resolución y designadas por TGC como se describe en la Sección 42.002 del Código Electoral titulada "Uso requerido de recintos electorales del condado" cuando sea necesario. La elección del 6 de mayo de 2023 no cumple con los requisitos descritos para los precintos del condado.

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

Secretario 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

Tel: 325-659-6541

Email: elections@co.tom-green.tx.us

Website: <https://www.tomgreencountytx.gov/page/elections>

Las solicitudes de boletas por correo deben recibirse antes del cierre de operaciones del martes 25 de abril de 2023.

La Tarjeta Federal Postal de Solicitud deberán recibirse no más tardar de las horas de negocio el martes 25 de abril 2023

Sección 6: Los lugares de votación del Día de las Elecciones donde los electores calificados emitirán su voto estarán en los lugares designados por TGC según lo dispuesto en el Anexo "C" adjunto al presente 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 la Secretaria 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 cualquier documento necesario para celebrar una elección el 6 de mayo de 2023, incluidos, entre otros, un contrato con el condado y cualquier documento relacionado con otras entidades que celebren una elección con el TGC el el mismo día.

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

ADOPTADO este 7 de febrero de 2023.

LA CUIDAD DE SAN ANGELO, TEJAS:

ATTEST:

Brenda Gunter, Alcaldesa

Heather Stastny, Secretaria Adjunta de la ciudad

APPROVED AS TO FORM:

Theresa James, Abogada de la ciudad

ANEXO "A"

IDIOMA OFICIAL DE LA BOLETA

Coloque una marca en el espacio provisto al lado de la declaración que indica la forma en que desea votar:

Propuesta A de la Ciudad de San Angelo: ¿Se debe enmendar la Sección 61 "Calificaciones" de la Carta Constitutiva de la Ciudad para crear calificaciones laborales para el Jefe de Policía, que requieran experiencia de supervisión y un componente educativo?

☐ **POR**

☐ **CONTRA**

Propuesta B de la Ciudad de San Angelo: ¿Debería enmendarse la Sección 62 "Término del cargo" de los Estatutos de la Ciudad para alinear los términos del Jefe de Policía con los períodos del cargo del Distrito de Miembro Único 1, 3 y 5 para reducir la cantidad de elecciones y los costos? a los contribuyentes?

☐ **POR**

☐ **CONTRA**

Propuesta C de la Ciudad de San Angelo: ¿Se debe enmendar la Sección 64 "Autoridad" de los Estatutos de la Ciudad para alinear la autoridad del Jefe de Policía con los poderes otorgados por las leyes locales, estatales y federales y las políticas de la ciudad?

☐ **POR**

☐ **CONTRA**

ANEXO “B”

TEXTO COMPLETO SI SE APROBAN LAS ENMIENDAS PROPUESTAS

Enmienda Número 1 (Propuesta A)

ARTÍCULO 61. CUALIFICACIONES:

El Jefe de Policía deberá haber sido residente continuo de la Ciudad de San Angelo por un período de al menos seis meses y residente del Estado de Tejas por un período de al menos un año inmediatamente antes de la fecha límite de presentación de la elección y poseerán las calidades de electores en dicha ciudad.

Además, el Jefe de Policía deberá cumplir o exceder las siguientes calificaciones (para ser juramentado y aceptado, a menos que sea impugnado, los desafíos serán revisados por la Comisión de Servicio Civil):

- 10 años como oficial de policía juramentado con un mínimo de 5 años de desempeño demostrado en una capacidad de supervisión (teniente o superior) en una agencia de tamaño similar; Y,
- Certificado de Maestría en Oficial de Paz de la Comisión de Cumplimiento de la Ley de Tejas (TCOLE); O Licenciatura en Justicia Criminal; O 4 años de servicio militar.

Enmienda Número 2 (Propuesta B)

ARTÍCULO 62. DURACIÓN DEL CARGO:

El Jefe de Policía servirá un término de cuatro (4) años y hasta que su sucesor sea elegido y calificado, a menos que antes sea destituido de su cargo por muerte, renuncia o destitución.

Para alinear los términos con los distritos uninominales 1, 3 y 5, el término para la elección celebrada el 4 de mayo de 2024 será un término de tres (3) años, y todas las elecciones siguientes serán por un término de cuatro (4) años.

Si el Jefe de Policía deja de ser residente de la ciudad, o se determina que ha violado la ley estatal o federal, se considerará que ha renunciado automáticamente a su cargo.

Enmienda Número 3 (Propuesta C)

ARTÍCULO 64 - AUTORIDAD:

El Jefe de Policía administrará y operará el departamento de acuerdo con las leyes locales, estatales y federales además de las políticas de la ciudad.

ANEXO "C"

LUGARES DE VOTACIÓN PARA LA ELECCIÓN ESPECIAL DEL 6 DE MAYO DE 2023 Y FECHAS DE VOTACIÓN ANTICIPADA RELACIONADAS

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:

April 24 - April 28, 2023 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 abril y terminando el 28 de abril 2023)

May 1 - May 2, 2023 from 9:00 A.M. to 6:00 P.M.

(9:00 de la mañana hasta las 6:00 de la tarde empezando el 1 de mayo y terminando el 2 de mayo 2023)

Locations:

Main Branch:	
Edd B. and Frances Frink Keyes Bldg.	113 W. Beauregard Ave., Election Office

ELECTION DAY (DIA DE LAS ELECCIONES)

Angelo Bible Church	3506 Sherwood Way	Lobby
Belmore Baptist Church	1214 South Bell	Fellowship Hall
Calvary Baptist Church	2401 Armstrong St.	Fellowship Center
Christoval Community Center	20022 Main, Christoval, TX	Multi-Purpose Rm.
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne	Annex Building
SAF San Angelo First	1442 Edmund Blvd.	Fellowship Hall
Grape Creek Community Center	8207 US Hwy 87 N	Gene Marsh Board Rm.
Keating Paint and Body	5050 N. Chadbourne	Reception Area
Paulann Baptist Church	2531 Smith Blvd.	The Chapel
Oak Grove Senior Apartments	4375 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	Fellowship Hall
MHMR Services of the Concho Valley	1501 W. Beauregard	Jack Ray Room
Veribest Baptist Church	50 FM 2334, Veribest, TX	Fellowship Hall
Wesley Trinity United Methodist Church	301 West 18th St.	Fellowship Hall
TxDOT	4502 Knickerbocker Rd., Bldg. E	Training Room

St. Mark Presbyterian Church

2506 Johnson Ave.

Fellowship Hall

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:

May 6, 2023, 7 A.M. to 7 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde el 6 de mayo 2023)

Locations:

Polling places as of January 18, 2023 were:

(Los lugares de votación desde el 18 de enero 2023 eran:)

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>).

RESOLUTION 2023-0xx

A RESOLUTION OF THE CITY COUNCIL OF SAN ANGELO, TEXAS, ORDERING THAT A GENERAL ELECTION BE HELD THE 6TH DAY OF MAY 2023, FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS FOR SINGLE MEMBER DISTRICTS ONE, THREE, AND FIVE RESPECTIVELY, FOR FOUR YEAR TERMS; MAKING PROVISION FOR THE CONDUCT OF THAT ELECTION; DESIGNATING LOCATIONS OF POLLING PLACES; PROVIDING FOR DATES, TIMES AND PLACE FOR EARLY VOTING BY PERSONAL APPEARANCE; AUTHORIZING A JOINT ELECTION WITH OTHER LOCAL POLITICAL SUBDIVISIONS THAT ENTER INTO AN AGREEMENT FOR ELECTION SERVICES WITH THE COUNTY; MAKING PROVISIONS TO CONDUCT THE ELECTION THROUGH AN AGREEMENT WITH THE COUNTY; MAKING PROVISIONS FOR A RUNOFF ELECTION; ORDERING CANVASSING AND PUBLICATION; PROVIDING FOR SEVERABILITY; AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council pursuant to provisions of the Texas State Constitution, Texas Election Code and Home Rule Charter has determined to call a general election for the purpose of electing the following officers: Single Member District One Council Member, Single Member District Three Council Member, and Single Member District Five Council Member by the qualified voters of the City of San Angelo entitled to vote for said officers; and

WHEREAS, should any candidate for office in the general municipal election fail to receive a majority of all the votes cast for such office, then in that event, it shall be the duty of the City Council to order a runoff election for each position to which no one received a majority of all votes cast for such office as required by Section 45 of the City Charter and state law; and

WHEREAS, Tom Green County Election Administration and the City entered into an Interlocal Agreement effective January 1, 2023 and automatically renewing annually through December 31, 2032 stipulating for election services to be provided by Tom Green County Election Administration in anticipation of holding elections from and after May 2023 through November 2032; and

WHEREAS, the election on May 6, 2023, will be held jointly with local political subdivisions that opt to enter into an agreement for election services with the county as authorized under Section 271.002 of the Texas Election Code; and

WHEREAS, the meeting at which this resolution was considered was open to the public as required by law, and public notice of the time, place, and purpose of said meeting was given as required by Title 5, Chapter 551, Texas Government 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 General Election to be held on the 6th day of May 2023, 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 electing the following officers: Single Member District One Council Member, Single Member District Three Council Member, and Single Member District Five Council Member to serve four year terms.

Section 3: The general election ordered to be held May 6, 2023, shall be held jointly with such school districts or other local political subdivisions that opt to enter into an agreement for election services as authorized under Section 271.002 of the Texas Election Code.

Section 4: In the event that in the general election herein ordered, no candidate receives a majority of all the votes cast for such office, and the City Council calls for a runoff election for each such

position, there shall be held a runoff election pursuant to Section 45 of the City of San Angelo City Charter and state law, which shall not be earlier than the 20th day or later than the 45th day after the date the final canvass of the main election is completed.

Section 5: The official ballots for said election shall conform to the Texas Election Code, as amended, to permit the electors to vote for the candidate of their choice, with the official ballot to contain such other provisions, markings and language as required by law.

Section 6: Early Voting by personal appearance shall be conducted at the Edd B. and Frances Frink Keyes Building in the Elections Office on the First Floor during the following days/times:

April 24 - April 28, 2023 from 8:00 A.M. to 5:00 P.M.

May 1 - May 2, 2023 from 9:00 A.M. to 6:00 P.M.

The city will utilize multiple early voting branch locations adopted by Resolution and designated by TGC as outlined in the Election Code Section 42.002 entitled "Required Use of County Precincts" when needed. The May 6, 2023 election does not meet the outlined requirements for 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
Tel: 325-659-6541
Email: elections@co.tom-green.tx.us
Website: <https://www.tomgreencountytexas.gov/page/electionsHome>

Applications for ballot by mail must be received no later than the close of business on Tuesday, April 25, 2023.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on Tuesday, April 25, 2023.

Section 7: The Election Day polling places where qualified voters shall cast ballots will be at the locations designated by Tom Green County pursuant to Texas Election Code Section 42.002, as provided for in **Exhibit "A"** attached hereto and adopted as part of this Resolution.

Section 8: 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 9: 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 10: The City Clerk is directed and required to publish a notice of said elections as required by law.

Section 11: 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 12: 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, including this Resolution, was given as required by Chapter 551, as amended, of the Texas Government Code.

Section 13: The City Manager is hereby authorized to execute any documents necessary to hold an election on May 6, 2023, including but not limited to, a contract with the county, and any related documents with other entities holding an election with the TGC on the same day.

Section 14: This Resolution shall be effective from and after the date of its adoption.

ADOPTED this 7th day of February 2023

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Heather Stastny, Deputy City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT "A"

**POLLING PLACES FOR MAY 6, 2023 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:

April 24 - April 28, 2023 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 abril y terminando el 28 de abril 2023)

May 1 - May 2, 2023 from 9:00 A.M. to 6:00 P.M.

(9:00 de la mañana hasta las 6:00 de la tarde empezando el 1 de mayo y terminando el 2 de mayo 2023)

Locations:

Main Branch:	
Edd B. and Frances Frink Keyes Bldg.	113 W. Beauregard Ave., Election Office

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:

May 6, 2023, 7 A.M. to 7 P.M.

(7:00 de la mañana hasta las 7:00 de la tarde el 6 de mayo 2023)

Locations:

Polling places as of January 18, 2023 were:

(Los lugares de votación desde el 18 de enero eran:)

Angelo Bible Church	3506 Sherwood Way	Lobby
Belmore Baptist Church	1214 South Bell	Fellowship Hall
Calvary Baptist Church	2401 Armstrong St.	Fellowship Center
Christoval Community Center	20022 Main, Christoval, TX	Multi-Purpose Rm.
Concho Valley Transit District (Bus Depot)	506 N. Chadbourne	Annex Building
SAF San Angelo First	1442 Edmund Blvd.	Fellowship Hall
Grape Creek Community Center	8207 US Hwy 87 N	Gene Marsh Board Rm.

Keating Paint and Body	5050 N. Chadbourne	Reception Area
Paulann Baptist Church	2531 Smith Blvd.	The Chapel
Oak Grove Senior Apartments	4375 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	Fellowship Hall
MHMR Services of the Concho Valley.	1501 W. Beauregard	Jack Ray Room
Veribest Baptist Church	50 FM 2334, Veribest, TX	Fellowship Hall
Wesley Trinity United Methodist Church	301 West 18th St.	Fellowship Hall
TxDOT	4502 Knickerbocker Rd., Bldg. E	Training Room
St. Mark Presbyterian Church	2506 Johnson Ave.	Fellowship Hall

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>).

RESOLUCIÓN 202 3-0xx

UNA RESOLUCIÓN DEL CONCEJO MUNICIPAL DE SAN ANGELO, TEXAS, ORDENANDO QUE SE CELEBREN ELECCIONES GENERALES EL 6 DE MAYO DE 2023, CON EL PROPÓSITO DE ELEGIR A TRES MIEMBROS DEL CONSEJO PARA LOS DISTRITOS UNINOMINALES UNO, TRES Y CINCO, RESPECTIVAMENTE, POR PERÍODOS DE CUATRO AÑOS; ADOPTAR DISPOSICIONES PARA LA CELEBRACIÓN DE ESA ELECCIÓN; DESIGNAR LOS LUGARES DE VOTACIÓN; ESTABLECER FECHAS, HORARIOS Y LUGARES PARA LA VOTACIÓN ANTICIPADA POR COMPARECENCIA PERSONAL; AUTORIZAR UNA ELECCIÓN CONJUNTA CON OTRAS SUBDIVISIONES POLÍTICAS LOCALES QUE CELEBREN UN ACUERDO DE SERVICIOS ELECTORALES CON EL CONDADO; TOMAR DISPOSICIONES PARA LLEVAR A CABO LA ELECCIÓN A TRAVÉS DE UN ACUERDO CON EL CONDADO; HACER PROVISIONES PARA UNA SEGUNDA VUELTA; ORDENAR EL ESCRUTINIO Y LA PUBLICACIÓN; PROPORCIONAR DIVISIBILIDAD; Y OTRAS DISPOSICIONES INCIDENTES Y RELACIONADAS CON EL PROPÓSITO DE ESTA RESOLUCIÓN; Y PROPORCIONAR UN DATE EFICAZ

CONSIDERANDO QUE, el Concejo Municipal de conformidad con las disposiciones de la Constitución del Estado de Texas, el Código Electoral de Texas y la Carta de Autonomía ha determinado convocar a una elección general con el propósito de elegir a los siguientes funcionarios: Miembro del Consejo del Distrito Uno de un solo miembro, Miembro del Consejo del Distrito Tres de un solo miembro y Miembro del Consejo del Distrito Cinco de un solo miembro. por los votantes calificados de la Ciudad de San Angelo con derecho a votar por dichos oficiales; y

CONSIDERANDO QUE, si cualquier candidato para un cargo en las elecciones municipales generales no recibe la mayoría de todos los votos emitidos para dicho cargo, entonces, en ese caso, será deber del Concejo Municipal ordenar una segunda vuelta electoral para cada posición para la cual nadie recibió la mayoría de todos los votos emitidos para dicho cargo como lo requiere la Sección 45 de la Carta de la Ciudad y la ley estatal; y

CONSIDERANDO QUE, la Administración Electoral del Condado de Tom Green y la Ciudad celebraron un Acuerdo Interlocal a partir del 1 de enero de 2023 y que se renueva automáticamente anualmente hasta el 31 de diciembre de 2032, estipulando que los servicios electorales serán proporcionados por la Administración Electoral del Condado de Tom Green antes de celebrar elecciones desde y después de mayo de 2023 hasta noviembre de 2032; y

CONSIDERANDO QUE, la elección del 6 de mayo de 2023, se llevará a cabo conjuntamente con las subdivisiones políticas locales que opten por celebrar un acuerdo para servicios electorales con el condado según lo autorizado por la Sección 271.002 del Código Electoral de Texas; y

CONSIDERANDO QUE, la reunión en la que se consideró esta resolución estuvo abierta al público como lo exige la ley, y el aviso público de la hora, el lugar y el propósito de dicha reunión se dio según lo requerido por el Título 5, Capítulo 551, Código de Gobierno de Texas.

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

Sección 1: Los considerandos que figuran en el preámbulo del presente documento se consideran verdaderos y correctos y se adoptan como parte de la presente resolución.

Sección 2: El Concejo Municipal ordena que se celebren elecciones generales el 6 de mayo de 2023, siendo la próxima fecha de elección uniforme, que no es inferior a setenta y ocho (78) días a partir de la fecha de esta resolución, con el propósito de elegir a los siguientes funcionarios: Miembro del Consejo del Distrito Uno de un solo miembro, Miembro del Consejo del Distrito Tres de un solo miembro y Miembro del Consejo del Distrito Cinco de un solo miembro para servir un término de cuatro años.

Sección 3: La elección general ordenada para el 6 de mayo de 2023 se llevará a cabo conjuntamente con dichos distritos escolares u otras subdivisiones políticas locales que opten por celebrar un acuerdo para los servicios de transmisión según lo autorizado por la Sección 271.002 del Código Electoral de Texas.

Sección 4: En el caso de que en las elecciones generales aquí ordenadas, ningún candidato reciba la mayoría de todos los votos emitidos para dicho cargo, y el Concejo Municipal convoque una segunda vuelta para cada uno de ellos. posición, se llevará a cabo una segunda vuelta electoral de conformidad con la Sección 45 de la Carta de la Ciudad de San Angelo y la ley estatal, cuando será anterior al día 20 ni posterior al día 45 después de la fecha en que se complete el escrutinio final de la elección principal.

Sección 5: Las boletas oficiales para dicha elección se ajustarán al Código Electoral de Texas, según enmendado, para permitir que los electores voten por el candidato de su elección, y la boleta oficial contendrá otras disposiciones, marcas y lenguaje según lo exija la ley.

Sección 6: La votación anticipada por comparecencia personal se llevará a cabo en el Edificio Edd B. y Frances Frink Keyes en la Oficina de Elecciones en el Primer Piso durante los siguientes días / horarios:

24 de abril - 28 de abril de 2023 de 8:00 a.m. a 5:00 p.m.

1 de mayo - 2 de mayo de 2023 de 9:00 a.m. a 6:00 p.m.

La ciudad utilizará múltiples ubicaciones de sucursales de votación anticipada adoptadas por Resolución y designadas por TGC como se describe en la Sección 42.002 del Código Electoral titulada "Uso Requerido de los Distritos del Condado" cuando sea necesario. La elección del 6 de mayo de 2023 no cumple con los requisitos descritos para los precintos del condado.

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

Secretario de la Ciudad / Ciudad de San Angelo
c/o Vona Hudson, Administrador de Elecciones del Condado de Tom Green
Edd B. & Frances Frink Keyes Bldg., 113 W. Beauregard Ave.
76903, San Angelo, Texas
Teléfono: 325-659-6541
Correo electrónico: elections@co.tom-green.tx.us
Sitio web: <https://www.tomgreencountytx.gov/page/electionsHome>

Las solicitudes de boleta por correo deben recibirse a más tardar al cierre de operaciones el martes 25 de abril de 2023.

Las solicitudes federales de tarjetas postales (FPCA) deben recibirse a más tardar al cierre de operaciones el martes 25 de abril de 2023.

Sección 7: 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 de conformidad con la Sección 42.002 del Código Electoral de Texas, según lo dispuesto en el Anexo "A" adjunto al presente y adoptado como parte de esta Resolución.

Sección 8: La Ciudad de San Angelo autoriza al Administrador de Elecciones del Condado de Tom Green, como Oficial de Contratación, a realizar los cambios necesarios a los jueces electorales y / o lugares de votación sin ninguna acción adicional por parte del Concejo Municipal o la aprobación de la Ciudad de San Angelo, para incluir la selección de personas / lugares adicionales, o cambios en las personas / lugares existentes, o trasladar a los jueces/suplentes electorales de un lugar a otro.

Sección 9: Dicha elección se llevará a cabo utilizando los sistemas de votación adoptados por TGC bajo la Sección 123.001b3B del Código Electoral de Texas con los mismos términos aprobados por el Condado y los resultados sondeados y anunciados según lo prescrito por el Código Electoral de Texas, según enmendado y solo los electores debidamente calificados estarán calificados para votar.

Sección 10: El Secretario de la Ciudad está dirigido y obligado a publicar un aviso de dichas elecciones según lo exija la ley.

Sección 11: 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 12: Se determina y declara oficialmente que la reunión en la que se adoptó esta Resolución estuvo abierta al público y el aviso público del tiempo, lugar y tema de los asuntos públicos que se considerarán en dicha reunión, incluida esta Resolución, se dio según lo requerido por el Capítulo 551, según enmendado, del Código de Gobierno de Texas.

Sección 13: El Administrador de la Ciudad está autorizado a ejecutar cualquier documento necesario para celebrar una elección el 6 de mayo de 2023, incluidos, entre otros, un contrato con el condado y cualquier documento relacionado con otras entidades que celebren una elección con el TGC el mismo día.

Sección 14: La presente Resolución entrará en vigor a partir de la fecha de su adopción.

ADOPTADA el 7 de febrero de 2023

LA CIUDAD DE SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Alcaldesa

Heather Stastny, Secretaria Adjunta de la Ciudad

APROBADO EN CUANTO A LA FORMA:

Theresa James, Abogada de la Ciudad

ANEXO "A"

**LUGARES DE VOTACIÓN PARA LAS ELECCIONES ESPECIALES DEL 6 DE MAYO DE 2023 Y
FECHAS DE VOTACIÓN ANTICIPADA RELACIONADAS**

EARLY VOTING (VOTACIÓN ADELANTADAS)

Durante la votación anticipada, cualquier persona que resida en el Condado de Tom Green puede ir a los siguientes lugares y votar sobre todos los oficiales o medidas por las cuales la persona tiene derecho a votar durante los siguientes días / horas.

(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.)

Horas:

24 de abril - 28 de abril de 2023 de 8:00 a.m. a 5:00 p.m.

(8:00 de la mañana hasta las 5:00 de la tarde empezando el 24 de abril y terminando el 28 de abril 2023)

1 de mayo - 2 de mayo de 2023 de 9:00 a.m. a 6:00 p.m.

(9:00 de la mañana hasta las 6:00 de la tarde empezando el 1 de mayo y terminando el 2 de mayo 2023)

Ubicaciones:

Rama principal:	
Ed B. y Francés Frank Kayes Blog.	113 W. Beauregard Ave., Oficina Electoral

ELECTION DAY (DÍA DE LAS ELECCIONES)

El día de las elecciones, cualquier persona que resida en el Condado de Tom Green puede ir a cualquiera de los lugares de votación designados por el Condado de Tom Green de conformidad con la Sección 42.002 del Código Electoral de Texas y votar sobre todos los oficiales o medidas por las cuales la persona tiene derecho a votar.

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

Horas:

6 de mayo de 2023, de 7 a.m. a 7 p.m.

(7:00 de la mañana hasta las 7:00 de la tarde el 6 de mayo 2023)

Ubicaciones:

Los lugares de votación el 18 de enero de 2023 fueron:

Iglesia Bíblica Angelo	3506 Sherwood Way	Vestíbulo
Iglesia Bautista Belmore	1214 South Bell	Fellowship Hall
Iglesia Bautista Calvary	2401 Armstrong St.	Centro de Becas
Centro Comunitario Cristóbal	20022 Main, Christoval, TX	Rm. multipropósito
Distrito de tránsito del Valle del Concho (Estación autobuses)	506 N. Chadbourne	Edificio anexo

SAF San Angelo Primero	1442 Edmund Blvd.	Fellowship Hall
Centro Comunitario de Grape Creek	8207 US Hwy 87 N	Gene Marsh Board Rm.
Keating Pintura y Cuerpo	5050 N. Chadbourne	Área de recepción
Iglesia Bautista Paulan	2531 Smith Blvd.	La Capilla
Oak Grove Senior Apartamentos	4375 Oak Grove Blvd.	MultiusosR m.
Iglesia de Cristo de Southgate	528 Country Club Rd.	Fellowship Hall
Centro de Recreación Southside	2750 Ben Filin RD.	Rm. multipropósito
Iglesia Católica de San Ambrosio	8602 Bucle 570	Fellowship Hall
MHMR Servicios del Valle del Concho.	1501 W. Beauregard	Habitación Jack Ray
Iglesia Bautista Veriles	50 FM 2334, Veribest, TX	Fellowship Hall
Iglesia Metodista Unida Wesley Trinity	301 West 18th St.	Fellowship Hall
TxDOT	4502 Knickerbocker Rd., Edif.	Sala de formación
Iglesia Presbiteriana de San Marcos	2506 Johnson Ave.	Fellowship Hall

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>.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Gaddy, Assistant Finance Director, Finance

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider resolutions approving the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Tina Dierschke)

Staff Recommendation:

Adopt

Summary/History:

Each year, the City Council must adopt an investment policy and strategy in accordance with the Public Funds Investment Act (PFIA). The updated investment policies are attached with changes being made from last year. Changes include:

City Investments: Addendum B - Updated to include currently approved brokers.

Lake Nasworthy Trust: Addendum B - Updated to include currently approved brokers.

Development Corporation: Addendum B - Updated to include currently approved brokers.

These policies and changes have been reviewed and are recommended by the Investment Oversight Committee. Adopting these three policies will keep the City in compliance with the Public Funds Investment Act ("PFIA") which requires the City to review and adopt the policies annually.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. Resolution City of San Angelo Investment Funds Resolution City of San Angelo Investment Funds.docx
2. 2023 City Investment Policy and BD List 2023 City Investment Policy and BD List.pdf

- | | | |
|----|---|--|
| 3. | Resolution Lake Nasworthy Trust Investment Funds | Resolution Lake Nasworthy Trust Investment Funds.docx |
| 4. | 2023 Lake Nasworthy Investment Policy and BD List | 2023 Lake Nasworthy Investment Policy and BD List.pdf |
| 5. | Resolution Development Corporation Investment Funds | Resolution Development Corporation Investment Funds.docx |
| 6. | 2023 COSADC Investment Policy and BD List | 2023 COSADC Investment Policy and BD List.pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

Ryan Gaddy

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Final Approval

RESOLUTION # _____

**A RESOLUTION ADOPTING THE CITY OF SAN ANGELO
INVESTMENT POLICY AND INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in the Texas Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a), as amended, requires the City to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the City Council has reviewed the City Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Addendum B	Added Academy Securities, Amherst Pierpoint Securities, BMO Capital Markets, Brean Capital, D.A. Davidson, FNC, Great Pacific, Huntington Bank, Rice Financial, Stephens Inc., TD Securities, Truist Securities, and UMB Financial Securities.
Addendum B	Removed Barclays Capital Inc., Citigroup Global Markets Inc., Fifth Third Securities Inc., Guggenheim Securities LLC, ICAP Corporates LLC, Nomura Securities, PNC Capital Markets LLC, and Sun Trust Robinson Humphrey Inc.

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

That the City has complied with the requirements of the Public Funds Investment Act and the City's Investment Policy and adopts the Investment Policy and Investment Strategy, with the changes as shown, as the Investment Policy and Strategy of the City effective the date of this resolution.

ADOPTED this the 7th day of February 2023.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

Tina Dierschke, Finance Director

APPROVED AS TO FORM:

Theresa James, City Attorney

CITY OF SAN ANGELO, TEXAS

INVESTMENT POLICY

2023

It is the policy of the City of San Angelo (the "City") to invest public funds in a manner which will provide the highest reasonable market return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256, which requires the creation and annual adoption of a written investment policy and its addendums. The City Council shall review and adopt, no less than annually, the Investment Policy and its incorporated strategies. Any changes to the Policy will be detailed in the adopting resolution.

Section One: Scope

This investment policy applies to all the financial assets of the City except funds of Lake Nasworthy. The funds are accounted for in the City's Comprehensive Annual Financial Report and include:

- Operating Funds
- Debt Service Funds
- Bond, Capital and Special Project Funds
- Reserve Funds
- Non-expendable Trust Funds

Section Two: Investment Objectives and Standard of Care

The objectives of the City's investment program shall be, in order of priority, safety, liquidity and yield. Safety of principal shall be the foremost objective of the City's investment program. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they are from securities, defaults or erosion of market value. The portfolio shall be managed with the objective of obtaining a reasonable market yield.

The standard of prudence to be used by investment officers shall be the *prudent person standard* and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstances then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his/her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived. Investments shall not be made for speculative purposes.

Investment officers acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal liability for an individual security's credit or market risk, provided that deviations from expectations are reported in a timely fashion and

appropriate action is taken to control adverse developments.

Section Three: Investment Strategy

The City of San Angelo funds shall be commingled for investment purposes recognizing the cash flow needs of the individual funds which make up the portfolio. The total portfolio will maintain a maximum weighted average maturity of two (2) years which is based on the cash flow analysis and cash requirements of the City.

The City of San Angelo's investment portfolio shall be diversified for safety and shall consist of a variety of securities and maturities which may include any or all of the authorized investments listed in Section Four, Authorized Investments, of this Policy. In order to meet Policy objective, securities will be of the highest credit quality and marketability. The portfolio's objectives can be attained by utilization of high credit quality securities and a modified ladder structure in the short-term area to match known liabilities.

- (1) Operating Funds - Operating funds ensure that anticipated cash flows are matched for adequate liquidity on major payment obligations such as payroll.
- (2) Debt Service Funds - Debt service funds must cover the upcoming debt service obligations on the required payment dates.
- (3) Bond, Capital and Special Project Funds - Bond proceeds and special project funds are used for anticipated liabilities on the projects.
- (4) Reserve Funds - Reserve funds provide liquidity for fund obligations and generate a dependable revenue stream from securities.
- (5) Non-expendable Trust Funds - Non-expendable trust funds generate dependable revenue streams for their designated uses.

It is the City of San Angelo's intent to hold purchased securities to maturity investing in such a manner as to ensure both the safety and liquidity of such transactions. However, under conditions defined and procedures approved by the Oversight Committee, securities may be sold or "swapped" before maturity to capture capital gains and allow for reinvestment into the portfolio. Securities purchased specifically for non-expendable trust funds shall be valued continuously and may be sold prior to the stated maturity date in order to capture capital gains.

The City of San Angelo's investment officers, or designated investment advisors, will evaluate the City's cash position daily to determine the amount of funds available for investment and to project the term for such investments and will then decide on placement of the investment based on fund type and market conditions, fund cash flow, the offering yield for eligible investment and diversity in the portfolio

Section Four: Authorized Investments

The City shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act) as further defined by this policy. Insofar as they meet this requirement, the City may invest in the following:

(1) Depository certificates of deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue, and:

- a. are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor: or
- b. are collateralized at 102% by obligations of the United States or its agencies and instrumentalities (excluding letters of credit) or direct obligations of any state, its subdivisions, or its agencies which have been rated as to investment quality by a nationally recognized investment rating firm and have received a rating of not less than "A" or the equivalent.

(2) Obligations of the United States Government, its agencies and instrumentalities not to exceed 3 years to their stated maturity date;

(3) Fully collateralized repurchase agreements having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written Master Repurchase Agreement, with securities safe-kept with a third party selected or approved by the City, and placed through a bank doing business in Texas or a primary government securities dealer as defined by the Federal Reserve. Flex repurchase agreements used for bond funds or special project funds may have a stated termination date not to exceed the estimated completion date of the project(s).

(4) Local government investment pools as defined by the Act which strive to maintain a \$1 net asset value, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council.

(5) AAA-rated, SEC registered money market mutual funds striving to maintain a \$1 net asset value.

(6) General obligation and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one nationally recognized rating agency and with a stated final maturity not to exceed three (3) years.

(7) FDIC insured brokered certificate of deposit securities from banks in any US state, delivered versus payment to the City's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured or collateralized, interest bearing accounts of any bank doing business in Texas.

(9) A1/P1 domestic commercial paper with a maximum maturity of two hundred-seventy (270) days.

In order to provide diversification in the portfolio which reduces market and credit risk exposures, the following diversification parameters are established for the Portfolio. Diversification parameters must be met at the time of purchase although cash flows may change the percentages over time. Effort will be made to maintain the diversification guidelines through cyclical cash flow periods.

<u>Security Type</u>	<u>Max. % in Overall Portfolio</u>
CDs	40%
Per bank	10 %
US Treasuries	80%
US Agencies & Instrumentalities	80%
Repurchase Agreements	50%
Flex for bond funds	100 %
Constant Dollar LGIP	80%
Ownership of the pool	10 %
Money Market Mutual Funds	75 %
Municipal and State Obligations	40 %
Issuer limitation	5 %
FDIC Brokered CDs	20 %
Commercial paper	25 %
Issuer limitation	10 %

Delivery versus Payment

All security transactions (with the exception of pool or fund participation) by the City shall be purchased "delivery versus payment". That is, the City shall authorize release of its *funds* only after a purchased security has been received by its safekeeping agent or after the City has received notification from its safekeeping agent that a purchased security has been received in the City's safekeeping account.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from three City authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from City authorized broker/dealers.

Loss of Rating

The City is not required to liquidate investments that were authorized investments at the time of purchase (Chapter 2256.017). However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to liquidate the security (Chapter 2256.021).

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the Finance Director and City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available, within two weeks after the loss of the required rating.

Section Five: Collateral and Safekeeping**Time and Demand Bank Deposits Pledged Collateral**

Collateralization is required on all bank time and demand deposits over the applicable FDIC insurance coverage. All securities pledged to the City for these deposits shall be held by an independent third party institution outside the holding company of the pledging bank.

In order to anticipate market changes and provide a level of additional security for all funds, the market value of the collateral will be maintained at 102% of total principal and accrued interest. The depository will be responsible for monitoring and maintaining the collateral and margins at all times. The custodian will provide monthly reports to the City detailing the collateral.

Collateral will be pledged under the terms of a written depository agreement addressing acceptance, substitution and valuation of collateral, executed under the terms of FIRREA¹. (If the custodian is the Federal Reserve the City will execute as an alternate an FRB Pledgee Agreement of Circular 7 form.) The agreement shall be approved by resolution of the bank's board or loan committee.

Acceptable collateral shall include only obligations of the U.S. Government, its agencies and instrumentalities, including mortgage backed securities passing the bank test, municipal securities rated A or better by two nationally recognized rating agencies and letters of credit. A monthly report of collateral will be provided directly from the custodian.

¹ The Financial Institutions Resource and Recovery Enforcement Act (FIRREA) governs the deliberations of the FDIC in the case of default or bankruptcy of the bank.

Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the City. It will be held by an independent third party safekeeping agent approved by the City under an executed SIFMA² Master Repurchase Agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the City.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the Investment Officers and an agreement of the terms executed in writing. The third party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip, and other pertinent information. Each safekeeping receipt shall be clearly marked that the security is held for the City.

Section Six: Investment Officer Designation

The City Council hereby designates the Finance Director, or his designated representative, and the Finance Department position handling the daily treasury functions (currently the Cash and Debt Analyst), as duly authorized investment officers of the City and grants to them the authority to invest City funds as outlined herein. The City may further contract with a registered investment advisor to advise in the management of the City's portfolio. No person may engage in an investment transaction except as provided under the terms of this Policy and supporting procedures. Any disbursement of City funds for the purchase of investment instruments must bear the signature of two investment officers.

The investment officers will establish written procedures for the operation of the investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the City Council. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

²Security Industry and Financial Markets Association, formerly the Bond Market Association.
City of San Angelo Investment Policy

Section Seven: Training

The Finance Director and all City officials designated herein as investment officers and their designated representatives within the parameters of this Policy shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two year fiscal period (beginning on the first day of the fiscal year) relating to investment responsibilities. The training must include investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider must be an independent source approved by the Investment Oversight Committee. A list of approved training sources is attached as Addendum A.

Section Eight: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law (Chapter 2256.023). Reports of investments should be prepared and presented at least quarterly to the City Council and City Manager and should reflect the cost, term, yield, market value, purchase date, maturity date, description and cusip number for each investment. Market values shall be obtained at least monthly from the trust department of the City's depository bank or other independent source as approved by the Oversight Committee.

On a quarterly basis the investment officer, or his designee, shall prepare a series of detail and management level signed investment reports in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with generally accepted accounting principles;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Prices for the valuation of securities' market value shall be obtained from an independent source.

Section Nine: Investment Oversight Committee

The City Council shall appoint an Investment Oversight Committee to review the City's investment portfolio with the Finance Director and City Manager, or his designee, at least quarterly and to then report to the City Council. The Committee shall be comprised of two City Council members, two citizens with experience as investment advisors or analysts, the City's independent auditor (as a non-voting member), the City Manager or his designee, and the City's Finance Director. The duties of the Oversight Committee shall include:

- 1) Review of the quarterly report submitted by the Investment Officers of the City,
- 2) Review and adoption of a list of authorized qualified brokers and counter-parties that have provided the required certification and are authorized to engage in investment transactions with the City,

- 3) Review of the list of authorized brokers at least annually, and
- 4) Approval of the independent training provider as required in this Policy (Addendum A).

The Oversight Committee shall have the authority, subject to City Council review, to make such rules as deemed necessary for the orderly operation of the Committee. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

Section Ten: Audit

The City's independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes (Chapter 2256.023). The review shall be conducted annually and the results of the review shall be reported to the City Council. In addition, in conjunction with the annual audit the City shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the oversight Committee. [Chapter 2256.005(m)].

Section Eleven: Authorized Financial Institutions and Broker/Dealers

The Investment Officer and Adviser will maintain a list of financial institutions and broker/dealers authorized to do business with the City. These firms will be selected according to credit worthiness and service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

- 1) Proof of Financial Industry Regulatory Authority (FINRA) registration,
- 2) Proof of registration with the Texas State Securities Commission, and
- 3) Completed City questionnaire.

All authorized broker/dealers will be sent the Investment Policy and any changes made in the future.

In accordance with the Public Funds Investment Act [Chapter 2256.005(k)] a copy of the City's Investment Policy shall be presented to any pool in which the City participates. The pool must execute a written certificate in a form acceptable to the City that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the City and the pool which are not authorized by the Policy.

The City Council or the Investment Oversight Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions. The list of authorized counter-parties is shown as Addendum B of this Policy and approved with adoption of this Policy.

Section Twelve: Policy Adoption and Revisions

The City Council will review the Policy not less than annually and adopt a resolution stating that the Policy and incorporated strategies have been reviewed and including all changes to the Policy. This Policy may be amended only by action of the City Council.

The City Manager and Oversight Committee are authorized to recommend revisions to the Policy to the City Council whenever such revisions are necessary and prudent due to changes in State Law, the needs of the City, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

ADOPTED on this the _____ day of _____, 2022.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

Approved as to Content:

Tina Dierschke, Finance Director

Approved as to Form:

Theresa James, City Attorney

ADDENDUM A

By adoption of this Investment Policy, the following associations and organizations are approved for Investment Officer training:

- Texas Municipal League
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas

ADDENDUM B

Authorized Broker/Dealer List

The authorized list for City of San Angelo is shown below. Each of these firms, and the individual covering the account, are sent the current Investment Policy.

The City's Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the City Council or Investment Committee established by the Council. The City's investment advisor, Patterson & Associates, maintains the brokerage compliance files for the City.

When any material changes are made to the Investment Policy, the new Policy is sent out for re-certification.

The broker/dealers certified by the City are:

Academy Securities	Oppenheimer
Amherst Pierpoint Securities	Piper Sandler & Co.
Bank of America/Merrill Lynch	Raymond James
BMO Capital Markets	RBC Securities
BNY Capital Markets	Rice Financial
BOK Financial	Robert W. Baird
Brean Capital	Siebert Williams Shank
Cantor Fitzgerald & Co.	Stephens Inc.
CastleOak Securities	Stifel Nicolaus
D.A. Davidson	StoneX Group, Inc.
FHN Financial	TD Securities
FNC	Truist Securities (formerly Suntrust)
Goldman Sachs & Co.	UBS Financial
Great Pacific	UMB Financial Securities
Hilltop Securities	Wells Fargo
Huntington Bank	
InspereX	
Jefferies	
JPMorgan Stanley	
Keybank Capital Markets	
Loop Capital Markets	
Market Axess Corporation	
Mizuho Securities	
Moreton Capital Markets	
Morgan Stanley	
Multi-Bank Securities	

RESOLUTION # _____

**A RESOLUTION ADOPTING THE LAKE NASWORTHY
INVESTMENT POLICY AND INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in the Texas Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a), as amended, requires the City to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the City Council has reviewed the Lake Nasworthy Investment Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Addendum B	Added Academy Securities, Amherst Pierpoint Securities, BMO Capital Markets, Brean Capital, D.A. Davidson, FNC, Great Pacific, Huntington Bank, Rice Financial, Stephens Inc., TD Securities, Truist Securities, and UMB Financial Securities.
Addendum B	Removed Barclays Capital Inc., Citigroup Global Markets Inc., Fifth Third Securities Inc., Guggenheim Securities LLC, ICAP Corporates LLC, Nomura Securities, PNC Capital Markets LLC, and Sun Trust Robinson Humphrey Inc.

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

That the City has complied with the requirements of the Public Funds Investment Act and the City's Investment Policy and adopts the Investment Policy and Investment Strategy, with the changes as shown, as the Investment Policy and Strategy of Lake Nasworthy effective the date of this resolution.

ADOPTED this the 7th day of February 2023.

.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

Tina Dierschke, Finance Director

APPROVED AS TO FORM:

Theresa James, City Attorney

LAKE NASWORTHY - SAN ANGELO, TEXAS
INVESTMENT POLICY
2023

It is the policy of the City of San Angelo (the "City") to invest public funds in a manner which will provide the highest reasonable market return with the maximum security while meeting the objectives of the City and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256 which requires the creation and annual adoption of a written investment policy. The City Council shall no less than annually review and adopt the Investment Policy and its incorporated strategies. Any changes to the Policy will be detailed in the adopting resolution.

Section One: Scope

This investment policy applies solely to the financial assets applied to the maintenance and support of Lake Nasworthy, San Angelo, Texas.

Section Two: Investment Objectives and Standard of Care

The objective of the Lake Nasworthy portfolio is to produce a revenue stream which can be used in the maintenance of the Lake Nasworthy area. The principal is not intended to be used for operational purposes.

The objectives of this Investment Policy shall be, in order of priority, safety, liquidity, diversification, and yield. Safety of principal shall be the foremost objective of the City's investment program. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they be from market, credit or collateral risk. Investments shall not be made for speculative purposes. The portfolio shall be managed with the objective of obtaining a reasonable market yield in keeping with the capital appreciation and cash flow requirements of the fund.

The standard of prudence to be used by investment officers shall be the prudent person standard and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstance then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived.

Investment officers acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal liability for an individual security's credit or market risk, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Section Three: Investment Strategy

The investment strategy for Lake Nasworthy funds will focus on utilization of high credit quality, intermediate term securities which will generate a reasonable stream of income for the ongoing maintenance of the Lake. The principal of the fund is not expected to be used for any ongoing expenditures. The investment strategy is designed to generate a revenue stream and a low degree of volatility and market risk. Securities will be of a high quality, with short to intermediate term maturities chosen to hold their market value. The portfolio will use a range of maturities dependent on market conditions.

The City, or its designated investment advisors, will evaluate cash flow needs and the portfolio's position on a regular basis to determine ongoing market strategy. Market conditions and interest rate forecasts will determine portfolio structure. Securities may be sold or "swapped" before maturity to capture capital gains and allow for reinvestment into the portfolio.

The portfolio will maintain a maximum weighted average maturity (WAM) of three (3) years and the maximum expected or stated maturity in the fund will be ten (10) years for any individual security. The benchmark for risk and performance on the portfolio will be the three year Treasury Note for the comparable period in accordance with the anticipated WAM.

Section Four: Authorized Investments

The City shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act). Insofar as they meet this requirement, the City may invest in the following:

(1) Depository Certificates of Deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue, and:

- a. are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; or
- b. are collateralized at 102% by obligations of the United States or its agencies and instrumentalities or direct obligations of the State of Texas, its subdivisions, or its agencies which have been rated as to investment quality by a nationally recognized investment rating firm and have received a rating of not less than "A" or the equivalent.

(2) Obligations of the United States Government, its agencies and instrumentalities not to exceed ten (10) years to their stated maturity date, to include mortgaged backed securities passing the bank test;

(3) Fully collateralized repurchase agreements including reverse repurchase agreements, having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written Bond Market Association Master Repurchase Agreement, safe-kept with a third party selected or approved by the City, and placed through a bank doing business in Texas or a primary government securities dealer as defined by the Federal Reserve. Flex repurchase agreements used for bond funds or special project funds may have a stated termination date not to exceed the estimated

completion date of the project(s):

(4) Local government investment pools as defined by the Act, which strive to maintain a \$1 net asset value, as amended, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council.

(5) AAA-rated, SEC registered money market mutual funds which strive to maintain a \$1 net asset value.

(6) General obligation and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one nationally recognized rating agency and with a stated maturity not to exceed three (3) years.

(7) FDIC insured *brokered* certificate of deposit securities from banks in any US state, delivered versus payment to the City's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or Advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured or collateralized, interest bearing accounts of any bank doing business in Texas.

(9) AI/PI domestic commercial paper with a maximum maturity of two hundred-seventy (270) days.

Diversification

The Fund will strive for diversification in the portfolio by market sector and maturity to reduce market and credit risk exposures.

Delivery versus Payment

All security transactions (with the exception of pool or fund participation) by the City shall be purchased "delivery versus payment". That is, the City shall authorize release of its *funds* only after a purchased security has been received by its safekeeping agent or after the City has received notification from its safekeeping agent that a purchased security has been received in the City's safekeeping account.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from three City authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from City authorized broker/dealers.

Loss of Rating

The City is not required to liquidate investments that were authorized investments at the time of purchase (Chapter 2256.017). However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to

liquidate the security (Chapter 2256.021).

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the Finance Director and City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available, within two weeks after the loss of the required rating.

Time and Demand Bank Deposits Pledged Collateral

Collateralization is required on all bank time and demand deposits over the applicable FDIC insurance coverage. All securities pledged to the City for these deposits shall be held by an independent third party institution outside the holding company of the pledging bank.

In order to anticipate market changes and provide a level of additional security for all funds, the market value of the collateral will be maintained at 102% of total principal and accrued interest. The depository will be responsible for monitoring and maintaining the collateral and margins at all times. The custodian will provide monthly reports to the City detailing the collateral.

Collateral will be pledged under the terms of a written depository agreement addressing acceptance, substitution and valuation of collateral, executed under the terms of FIRREA¹. (If the custodian is the Federal Reserve, the City will execute the Pledge Agreement of Circular 7 form.) The agreement shall be approved by resolution of the bank's board or loan committee.

Acceptable collateral shall include only obligations of the U.S. Government, its agencies and instrumentalities, including mortgage backed securities passing the bank test, municipal securities rated "A" or better by two nationally recognized rating agencies and letters of credit. A monthly report of collateral will be provided directly from the custodian.

Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the City. It will be held by an independent third party safekeeping agent approved by the City under an executed Bond Market Master Repurchase Agreement. Collateral with a market value totaling 102% of the principal and

¹ The Financial Institutions Resource and Recovery Enforcement Act governs the deliberations of the FDIC in the case of default or bankruptcy of the bank.

accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the City.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the Investment Officers and an agreement of the terms executed in writing. The third party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip, and other pertinent information. Each safekeeping receipt shall be clearly marked that the security is held for the City.

Section Five: Investment Officer Designation

The City Council has designated the Finance Director, or his designated representative, and the Finance Department position handling the daily treasury functions (currently the Cash and Debt Analyst), as duly authorized investment officers of the City and grants to them the authority to invest Lake Nasworthy funds as outlined herein. The City may further contract with a registered investment advisor to advise in the management of this portfolio.

No person may engage in an investment transaction except as provided under the terms of this Policy and supporting procedures. Any disbursement of City funds for the purchase of investment instruments must bear the signature of two investment officers.

The investment officers will establish written procedures for the operation of the investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the City Council. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

Section Six: Training

All City officials designated herein as investment officers and their designated representatives within the parameters of this Policy shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two fiscal year period (beginning on the first day of the fiscal year) relating to investment responsibilities. The training must include

investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider must be an independent source approved by the Investment Oversight Committee. A list of approved training sources is attached as Addendum A.

Section Seven: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law. (Chapter 2256.023) Reports of investments should be issued at least quarterly to the City Council and City Manager and should reflect the cost, term, yield, market value, purchase date, maturity date, description and cusip number for each investment. Market values shall be obtained monthly from the trust department of the City's depository bank or other independent source as approved by the Oversight Committee.

On a quarterly basis the investment officer, or his designee, shall prepare a series of detail and management level signed investment reports in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with generally accepted accounting principles;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Prices for the valuation of securities' market value shall be obtained from an independent source.

Section Eight: Oversight Committee

The City Council shall appoint an Investment Oversight Committee to review the City's investment portfolio with the Finance Director and City Manager, or his designee, at least quarterly and to then report to the City Council. The Committee shall be comprised of two City Council members, two citizens with experience as investment advisors or analysts, the City's independent auditor (as a non-voting member), the City Manager or his designee, and the City's Finance Director. The duties of the Oversight Committee shall include:

- 1) Review of the quarterly report submitted by the Investment Officers of the City,
- 2) Review and adopt the list of counter-parties that have provided the required certification and are authorized to engage in investment transactions with the City,
- 3) Review of the list of authorized brokers at least annually, and
- 4) Approval of the independent training provider as required in this Policy.

The Oversight Committee shall have the authority, subject to City Council review, to make such rules as deemed necessary for the orderly operation of the Committee. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment

process.

Section Nine: Audit

The City's independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes (Chapter 2256.023). The review shall be conducted annually and the results of the review shall be reported to the City Council. In addition, in conjunction with the annual audit the City shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the oversight Committee. [(Chapter 2256.005(m))].

Section Ten: Authorized Financial Institutions and Broker/Dealers

The Investment Officer will maintain a list of financial institutions and broker/dealers authorized to do business with the City. These firms will be selected according to credit worthiness and service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

- 1) Proof of National Association of Securities Dealers certification,
- 2) Proof of registration with the Texas State Securities Commission, and,
- 3) Completed City questionnaire.

All authorized broker/dealers will be sent the Investment Policy and any changes made in the future.

In accordance with the Public Funds Investment Act [Chapter 2256.005(k)] a copy of the City's Investment Policy shall be presented to any pool in which Lake Nasworthy participates. The pool must execute a written certificate in a form acceptable to the City that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the City and the pool which are not authorized by the Policy.

The City Council or the Investment Oversight Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions. The list of authorized counter-parties is shown as Addendum B of this Policy and approved with Council adoption of this Policy.

Section Eleven: Policy Adoption and Revisions

The City Council will review the Policy not less than annually and adopt a resolution stating that the Policy and its incorporated strategies has been reviewed and including all changes to the Policy. This Policy may be amended only by action of the City Council.

The City Manager and Oversight Committee are authorized to recommend revisions to the Policy to the City Council whenever such revisions are necessary and prudent due to changes in State Law, the needs of the City, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

ADOPTED on this the _____ day of _____, 2022.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

Approved as to Content:

Tina Dierschke, Finance Director

Approved as to Form:

Theresa James, City Attorney

ADDENDUM A

By adoption of this Investment Policy, the following associations and organizations are approved for Investment Officer training:

- Texas Municipal League
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas

ADDENDUM B

Authorized Broker/Dealer List

The authorized list for City of San Angelo is shown below. Each of these firms, and the individual covering the account, are sent the current Investment Policy.

The City's Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the City Council or Investment Committee established by the Council. The City's investment advisor, Patterson & Associates, maintains the brokerage compliance files for the City.

When any material changes are made to the Investment Policy, the new Policy is sent out for re-certification.

The broker/dealers certified by the City and Lake Nasworthy are:

Academy Securities	Piper Sandler & Co
Amherst Pierpoint Securities	Raymond James
Bank of America/Merrill Lynch	RBC Securities
BMO Capital Markets	Rice Financial
BNY Capital Markets	Siebert Williams Shank
BOK Financial	Stephens Inc
Brean Capital	Stifel Nicholas
Cantor Fitzgerald & Co.	StoneX Group
CastleOak Securities	TD Securities
D.A. Davidson	Truist Securities
FHN Financial	UBS Financial
FNC	UMB Financial Services
Goldman Sachs & Co.	Wells Fargo
Great Pacific	
Hilltop Securities	
Huntington Bank	
InspereX	
Jefferies	
JPMorgan Stanley	
Keybank Capital Markets	
Loop Capital Markets	
Market Axess Corporation	
Mizuho Securities	
Moreton Capital Markets	
Morgan Stanley	
Multi-Bank Securities	
Oppenheimer	

RESOLUTION # _____

**A RESOLUTION ADOPTING THE DEVELOPMENT CORPORATION INVESTMENT POLICY,
INVESTMENT STRATEGY AND AUTHORIZED BROKER/DEALERS**

WHEREAS, the Public Funds Investment Act (Texas Government Code, Chapter 2256) governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a) requires the Development Corporation to adopt an investment policy and investment strategy by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the Board to review and adopt that investment policy and investment strategy by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the Public Funds Investment Act (Section 2256.025) requires that the Corporation annually review, revise and adopt a list of qualified broker/dealers authorized to engage in investment transactions with the Corporation, and

WHEREAS, the Corporation Board has reviewed the Investment Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Addendum B	Added Academy Securities, Amherst Pierpoint Securities, BMO Capital Markets, Brean Capital, D.A. Davidson, FNC, Great Pacific, Huntington Bank, Rice Financial, Stephens Inc., TD Securities, Truist Securities, and UMB Financial Securities.
Addendum B	Removed Barclays Capital Inc., Citigroup Global Markets Inc., Fifth Third Securities Inc., Guggenheim Securities LLC, ICAP Corporates LLC, Nomura Securities, PNC Capital Markets LLC, and Sun Trust Robinson Humphrey Inc.

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

That the Corporation has complied with the requirements of the Public Funds Investment Act and the Investment Policy and adopts the Investment Policy and Investment Strategy, with the list of broker/dealers, as the Investment Policy and Strategy of the Corporation effective the date of this resolution.

ADOPTED this the 7th day of February 2023.

CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

Tina Dierschke, Finance Director

APPROVED AS TO FORM:

Theresa James, City Attorney

CITY OF SAN ANGELO DEVELOPMENT CORPORATION
INVESTMENT POLICY, STRATEGY AND BROKER/DEALER LIST
2023

It is the policy of the City of San Angelo Development Corporation (the "COSADC") to invest its funds in a manner which will provide the highest reasonable market return within security guidelines while meeting the demands of the COSADC and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256, which requires the creation and annual adoption of a written investment policy.

Section One: Scope

This investment policy applies to all the financial assets of the COSADC.

Section Two: Investment Objectives and Standard of Care

The objectives of the COSADC's investment program shall be, in order of priority, safety, liquidity and yield. Safety of principal shall be the foremost objective of the COSADC's investment program. Investment transactions shall seek to insure that capital losses are avoided, whether they are from securities, defaults or erosion of market value. The portfolio shall be managed with the objective of obtaining a reasonable market yield.

The standard of prudence to be used by investment officers shall be the *prudent person standard* and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstances then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his/her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived. Investments shall not be made for speculative purposes.

Section Three: Investment Strategy

The COSADC funds shall recognize cash flow needs and adopt a pro-active yet conservative portfolio strategy. The total portfolio will maintain a maximum weighted average maturity of two (2) year which is based on the cash requirements of the COSADC. The long term nature of some projects of the COSADC will allow a maximum maturity of five (5) years.

The COSADC investment portfolio shall be diversified for safety and shall consist of a variety of securities and maturities. In order to meet Policy objective, securities will be of the highest credit quality and marketability. The portfolio's objectives can be attained by utilization of high credit quality securities and a structure based on cash flow needs in the short and intermediate-term.

It is the intent of the COSADC to hold purchased securities to maturity. However, under conditions defined and procedures approved by the Oversight Committee securities may be traded to capture capital gains and allow for reinvestment into the portfolio.

The investment officers, or designated investment advisors, will create a strategy to project the term for such investments and will invest based on market conditions, cash flow, and diversity in the portfolio

Section Four: Authorized Investments

The COSADC fund shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act) as further limited by this policy.

(1) Depository certificates of deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue;

(2) Obligations of the United States Government, its agencies and instrumentalities excluding mortgage-backed securities, not to exceed five (5) years to their stated maturity date;

(3) Fully collateralized repurchase agreements having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written repurchase agreement, with securities safe-kept with a third party selected or approved by the COSADC, and placed through a bank doing business in Texas or a primary government securities dealer.

(4) Local government investment pools which strive to maintain a \$1 net asset value and as defined by the Act, rated AAA, or its equivalent, as to investment quality by a nationally recognized credit rating agency. Investment in each pool must be specifically authorized by Resolution of the COSADC Board.

(5) AAA-rated, SEC registered money market mutual funds which strive to maintain a \$1 net asset value.

(6) General obligation and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one nationally recognized rating agency and with a stated maturity not to exceed five (5) years.

(7) FDIC insured brokered certificate of deposit securities from banks in any US state, delivered versus payment to the COSADC's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured interest bearing accounts of any bank doing business in Texas.

(9) A1/P1 domestic commercial paper with a maximum maturity of two-hundred seventy (270) days.

In order to provide diversification in the portfolio which reduces market and credit risk exposures the following diversification parameters are established for the Portfolio. Diversification parameters must be met at the time of purchase although cash flows may change the percentages over time. Effort will be made to maintain the diversification guidelines through cyclical cash flow periods.

<u>Security Type</u>	<u>Max. % in Overall Portfolio</u>
Depository CDs	40 %
Per bank	10 %
US Treasuries	80 %
US Agencies & Instrumentalities	80 %
Repurchase Agreements	50 %
Constant Dollar LGIP	80 %
Ownership of the pool	10 %
Money Market Mutual Funds	75 %
Municipal and State Obligations	50 %
FDIC Brokered CDs	20 %
Commercial paper	20 %

Delivery versus Payment

All security transactions shall be purchased and settled "delivery versus payment". That is, the COSADC shall authorize release of its funds only after a purchased security has been received by its safekeeping agent.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from at least three authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from COSADC authorized broker/dealers.

Loss of Rating

There is no requirement to liquidate investments that were authorized investments at the time of purchase. However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to liquidate the security.

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the COSADC based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the COSADC above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the City and the COSADC Director, within three days, of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available.

Section Five: Collateral and Safekeeping

As a public *corporation* the COSADC is not authorized by FDIC regulations to be pledged collateral for bank deposits. As such, all time and demand deposits shall be kept below the FDIC insurance coverage in any one institution.

Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the COSADC. It will be held by an independent third party safekeeping agent approved by the COSADC under an executed master repurchase agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the COSADC.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the City and COSADC Board and an agreement of the terms executed in writing. The third party safekeeping institution shall issue original safekeeping receipts to the COSADC listing each specific security, rate, description, maturity, cusip, ownership, and other pertinent information.

Section Six: Investment Officer Designation

The COSADC Board hereby designates the City authorized investment officers and investment adviser as investment officers for COSADC and grants to them the authority to invest COSADC funds as outlined herein on a non-discretionary basis.

No person may engage in an investment transaction except as provided under the terms of this Policy. Any disbursement of COSADC funds for the purchase of investment instruments must bear the signature of an investment officer.

The investment officers will establish and submit written procedures for the operation of the COSADC investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the COSADC Board. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

Section Seven: Training

All officials designated as investment officers shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two year fiscal period (beginning on the first day of the fiscal year) relating to investment responsibilities. The training must include investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider shall be an independent source approved by the City Investment Committee.

Section Eight: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law. Reports of investments are to be prepared and presented at least quarterly to the COSADC Board. Market values shall be obtained at least monthly from an independent source.

On a quarterly basis the investment officer, or investment adviser, shall prepare a series of detail and management level reports signed by the investment officers in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with GAAP;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Section Nine: Audit

The COSADC independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes. The review shall be conducted annually and the results of the review shall be reported to the COSADC Board. In addition, in conjunction with the annual audit the COSADC shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the Board.

Section Ten: Authorized Financial Institutions and Broker/Dealers

The Investment Officer will maintain a list of financial institutions and broker/dealers authorized to do business with the COSADC. These firms will be selected according to credit worthiness and

service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

Proof of Financial Industry Regulatory Authority (FINRA) registration,
Proof of registration with the Texas State Securities Commission, and
Completed COSADC questionnaire.

In accordance with the Public Funds Investment Act, a copy of the COSADC's Investment Policy shall be presented to any pool with which COSADC has become a participant. The pool must execute a written certificate in a form acceptable to the COSADC that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the COSADC and the firm which are not authorized by the Policy.

The City Investment Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions.

Section Eleven: Policy Adoption and Revisions

The COSADC Board will review the Investment Policy not less than annually and adopt a resolution stating that the Policy and incorporated strategies have been reviewed and including all changes to the Policy. This Policy may be amended only by action of the COSADC Board.

The COSADC Board and City Investment Oversight Committee are authorized to recommend revisions to the Policy to the COSADC Board whenever such revisions are necessary and prudent due to changes in State Law, the needs of the COSADC, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the COSADC Board before any changes are made in the investment process.

ADOPTED on this the _____ day of _____, 2022

ADDENDUM A

Authorized Broker/Dealer List

The authorized broker/dealer list for City of San Angelo Development Corporation is shown below. Each of these firms, and the individual covering the account, are sent the current COSADC Investment Policy.

The Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the Board. Patterson & Associates maintains the brokerage compliance files for the COSADC.

When any material changes are made to the Investment Policy the new Policy is sent out to all broker/dealers.

The broker/dealers for the City of San Angelo Development Corporation are:

Academy Securities	Piper Sandler & Co
Amherst Pierpoint Securities	Raymond James
Bank of America/Merrill Lynch	RBC Securities
BMO Capital Markets	Rice Financial
BNY Capital Markets	Siebert Williams Shank
BOK Financial	Stephens Inc
Brean Capital	Stifel Nicholas
Cantor Fitzgerald & Co.	StoneX Group
CastleOak Securities	TD Securities
D.A. Davidson	Truist Securities
FHN Financial	UBS Financial
FNC	UMB Financial Services
Goldman Sachs & Co.	Wells Fargo
Great Pacific	
Hilltop Securities	
Huntington Bank	
InspereX	
Jefferies	
JPMorgan Stanley	
Keybank Capital Markets	
Loop Capital Markets	
Market Axess Corporation	
Mizuho Securities	
Moreton Capital Markets	
Morgan Stanley	
Multi-Bank Securities	
Oppenheimer	

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Billy Clemons, Fire Marshal, Fire Marshal

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Second reading and consideration of the following ordinances:

1. amending Chapter 6 "Fire and Rescue" of the San Angelo Code of Ordinances by amending Article 6.03, Section 6.03.031 "Adoption and Amendments" and amending Article 6.06 "Open Burning" (Billy Clemons)
2. amending Chapter 4 "Building and Construction" of the San Angelo Code of Ordinances by deleting and replacing Article 4.04 "Technical and Construction Codes and Standards" by adopting the International Codes 2021 and the National Electrical Code 2020 with amendments (Charlie Kemp)

Staff Recommendation:

Adopt

Summary/History:

This ordinance adopts the 2021 International Code Council version of the International Fire Code with certain amendments and exceptions. The last code adopted by the City of San Angelo was the 2015 version on January 5, 2016. This ordinance adopts the 2021 I-Codes (including building, residential, swimming pool, mechanical, plumbing, existing building, and energy code) and the 2020 NEC (electrical code), including local amendments. Along with the added amendments, as follows:

- R30 for the ceiling insulation
- Delete Section R313 IRC-Automatic fire sprinkler systems
- Delete Section N1103.1.1 IRC-Programmable thermostat

Funding Source(s):

Financial Impact:

No Fiscal Impact.

Other Information/Recommendation:

The code committees and Fire Marshal recommend the adoption of these ordinances. The code committees and the Construction Board of Adjustment and Appeals have reviewed the 2021 I-Codes and the 2020 NEC and recommend the adoption of these ordinances.

City Council approved this item on first reading on January 17, 2023, by a vote of 5-0. Revisions discussed at that meeting have been made and are red-lined and replaced.

Attachments:

- | | | |
|----|---|---|
| 1. | Summary of Fire Code Key changes | Summary of Fire Code Key changes.docx |
| 2. | Fire Code Enacting Ordinance | Fire Code Enacting Ordinance.docx |
| 3. | Fire Code Changes Exhibits A and B | Fire Code Changes Exhibits A and B.docx |
| 4. | Building Code Enacting Ordinance | Building Code Enacting Ordinance.docx |
| 5. | Building Code Exhibit - 2021 I-Code Ordinance with redlines_2nd reading | Exhibit to 2021 I-Code Ordinance with redlines_Second Reading.pdf |
| 6. | HBA e-mail | HBA e-mail.pdf |

Presentation:

Billy Clemons

Approvals/Reviews:

Billy Clemons	Created/Initiated
Charlie Kemp	Approved
Patrick Brody	Approved
Jon James	Approved
Holly Voth	Approved
Theresa James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

SUMMARY FIRE CODE KEY CHANGES

2018 International Fire Code Changes. For anyone needing to make use of the previous edition of this code, some of the major changes to the IFC-2018 are included in the 2021 Edition.

- Hazards related to outdoor pallet storage, higher education laboratories, mobile food trucks, and plant processing and extraction activities were addressed by new provisions. (New Chapters)
- New thresholds related to fire areas have been introduced for sprinkler protection of Group E occupancies. (Added-Any fire area that exceeds a 300-person occupant load and any floor other than the floor on the level of exit discharge requires fire sprinklers.)
- Manual fire alarm systems in Group A occupancies became needed not only when the occupant load is 300 or more but also where the occupant loads exceed 100 above or below the lowest level of exit discharge. (-Exception: not required if fully sprinklered with occupant notification devices that activate during a sprinkler waterflow.)
- A manual fire alarm system and an automatic smoke detection system became no longer needed in Group R-4 occupancies. Mass Notification Requirements for college and university buildings was added. -This section was removed in the 2018 IFC and we felt it was necessary to keep this section to protect Group R-4 occupancies. (Group R-4 – Alcohol and drug centers, assisted living facilities, congregate care facilities, group homes, halfway houses, residential board and care facilities, social rehabilitation facilities).
- New Chapter 12 on Energy Systems- for the installation, operation, and maintenance of energy systems used for generating or storing energy- was added. (-Batteries, generators, solar panel/photovoltaic power systems and battery storage)
- Guidelines for gas detection systems were revised to more accurately reflect industry practice. (Systems that are built into a building.

The 2021 IFC contains regulations to safeguard life and property from fires and explosion hazards. Topics include general precautions, emergency planning and preparedness, fire department access and water supplies, automatic sprinkler systems, fire alarm systems, special hazards, and the storage and use of hazardous materials. Key changes to the IFC include:

- Requirements for Additive Manufacturing (3-D Printing) equipment and operations for both non- industrial and industrial applications are now provided. (-3D printing dust collection and venting to prevent hazardous conditions.)
- Flame propagation performance of permanently installed artificial combustible vegetation is required to be verified when exceeding certain heights located on roofs or in close proximity to buildings. (-artificial decorations over 6ft tall and permanently installed within 5 ft of a building or rooftop.)
- Provisions of emergency responder communication were revised to reflect the expansion of such systems beyond radios and the need for increased performance of such systems.

- Sprinkler requirements for the storage, manufacture and sale of upholstered furniture and mattresses were updated and clarified. Part of this update is a new exception for single-story self-storage facilities accessed directly from the exterior.
- An automatic sprinkler system is now required for open parking garages exceeding a certain fire area threshold. (-Open parking garage exceeds 48,000 sq. ft.)
- The requirements for energy storage system (ESS) were further refined to reflect the variety of new technologies and applications (in building and standalone) and the need for proper commissioning and decommissioning of such systems. (-Battery storage rooms- max capacity per room/2-hour fire separation/must have automatic fire extinguishing system)
- A new chapter was added that provides clarification and specific requirements for the storage of distilled spirits and wines in barrels and casks. (Sprinkler systems required for F-1 manufacturing and S-1 storage are used for bulk storage.)
- The provisions for construction fire safety were reorganized and expanded with an emphasis on the owner's responsibilities. The new language requires a site safety plan and designation of a site safety director.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS BY AMENDING CHAPTER 6 “FIRE AND RESCUE”, ARTICLE 6.03 “FIRE CODE”, DIVISION 2 “CODE”, SECTION 6.03.031 “ADOPTION AND AMENDMENTS”; BY DELETING AND REPLACING CHAPTER 6 “FIRE AND RESCUE”, ARTICLE 6.06 “OPEN BURNING”; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Chapter 6 “Fire and Rescue”, Article 6.03 “Fire Code”, Division 2 “Code”, Section 6.03.031 “Adoption and Amendments” of the Code of Ordinances of the City of San Angelo, Texas is hereby amended as set out in Exhibit “A”, attached hereto and made part of this ordinance for all purposes.

2) THAT, Chapter 6 “Fire and Rescue”, Article 6.06 “Open Burning” is hereby amended as set out in Exhibit “B”, attached hereto and made part of this ordinance for all purposes.

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

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

4) THAT, the following penalty clause is adopted with this amendment:

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

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

INTRODUCED on the ____ day of _____, 2023, and finally PASSED, APPROVED and ADOPTED on this the ____ day of _____, 2023.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

Approved as to form:

Theresa James
City Attorney

Exhibit “A”

Amend Chapter 6, “Fire and Rescue”, Article 6.03 “Fire Code”, Division 2 “Code”, Section 6.03.031 “Adoption and Amendments” as follows:

Sec. 6.03.031 Adoption and amendments

The following code, as published by the National Fire Protection Association, is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Fire Code, 2021 edition in its entirety, save and except sections 903.3.1.3, 907.2.9, 1024 and appendices A, B, C, E, F, G, H, J, and K, and save and except:

Section 307.4 entitled “Location,” which shall instead read as follows:

307.4 Location. The location for open burning shall not be less than 350 feet (106,680 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 350 feet (106,680 mm) of any structure.

EXCEPTIONS:

1. Fires in approved containers that are not less than 15 feet (4,572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7,620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

Section 307.4.1 entitled “Bonfires,” which shall instead read as follows:

307.4.1 Bonfires. A bonfire shall not be conducted within 350 feet (106,680 mm) of a structure or combustible material unless the bonfire is contained in a barbeque pit. Conditions which could cause a fire to spread within 25 feet (15,240 mm) of a structure shall be eliminated prior to ignition.

Section 503.3 entitled “Marking,” which shall be amended by adding the following:

Pavement markings for fire lanes shall be a six-inch red stripe with four-inch white lettering stating “NO PARKING—FIRE LANE” to be marked at 15-foot intervals along the length of the striping.

Section 507.1 entitled “Required water supply,” which shall instead read as follows:

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided as soon as city water service is extended to within two hundred feet (200') of the property upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

Section 507.5.1 entitled "Where required," which shall instead read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code official.

EXCEPTIONS:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with §903.3.1.1 or §903.3.1.2, the distance requirement shall be 600 feet (183 m).
3. For buildings or structures constructed in areas not developed with provision for city water service, installation of an approved fire hydrant system shall not be required until such time as city water service has been extended to within two hundred feet (200') of the property.

Section 903.2.8 entitled "Group R," which shall instead read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with 903.3 shall be provided throughout all buildings with a Group R fire area.

EXCEPTIONS:

1. For buildings within the Downtown Fire Safety Zone which are Type R or Type R and B mixed occupancy above the first floor:
 - a. if one to three stories in height:
 - i. there must be a 30minute fire barrier for each floor, and
 - ii. there must be a smoke detection system that is monitored.
 - b. if more than three stories in height, the structure must be sprinklered pursuant to the International Fire Code.

Section 907.2.10 of the International Fire Code, 2015 edition is being retained, and reads as follows:

907.2.10 Group R-4. Fire alarm systems and smoke alarms shall be installed in Group R-4 occupancies as required in Sections 907.2.10.1 through 907.2.10.3.

907.2.10.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-4 occupancies.

Exceptions:

1. A manual fire alarm system is not required in buildings not more than two stories in height where all individual sleeping units and contiguous attic and crawl spaces to those units are separated from each other and public or common areas by not less than 1-hour fire partitions and each individual sleeping unit has an exit directly to a public way, egress court or yard.
2. Manual fire alarm boxes are not required throughout the building where all of the following conditions are met:
 - 2.1. The building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
 - 2.2. The notification appliances will activate upon sprinkler water flow.
 - 2.3. Not fewer than one manual fire alarm box is installed at an approved location.
3. Manual fire alarm boxes in resident or patient sleeping areas shall not be required at exits where located at all nurses' control stations or other constantly attended staff locations, provided such stations are visible and continuously accessible and that the distances of travel required in Section 907.4.2.1 are not exceeded.

907.2.10.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in corridors, waiting areas open to corridors and habitable spaces other than sleeping units and kitchens.

Exceptions:

1. Smoke detection in habitable spaces is not required where the facility is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
2. An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

907.2.10.3 Smoke alarms. Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

Appendix D, Section D104.3, entitled "Remoteness," which shall instead read as follows:

D104.3 Remoteness. Where two access roads are required, and where it is physically impossible to be one half the diagonal dimension apart, the secondary access road will be approved if at least one of the following conditions are met:

1. The two separate fire apparatus access roads must be separated as far as physically and practically possible;
2. The two separate entrances must be a minimum of 150 feet apart measured in a straight line between accesses; or
3. The fire code official has authorized a reduced remoteness dimension based on topography, floodplains, intervening structures, properties, or other unusual or unique circumstance.

The two separate entrances are allowed to share a common path of travel on the complex site so long as blockage in any one area of this path does not block access from both the primary and secondary access simultaneously. Each of the two separate fire apparatus roads shall meet the requirements of the 2021 IFC, section 503, Fire Apparatus Access Roads.

Appendix D, Section D107.1, entitled “One- or two-family dwelling residential developments” which shall instead read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 75 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3, as modified herein.

EXCEPTIONS:

1. Where there are more than 75 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall be increased from 76 to 165 in the event fire apparatus access roads will connect with future development, as shown on an approved preliminary plat, an approved final plat, the City’s Master Thoroughfare Plan, or as determined by the fire code official.
3. The number of dwelling units may be increased from 166 to 275 in the event an Unimproved Secondary Access as defined herein as a 20-foot-wide temporary fire lane with no less than 4 inches of compacted limestone, caliche or approved engineered based materials which can be removed upon completion of the project or covered with the proper permanent materials, in addition to the single fire apparatus access road.
4. The number of dwelling units may exceed 275 in the event two separate and approved fire apparatus access roads are provided. An approved fire apparatus access road is one with an improved surface covered with proper permanent materials.

5. Upon application, the director of development services (director) may grant relief from the requirements of the ordinance from which this section derives for any development project initiated on or before the date of the adoption of the ordinance from which this section derives. The decision of the director of development services shall be final.

Appendix L, entitled “Requirements for Fire Fighter Air Replenishment Systems”, which shall have the following language added at the beginning:

The provisions of Appendix L shall only be required for the following:

1. New construction of buildings which meet or exceed 75 feet in height from the lowest level of fire department vehicle access to the floor plate of the top floor of the building or structure;
2. Existing buildings if renovations are made, and if the renovations constitute fifty (50) percent or more of the total square footage of the building;
3. New and existing buildings that have two or more sub-floors; or
4. New and existing buildings with a total square footage of 500,000 square feet or more.

Appendix M, entitled “High-Rise Buildings – Retroactive Automatic Sprinkler Requirement,” which shall have the following language added at the beginning:

The provisions of Appendix M for retroactive requirements shall only be required as buildings are occupied. The fire code official may work with the building owner or operator on a phased approach to meet this requirement.

Exhibit “B”

Amend Chapter 6, “Fire and Rescue” by deleting and replacing Article 6.06 “Open Burning” as follows:

ARTICLE 6.06 OPEN BURNING

In addition to the section adopted by the City in the 2021 International Fire Code, Section 307 entitled “Open Burning, Recreational Fires and Portable Outdoor Fireplaces,” the following shall also apply:

Sec. 6.06.001 General Regulations

Open burning shall mean the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include grills used for cooking, road flare, smudgepots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces such as outdoor conversation fire pits and outdoor fireplaces.

Sec. 6.06.002 Recreational Fires

Recreational fires shall mean an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Sec. 6.06.003 Fuel Sources

The use of propane as a controlled method for outdoor cooking is recommended, but charcoal and wood burning cooking is permitted.

Sec. 6.06.004 Burning of Building Materials Prohibited

The burning of construction materials is strictly prohibited in the City of San Angelo as well as the State of Texas, and is in violation of the rules adopted by the Texas Commission on Environmental Quality (TCEQ), Subchapter B, Section 111.219(7), under general requirements. Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned. The only exception is for firefighter training.

Sec. 6.06.005 Ground Fires

Ground fires are prohibited and are considered open burning.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS BY DELETING AND REPLACING ARTICLE 4.04 “TECHNICAL AND CONSTRUCTION CODES AND STANDARDS”, TO ADOPT THE 2021 EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL EXISTING BUILDING CODE, AND THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of San Angelo recognizes that minimum requirements must be established to safeguard the public, safety and general welfare of the community through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, the City Council finds that the International Code Council and the NFPA have published multiple model codes that suggest guidelines and rules regarding protection of the health, safety and general welfare of the public for the built environment; and

WHEREAS, such model codes are updated from time-to-time and the City Council desires to adopt the 2021 editions of the International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, and the 2020 edition of the National Electrical Code; and

WHEREAS, the City Council further desires to adopt local amendments to such model codes and to amend the San Angelo Code of Ordinances accordingly.

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

1) THAT, the Code of Ordinances of the City of San Angelo, Texas, Chapter 4 “Building and Construction”, Article 4.04 “Technical and Construction Codes and Standards”, is hereby deleted and replaced as set out in Exhibit “A”, attached hereto and made part of this ordinance for all purposes.

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

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

4) THAT, the following penalty clause is adopted with this amendment:

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

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

INTRODUCED on the ____ day of _____, 2023, and finally PASSED, APPROVED and ADOPTED on this the ____ day of _____, 2023.

CITY OF SAN ANGELO

ATTEST: BY: _____
Brenda Gunter, Mayor

Julia Antilley, City Clerk

Approved as to form:

Theresa James
City Attorney

Exhibit “A”

Delete and replace Chapter 4 “Building and Construction”, Article 4.04 “Technical and Construction Codes and Standards” to read as follows:

ARTICLE 4.04 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

Division 1. Generally

Sec. 4.04.001 Conflicting provisions

The local amendments to the codes adopted within this chapter shall prevail over any conflicting provisions of such codes.

Sec. 4.04.002 Definitions

In the adopted codes:

- (1) Jurisdiction shall mean the City of San Angelo, Texas;
- (2) References to a fee schedule shall mean appendix A of the Code of Ordinances of the city.

Sec. 4.04.003 Penalty

Violation of any provision of the adopted codes as amended is a class C misdemeanor offense punishable by fine only as established in section 1.01.009 of the Code of Ordinances of the city, and shall be read as if revised therein. Additional technical revisions of the adopted codes may be found within the sections applicable to each code.

Secs. 4.04.004–4.04.030 Reserved

Division 2. Building*

Part I. In General

Sec. 4.04.031 Building official

The administrator of the inspections and permits department is the designated building official of the city.

Sec. 4.04.032 Building numbering

(a) Owner or occupant to number buildings.

- (1) Placement of number. The owner, occupant or builder of each building or building site in the city shall place and maintain on the building and/or site during

construction an official building number in a conspicuous place that can be clearly seen from the public street. This requirement does not apply to accessory buildings. The number must be in place prior to final inspection.

(2) Official numbering plan to be followed. Buildings must be numbered in compliance with this section and in accordance with the plan delineating and prescribing the method of numbering buildings that is on file in the inspections and permits office of the city.

(3) Designation of number. The inspections and permits department shall designate the official number that is to be placed on each building. A person may request an official number designation by submitting a legal description of the property to this department.

(b) Specifications for numbers. An official building number, placed pursuant to this section, must be at least four inches (4") high and one-half inch (0.5") wide in the thickness of stroke, composed of a durable material and of a color which provides a contrast to the background.

(c) Odd and even numbers.

(1) Odd numbers shall be assigned to the south side and even numbers assigned to the north side of streets and public accesses running east and west or substantially in that direction. Odd numbers shall be assigned to the west side and even numbers assigned to the east side of streets and public accesses running north and south or substantially in that direction.

(2) When a street shall substantially change direction, yet retain one name, the numbering of buildings shall follow the pattern established at the beginning of the street, the beginning being that point where the building with the lowest numbers are located.

(d) Basic units of space for numbering. The basic unit of space for numbering along public streets and public accesses is twenty-five feet (25'). However, in shopping centers, townhouse areas, apartment areas and other building complexes where the inspections and permits department determines that the twenty-five-foot (25') unit is not adequate, it may assign a basic unit of ten feet (10').

(e) Numbering within building complexes.

(1) A building complex composed of multiple structures must have an official number assigned to each building. Each unit within each building must also be assigned an official number. If there is sufficient street frontage, each unit or building may be assigned an official street address number. The official number must be permanently posted on the building so that it is visible, where possible, from the nearest vehicular access. The official number for each unit must be conspicuously posted on the unit.

(2) If a building is situated within a complex in such a way that it is not visible from a vehicular access, the owner shall post and maintain directional signs along the nearest vehicular access indicating the location of the building and unit numbers.

(f) Directional signs within building complexes.

(1) In a building complex composed of multiple structures that contains internal vehicular accesses, if each official building number is not discernible from the public street, the owner of the building complex shall post directional signs at each entrance to the complex and at each intersection of vehicular accesses, other than public streets, within the complex.

(2) For the purpose of this section, an entrance to a complex is a point at which vehicular access to the complex, other than a public street, intersects with a public street.

(3) The directional signs must indicate the direction to buildings and units by number, must be legible from the vehicular access, and must be of a color that is in contrast to the background.

(g) Diagram of mall areas. The owner of a building complex that contains a mall area shall submit to the police and fire departments a diagram of the complex indicating the location of each business. When a change in a business location is made, the owner shall advise the police and fire departments in writing of the change.

Sec. 4.04.033 Wood shingles and shakes

(a) Untreated wood shingles and shakes are prohibited as a roof and/or wall covering. Treated wood shingles and shakes are allowed and are defined as those wood shingles and shakes that are factory impregnated by a UL or other nationally recognized testing agency approved method for rendering such shingles and shakes fire retardant. In addition, such treated shingles and shakes shall carry at least a class C roof covering rating, and shall be installed on a solid deck, in accordance with the building code.

(b) Roofs existing at the effective date of this section may be repaired with a roof covering of the same type as the original roof, provided that such repair does not exceed fifty (50) percent of the surface area of the roof and does not result in an increase in the total surface area of the roof. Repairs shall not exceed fifty (50) percent of the roof surface area within any twelve (12) month period unless class C or better roof covering is utilized.

Sec. 4.04.034 House or building moving

The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extensions of such time as deemed reasonable may be granted by the building official upon a

showing of delay caused by matters beyond the control of the owner or house mover. The owner or house mover shall file with the building official a written request for such an extension. The inspections and permits department shall inspect the house, building or structure which is the subject of the permit to determine the cause of delay. After inspection, the inspections and permits department shall submit its findings to the building official. The building official may, as it determines appropriate, extend the time period of the original permit or deny any extensions. The application for the moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or the owner's agent.

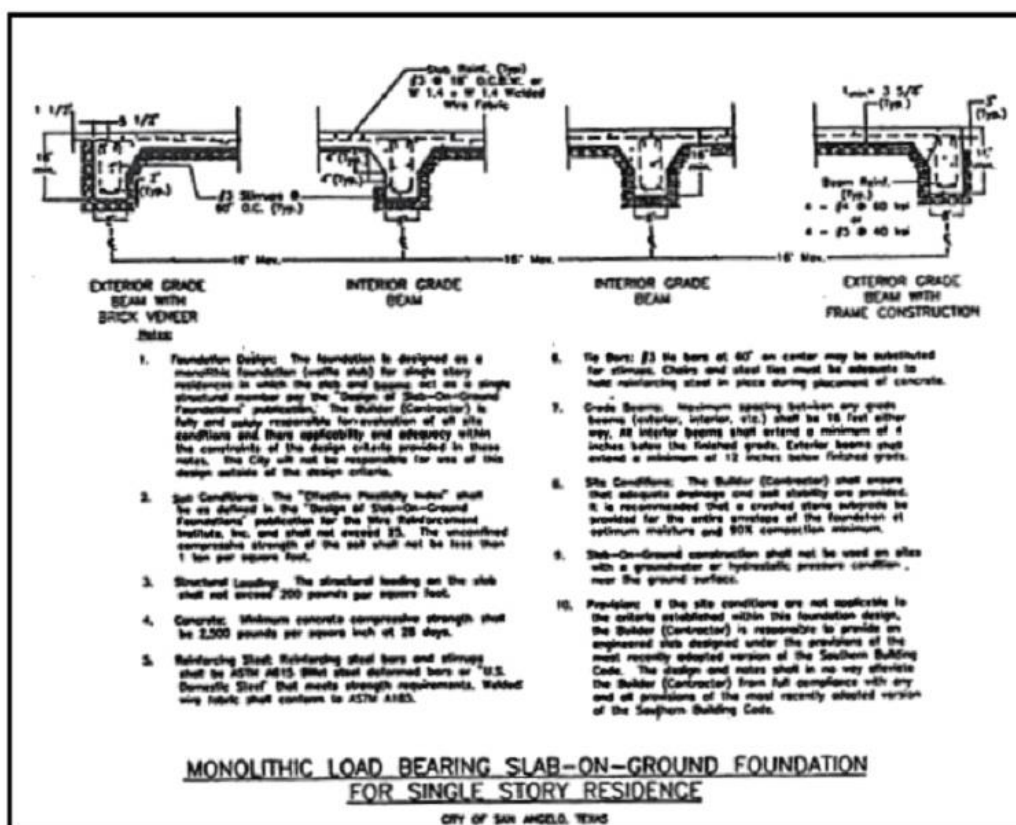
Sec. 4.04.035 Concrete slab and foundation construction

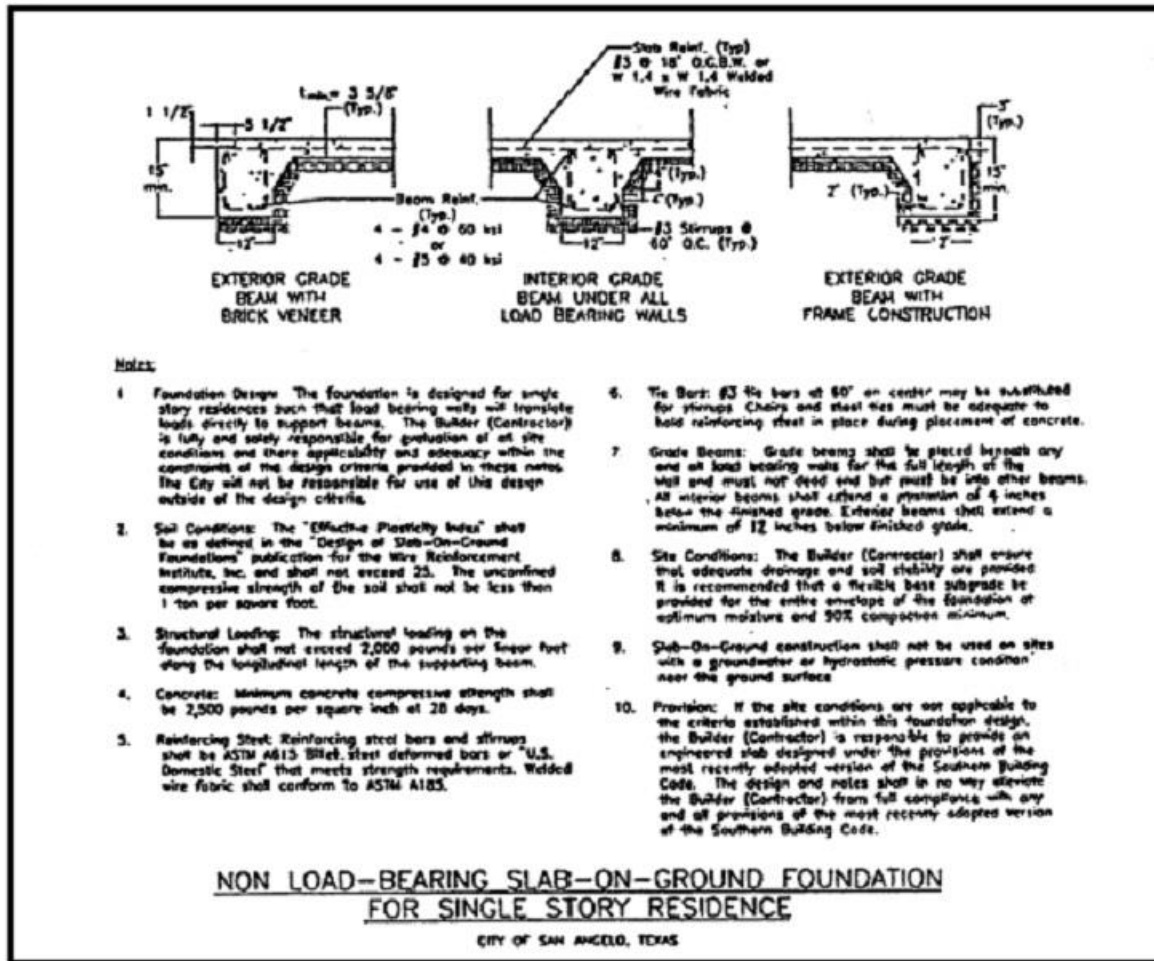
- (a) The purpose of this section is to provide concrete slab and foundation specifications for typical residential construction.
- (b) When slab-on-ground construction is proposed, the site shall be suitable for such purposes. Slab-on-ground construction shall not be used on sites with a groundwater or hydrostatic pressure condition near the ground surface.
- (c) The minimum slab and foundation requirements and specifications shall be as pictured in exhibits 1 and 2, which are incorporated herein for all purposes.
- (d) Prior to a foundation being poured, rectilinear lots shall be staked out according to the property pins, with a string pulled delineating where the property line is. For curved lots, the “survey table for curved lots” of this section shall be used to determine if a survey, showing the proposed foundation, shall be submitted to the building official, or his designee. Alternatively, a licensed surveyor or engineer may certify that the foundation is located outside of the required setbacks on a form provided by the city that must be signed/sealed.

SURVEY TABLE FOR CURVED LOTS

		Curve Radius						
		50'	400'	500'	800'	1000'	2000'	3000'
Lot Width	40'	yes	no	no	no	no	no	no
	50'	yes	yes	yes	no	no	no	no
	60'	yes	yes	yes	yes	no	no	no
	70'	yes	yes	yes	yes	no	no	no
	80'	yes	yes	yes	yes	yes	no	no
	90'	yes	yes	yes	yes	yes	no	no
	100'	yes	yes	yes	yes	yes	no	no
	120'	yes	yes	yes	yes	yes	yes	no
	140'	yes	yes	yes	yes	yes	yes	yes

CONCRETE SLAB ILLUSTRATION #1





Sec. 4.04.036 Trench safety

(a) On all construction projects, public or private, in which trench excavation will exceed a depth of five feet, within its boundaries of the city, or within the extraterritorial jurisdiction, the bid document and the contract shall contain:

- (1) Detailed plans and specifications for adequate safety systems that meet OSHA standards; and
- (2) A pay item for those safety systems.

(b) This requirement shall not apply to persons subject to safety standards adopted under V.T.C.A., Utilities Code, section 121.201 et seq., and subject to the administrative penalty provisions of V.T.C.A., Utilities Code, section 121.206 et seq.

Secs. 4.04.037–4.04.060 Reserved

Part II. Code

Sec. 4.04.061 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Building Code, 2021 edition, in its entirety, save and except chapters 13, 27, 28, 29 and 32, and appendices A, B, D, E, H, J, and section 101.4.4, and save and except:

Section 109.1.2, entitled “Existing building inspections,” which shall be added and read as follows:

109.1.2 Existing building inspections. Before issuing a permit, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. The building official shall inspect all buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued, except that eligible work done on mechanical systems by persons participating in a permit voucher program authorized by the city council may be inspected on a random basis in accordance with the requirements of the authorized program. The building official shall make a record of every such examination and inspection and of all violations of the technical codes.”

Section 111.1, entitled “Use and Occupancy,” which shall instead read as follows:

111.1 Use and occupancy. A building or structure shall not be used or occupied in whole or in part, and ~~a change in the existing type of business use with additional requirements as indicated in chapter 3 “Use and Occupancy Classification,” or a change in the of occupancy classification~~ of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates of this code or other ordinances of the jurisdiction shall not be valid.

Exceptions:

- 1) Changes in ownership where the use and/or occupancy remain the same and remained vacant for the past 24 months are not required to obtain a change of occupancy;
- 2) A new occupancy by a like or similar use where additional restrictions are not required by chapter 3 are not required to obtain a change of occupancy;

- 3) Certificates of occupancy are not required for work exempt from permits under section 105.2.

Section 1612.3, entitled “Establishment of flood hazard areas,” which shall instead read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for San Angelo, Texas” dated June 19, 2012, as amended or revised, with the accompanying flood insurance rate map (FIRM) and flood boundary and floodway map (FBFM) and related supporting data, along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Secs. 4.04.062–4.04.090 Reserved

Division 3. Residential Code*

Sec. 4.04.091 Building official

The administrator of the inspections and permits department is the designated building official of the city.

Sec. 4.04.092 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Residential Building Code, 2021 edition, in its entirety, save and except chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and appendices AA, AB, AC, AF, AI, AL, AM, AO and AP, and N1101.14 Certificate (Mandatory), and save and except:

Section R101.1. Title., which is amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of San Angelo, and shall be cited as such and will be referred to herein as “this code”.

Table 301.2(1), which is amended to read as follows:

Ground Snow Load: 5 psf

Wind Speed: Nominal Design = 90 mph

Ultimate Design = 115 mph

Seismic Design: Category 0

Weathering: Moderate

Frost Line: 12 inches

Termite: Slight to Moderate

Winter Design Temp: 32 degrees F

Ice Barrier Underlayment Required: No

Flood Hazards: First Ordinance Adopted, July 27, 1976

Date of Current Map, June 19, 2012

Air Freezing Index: 50

Delete Section R313 Automatic Fire Sprinkler Systems in its entirety.

Section R314.3 Location. Smoke alarms shall be installed in the following locations:

1. In each sleeping room
2. Outside each separate sleeping area within 12 feet of the outside edge of the bedroom door.
3. On each additional *story* of the *dwelling*, including *basements* and *habitable attics* and not including crawl spaces and uninhabitable *attics*. In *dwelling*s or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full *story* below the upper level.
4. Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by this section.
5. In the hallway and in the room open to the hallway in *dwelling units* where the ceiling height of a room open to a hallway serving bedrooms exceeds that of the hallway by 24 inches or more.

Section R315.3 Carbon monoxide alarms – Location

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping area within 12 feet of the outside edge of the bedroom door. Where a fuel burning appliance is located

within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom.

Section R403.1.6, entitled “Foundation anchorage,” which shall instead read as follows:

R403.1.6 Foundation anchorage. Wood sill plates and wood walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

Cold-formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates anchored to the foundation. Anchorage of cold-formed steel framing and sill plates supporting cold-formed steel framing shall be in accordance with this section and Section R505.3.1 or R603.3.1.

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with minimum ½ -inch- diameter anchor bolts spaced a maximum of 6 feet on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to ½-inch-diameter anchor bolts. Bolts shall be a minimum of 8” long and shall extend a minimum of 5 inches into concrete or grouted cells of concrete masonry units. The bolts shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches or less than seven bolt diameter from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318.

Exceptions:

1. Walls 24 inches total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).
2. Connection of walls 12 inches total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3 (1).

Section R602.6.1, entitled “Drilling and notching of top plate,” which shall instead read as follows:

R602.6.1 Drilling and notching of top plate. Where piping or ductwork is placed in or partly in an exterior wall or interior loadbearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inches thick (1.37 mm) (16ga) and 1-1/2 inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 8d nails at each

side or equivalent. The metal tie must extend not less than 6 inches past the opening. See Figure R602.6.1.

Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

Table N1102.1.2, and Table N1102.1.3, which shall be changed to read as follows:

Table N1102.1.2 (R402.1.2)
Equivalent U-Factors

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling U-Factor	Frame Wall U-Factor	Mass Wall U-Factor	Floor U-Factor	Basement Wall U-Factor	Slab Wall R-Value & Depth	Crawl Space Wall U-Factor
3	0.30	0.55	0.30	0.30	0.070	0.098	0.047	0.091	0	0.136

Table N1102.1.3(R402.1.3)
Insulation and Fenestration Requirements by Component

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value	Slab R-Value & Depth	Crawl Space Wall R-Value
3	0.30	0.55	0.30	30	15 or 13 + 1	5/8	19	5/13	0	5/13

Table N1102.1.2 (R402.1.2)
Insulation and Fenestration Requirements by Component

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value	Slab R-Value & Depth	Crawl Space Wall R-Value
3	0.30	0.55	0.30	30	15 or 13 + 1	5/8	19	5/13	0	5/13

Table N1102.1.3(R402.1.3)
Equivalent U-Factors

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Ceiling U-Factor	Frame Wall U-Factor	Mass Wall U-Factor	Floor U-Factor	Basement Wall U-Factor	Crawl Space Wall U-Factor
3	0.30	0.55	0.30	0.070	0.098	0.047	0.091	0.136

N1102.4.1.2 (R402.4.1.2) Testing, which is deleted in its entirety and replaced to read as follows:

N1102.4.1.2 Testing – Visual Inspection option. Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table N1102.4.1.1, applicable to the method of construction, are field verified. Where required by the code official, an approved party independent from the installer of the insulation shall inspect the air barrier and insulation.

Delete N1103.1.1 (403.1.1) Programmable thermostat in its entirety.

N1103.3.3 (R403.3.3)Duct testing, which is deleted in its entirety and replaced to read as follows:

N1103.3.~~53~~(R403.3.5) Duct testing. Duct testing and installation shall be considered acceptable when the prescriptive requirements of Section N1103.3, applicable to the method of construction, are field verified. Where required by the code official, an approved party independent from the installer of the duct system shall inspect the air barrier and insulation.

Delete N1104.2 (R404.2) Interior lighting controls in its entirety.

Section M1411.3.1.1, entitled “Water level monitoring devices,” which shall instead read as follows:

M1411.3.1.1 Water level monitoring devices. On down-flow units and all other coils that have no secondary drain and no means to install an auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Externally installed devices and devices installed in the drain line shall be permitted.

Secs. 4.04.093–4.04.120 Reserved

Division 4. Plumbing*

Part I. In General

Sec. 4.04.121 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Plumbing Code and the provisions of this division.

Sec. 4.04.122 Permits

- (a) Licensed plumber obtaining permit for another. It shall be unlawful for any licensed plumber to allow any person not directly and regularly employed by and working under the direction of such licensed plumber to perform any plumbing work on a project for which such licensed plumber has obtained a permit.
- (b) Emergency plumbing work. In case of an emergency that necessitates the performance of plumbing work that requires a permit, at a time when the inspections and permits department is closed, such plumbing work may be performed before a permit is obtained. A permit shall be applied for during the first day the inspections and permits department is open following commencement of such plumbing work. The work shall be subject to inspection when completed.

Sec. 4.04.123 Homeowner's permit

To qualify for a homeowner's permit, only the homeowner or members of the homeowner's immediate family, who reside at the dwelling for which the permit has been obtained, may perform plumbing work under the homeowner's permit. Violations by any person, firm, corporation, or associate of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the plumbing work is to be performed is a residential dwelling.
- (2) The person receiving the permit is the owner and occupant of such dwelling.
- (3) The dwelling for which the permit is issued is not rental property.
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector office at the county courthouse.

Sec. 4.04.124 License number to be displayed on vehicles

The number of any plumbing license issued under the provisions of this code shall be printed on both sides of any vehicle used by the person or firm to whom such license is issued. Said license number shall be in plain block numerals at least two inches (2") high and in a color which contrasts with the background. These numbers are to be located within three (3) feet of the front passenger door and the driver door.

Sec. 4.04.125 Schedule of permit fees

On all plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application in accordance with the fee schedule found in appendix A of this code.

Sec. 4.04.126 Insurance requirements

(a) Requirements. Before any owner, authorized agent, contractor or corporation that is required to obtain a plumbing permit shall perform the work for which the permit is required, such owner, authorized agent, contractor or corporation shall provide to the inspections and permits department a certificate of insurance in the amount of at least one hundred thousand dollars (\$100,000.00) combined single limit liability per occurrence for bodily injury and property damage. This insurance shall be carried with a company licensed to do business in Texas.

(b) Exceptions. The following persons shall not be required to furnish insurance:

- (1) Maintenance workers or engineers who do work incidental to and in connection with the business in which they are employed or engaged.
- (2) Railroad employees who do construction, installation and maintenance work on the premises or equipment of a railroad.
- (3) Public service company employees engaged in laying, maintaining and operating service mains or lines.
- (4) A liquid petroleum gas installer when working and licensed under chapter 113, Natural Resources Code, as amended.
- (5) A property owner doing work in a building owned or occupied as the owner's homestead.

Sec. 4.04.127 Sewer connections

- (a) For new service, the city shall tap all city mains and laterals for private connections and run the service to the property line. The property owner shall thereafter be responsible for all maintenance of the sewer line to the tap.
- (b) For existing service, the property owner shall be responsible for all maintenance of the sewer line to the tap. All repairs to the sewer line to the tap shall be the responsibility of the property owner.
- (c) If the repair involves that portion of the service line within the public right-of-way, the property owner shall be responsible for the paving cut. The person obtaining the paving cut permit shall be responsible for providing payment to the city for the paving cut repair costs, in accordance with established procedures.
- (d) The city may, if that portion of the line within the right-of-way fails due to a lack of maintenance of the right-of-way, participate in the costs of repair for that portion of the line within the right-of-way.

Sec. 4.04.128 Lawn sprinklers and irrigation piping systems

- (a) Lawn sprinkler systems and irrigation piping systems shall be equipped with an approved backflow preventer to protect against contamination of the potable water system. The following devices shall be acceptable:
 - (1) Anti-siphon vacuum breakers, reduced pressure zone backflow preventer, double check type back pressure backflow preventer equipped with gate valves and test cocks.
 - (2) Atmospheric type vacuum breakers shall be installed downstream of the last control valve at least 6 inches above the level of the highest sprinkler head.

- (3) All protective devices shall be installed in an accessible location to allow for inspection and maintenance and to isolate the sprinkler system from all other piping in the system.
- (b) All lawn sprinkler systems, irrigation piping systems and piping for domestic use, whether connected to the city's water system or other water wells, shall be subject to the permit and inspection requirements of this code, as well as all other requirements applicable to irrigation systems, including subsection (a) above.

Secs. 4.04.129–4.04.150 Reserved

Part II. Code

Sec. 4.04.151 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Plumbing Code, 2021 edition, in its entirety, save and except for Appendix A, and save and except:

Section 109.3, entitled “Fee refunds,” which shall instead read as follows:

109.3 Fee refunds. The code official shall authorize the refunding of fees as outlined in the fee schedule (Appendix A) of the City of San Angelo Code of Ordinances.

Section 305.4.1, entitled “Sewer depth,” which shall instead read as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (101.6 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 4 inches (101.6 mm) below grade.

Section 308.7, entitled “Anchorage,” which shall instead read as follows:

308.7 Anchorage. Anchorage shall be provided to restrain drainage piping and water stub-outs from excessive axial movement.

Section 312.2, entitled “Drainage and vent water test”, which shall instead read as follows:

312.2 Drainage and vent water test. A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be

filled with water, but no section shall be tested with less than a 10-foot head of water. In testing successive sections, at least the upper 10 feet of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet of the system, shall have been submitted to a test of less than a 10-foot head of water. This pressure shall be held for not less than 15 minutes. The system shall then be tight at all points.

Exception: A water test shall not be required at the top out inspection. The Permits Division shall document a visual inspection or a water test was performed during the top out inspection, if performed.

Section 407.2, entitled “Bathtub waste outlets and overflows”, which shall instead read as follows:

407.2 Bathtub waste outlets and overflows. Bathtubs shall be equipped with a waste outlet. The outlets shall be connected to waste tubing or piping not less than 1 ½ inches in diameter. The waste outlet shall be equipped with a water-tight stopper.

Section 410.4, entitled “Substitution”, which shall instead read as follows:

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers provided free of charge shall be permitted to be substituted for the first of such required drinking fountains and not more than 50 percent of the remaining required drinking fountains.

Section 421.3, entitled “Shower waste outlet,” which shall instead read as follows:

421.3 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches (38 mm) in diameter and, for other than waste outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than 0.25 inch (6.4 mm) in minimum dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located, and the floor pitched so that the waste from one shower does not flow over the floor area serving another shower. Waste outlets shall be fastened to the waste pipe in an approved manner.

Section 607.2, entitled “Hot or tempered water supply to fixtures,” which shall instead read as follows:

607.2 Hot water supply temperature maintenance. Where the developed length of hot water piping from the source of hot water supply to the farthest fixture exceeds 100 feet, the hot water supply system shall be provided with a method of maintaining the temperature in accordance with Chapter 11 of the International Residential Code.

Section 903.11 entitled “Roof extension unprotected,” which shall instead read as follows:

903.11 Roof Extension Unprotected. Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152.4 mm) above the roof. Where a roof is to be used

for assembly or as a promenade, observation deck, sunbathing deck, or similar purposes, open vent pipes shall terminate not less than 7 feet (2,134 mm) above the roof.

Sec. 4.04.152 Definitions

Section 202 is amended by adding:

Board. The word “board” shall mean the construction board of adjustments and appeals of the city created pursuant to the International Building Code.

City. The word “city” shall mean the City of San Angelo, Texas.

Code. The word “code,” when used alone, shall mean all of the provisions of this division of the city Code of Ordinances and the International Plumbing Code.

Council. The word “council” shall mean the city council of the City of San Angelo, Texas.

Inspections and permits department. The department assigned the responsibility by the city of enforcing and administering the International Plumbing Code and this chapter of the Code of Ordinances of the city.

Plumbing inspector. The designee of the code official assigned the responsibility of enforcing this code.

Secs. 4.04.153–4.04.180 Reserved

Division 5. Electricity*

Part I. In General

Sec. 4.04.181 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Electrical Code and the provisions of this division.

Sec. 4.04.182 Definitions

Board. The construction board of adjustments and appeals.

City. The City of San Angelo, Texas.

Code. When used alone, shall mean all of the provisions of this division of the city Code of Ordinances.

Conduit. Shall have the same meaning as “raceway” as defined in article 100 of the National Electrical Code.

Consumer. One who uses electricity on premises.

Council. The city council of the City of San Angelo, Texas.

Electrical inspector. A person employed by the city to perform electrical inspections and related duties.

Electrical work. Any work involving the installation of electrical materials or devices. It includes, but is not limited to, work involving installation of the following:

- (1) Power and lighting systems, secondary services, distribution panels, lighting panels, conduits, junction boxes, pull boxes, outlets, feeders, sub-feeders, wiring devices, service fittings, lighting fixtures, lamps or other devices.
- (2) All power and control wiring and any other electrical installations incidental to any equipment furnished by any other contractors, owners or their agents. Electrical work does not include such minor work as repairing flush switches, replacing fuses and changing lamp sockets and receptacles.

License. Written authorization from the state to engage in a particular activity. It shall signify that the recipient has satisfactorily demonstrated he is competent in a particular field. It does not mean that the city guarantees or warrants the licensee's competence. All references in this code to a "license" or someone who is "licensed" shall be references to a license issued by the city or the state, unless another meaning is specifically stated.

Secretary. The secretary of the construction board of adjustments and appeals.

Sec. 4.04.183 Electrical contractors

(a) Registration required. Any person desiring to engage in the business of electrical contracting shall register in the inspections and permits department the name, address and telephone number under which they will be doing business and meet all other such requirements more fully enumerated within this chapter.

(b) Master electrician required. Any person engaged in the electrical contracting business shall have a master electrician license, or must employ a full-time licensed master electrician. All master electricians shall register in the inspections and permits department their name, address, telephone number and the name of the electrical contracting company, and such master who obtains the permit shall be responsible for carrying out the provisions of this division in its entirety.

(c) Extenuating circumstances. In case of the death, disability or termination of a master license holder, the firm will be allowed to complete all work for which permits have been issued, provided the board determines that they have adequate supervision and provided that such work is completed within six (6) months of the death, disability or termination of the master license holder.

(d) Insurance. Each registered electrical contractor shall furnish the city with a certificate of insurance sufficient to demonstrate financial responsibility in amounts equal to or greater than those required by state law at the time of registration and upon renewal.

(e) Supervision. A licensed master shall maintain adequate supervision over all journeymen and other persons working directly under or for the master on any project or job for which a permit has been secured by the master electrician. Adequate supervision for the purposes of this subsection shall mean that the master electrician shall maintain such contact with a job or project for which the master electrician has obtained a permit as necessary to assure that those electricians and others under the master electrician's control and direction are complying and have complied with all applicable provisions of the electrical code of the city.

Sec. 4.04.184 General electrical construction requirements

(a) Disconnects.

(1) Requirements. Outside main disconnects shall be required on all new structures and on new main service to existing structures.

(2) Exceptions.

(A) In buildings with sprinklers throughout, in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, disconnects may be installed in accordance with NFPA 70, National Electrical Code.

(B) The building official may require an outside disconnect for safety concerns when the building or structure is constructed of at least Type IV construction and is normally unoccupied.

(b) Temporary meter location and power permit.

(1) Temporary power and/or lighting shall meet all requirements of this code and, when a meter installation is necessary, the meter shall be attached to a substantially mounted and braced pole.

(2) If from ground mount transformer, the power drop shall conform to the requirements of this code.

(3) All installations of temporary meter locations and/or temporary power shall be required to obtain an electrical permit. This may be a part of the initial electrical permit for the job. The electrical inspector shall approve and inspect the temporary meter location and/or temporary power at the first required inspection or at the rough-in inspection, whichever is appropriate.

(c) Temporary power permit for buildings or premises under construction. Subject to all of the requirements for obtaining a general permit, a temporary power permit to temporarily energize the

permanent service in a new building or structure, or in a building or structure being remodeled, may be issued. This permit may be issued for the time necessary to complete the construction that requires electrical power, for a period of time not to exceed ninety (90) days. Upon the expiration of the temporary power permit, the electrical inspector shall have the authority to order the electrical power to the premises for which the permit was issued disconnected. If necessary to complete construction, more than one temporary power permit for construction may be issued per construction job.

(d) Change of occupancy. If the occupancy classification of an existing building changes, the electrical system shall be made to conform to the intent of this code as required by the building official.

Sec. 4.04.185 Electrical permits

(a) Homeowner's permit. Only the homeowner or members of the homeowner's immediate family, who reside at the single-family dwelling for which the permit has been obtained, may perform electrical work under the homeowner's permit. A violation by any person, firm, corporation or association of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the electrical work is to be performed is a single-family dwelling;
- (2) The person receiving the permit is the owner of such single-family dwelling;
- (3) The single-family dwelling for which the permit is issued is not rental property;
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector's office at the county courthouse.

(b) Who may obtain an electrical permit. A permit to perform electrical work may be obtained by a homeowner who qualifies for a homeowner's permit under the foregoing provisions.

Sec. 4.04.186 Electrical permit fee schedule

The fees applicable to all electrical work performed in the city are as provided for in the fee schedule found in appendix A of this code. The fees shall be paid to the city through the inspections and permits department.

Sec. 4.04.187 Prohibited acts

(a) Master obtaining permit for another. It shall be unlawful for any licensed electrical contractor to allow any person not directly and regularly employed by, and working under the direction of, such contractor to perform electrical work on a project for which such contractor has obtained a permit.

(b) Non-concealment of work required. It shall be unlawful for any person, firm, corporation or association to lath, seal or in any manner conceal any electrical work until such work has been inspected and approved by an electrical inspector. It shall be unlawful for any person, firm, corporation, or association who has performed electrical work in violation of this division to intentionally and knowingly attempt to cover or camouflage said violations in an effort to pass the electrical inspection.

(c) Approval for electrical power connection. It shall be unlawful for any person, firm, corporation or association to connect electrical power to any public or commercial premises before obtaining approval from an electrical inspector. Where electrical power has been disconnected to public or commercial premises, approval is necessary before reconnection.

(d) Failure to comply with state licensing. Failure to comply with all applicable state laws and regulations promulgated under authority granted in the Texas Occupations Code related to electricians shall constitute a violation of this code.

Sec. 4.04.188 Required inspections

(a) The master electrician or homeowner shall be responsible for notification to the inspections and permits department when the following electrical installations are ready for required inspections:

(1) Slab rough-in inspection. An electrical installation shall be considered ready for slab rough-in inspection at such time that all raceways and outlet boxes are installed and prior to pouring of concrete and concealment.

(2) Rough-in inspection. An electrical installation shall be considered ready for rough-in inspection at such time that all raceways, panel board cabinets, service equipment, outlet boxes, junction boxes, conductors and conductor splices are installed and before concealment.

(3) Minor extension exception. For minor extensions and additions, for which, in the previously expressed judgment of the electrical inspector, adequate inspection is possible after completion of the work, a rough-in inspection may not be required.

(4) Final inspection. An electrical installation shall be considered ready for final inspection upon completion of all electrical installation work and prior to a certification of compliance being issued.

(5) Additional inspections. The electrical inspector may, when necessary to assure compliance with this division, require additional inspections to the slab rough-in, rough-in, and final inspections.

(6) Presence of representative of contractor. The electrical inspector on any inspection may require the presence of a person representing the electrical contractor or homeowner to whom the permit is issued, at the inspection.

(b) It shall be unlawful for the electrical contractor or homeowner to fail to request a required inspection.

Sec. 4.04.189 Wiring methods

(a) All wiring inside a building shall be installed in a continuous conduit system except that steel metal clad cable, as listed in article 330 of the 2020 edition of the National Electrical Code, shall be permitted.

(b) A continuous conduit system shall not be necessary for wiring in one- and two-family dwellings, and in multifamily dwellings. Number twelve (#12) wire shall be the minimum size and conductor used, except in the case of low voltage conductors.

Secs. 4.04.190–4.04.210 Reserved

Part II. Code

Sec. 4.04.211 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

National Electrical Code, 2020 edition, in its entirety, and save and except:

Section 210.8 (A), -Dwelling Units All 125-Volt, single-phase, 15-and 20-ampere which is amended to read as follows:

Under 210.8, part A, item (2), add the following exceptions:

Exception No. 1: Receptacles that are not readily accessible.

Exception No. 2: A single receptacle or a duplex receptacle each for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A).

Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

Section 210.8 (A)(5) “Basements” which is to be deleted.

Section 210.8 (A)(7) “Sinks” which is which is amended to read as follows:

(7) Sinks – where receptacles are installed within 6 feet of the outside edge of the sink.

Exceptions:

1. Dishwashers and Disposals

Section 210.8 (A)(10) “Laundry Areas” which is to be deleted.

Section 210.8 (D) “Kitchen Dishwasher Branch Circuit” which is to be deleted.

Section 210.8 (F) “Outdoor Outlets” which is to be deleted.

Section 210.12 (A) “Dwelling Units” which is amended to read as follows:

(A) Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in dwelling unit bedroom and bedroom closet shall be protected by any of the means described in 210.12 (A) (1) through (6):

Section 210.12(D) “Branch circuit extensions or modifications” which is amended to read as follows:

Dwelling unit Bedroom and bedroom closet, dormitory units and guest suites.

Section 210.52 (G) (1) “Garages” which is amended to read as follows:

(1) Garages. In each attached garage and in each detached garage with electric power.

Section 230.67 Delete this section – Surge Protection

Section 300.5, Subsection (D)(3), which is amended to read as follows:

(3) Service Conductors. All underground electrical installation shall be marked with red electrical warning ribbon, except for low voltage and communication wiring. Warning ribbon shall be installed under the NEC 2020 Sec. 300.5 subsection D3.

Section 406.9 (A), “Damp Locations”, which is amended to read as follows:

(A) Damp Locations. A receptacle installed outdoors in a location protected from the weather or in other damp locations shall have an enclosure for the receptacle that is weatherproof when the receptacle is covered (attachment plug cap not inserted and receptacle covers closed).

An installation suitable for wet locations shall also be considered suitable for damp locations.

A receptacle shall be considered to be in a location protected from the weather where located under roofed open porches, canopies, marquees, and the like, and will not be subjected to a beating rain or water runoff.

Section 406.12 Tamper-Resistant Receptacles, which is amended to read as follows:

All 15- and 20-ampere, 125- volt non-locking type receptacles in the areas specified in 406.12 (3), (4), (8) shall be listed tamper-resistant receptacles.

Secs. 4.04.212–4.04.240 Reserved

Division 6. Mechanical Work*

Part I. In General

Sec. 4.04.241 Permits

(a) Licensed mechanical contractor obtaining permit for another. It shall be unlawful for any licensed mechanical contractor to allow any person not directly and regularly employed by and working under the direction of such licensed mechanical contractor to perform any mechanical work on a project for which such licensed mechanical contractor has obtained a permit.

(b) Emergency mechanical work. In case of an emergency that necessitates the performance of mechanical work that requires a permit, at a time when the inspections and permits department is closed, such mechanical work may be performed before a permit is obtained. A permit shall be applied for during the first day the inspections and permits department is open following commencement of such mechanical work. The work shall be subject to inspection when completed.

Sec. 4.04.242 Schedule of permit fees

On all mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the fee schedule found in [appendix A](#) of this code, which is incorporated herein by reference for all purposes.

Sec. 4.04.243 Who may obtain a mechanical permit

Only those individuals licensed by the state to do mechanical work (including proper endorsements), or those persons who fall within an exemption from licensing, may obtain a permit to do mechanical work.

Sec. 4.04.244 Homeowners Permit

To qualify for a homeowner's permit, only the homeowner or members of the homeowner's immediate family, who reside at the dwelling for which the permit has been obtained, may perform mechanical work under the homeowner's permit. Violations by any person, firm, corporation, or

associate of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the mechanical work is to be performed is a residential dwelling.
- (2) The person receiving the permit is the owner and occupant of such dwelling.
- (3) The dwelling for which the permit is issued is not rental property.
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector office at the county courthouse.

Secs. 4.04.245–4.04.270 Reserved

Part II. Code

Sec. 4.04.271 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Mechanical Code, 2021 edition, in its entirety, save and except appendix B, and save and except:

Section 109.6, entitled “Fee refunds,” which shall instead read as follows:

109.6 Fee refunds. The code official shall authorize the refunding of fees as outlined in the fee schedule (Appendix A) of the City of San Angelo Code of Ordinances.

Section 307.2.3.1, entitled “Water-level monitoring devices,” which shall instead read as follows:

307.2.3.1 Water-level monitoring devices. On down-flow units and all other coils that do not have a secondary drain and do not have a means to install an auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Externally installed devices and devices installed in the drain line shall be permitted.

Section 501.3 Exhaust discharge, which is amended to read as follows:

501.3 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
4. In one- and two-family dwellings, bathroom exhausts shall be permitted to exhaust into an attic or crawl space.

Section 602.1 General, which is amended to read as follows:

602.1 General. Supply, return, exhaust, relief and ventilation air plenums shall be limited to uninhabited crawl spaces, areas above a ceiling or below the floor, attic spaces and mechanical equipment rooms. Plenums shall be limited to one fire area. Fuel-fired appliances shall not be installed within a plenum.

Section 805.4 Factory-built chimney offsets which is amended to read as follows:

804.3 Factory-built wood chimney offsets. Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.

Section 1101.9 Locking access port caps which is amended to read as follows:

Section 1101.9 Locking access port caps. Refrigerant circuit access ports located outdoors shall be fitted with locking-type-tamper resistant caps or shall be otherwise secured to prevent unauthorized access. Exception. This section shall not apply to the refrigerant circuit access ports on equipment installed in controlled areas such as enclosed yards or roofs with locked access hatches or doors.

Sec. 4.04.272 Definitions

The International Mechanical Code, chapter 2, section 202, is amended by adding:

Board. The word "board" shall mean the construction board of adjustments and appeals.

City. The word "city" shall mean the City of San Angelo, Texas.

Code. The word “code,” when used alone, shall mean all of the provisions of this division of the official code of the city.

Council. The word “council” shall mean the city council of the City of San Angelo, Texas.

Inspections and permits department. The department assigned the responsibility by the city of enforcing and administering the mechanical code.

Mechanical inspector. The person assigned the responsibility of enforcing this code.

Mechanical system. Mechanical system includes, but is not limited to, any heating, ventilating or air conditioning product, system, or equipment. The term does not include a portable or self-contained ductless air conditioning or heating product that has a cooling capacity of three (3) tons or less or a heating capacity of 36,000 British thermal units or less.

Mechanical work. Mechanical work means activity that includes, but is not limited to, designing, installing, constructing, maintaining, servicing, repairing, altering or modifying any heating, ventilating, or air conditioning product, system, or equipment. The term does not include the design, installation, construction, maintenance, service, repair, alteration, or modification of a portable or self-contained ductless air conditioning or heating product that has a cooling capacity of three (3) tons or less or a heating capacity of 36,000 British thermal units or less.

Secs. 4.04.273–4.04.300 Reserved

Division 7. Energy Conservation*

Part I. In General

Sec. 4.04.301 Title

This code shall be known as the International Energy Conservation Code of San Angelo and shall be cited as such. It is referred to herein as “this code.”

Sec. 4.04.302 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Energy Conservation Code and the provisions of this division.

Secs. 4.04.303–4.04.330 Reserved

Part II. Code

Sec. 4.04.331 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Energy Conservation Code, 2021 edition, Commercial Provisions Chapters 1 through 6 and Index, in its entirety, save and except:

Delete C402.4.2 Minimum skylight fenestration area in its entirety.

C405.2.1 Occupant sensor controls, which is amended to read as follows:

C405.2.1 Occupant sensor controls. Occupant sensor controls shall be installed to control lights in the following space types:

1. Classrooms/lecture/training rooms
2. Conference/meeting/multipurpose rooms
3. Copy/print rooms
4. Lounges
5. Employee lunch and break rooms
6. Restrooms
7. Storage rooms
8. Janitorial Closets
9. Locker rooms
10. Warehouses

~~Delete R404.2 Interior lighting controls in its entirety.~~

Secs. 4.04.333–4.04.360 Reserved

~~Section R402 Building Thermal Envelope:~~

~~Delete Tables R402.1.2 and R402.1.3 and add Table 402.1.4 to show the following prescriptive method minimum requirements for new construction and additions:~~

~~Fenestration U factor —.30~~
~~Skylight U factor —.55~~
~~Glazed fenestration SHGC —.30~~

~~Ceiling Value ————— R-38~~
~~Wood frame wall value ————— R-15 or 13+1~~
~~Floor Value (pier and beam) R-19~~
~~Slab on grade ————— 0~~
~~R404.2 Interior lighting controls (Delete section in its entirety)~~

Division 8. Existing Building Code

Sec. 4.04.361 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

The International Existing Building Code, 2021 edition, in its entirety.

Secs. 4.04.362–4.04.390 Reserved

Division 9. Fuel Gas Code*

Sec. 4.04.391 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Fuel Gas Code, 2021 edition, in its entirety, save and except appendix C.

Secs. 4.04.392–4.04.420 Reserved

Re: amendments

Kemp, Charlie <charlie.kemp@cosatx.us>

Fri 1/20/2023 2:34 PM

To: HBA of San Angelo <info@hbasa.com>

Cc: James, Jon <jon.james@cosatx.us>; Vannoy, Aaron <aaron.vannoy@cosatx.us>; Weise, Rick <rick.weise@cosatx.us>

Thank you. Have a great weekend.

From: info@hbasa.com <info@hbasa.com>

Sent: Friday, January 20, 2023 2:29 PM

To: Kemp, Charlie <charlie.kemp@cosatx.us>

Cc: James, Jon <jon.james@cosatx.us>; Vannoy, Aaron <aaron.vannoy@cosatx.us>; Weise, Rick <rick.weise@cosatx.us>

Subject: RE: amendments

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

It appears that these are all of the changes they were requesting. Have a great weekend~Kristen

From: Kemp, Charlie <charlie.kemp@cosatx.us>

Sent: Thursday, January 19, 2023 7:23 AM

To: HBA of San Angelo <info@hbasa.com>

Cc: James, Jon <jon.james@cosatx.us>; Vannoy, Aaron <aaron.vannoy@cosatx.us>; Weise, Rick <rick.weise@cosatx.us>

Subject: amendments

Good morning,

I wanted to follow up with you on the amendments that were discussed at the City Council meeting on Tuesday. As I understood it the following are the amendments Council asked to be add ;

- R30 for the ceiling insulation
- Delete Section R313 IRC-Automatic fire sprinkler systems
- Delete Section N1103.1.1 IRC-Programmable thermostat

Please let me know if this is correct, thank you.

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This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Second reading of an ordinance for Z22-23 to rezone properties from the Single-Family Residential zoning district to the Two-Family Residential zoning district, being 2.129 acres, located at the northwest corner of Travis St. and E. 30th St. (Jon James)

Staff Recommendation:

Adopt

Summary/History:

This property is presently zoned RS-1, Single-Family Residential, and the applicant is asking to rezone to RS-2, Two-Family Residential, in order to build duplexes. In this area, there is a mix of housing types and uses from RS-3 to RS-2 to Manufactured Housing subdivisions to CO, Commercial Office. The existing Vision Plan identifies this area as a "Neighborhood", which is consistent with this requested rezoning.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their December 12, 2022, Planning Commission meeting, the board unanimously recommended approval of the request, 7-0.

City Council voted 5-0 to approve this rezoning at their January 17, 2023 meeting.

Attachments:

- | | |
|--------------------------|----------------------------|
| 1. Staff Report (Z22-23) | Staff Report (Z22-23).docx |
| 2. Ordinance (Z22-23) | Ordinance (Z22-23).docx |

Presentation:

Jon James

Approvals/Reviews:

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

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval



STAFF REPORT - Z22-23

City Council 1st reading: January 17, 2023

City Council 2nd reading: February 7, 2023

APPLICATION TYPE:		CASES:	
Rezoning		Z22-23: 3061 Travis Street (Day Addition, Section One, Lots 1-11)	
SYNOPSIS:			
The representative for the owner of the property 3061 Travis Street (Day Addition, Section One, Lots 1 -11 Final Plat) submitted a request to the Planning Staff for a rezoning from Single-Family Residential (RS-1) to Two-Family Residential District (RS-2). This property is presently zoned RS-1 Single-Family Residential, the applicant is asking to rezone to RS-2, Two-Family Residential in order to build duplexes. In this area, there is a mix of housing types and uses from RS-3 to RS-2 to Manufactured Housing subdivisions to CO Commercial Office. The existing Vision Plan identifies this area as Neighborhood. Therefore, the rezoning to RS-2 is in keeping with the future land use.			
LOCATION:		LEGAL DESCRIPTION:	
West of the intersection of Travis Street and E. 30 th Ave.		Day Addition, Section One, Lots 1 – 11—plat (proposed).	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Lake View Neighborhood	RS-1: Single-Family Residential	Neighborhood	2.129
NOTIFICATIONS:			
16 notifications for Z22-23 were mailed within a 200-foot radius on November 21, 2022. No responses in favor and two (2) responses against have been received.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Single-Family Residential (RS-1) to Two-Family Residential (RS-2), for the property located at 3061 Travis Street and in Day Addition, Section One, Lots 1 - 11; southwest corner and west along E. 30 th Street and Travis Street.			
PROPERTY OWNER/PETITIONER:			
<i>Applicants:</i> Erica Carter - Carter Fentress Eng. For Concho Villa Holdings, LLC. – Donald Sinclair			
STAFF CONTACT:			
Sherry L Bailey Senior Planner (325) 657-4210, Extension 1546 Sherry.bailey@cosatx.us			

Additional Information: Staff met with the applicant's representative concerning the proposed rezoning and the accompanying plat map. The owner would like to develop 11 duplexes on these lots. The property is next door to the Day Elementary School, and the need for rental property close to schools is a demonstrated need. This area is a mix of residential zonings with RS-3, RS-2 and Manufactured Home Subdivisions within the area. Commercially zoned property is within three blocks of this property which contributes to the transitional nature of the neighborhood and the affordable opportunities that are available in this area.

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 Comprehensive Plan identifies this area as Neighborhood. Given the existing mix of uses, the proposal is in keeping with that use.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** RS-1 and the proposed RS-2 are very similar in requirements and use. The proposal will not conflict with the Zoning Ordinance.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** As noted above, the properties in this area are a mix of zoning districts, from single-family to two-family to townhome development. In surveying the area, the one thing that all uses have in common is they are all smaller in scale. As such, they complement the area and the various uses.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** This area is constantly changing. That is part of what keeps it a vital alive area.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** There are no anticipated adverse effects on neighboring properties.
6. **Community Need.** **Whether and the extent to which the proposed amendment addresses a demonstrated community need.** Staff believes that this residential area meets an identified need for family housing in smaller development sites, that are affordable. Recent studies have born this out. The duplex development meets that target audience.
7. **Development Patterns.** **Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.** The property in question is an infill project in an older part of town. The proposed lots are 50 ft. wide, and duplex development benefits both the Applicant and the Community while utilizing previous unused property.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from Single-Family Residential Zone (RS-1) to Two-Family Residential Zone (RS-2) on the property listed as 3061 Travis Street – Day Addition, Section One, Lots 1 thru 11.

Attachments:

Site Photos
Aerial/Notification Map
Zoning Map
Future Land Use Map

Site Photos



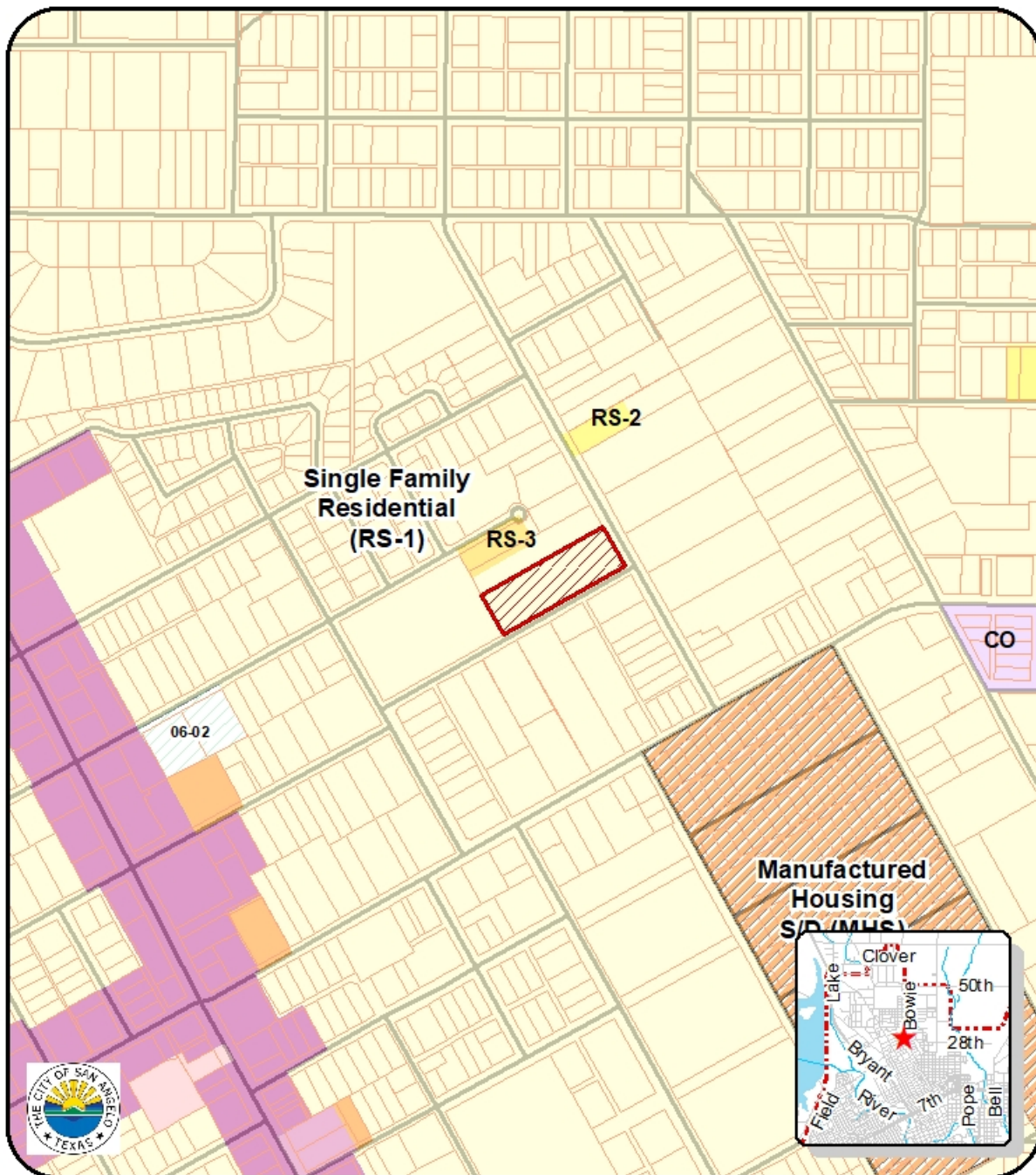
INTERSECTION OF TRAVIS STREET AND E. 30TH STREET



E. 30TH STREET ON WHICH THE LOTS WILL FRONT



DAY ELEMENTARY SCHOOL- WHICH IS ADJACENT TO THE INTENDED DUPLEX LOTS



Proposed Zoning - RS-2 Two - Family Residential

3061 Travis Street/Day Addition

Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0.0 0.02 0.05 0.1 0.15 0.2 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N





Future Land Use - Neighborhood

3061 Travis Street/Day Addition

Council District: #2 Tom Thompson

Neighborhood: Lake View

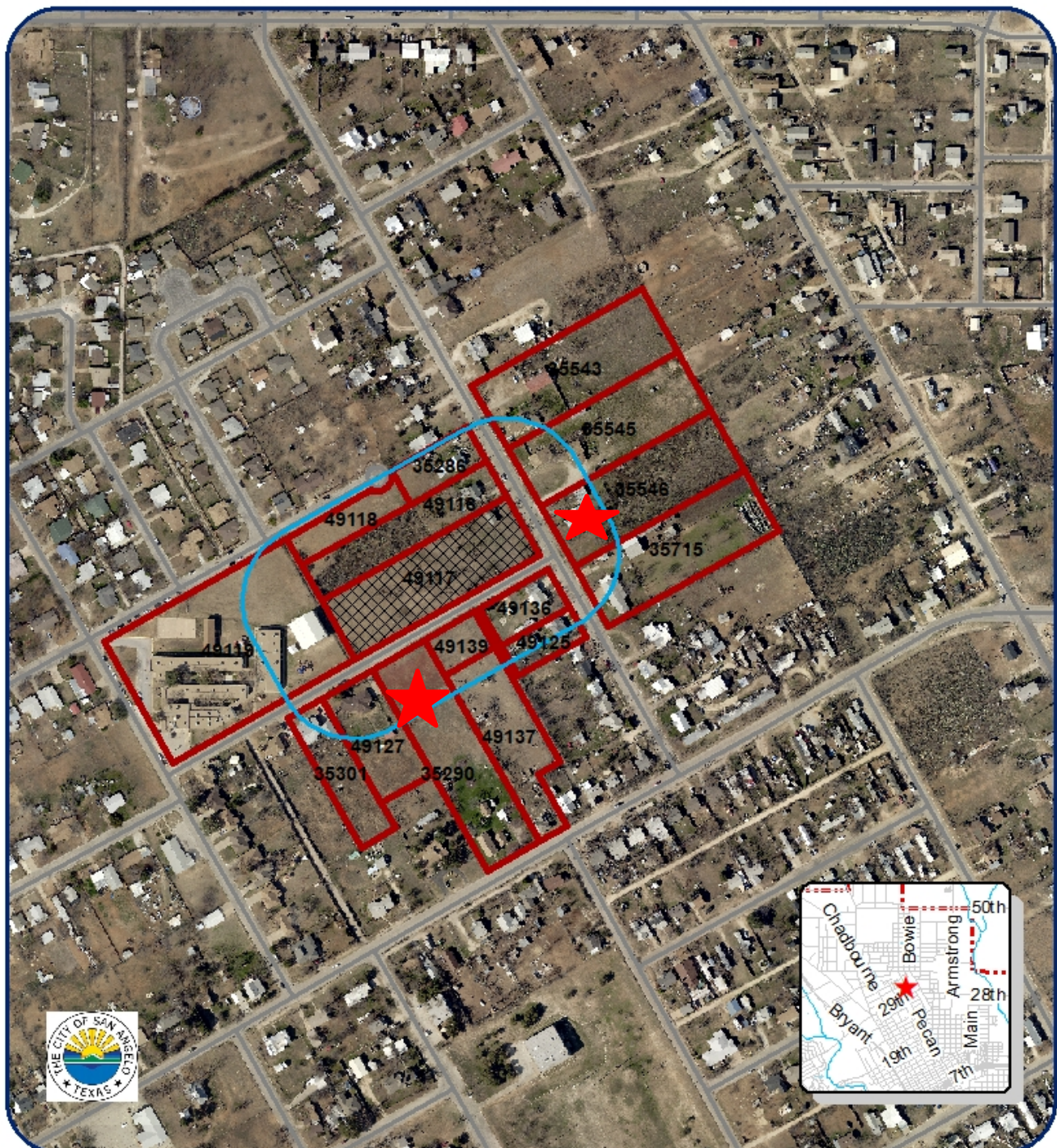
Scale: 0.01 0.025 0.05 0.075 0.1 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





200' Notification Map

Z22-23 3061 Travis Street

Council District: #2 Tom Thompson

Neighborhood: Lake View

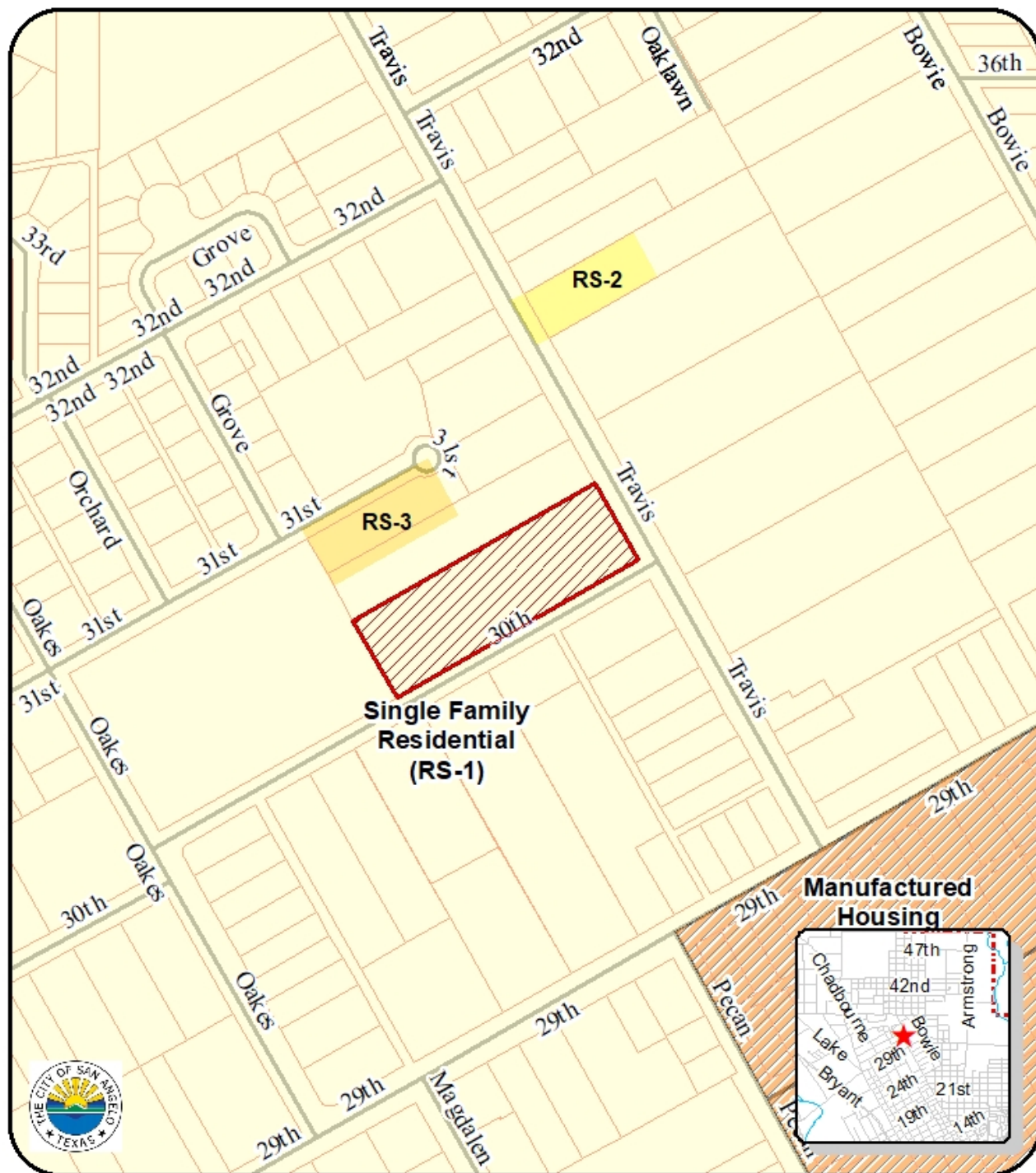
Scale: 00.016.03 0.06 0.09 0.12
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





Proposed Zoning - RS-2 Two - Family Residential

3061 Travis Street/Day Addition

Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0.0125 0.05 0.075 0.1 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 2.129 ACRES LOCATED AT 3061 TRAVIS STREET (DAY ADDITION SECTION ONE LOTS 1-11)**; FROM THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (RS-1) TO THE TWO-FAMILY RESIDENTIAL ZONING DISTRICT (RS-2); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z22-23: 3061 TRAVIS STREET

WHEREAS, on the 12th day of December, 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 Two-Family (RS-2) Zoning District; and,

WHEREAS, on the 17th day of January, 2023, City Council held a public hearing on Z22-23, 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 TWO-FAMILY RESIDENTIAL (RS-2) ZONING DISTRICT;

The real property generally located at the northwest corner of Travis Street and East 30th Street, described as Lots 1 – 11, Day Addition Section One; being 2.129 acres, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance, shall henceforth be permanently zoned as follows: Two-Family Residential (RS-2) Zoning District.

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 herein shall remain in full force and effect.

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

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

INTRODUCED on the **17th day of January, 2023**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of February, 2023**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

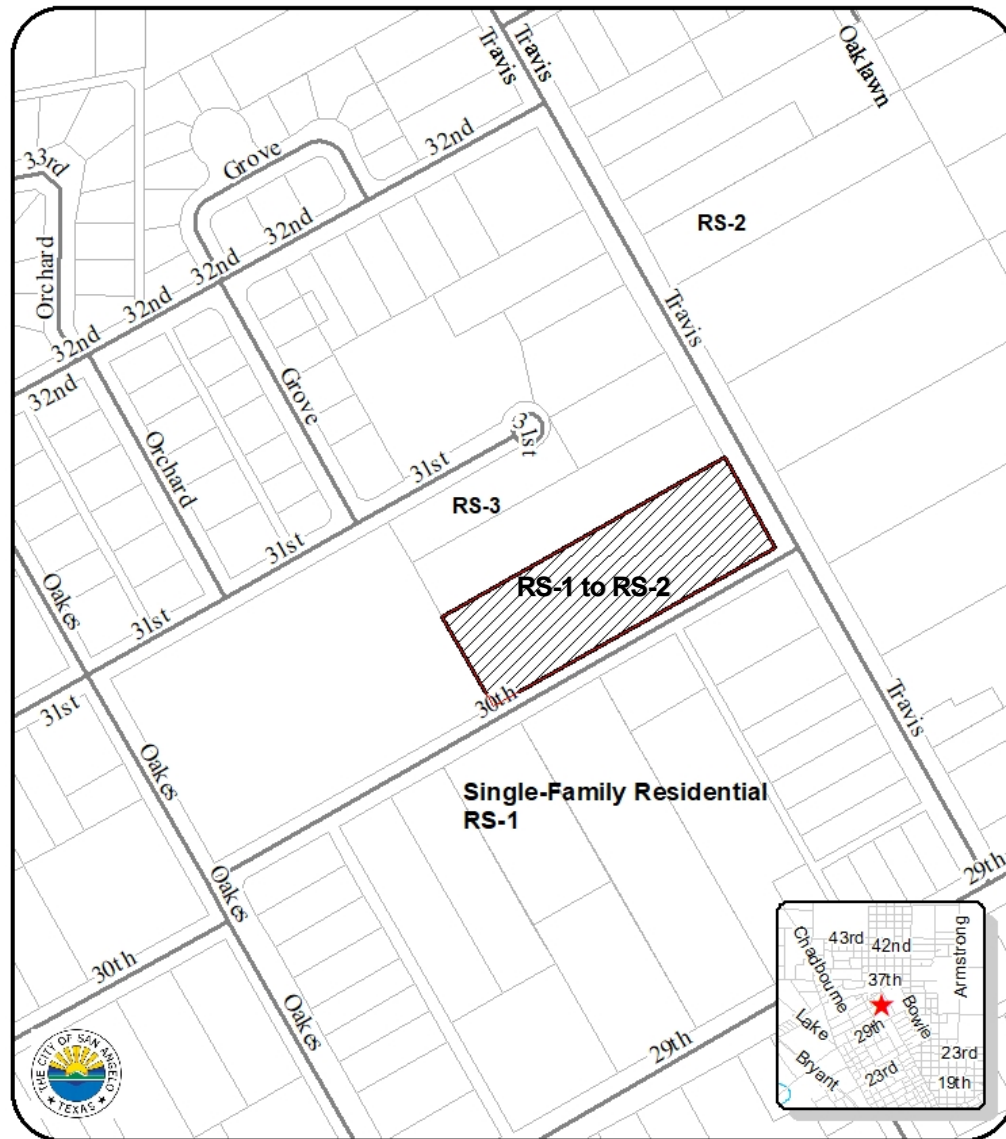
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A"



Proposed Zoning - RS-2 Two - Family Residential

3061 Travis Street/Day Addition

Council District: #2 Tom Thompson

Neighborhood: Lake View

Scale: 0 0.01 0.02 0.04 0.06 0.08

Miles

Subject Properties: —



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Second reading of ordinances on the following cases for property being 0.58 acres located at 3707 N. Chadbourne St.:

1. CP22-06, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood to Commercial;
2. Z22-24, a request for approval of a rezoning from the Single-Family Residential zoning district to the General Commercial zoning district (Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant has submitted an associated Comprehensive Plan amendment and rezoning applications to rezone half a piece of property from Single Family Residence (RS-1) to General Commercial (CG) on the back half of an L-shaped piece of property with General Commercial/Heavy Commercial zoning on the front half on the property with frontage at 3707 N. Chadbourne Street. The interior half of the property is zoned RS-1. The interior portion does not have frontage on a street and can only be accessed from the front half of the property with access on N. Chadbourne. When this area of N. Chadbourne was rezoned years ago, it was a straight line rezoning 200 feet from the center line of the street, that left properties like this one with split zoning. Many existing pieces of property along N. Chadbourne Street were similarly divided into two zoning districts. The Vision Plan also bisected parcels, so pieces of property were split without regard to ownership or actual property boundaries.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their December 12, 2022, Planning Commission meeting, the board unanimously recommended approval of the request, 7-0.

At the January 17, 2023 meeting, the City Council approved this item on first reading by a vote of 5-0.

Attachments:

1. Staff Report (CP22-06 & Z22-24)
2. Ordinance (CP22-06)
3. Ordinance (Z22-24)

Staff Report (CP22-06 & Z22-24).pdf
Ordinance (CP22-06).docx
Ordinance (Z22-24).docx

Presentation:

Jon James

Approvals/Reviews:

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

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval



STAFF REPORT – CP22-06/Z22-24

Scheduled Hearings:

Planning Commission: December 12, 2022

City Council 1st reading: January 17, 2023

City Council 2nd reading: February 7, 2023

APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP22-06/Z22-24: 3707 N Chadbourne Street	
SYNOPSIS:			
The applicant has submitted associated Comprehensive Plan Amendment (CPA) and Rezoning applications to rezone half a piece of property from Single Family Residence [RS-1] to General Commercial (CG) on the back half of an L shaped piece of property with General Commercial/Heavy Commercial on the front half with frontage at 3707 N. Chadbourne Street. The interior half of the property is zoned RS-1. The interior portion does not have frontage on a street and can only be accessed from the front half of the property that has access on N. Chadbourne. When this area of N. Chadbourne was rezoned years ago it was a straight line about so many feet from the street center line was zoned CG/CH. Many existing pieces of property along N. Chadbourne Street were divided into two zoning districts, The Vision Plan also bisected parcels so pieces of property were split without regard to ownership or actual boundaries.			
LOCATION:		LEGAL DESCRIPTION:	
3707 N Chadbourne Street		Abst: A-1868 S-0316, Survey: C SANDER, 1.079 ACRES	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Riverside Neighborhood	RS-1 to CG	Neighborhood	0.58 Acres of a 1.079-acre piece
NOTIFICATIONS:			
21 notifications for CP22-06 and Z22-24 were mailed within a 200-foot radius on November 22, 2022. Two responses have been submitted in support, but there have been no responses in opposition at this time.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing 0.58 acres from Neighborhood Land Use to Commercial Land Use; and APPROVAL of a rezoning on the Single-Family (RS-1)) Zoning District to the General Commercial (CG) Zoning District.			
PROPERTY OWNER/PETITIONER:			
<i>Applicants:</i> Carter-Fentress Engineering, LLC			
STAFF CONTACT:			
Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 Sherry.bailey@cosatx.us			



Additional Information: The applicant is wanting to construct a building for his garage door commercial business and then plans on building a storage building in the back for his inventory. The front half of the property is zoned CG/CH which meets his requirements for his main business building. The back half of the property is presently zoned RS-1. Rezoning it the General Commercial (CG) would allow the construction of a building in which to house his residential and commercial inventory securely. He does not want or need outdoor storage which the CG zoning would only allow 10 percent of the lot so it is very compatible with his needs. He is aware that the property will have to be fenced. This L shaped property (the rear half) is landlocked. The only access to the back property is off N. Chadbourne St. Using it as residential is not practical. CN, Neighborhood Commercial does not work well with the access or the front CG/CH zoning. CG seemed to meet the needs of the applicant and the neighborhood based on the limitations within the zoning ordinance.

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** Staff believes changing the Comprehensive Plan designation from Neighborhood to Commercial is not consistent with the policies stated in the Plan. Usually, when looking at an area that was part of a Comprehensive Plan Amendment the city looks at similar areas adjacent that have changed designation because of growth impacts. In this case, there was one directly north of this property. It was also zoned CG/CH. In this case, the CG zoning is more compatible with the residential adjoining properties.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed zoning change from Single Family Residence to General Commercial would accommodate the owner's needs as well as the surrounding residential properties.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The CG zoning is significantly smaller in size but will act as a buffer for the residential property uses.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The applicant is seeking to introduce meet his business needs while being aware of the close residentially zoned property and uses.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water**

and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. The area would be impacted by the commercial development but restrictions within the zoning requirements would work to mitigate the commercial use.

6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. Staff believes this is a small area with a one owner request. It has been demonstrated that there is an identified community need for his product and development in this area.
7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. The development patterns for the area are well established large commercial use intended for this area. This proposal is an introduction into an area that will have a smaller impact.

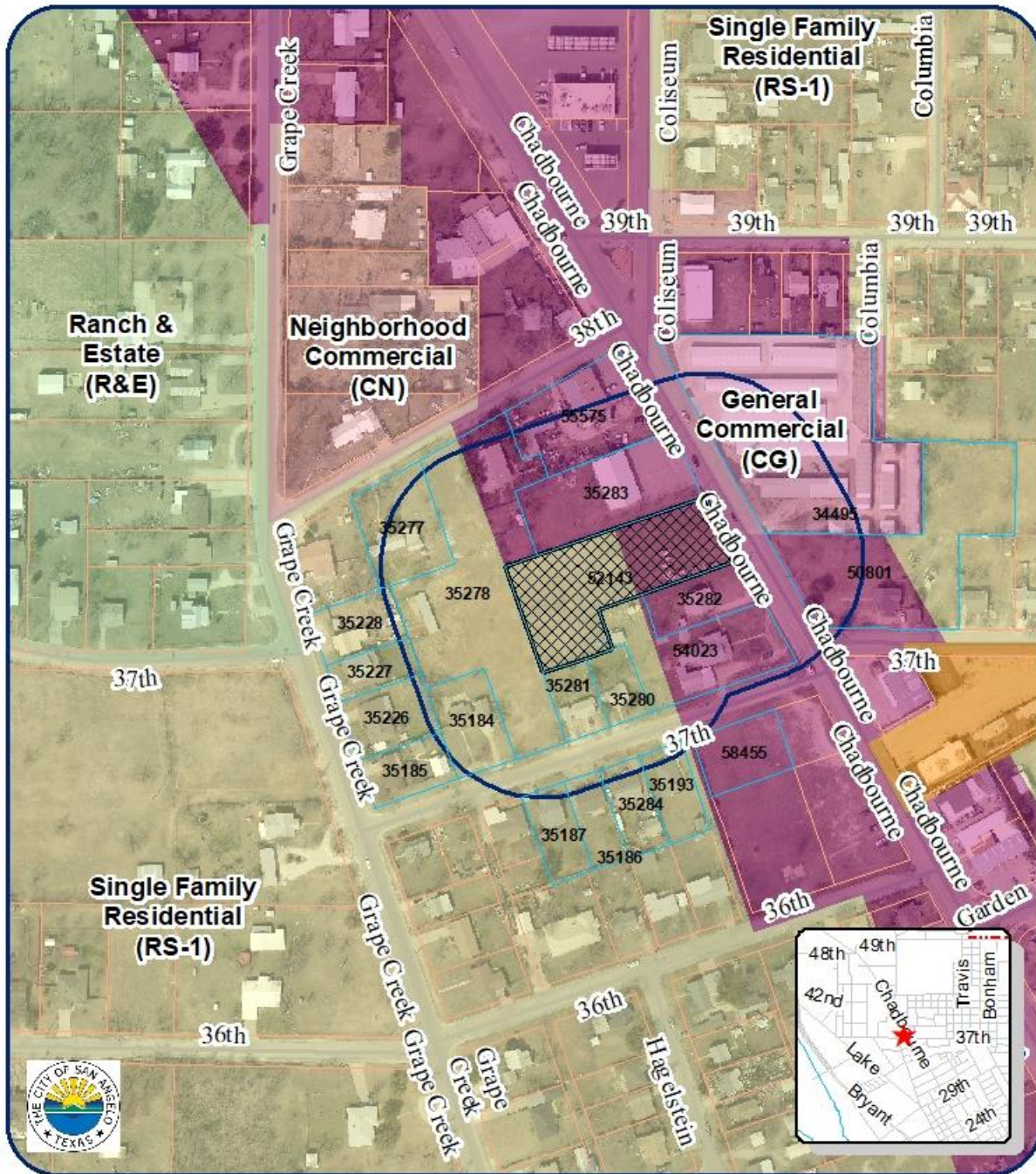
Recommendation:

Staff recommends **APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing 0.58 acres from the “Neighborhood” Future Land Use to the “Commercial” Future Land Use; and **APPROVAL** of a rezoning on the 0.58 acres from the Single Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District.

Future Land Use Map

Zoning Map

Applications



Zoning Map

CP22-06 & Z22-24

Council District: #2 Tom Thompson

Neighborhood: Riverside

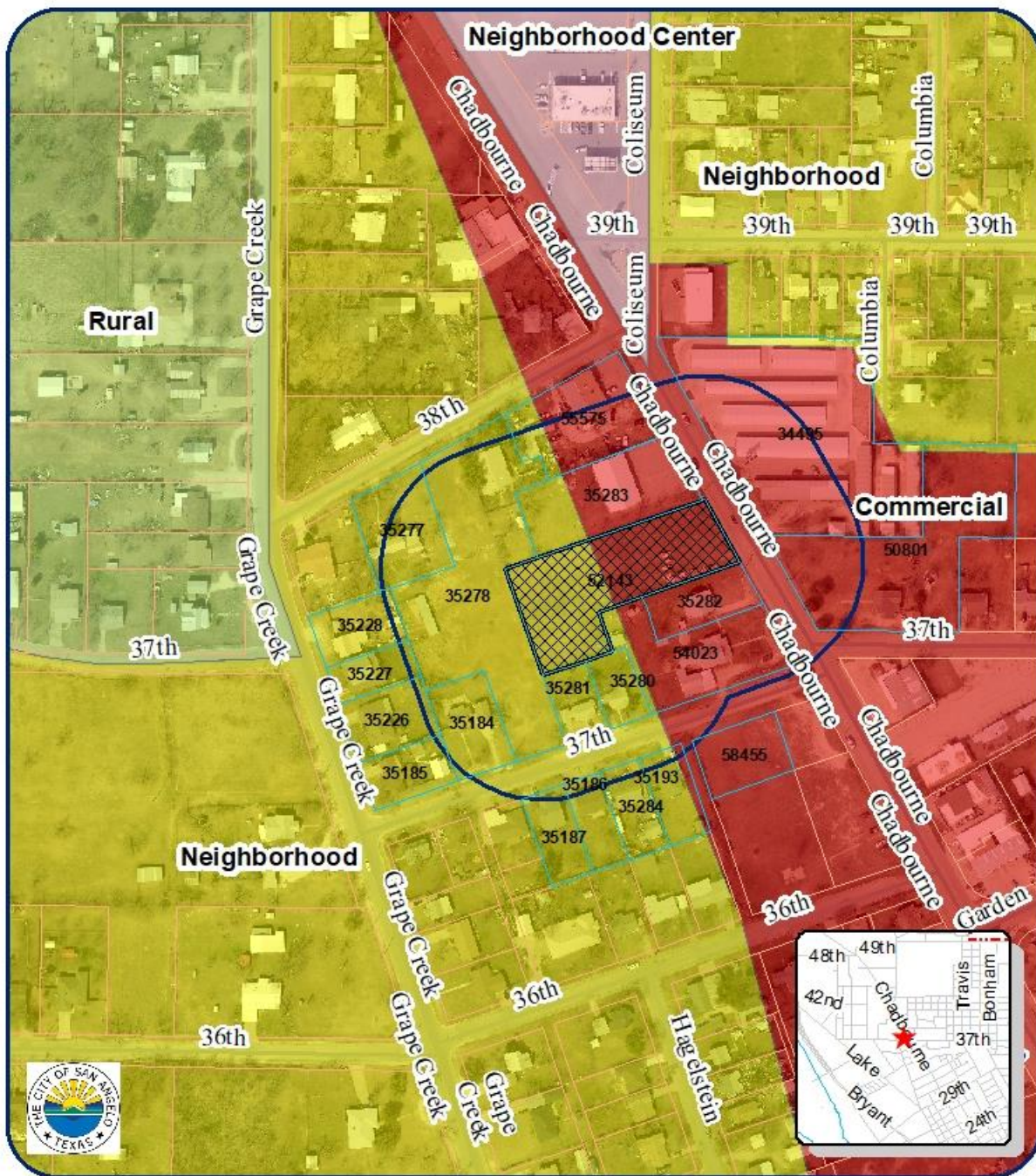
Scale: 0 0.01 0.02 0.04 0.06 0.08
Miles

Subject Properties:

200' Buffer:

Notified Properties:





Future Land Use Map

CP22-06 & Z22-24

Council District: #2 Tom Thompson

Neighborhood: Riverside

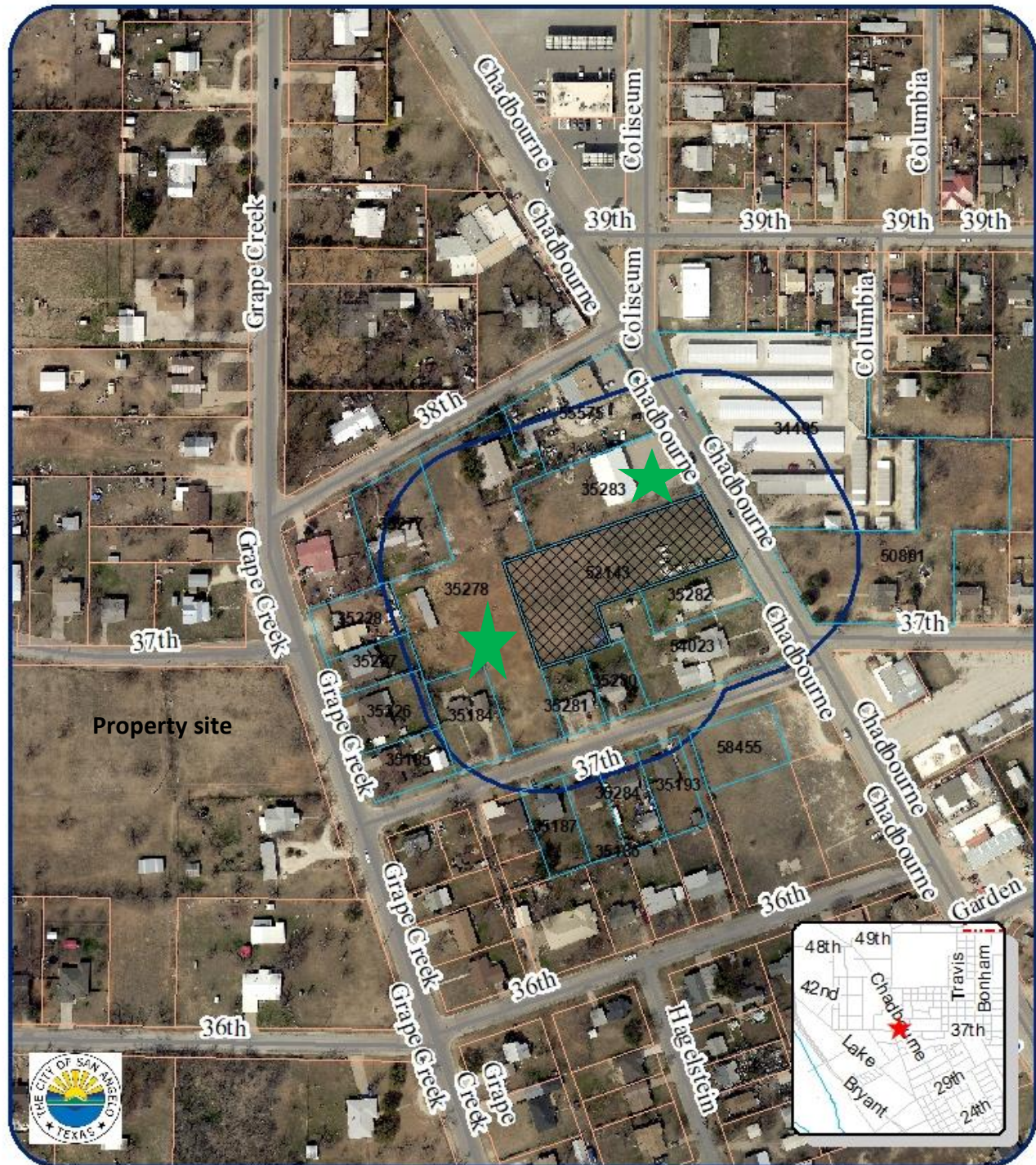
Scale: 0 0.01 0.02 0.04 0.06 0.08 Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





200' Notification Map

CP22-06 & Z22-24

Council District: #2 Tom Thompson

Neighborhood: Riverside

Scale: 0 0.01 0.02 0.04 0.06 0.08
Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 





Adjacent property



Property in question

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS LOCATED AT 3707 NORTH CHADBOURNE STREET, BEING A TOTAL OF 0.58 ACRES IN ABST: A-1868 S-0316, SURVEY: C SANDER, FROM "NEIGHBORHOOD" TO "COMMERCIAL" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP22-06: 3707 NORTH CHADBOURNE STREET

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

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

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

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

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

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

The real properties located 250 feet north of the intersection of W. 37th Street and N. Chadbourne, being a total of 0.58 acres in ABST: A-1868 S-0316, SURVEY: C SANDER, at 3707 North Chadbourne Street, Tom Green County, Texas; from “Neighborhood” to “Commercial”.

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

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

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

INTRODUCED on the **17th day of January, 2023**, and finally ADOPTED on this the **7th day of February, 2023**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

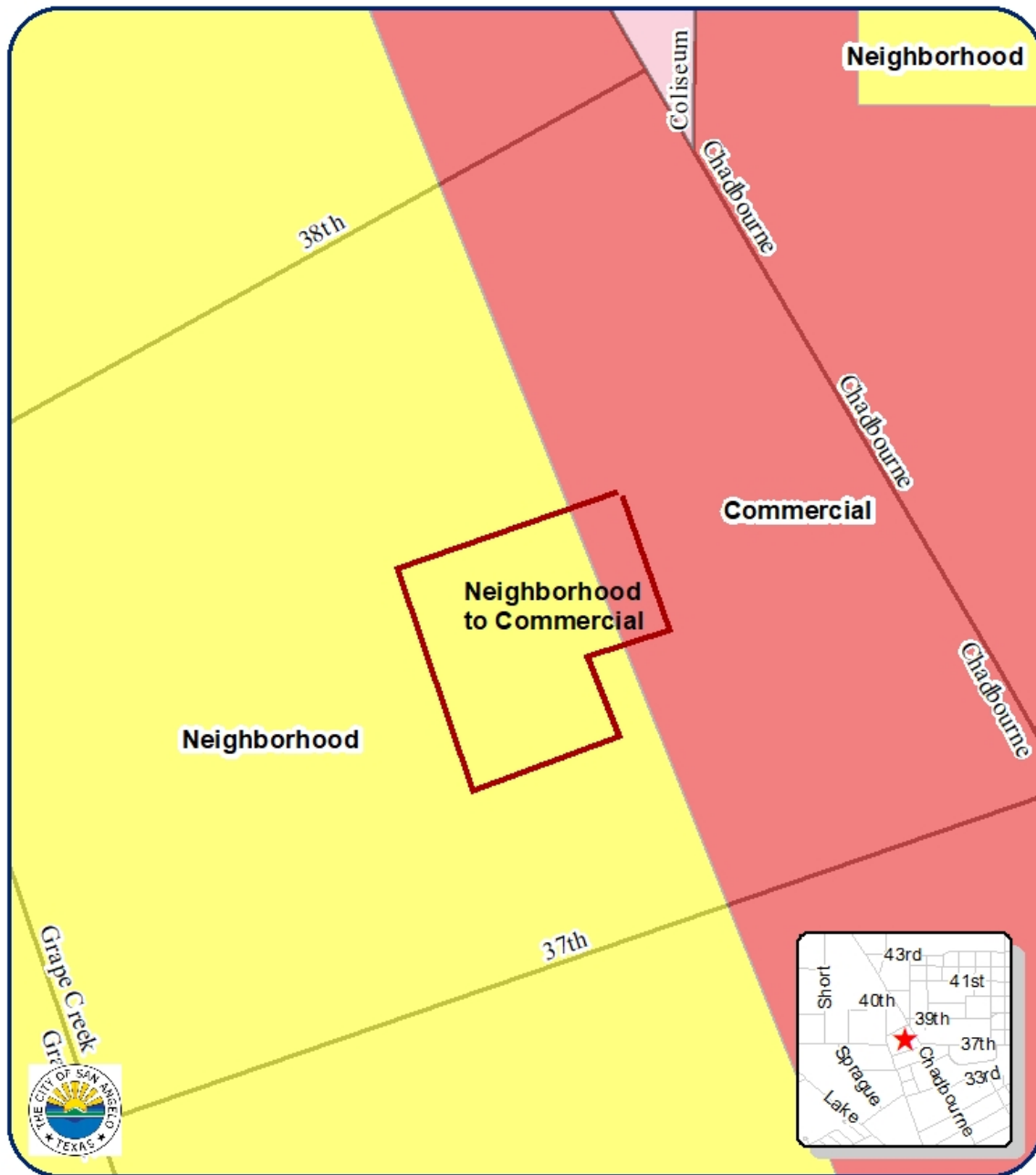
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A"



City Council Ordinance Map

CP22-06 & Z22-24

Council District: #2 Tom Thompson

Neighborhood: Riverside

Scale: 0.000 0.01 0.02 0.03 0.04
Miles

Subject Properties: —



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 0.58 ACRES LOCATED AT 3707 NORTH CHADBOURNE STREET (ABST. A-1868 S-0316, SURVEY C.SANDER)**; FROM THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (RS-1) TO THE GENERAL COMMERCIAL ZONING DISTRICT (CG); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z22-24: 3707 NORTH CHADBOURNE STREET

WHEREAS, on the 12th day of December, 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 General Commercial (CG) Zoning District; and,

WHEREAS, on the 17th day of January, 2023, City Council held a public hearing on Z22-24, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property generally located 250 feet north of the intersection of W. 27th Street and N. Chadbourne Street on the west side of N. Chadbourne, described as ABST. A-1868 S-0316, SURVEY C.SANDER; being 0.58 acres, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance, shall henceforth be permanently zoned as follows: General Commercial (CG) Zoning District.

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 herein shall remain in full force and effect.

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

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

INTRODUCED on the **17th day of January, 2023**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of February, 2023**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

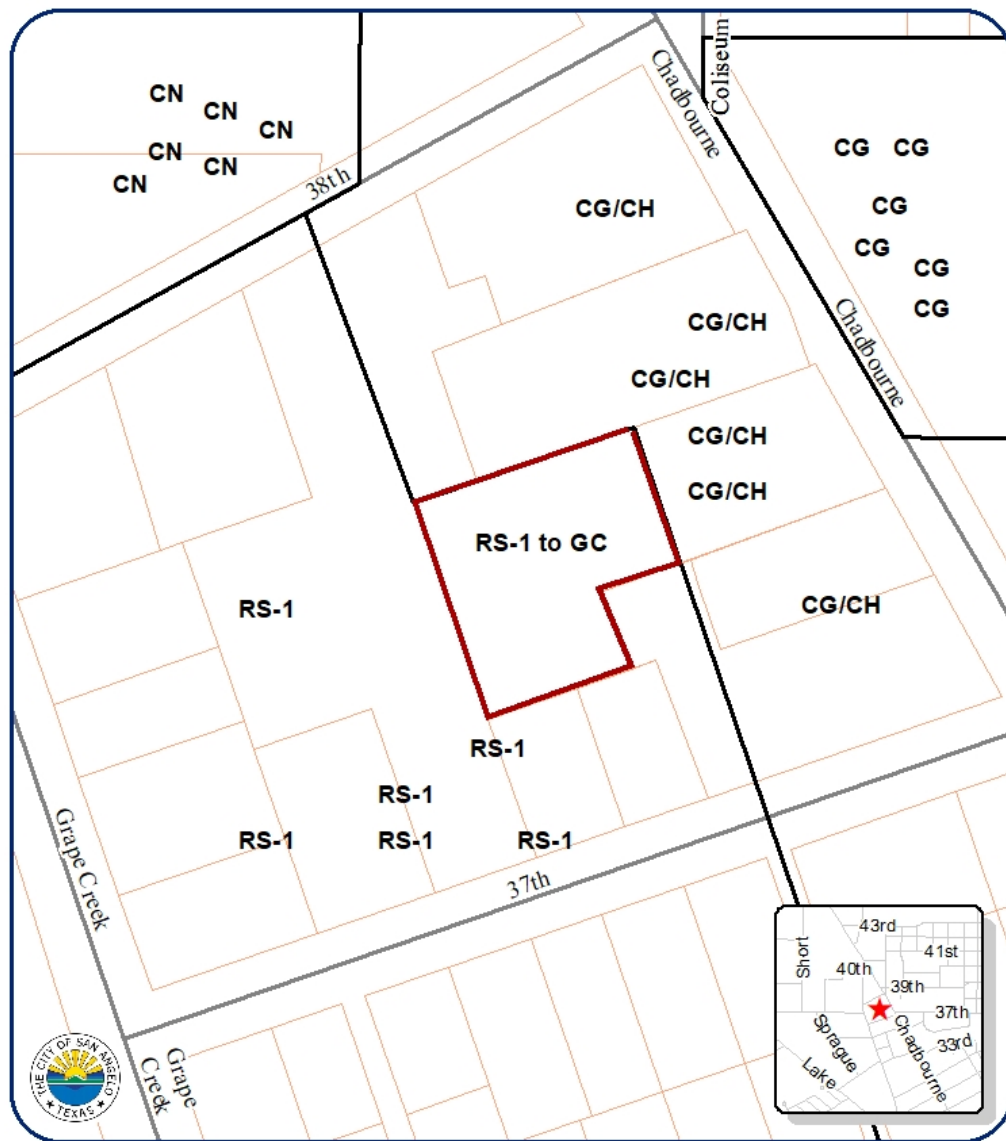
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A"



City Council Ordinance Map

CP22-06 & Z22-24

Council District: #2 Tom Thompson

Neighborhood: Riverside

Scale: 0.0008 0.01 0.02 0.03 0.04 Miles

Subject Properties: —



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: February 7, 2023

Item type: Regular Item

Caption:

Consideration of an item to reconsider the abandonment of approximately 4,060-ft of the right-of-way of Cox Ln., beginning near 1861 Cox Ln. and extending 2,330-ft to the west, then 1,730-ft south, ending approximately 320-ft north of the intersection of Sunset Dr. and Foster Rd. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Direction from Council

Summary/History:

At the City Council meeting on January 17, 2023, the Council considered an item to abandon a portion of Cox Lane. With only 5 Council members present and voting, the item failed to achieve the minimum of 4 votes required for approval by a vote of 3 in favor and 2 in opposition. Per Section 1.03.002 of the City Code of Ordinances an item that has failed to be adopted may be reconsidered if 4 members of the Council vote to place the item on a future agenda for consideration.

Sec. 1.03.002 - Reconsideration

(b)The city council shall only reconsider an ordinance which has failed to be adopted by the city under the following circumstances:

(1) If six months or more have passed since such ordinance was defeated, a councilmember may request that the ordinance be placed on the council's agenda for consideration.

(2) If less than six months have passed since the ordinance was defeated, four members of the city council must vote to place consideration of such ordinance on the council's agenda of a future council meeting.

(3) Regardless of when such ordinance was defeated, if such ordinance is required by law, the city manager or a city council member may place discussion of such ordinance on council's agenda.

Given that there were only five Council members present and the item received more votes in favor than in opposition, it may be appropriate to reconsider this item at a meeting with the full Council. If such reconsideration is approved, staff will place this item on a future agenda. If Council chooses not to reconsider, the original request to abandon a portion of Cox Lane will be considered denied.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

- | | | |
|----|----------------------------------|---------------------------------------|
| 1. | Staff Report, Cox Lane Abdonment | Staff Report, Cox Lane Abdonment.docx |
|----|----------------------------------|---------------------------------------|

Presentation:

Jon James

Approvals/Reviews:

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

STAFF REPORT
CITY COUNCIL – January 17, 2023



APPLICATION TYPE:	CASE:		
Street Right-of-Way Abandonment	Beginning near 1861 Cox Lane going west and south for approximately 4,060 feet		
SYNOPSIS:			
The applicant has applied to abandon a portion of Cox Lane beginning near 1861 Cox Lane, going west and south for approximately 4,060 feet. The purpose of the abandonment is to allow for the repositioning and redevelopment of the Cox Lane right-of-way to address the disparity of Cox Lane and Foster Road and to allow for the development of the 30+ acres to the south. The applicant's representative brought forth a proposal to the Planning Department to realign Cox Lane and reposition it to better address the elevation disparity between Foster Road and Cox Lane and to address the drainage in the area as well as the traffic movement issues. They are hoping to annex the area into the City of San Angelo and develop the large 30+ acre area into residential areas, and a commercial service area. Their plan would be to realign Cox lane and connect their new streets to the existing streets in the Trails Subdivision and the Capitol Heights Addition.			
LOCATION:	LEGAL DESCRIPTION:		
South and east of the existing Cox Lane along Foster Road	Approximately 4,060 feet of the right-of-way of Cox Lane, beginning near 1861 Cox Lane and extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road."		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District #1 – Tommy Hiebert Rio Vista Neighborhood	None	Neighborhood	4,060 feet in length
THOROUGHFARE PLAN:			
Foster Road – Major Collector, 70 Feet in width/56 Feet Minimum Parkview Drive – Minor Collector, 60 Feet in Width, 52 Feet Minimum			
NOTIFICATIONS:			
31 notifications were mailed within a 200-foot radius of the property on November 25, 2022. Five responses have been received in opposition to the proposal and none in favor at this time.			
STAFF RECOMMENDATION:			
If the Planning Commission recommends approval of the street right-of-way abandonment of 4,060 extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road, Staff has recommendations for Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
Casey Poynor Cox Property Development, LLC			
STAFF CONTACT:			
Sherry Bailey Senior Planner (325) 657-4210, Ext. 1546 Sherry.bailey@cosatx.us			

Analysis:

City Staff and relevant municipal departments have been involved in multiple discussions concerning the proposed development and the abandonment of this portion of Cox Lane. There are multiple reasons for realigning Cox Lane, connecting interior roads to the existing streets in the adjacent housing developments, correcting elevation issues and drainage issues. There are multiple steps that need to occur with this larger piece of property including annexation into the city. The developer is looking for direction and agreement from the city that the project is desired and can meet community needs.

If Cox Lane is to be abandoned there are conditions that must be accounted for, including when the road is removed, the design of the replacement solution, the timing of the replacement, and the access of the last large lot on the east/west stretch of Cox before Cox turns. That property only has access to the existing Cox Lane and would not have access to the proposed street orientation. An access solution will have to be provided.

The proposed abandonment would not contradict any applicable City Ordinance. The realignment of Cox Lane would have to be reconstructed to City standards. All connecting roads to Foster Road would also have to meet all City standards. Traffic studies and drainage studies would be part of the required information for this development as part of the development review process.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and as indicated above, conducted a site visit to the property to determine the appropriateness of abandoning this public right-of-way.

- *Traffic patterns:* Staff does not believe that traffic patterns would be negatively affected by the street abandonment. In fact, removal of the portion of Cox Lane that parallels Foster Rd would eliminate this duplication. A condition of approval will be that the applicant replat the abandoned area into the adjacent properties. Through the platting process, the applicant can dedicate required easements. Staff believes that construction of the new road and adjoining roads would have to be done before the Cox Lane abandonment could take effect. The logistics of that process would be part of the approval process of any proposed new development.
- *Utilities:* Utility providers with poles, lines, and equipment in the right-of-way (City of San Angelo, AEP and Altice) would have to be part of the abandonment if easements are provided.
- *Community Impact:* Staff sees no negative community impact if this street portion is abandoned, assuming that proposed new roads maintain adequate access to all existing and new properties. Any new development proposals will need to address timing of construction of the new roads as it relates to removal of the current roads.
- *Public Benefit:* Abandoning this street portion would meet the public need of correcting an existing traffic concern, addressing a drainage issue, and benefitting development in that area of the city.

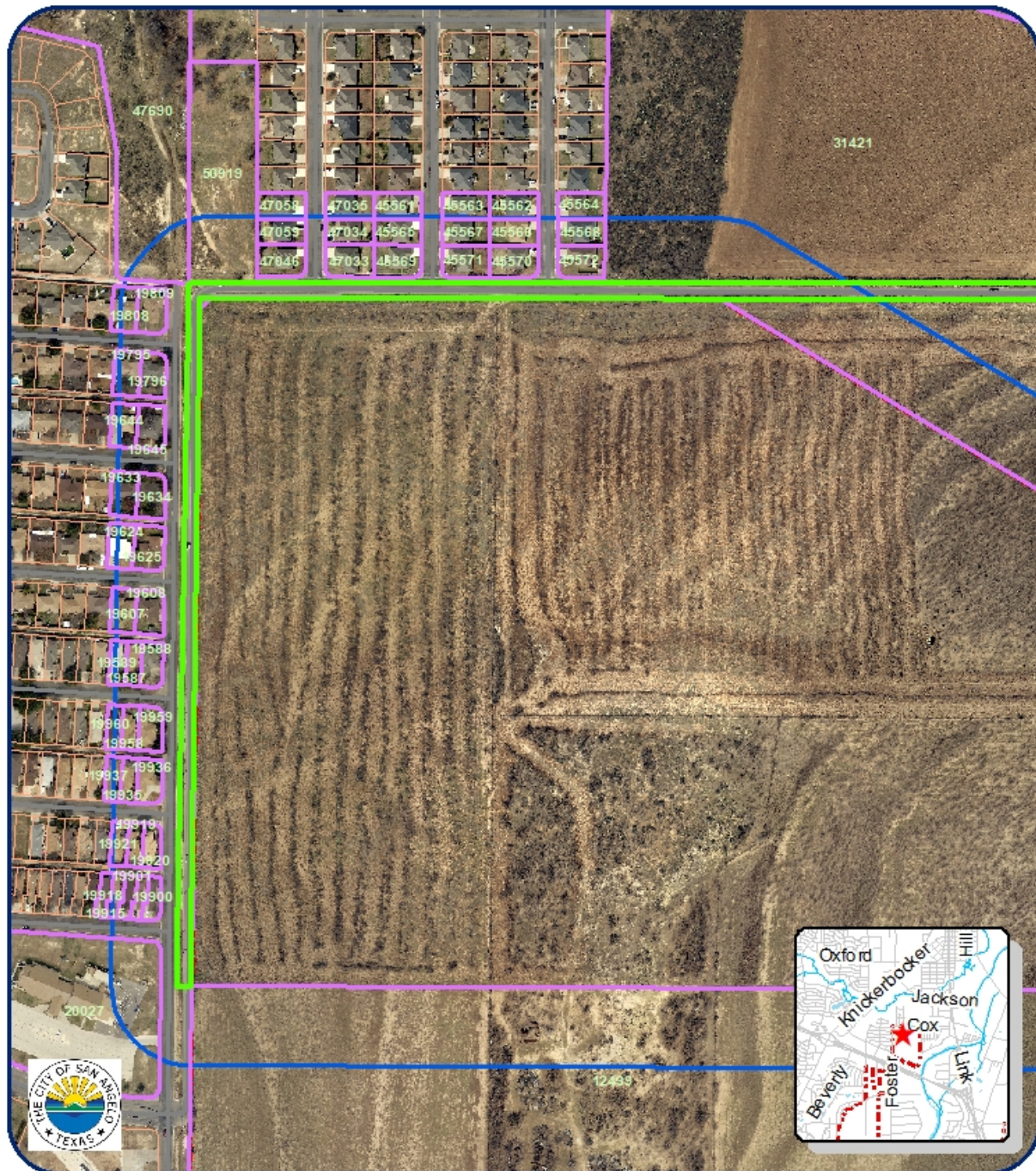
Recommendation:

Staff recommends **the following conditions** of the Right-of-Way Abandonment of 4,060 extending 2,330 feet to the west, then 1,730 feet south, ending approximately 320 feet north of the intersection of Sunset Drive and Foster Road if the Planning Commission recommends approval of the abandonment to City Council.

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval of, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance.
2. After approval of the associated plat and payment, verify the recordation of quitclaim deed(s) effectively completing the City's claim to the entirety of the abandoned alley(s) shall be provided.
3. The abandonment of Cox Lane shall not be in effect until connecting streets have been built to ensure access to all of the properties on the north side of the existing Cox Land and ensuring continued connectivity to Foster Road.
4. Ensuring continued access, consistent with Land Development and Subdivision Ordinance requirements, for the property at the end of the existing Cox Lane east/west portion identified as 2.146, Abst: A-1641 S-0176.25, Survey: J MC NEESE, 2.146 ACRES.

Attachments:

Aerial Map
Abandonment Area Plan
Concept Plan
Application



200' Notification Map
Right-of-Way Abandonment-Cox Ln

Council District: 1 Hiebert
 Neighborhood: Rio Vista

Scale: 00.01 0.03 0.06 0.09 0.12 Miles

Subject Properties: —
 200' Buffer: —
 Notified Properties: —

N

[illegible]

Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Cox Property Development, LLC

☒ Owner ☐ Representative (Affidavit Required)

4705 S. Chadbourne St. San Angelo TX 76904

Mailing Address City State Zip Code

325-245-1500 hillary.bueker@doradoconstructiongroup.com

Contact Phone Number Contact E-mail Address

1861 Cox Ln. San Angelo TX 76904

Subject Property Address City State Zip Code

Abst: A-1648 S-0176, Survey: V MULLER, 84.7410 ACRES IN V MULLER SURVEY AND IN HARNBURG SURVEY # 175 &

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

Abst: A-1648 S-0176, Survey: V MULLER, 6.5000 ACRES IN V MULLER SURVEY & IN HARNBURG SURVEY #175

Lot Size: 91.241 Zoning: R&E / Unzoned

Section 2: Site Specific Details

Subdivision Name: N/A

Lots and/or Blocks Affected*: N/A

General Description of Location*: Beginning near 1861 Cox Ln. and continuing approx. 2,330 ft to the west then 1,730 ft south, terminating at the Cox Property Development, LLC property line, approx. 320 ft north of the intersection of Sunset Dr. and Foster Rd.

Reason for Abandonment*: This abandonment will allow reconfiguration of streets in this area to spur development.

*Use attachment if necessary.

Effective January 3, 2017

Section 3: Applicant's acknowledgement

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

Casey Poynor

11-10-2022

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

Date

Casey Poynor

Printed name of licensee or authorized representative

Cox Property Development, LLC

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: ____/____/____

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

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

Reviewed/Accepted by: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Schneeman, Economic Development Coordinator, Economic Development

Meeting Date: February 7, 2023

Item type: Consent Item

Caption:

Consider ratifying a COSADC resolution authorizing the Board President to negotiate and execute a professional services agreement with Kimley-Horn and Associates, Inc., in an amount not to exceed \$83,500 plus expenses to perform professional engineering and design services evaluation of non-potable fire suppression pump station at the San Angelo Regional Airport (Mathis Field), a project authorized under Chapter 505 of the Development Corporation Act for infrastructure improvements necessary for development at Mathis Field, subject to approval of the City Council (Presentation made by Economic Development Interim Director Michael Dane)

Staff Recommendation:

Approve

Summary/History:

COSADC has approved a Private Public Partnership with Skyline Aviation for renovation of an existing aircraft hangar at Mathis Field. The Airport has also entered into new lease agreements on two other hangars. All three of these hangars will require fire suppression sprinkler systems. The City's Water Utilities Department has determined that the existing potable water system at the airport will not provide the required flows to support these systems. There is an existing non potable water system at the airport which utilizes a one million gallon underground storage tank and a large fire pump. This system feeds fire hydrants along Hangar Road and one existing hangar. It is anticipated the system will require some degree of upgrading to meet fire demand requirements including an additional pump, backup power and some repairs to the existing building.

Water Utilities has obtained a proposal from Kimley Horn & Associates to perform an evaluation of the system including the underground tank and the building as well as requirements for an additional pump and backup power, required to bring the system up to standards. The cost of the study is \$83,500.00 plus expenses. Expenses are estimated not to exceed \$6,500.00.

The project scope will generally include the following:

- Evaluation of Current & Future Fire Flow Needs
- Additional Storage & Pumping Needs
- Additional Fire Pumps
- Temporary Fire Flow Provisions
- Back Up Power Source
- Necessary Building Repairs

- Evaluate Underground Storage Tank
- Estimated Construction Time
- Opinion of Probable Construction Cost

Staff is of the opinion that this project will significantly increase the ability of the Airport to draw new tenants and potentially new businesses to the Airport.
COSADC approved this resolution at their meeting on January 25th, 2023.

Funding Source(s):

Financial Impact:

\$90,000 from Future Projects to a new project. Budget Amendment required.

Other Information/Recommendation:

Attachments:

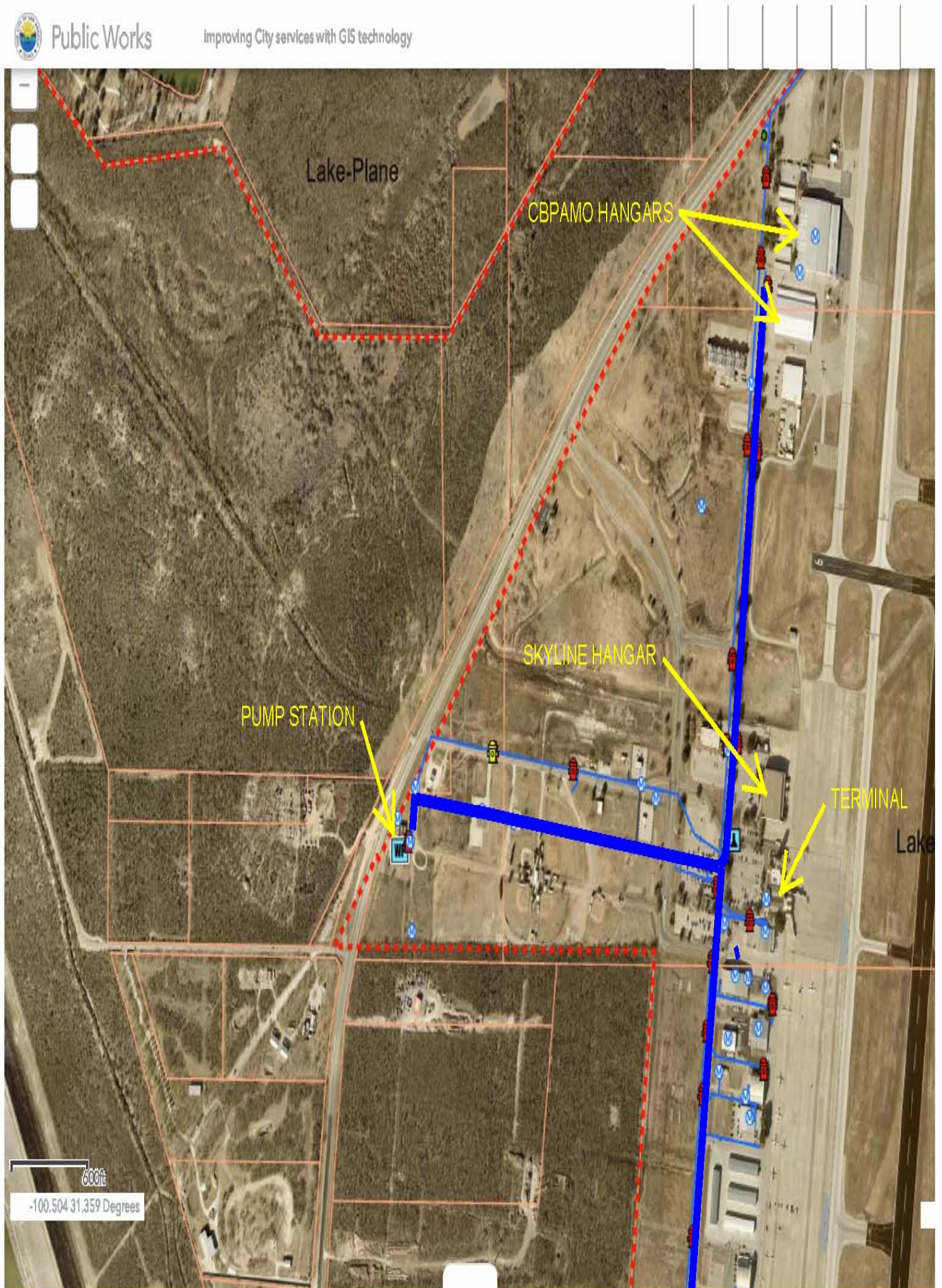
- | | | |
|----|------------------|-------------------------|
| 1. | Water Layout_ | Water Layout_Page_1.jpg |
| 2. | bldg street view | bldg street view.jpg |

Presentation:

Michael Dane

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Michael Dane	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval



← S Terminal Cir San Angelo, Texas



STREET VIEW OF EXISTING BUILDING



Google Earth

© 2023 Google



Camera: 584 m

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk

Meeting Date: February 7, 2023

Item type: Regular Item

Caption:

Consider a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the remainder of the 2022-2023 term (Presentation made by Deputy City Clerk Heather Stastny)

Staff Recommendation:

Direction from Council

Summary/History:

TGCAD currently has two vacancies on their Board of Directors. The process for filling those vacancies is outlined in Section 6.03(l) of the Texas Property Tax Code.

To fill a vacancy, all tax-paying entities are allowed to nominate two individuals to fill the unexpired term. Selected names must be returned within 45 days of the vacancy notice (January 17, 2023). The existing TGCAD Board of Directors will elect two people from the list of names compiled by all local entities and they will serve on the board through the remainder of the term.

Eligibility requirements for serving on the appraisal district board are outlined in Section 6.03(a), 6.035(a)(b), 6.036, and 6.05(f). All nominees must be a resident of the appraisal district and must have resided in the district for at least two years immediately preceding the date of taking office.

The appraisal district has provided the names of two interested and qualified parties: Scott Tankersly and Eric Wilson.

The 2022-2023 elected Board of Directors were: Bob Reeves, John Begnaud, John Conn, Kandi Pool, and Louis Gomez.

Funding Source(s):

Financial Impact:

There is no direct fiscal impact related to this item or costs directly associated with this decision.

However, the appraisal board oversees much of the process related to the property tax revenue.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | 20230117_VACANCY ON BOARD OF DIRECTORS | 20230117_VACANCY ON BOARD OF DIRECTORS.pdf |
| 2. | VACANCY ON TGCAD BOD NOTIFICATION CITY OF
SAN ANGELO 01.17.2023 | VACANCY ON TGCAD BOD NOTIFICATION CITY OF
SAN ANGELO 01.17.2023.pdf |
| 3. | 23-0108 - DRAFT - RESOLUTION | 23-0108 - DRAFT - RESOLUTION.docx |

Presentation:

Heather Stastny

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

STATE OF TEXAS §

COUNTY OF TOM GREEN §

**RESOLUTION TO NOTIFY TAXING UNITS OF
VACANCY ON BOARD OF DIRECTORS**

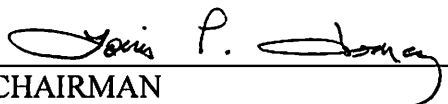
WHEREAS, a vacancy has occurred on the Tom Green County Appraisal District Board of Directors; and

WHEREAS, § 6.03(l) of the Texas Property Tax Code requires notification of the vacancy by the Board of Directors to each taxing unit that is entitled to vote for director; and

WHEREAS, § 6.03(l) of the Code provides that each eligible taxing unit may nominate by resolution adopted by its governing body a candidate to fill the vacancy, and such taxing unit shall submit its nominee to the chief appraiser within 45 days of notification by the Board of Directors;

NOW THEREFORE, be it resolved that each taxing unit entitled to vote as provided by § 6.03 of the Texas Property Tax Code shall be sent notice that there exists a vacancy on the Tom Green County Appraisal District Board of Directors.

Adopted this 17th day of January, 2023.


CHAIRMAN

Attest:


SECRETARY



TOM GREEN COUNTY APPRAISAL DISTRICT

2302 Pulliam • San Angelo, TX 76905
Office 325-658-5575 • Fax 325-657-8197



January 17, 2023

Ms. Brenda Gunter, Mayor
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903

RE: Vacancy on Tom Green County Appraisal District Board of Directors

Dear Ms. Brenda Gunter,

Pursuant to §6.03(I) of the Texas Property Tax Code, please be advised that two vacancies exist on the Board of Directors of the Tom Green County Appraisal District. According to the Code, you may nominate by resolution adopted by your governing body a candidate to fill each vacancy. The Code further requires submission of any resolution to the Chief Appraiser of the Tom Green County Appraisal District within 45 days after this notification.

After the 45 days have run, the Chief Appraiser shall prepare and deliver to the Board of Directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members the nominees to fill the vacancies.

According to the Property Tax Code, in order to be appointed director, an individual must be a resident of the appraisal district and must have resided in the appraisal district for the two preceding years and may not be employed by a taxing unit unless the individual is on the governing body or is an elected official of a taxing unit that participates in the appraisal district. The individual must be current in the payment of property taxes unless the taxes are being paid under a payment agreement with the tax assessor collector or collection is deferred under the over-65 deferral provisions relating to homestead.

An individual is ineligible to serve on the Board if the individual has served on the Board for all or part of five terms. The individual may not be related within the second degree of consanguinity or affinity to anyone who, for compensation, appraises property on behalf of a property owner, or anyone else who appraises property for compensation in any proceedings under the Property Tax Code such as appraisal review board hearings, arbitrations, or court proceedings. The individual may not have been engaged in the business of appraising property for the appraisal district or a property owner for compensation in proceedings under the Property Tax Code during the five years prior to taking office.

The individual is not eligible to serve if the individual or spouse does business with the appraisal district or a taxing unit participating in the appraisal district or owns a substantial interest in a business conducting such business activities. The chief appraiser may not employ or continue to employ an employee who is related within the second degree of affinity or the third degree of consanguinity to an appraisal district director.

Please contact Mr. Tyler Johnson, Chief Appraiser, if you have any questions about this process.

Very truly yours,

TOM GREEN COUNTY APPRAISAL DISTRICT

By 
CHAIRMAN, BOARD OF DIRECTORS

RESOLUTION 2023-0

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, NOMINATING
CANDIDATE(S) ELIGIBLE FOR A POSITION ON THE BOARD OF DIRECTORS OF THE TOM GREEN
COUNTY APPRAISAL DISTRICT FOR THE UNEXPIRED 2022 THROUGH 2023 TERM OF OFFICE**

WHEREAS, Section 6.03, Property Tax Code, State of Texas, allows a municipality that is a taxing unit in an appraisal district to nominate one candidate for each of the five positions to be filled on the board of directors of the Tom Green County Appraisal District; and

WHEREAS, the City of San Angelo is a taxing unit of the Tom Green County Appraisal District; and

WHEREAS, the City Council as governing body of the City of San Angelo in the past has exercised its right to nominate one candidate for each of the five positions to be filled on the board of directors of the Tom Green County Appraisal District for the two year terms of office; and

WHEREAS, the City Council received notice January 17, 2023 of two vacancies on the Tom Green County Appraisal District: and

WHEREAS, Section 6.03(l) of the Texas Property Tax Code allows a municipality that is a taxing unit in the appraisal district to nominate one individual for each vacancy.

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

Section 1: That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2: That the following eligible individuals are hereby nominated as candidate(s) for positions on the board of directors of the Tom Green County Appraisal District for an unexpired term of office ending December 31, 2023, to be filled by vote of the existing Board of Directors of the Tom Green County Appraisal District:

1. _____
2. _____

Section 3: That the Mayor for the City of San Angelo, as presiding officer, be, and that she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Tom Green County Appraisal District on or before March 3, 2023.

Section 4: That this resolution shall take effect immediately from and after its passage, in accordance with the provisions of the State Statutes of the State of Texas.

Section 5: Open Meetings Act. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Motion made by Council Member _____, seconded by Council Member _____, Motion carried _____.

ADOPTED on the 7th day of February, 2023.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Heather Stastny, Deputy/Interim City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

Received in the office of the Chief Appraiser, Tom Green County Appraisal District, on the ____ day of _____, 2023.

Tyler Johnson, Chief Appraiser

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Traci Cartwright, Budget Analyst, Budget

Meeting Date: February 7, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, for an additional full-time parks position for the purpose of maintenance activities within the Tax Increment Investment Zones and capital expenses (Presentation made by Finance Director Tina Dierschke)

Staff Recommendation:

Approve

Summary/History:

This proposed amendment is to ratify the December 13, 2022 direction provided to Staff to add an additional full-time position in the parks division for the purpose of maintenance along Chadbourne Street. The annual funding for this position will be provided by the Tax Increment Reinvestment Zones: North (80%) and South (20%).

There is also an amendment for the use of the Passenger Facility Charge fund balance to cover the additional cost related to the new application for the next 5 years' worth of projects.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
General Fund			\$0.00
General Equipment Replacement			\$0.00
Passenger Facility Fee Fund	529-3901-514.03-30		\$59,021

Financial Impact:

The numbers above are net benefit/(cost); the General Fund and the General Equipment Fund have a neutral impact since funds will be transferred in from TIRZ for the additional expenditures. See Exhibit A of the ordinance for additional details.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. 2023 02.07 Ordinance
2. BA Memos - ALL

2023 02.07 Ordinance.docx
BA Memos - ALL.pdf

Presentation:

Tina Dierschke

Approvals/Reviews:

Traci Cartwright
Kimberly Holle
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, FOR AN ADDITIONAL FULL-TIME EMPLOYEE FOR A PARKS POSITION WITHIN THE TAX INCREMENT REINVESTMENT ZONE AND CAPITAL EXPENSES.

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 2022-2023 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 7th day of February 2023, and finally PASSED on this 21st day of February 2023.

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 Fund	79,200	79,200	-
Equipment Replacement Fund	40,000	40,000	-
Passenger Facility Charge Fund	-	59,021	(59,021)
	\$119,200	\$178,221	\$(59,021)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Additional Parks position	General Fund, Equipment Replacement	119,200	119,200	-
PFC Application	PFC Fund	-	59,021	(59,021)
		119,200	178,221	(59,021)

Memo

To: Tina Dierschke, Finance Director
From: Roger Havlak, Senior Parks Manager
Date: 02/07/2023
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the revenue and associated expenditures for maintenance by the Parks division along Chadbourne Street from Concho River to 19th

Source of Funding:

Split costs between the North TIRZ (80% or \$63,360) and the South TIRZ (20% or \$14,840); these funds are available within the TIRZ current budgets.

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

Concept was approved at the December 13, 2022 City Council meeting.

Project/Budget to be amended	Revenue	Expense
General Fund - Parks	79,200	79,200
General Equipment Fund - Parks	40,000	40,000

Additional Comments:

The above figures include one-time funding for equipment and vehicles (\$48,275) and a partial year of personnel and operational related expenditures (\$30,925).

Memo

To: Tina Dierschke, Finance Director
From: Jeremy Valgardson, Airport Director
Date: 02/07/2023
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Amend PFC applications 7 and 8 and to start a new application (PFC #12) for the next 5 years worth of projects.

Source of Funding:

PFC Fund Balance

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

No

Project/Budget to be amended	Revenue	Expense
PFC Application		59,021

Additional Comments:

Full cost of the PFC application is \$78,460, there is \$19,440 available budget in the account already.