City Council Agenda
4/4/2023

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held April 4, 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**
   a. Proclamation of April 2023 as Month of the Military Child
   b. Proclamation of April 2023 as Fair Housing Month
   c. Proclamation of April 2023 as Alcohol Awareness Month
4. **Public Comment**

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

5. **Consent Agenda**
   a. Consider approving the March 21, 2023 City Council regular meeting minutes (Heather Stastny)
   b. Consider purchasing Lots 12, 13, and 14, Block 30, Fairview Addition, from Miguel Duran, for stormwater purposes, purchase price and closing costs not to exceed $30,000, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich, Manda Salladay)
   c. Consider awarding WU-05-23 Liquid Ammonium Sulfate to Chameleon Industries and Univar Solutions based on the lowest bid and availability for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
   d. Consider awarding WU-06-23 Caustic Soda (Sodium Hydroxide Diaphragm) to DPC Industries, TR International Trading Company, and Univar Solutions USA, Inc. based on the lowest bid and availability for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
   e. Consider awarding WU-07-23 Liquid Chlorine to DPC Industries in the amount of $716,700 annually for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
   f. Consider approving Change Order #2 to BuyBoard Contract #635-21 with Insituform Technologies, LLC for the A&M Waterline Pipe Bursting Project in the amount of $240,000

and authorizing the City Manager to negotiate and execute all related documents (Zeferino Mendoza)

g. Consider awarding OP-02-23 Traffic Signal Installation at Twin Mountain Dr. and Knickerbocker Rd. to Willis Electric CO., LP in the amount of $269,071, authorizing the City Manager to negotiate and execute all required documents, and amending the fiscal year 2022-23 budget for the corresponding expenditure and revenue from the short-term debt proceeds (Patrick Frerich)

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

i. Consider a resolution authorizing the payment of $50,000 to San Angelo Performing Arts Coalition for management services to oversee the Elta Joyce Murphey Performance Hall (City Auditorium) (Tina Dierschke)

j. Consider a resolution suspending for 45 days the effective date proposed by Atmos Energy-Mid-Texas Division (Atmos-MidTex) in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act (Brandon Dyson)

k. Consider a resolution designating Theresa James as the ADA Coordinator for the City of San Angelo (Daniel Valenzuela)

l. Second reading of an ordinance to revoke SP94-22, which was replaced by the approval of a new Conditional Use, CU22-06, allowing additional outdoor storage and display on a property being 4.718 acres, located at 2701 Southwest Blvd. (Jon James)

m. Second reading of an ordinance to abandon the approximately 20'x507' (unimproved) alleys in Blocks 39 and 40, Miles Addition, between 4th and 5th St. and N. Oakes, N. Magdalen and Pecan St. (Jon James)

n. Second reading of an ordinance to rezone properties from the Light Manufacturing zoning district to the General Commercial zoning district, being 0.951 acres located at the northeast intersection of W. 4th St. and N. Bryant, and addressed as 402 N. Bryant (Jon James)

6. Regular Agenda

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

a. Consider purchasing 117.604 acres of land out of a part of C. Zech Survey 645, Abstract No. 4212 and W. Spornhaun Survey 644, Abstract No. 1811 for a price of $20,000 per acre plus closing costs not to exceed $4,000, authorizing the City Manager to negotiate and execute all related documents, and amending the fiscal year 2022-23 budget to utilize $2,356,080 from the General Fund's fund balance (Presentation made by Airport Director Jeremy Valgardson)

b. Consideration of amendments to the Tax Increment Reinvestment Zone (TIRZ) incentive policy regarding non-profit organizations (Presentation made by Planning & Development Services Director Jon James)

c. First reading and public hearing of an ordinance approving Standards of Care for Recreation Summer Camp held at Recreation Centers for ages 5 though 13 (Presentation made by Recreation Manager Brent Casey)

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 projects (Presentation made by Finance Director Tina Dierschke)

e. Discussion and possible action nominating citizens to an ADA Advisory Committee (Presentation made by City Clerk Heather Stastny)

7. Closed Session

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

8. Follow Up and Administrative Issues

a. Consider items discussed in Executive Session, if needed

b. Consider approving various Board nominations
Public Housing Authority: Barbara Brown to a second term, Jaime Colvin to a third term, and Wes Masters to a fifth term, all ending April 2025

c. 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 29th day of March 2023, at 3:58 p.m.

hstastny
Heather Stastny, 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 Heather.Stastny@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

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

Proclamation

Since 1986, the Department of Defense has recognized military children during the month of April. The commitment and sacrifice of our military's youngest heroes in supporting the brave men and women of the U.S. armed forces is worthy of honor and celebration. The unique demands upon the children of our military personnel do not go unnoticed, from often being the new child in school or the feeling of missing a parent deployed while serving our country.

Here in San Angelo, we are blessed to have Goodfellow Air Force Base. Strong military families that call our community home add so much to our West Texas Community.

Today, and for the month of April, we will make a special effort to lift up our military families and to salute them and the contribution and resilience of our military children.

As part of this salute, San Angelo ISD is partnering with the City of San Angelo, to honor our military families and children. The City and SAISD invite our San Angelo community to join in our salute and gratitude!

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, and together with San Angelo Independent School District administrators, principals, educators, staff and students, do hereby proudly proclaim the month of April as

"Month of the Military Child"

and urge all the citizens of San Angelo to acknowledge the occasion of this month in honor and recognition of the outstanding strength of our military children and their families and in gratitude of their sacrifice.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 4th day of April 2023.

_____

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States.

The Fair Housing Act prohibits discrimination in housing based on race, color, religion, gender, disability, familial status, and national origin. Additionally, the City of San Angelo is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all.

Economic stability, community health, and human relations in all communities are improved by diversity and integration.

Fair Housing is integral to the ethical commitment of members of the National Association of Realtors® and the San Angelo Association of Realtors® and is critical to the ability of all real estate professionals to serve their clients, customers, and communities.

Acts of housing discrimination and barriers to equal housing opportunity work against the goal of decency and fairness in housing practices.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, do hereby proclaim the month of April 2023 as

"FAIR HOUSING MONTH"

in San Angelo, Texas, to establish the City of San Angelo as an inclusive community committed to fair housing and to promote appropriate activities by private and public entities intended to provide or advocate for equal housing opportunities for all residents and prospective residents of San Angelo, Texas.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 4th day of April 2023.

_____

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

Alcohol is a primary factor in the four leading causes of death for youth ages 10-21. Almost 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides, and suicide.

Approximately 15 million current drinkers in the United States are dependent on alcohol. Adolescents use alcohol more than tobacco or illicit drugs, and young people begin drinking, on average, at 13 years of age.

Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21. Alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes.

For all these reasons, the Alcohol & Drug Abuse Council for the Concho Valley and the Concho Valley CARES Coalition are asking the residents of San Angelo to join in recognizing April as Alcohol Awareness Month.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim April 2023 as

ALCOHOL AWARENESS MONTH

in San Angelo, Texas, and call upon all residents of San Angelo to support efforts that will increase community awareness and support for individuals and families coping with alcoholism in our community.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 4th day of April 2023.

_____

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 21, 2023

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, March 21, 2023, at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

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

3. Proclamations/Recognitions

March 2023 was proclaimed as National Developmental Disabilities Month.

San Angelo State Supported Living Center and Volunteer Services Council was recognized for bringing a quality level of care to individuals with disabilities.

European Union Ambassador Stavros Lambrinidis was recognized for promoting cultural linkages between the European Union and the City of San Angelo, Texas.

4. Public Comment

Andrea Souflee (SMD1) requested Council pull item 6a., and that the City reconsider the City Attorney's appointment to Interim ADA Coordinator.

City Attorney Theresa James invited the public to attend that evening's Town Hall to discuss accessibility of the City's Parks and Recreation programs.

Kimberly Henry (SMD3) requested Council pull item 6a., and requested the City review and ensure ADA accessibility for the purchase of event tickets at City venues (i.e., rodeo), and reconsideration of the City Attorney's appointment to Interim ADA Coordinator.

Council Member Tom Thompson provided a phone number citizens can call to purchase rodeo tickets as an alternative to purchasing tickets in person: (325) 486-1400.

5. Consent Agenda

a. Approval of the March 7, 2023 City Council regular meeting minutes (Heather Stastny)

b. Adoption of a resolution approving an Advanced Funding Agreement between the City of San Angelo and the State of Texas, per the terms of TxDOT's Highway Safety Improvement Program (HSIP), being related to the replacement of a traffic signal at Sunset Dr. and Southwest Blvd. with the City's contribution of funding in an amount not to exceed $28,282 (Patrick Frerich) **(Pg. 159, 2023-032)**

c. Authorization of a cooperative purchase of High-Density Mineral Bond Surface Treatment (HA5) from Andale Construction, Inc. in the amount of $987,371 through an Interlocal

Agreement with the City of Hurst, Texas and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

d. Adoption of a resolution amending the Schedule of Fees and Charges to amend charges for Municipal Pool fees (Tina Dierschke) **(Pg. 161, 2023-033)**

e. Authorization of the City Manager to execute the subdivision participation forms for Allergan, CVS, Walgreens, and Walmart Opioid Settlements in which the City of San Angelo would be allocated approximately $505,575 (Tina Dierschke)

Motion: Council Member Thomas made motion, seconded by Council Member Hiebert, to approve the Consent Agenda. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

6. Regular Agenda

a. Direction from City Council on proposed improvements and renovations to the Bill Aylor Sr. Memorial River Stage (Presentation made by Civic Events Manager Sidney Walker)

Direction: Consensus of Council was to proceed with the proposed concept for updates.

b. Approval of the following items pertaining to the 2023 Annual Sealcoat Project:
1. Consider entering into an Interlocal Agreement with Tom Green County and amending the fiscal year 2022-23 budget for the corresponding reimbursed expense
2. Consider awarding ES-01-23, 2023 Annual Sealcoat Project to Ronald R. Wagner & Co. in the amount of $7,446,348.63 utilizing $100,000 from the Hotel Occupancy Fund balance and authorizing the City Manager to negotiate and execute all related documents
(Presentation made by Director of Operations Patrick Frerich)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

c. Adoption of an Ordinance authorizing the issuance and sale of the City of San Angelo, Texas Tax Note, Series 2023, and enacting other provisions related thereto (Presentation made by Director of Finance Tine Dierschke) **(Pg. 163, 2023-034)**

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

d. Denial of Tax Increment Reinvestment Zone (TIRZ) incentive funding for a private project for a non-profit entity in the North TIRZ area for the property located at 1720 Martin Luther King Drive totaling $71,845 (Presentation made by Planning & Development Services Director Jon James)

Citizens William McClendon (SMD6), Craig Myers SMD4), Kimberly Henry (SMD3), Evelyn Smith (SMD5), Theodore Boone (SMD1) and Sherley Spears (SMD4) spoke in favor of the incentive funding.

Motion: Council Member Miller made a motion, seconded by Council Member Thompson, to deny the item as presented. The motion carried (4) ayes to (3) nays, with Council Member Hiebert, Council Member Gonzales, and Council Member Hesse Smith casting the dissenting votes.

e. Termination of the Aquatic Plants Specialist agreement between the City of San Angelo and Mr. Kenneth C. Landon for the operation of the International Water Lily Collection (Presentation made by Parks and Recreation Director Carl White)

Citizens Laurie Dicello (SMD 6) and Jennifer Jackson (County Resident) spoke in favor of terminating the agreement.

Citizen Lourdes Santa Ana (SMD 5) spoke in opposition of terminating the agreement.

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

f. Approval of an Aquatic Plants Specialist agreement with Mr. Taylor Chase Twombly for the operation and maintenance of the International Water Lily Collection and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Parks and Recreation Director Carl White)

Citizen Laurie Dicello (SMD 6) spoke in support of approving the agreement.

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to approve the item as presented for a one-year agreement with a two-year extension option. The motion carried unanimously (7) ayes to (0) nays.

g. First reading and public hearing of an ordinance to abandon the approximately 20'x507' (unimproved) alleys in Blocks 39 and 40, Miles Addition, between 4th and 5th St. and N. Oakes, N. Magdalen and Pecan St. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

h. First reading and public hearing of an ordinance to rezone properties from the Light Manufacturing zoning district to the General Commercial zoning district, being 0.951 acres, located at the northeast intersection of W. 4th St. and N. Bryant, and addressed as 402 N. Bryant (Presentation made by Planning & Development Services Director Jon James

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

7. Closed Session

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

8. Follow Up and Administrative Issues

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

No Action Taken on this Item.

b. Approval of various Board nominations
Animal Shelter Advisory Committee: Bambi Aker (SMD5) to a second term ending January 2025
Fort Concho Museum Board: Penny Roberts (SMD5) to a first term ending January 2025

Parks and Recreation Advisory Board: Emily Jane Cowen (SMD1) to first term ending December 2024

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

c. Announcements and consideration of Future Agenda Items

9. Adjournment

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

There being no further business, the meeting adjourned by consensus at 10:45 a.m. with no public comment.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

_____
Brenda Gunter, Mayor

_____
Heather Stastny, City Clerk

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

DRAFT

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Manda Salladay, Real Estate, Stormwater

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider purchasing Lots 12, 13, and 14, Block 30, Fairview Addition, from Miguel Duran, for stormwater purposes, purchase price and closing costs not to exceed $30,000, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich, Manda Salladay)

Staff Recommendation:

Approve

Summary/History:

Stormwater is seeking authorization to purchase 3 lots in the flood zone on the corner of Bell St. and Koberlin to improve drainage in the area. The combined value of these 3 lots on the Tom Green County Appraisal tax roll is $39,250.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Stormwater Special Services	240-5800-439.03-50		$30,000

Financial Impact:

Stormwater has the needed funds in the current budget

Other Information/Recommendation:

Attachments:

1. Map of Lots 12, 13, 14, Blk 30, Fairview — Map of Lots 12, 13, 14, Blk 30, Fairview.jpg

Presentation:

Patrick Frerich

Approvals/Reviews:

Manda Salladay	Created/Initiated
Manda Salladay	Approved

Patrick Frerich	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

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Alley Right of Way
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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Andy Vecellio, Assistant Director, Water Utilities

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider awarding WU-05-23 Liquid Ammonium Sulfate to Chameleon Industries and Univar Solutions based on the lowest bid and availability for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

Bids have been received from two suppliers for the purchase of liquid ammonium sulfate for use at the water treatment plant. The bids, in the order of lowest bidder to highest bidder, were submitted by Chameleon Industries and Univar Solutions USA, Inc. Purchases will be made based on the lowest unit bid price and availability.

Liquid ammonia sulfate along with Liquid Chlorine are used to disinfect drinking water at the City's Water Treatment Plant. When combined, these chemicals are used to provide both the initial disinfection of the water and residual disinfection throughout the distribution system.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Water Treatment Chemical & Medical	260-4200-502.06-50		$175,500

Financial Impact:

The total estimated annual expenditure of $175,500 is budgeted within the Water Treatment Plant operating budget.

Other Information/Recommendation:

Staff recommends that the bids be awarded to Chameleon Industries and Univar Solutions USA, Inc., and the City Manager be authorized to execute all related documents.

Attachments:

1. Bid Table WU-05-23 Liquid Ammonium Sulfate Bid Table WU-05-23 Liquid Ammonium Sulfate.pdf

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Pete Madrid Jr.	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

WU-05-23-Liquid Ammonium Sulfate

Vendor Name	Item Description	Quantity Required (Tons)	Unit Price (per Ton)	Total	Delivery Days
Chameleon Industries	Liquid Ammonium Sulfate	450	390	$ 175,500.00	2 days standard, same day emergency
Univar Solutions	Liquid Ammonium Sulfate	450	589.33	$ 265,198.50	4-5 business days

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Andy Vecellio, Assistant Director, Water Utilities

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider awarding WU-06-23 Caustic Soda (Sodium Hydroxide Diaphragm) to DPC Industries, TR International Trading Company, and Univar Solutions USA, Inc. based on the lowest bid and availability for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

Bids have been received from three suppliers for the purchase of caustic soda for use at the water treatment plant. The bids, in the order of lowest bidder to highest bidder, were submitted by DPC Industries, TR International Trading Company, and Univar Solutions USA, Inc. Purchases will be made based on the lowest unit bid price and availability.

Caustic Soda is used to control the pH of the treated drinking water at the City's water treatment plant.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Water Treatment Chemical & Medical	260-4200-502.06-50		$510,250.50

Financial Impact:

The total estimated annual expenditure of $510,250.50 is budgeted within the Water Treatment Plant operating budget.

Other Information/Recommendation:

Staff recommends that the bids be awarded to DPC Industries, TR International Trading Company, and Univar Solutions USA, Inc., and the City Manager be authorized to execute all related documents.

Attachments:

1. Bid Table WU-06-23 - Caustic Soda — Bid Table WU-06-23 - Caustic Soda.pdf

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Pete Madrid Jr.	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

WU-06-23-Caustic Soda

Vendor Name	Item Description	Quantity Required (Dry Tons)	Unit Price (per Dry Ton)	Total
Caustic Soda 50% Solution (1)				
DPC Industries	Caustic Soda 50% Solution	450	1133.89	$ 510,250.50
TR International Trading Company	Caustic Soda 50% Solution	450	1179	$ 530,550.00
Univar Solutions USA INC	Caustic Soda 50% Solution	450	1220	$ 549,000.00

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Andy Vecellio, Assistant Director, Water Utilities

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider awarding WU-07-23 Liquid Chlorine to DPC Industries in the amount of $716,700 annually for one year with two additional one-year term extensions, budgeted for purchase in fiscal years 2023 through 2025, and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

One bid was received for the purchase of liquid chlorine for use at the water treatment plant. The bid was submitted by DPC Industries, Inc. of Sweetwater, Texas.

Liquid chlorine and ammonia are used to disinfect drinking water at the city's water treatment plant. When combined, these chemicals are used to provide both the initial disinfection of the water and residual disinfection throughout the distribution system.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Water Treatment Chemical & Medical	260-4200-502.06-50		$716,700

Financial Impact:

The estimated annual expenditure of $716,700 is budgeted within the Water Treatment Plant operating budget.

Other Information/Recommendation:

Staff recommends the bid be accepted and the City Manager be authorized to execute the contract documents.

Attachments:

1. Bid Table WU-07-23 - Liquid Chlorine — Bid Table WU-07-23 - Liquid Chlorine.pdf

Presentation:

Andy Vecellio

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Pete Madrid Jr.	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

WU-07-23-Liquid Chlorine

Vendor Name	Item Description	Approximate Quantity (pounds)	Unit Price per (Pound)	Total
DPC Industries	Liquid Chlorine	600000	1.1945	$ 716,700.00

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Charles Michalewicz, Engineer, Engineering Services

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider approving Change Order #2 to BuyBoard Contract #635-21 with Insituform Technologies, LLC for the A&M Waterline Pipe Bursting Project in the amount of $240,000 and authorizing the City Manager to negotiate and execute all related documents (Zeferino Mendoza)

Staff Recommendation:

Approve

Summary/History:

The South A&M Avenue waterline from Avenue N to Johnson Street consists of existing cast iron waterlines that have reached their life expectancy and have had continuous breaks and maintenance issues. This project replaces the cast iron lines by means of pipe bursting with DR18 DIPS Fusible PVC pipe designed to be fully structural pipe meeting all external loading and internal pressure requirements.

As has been the case in many projects with older cast iron waterlines, a number of the water valves were locked up due to corrosion and could not be closed to isolate work areas. This change order includes replacing an additional 13 water valves to permit installation of the fusible PVC waterline.

During construction it was also determined that the depth of the existing waterline was more shallow than anticipated. In addition, some of the anticipated pipe sizes were smaller than expected. Both of these factors contributed to a significant amount of unexpected heaving of the asphalt pavement within the limits of the newly burst pipe. This change increases the quantity of pavement repairs.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Water Utility	26044008000730	NA	$46,400

Financial Impact:

The Master Agreement approved up to $230,000.00 in Contingencies, of which $36,400.00 of that amount was used on a previous change order. This change order will use the remaining contingencies and require an additional budget of $46,400.00 from the water utility capital fund.

Other Information/Recommendation:

Attachments:

1. Change Order No. 2 — Change Order No. 2.pdf

Presentation:

Zeferino Mendoza

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Kevin Pate	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

City of San Angelo
Buy Board Contract #635-21
South A&M Avenue Water Pipeburst by Fusible PVC #22-00095

CHANGE ORDER NO. 2 **CONTRACTOR: Insituform Technologies**

Item No.	Item Description	Bid Quantity	Unit	Bid Unit Price	Proposed Unit Price (Add. Qty.)	Bid Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price	Net Change (+/-)
1.008	Install 12" Inserted Valve	1	EA	$ 25,500.00		$ 25,500.00	1.00		2	$ 51,000.00	$ 25,500.00
1.009	Install 10" Inserted Valve	1	EA	$ 12,500.00		$ 12,500.00	1.00		2	$ 25,000.00	$ 12,500.00
1.045	Remove/replace 2" asphalt	1,100	SY	$ 85.00		$ 93,500.00	1,100.00		2,200	$ 187,000.00	$ 93,500.00
CO1.1	Install 6" Valve-S A&M/Johnson	1	EA	$ 11,900.00		$ 11,900.00	5.00		6	$ 71,400.00	$ 59,500.00
CO1.2	Install 8" Valve-S A&M/Johnson	2	EA	$ 12,250.00		$ 24,500.00	4.00		6	$ 73,500.00	$ 49,000.00
						$ -				$ -	$ -
						$ -				$ -	$ -
						$ -				$ -	$ -
						$ -				$ -	$ -
						$ -				$ -	$ -

Contract Adjustment

Original Contract Completion Date:	**12/6/2022**	**Original Contract Amount:**	**$ 4,787,318.50**
Original Contract Construction Days:	**120**	**Owner Contingency Allowance**	**$230,000**
Prior Days Added:	**N/A**	**Previous Change Orders:**	
		Change Order No. 1:	$ 36,400.00
		Current Change Order Amount:	**$ 240,000.00**
Days Added this Change Order:	**192**	**Total Change Order Amount to Date**	**$ 276,400.00**
Revised Contract Construction Days:	**N/A**	**Additional Funding Needed**	**$ 46,400.00**
Revised Contract Completion Date:	**6/16/2023**	**Revised Contract Amount:**	**$ 4,833,718.50**

Comments

Plan errors and unanticipated extra work justify a time extension of 192 days for this contract. A total of 14 existing water valves of varying sizes were locked-up due to corrosion and could not be closed.

These existing, corroded valves had to be replaced with new valves in order to shut off water at these locations to permit installation of the fusible pvc waterline via pipebursting.

The depth of existing waterline from station 57+00 to 88+00 was found to be shallow (5 to 3 feet) at various locations throughout. The plans also called-out for existing 12" and 8" waterline in various locations, however, field investigations determined that existing waterline was one size smaller.

Both of these factors contributed to a significant amount of heaving in the asphalt pavement within the limits of the newly burst pipe. Based on preliminary measurements, doubling the plan quantity should encompass repairing these heaved pavement areas.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Charles Michalewicz, Engineer, Operations

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider awarding OP-02-23 Traffic Signal Installation at Twin Mountain Dr. and Knickerbocker Rd. to Willis Electric CO., LP in the amount of $269,071, authorizing the City Manager to negotiate and execute all required documents, and amending the fiscal year 2022-23 budget for the corresponding expenditure and revenue from the short-term debt proceeds (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

The City of San Angelo solicited bids for the purchase and installation of a new traffic signal at Twin Mountain Drive and Knickerbocker Road. This intersection met warrants for a traffic signal. With the placement of temporary signals in conjunction with the Southwest Blvd rehabilitation project, the need for a permanent solution was highlighted. The City published bids and received one response from Willis Electric.

This item will also budget for the short-term debt proceeds related to this project. The remaining proceeds will be a separate agenda item.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
2023 Debt Fund	536-3102-800.07-30		$269,071

Financial Impact:

Funded through the issuance and sale of City of San Angelo, Texas Tax Note, Series 2023.

Other Information/Recommendation:

Staff recommends awarding RFB OP-02-23 to Willis Electric Inc.

Attachments:

1.	OP-02-23 Twin Mtn at Knickerbocker Bid Tabulation	OP-02-23 Twin Mtn at Knickerbocker Bid Tabulation.pdf
2.	BA Memo - Twin Mt	BA Memo - Twin Mt.pdf

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

City of San Angelo Purchasing Division

RFB Bid Tabulation

OP-02-23 • Traffic Signal Installation at Twin Mountain Drive and Knickerbocker Road

March 16, 2023 at 2:00 p.m.

PROJECT: **TRAFFIC SIGNAL INSTALLATION**
LOCATION: **SAN ANGELO, TEXAS**
COUNTY: **TOM GREEN**
LIMITS: **INTERSECTION OF TWIN MOUNTAIN DRIVE AT KNICKERBOCKER ROAD**

Prepared By: Kimley-Horn

TWIN MOUNTAIN DRIVE AT KNICKERBOCKER ROAD

					Willis Electric Co LP	
ITEM	CODE	DESCRIPTION	UNIT	QUANTITIY	PER UNIT	SUBTOTAL
104	6013	REMOVING CONC (FOUNDATIONS)	SY	1	500.00	500.00
416	6032	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	39	500.00	19,500.00
500	6001	MOBILIZATION	LS	1	25,000.00	25,000.00
502	6001	BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	4	1,500.00	6,000.00
506	6042	BIODEG EROSN CONT LOGS (INSTL) (18")	LF	30	125.00	3,750.00
506	6043	BIODEG EROSN CONT LOGS (REMOVE)	LF	30	20.00	600.00
618	6046	CONDT (PVC) (SCH 80) (2")	LF	15	25.00	375.00
618	6053	CONDT (PVC) (SCH 80) (3")	LF	115	35.00	4,025.00
618	6058	CONDT (PVC) (SCH 80) (4")	LF	10	55.00	550.00
618	6059	CONDT (PVC) (SCH 80) (4") (BORE)	LF	180	75.00	13,500.00
618	6070	CONDT (RM) (2")	LF	10	30.00	300.00
620	6004	ELEC CONDR (NO.12) INSULATED	LF	80	1.00	80.00
620	6008	ELEC CONDR (NO.8) INSULATED	LF	220	2.00	440.00
620	6009	ELEC CONDR (NO.6) BARE	LF	320	2.25	720.00
620	6010	ELEC CONDR (NO.6) INSULATED	LF	30	3.00	90.00
624	6002	GROUND BOX TY A (122311)W/APRON	EA	1	1,500.00	1,500.00
624	6008	GROUND BOX TY C (162911)W/APRON	EA	4	1,850.00	7,400.00
628	6188	ELC SRV TY D 120/240 070(NS)SS(E)SP(O)	EA	1	10,500.00	10,500.00
644	6076	REMOVE SM RD SN SUP&AM	EA	1	150.00	150.00
666	6017	REFL PAV MRK TY I (W)6"(DOT)(090MIL)	LF	38	3.00	114.00
666	6035	REFL PAV MRK TY I (W)8"(SLD)(090MIL)	LF	360	3.75	1,350.00
666	6041	REFL PAV MRK TY I (W)12"(SLD)(090MIL)	LF	130	2.00	260.00
666	6047	REFL PAV MRK TY I (W)24"(SLD)(090MIL)	LF	201	11.50	2,311.50
666	6224	PAVEMENT SEALER 4"	LF	1,055	0.45	474.75
666	6225	PAVEMENT SEALER 6"	LF	38	2.50	95.00
666	6226	PAVEMENT SEALER 8"	LF	360	0.85	306.00
666	6228	PAVEMENT SEALER 12"	LF	130	3.55	461.50
666	6230	PAVEMENT SEALER 24"	LF	201	3.55	713.55
666	6231	PAVEMENT SEALER (ARROW)	EA	4	45.00	180.00
666	6232	PAVEMENT SEALER (WORD)	EA	4	45.00	180.00
666	6299	RE PM W/RET REQ TY I (W)4"(BRK)(090MIL)	LF	320	3.75	1,200.00
666	6314	RE PM W/RET REQ TY I (Y)4"(SLD)(090MIL)	LF	735	3.75	2,756.25
668	6077	PREFAB PAV MRK TY C (W) (ARROW)	EA	4	400.00	1,600.00
668	6085	PREFAB PAV MRK TY C (W) (WORD)	EA	4	425.00	1,700.00
672	6009	REFL PAV MRKR TY II-A-A	EA	58	11.00	638.00
672	6010	REFL PAV MRKR TY II-C-R	EA	29	8.50	246.50
677	6001	ELIM EXT PAV MRK & MRKS (4")	LF	2,070	1.25	2,587.50
677	6003	ELIM EXT PAV MRK & MRKS (8")	LF	240	2.50	600.00
677	6005	ELIM EXT PAV MRK & MRKS (12")	LF	190	3.75	712.50
677	6007	ELIM EXT PAV MRK & MRKS (24")	LF	23	5.00	115.00
677	6008	ELIM EXT PAV MRK & MRKS (ARROW)	EA	3	95.00	285.00
677	6012	ELIM EXT PAV MRK & MRKS (WORD)	EA	3	95.00	285.00
678	6001	PAV SURF PREP FOR MRK (4")	LF	1,055	0.10	105.50
678	6002	PAV SURF PREP FOR MRK (6")	LF	38	0.10	3.80
678	6004	PAV SURF PREP FOR MRK (8")	LF	360	0.15	54.00
678	6006	PAV SURF PREP FOR MRK (12")	LF	130	0.20	26.00
678	6008	PAV SURF PREP FOR MRK (24")	LF	201	0.40	80.40
678	6009	PAV SURF PREP FOR MRK (ARROW)	EA	4	6.00	24.00
678	6016	PAV SURF PREP FOR MRK (WORD)	EA	4	6.00	24.00
678	6033	PAV SURF PREP FOR MRK (RPM)	EA	87	1.25	108.75
680	6002	INSTALL HWY TRF SIG (ISOLATED)	EA	1	45,000.00	45,000.00
*	*	GRIDSMART CAT 6 CABLE	LF	140	0.00	0.00
*	*	TS2-TY2 CABINET	EA	1	0.00	0.00
*	*	COBALT CONTROLLER	EA	1	0.00	0.00
*	*	SIGNS AND MOUNTING HARDWARE	EA	2	0.00	0.00
682	6001	VEH SIG SEC (12")LED(GRN)	EA	6	350.00	2,100.00
682	6002	VEH SIG SEC (12")LED(GRN ARW)	EA	4	350.00	1,400.00
682	6003	VEH SIG SEC (12")LED(YEL)	EA	6	350.00	2,100.00
682	6004	VEH SIG SEC (12")LED(YEL ARW)	EA	5	350.00	1,750.00
682	6005	VEH SIG SEC (12")LED(RED)	EA	7	350.00	2,450.00
682	6006	VEH SIG SEC (12")LED(RED ARW)	EA	3	350.00	1,050.00
682	6018	PED SIG SEC (LED)(COUNTDOWN)	EA	2	1,100.00	2,200.00
684	6031	TRF SIG CBL (TY A)(14 AWG)(5 CONDR)	LF	405	3.00	1,215.00
684	6033	TRF SIG CBL (TY A)(14 AWG)(7 CONDR)	LF	60	4.00	240.00
684	6036	TRF SIG CBL (TY A)(14 AWG)(10 CONDR)	LF	15	5.50	82.50
684	6046	TRF SIG CBL (TY A)(14 AWG)(20 CONDR)	LF	385	8.00	3,080.00
684	6079	TRF SIG CBL (TY C)(12 AWG)(2 CONDR)	LF	130	2.50	325.00

PROJECT: **TRAFFIC SIGNAL INSTALLATION** **Prepared By: Kimley-Horn**
LOCATION: **SAN ANGELO, TEXAS**
COUNTY: **TOM GREEN**
LIMITS: **INTERSECTION OF TWIN MOUNTAIN DRIVE AT KNICKERBOCKER ROAD**

686	6041	INS TRF SIG PL AM(S)1 ARM(40')	EA	2	20,000.00	40,000.00
686	6043	INS TRF SIG PL AM(S)1 ARM(40')LUM	EA	1	25,000.00	25,000.00
687	6001	PED POLE ASSEMBLY	EA	1	2,750.00	2,750.00
688	6001	PED DETECT PUSH BUTTON (APS)	EA	2	1,250.00	2,500.00
688	6003	PED DETECTOR CONTROLLER UNIT	EA	1	5,000.00	5,000.00
6001	6001	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	10	125.00	1,250.00
		CONTINGENCY	EA	1	15,000.00	15,000.00
		TOTAL				269,071.00

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Ryan Gaddy, Asst. Finance Director

Date: 04/04/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the traffic signal installation at Twin Mountain Dr. and Knickerbocker Rd.

Source of Funding:

2023 Short-term debt issue

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

Debt was approved at the March 21, 2023 City Council meeting

Project/Budget to be amended	Revenue	Expense
Traffic signal installation	269,071	269,071

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Charles Michalewicz, Engineer, Operations

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

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

Staff Recommendation:

Adopt

Summary/History:

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

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

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

Funding Source(s):

Financial Impact:

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

Other Information/Recommendation:

Attachments:

1.	Resolution for Boating Access	TPWD BOATING ACCESS_GRANT_APPLICATION_AUTHORIZATION_RESO-LAKE NAS.docx

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Kevin Pate	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

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

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

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

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

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

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The foregoing recitals are true and correct and are adopted as a part of this Resolution.

Section 2. The City of San Angelo City Council supports funding this project as described in the Texas Parks and Wildlife Boat Infrastructure Grant Call for Projects (including the required local match of 25%) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing.

Section 3. The City of San Angelo will serve as the public sponsor and lead project contact on this project.

Section 4. The City of San Angelo is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.

Section 5. The City of San Angelo will designate a Responsible Person in Charge, a Project Manager, and a Qualified Person to be actively involved in the project before beginning any work on the project.

Section 6. The City of San Angelo authorizes staff to proceed to secure such professional and consultant services as are requisite to develop and submit an application to Texas Parks and Wildlife under its Boat Access Program for a grant funding the Boat Ramp Improvements at Lake Nasworthy prior to May 1st, 2023, in response to the Texas Parks and Wildlife under its Boat Infrastructure Grant Call for Projects.

PASSED, APPROVED, and ADOPTED on this the 4th day of April, 2023.

THE CITY OF SAN ANGELO

Attest: _____ _____
Heather , City Clerk Brenda Gunter, Mayor

Approved As to Form:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Tina Dierschke, Finance Director, Finance

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider a resolution authorizing the payment of $50,000 to San Angelo Performing Arts Coalition for management services to oversee the Elta Joyce Murphey Performance Hall (City Auditorium) (Tina Dierschke)

Staff Recommendation:

Approve

Summary/History:

Per the attached agreement with the San Angelo Performing Arts Coalition (SAPAC), the City has agreed to fund management services provided by SAPAC for the City Auditorium in the amount of $50,000 per year for the first three years and then for a negotiated amount for years four and forward once those services have commenced.

SAPAC began management of the Auditorium in August of fiscal year 2017 and is seeking payment as agreed upon in the agreement. The first partial year of payment was prorated for August and September in the amount of $8,333. In fiscal years 2018 through 2022, the City remitted $50,000 for each year.

This will be the payment in the amount of $50,000 for FY 2023 as budgeted and approved by City Council. The attached resolution will serve as authorization for that expenditure.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Hotel Occupancy Tax	605-0000-454.03-30		$50,000.00

Financial Impact:

$50,000 in expenses related to the management of the Auditorium for the current fiscal year which is budgeted in the Hotel Occupancy Tax fund.

SAPAC's current year budget is attached for approval by Council as is required by the agreement with them.

Other Information/Recommendation:

Attachments:

1.	4.4.23 Resolution releasing HOT funding to SAPAC	4.4.23 Resolution releasing HOT funding to SAPAC .docx
2.	SAPAC 2022-2023 Budget	SAPAC 2022-2023 Budget.pdf

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING THE ANNUAL BUDGET OF THE SAN ANGELO PERFORMING ARTS COALITION AND ALLOCATING HOTE OCCUPANCY TAX REVENUES FOR MANAGEMENT SERVICES

WHEREAS, the City of San Angelo and the San Angelo Performing Arts Coalition (SAPAC) have entered into a First Amended and Restated Development and Operating Agreement (Agreement) for the planning and development of performing arts facilities; and

WHEREAS, pursuant to that Agreement the City agrees to contribute Hotel Occupancy Tax to the funding of the management services that SAPAC performs; and

WHEREAS, per the Agreement such allocations must be awarded by City Council annually and are subject to City Council's approval of the annual budget of SAPAC.

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

Part 1: That the 2022-2023 annual budget of SAPAC is hereby approved for the purposes of the Agreement.

Part 2: That the 2022-2023 allocation of Hotel Occupancy Tax to SAPAC for management services under the First Amended and Restated Development and Operating Agreement is hereby awarded in the amount of $50,000.

PASSED and APPROVED THIS 4th day of April, 2023

CITY OF SAN ANGELO, TEXAS

ATTEST:

_____
Brenda Gunter, Mayor

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM

_____
Theresa James, City Attorney

Table 4:
Actual Results for Fiscal Year ending June 30, 2022
Budget for Fiscal Year ending June 30, 2023

	Actual 2021-22	Budget 2022-2023
OPERATING REVENUE		
Donations	43673	50,000
Memberships	16,150	50,000
Grant Income	688,708	100,000
Resident Co Rental Income	47,960	48,000
HOT Funds	50,000	50,000
Other Operating Income	11,633	50,000
TOTAL OPERATING REVENUE	**858,124**	**348,000**
OPERATING EXPENSES		
Salary, Wages, and Benefits	347,800	365,000
Professional Fees	29,279	28,000
Facilities	101,061	80,000
Development and Marketing	13,246	16,000
Software	49,600	28,800
Insurance	36,753	36,000
General & Administrative	47,304	34,200
TOTAL OPERATING EXPENSES	**625,043**	**588,000**
PRODUCTION REVENUE		
Concessions/Merchandise	4309	2,750
Event Rent	89,480	75,000
Event Sponsorship / Ad Sales	16,840	75,000
Convenience Fees	49,236	33,026
Facility Maintenance Fees	22,042	37,300
Ticket Sales	535,797	650,000
Other Production Revenue	32,395	30,315
TOTAL PRODUCTION REVENUE	**750,099**	**903,391**
PRODUCTION EXPENSES		
Advertising	76,348	80,000
Payments to Show	480,470	480,000
Stage Hands	24,815	16,000
Other Production Expenses	105,047	70,456
TOTAL PRODUCTION	**686,680**	**646,456**
TOTAL REVENUE	**1,608,223**	**1,251,391**
TOTAL EXPENSE	**1,311,723**	**1,234,456**
Operating Profit/Loss	**233,081**	**-240,000**
Production Profit/Loss	**63,419**	**256,935**
TOTAL NET INCOME	**296,500**	**16,935**

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Theresa James, City Attorney, Legal

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider a resolution suspending for 45 days the effective date proposed by Atmos Energy-Mid-Texas Division (Atmos-MidTex) in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act (Brandon Dyson)

Staff Recommendation:

Approve

Summary/History:

The City is a member of the coalition of cities known as the Atmos Texas Municipalities (ATM). ATM was organized by a number of municipalities served by Atmos Energy Corporation's Mid-Tex Division (Atmos Energy-MidTex) and has been represented by the law firm of Herrera Law & Associates, PLLC (through Mr. Alfred R. Herrera) to assist in reviewing applications to change rates submitted by Atmos Energy-MidTex.

"GRIP" RATE APPLICATIONS

Under section 104.301 of the Gas Utility Regulatory Act (GURA), a gas utility is allowed to request increases in its rates to recover a return on investments it makes between rate cases. This section of GURA is commonly referred to as the "GRIP" statute (the "Gas Reliability Infrastructure Program").

Under a decision by the Supreme Court of Texas, the Court concluded that a filing made under the GRIP statute permitted gas utilities the opportunity to recover a return on capital expenditures made during the interim period between rate cases by applying for interim rate adjustment and that proceedings under the GRIP statute did not contemplate either adjudicative hearings or substantive review of utilities' filings for interim rate adjustments. Instead, the Court concluded, the GRIP statute provides for a *ministerial* review of the utility's filings to ensure compliance with the GRIP statute and the Railroad Commission's rules, and that it is within the Railroad Commission's authority to preclude cities from intervening and obtaining a hearing before the Railroad Commission.

ATMOS-MIDTEX' "GRIP" APPLICATION

On or about February 24, 2023, Atmos-MidTex filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ('GRIP"). Atmos-MidTex' application when approved by the Railroad Commission will result in an increase in the monthly customer charges as shown below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	$34.29 per customer per month	$5.09 per customer per month	$39.38 per customer per month	$5.09
Rate C – Commercial Sales	$94.22 per customer per month	$16.63 per customer per month	$110.85 per customer per month	$16.63
Rate I – Industrial Sales	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86
Rate T – Transportation	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86

Note that Atmos-MidTex refers to its application as its "2022" interim adjustment because the increase in rates Atmos-MidTex presents in its application is based on capital expenditures it made from January 1, 2022 through December 31, 2022.

REVIEW AND ACTION RECOMMENDED

Although the City's ability to review and effectuate a change in Atmos-MidTex requested increase is limited, the City should exercise due diligence with regard to rate increases by monopoly utilities who operate within its boundaries, including increases requested under the GRIP statute to ensure compliance with the requirements of that law.

To exercise its due diligence, it is necessary to suspend Atmos-MidTex proposed effective date of April 25, 2023, for forty-five days, so that the City can evaluate whether the data and calculations in Atmos-MidTex' rate application are correctly done, and whether Atmos-MidTex' application otherwise conforms to the requirements of the GRIP statute.

Therefore, the City's Special Counsel, the law firm of Herrera Law & Associates, PLLC (through Alfred R. Herrera) recommends that the City adopt a resolution suspending Atmos-MidTex' proposed effective date for 45 days. Assuming a proposed effective date of April 25, 2023, Atmos-MidTex' proposed effective date is suspended until June 9, 2023.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

1. Suspension Resolution Atmos MidTex Suspension Resolution Atmos MidTex.docx

Presentation:

Theresa James

Approvals/Reviews:

Theresa James	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

RESOLUTION NO._____

A RESOLUTION BY THE CITY OF SAN ANGELO, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY – MID-TEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY'S PARTICIPATION IN COORDINATION WITH OTHER CITIES IN A COALITION OF CITIES KNOWN AS THE ATMOS TEXAS MUNICIPALITIES; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 24, 2023, Atmos Energy – Mid-Tex Division (Atmos-MidTex) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ('GRIP"), resulting in a requested increase in the monthly customer charge as shown in the table below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	$34.29 per customer per month	$5.09 per customer per month	$39.38 per customer per month	$5.09
Rate C – Commercial Sales	$94.22 per customer per month	$16.63 per customer per month	$110.85 per customer per month	$16.63
Rate I – Industrial Sales	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86
Rate T – Transportation and	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86

WHEREAS: the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: the application to increase rates by Atmos-MidTex is complex; and

WHEREAS: it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos-MidTex' rate application are correctly done, and whether Atmos-MidTex' application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS: the effective date proposed by Atmos-MidTex is April 25, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 9, 2023.

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

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by Atmos-MidTex for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether Atmos-MidTex' application otherwise conforms to the requirements of the GRIP statute.

Section 3. The City continues to act in coordination with a group of cities known as the Atmos Texas Municipalities in its review of Atmos-MidTex' rates.

Section 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to represent the City in connection with Atmos-MidTex' application to increase rates.

Section 5. Atmos-MidTex is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-MidTex' rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 4TH day of April 2023.

_____
Brenda Gunter, Mayor

ATTEST:

_____
Heather Stastny, City Clerk

Approved as to form:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Theresa James, City Attorney, Legal

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Consider a resolution designating Theresa James as the ADA Coordinator for the City of San Angelo (Daniel Valenzuela)

Staff Recommendation:

Approve

Summary/History:

The City of San Angelo is required to have someone designated as the ADA coordinator. This role is responsible for ensuring that the City is meeting its obligations under the ADA and is also designated to take and investigate complaints and grievances from the public on ADA related issues. This role was designated as the Director of Human Resources in 1993 and has remained a responsibility of that position since then. At this time the City Manager desires Theresa James to be designated as the ADA Coordinator until such time as she is replaced.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

1. Council Resolution designating ADA Coordinator Council Resolution designating ADA Coordinator.docx

Presentation:

Approvals/Reviews:

Theresa James	Created/Initiated
Theresa James	Approved

Heather Stastny	Final Approval

RESOLUTION 2023-

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL DESIGNATING THE ADA COORDINATOR

WHEREAS, the City of San Angelo is committed to ensuring all programs and services of the City of San Angelo are accessible to all citizens, and

WHEREAS, in order to ensure citizen's rights to access under the Americans with Disabilities Act ("ADA") are protected, the City of San Angelo has adopted a formal grievance procedure to ensure prompt and equitable resolution to any complaints related to the ADA, and

WHEREAS, the City of San Angelo formally designated the Personnel Director, now referred to as the Director of Human Resources as the ADA Coordinator to serve as the liaison between the City and the public with the responsibility of receiving complaints from the public and overseeing their investigation, and

WHEREAS, the City of San Angelo is now changing the designation of ADA Coordinator to Theresa James until such time another person is hired or designated to replace her in that responsibility, and

WHEREAS, notice of the designation shall be provided on all City websites and social media and posted in City facilities as required by the ADA.
.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF SAN ANGELO CITY COUNCIL hereby designates Theresa James as the ADA Coordinator for the City of San Angelo and hereby directs City staff to post this designation on all City websites, social media and in City facilities as required by law.

- **ADOPTED this 4st day of April, 2023.**

THE CITY OF SAN ANGELO, TEXAS:

_____
Brenda Gunter, Mayor

ATTEST:

_____
Julia Antilley, City Clerk

APPROVED AS TO FORM:

_____
Brandon Dyson, Deputy City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Zachary Rainbow, Planning Manager, Planning and Development Services

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Second reading of an ordinance to revoke SP94-22, which was replaced by the approval of a new Conditional Use, CU22-06, allowing additional outdoor storage and display on a property being 4.718 acres, located at 2701 Southwest Blvd. (Jon James)

Staff Recommendation:

Adopt

Summary/History:

On April 5, 2022 the City Council approved a new Conditional Use to allow Wholesale Trade in the General Commercial (CG) zoning district for the property at 2701 Southwest Blvd, including the business currently located at that site, Tractor Supply and Hobby Lobby. The approval of the Conditional Use replaces the previously approved Special Permit (SP94-22) that was approved in 1994. This ordinance formally revokes that previous Special Permit.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval of the revocation in order to fulfill one of the conditions required by the new Conditional Use.
On March 7, 2023, the City Council voted unanimously to approve this item on First Reading.

Attachments:

1. Revocation Ordinance SP94-22 (revised) Revocation Ordinance SP94-22 (revised).docx

Presentation:

Jon James

Approvals/Reviews:

Heather Stastny	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Theresa James	Approved
Heather Stastny	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY REVOKING SPECIAL PERMIT 94-22 CONCERNING PROPERTY LOCATED AT 2701 SOUTHWEST BOULEVARD, BEING THE NORTH 4.718 ACRES OUT OF LOT 1A IN BLOCK 1 OF THE WAL-MART ADDITION TO THE CITY OF SAN ANGELO, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

SP94-22: 2701 Southwest Boulevard

WHEREAS, Special Permit 94-22 ("SP94-22") was authorized by City Council through ordinance introduced November 29, 1994, and finally passed, approved and adopted on December 6, 1994; and

WHEREAS, SP94-22 authorized, subject to specified conditions, the sale of farm and ranch supplies and parts, including limited authorization for outdoor storage and display of merchandise in a General Commercial District concerning property located at 2701 Southwest Boulevard, being the North 4.718 acres out of Lot 1A in Block 1 of the Wal-Mart Addition to the City of San Angelo, Texas (the "Property"); and

WHEREAS, an application for conditional use approval concerning the Property was filed, which requested expansion of the outdoor storage and display authorization originally granted in SP94-22; and

WHEREAS, the Zoning Ordinance was amended following approval of SP94-22 and no longer provides for issuance of Special Permits; therefore, approval of a subsequent conditional use would conflict with SP94-22 unless revoked; and

WHEREAS, on the 21st day of February, 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, considered a conditional use (CU22-06) concerning the Property, and revocation of SP94-22 as a condition of the requested approval, and thereafter did not approve the conditional use based on a tie vote of the Commission; and

WHEREAS, CU22-06 was timely appealed to City Council and on the 5th day of April, 2022, City Council held a public hearing on and approved CU22-06 conditioned on revocation of SP94-22.

WHEREAS, to satisfy the condition of CU22-06 requiring revocation of SP94-22, after holding a public hearing on March 7, 2023, and having considered the application, comments, reports and decision of the Planning Commission and staff, public testimony, and other relevant support materials, City Council desires to revoke SP94-22.

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 by revoking SP94-22 with respect to the following Property:

The real property located at 2701 Southwest Boulevard, being the North 4.718 acres out of Lot 1A in Block 1 of the Wal-Mart Addition to the City of San Angelo, Texas

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, by removing SP94-22, as further depicted on **Exhibit A** of this Ordinance, and replacing with CU22-06.

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

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

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

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

INTRODUCED with public hearing on the **7th day of March, 2023,** and finally PASSED, on this the **4th day of April, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT "A"

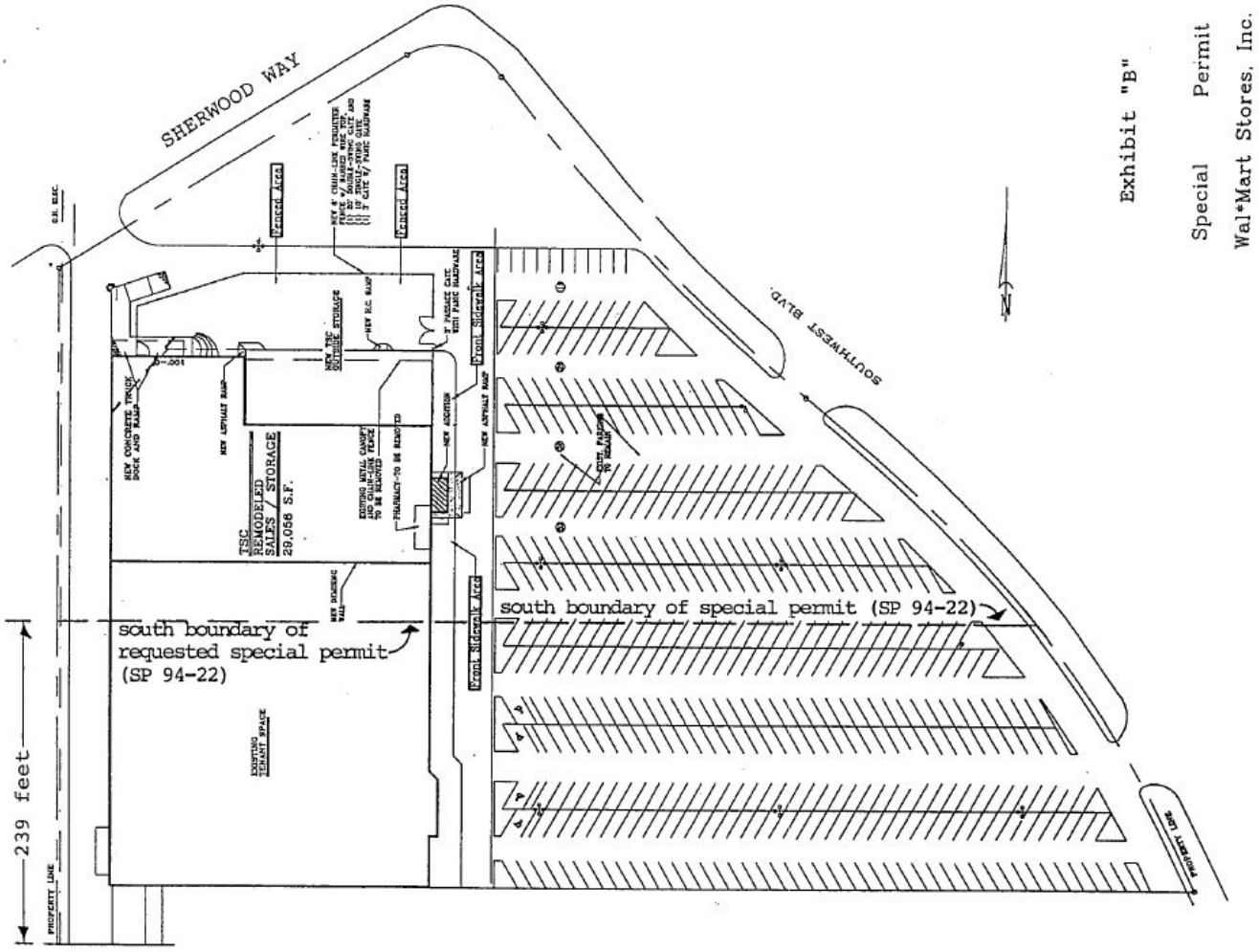


Exhibit "B"
Special Permit
Wal*Mart Stores, Inc.
SHERWOOD WAY
SOUTHWEST BLVD.
Fenced Area
Fenced Area
Front Sidewalk Area
Front Sidewalk Area
TSC REMODELED SALES / STORAGE 29,056 S.F.
EXISTING TENANT SPACE
south boundary of requested special permit (SP 94-22)
south boundary of special permit (SP 94-22)
239 feet
PROPERTY LINE

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Second reading of an ordinance to abandon the approximately 20'x507' (unimproved) alleys in Blocks 39 and 40, Miles Addition, between 4th and 5th St. and N. Oakes, N. Magdalen and Pecan St. (Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant has requested the abandonment of all public alleys within Blocks 39 & 40 of the Miles Addition. The applicant owns most of the property within both blocks. The State of Texas, on behalf of the railroad, owns the rest of the property, except for a sign site. The applicant's properties currently have no structures. In neither block has the alley been identified as "improved" even with caliche. The existing railroad tracks are well north of the alley property. By abandoning the alleys, it would allow the applicant to consolidate the unused property and offer it for development.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their February 20, 2023 regular meeting the Planning Commission voted to recommend approval of the application to abandon the two alleys in Blocks 39 & 40 of Miles Addition by a 7-0 vote.

On March 21, 2023, the City Council voted unanimously to approve this item on First Reading.

Attachments:

1. Ordinance Alley-Abandonment 2nd reading Ordinance Alley-Abandonment 2nd reading.pdf

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Zachary Rainbow	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Heather Stastny	Final Approval

AN ORDINANCE PROVIDING FOR ABANDONMENT AND VACATION OF TWO ALLEY RIGHTS-OF-WAY COMPRISING APPROXIMATELY 0.232 ACRES (10,140 SQUARE FEET) WITHIN BLOCKS 39 AND 40 OF THE MILES ADDITION; LOCATED BETWEEN 4TH AND 5TH STREETS AND NORTH OAKES STREET, NORTH MAGDALEN STREET, AND PECAN STREET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that the public alley right-of-way within Blocks 39 and 40 of the Miles Addition, Tom Green County, Texas, is no longer needed for public use and therefore deems it advisable to abandon a said alley right-of-way; and,

WHEREAS, the City Council is of the opinion that the best interest and welfare of the public will be served by conditionally conveying the underlying abandoned public alley rights-of-way to the abutting property owners;

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

SECTION 1: The public alley rights-of-way located in the City of San Angelo, comprising of approximately 0.232 acres (10,140 square feet) of alley right-of-way within Blocks 39 and 40 of the Miles Addition, Tom Green County, Texas, more particularly described and depicted in **Exhibit "A,"** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions if the latter exist, and all existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

SECTION 3: The abandonments and conveyance provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to the interest which the governing body for the City of San Angelo may legally and lawfully abandon and vacate.

SECTION 4: The following conditions precedent to the abandonment shall apply and be part of the consideration for conveyance by quitclaim deed(s) of the underlying tracts of land to owners of abutting properties:

a) Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, 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, within 36 months of City Council's decision.

b) Per the Schedule of Fees and Charges adopted by City Council Resolution 2019-135, dated October 15, 2019, as amended, payment shall be remitted, per the assessment formula, for all of the abandoned alley rights-of-way.

c) Rights-of-way of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

SECTION 5: The terms and conditions set forth hereinabove shall be applicable to the conveyances of rights-of-way herein provided for, and shall be binding upon Grantees thereof and their heirs, successors and assigns.

SECTION 6: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Manager or Mayor of the City of San Angelo is hereby authorized to execute and deliver quit claim deeds conveying the subject tracts of abandoned right-of-way described and depicted in **Exhibit "A,"** to the owners of the designated abutting properties.

SECTION 7: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **21st day of March, 2023,** and finally PASSED, APPROVED, AND ADOPTED on this the **4th day of April, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

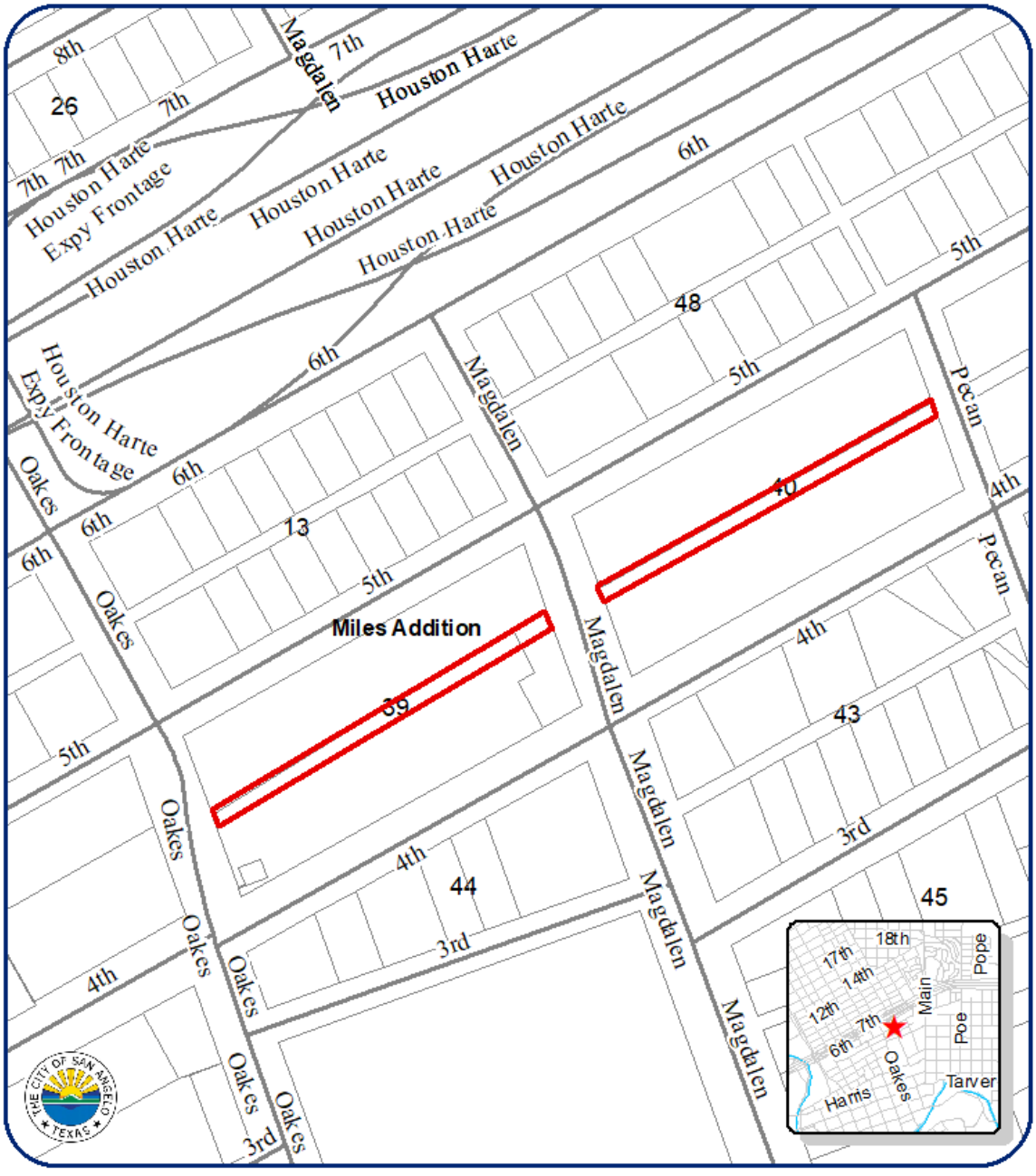
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT “A”

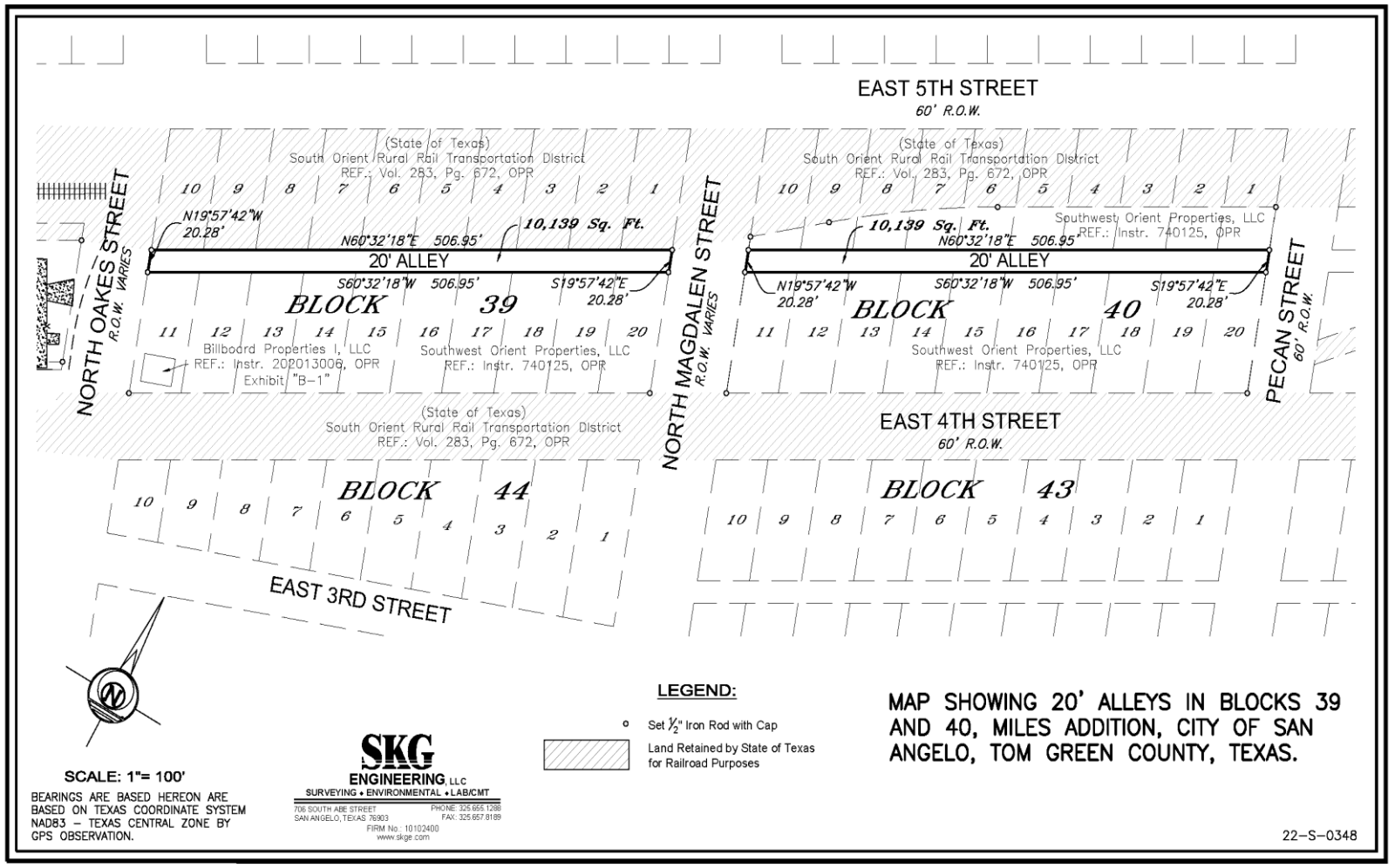


Miles Add. Blk. 39 & 40
Alley abandonment

Council District: #3 Harry Thomas
Neighborhood: Downtown
Scale: 0 0.0075 0.015 0.03 0.045 0.06
Miles

Subject Properties:

N


EAST 5TH STREET
60' R.O.W.
(State of Texas)
South Orient Rural Rail Transportation District
REF.: Vol. 283, Pg. 672, OPR
NORTH OAKES STREET
R.O.W. VARIES
N19°57'42"W
20.28'
N60°32'18"E 506.95'
10,139 Sq. Ft.
20' ALLEY
S60°32'18"W 506.95'
S19°57'42"E
20.28'
BLOCK 39
Billboard Properties I, LLC
REF.: Instr. 202013006, OPR
Exhibit "B-1"
Southwest Orient Properties, LLC
REF.: Instr. 740125, OPR
NORTH MAGDALEN STREET
R.O.W. VARIES
BLOCK 40
Southwest Orient Properties, LLC
REF.: Instr. 740125, OPR
PECAN STREET
60' R.O.W.
EAST 4TH STREET
60' R.O.W.
BLOCK 44
BLOCK 43
EAST 3RD STREET
N
LEGEND:
Set ½" Iron Rod with Cap
Land Retained by State of Texas for Railroad Purposes
SCALE: 1"= 100'
BEARINGS ARE BASED HEREON ARE BASED ON TEXAS COORDINATE SYSTEM NAD83 – TEXAS CENTRAL ZONE BY GPS OBSERVATION.
SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT
706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.655.1288
FAX: 325.657.8189
FIRM No.: 10102400
www.skge.com
MAP SHOWING 20' ALLEYS IN BLOCKS 39 AND 40, MILES ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS.
22–S–0348

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services

Meeting Date: April 4, 2023

Item type: Consent Item

Caption:

Second reading of an ordinance to rezone properties from the Light Manufacturing zoning district to the General Commercial zoning district, being 0.951 acres located at the northeast intersection of W. 4th St. and N. Bryant, and addressed as 402 N. Bryant (Jon James)

Staff Recommendation:

Adopt

Summary/History:

The representative for the owner of the property at 402 N Bryant Blvd. has submitted a request to the Planning Staff for a rezoning from Light Manufacturing (ML) to General Commercial (CG). In this area, there is a mix of commercial uses and businesses. The applicant indicates that the property to the south is a drive-through burrito restaurant with a very similar use. The existing Vision Plan identifies this area as Downtown/Commercial. The rezoning to CG- is in keeping with the future land use. The Central Business District (CBD) extends to N Bryant Blvd. and 3rd St., General Commercial is between W. 3rd St. and W. 4th St. Extending General Commercial along N. Bryant Blvd. is a reasonable extension of the commercial zoning expected along a highly traveled state highway.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

The Planning Commission voted at their February 20, 2023 meeting to recommend the rezoning from ML to CG unanimously, 7-0.

On March 21, 2023, the City Council voted unanimously to approve this item on First Reading.

Attachments:

1.	Staff Report	Staff Report.pdf
2.	Ordinance Z23-02	Ordinance Z23-02.pdf

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Zachary Rainbow	Approved
Jon James	Approved
Brandon Dyson	Approved
Theresa James	Approved
Heather Stastny	Final Approval

CITY COUNCIL – March 21, 2023
STAFF REPORT - Z23-02
City Council 2nd reading: April 4, 2023

APPLICATION TYPE:	CASES:
Rezoning	Z23-02: 402 N Bryant Blvd.

SYNOPSIS:

The representative for the owner of the property 402 N Bryant Blvd. (has submitted a request to the Planning Staff for a rezoning from Light Manufacturing (ML) to General Commercial (CG). In this area, there is a mix of commercial uses and businesses. The applicant indicates that the property to the south is a drive-through burrito restaurant with a very similar use. The existing Vision Plan identifies this area as Commercial. The rezoning to CG- is in keeping with the future land use. The Central Business District (CBD) extends to N Bryant Blvd., and 3rd St. General Commercial is between W. 3rd St. and W. 4th St. Extending General Commercial along N. Bryant Blvd. is a reasonable extension of the commercial zoning expected along a highly traveled state highway.

LOCATION:	LEGAL DESCRIPTION:
Northwest of the intersection of W.4th St. and N Bryant Blvd.	MILES ADDITION Lot 1, being a replat of Block L

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Downtown Neighborhood	Light Manufacturing (ML)	Commercial	0.951

NOTIFICATIONS:

17 notifications for Z23-02 were mailed within a 200-foot radius on January 30, 2023. No responses in favor or against have been received.

RECOMMENDATION:

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) to General Commercial (CG) for the property located at 402 N Bryant Blvd. and in Miles Addition, Lot 1 being a replat of Block L; northeast corner of W. 4th St. and N. Bryant Blvd.

At their February 21, 2023, **PLANNING COMMISSION** voted unanimously to recommend **APPROVAL**. 7-0

PROPERTY OWNER/PETITIONER:

Applicants:
Michael Allen and Patricia Trtee
Representative:
Russell Gulley - SKG

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 development meeting. The owner would like to develop a drive-through Coffee Café with small food items on one side of the new structure and an express oil change facility on the other side of the structure. This type of combined-use facility has a long successful history in other communities. The applicant is familiar with that approach and is anticipating similar success with this site. The existing Medical office facility will be demolished and a new structure built in its place.

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 Commercial. 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.*** The proposed rezoning 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 uses. 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 type of use has a history of success. Quick, concise, meeting multiple needs in one place seems to be filling a need. This project is consistent with that business type.

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 well suited for the proposed project and will meet the development needs.

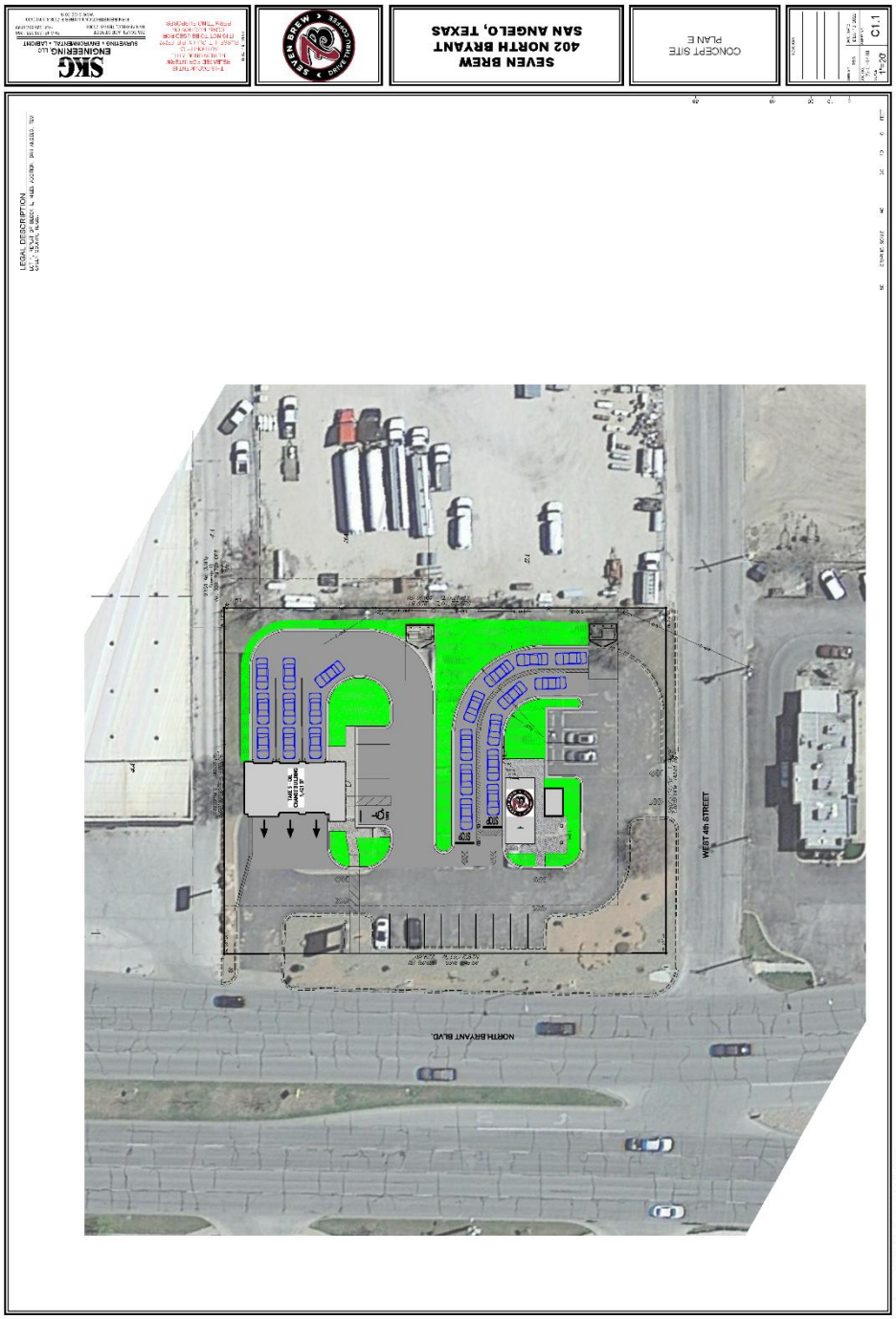
Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) to General Commercial (CG) for the property located at 402 N Bryant Blvd. and in Miles Addition, Lot 1 being a replat of Block L; northeast corner of W. 4th St. and N. Bryant Blvd.

At their February 21, 2023, meeting **PLANNING COMMISSION** voted to recommend **APPROVAL** , 7-0.

Attachments:

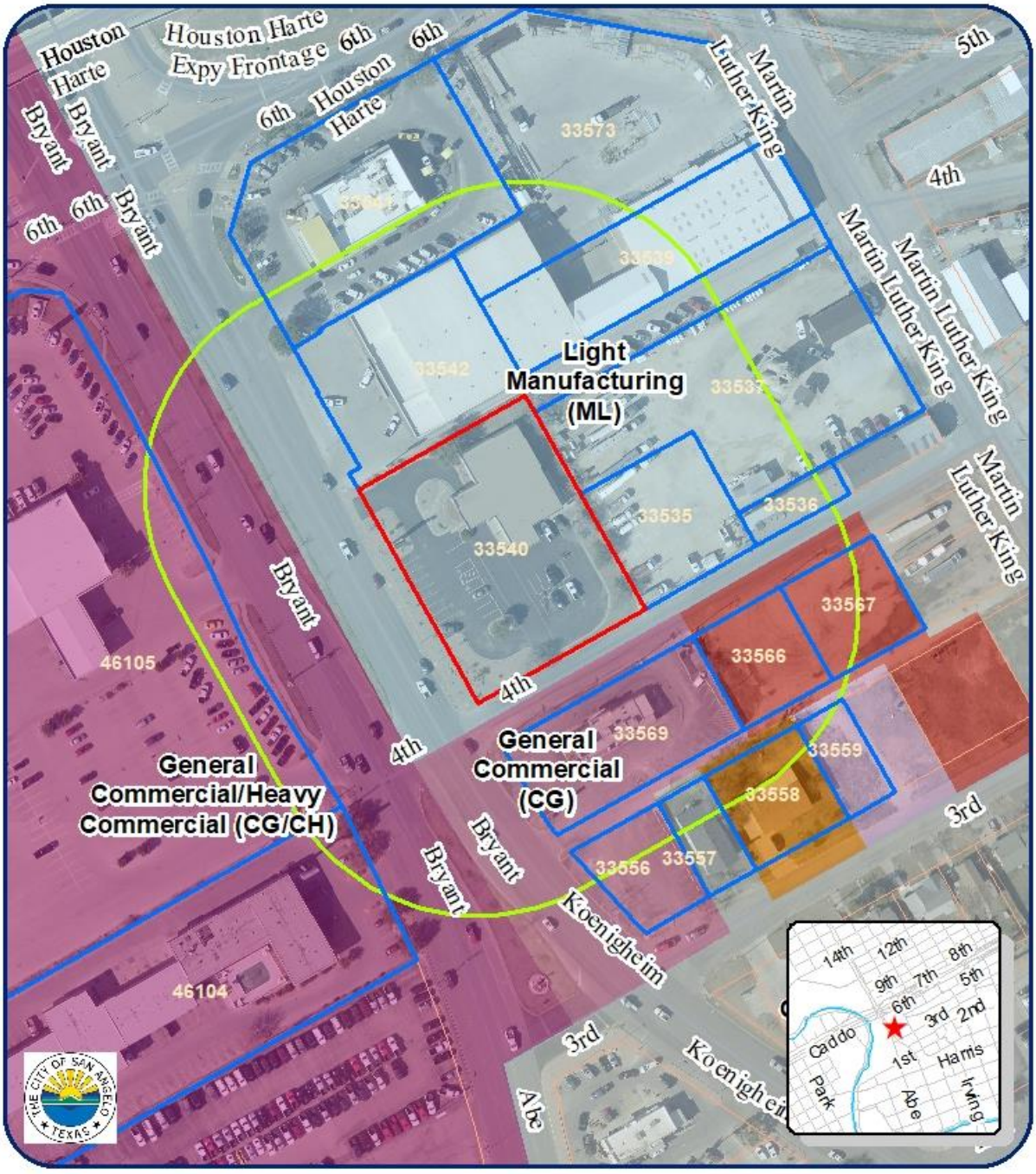
Site Photos
Aerial/Notification Map
Zoning Map
Future Land Use Map



CONCEPT PLAN

Drive-thru restaurant across the street from this property.

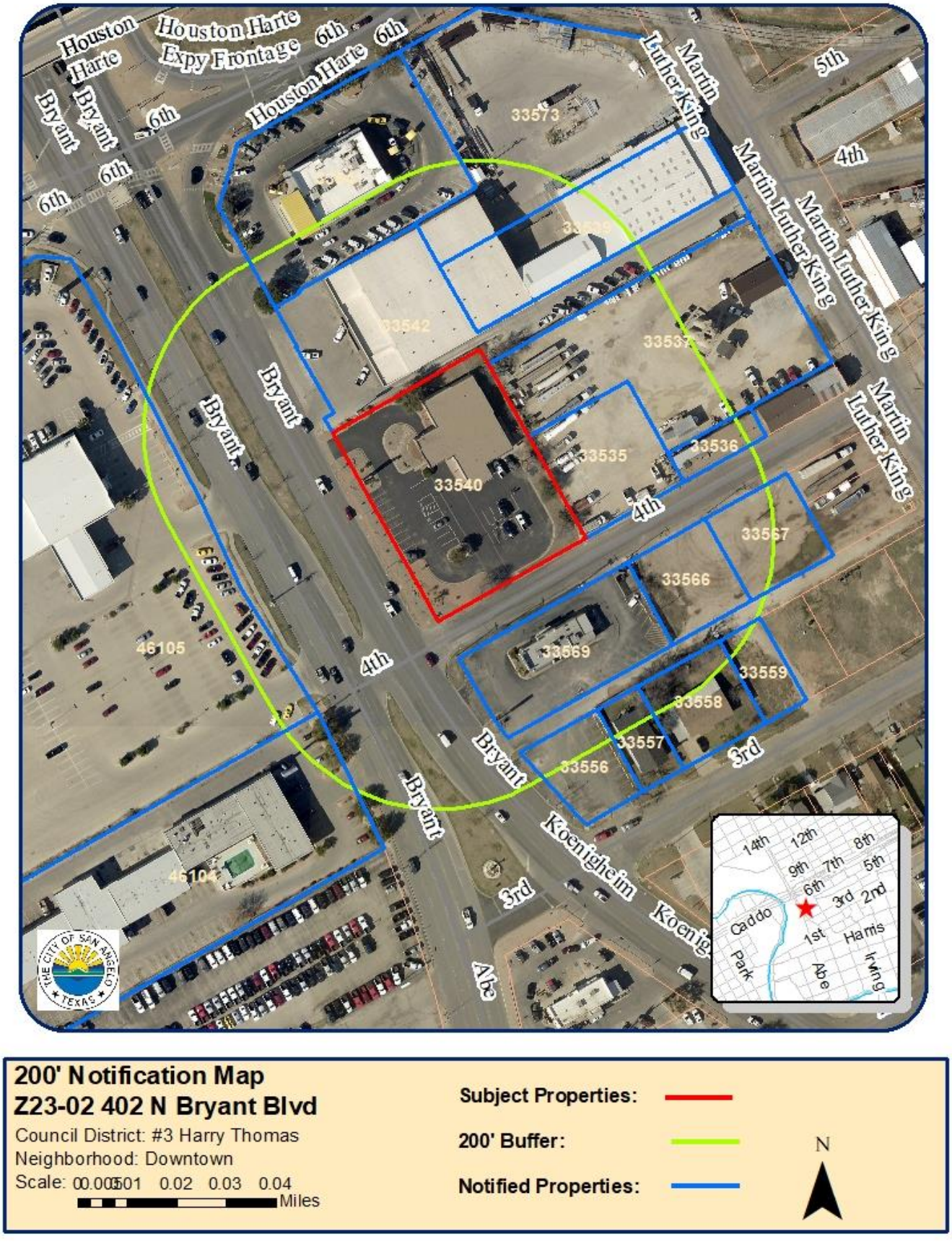
Proposed site.



Zoning Map
Z23-02 402 N Bryant Blvd
Council District: #3 Harry Thomas
Neighborhood: Downtown
Scale: 0 0.005 0.01 0.02 0.03 0.04 Miles

Subject Properties:
200' Buffer:
Notified Properties:

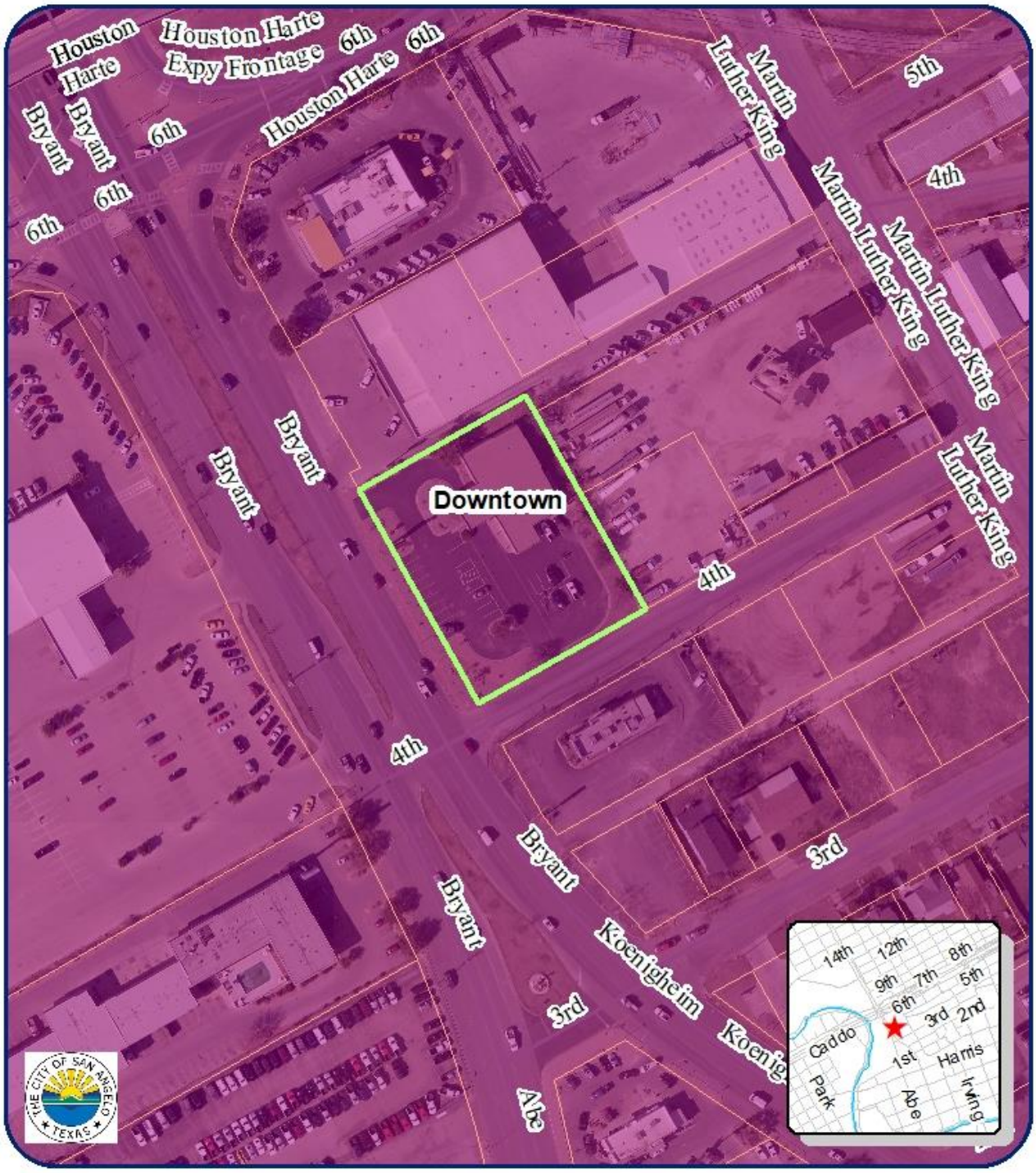
N



200' Notification Map
Z23-02 402 N Bryant Blvd
Council District: #3 Harry Thomas
Neighborhood: Downtown
Scale: 0 0.005 0.01 0.02 0.03 0.04 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N



Future Land Use - Commercial-Downtown
Z23-02 402 N Bryant Blvd

Council District: #3 Harry Thomas
Neighborhood: Downtown
Scale: 0 0.005 0.01 0.02 0.03 0.04
Miles

Subject Properties:

N

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 0.951 ACRES LOCATED AT 402 NORTH BRYANT BOULEVARD, (LOT 1, BEING A REPLAT OF BLOCK L, MILES ADDITION);** FROM THE LIGHT MANUFACTURING ZONING DISTRICT (ML) TO THE GENERAL COMMERCIAL ZONING DISTRICT (CG); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-02: 402 N. BRYANT BLVD.

WHEREAS, on the 20th day of February, 2023, 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 21st day of March, 2023, City Council held a public hearing on Z23-02, 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 402 N. Bryant Blvd., described as Lot 1, being a replat of Block L, MILES ADDITION; being 0.951 acres, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit "A" of this Ordinance

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 **21st day of March, 2023,** and finally PASSED, APPROVED AND ADOPTED on this the **4th day of April, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

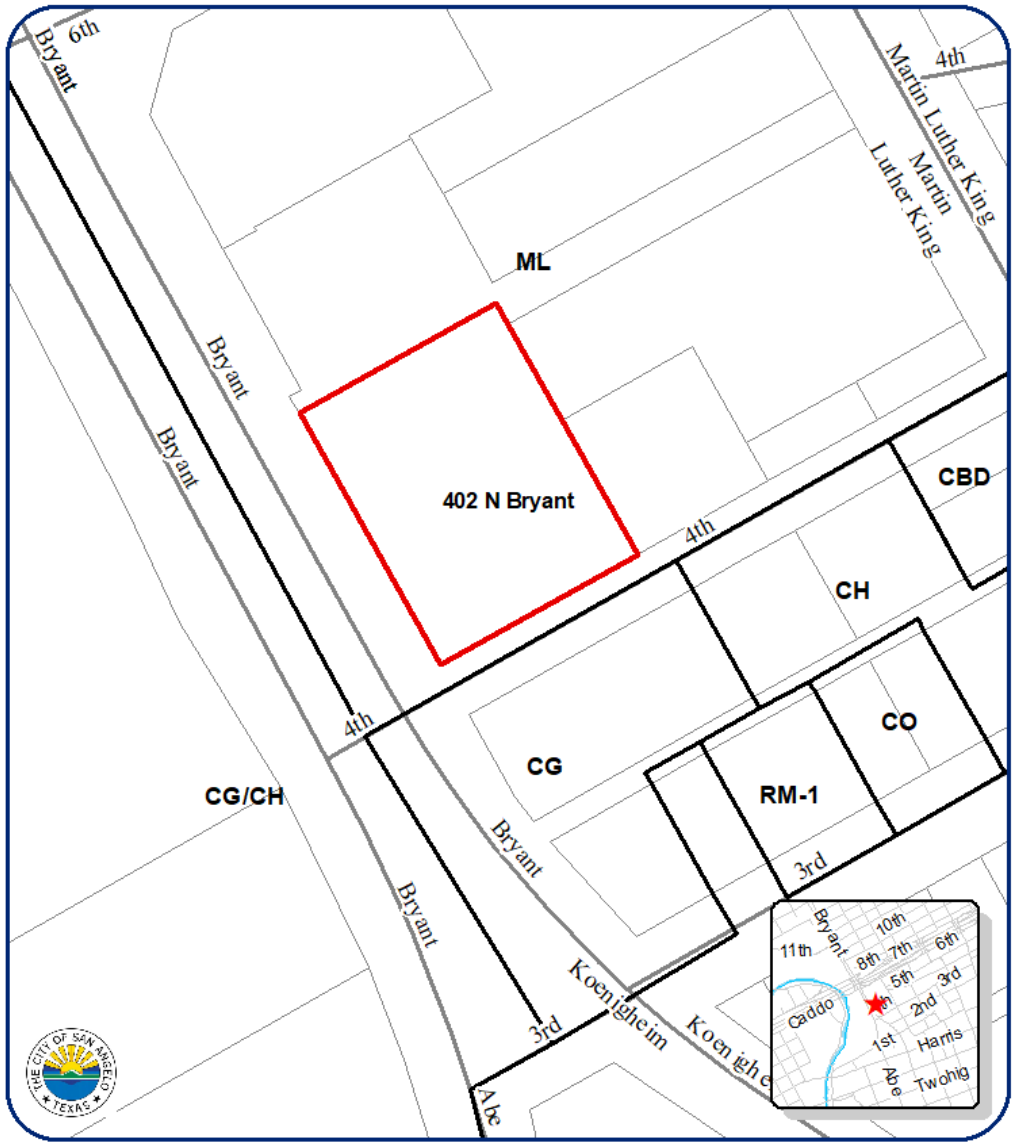
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A"



Z23-02 402 N Bryant Blvd

Council District: #3 Harry Thomas

Neighborhood: Downtown

Scale: 0 0.005 0.01 0.02 0.03 0.04 Miles

Subject Properties:

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeremy Valgardson, Airport Director, Airport

Meeting Date: April 4, 2023

Item type: Regular Item

Caption:

Consider purchasing 117.604 acres of land out of a part of C. Zech Survey 645, Abstract No. 4212 and W. Spornhaun Survey 644, Abstract No. 1811 for a price of $20,000 per acre plus closing costs not to exceed $4,000, authorizing the City Manager to negotiate and execute all related documents, and amending the fiscal year 2022-23 budget to utilize $2,356,080 from the General Fund's fund balance (Presentation made by Airport Director Jeremy Valgardson)

Staff Recommendation:

Approve

Summary/History:

There are 117.604 Acres of land for sale on the North East corner of the airport. The City/Airport currently has an easement over the land for airspace use to protect the approaches to Runways 3-21 & 9-27. The Runway Protection Zone for Runway 21 also partially sits on the private land outside of the airport perimeter fence.

Per the 2020 Airport Masterplan, it is recommended to move the commercial terminal to the east side of the airport as we continue to grow general aviation and commercial aviation. This land purchase will be necessary at some point to build the airport consistent with our masterplan. Purchasing the land now will also help protect the approaches and Part 77 airspace above the airport for current and future growth.

The FAA supports the land purchase and in the future can reimburse the City using Airport Improvement Program (AIP) grant funds.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Airport Fund			$0.00
General Fund			$2,356,080

Financial Impact:

117.604 Acres
$20,000/acre
$4,000 closing costs

TOTAL: $2,356,080

This will be purchased by the Airport fund utilizing the General Fund's fund balance.

Other Information/Recommendation:

Attachments:

1.	South Concho Estates 1	South Concho Estates 1.jpg
2.	117.604 Ac Survey	117.604 Ac Survey.pdf
3.	117.604 ac Field Notes	117.604 ac Field Notes.pdf
4.	BA Memo - Airport Land purchase	BA Memo - Airport Land purchase.pdf

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson	Created/Initiated
Theresa James	Approved
Kimberly Holle	Approved
Tina Dierschke	Approved
Manda Salladay	Approved
Theresa James	Approved
Heather Stastny	Final Approval

Knickerbocker Rd
S Concho Dr
S Concho Dr
South Concho Estates 117.604 Acres

COPYRIGHT 2023

THIS SURVEY IS PROTECTED BY ALL APPLICABLE STATE AND FEDERAL COPYRIGHT LAWS. THIS SURVEY IS VOID WITHOUT AN ORIGINAL SIGNATURE AND SEAL.

THIS SURVEY IS NOT INTENDED TO EXPRESS OR IMPLY CLEAR OWNERSHIP OF TITLE TO THE PROPERTY SHOWN HEREON, BUT IS BASED ON A COMPILATION OF THE DEEDS FURNISHED TO, OR FOUND BY ME. NO COMPLETE TITLE SEARCH WAS FURNISHED TO, OR MADE BY ME, THEREFORE, LIENS, EASEMENTS OR RIGHT-OF-WAY THAT ARE NOT SHOWN OR REFERENCED HEREON MAY EXIST.

ORIGINAL TEXAS SURVEY LINES SHOWN HEREON AND OBTAINED FROM THE TEXAS GENERAL LAND OFFICE IN SHAPEFILE FORMAT MAY NOT BE ACCURATE AND SHOULD BE CONSIDERED APPROXIMATE.

INTERNAL FENCING, ROADS, STRUCTURES AND UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON.

AVIGATION EASEMENTS ASSOCIATED WITH SAN ANGELO REGIONAL AIRPORT EFFECT PORTION OF THIS PROPERTY BUT ARE NOT SHOWN.

REF.: 14.646 Ac.
Vol. 1157, Pg. 564, OPR

C. ZECH
SURVEY NO. 645
ABSTRACT NO. 4212

REF.: 12.000 Ac.
Vol. 1076, Pg. 534, OPR

Lake Nasworthy

REF.: Vol. 295, Pg. 526, DR
Twenty-Ninth Tract

REF.: Vol. 295,
Pg. 526, DR
Thirty-First Tract

Fd. 1/2" I.R.

S39°27'30"E 482.57'

SOUTH CONCHO DRIVE

Fd. 4" Fe. Cor.

S32°24'47"E 300.15'

Fd. 4" Fe. Cor.

S21°04'23"W 597.96'

REF.: 19.2 Ac.
Vol. 422, Pg. 503, OPR

N43°16'18"E 2618.40'

E-OHE

OHE

Fd. 1/2" I.R. w/cap
Mkd. "SKG ENGINEERS"

REF.: Remainder of
122.360 Ac.
Instr. 202203047, OPR

REF.: Remainder of 3.29
Ac. Vol. 530, Pg. 112,
OPRRP

REF.: Lot 1, Block
1, Kim's Subd.
Cabinet F, Slide
104, PR

W. SPORHNAUN
SURVEY NO. 644
ABSTRACT NO. 1881

@ 356.70'
Fd. 1/2" I.R.

S03°30'51"W 515.29'

REF.: 0.375 Ac.
Inst. 201618726, OPR

Fd. 1/2" I.R. w/cap
Mkd. "SKG ENGINEERS"

REF.: Remainder of
84.771 Ac.
Vol. 473, Pg. 862,
OPRRP

City Limits

Fd. 5/8" I.R.
@ 1422.75' Fd. 1/2" I.R.
w/cap Mkd. "SKG ENGINEERS"

REF.: 122.360 Ac.
Instr. 202203047, OPR

117.604 Ac.

REF.: 673.503 Ac.
Vol. 211, Pg. 105, OPR

N00°21'13"E 1425.25'

S00°30'37"W 1654.08'

REF.: 13.67 Ac.
Vol. 530, Pg. 112, DR

E-OHE

City Limits

Corner not accessible

N89°24'48"W 2009.96'

Fd. 5/8" I.R.

@ 86.31' Fd. 1/2" I.R. w/cap
Mkd. "SKG ENGINEERS"

WASHINGTON COUNTY
SCHOOL LAND
SURVEY NO. 106
ABSTRACT NO. 3943

REF.: 784.42 Ac.
Washington County School
Land

SCALE: 1"= 200'

0 100 200 400
GRAPHIC SCALE : FEET

PLAT SHOWING A SURVEY OF 117.604 ACRES OF LAND OUT OF C. ZECH SURVEY NO. 645, ABSTRACT NO. 4212, W. SPORNHAUN SURVEY NO. 644, ABSTRACT NO. 1881 AND WASHINGTON COUNTY SCHOOL LAND SURVEY NO.106, ABSTRACT NO. 3943, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS. SEE ATTACHED FIELD NOTES.

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.655.1288
FAX: 325.657.8189
Firm No. 10102400
www.skge.com

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

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

Surveyed on the ground March 29, 2022.

RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

STATE OF TEXAS
REGISTERED
RUSSELL T. GULLY
5636
PROFESSIONAL
LAND SURVEYOR

22-E-0014

FIELD NOTES

117.604 Acres

March 10, 2023
22-E-0014_122.360ac

Being an area of 117.604 acres of land out of and a part of C. Zech Survey 645, Abstract No. 4212 and W. Spornhaun Survey 644, Abstract No. 1881, City of San Angelo, Tom Green County, Texas and said 117.604 acre tract also being out of that certain 122.360 acre tract described and recorded in Instrument No. 202203047, Official Public Records of Tom Green County, Texas and said 117.604 acre tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod found for the north corner of this tract and said certain 122.360 acre tract and being in the southwest line of South Concho Drive;

Thence with the northeast line of this tract, said certain 122.360 acre tract and the southwest line of said South Concho Drive, S. 39° 27° 30" E. 482.57 feet to a 4" fence corner found for an angle corner of this tract and said 122.360 acre tract;

Thence continuing with the northeast line of this tract, said certain 122.360 acre tract and the southwest line of said South Concho Drive, S. 32° 24' 47" E. 300.15 to a 4" fence corner found for the northeast corner of this tract;

Thence with the east line of this tract, S. 21° 04' 23" W. 597.96 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of certain 3.29 acre tract out of said 9.69 acre tract described and recorded in Volume 530, Page 112, Official Public Records of Real Property of Tom Green County, Texas, and an angle corner of this tract and said certain 122.360 acre tract;

Thence with the west line of said 3.29 acre tract and east line of said certain 122.360 acre tract S. 03° 30' 51" W. at 356.70 feet pass a ½" iron rod found for the southwest corner of said 3.29 acre tract, in all a total distance of 515.29 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the north corner of a certain 13.67 acre tract described and recorded in Volume 530, Page 112, Official Public Records of Real Property of Tom Green County, Texas;

Thence continuing with the east line of this tract, said certain 122.360 acre tract and the west line of said 13.67 acre tract, S. 00° 30' 37" W. 1654.08 feet to a 5/8" iron rod found for the southeast corner of this tract, said certain 122.360 acre tract and the southwest corner of said 13.67 acre tract;

Thence with the south line of this tract, and said certain 122.360 acre tract and said Survey 644, N. 89° 24' 48" W. at 86.31 feet pass a ½" iron rod with cap marked "SKG ENGINEERS" found, in all a total distance of 2009.96 feet to a ½" iron rod with cap set for the southwest corner of this tract and said certain 122.360 acre tract;

Thence with the west line of this tract, said certain 122.360 acre tract, N. 00° 21' 13" E. at 1422.75 feet pass a ½" iron rod with cap marked "SKG ENGINEERS" found, in all a total distance of 1425.25 feet to a 5/8" iron rod found for an angle corner;

Thence with the northwest line of this tract, said certain 122.360 acre tract, N. 43° 16' 18" E. 2618.40 feet to the place of beginning and containing an area of 117.604 acres of land.

See Attached Plat of Survey.

Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400

FIELD NOTES

117.604 Acres

March 10, 2023
22-E-0014_122.360ac

Being an area of 117.604 acres of land out of and a part of C. Zech Survey 645, Abstract No. 4212 and W. Spornhaun Survey 644, Abstract No. 1881, City of San Angelo, Tom Green County, Texas and said 117.604 acre tract also being out of that certain 122.360 acre tract described and recorded in Instrument No. 202203047, Official Public Records of Tom Green County, Texas and said 117.604 acre tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod found for the north corner of this tract and said certain 122.360 acre tract and being in the southwest line of South Concho Drive;

Thence with the northeast line of this tract, said certain 122.360 acre tract and the southwest line of said South Concho Drive, S. 39° 27° 30" E. 482.57 feet to a 4" fence corner found for an angle corner of this tract and said 122.360 acre tract;

Thence continuing with the northeast line of this tract, said certain 122.360 acre tract and the southwest line of said South Concho Drive, S. 32° 24' 47" E. 300.15 to a 4" fence corner found for the northeast corner of this tract;

Thence with the east line of this tract, S. 21° 04' 23" W. 597.96 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of certain 3.29 acre tract out of said 9.69 acre tract described and recorded in Volume 530, Page 112, Official Public Records of Real Property of Tom Green County, Texas, and an angle corner of this tract and said certain 122.360 acre tract;

Thence with the west line of said 3.29 acre tract and east line of said certain 122.360 acre tract S. 03° 30' 51" W. at 356.70 feet pass a ½" iron rod found for the southwest corner of said 3.29 acre tract, in all a total distance of 515.29 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the north corner of a certain 13.67 acre tract described and recorded in Volume 530, Page 112, Official Public Records of Real Property of Tom Green County, Texas;

Thence continuing with the east line of this tract, said certain 122.360 acre tract and the west line of said 13.67 acre tract, S. 00° 30' 37" W. 1654.08 feet to a 5/8" iron rod found for the southeast corner of this tract, said certain 122.360 acre tract and the southwest corner of said 13.67 acre tract;

Thence with the south line of this tract, and said certain 122.360 acre tract and said Survey 644, N. 89° 24' 48" W. at 86.31 feet pass a ½" iron rod with cap marked "SKG ENGINEERS" found, in all a total distance of 2009.96 feet to a ½" iron rod with cap set for the southwest corner of this tract and said certain 122.360 acre tract;

Thence with the west line of this tract, said certain 122.360 acre tract, N. 00° 21' 13" E. at 1422.75 feet pass a ½" iron rod with cap marked "SKG ENGINEERS" found, in all a total distance of 1425.25 feet to a 5/8" iron rod found for an angle corner;

Thence with the northwest line of this tract, said certain 122.360 acre tract, N. 43° 16' 18" E. 2618.40 feet to the place of beginning and containing an area of 117.604 acres of land.

See Attached Plat of Survey.

Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Jeremy Valgardson, Airport Director

Date: 04/04/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Purchase of 117.604 acres of land adjacent to the Airport for a price of $20,000 per acre plus closing costs not to exceed $4,000

Source of Funding:

General Fund's fund balance

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

No

Project/Budget to be amended	Revenue	Expense
General Fund transfer out		$2,356,080
Airport Fund	$2,356,080	$2,356,080

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: April 4, 2023

Item type: Regular Item

Caption:

Consideration of amendments to the Tax Increment Reinvestment Zone (TIRZ) incentive policy regarding non-profit organizations (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Direction from Council

Summary/History:

At a recent meeting, the City Council asked staff to take an item to the TIRZ Board to discuss the option of amending the TIRZ Incentive Policy to eliminate the option of funding a project on a property of a non-profit organization.

This item was discussed by the TIRZ Board at their February 28th regular meeting. After some discussion, the Board voted to recommend keeping the policy as is and to continue to allow funding for a non-profit organization. At that meeting, the Board also asked for a future agenda item to discuss the possibility of also allowing a non-profit organization to receive funds within the South TIRZ. The concern of some Board members was that the policy should be the same in both North and South.

At their March 28th meeting, the Board discussed whether to amend the incentive policy to allow for funding of non-profit projects. After discussion, the recommendation of the Board was to modify the current policy to also allow projects by a non-profit organization in the South TIRZ. The expressed concern of some members was for the policy to be uniform throughout the TIRZ, rather than a different policy for North and South.

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

Funding Source(s):

Financial Impact:

There is no impact to the General Fund for this item. The only impact to the TIRZ fund is what type of projects are eligible - there is no fiscal impact.

Other Information/Recommendation:

At their February 28, 2023 meeting, the Tax Increment Reinvestment Zone Board voted 5-3 to NOT amend the current policy (i.e., to continue to allow funding for a non-profit organization in the North TIRZ).

At their March 28, 2023 meeting, the Board voted 6-3 to amend the current policy to allow funding for non-profits in BOTH the North and South with Chair Hogg and Board Members Brown, Villareal, Hunter, Mauer, and Newlin in favor and Board Members Benson, Gayler, and Fernandez opposed.

Attachments:

Presentation:

Jon James

Approvals/Reviews:

Jon James	Created/Initiated
Jon James	Approved
Holly Voth	Approved
Jon James	Approved
Theresa James	Approved
Heather Stastny	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Brent Casey, Recreation Manager, Recreation

Meeting Date: April 4, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving Standards of Care for Recreation Summer Camp held at Recreation Centers for ages 5 though 13 (Presentation made by Recreation Manager Brent Casey)

Staff Recommendation:

Adopt

Summary/History:

Texas Health and Human Services requires Council to adopt an annual ordinance with the standards of care for recreation programs. This enables Recreation to receive an exemption for not being a licensed day care facility while holding our annual summer camps.

Funding Source(s):

Financial Impact:

Fees are approved at $65 per week per child with a one-time registration fee of $45 dollars. A holding fee of $20 is assessed for each camper that is absent for a week and wishes to hold their spot. We will take 60 campers at each location; South Side Recreation Center and Carl Ray Recreation Center. If we do not get enough employees to open both locations, we will open South Side Rec Center only.

Other Information/Recommendation:

This is an annual requirement from Texas Health and Human Services.

Attachments:

1.	Ordinance Adopting Rec programs standards of care	Ordinance Adopting Rec programs standards of care.docx

Presentation:

Brent Casey

Approvals/Reviews:

Brent Casey	Created/Initiated

Carl White	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SAN ANGELO, TEXAS ESTABLISHING STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS CONDUCTED BY THE CITY FOR ELEMENTARY AGE CHILDREN THROUGH THE AGES OF 5 THROUGH 13; PROVIDING FOR COMPLIANCE WITH STATE LAW; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of San Angelo Texas (the "City") is a home rule municipal corporation pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, the City operates recreation programs for children, including elementary age children (ages 5 through 13); and

WHEREAS, Section 42.041 of the Texas Human Resources Code provides that no person may operate a child-care facility or a child -placing agency without a license issued by the Texas Department of Family and Protective Services, but provides an exception from that requirement in Section 42. 041(b)(14) of the said Code for an elementary age (ages 5 through 13) recreation program operated by a municipality, provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs; and

WHEREAS, the City Council held a public hearing on April 4, 2023 regarding standards of care for its recreation program for elementary age children (ages 5 through 13) in accordance with Section 42. 041(b) (14) of the Human Resources Code; and

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

SECTION 1. The findings set forth above are incorporated herein as if set forth verbatim.

SECTION 2. The standards of care set forth in Exhibit A attached hereto and made a part of this Ordinance for all purposes (the "Standards of Care") are hereby adopted as the standards of care for all elementary age (ages 5 through 13) recreation program operated by the City of San Angelo, Texas ("City") (collectively "Programs" and each a "Program") including, without limitation, any summer camp program.

SECTION 3. All Programs are to be operated by the City' s Department of Parks and Recreation ("Department"). The Director of the Department, or the Director's designee, (individually or collectively, the " Director"), shall administer the Programs in accordance with the Standards of Care. The Director may adopt rules in writing relating to the operation of Programs, which rules may be more restrictive than the Standards of Care. The Programs shall be operated in accordance with the Standards of Care (or, in the event the Director adopts rules that are more restrictive than the Standards of Care, in accordance with such rules).

SECTION 4. The Director shall provide the Standards of Care to the parents of each Program

participant (and, in the event the Director adopts rules that are more restrictive than the Standards of Care, shall provide such rules to the parents of each Program participant). Further, the Director, or the Director' s designee, shall inform the parents of each Program participant that the Program is not licensed by the State of Texas.

SECTION 5. The Program shall not be advertised as a child-care facility.

SECTION 6. The Director is authorized to take any and all steps, if any, as may be necessary to confirm the Program' s exemption from State law as set forth in Section 42.041 of the Texas Human Resources Code.

SECTION 7. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 8. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 9. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

SECTION 10. This Ordinance shall take effect upon its passage and approval after second reading.

PASSED AND APPROVED on First Reading after Public Hearing on April 4, 2023.

PASSED AND APPROVED on Second Reading on April 18, 2023.

EXHIBIT A
TO ORDINANCE NO. _____

STANDARDS OF CARE
FOR ELEMENTARY AGE (5 — 13) RECREATION PROGRAMS

The following Standards of Care are adopted in compliance with Section 42. 041(b)(14) of the Texas Human Resources Code. The Standards of Care herein set forth are intended to be minimum standards applicable to all elementary age (ages 5 through 13) recreation programs operated by the City of San Angelo Parks and Recreation Department, including, without limitation, any summer camp program. The Programs are not licensed by the State of Texas and shall not be advertised as a child-care facility. Any requests for accommodations or modifications to these Standards of Care made under the Americans with Disabilities Act shall be forwarded to the ADA Coordinator for review.

GENERAL ADMINISTRATION

1. Organization.

A. The governing body of the Youth Programs is the City Council of the City of San Angelo , Texas.

B. Implementation of the Youth Programs Standards of Care is the responsibility of the Parks and Recreation Department Director or his or her designee and Department employees.

C. These Standards of Care will apply to all Programs, including, without limitation, the Summer Camp Program.

D. Each Program Site will have available for public and staff review a current copy of the Standards of Care.

E. Parents of participants will be provided a current copy of the Standards of Care during the registration process for a Program. Further, a copy of the Standards of Care shall be placed online on the City' s primary website.

F. Criminal background checks will be conducted on prospective Program employees. If results of a criminal background check indicate that a prospective Program employee has been arrested, charged with, or convicted of any of the following offenses, the prospective Program employee will not be considered for employment:

(1) a felony or a misdemeanor classified as an offense against a person or family member;

(2) a felony or misdemeanor classified as public indecency;

(3) any offense for which a person is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure;

(4) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;

(5) any offense involving moral turpitude;

(6) any offense that would, in the Director' s sole opinion, potentially put youth participants or the City at risk.

2. Definitions. For purposes of these Standards of Care, the following words shall have the respective meanings ascribed to them:

A. City means the City of San Angelo.

B. City Council means the City Council of the City.

C. Department means the Parks and Recreation Department of the City.

D. Director means the Parks and Recreation Department Director of the City or his or her designee.

E. Employee(s) means people who have been hired to work for the City of San Angelo and have been assigned responsibility for managing, administering, or implementing some portion of a Program.

F. Parent(s) means one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in a Program.

G. Participant means a youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program.

H. Programs means all (and Program means any of the) elementary age (ages 5 through 13) recreation programs operated by the Department, including, without limitation, the City Summer Camp Program (Summer Camp Program).

I. Program Manual means a notebook of policies, procedures, required forms, and organizational and programming information relevant to each Program.

J. Program Site means the area and facilities where a Program is held, consisting of the Southside Recreation Center, 2750 Ben Ficklin Road and Carl Ray Johnson Recreation Center, 1103 N. Farr St.

K. Program Summer Camp Counselor or Counselor means a Department part-

time or seasonal employee who has been assigned responsibility by the Recreation Manager to implement the City' s Summer Camp Program.

M. Recreation Manager means a full-time Department employee and who oversees the Program Coordinator and the operation of all Programs.

3. Inspections/ Monitoring/ Enforcement.

A. A written inspection report will be prepared by the Program Coordinator each month to confirm the Standards of Care are adhered to.

1) Each monthly inspection report will be sent by the Program Coordinator to the Recreation Manager for review and kept on record in accordance with the City's records retention policy.

2) The Recreation Manager will review the report and establish deadlines and criteria for compliance with the Standards of Care where failure to comply is determined.

B. The Recreation Manager will make visual inspections of the Programs based on the following schedule:

1) The Summer Camp Program will be inspected a minimum of two times during the Summer Camp Program's schedule.

2) Any other Program will be inspected at least once each week during the schedule for the Program.

C. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to address any complaints and to resolve the problem(s), if any. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded in writing by the Coordinator. All complaints regarding enforcement of the Standards of Care where a deficiency is determined will be forwarded to the Recreation Manager, with the complaint and the resolution noted.

4. Enrollment. Before a child can be enrolled in a Program, the parents must sign registration forms that contain the following information about the child:

A. name, address, home telephone number;
B. name and address of parent(s) and telephone number(s) during Program hours;
C. the names and telephone numbers of people to whom the child can be released;
D. a statement of the child's physical health, including a current immunization (shot) records, detailing any special problems or needs of the child;
E. proof of residency within the City when appropriate; and

F. a fully executed liability waiver and release.

5. Suspected Abuse.

Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where an employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Recreation Manager. The Recreation Manager will then immediately notify the Director, the San Angelo Police Department, and any other agency as may be appropriate.

Texas state law requires the employees of the Programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to $1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

STAFFING - RESPONSIBILITIES AND TRAINING

1. Program Coordinator Qualifications.

A. The Coordinator will be a part-time, employee of the Department, either hired for summer or filled by a current Recreation part-time staff member.

B. The Coordinator must be at least 21 years old.

C. The Coordinator must have at least two years experience planning and implementing recreational activities.

D. The Coordinator must pass a background investigation, including, including testing for alcohol and illegal and unauthorized drugs.

E. The Coordinator must have successfully completed a course in first aid and cardiopulmonary resuscitation (CPR) based on either American Heart Association or American Red Cross standards.

2. Coordinator' s Responsibilities.

A. The Coordinator is responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.

B. The Coordinator is responsible to recommend for hire, supervise, and evaluate Program seasonal employees.

C. The Coordinator is responsible to plan, implement, and evaluate Programs.

3). Program Summer Camp Counselor Qualifications.

A. Counselors will be part-time or seasonal employees of the Department.

B. Counselors working with children must be age 16 or older.

C. Counselors must be able to consistently exhibit competency, good judgment, and self-control when working with children.

D. Counselors must relate to children with courtesy, respect, tolerance, and patience.

E. Counselors must have successfully completed a course in first aid and CPR based on either American Heart Association or American Red Cross standards.

F. Counselors must pass a background investigation, including testing for alcohol and illegal and unauthorized drugs.

4. Counselor Responsibilities.

A. Counselors will be responsible to provide Program participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.

B. Counselors will be responsible to know and follow all City, Department, and Program standards, policies, and procedures that apply to the Program.

C. Counselors must ensure that Program participants are released only to a parent or an adult designated by the parent. The Program Site will have a copy of the approved plan to verify the identity of a person authorized to pick up a Program participant if that person is not known to the Counselor.

5. Training/ Orientation.

A. The Department is responsible for providing training and orientation to Program employees working with children and for specific job responsibilities. The Coordinator will provide each Counselor with a Program manual specific to the applicable Program.

B. Program employees must be familiar with the Standards of Care for Program operation as adopted by the City Council.

C. Program employees must be familiar with the Program' s policies, including discipline, guidance, and release of Program participants as outlined in the Program Manual.

D. Program employees will be trained in appropriate procedures to handle emergencies.

E. Program employees will be trained in areas including City, Department, and Program policies and procedures, provision of recreation activities, safety issues, and organization goals.

F. Program employees will be required to sign an acknowledgement that they received the required training.

OPERATIONS

1. Staff -Participant Ratio.

A. The standard ratio of Program participants to employees will be 15 to 1. In the event an employee assigned to a Program is unable to report to the Program Site, a replacement will be assigned.

B. Each participant shall have a Program employee who is responsible for the participant and who is aware of the participant' s habits, interests, and any special problems as identified by the participant' s parent(s) during the registration process.

2. Discipline.

A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.

B. There must be no cruel, harsh or corporal punishment or treatment used as a method of discipline.

C. Program employees may use brief, supervised separation from the group if necessary.

D. As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.

E. A sufficient number and/ or severe nature of discipline reports as detailed in the Program Manual may result in a participant being suspended or removed from the Program or all Programs.

F. In instances where there is a danger to participants or employees, offending participants will be removed from the Program Site as soon as possible.

3. Programming.

A. Program employees will attempt to provide activities for each Program Group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well- being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.

B. Program employees will attempt to provide indoor and outdoor time periods that include:

1) alternating active and passive activities;

2) opportunity for individual and group activities, and

3) outdoor time each day weather permits.

C. Program employees will be attentive and considerate of participants' safety on field trips and during any transportation provided by the Program.

1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.

2) Program employees must have a written list of the participants in the Program group and must check the roll frequently.

3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

4. Communication.

A. The Program Site will have a cell phone to allow the Program employees to be contacted by Department recreation employees and vice versa.

B. The Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees:

1) City ambulance or emergency medical services;

2) City Police Department

3) City Fire Department

4) The Parks and Recreation Office; and

5) Numbers at which parents may be reached.

5. Transportation.

A. Before a participant may be transported to and from City -sponsored activities, a transportation form, completed by the parent of the participant, must be filed with the Coordinator.

B. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.

C. Program employees will carry a cell phone at all times.

FACILITY STANDARDS

1. Safety.

A. Program employees will inspect program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.

B. Buildings, grounds, and equipment on the Program Site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.

C. Program equipment and supplies must be safe for the participants' use.

D. Program employees must have first aid supplies readily available at the Program Site, during transportation to an off-site activity, and for the duration of any off site activity.

2. Fire.

A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the participants to a designated safe area.

B. The Program Site will have an annual fire inspection by the local Fire Marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Recreation Manager who will review and establish deadlines and criteria for compliance if any deficiencies or concerns are determined to exist.

C. The Program Site must have at least one fire extinguisher readily available to all Program employees. All Program employees will be trained in the proper use of fire extinguishers.

D. Fire drills will be initiated at Program Sites based on the following schedule:

1)Summer Camp Program: A fire drill twice during the session.

2) Other Programs: A fire drill at least once during the session.

3. Health.

A. Illness or Injury

1) A participant who is considered to be a health or safety concern to other participants or employees will not be admitted to a Program.

2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.

3) Program employees will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Program Manual.

B. Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

1) Program employees will administer medication (limited only to an epinephrine pen (auto -injector) and an asthma inhaler) to participants only if:Parent(s) complete and sign a medication form provided by the City to include, among other things, an indemnity and hold harmless provision, and a waiver and release provision) that provides authorization for Program employees to dispense the medication, with details as to time and dosages.

2) The medication is in its original container labeled with the participant's name, a date, directions, and the physician' s name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the medication's expiration date.

Program employees will not administer any other medication.

C. Toilet Facilities.

1) The Program Site will have inside toilets located and equipped so participants can use them independently and Program employees can supervise as needed.

2) An appropriate and adequate number of lavatories will be provided.

D. Sanitation.

1) The Program facilities will have adequate light, ventilation, and heat.

2)The Program will have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.

3)Program employees will see that garbage is removed from buildings daily.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Kimberly Holle, Budget Manager, Budget

Meeting Date: April 4, 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 projects (Presentation made by Finance Director Tina Dierschke)

Staff Recommendation:

Approve

Summary/History:

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
General Debt Service			-$417,915
2023 Short-Term debt			$0.00
Restricted Fund			$0.00
Hotel Occupancy Tax			$0.00

Financial Impact:

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1.	4.4.23 Ordinance	4.4.23 Ordinance.docx
2.	BA Memo - ALL	BA Memo - ALL.pdf
3.	4.4.23 Presentation - BA Memos	4.4.23 Presentation - BA Memos.pdf

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Kimberly Holle	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

N ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, FOR PROJECTS.

WHEREAS, the City of San Angelo has determined that certain budgeted amounts should be amended due to purchases, and

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2022-2023 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 4th day of April 2022, and finally PASSED on this 18th day of April 2023.

ATTEST:

_____
Heather Stastny, City Clerk

THE CITY OF SAN ANGELO, TEXAS:

_____
Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

_____
Tina Dierschke, Finance Director

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit A

City of San Angelo
Proposed Budget Amendment

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
General Debt Service	-	417,915	(417,915)
2023 Short-term Debt	1,725,929	1,725,929	-
Restricted Funds	168,421	168,421	-
Hotel Occupancy Tax	40,000	40,000	-
	$1,934,350	$2,352,265	$(417,915)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Short-term debt to be used for Construction Projects	2023 Short-Term Debt Issuance/General Debt Service Fund balance	1,725,929	2,143,844	(417,915)
Proceeds from the Opioid Settlement	Restricted Fund	168,421	168,421	-
Audit Fees	Hotel Occupancy Tax	40,000	40,000	-
		$1,934,350	$2,352,265	$(417,915)

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Ryan Gaddy, Asst. Finance Director

Date: 04/04/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the short term debt to be used for renovations at the Animal Shelter

Source of Funding:

2023 Short-term debt issuance and General Debt Service fund balance to pay off the debt in the current fiscal year

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

Debt was approved at the March 21, 2023 City Council meeting

Project/Budget to be amended	Revenue	Expense
Debt Proceeds	1,725,929	
Issue Cost		49,000
Construction Projects		1,676,929
General Debt Services Fund		417,915

Additional Comments:

The remaining portion of the debt is being budgeted as part of the bid award for the signal installation at Twin Mountain Rd and Knickerbocker on April 4, 2023.

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Ryan Gaddy, Asst. Finance Director

Date: 04/04/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the proceeds from the opioid settlement

Source of Funding:

Opioid Settlement funds received year to date

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

March 21, 2023 City Council

Project/Budget to be amended	Revenue	Expense
Opioid Settlement	168,421	168,421

Additional Comments:

Funds will be restricted in accordance with the settlement guidelines.

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Ryan Gaddy, Asst. Finance Director

Date: 03/24/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for Additional Hotel Occupancy Tax audit fees to Avenu Insight

Source of Funding:

Revenue receipts recovered from the 2022 Audit findings.

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

Approved by City Council November 2, 2021 of agreement with Avenu Insight; original funding approved February 1, 2022

Project/Budget to be amended	Revenue	Expense
Hotel Occupancy Tax	40,000	40,000

Additional Comments:

Based on the 2022 audit findings, 20 additional hotels will be audited in 2023. Additionally, a discovery scan of Short-Term Rental (STR) units in the City of San Angelo will be performed to determine those units who have not registered and been permitted. Audits will be performed on STR units that were not included in the 2022 Audit.

City Council

April 4, 2023

Budget Amendments

Tina Dierschke

www.cosatx.us

Budget amendment

2023 Short-term Debt Fund	Revenue	Expense
Debt proceeds	$1,725,929	
Issue cost		$49,000
Construction projects		$1,676,929
General debt service		$417,915

Budget amendment

Restricted Fund	Revenue	Expense
Opioid settlement	$168,421	$168,421

Budget amendment

Hotel Occupancy Tax Fund	Revenue	Expense
Audit fees	$40,000	$40,000

City Council

April 4, 2023

Budget Amendments

Tina Dierschke

www.cosatx.us

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Heather Stastny, City Clerk, City Clerk

Meeting Date: April 4, 2023

Item type: Regular Item

Caption:

Discussion and possible action nominating citizens to an ADA Advisory Committee (Presentation made by City Clerk Heather Stastny)

Staff Recommendation:

Direction from Council

Summary/History:

The purpose of the ADA Advisory Committee will be to make recommendations to Council on issues related to accessibility and other items as directed by Council, particularly now as we conduct a self-assessment on these issues.

The ADA Advisory Committee will not be a formal board, acting only in an advisory capacity, and not required to post meetings, but will have an agenda and keep minutes for official record of the meetings.

Seven (7) citizens have volunteered to serve on the Committee:

- Larry Gillett
- Anita Guy
- Michael LePak
- Leandra Nowlin
- Andi Orr
- Gigi Scott
- Sharon Troy

Funding Source(s):

Financial Impact:

There is no cost to create an ADA Advisory Committee.

Other Information/Recommendation:

Attachments:

Presentation:

Heather Stastny

Approvals/Reviews:

Heather Stastny	Created/Initiated
Theresa James	Approved
Heather Stastny	Final Approval