



City Council Agenda 06/05/2018

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on June 5, 2018 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Prayer and Pledge

3. Proclamations/Recognitions

- a. Proclamation of the month of June as African American Heritage Month and June 19, 2018 as Juneteenth 2018 Celebration
- b. Proclamation of June 15-17, 2018 as San Angelo Lions Charities Balloonfest Weekend
- c. The "Partnership Award" presented to the City of San Angelo and to San Angelo Regional Airport-Mathis Field in recognition of their continued support of the Transportation Security Administration's mission

4. Public Comment

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

5. Consent Agenda

- a. Consider approving the May 15, 2018 City Council regular meeting minutes (Kendrick)
- b. Consider a resolution authorizing the sale of the following properties to Habitat for Humanity of San Angelo, a nonprofit corporation, for the purpose of Urban Redevelopment and authorize City Manager to execute all documents necessary for the conveyance:
 1. 1818 Brown St; Lot 10, Block 2, Leon Heights Addition
 2. 30 W 8th St; Lot 13, Block 30, Miles Addition (Preas)
- c. Consider awarding WU-07-18 Liquid Sodium Hypochlorite for treatment purposes at the Water Reclamation Facility to DPC Industries (Sweetwater, TX) in the amount of \$65,100, budgeted for one (1) year with three (3) additional one (1) year term extensions, budgeted for purchase in FY2018, FY2019, FY2020, and FY2021 and authorizing the City Manager to execute any related documents (Overstreet)
- d. Consider a resolution authorizing the City Manager, as the authorized official to apply for and accept a subrecipient grant award under the Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of \$80,000, which does not require matching funds (Mild)

- e. Consider a resolution authorizing the City Manager, as the authorized official to apply for and accept a subrecipient grant award under the Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of \$5,000, which does not require matching funds (Mild)
- f. Consider acceptance by dedication deed right-of-way from adjacent property owners for the planned drainage project along Foster Road from West Loop 306 Ramp to River Valley Lane and authorizing the City Manager to sign all related documents (Pehl)
- g. Second reading of ordinances approving:
 - 1. Case CP18-03, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Commercial," being 5 acres located at 1619 Roosevelt St
 - 2. Case Z18-08, a rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 5 acres located at 1619 Roosevelt St (James)
- h. Second reading of an ordinance for Case Z18-09 for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 3.03 acres located at 401, 405, and 409 West 34th Street (James)

6. Regular Agenda

- a. Public hearing, discussion and deliberation on requested projects to be considered for funding with grant year 2018 Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) grant funds from the U.S. Department of Housing and Urban Development - (Presentation made by Neighborhood & Family Services Director Bob Salas)
- b. Update responding to May 1, 2018 questions asked regarding Fire Department funding and planning related to:
 - 1. New/Old Fire Station number Four
 - 2. MOU with GAFB related to New ambulance with EMTs, Equipment and Supplies
 - 3. The plan to fund the Eight Firefighters after the expiration of the SAFER Grant
 - 4. The possibility of Fire Training being provided through a contract with GAFB
 - 5. Any mandated reason why Fire Trucks support all ambulance runs(Presentation made by Fire Chief Brian Dunn)
- c. First public hearing and consideration of an ordinance amending Chapter 2 "Administration," Article 2.7 "Boards, Committees and Commissions," Division 10 "Tax Increment Reinvestment Zone Board," section 2.07.284 "Duties"- (Presentation made by City Attorney Theresa James)
- d. First public hearing and consideration of an ordinance amending Article 2.07 "Boards, Committees and Commissions", Section 2.07.253 COSADC "Board of directors" enacting term limits - (Presentation made by City Attorney Theresa James)

7. Closed Session

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

- a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding: Jacob Mediano vs. State of Texas, Jay Weatherby, Kelly Lajoie
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: Ford Ranch
- c. Section 551.072 Deliberations about Real Property regarding Lake Nasworthy residential lease lots
- d. Section 551.072(2) consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding:
 - 1. The Replacement Economic Development Agreement with Hirschfeld Energy Systems, LLC, et al.
 - 2. Discussion related to legal council for water utility projects
- e. Section 551.087 to discuss an offer of financial or other incentives to companies with whom the City of San Angelo Development Corporation is conducting economic development negotiations and which the City of San Angelo Development Corporation seeks to have, locate, stay or expand in San Angelo

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Consider approving the following board nomination:
City of San Angelo Development Corporation: Aaron Padilla (SMD3) to an unexpired term ending February 2019
- c. Consider the schedule for July City Council Meetings
- d. Announcements and consideration of Future Agenda Items

9. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 1st day of June 2018, at 2:00 p.m.

Bryan Kendrick, City Clerk

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

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

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

' r o c l a m a t i o n

President Abraham Lincoln issued the Emancipation Proclamation on September 22, 1862 to abolish slavery and grant freedom to Black slaves in the United States.

The effective date of that law was January 1, 1863, preceding the 13th Amendment, and the ratification of this Amendment December 6, 1865.

Union General Gordon Granger who was requested to take over the state of Texas using military force of more than 1,800 federal troops to manage the crisis and enforce the Emancipation Proclamation, arrived on the shores of Galveston, Texas on June 19, 1865.

General Granger read Order Number 3 to the countless slaves who gathered, which in part read, "The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free."

Failure to protect these recently freed people resulted in additional Amendments for their rights and protection with the 14th and the 15th Amendments.

The San Angelo, Texas Juneteenth Committee has consistently recognized June 19th as the Emancipation Day for Blacks in the State of Texas, and consider it a day worthy of remembrance and celebration in honor of their ancestors, and the end of slavery.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the month of June as African American Heritage month, and June 19th as

JUNETEENTH 2018 CELEBRATION

in San Angelo, Texas and call upon all peoples to join in learning and celebrating these special acknowledgements of freedom and equity.

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 5th day of June, 2018.

Brenda Gunter
Mayor of the City of San Angelo

Proclama ti

The San Angelo Lions will hold their 2nd annual Balloonfest on June 15-17. There are nine Lions clubs in San Angelo who form the San Angelo Lions Charities. The mission of the Lions Charities is to help meet the vital needs of the Concho Valley with particular emphasis on sight conservation, especially children.

San Angelo Lions Charities is also responsible for the annual pancake breakfast and other fund raisers throughout the year including the San Angelo Lions Balloonfest. As the Lions Motto says: WE SERVE. This is exactly what the Balloonfest does. The Lions serve the Concho Valley where SAISD has allowed use of the practice football field at Glenn Jr. High to have Hot Air Balloons from around Texas meet for the pleasure of San Angelo. During the Balloonfest, there will be vendors, a 5K run, pancake breakfasts and a kids zone which has been a big hit.

100% of the net proceeds from the 2018 Lions Balloonfest will be given back to the community through the charitable service activities of each of the nine Lions clubs; plus, Lions Charities current and future service endeavors which includes children's eye screenings, eyeglass recycling, eye exams and glasses for children.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim June 15-17, 2018, as

BALLOONFEST WEEKEND

in San Angelo, Texas, and call upon the citizens of San Angelo to observe this weekend with appropriate events and activities.

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 5th day of June, 2018.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, May 15, 2018

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, 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 8:32 a.m. on Tuesday, May 15, 2018, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Chamber of Commerce VP of Economic Development Michael Looney; and the pledges were led by Chloe Grider, 8th grade at Lee Middle School (Daughter of Salvation Army Major Tim Grider)

3. Proclamations/Recognitions

May 14-18, 2018 was proclaimed as "National Salvation Army Week"

Fort Concho cavalry rider Rick Dill was recognized for winning the Hesse Championship Cup at the 2018 Regional Cavalry Competition

May 13-19, 2018 was proclaimed as "Police Week" and May 15, 2018 as "Peace Officers Memorial Day"

4. Public Comment

No public comments were made.

5. Consent Agenda

- a. Approval of the May 1, 2018 City Council regular meeting minutes
- b. Approval of authorization of the City Manager to renew three recreational and agricultural leases with the following Tenants:
 1. Daniel and Karla Kiser; 0.388 acres out of Lot 11, Block 1, Group Four, Lake Nasworthy Addition
 2. Lawrence and Susan Williams; 0.288 acres out of Lot 11, Block 1, Group Four, Lake Nasworthy Addition
 3. Lee Bell; 0.300 acres out of Lot 11, Block 1, Group Four, Lake Nasworthy Addition
- c. Approval of authorizing the City Manager to enter into a new five year Recreational and Agricultural Lease Agreement for 14 acres out of J F Fuchs Survey 0172, Abstract 0204, and adjacent to South Concho River

- d. Approval of Buyboard Contract #529-17 from Deere and Company (Cary, NC) in the amount of \$61,492.81, budgeted in FY18 for the purchase of a tractor and utility vehicles, and authorizing the City Manager to execute any related documents
- e. Approval of Buyboard Contract #529-17 from Professional Turf Products (Euless, TX) in the amount of \$154,416.98, budgeted in FY18, for the purchase of grounds and turf equipment, and authorizing the City Manager to execute any related documents
- f. Approval of ratifying COSADC's approval and authorization for the Board President to execute a Memorandum of Understanding (MOU) with Angelo State University in an amount not to exceed \$7,650 to enable the assignment of up to two AmeriCorps VISTA members to perform services to help with the WRC Program as well as provide organizational support to COSADC staff
- g. Approval of authorizing an amendment to the agreement with ThyssenKrupp Elevator through TCPN contract #R150801 (now National IPA) to include additional elevators and escalators at the Airport, City Hall Annex, and Auditorium; and authorizing the City Manager to execute any related documents
- h. Second reading and adoption of an ordinance approving Case PD18-01, a rezoning from the Ranch and Estate (R&E) Zoning District to a Planned Development (PD) Zoning District to allow for Light Manufacturing and Production, and Retail Sales and Service; located at 3409 and 3415 South Chadbourne Street (Pg. 210, 2018-066)
- i. Approval of authorizing an agreement between the City of San Angelo and Kenneth C. Landon for operation of the International Water Lily Collection at Civic League Park in the amount of \$102,346 per year for 7 years with a 2.5% adjustment each year and authorizing the City Manager to execute any related documents

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the consent agenda, as presented. The motion carried unanimously (7) ayes to (0) nays

6. Regular Agenda

- a. Employee Wellness Program Update - (Presentation made by San Angelo Community Medical Center officials)

No action was taken on this item.

- b. Approval of first reading and public hearing of ordinances approving:
 - 1. Case CP18-03, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Commercial," being 5 acres located at 1619 Roosevelt St.
 - 2. Case Z18-08, a rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 5 acres located at 1619 Roosevelt St. - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve first reading of the ordinances, as presented. The motion carried unanimously (7) ayes to (0) nays.

- c. Approval of first reading and public hearing of an ordinance for Case Z18-09 for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 3.03 acres located at 401, 405, and 409 West 34th Street - (Presentation made by Planning & Development Services Director Jon James)

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

- d. Approval of a funding plan for the North Concho River Bank Stabilization Project and directing staff to coordinate related matters on the first section of Phase II of the project (Johnson Dam to the railroad crossing), including: authorizing staff to negotiate an agreement with the Upper Colorado River Authority to apply for grants, obtain permits and oversee the implementation of the project and to enter into agreement with Kinney-Franke Architects under IDIQ (PUR-03-14) to finalize design for the work for the first section of Phase II, as identified in the funding plan - (Presentation made by Parks & Recreation Director Carl White)

Upper Colorado River Authority Representative Chuck Brown spoke in support of the project.

Direction by Consensus of Council, was that City Staff begin planning for future funding related to the Bank Stabilization Project through the budgeting process.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve item 6d, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. Adoption of a resolution awarding RFB ES-04-18, 2018 Annual Sealcoat Project, to Ronald R. Wagner & Co., LP and authorizing the City Manager to negotiate and execute a services agreement in the amount of \$4,084,995.12 - (Presentation made by City Engineer Russell Pehl) (**Pg. 214, 2018-067**)

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

- f. Update on Sales Tax revenue performance - (Presentation made by Finance Director Tina Dierschke)

No action was taken on this item.

- g. Approval of three appointments to the San Angelo Performing Arts Coalition (SAPAC) Facility Maintenance Improvement Fund (FMIF) Board - (Presentation made by City Clerk Bryan Kendrick)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to appoint Council Member Harry Thomas, Mayor Brenda Gunter and Assistant City Manager Rick Weise, as presented. The motion carried unanimously (7) ayes to (0) nays.

7. Closed Session

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

- a. Section 551.072 Deliberations about Real Property in Angelo Heights, Leon Heights and Miles Additions
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding creation of a non-profit board

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed

No action was taken on this item.

- b. Approval of board nomination:

Public Art Commission: Ryan Dalglish (SMD2/Art Teacher) to a first term ending April 2020

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

- c. Announcements and consideration of Future Agenda Items

City Clerk Bryan Kendrick noted the extraordinarily close results of the recent local election and encouraged everyone to make their voice count in future elections. Budget Coordinator Kimberly Holle confirmed August 14th and 28th as the Budget Workshop meetings for this year.

9. Adjournment

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

There being no further business, the meeting was adjourned at 10:30 a.m.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4407

Meeting Date: June 5, 2018

Item type: Consent Item

Caption:

Consider a resolution authorizing the sale of the following properties to Habitat for Humanity of San Angelo, a nonprofit corporation, for the purpose of Urban Redevelopment and authorize City Manager to execute all documents necessary for the conveyance:

1. 1818 Brown St; Lot 10, Block 2, Leon Heights Addition
2. 30 W 8th St; Lot 13, Block 30, Miles Addition (Preas)

Summary/History:

The properties, 1818 Brown St and 30 W. 8th St, were declared surplus and placed out for highest sealed bid under published RFB No. RE-01-17. City received no bids on the properties.

Property at 1818 Brown St was acquired by the City for the 19th St. sidewalk project. The project is complete and conveyance of the property is subject to a sidewalk easement.

The properties are located within Neighborhood Revitalization Areas and Neighborhood & Family Services Department requests the properties be sold for Urban Redevelopment to Habitat for Humanity of San Angelo, a nonprofit corporation and a partner and qualified builder under the Neighborhood Revitalization Program.

Neighborhood & Family Services Department requests the lots be sold to Habitat for Humanity of San Angelo for \$750 each.

Financial Impact:

Upon approval: (1) the City will retain the \$750 purchase price; (2) the property will be developed and placed onto the tax roll; and (3) the City will no longer be responsible for maintenance of this property.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|------------------------------|-----------------------------------|
| 1. | 1818 Brown St Fact Sheet | 1818 Brown St Fact Sheet.pdf |
| 2. | 30 W 8th St Fact St | 30 W 8th St Fact St.pdf |
| 3. | Resolution - Sale to Habitat | Resolution - Sale to Habitat.docx |

Presentation:

None

Approvals/Reviews:

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

Property Address: 1818 Brown St

Legal Description: Lot 10, Block 2, Leon Heights

Tax ID Number: 17-31400-0002-009-00

Lot Size: 50' x 192.5'

Zoning: RS-1 (Single Family Residence). The RS-1 Zone District allows one single-family home per lot, subject to the provisions of Section 501 of the Zoning Ordinance, on minimum lots of 50'x100'. Accessory uses and structures are also permitted subject to Section 402 of the Zoning Ordinance.

Note: The subject property appears to be vacant. A building permit would be required for new construction.

Water/Sewer Connections: **Yes**

Subdivision Plat: **Yes**

Lot Characteristics:

- Vacant;
- Conditional/Special Uses – No
- Variances – No
- Special Permits – No
- Historic Overlay – No
- Open Structure Overlay – Yes
- River Corridor – No
- Is a replat needed to build? **NO**



For more information:

Zoning/Subdivision Requirements – City of San Angelo Planning Division, 657-4210, Ext. 2

Permit Requirements – City of San Angelo Inspections & Permits Division, 657-4210, Ext. 1

General Development Questions – City of San Angelo Development Coordinator, 657-4210

Water Billing/Meters – City of San Angelo Water Billing Division, 657-4323

Purchasing of Tax Lots – City of San Angelo Purchasing Division, 657-4219

Ownership and Tax Information – Tom Green County Appraisal District, 658-5575
Documents of Record, including Plats – Tom Green County Clerk, Real Estate, 659-6552

NOTE: All information provided herein is based upon initial analysis of the property and is intended as a guide only; the City of San Angelo is not responsible for any error in this information or for any information concerning the property which is not included herein. Before purchasing any property, it is strongly advised to contact, at a minimum, the City and County offices listed above for the most up-to-date information.

Property Address: 30 W 8th Street

Legal Description: Miles Addition, Block 30, Lot 13

Tax ID Number: 18-34200-0030-013-00

Lot Size: 50' x 100'

Zoning: RS-2 (Two-Family Residence). The RS-2 Zone District allows one single-family home per lot, with or without an accessory apartment, or only one two-family dwelling, subject to the provisions of Section 501 and 401 of the Zoning Ordinance on minimum lots of 50'x100'. Single-family residences require a minimum lot area of 5,000 square feet and two-family dwellings require a minimum lot area of 6,500 square feet. Accessory uses and structures are also permitted subject to Section 402 of the Zoning Ordinance.

Notes:

- 1. The subject property appears to be vacant. A building permit would be required for new construction.**
- 2. The lot area is 5,000 square feet. Only a single-family residence, with or without an accessory apartment, is a permitted use on the property, subject to compliance with the applicable development standards of Sections 501 and 401.**

Water/Sewer Connections: **Yes**

Subdivision Plat: **Yes**

Lot Characteristics:

- Vacant;
- Conditional/Special Uses – No
- Variances – No
- Special Permits – No
- Historic Overlay – No
- Open Structure Overlay – Yes
- River Corridor – No
- Is a replat needed to build? **NO**



For more information:

Zoning/Subdivision Requirements – City of San Angelo Planning Division, 657-4210, Ext. 2

Permit Requirements – City of San Angelo Inspections & Permits Division, 657-4210, Ext. 1

General Development Questions – City of San Angelo Development Coordinator, 657-4210

Water Billing/Meters – City of San Angelo Water Billing Division, 657-4323

Purchasing of Tax Lots – City of San Angelo Purchasing Division, 657-4219

Ownership and Tax Information – Tom Green County Appraisal District, 658-5575

Documents of Record, including Plats – Tom Green County Clerk, Real Estate, 659-6552

NOTE: All information provided herein is based upon initial analysis of the property and is intended as a guide only; the City of San Angelo is not responsible for any error in this information or for any information concerning the property which is not included herein. Before purchasing any property, it is strongly advised to contact, at a minimum, the City and County offices listed above for the most up-to-date information.

A RESOLUTION OF THE CITY OF SAN ANGELO AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY CONVEYING ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SAN ANGELO IN LOT 10, BLOCK 2, LEON HEIGHTS ADDITION AND LOT 13, BLOCK 30, MILES ADDITION TO HABITAT FOR HUMANITY OF SAN ANGELO, A NONPROFIT CORPORATION UNDER THE URBAN REDEVELOPMENT PROGRAM.

WHEREAS, the City of San Angelo is owner of Lot 10, Block 2, Leon Heights Addition (1818 Brown St.) and Lot 13, Block 30, Miles Addition (30 W. 8th St); and

WHEREAS, Lot 10, Block 2, Leon Heights Addition was purchased as part of the 19th Street Sidewalk Project, the project is complete and conveyance of the property is subject to a sidewalk easement; and

WHEREAS, the properties were declared surplus to the City and offered for the highest sealed bid under published RFB No. RE-01-17 and no bids were received;

WHEREAS, the properties are located within Neighborhood Revitalization Areas and the City of San Angelo Neighborhood and Family Services Department requests the lots be sold for Urban Redevelopment; and

WHEREAS, an offer has been made for the purchase of said lots for \$750 each by Habitat for Humanity of San Angelo, a nonprofit corporation, for the purpose of Urban Redevelopment; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO that it's City Manager, Daniel Valenzuela, is hereby authorized to execute all documents necessary to convey Lot 10, Block 2, Leon Heights Addition, reserving a sidewalk easement, and Lot 13, Block 30, Miles Addition, City of San Angelo, to Habitat for Humanity of San Angelo, a nonprofit corporation.

APPROVED AND ADOPTED ON THE _____ DAY OF _____, 2018.

THE CITY OF SAN ANGELO

Attest:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

Approved As to Content:

Approved As to Form:

Cynthia. Preas, Real Estate Manager

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Lance Overstreet, Assistant Water Utilities Director, Water Reclamation, 325-657-4201

Meeting Date: June 5, 2018

Item type: Consent Item

Caption:

Consider awarding WU-07-18 Liquid Sodium Hypochlorite for treatment purposes at the Water Reclamation Facility to DPC Industries (Sweetwater, TX) in the amount of \$65,100, budgeted for one (1) year with three (3) additional one (1) year term extensions, budgeted for purchase in FY2018, FY2019, FY2020, and FY2021 and authorizing the City Manager to execute any related documents (Overstreet)

Summary/History:

Liquid Sodium Hypochlorite is used in the wastewater collection system and in the treatment process at the water reclamation facility for disinfection.

The three (3) responsive bids were received by the May 16, 2018 deadline. Low bid for Liquid Sodium Hypochlorite was submitted by DPC Industries of Sweetwater, Tx.

Financial Impact:

Budgeted within the Water Reclamation Facility Operating Budget. Price is \$0.93 per gallon. Estimated annual expenditure of \$65,100.

Other Information/Recommendation:

It is recommended to accept the bid by DPC Industries.

Attachments:

- | | | |
|----|------------------|----------------------|
| 1. | WU-07-18 Bid Tab | WU-07-18 Bid Tab.pdf |
|----|------------------|----------------------|

Presentation:

Approvals/Reviews:

Lance Overstreet	Created/Initiated
Allison Strube	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



CITY OF SAN ANGELO

RFB Bid Tabulation * WU-07-18/ Liquid Sodium Hypochlorite

05/16/18 at 2:00 p.m.

Description	Gallons (estimated annual usage)
Liquid Sodium Hypochlorite 12.5%	70,000
Delivery Days	

Petra Chemical Company	
Unit Price per Gallon	Extended Price
\$ 1.15	\$ 80,500.00
3	

DPC Industries	
Unit Price per Gallon	Extended Price
\$ 0.93	\$ 65,100.00
5 to 7	

Brenntag Southwest Inc	
Unit Price per Gallon	Extended Price
\$ 1.32	\$ 92,400.00
2 to 3 ARO	

Piggy-back
Co-Op
Terms
Discounts

No
No
None
None

Yes
No
Net 30
None

No
No
Net 30
None

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Steve Mild, Emergency Management Coordinator, Emergency Management, 325-657-4230

Meeting Date: June 5, 2018

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Manager, as the authorized official to apply for and accept a subrecipient grant award under the Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of \$80,000, which does not require matching funds (Mild)

Summary/History:

Each year the Office of Homeland Security provides funding through their Grant program for Departments and Agencies to apply for funding for needed projects that enhance Homeland Security. These grants do not require matching funds. The City of San Angelo Office of Emergency Management has two Communications trailers that are currently minimally operational because of mechanical failure and age. They both need to be replaced with a functional unit, as well as upgrading the equipment. This grant will allow the purchase of the needed replacement equipment and once again give the City of San Angelo and Tom Green County a robust Mobile Emergency Communications capability.

Financial Impact:

Does not require matching funds.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|--|
| 1. | 18-579 Res Homeland security grant for vehicle satellite system | 18-579 Res Homeland security grant for vehicle satellite system.docx |
|----|---|--|

Presentation:

Approvals/Reviews:

Steve Mild	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

A RESOLUTION BY THE SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY MANAGER, AS THE AUTHORIZED OFFICIAL, TO APPLY FOR AND ACCEPT A SUBRECIPIENT GRANT AWARD UNDER THE HOMELAND SECURITY GRANT PROGRAM FROM THE HOMELAND SECURITY GRANTS DIVISION OF THE GOVERNOR'S OFFICE IN THE SUM OF \$80,000.

WHEREAS, the Homeland Security Grants Division (HSGD) of the Governor's Office has solicited applications for projects that support local efforts to prevent terrorism and other catastrophic events and prepare for threats and hazards that pose the greater risk to the security of Texas citizens; and

WHEREAS, the Office of Emergency Management serves the City of San Angelo and provides emergency management services in cooperation with county, state and federal agencies that assist the City and Tom Green County to be prepared for any disaster, helping to facilitate the resources necessary for first responders; and

WHEREAS, the Office of Emergency Management would like to obtain a Communications vehicle, satellite and related equipment to provide emergency communications services to the City and Tom Green County; and

WHEREAS, HSGD grant funds will assist the Office of Emergency Management in acquiring vehicle and satellite, along with related equipment necessary for the provision of emergency communications services; and

WHEREAS, there will be no matching requirement for the HSGD funds applied for or received.

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

The City Manager for the City of San Angelo is hereby directed and authorized to execute any and all documents necessary to apply for and accept a sub recipient grant award under the federal Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of EIGHTY THOUSAND AND NO/100 DOLLARS (\$80,000.00) to be used for the purchasing a vehicle and satellite along with related equipment for use by the Emergency Management Office.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2018.

ATTEST:

CITY OF SAN ANGELO, TEXAS

Bryan Kendrick, City Clerk

Daniel Valenzuela, City Manager

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Steve Mild, Emergency Management Coordinator, Emergency Management, 325-657-4230

Meeting Date: June 5, 2018

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Manager, as the authorized official to apply for and accept a subrecipient grant award under the Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of \$5,000, which does not require matching funds (Mild)

Summary/History:

Each year the Office of Homeland Security provides funding through their Grant program for Departments and Agencies to apply for funding for needed projects that enhance Homeland Security. These grants do not require matching funds. The City of San Angelo Office of Emergency Management is required to facilitate and provide Emergency Preparedness training to the community. Currently, there are numerous classroom courses provided for active shooter preparedness, but none locally that provide a convenient pocket-sized reference booklet for people to be able to refer to when needed. This grant will allow the Office of Emergency Management to purchase 1,000 of the pocket guides for distribution during training.

Financial Impact:

Does not require matching funds.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | 18-580 Res Homeland Security Grant Active Shooter Training | 18-580 Res Homeland Security Grant Active Shooter Training.docx |
|----|--|---|

Presentation:

Approvals/Reviews:

Steve Mild	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

**A RESOLUTION BY THE SAN ANGELO CITY COUNCIL
AUTHORIZING THE CITY MANAGER, AS THE AUTHORIZED
OFFICIAL, TO APPLY FOR AND ACCEPT A SUBRECIPIENT GRANT
AWARD UNDER THE HOMELAND SECURITY GRANT PROGRAM
FROM THE HOMELAND SECURITY GRANTS DIVISION OF THE
GOVERNOR'S OFFICE IN THE SUM OF \$5,000**

WHEREAS, the Homeland Security Grants Division (HSGD) of the Governor's Office has solicited applications for projects that support local efforts to prevent terrorism and other catastrophic events and prepare for threats and hazards that pose the greater risk to the security of Texas citizens; and

WHEREAS, the Office of Emergency Management serves the City of San Angelo and provides emergency management services in cooperation with county, state and federal agencies that assist the City and Tom Green County to be prepared for any disaster, helping to facilitate the resources necessary for first responders, and

WHEREAS, the Emergency Management Center would like to obtain training booklets about active shooters to provide emergency management services to the City and Tom Green County; and

WHEREAS, HSGD grant funds will assist the Office of Emergency Management in acquiring training booklets on active shooters for the provision of emergency management services; and

WHEREAS, there will be no matching requirement for the HSGD funds applied for or received.

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

The City Manager for the City of San Angelo is hereby directed and authorized to execute any and all documents necessary to apply for and accept a sub recipient grant award under the federal Homeland Security Grant Program from the Homeland Security Grants Division of the Governor's Office in the sum of FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) for purposes of purchasing training booklets on active shooters.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2018.

ATTEST:

CITY OF SAN ANGELO, TEXAS

Bryan Kendrick, City Clerk

Daniel Valenzuela, City Manager

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Russell Pehl, City Engineer, Engineering Services, 325-657-4201

Meeting Date: June 5, 2018

Item type: Consent Item

Caption:

Consider acceptance by dedication deed right-of-way from adjacent property owners for the planned drainage project along Foster Road from West Loop 306 Ramp to River Valley Lane and authorizing the City Manager to sign all related documents (Pehl)

Summary/History:

The low water crossing on Foster Road south of Loop 306 is a drainage problem for the residents of the Butler Farms area. This drainage issue, during large rain events, creates an impassible low water crossing. In an effort to provide a temporary solution, the City is proposing to raise the elevation of Foster Road and construct drainage culverts to allow the flow under Foster Road.

In order to construct this temporary solution, the right of way for Foster Road was found to be inadequate for the construction needed. These proposed right of way dedications are needed to develop this temporary solution.

Currently, we have received one dedication from an adjacent landowner but we are anticipating a total of seven deeds. We are currently in the process of negotiating the remaining deeds.

Financial Impact:

Deed recording fees are estimated at \$500 from General Fund. Any additional costs will be completed in accordance with standard purchasing laws and brought before City Council.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Russell Pehl
Russell Pehl
Theresa James
Anthony Wilson
Candice Blake
Tina Dierschke

Created/Initiated
Approved
Approved
Approved
Approved
Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

Second reading of ordinances approving:

1. Case CP18-03, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Commercial," being 5 acres located at 1619 Roosevelt St
2. Case Z18-08, a rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 5 acres located at 1619 Roosevelt St (James)

Summary/History:

A request for approval of a Rezoning from the Single Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District on the subject property. A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Industrial to Commercial on the subject property. The applicant is intending to construct a commercial indoor recreational facility. Section 310 of the Zoning Ordinance does not permit such use by right in the existing district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212G. of the Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

These requests were considered by the Planning Commission at their regular meeting on April 16, 2018, where they recommended APPROVAL unanimously. On May 15, 2018, City Council voted unanimously to APPROVE on first reading the proposed requests.

Attachments:

- | | |
|---------------------------|---|
| 1. Staff Report (CP & RZ) | CC Staff Report CP18-03 COSA & Z18-08 Ayers.pdf |
| 2. Draft Ordinance (CP) | CP18-03_ORD_FINAL.docx |
| 3. Draft Ordinance (RZ) | Z18-08_AYERS_ORD_Final.docx |

Presentation:

Jon James

Approvals/Reviews:

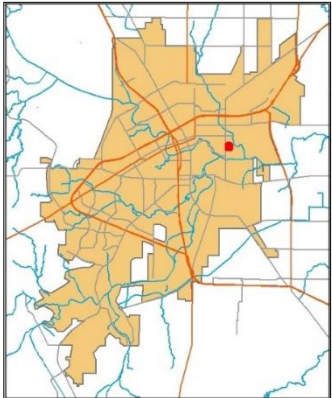
Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved

Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

CITY COUNCIL – May 15 & June 5, 2018
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP18-03: City of San Angelo & Z18-08: Ayers	
SYNOPSIS:			
A request for approval of a Rezoning from the Single Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District on the subject property. A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Industrial to Commercial on the subject property. The applicant is intending to construct a commercial indoor recreational facility. Section 310 of the Zoning Ordinance does not permit such use by right in the existing district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212G. of the Zoning Ordinance.			
LOCATION:		LEGAL DESCRIPTION:	
1619 Roosevelt Street		Being 5 acres out of the G Schubitz Survey, Abstract A-1854 S-0326, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #4 – Lucy Gonzales Fort Concho East Neighborhood	RS-1 – Single Family Residential	Industrial	5 acres
THOROUGHFARE PLAN:			
<u>Roosevelt Street</u> –Urban Minor Arterial Street, Required 80’ min. ROW (84’ Existing), 64’ min. pavement width (36’ Existing). <u>South Marie Street</u> –Urban Local Street, Required 50’ min. ROW (56’ Existing), 36’ min. pavement with sidewalk, 40’ without sidewalk (None Existing). <u>St. Ann Street</u> –Urban Local Street, Required 50’ min. ROW (108’ Existing), 36’ min. pavement with sidewalk, 40’ without sidewalk (48’ Existing).			
NOTIFICATIONS:			
7 notifications were mailed within a 200-foot radius on March 27, 2018. Zero response has been received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, and APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from “Industrial” to “Commercial.”			
PROPERTY OWNER/PETITIONER:			
<u>Property Owner:</u> Earl W. Ayers			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

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

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 amendment from Industrial to Commercial would follow existing Future Land Use designations in the adjacent area and allow for compatibility with the associated rezoning to General Commercial. Section 304 of the Zoning Ordinance states that the intent of the General Commercial Zoning District is to “provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation....” The rezoning will be consistent with the prevailing commercial development in the area, and more specifically, allow the applicant to construct the indoor recreational use he intends.
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 development would comply with the General Commercial development standards. The 5.00-acre property well exceeds the minimum lot area of 6,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 80 feet in the General Commercial zone. The proposed buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from Roosevelt Street, South Marie Street, and St. Ann Street, as well as a 10-foot side yard setback to the east.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The property is located within an area that has mixed uses, but is comprised of mostly vacant land along Roosevelt Street. The subject parcel will be adjacent to residential lots on the northeast side and industrial on the south and northwest sides. This type of commercial use is similar to other uses already existing along Bell Street to the west.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property has been zoned Single Family Residential District since the 1954 Zoning Ordinance. Where the Zoning Ordinance may have initially anticipated more residential development, the area has not developed that way, so allowing the Comprehensive Plan amendment and rezoning would make better use of the land in a manner consistent with existing adjacent development.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the*

practical functioning of the natural environment. The Comprehensive Plan amendment and rezoning are anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary. Although there will be a heavier footprint with a commercial development as opposed to a residential development, staff will be able to mitigate this during the site plan and permitting processes.

6. **Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.** There has not been any demonstrated community need for a use on the site to be residential. The site has been vacant for some time and the potential tenant would not be allowed in the CG Zoning District. Allowing the site to rezone to General Commercial would be reflective of the continuing need for general commercial in the area, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.
7. **Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.** The existing development pattern in the immediate area along South Bell Street is primarily commercial. This parcel will keep in continuity with the adjoining lots directly adjacent to along this corridor.

Planning Commission Recommendation:

On April 16, 2018, the Planning Commission recommended APPROVAL of a Comprehensive Plan Amendment, changing the Future Land Use designation from “Industrial” to “Commercial” and a Rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 5 acres located at 1619 Roosevelt Street. The following is the complete excerpt of the draft minutes from the April 16, 2018, meeting for this case:

2. **Related Comprehensive Plan Amendments & Rezonings**
City Council has final authority for approval of Comprehensive Plan Amendments and Rezonings.

A. **City of San Angelo / Ayers**

Items i and ii below pertain to the same property and were therefore presented as one item with two separate motions.

i. **CP18-03: City of San Angelo**

Public hearing and consideration of a request for approval of an amendment to the

Comprehensive Plan changing the Future Land Use designation from “Industrial” to “Commercial,” being 5.00 acres located at 1619 Roosevelt Street.

ii. **Z18-08: Ayers**

Public hearing and consideration of a request for approval of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 5.00 acres located at 1619 Roosevelt Street.

Hillary Bueker, Senior Planner, presented both cases. She explained that the purpose of the Comprehensive Plan Amendment was to change the Future Land Use from “Industrial” to “Commercial” and the rezoning from Single-Family Residential (RS-1) to General Commercial (CG). Ms. Bueker outlined Staff’s recommendation for approval of both requests on the grounds that the property was already adjacent to properties with Commercial designations, that the proposed land uses were consistent with CG zoning, that the property had never developed residentially, and that there were mostly commercial uses already along South Bell Street.

Chairperson Stribling opened the meeting for public comment.

Council Member Harry Thomas clarified for the Commission that the property was in Single Member District (SMD) #4 and not SMD #1.

Vice Chair Spano made a Motion to recommend APPROVAL of the Comprehensive Plan changing the Future Land Use designation from “Industrial” to “Commercial,” on the subject property. Commissioner Brooks III seconded the Motion. The Motion passed unanimously, 7-0.

Commissioner Smith made a Motion to recommend APPROVAL of the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District on the subject property. Vice Chair Spano seconded the Motion. The Motion passed unanimously, 7-0.

Recommendation:

Staff’s recommendation is for the City Council to:

1. **APPROVE** of a Comprehensive Plan Amendment, changing the Future Land Use designation from “Industrial” to “Commercial.”
2. **APPROVE** of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the General

Commercial (CG) Zoning District.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application
Photographs
Notification Map



CP18-03: COSA/Z18-08: Ayers

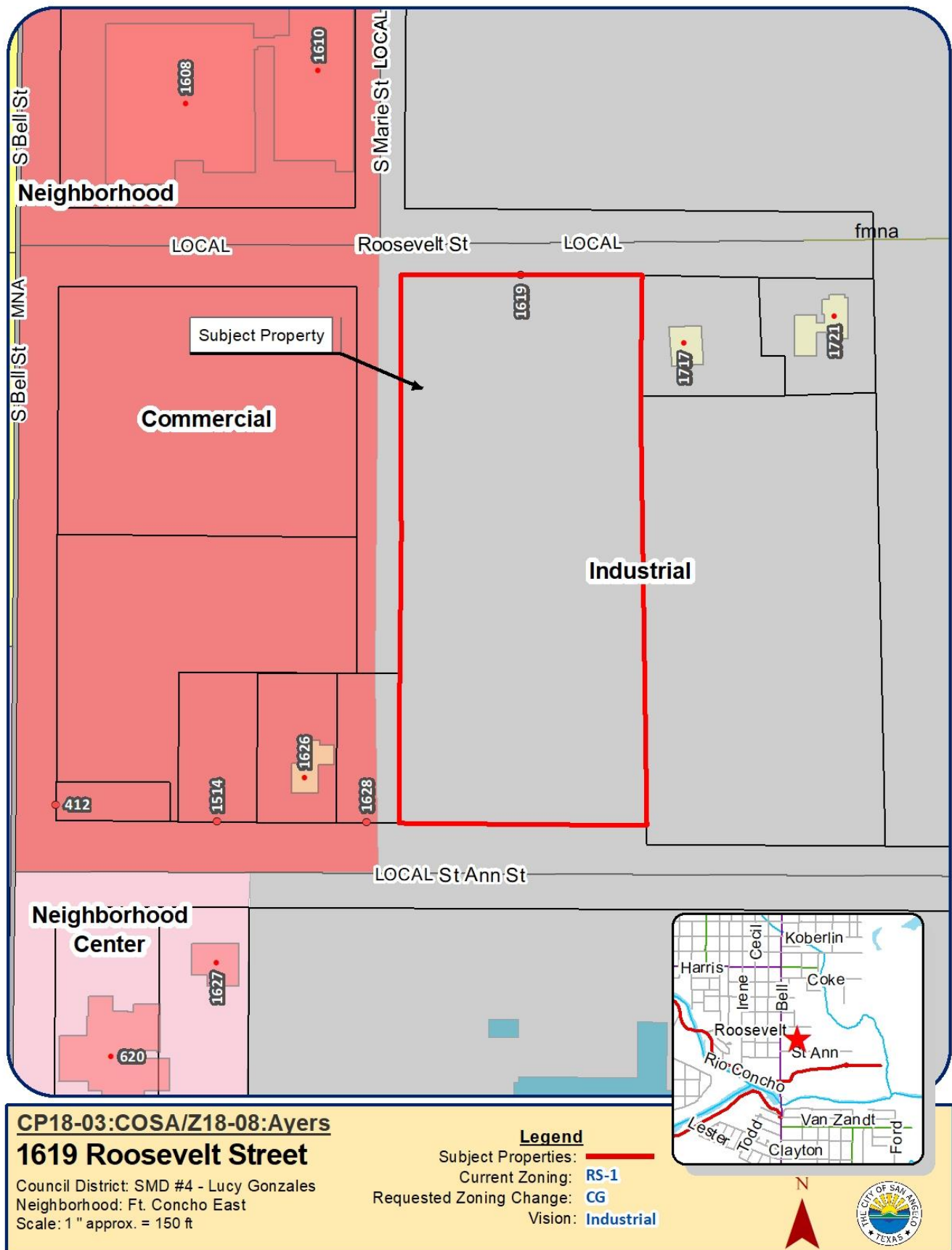
1619 Roosevelt Street

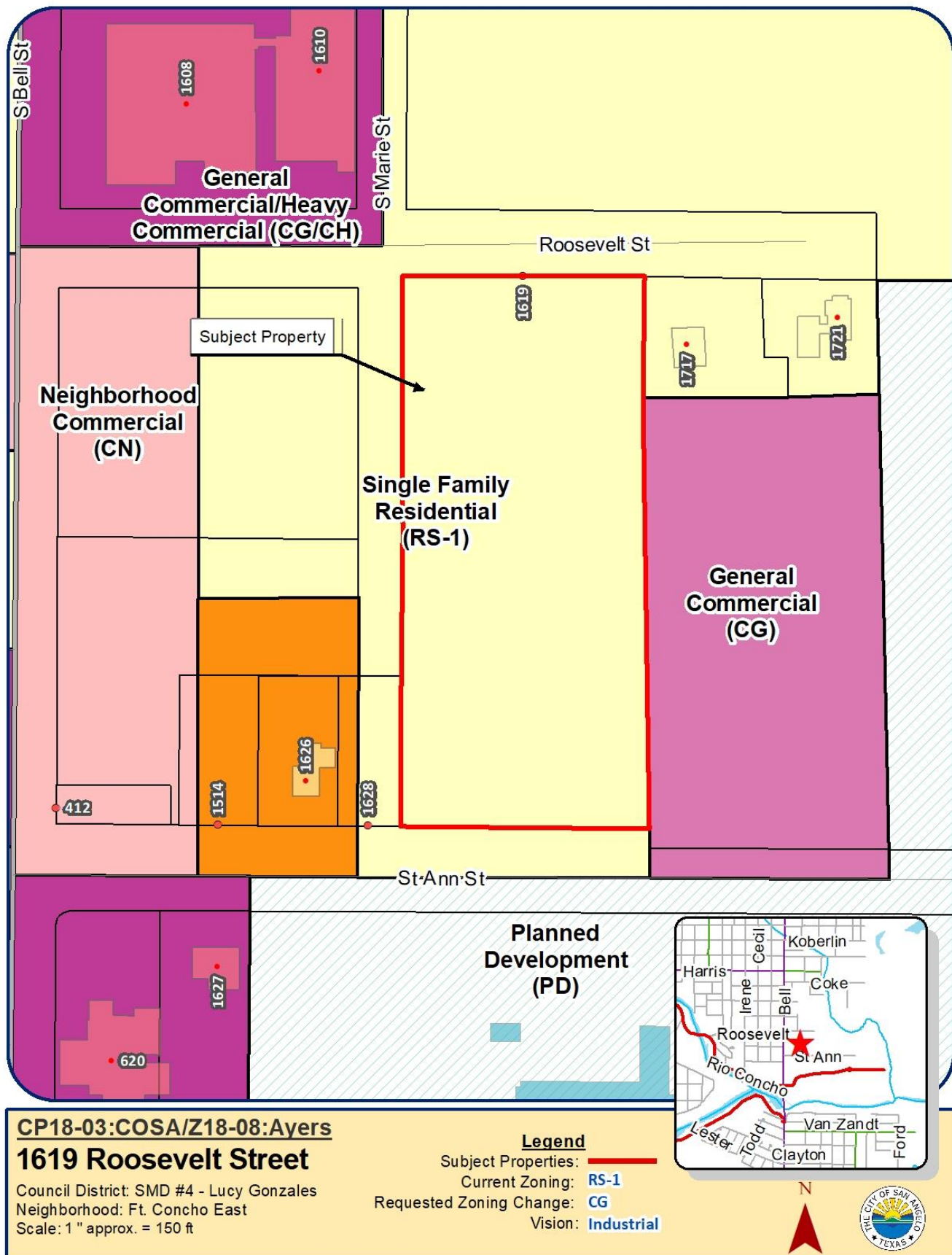
Council District: SMD #4 - Lucy Gonzales
Neighborhood: Ft. Concho East
Scale: 1" approx. = 150 ft

Legend

Subject Properties: —
Current Zoning: **RS-1**
Requested Zoning Change: **CG**
Vision: **Industrial**







Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Earl W. Ayers
☒ Owner ☐ Representative (Notarized Affidavit Required)
 Mailing Address: 11438 Texas Oaks Carlsbad TX 76934
325-277-9353 Bayers@mayfieldpaper.com
 Contact Phone Number: 1619 Roosevelt San Angelo Texas 76905
 Subject Property Address: ABST: A-1854 S-0326, Survey: GSCHUBITZ, 5.0000
 Legal Description (can be found on property tax statement or at www.tomgreencad.com) Acres Acres: 5.000
 Existing Zoning: Family Residence Proposed Zoning: General Commercial Lot size: 5 Acres

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

Section 2: Site Specific Details

Existing Use of Property: Vacant - not in use at present
 *Proposed Use of Property: Baseball Training Facility (Indoor)
 *Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) knowledge

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

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

Earl W. Ayers Earl W. Ayers 11/17/17
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

 Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 3 / 21 / 18

Case No.: Z 18 -- 108

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 62.50

Receipt #: 284650

Date paid: 3 / 21 / 18

Sign Deposit \$37.50

Receipt #: 284650

Date paid: 3 / 21 / 18

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

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

River Corridor Commission? ☐ Yes ☒ No If yes, RCC meeting date: _____

Planning Commission hearing date: 4 / 16 / 18 Date notifications due: 3 / 30 / 18

City Council hearing date: 5 / 15 / 18 Packets due date: 5 / 4 / 18

Publication date: 5 / 1 / 18

Reviewed/Accepted by: H. Becker Date: 03 / 24 / 18

Site Photos



Roosevelt Street Frontage on Subject Property



Roosevelt Street

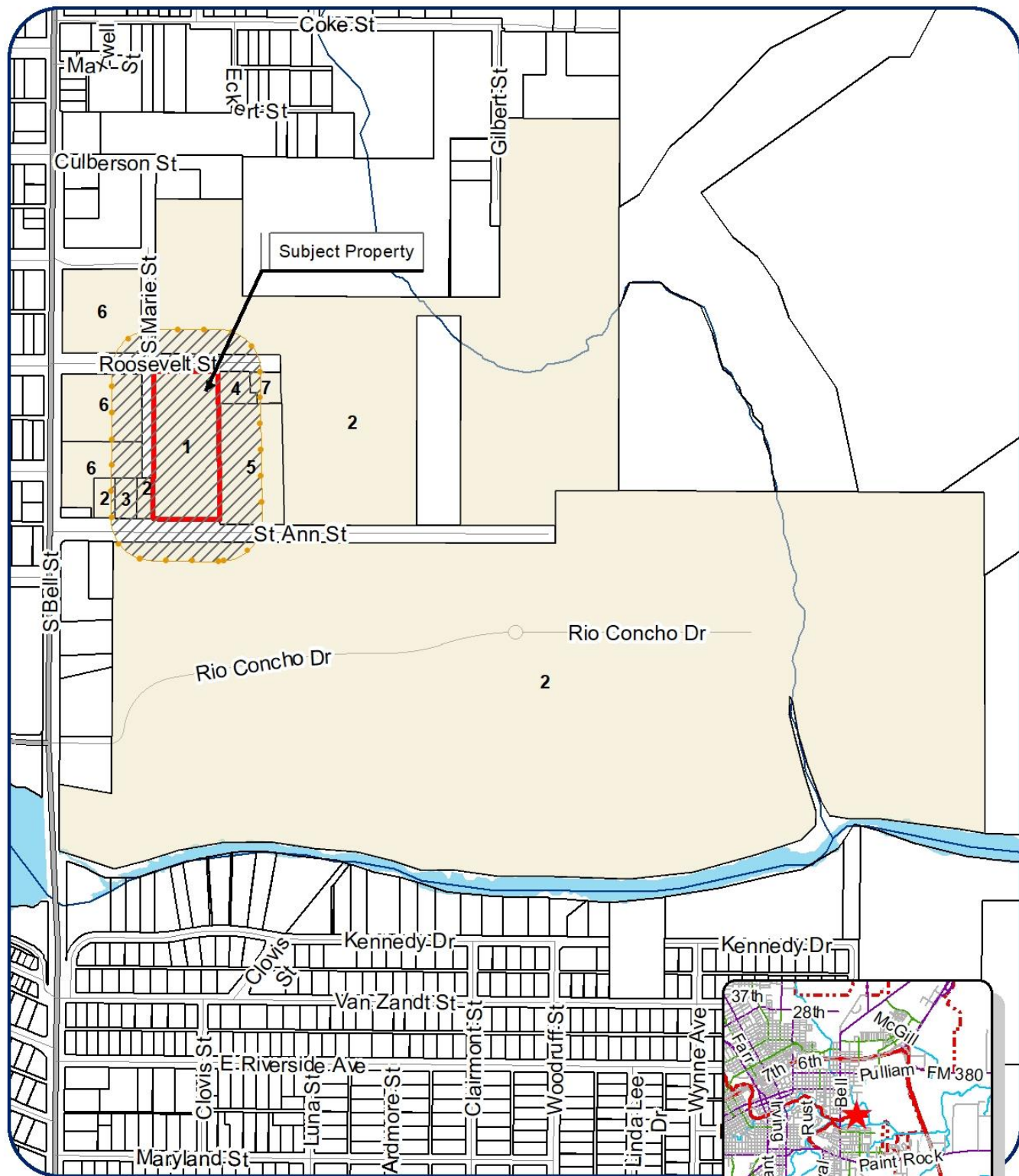


St. Ann Street Frontage on Subject Property



St. Ann Street



**CP18-03: COSA/Z18-08: Ayers****1619 Roosevelt Street**

Council District: SMD #4 - Lucy Gonzales

Neighborhood: Ft. Concho East

Scale: 1" approx. = 600 ft

Legend

Subject Properties: —

Current Zoning: **RS-1**

Requested Zoning Change: **CG**

Vision: **Industrial**



AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS, BEING **1619 Roosevelt Street, comprising 5 acres**, FROM "INDUSTRIAL" TO "COMMERCIAL;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-18-03

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

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

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

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

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

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

1619 Roosevelt Street, City of San Angelo, Tom Green County, Texas, from "Industrial" to "Commercial;"

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

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

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

INTRODUCED on the **15th day of May, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of June, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

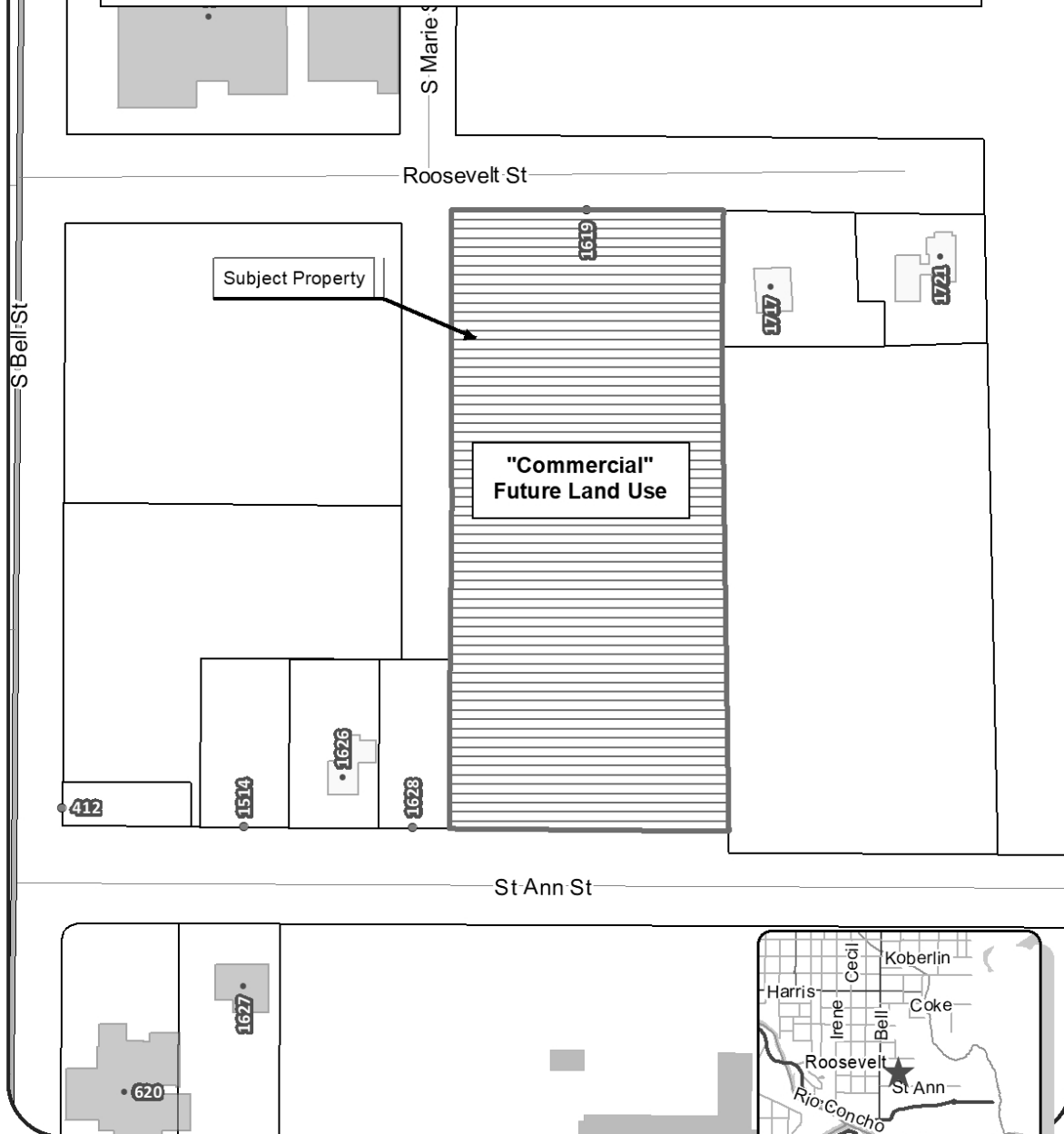
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (Commercial Boundary Map)



CP18-03: COSA/Z18-08: Ayers

1619 Roosevelt Street

Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 150 ft

Legend

Subject Properties: 
 Current Zoning: RS-1
 Requested Zoning Change: CG
 Vision: Industrial



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: **1619 Roosevelt Street, comprising 5 acres**, FROM SINGLE FAMILY RESIDENTIAL (RS-1) TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

RE: Z18-08: Ayers

WHEREAS, 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 15th day of May, 2018, City Council held a public hearing on Z18-08, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned GENERAL COMMERCIAL (CG) ZONING DISTRICT:

The real property located at 1619 Roosevelt Street, comprising 5 acres, being 5 acres out of the G Schubitz Survey, Abstract A-1854 S-0326, City of San Angelo,

Tom Green County, Texas, shall henceforth be permanently zoned as follows: General Commercial (CG) Zoning District.

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

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

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

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

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

INTRODUCED on the **15th day of May, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **5th day of June, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

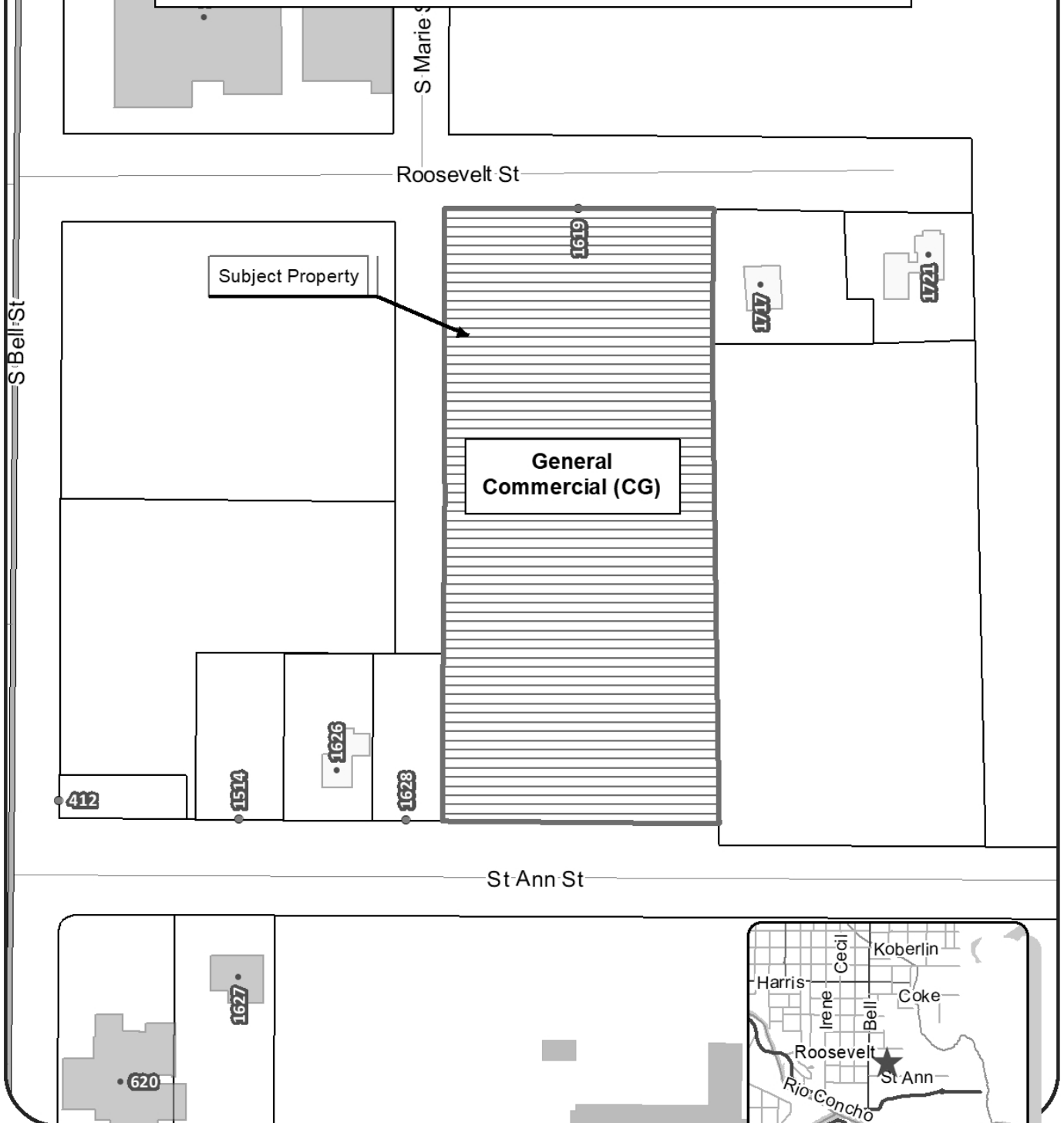
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (CG Boundary Map)



CP18-03: COSA/Z18-08: Ayers

1619 Roosevelt Street

Council District: SMD #4 - Lucy Gonzales

Neighborhood: Ft. Concho East

Scale: 1" approx. = 150 ft

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: CG

Vision: Industrial



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

Second reading of an ordinance for Case Z18-09 for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 3.03 acres located at 401, 405, and 409 West 34th Street (James)

Summary/History:

The applicants have requested a rezoning on 405 and 409 West 34th Street from the General Commercial/ Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District to erect new single detached dwellings. All of 409 West 34th Street is zoned CG/CH and while only a 0.06-acre portion of 405 West 34th Street is already zoned RS-1, the remainder is also CG/CH. The Tom Green County Appraisal District indicates that there is an existing single-detached dwelling at 405 West 34th Street erected in 1960, and an existing carport on 409 West 34th Street. As part of the request, the City of San Angelo Planning Division is initiating a rezoning of the southwest 0.2-acre triangular portion of 401 West 34th Street, also zoned General Commercial/ Heavy Commercial (CG/CH) Zoning District. This portion of the lot is incompatible with the majority of the property already zoned Single-Family Residential (RS-1). Each lot was platted as part of the S. B. Ratliff Subdivision filed for record with Tom Green County in 1906, and meets the minimum lot dimension requirements of the Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

On April 16, 2018, the Planning Commission voted unanimously to recommend APPROVAL of the request. On May 15, 2018, City Council voted unanimously to APPROVE on first reading the proposed request.

Attachments:

- | | | |
|----|-----------------|--------------------------------------|
| 1. | Staff Report | PL_Z18-09 report.docx |
| 2. | Draft Ordinance | PL_Z18-09 Ordinance_FINAL FINAL.docx |

Presentation:

Jon James

Approvals/Reviews:

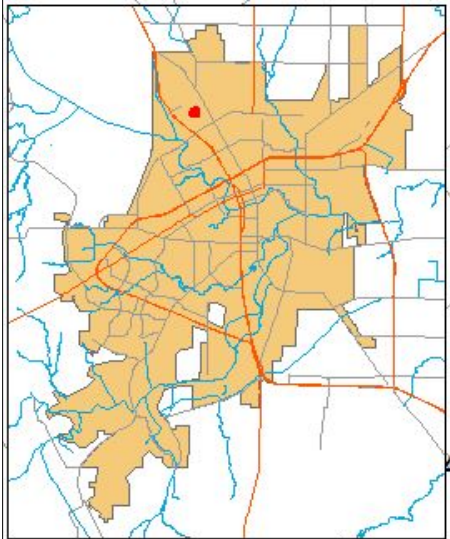
Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved

Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

CITY COUNCIL – May 15 and June 5, 2018
STAFF REPORT



APPLICATION TYPE:	CASE:		
Rezoning	Z18-09-A and Z18-09-B: Sepulveda & Perez / COSA		
SYNOPSIS:			
The applicants have requested a rezoning on 405 and 409 West 34th Street from the General Commercial/ Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District to erect new single detached dwellings. All of 409 West 34th Street is zoned CG/CH and while only a 0.06-acre portion of 405 West 34th Street is already zoned RS-1, the remainder is also CG/CH. The Tom Green County Appraisal District indicates that there is an existing single-detached dwelling at 405 West 34th Street erected in 1960, and an existing carport on 409 West 34th Street. As part of the request, the City of San Angelo Planning Division is initiating a rezoning of the southwest 0.2-acre triangular portion of 401 West 34th Street, also zoned General Commercial/ Heavy Commercial (CG/CH) Zoning District. This portion of the lot is incompatible with the majority of the property already zoned Single-Family Residential (RS-1). Each lot was platted as part of the S. B. Ratliff Subdivision filed for record with Tom Green County in 1906, and meets the minimum lot dimension requirements of the Zoning Ordinance.			
LOCATION:		LEGAL DESCRIPTION:	
401, 405, and 409 West 34 th Street; generally located southwest of West 34 th Street and Sprague Street		Being Lots 3, 4, and 5 in Block 5 of the S. B. Ratliff Subdivision, comprising a total of 3.03 acres	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #2 – Tom Thompson Riverside Neighborhood	General Commercial /Heavy Commercial (CG/CH) and Single-Family Residential (RS-1)	Neighborhood	3.03 ac.
THOROUGHFARE PLAN:			
West 34th Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 60' right-of-way, 36' pavement (complied with subdivision standards at time of platting)			
NOTIFICATIONS:			
17 notifications mailed within 200-foot radius on April 3, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to Single-Family Residential (RS-1) Zoning District on the subject properties.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owners:</i> Mr. Richard J. Sepulveda Jr. and Alfredo Perez Jr., Steve Monreal <i>Applicants:</i> Mr. Richard J. Sepulveda Jr. and Alfredo Perez Jr. / City of San Angelo			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

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

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 subject properties have a Future Land Use designation of “Neighborhood” in the City’s Comprehensive Plan which promotes “an appropriate balance of use within each neighborhood,” and supports “neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo’s neighborhoods.” The Planning Division believes that the proposed RS-1 zoning is compatible with these Neighborhood policies. The property is surrounded by residential dwellings to the west, north, east, and south. The existing CG/CH corridor extends 500 feet east of Lake Drive between West 43rd Street to the north and the intersection of Lake Drive and Grape Creek Road to the south. This commercial CG/CH zoning, formally “C-2 – Business District” prior to 2000, has remained along this corridor since 1954. With a few exceptions, it is no longer reflective of current development trends. Almost all of these properties now contain residential dwellings except for a health care office and Hirschfield storage properties further south. Replacement of CG/CH zoning on these three properties with RS-1 zoning is appropriate given they have continued to be used for residential purposes since the 1960s.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* Each of the platted lots well exceed the minimum lot area of 5,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 100 feet for RS-1 lots. The existing dwelling at 405 West 34th Street does not comply with the required 5-foot west side yard setback; however, this dwelling appears to be legal non-conforming given it was erected in 1960 under the C-2 zoning which allowed a single-family dwelling as a permitted use. Each property is 1.01 acres providing ample space for new residential dwellings, parking, and driveway areas.
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 indicated previously, the property is surrounded by residential uses in all four directions. The majority of CG/CH zoning east of Lake Drive in the immediate vicinity is no longer reflective of the current residential uses in this area. The Planning Division believes that RS-1 zoning on all of the properties will be most suitable for future development and to legalize the existing residential homes on the properties. The RS-1 zoning is also consistent with the Future Land Use of “Neighborhood” and provides protection for surrounding homes from heavier commercial uses and industrial uses that are currently allowed

under the CG/CH zoning on the properties. Removing the small triangular CG/CH zoning at 401 West 34th Street will provide a continuous RS-1 zoning district across all three properties, consistent with current and future development patterns in the area.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As stated above, the properties have had residential housing on them since the 1960s. Neither these lots nor surrounding properties ever developed commercially. Therefore, the Planning Division believes that the RS-1 zoning is the best and most appropriate use for the properties.
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.* Each of the three properties exceed one acre and the Planning Division does not anticipate any adverse effects on the natural environment. The RS-1 zoning allows one single-detached dwelling on each lot. Any new dwelling construction with associated parking and driveways would require a review of grading and drainage.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes that additional housing in this area is appropriate given that the Future Land Use is “Neighborhood” which supports new housing. The entire vicinity in all directions contains existing single-detached dwellings and two of these lots already have houses. Therefore, the Planning Division believes that there is a demonstrated need for RS-1 zoning on these properties.
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 subject properties are already platted and contain residences, so the RS-1 zoning would not change existing development patterns. The properties are within ¼ mile of Walmart and various retail commercial establishments along North Bryant Boulevard and West 29th Street.

Planning Commission Recommendation:

Jeff Fisher, Senior Planner, presented the proposed rezoning request. He explained that the applicant’s own the two most westerly properties and were seeking to rezone them from CG/CH to RS-1 to allow new single-family homes to be built on them. He explained that the existing structures were legal non-conforming, but that their replacement with new homes would require a rezoning to RS-1. Mr. Fisher further explained that Planning Staff was requesting that the third property furthest east, 401 West 34th Street, also be rezoned exclusively to RS-1 as there was a small triangular portion that remained CG/CH, which was incompatible with the existing single family home on the property. Mr. Fisher then outlined

Staff's rationale for approval of the rezoning requests on the grounds that the Neighborhood designation was compatible with the proposed and existing single-family homes, that all lots had already been platted and would comply with the RS-1 development standards, and that all properties were surrounded by residential housing in all directions.

Chair Stribling opened the meeting for public comment.

Mr. Rick Sepulveda, the applicant, indicated that he intended to build two new homes on his properties, and that there were already other new homes built in close proximity. He explained to the Commission that his properties had remained unoccupied for at least 6 years.

Commissioner Smith made a Motion to recommend APPROVAL of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Single-Family Residential (RS-1) Zoning District on all three properties. Commissioner Self seconded the Motion. The Motion passed unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the **Single-Family Residential (RS-1) Zoning District** on the subject properties.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Applicant's Response to Zoning Criteria
Application



Zoning Case File

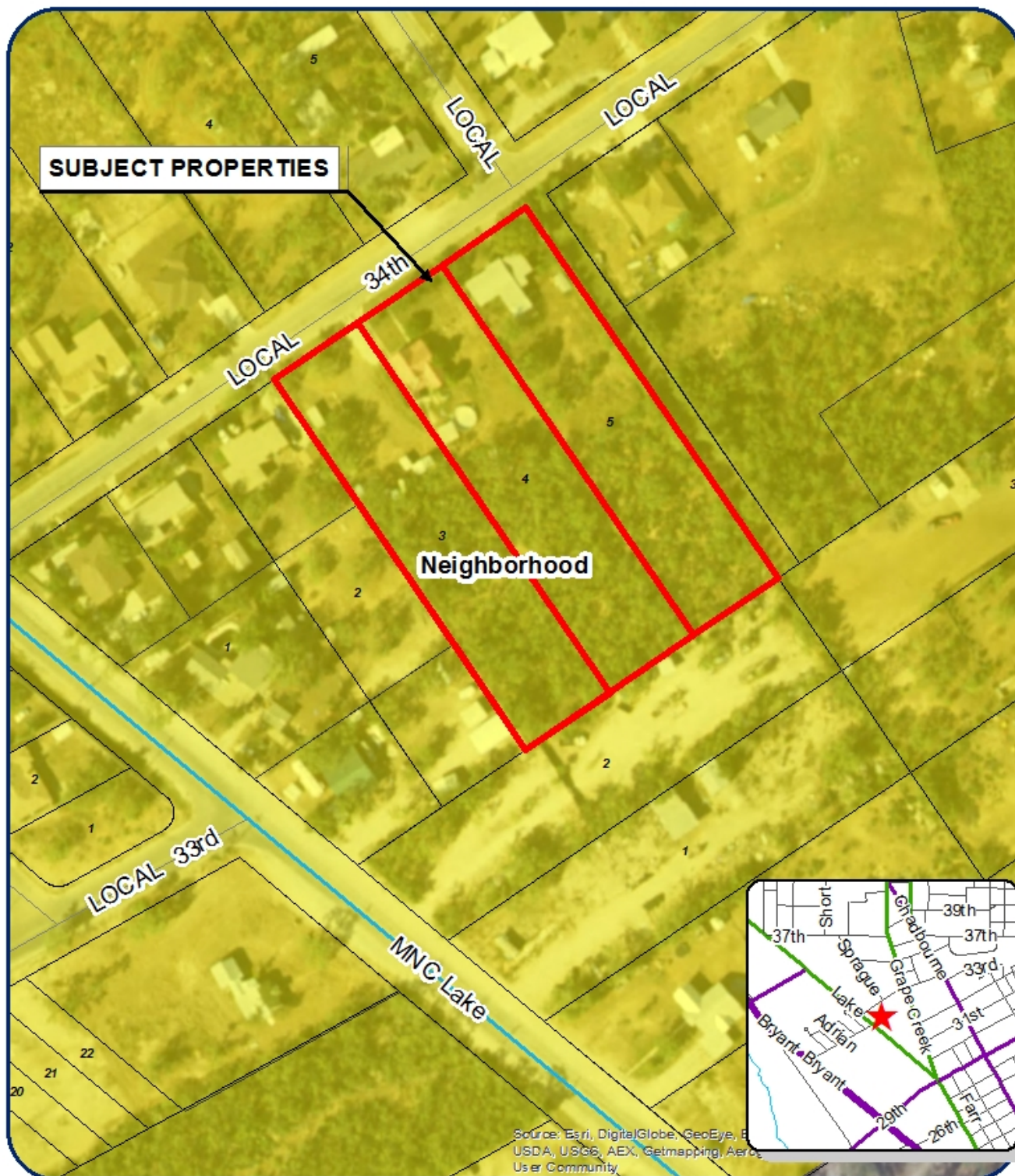
Z18-09: Sepulveda & Perez /COSA

Council District: Tom Thompson (SMD#2)
 Neighborhood: Riverside
 Scale: 1" approx. = 125 ft
 Subject Properties: 401, 405, 409 W. 34th St.

Legend

Subject Properties: —
 Current Zoning: CG/CH
 Requested Zoning Change: RS-1
 Vision: Neighborhood





Zoning Case File

Z18-09: Sepulveda & Perez /COSA

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 125 ft

Subject Properties: 401, 405, 409 W. 34th St.

Legend

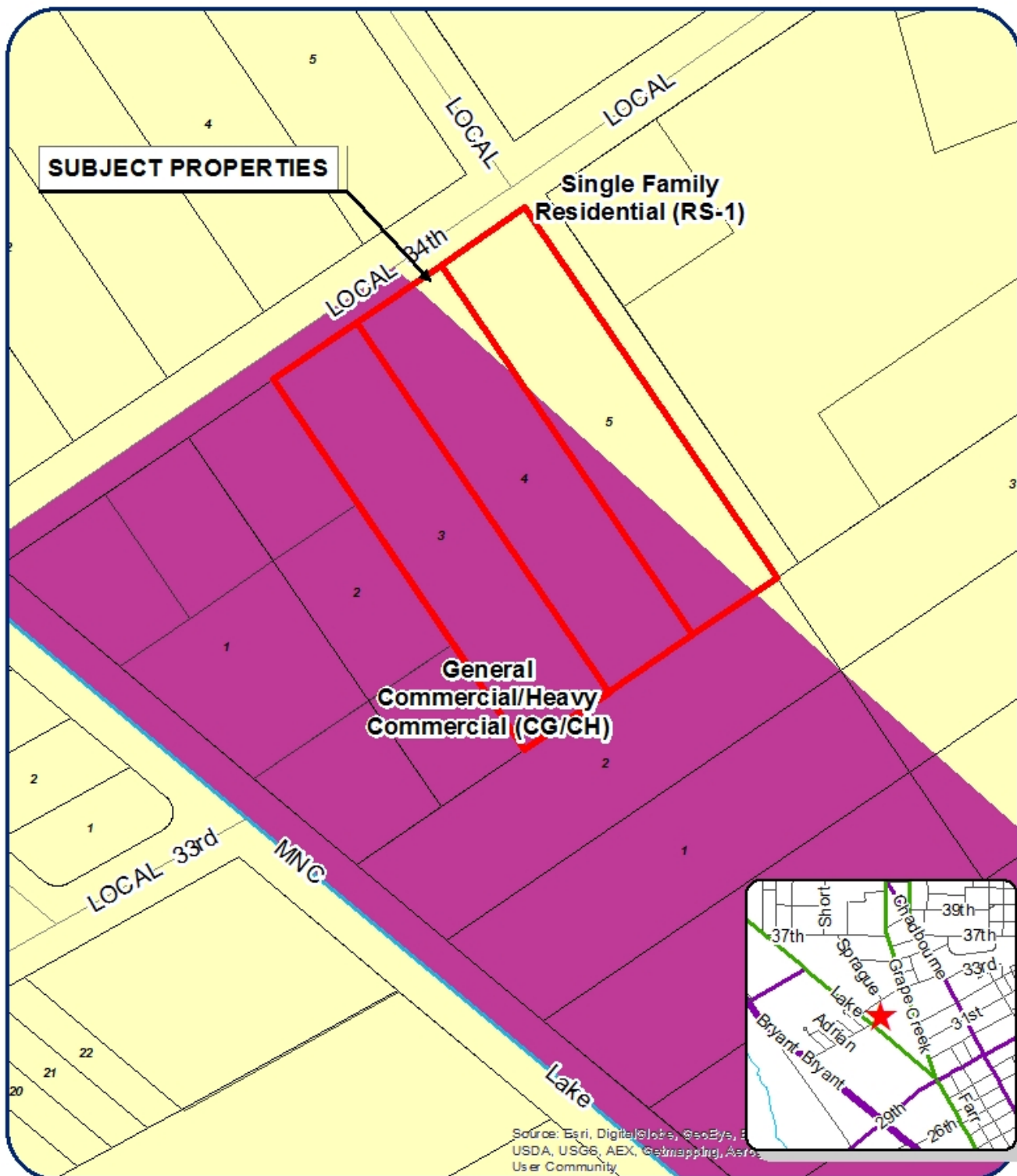
Subject Properties:

Current Zoning: CG/CH

Requested Zoning Change: RS-1

Vision: Neighborhood





Zoning Case File

Z18-09: Sepulveda & Perez /COSA

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 125 ft

Subject Properties: 401, 405, 409 W. 34th St.

Legend

Subject Properties: —
Current Zoning: CG/CH
Requested Zoning Change: RS-1
Vision: Neighborhood



Photos of Site and Surrounding Area

NORTH



WEST



EAST



409 WEST 34TH STREET



405 WEST 34TH STREET



401 WEST 34TH STREET



Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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.

Amendment request is compatible with current and future plans/policies in this area.

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

Amendment request will allow lots to be developed into residential homes. Current area surrounding property is residential. Across the street there are 2 new homes.

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.

Amendment request is compatible with surrounding area. Current zoning is outdated.

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

There will be no changes that require an amendment.

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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment

Current wooded lots/area behind new homes will stay as is. Lots are already cleared. We will remove dead palm trees up front and possibly 1 mesquite tree.

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

Amendment will address community need. The house on the lot has been vacant for 6 years. New homes across the street will benefit from new construction. New homes being built in the area as well.

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.

Amendment request for property follows current and future development patterns.

Staff Report – Z18-09-A and Z18-09-B: Sepulveda & Perez / COSA
May 15 and June 5, 2018



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



Section 1: Basic Information

Name of Applicant(s): RICHARD J SEPULVEDA JR / ALFREDO PEREZ JR
☒ Owner ☐ Representative (Notarized Affidavit Required)

Mailing Address: 2113 ELDER PL ROUND ROCK TX 78664
City State Zip Code

Contact Phone Number: 325-227-2308 Contact E-mail Address: MARKAUSTINREADY@GMAIL.COM

Subject Property Address: 405 WEST 34TH ST SAN ANGELO TX 76703
City State Zip Code

Legal Description (can be found on property tax statement or at www.tcomgreencol.com): LOTS 3 AND 4, BLOCK 5, SB RAYLIE SUBDIVISION, CITY OF SAN ANGELO, TOM GREEN
COUNTY, TEXAS, AS DEPICTED IN A DEED RECORDED IN VOLUME 384, RECORDS, TOM GREEN
COUNTY, TX

Existing Zoning: CG/CH Proposed Zoning: RS-1 Lot size: 200' X 440'
(Zoning Map available on City Maps)

Section 2: Site Specific Details

Existing Use of Property: RESIDENTIAL HOME ON PROPERTY

*Proposed Use of Property: BUILD NEW HOME ON LOT 3 & 4 TOTAL
OF TWO NEW HOMES ON 1 ACRE EACH.

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Staff Report – Z18-09-A and Z18-09-B: Sepulveda & Perez /COSA
May 15 and June 5, 2018

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

<u>Ricardo J Sepulveda Jr</u>	<u>[Signature]</u>	<u>3-07-18</u>
Owner Name (Print)	Signature	Date
<u>Alfredo Perez Jr.</u>	<u>[Signature]</u>	<u>3-07-18</u>
Representative Name (Print)	Signature	Date
	Company/Organization (If Applicable)	

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 3, 7, 2018

Case No.: Z 18 - 09

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ 500.00

Receipt #: 284659 Date paid: / /

Sign Deposit \$37.50

Receipt #: Date paid: / /

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

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

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

Planning Commission hearing date: 4, 16, 2018 Date notifications due: / /

City Council hearing date: 5/15/18 and 6/5/18 Packets due date: / /

Publication date: / /

Reviewed/Accepted by: J. Fisher Date: 3, 7, 2018

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **401 WEST 34TH STREET; COMPRISING 1.01 ACRES**; FROM THE GENERAL COMMERCIAL / HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; **405 WEST 34TH STREET; COMPRISING 1.01 ACRES**; FROM THE GENERAL COMMERCIAL / HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; AND, **409 WEST 34TH STREET; COMPRISING 1.01 ACRES**; FROM THE GENERAL COMMERCIAL / HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

RE: Z18-09: Sepulveda & Perez / City of San Angelo

WHEREAS, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family Residential Zoning District (RS-1) and,

WHEREAS, on the 15th day of May, 2018, City Council held a public hearing on Z18-09, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property generally located at 401, 405, and 409 West 34th Street, being Lots 3, 4, and 5 in Block 5 of the S. B. Ratliff Subdivision, and comprising a total of 3.03 acres, City of San Angelo, Tom Green County, Texas, shall henceforth be permanently zoned as follows: Single-Family Residential Zoning District (RS-1).

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 (RS-1 Boundary Map).

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

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

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

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

INTRODUCED on the 15th day of May, 2018, and finally PASSED, APPROVED AND ADOPTED on this the 5th day of June, 2018.

THE CITY OF SAN ANGELO

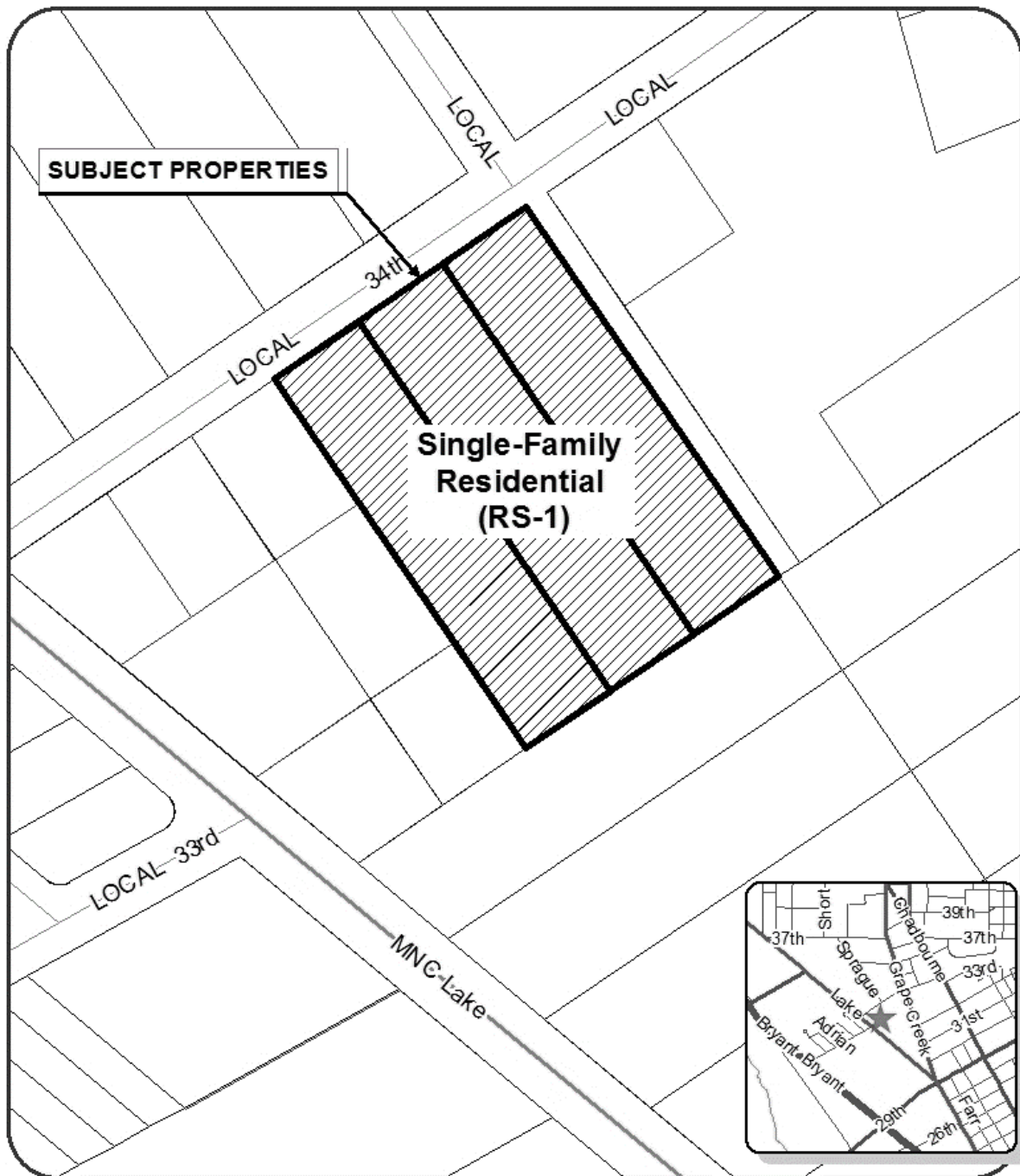
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney



Zoning Case File

Z18-09: Sepulveda & Perez /COSA

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 125 ft

Subject Properties: 401, 405, 409 W. 34th St.

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

CG/CH

RS-1

Neighborhood



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

Public hearing, discussion and deliberation on requested projects to be considered for funding with grant year 2018 Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) grant funds from the U.S. Department of Housing and Urban Development - (Presentation made by Neighborhood & Family Services Director Bob Salas)

Summary/History:

This is a public hearing for the 2018 CDBG and HOME funds allocations and the discussion and deliberation of those funds. After Council makes its allocation decisions in accordance with the Citizen Participation Plan, staff will prepare the Annual Action Plan for Council approval. The attached project descriptions and funding spreadsheets outline available funding and staff's recommendations. In addition to federal grants, funding amounts include local funds managed by the Division.

The City expects to receive approximately \$699,822 in CDBG funds and \$338,495 in HOME funds from the U.S. Department of Housing and Urban Development (HUD) for Grant Year 2018, Oct 1, 2018 - Sep 30, 2019. Additionally, we anticipate receiving \$32,000 in CDBG program income, \$23,000 in HOME program income for a total of \$1,093,317 to be allocated to 2018 projects.

Project descriptions provide a synopsis of the applications for funding which were reviewed and analyzed by staff. The other attachment is the 2018 CDBG/HOME Projects Funding Worksheet which provides a summary of all proposed projects recommended for funding. Two separate public hearings were held to obtain citizen input and citizen recommendations were taken into account in staff's recommended allocations.

Financial Impact:

The City will receive \$1,038,317.00 of new CDBG and HOME grant funds, plus approximately \$55,000.00 in program income to operate programs in the Housing Support Division.

Other Information/Recommendation:

Attachments:

1. Proposed Allocs 2018 ALL FUNDING - Council meeting Proposed Allocs 2018 ALL FUNDING - Council meeting.xlsm
2. Project Descriptions 2018 Project Descriptions 2018.pdf

Presentation:

Bob Salas

Approvals/Reviews:

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

City of San Angelo

2018 CDBG Projects Funding Worksheet

CDBG Federal Entitlement	699,822
Program Income: Housing Rehab Loans	32,000
Program Year Funds Available	731,822
CHS Administration Cap	146,364
Public Service Cap	144,964
Prior Year Funds Available	0
Total Available to Allocate	731,822

	Prior Year Allocation	Proposed CDBG Allocation
Administration/Planning		
CHS Admin (≤20% EN+PI))	144,000	146,364
Rehab/Preservation		
Hsg Rehab Admin	125,000	125,000
Hsg Rehab Program (Neighborhood Blitz)	0	148,000
Emergency Repairs	177,850	100,304
Homeless Prevention	90,000	30,000
Debt Payment Services	146,048	144,154
Clearance		
Code Compliance - Code Enforcement	38,000	38,000
Total Requests		731,822

City of San Angelo

2018 HOME Projects Funding Worksheet

HOME Federal Entitlement	338,495
Program Income: Revitalization Loans	23,000
Program Year Funds Subject to Caps	361,495

Prior Year Funds Available 0

Total Available to Allocate 361,495

	Prior Year Allocation	Proposed HOME Allocation
City Requests		
CHS - HOME Admin ($\leq 10\%$ EN+ PI)	27,320	36,149
CHS - Neigh Revitalization(Down Pmt)	144,882	145,346
Community Requests		
MHMR - TBRA	64,000	70,000
Galilee CDC (CHDO Set-Aside)	99,450	110,000
Total Requests		361,495

PROPOSED CDBG/HOME PROJECT DESCRIPTIONS

Listed below are detailed descriptions of activities recommended for funding under 2018 CDBG and HOME grant programs. Descriptions include timelines for each project, additional funding received for specific use of the project, and what national/local objectives the project addresses.

CDBG FUNDED PROJECTS

\$146,364 CDBG Administration/Planning

Staff and related costs required for overall program management, coordination, monitoring, reporting, and evaluation of CDBG and HOME programs.

Additional Funding: None
NATIONAL OBJECTIVE: NA
CONS. PLAN OBJECTIVE: Non-Housing Community Development
ELIGIBLE ACTIVITY: 21A General Program Administration §570.206

\$403,304 City's Housing Program

Continues funding for the Housing Rehabilitation/Preservation Program which includes:

- Emergency Repairs
- Neighborhood Paint Blitz
- Homeless Prevention
- Program Delivery

Emergency Repairs - \$100,304 will fund 100% grant for low/moderate income homeowners for up to \$5,000.00 in Emergency Repairs. An emergency is a situation or condition that occurred without warning (within two (2) weeks), is detrimental to life, health, or safety and requires immediate action. Action must be taken within 24-72 hours to remediate the emergency situation. Modifications to provide barrier-free living space, when feasible, for homes occupied by either disabled or elderly individuals requiring such modifications will also be included. The goal for this funding is to complete repairs for at least 20 unduplicated households. Services continue throughout the year.

Additional Funding: None
NATIONAL OBJECTIVE: Benefit 100% low/moderate income households
CONS. PLAN OBJECTIVE: Affordable Housing
ELIGIBLE ACTIVITY: 14A Rehabilitation §570.202

Housing Rehab and Neighborhood Blitz - \$148,000 will be for Housing Rehab Neighborhood Blitz projects. Assistance will be provided to at least 20 eligible low/moderate income citizens (homeowners or rental units) within the city limits of San Angelo. Projects will consist primarily of siding replacement and painting. However, some housing units may need additional repairs such as windows and insulation. Landlords will be required to adhere to affordability timelines and HUD rent limits and caps for the duration of the affordability period. Projects are scheduled first come first served and will be executed throughout the year.

Homeless Prevention - \$30,000 - The goal of this program is to help prevent homelessness with limited cash assistance. The target households are those who can usually maintain their housing, but who have had to deal with a sudden, short-term financial crisis which left them temporarily unable to meet their housing costs. The program is not intended for persons who are likely to be at-risk of homelessness on a recurrent basis. Housing assistance in the form of rent and/or mortgage payments is available for up to 175% of the client's unit lease rate or monthly mortgage amount for up to three (3) consecutive months within a three year period to any one household. Arrears are prohibited by CDBG regulations. Therefore, only the current month's rent can be paid. The goal for this program is to provide assistance to at least 6 unduplicated households.

Additional Funding:	None
NATIONAL OBJECTIVE:	Limited Clientele
CONS. PLAN OBJECTIVE:	Special Needs/Homeless
ELIGIBLE ACTIVITY:	05 Public Services §570.201(e)

Program Delivery - \$125,000 will fund salaries and benefits for program staff and provide funds for operating the Rehab programs.

Additional Funding:	None
NATIONAL OBJECTIVE:	Benefit 100% low/moderate income households
CONS. PLAN OBJECTIVE:	Affordable Housing
ELIGIBLE ACTIVITY:	14A Rehabilitation §570.202

\$38,000 Code Compliance

Funds the salary and benefits for a City of San Angelo Code Compliance Officer. This officer will be assigned to enforce codes, such as junk, junk vehicles, tall grass and weeds, junk appliances, refuse, unsightly material and temporary signs, and related state laws in low/moderate income areas defined by the 2010 Census. On average, the Code Compliance Division performs about 2900 compliance activities annually, which include inspection, re-inspection and violation documentation in low/moderate income areas. The service provided by the officer will aid in the elimination of conditions which are detrimental to health, safety and public welfare in targeted areas of the City. Year-long project.

Additional Funding:	None
NATIONAL OBJECTIVE:	Benefit at least 51% low/moderate income
CONS. PLAN OBJECTIVE:	Non-Housing Community Development
ELIGIBLE ACTIVITY:	15 Code Enforcement Activities §570.202(c)

\$144,154 Debt Service

Repayment of the Section 108 Loan for Rio Vista Park Renovation and the Producer's Park Development. This loan totaling \$2,035,000 plus interest will be paid back over period not to exceed 20 years.

Additional Funding:	None
NATIONAL OBJECTIVE:	Benefit at least 51% low/moderate income persons
CONS. PLAN OBJECTIVE:	Public Facilities
ELIGIBLE ACTIVITY:	Parks, Recreational Facilities §570.201(c)

HOME FUNDED PROJECTS

\$171,495 City's Affordable Housing Program

Funds provided for HOME administration and Homebuyers Assistance Programs to continue to revitalize the current City Council identified Rio Vista, Blackshear, Reagan and Fort Concho target areas through down payment and closing cost assistance. Of the amount allocated, \$36,149 of HOME funds will provide for administration costs. In addition, \$135,346 will provide approximately 10 families down payment and closing cost assistance to purchase a home. Projects will be executed throughout the year.

Additional Funding: None
NATIONAL OBJECTIVE: Benefit Low/Moderate Income Persons Benefit
CON. PLAN OBJECTIVE: Affordable Housing
ELIGIBLE ACTIVITY: Homebuyer §92.205(a)

\$80,000 MHMR Tenant-based Rental Assistance

Funds provide tenant-based rental assistance (TBRA) to 25 clients with a chronic mental illness residing within the San Angelo city limits over a period of a year. HOME funds will provide rental assistance, one time security deposit assistance, and one-time utility deposit assistance. TBRA may be used on any rental property within the City of San Angelo that meets HUD's minimum Housing Quality Standards. Yearlong services will be provided.

Additional Funding: None
NATIONAL OBJECTIVE: Benefit Low/Moderate Income Persons
CONS. PLAN OBJECTIVE: Special Needs/Homeless Populations
ELIGIBLE ACTIVITY: 05S Tenant-Based Rental Assistance §92.205(a)

\$110,000 Galilee Community Development Corp – CHDO Construction Grant

Funds provide for new home construction for low/moderate income residents. GCDC's current goal is to build at least 3 homes with the 2018 allocation and with other resources.

Additional Funding: None
NATIONAL OBJECTIVE: Benefit Low/Moderate Income Persons
CONS. PLAN OBJECTIVE: Affordability Housing
ELIGIBLE ACTIVITY: 12 Construction and Housing §92.2.05(a)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Stephanie Collins, Office Manager, Fire Department, 325-657-4355

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

Update responding to May 1, 2018 questions asked regarding Fire Department funding and planning related to:

1. New/Old Fire Station number Four
2. MOU with GAFB related to New ambulance with EMTs, Equipment and Supplies
3. The plan to fund the Eight Firefighters after the expiration of the SAFER Grant
4. The possibility of Fire Training being provided through a contract with GAFB
5. Any mandated reason why Fire Trucks support all ambulance runs

(Presentation made by Fire Chief Brian Dunn)

Summary/History:

Chief Dunn will give an update and a verbal response to the questions asked on the May 1st, 2018 Council Meeting.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Stephanie Collins	Created/Initiated
Brian Dunn	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, City Clerk, City Clerk,

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending Chapter 2 "Administration," Article 2.7 "Boards, Committees and Commissions," Division 10 "Tax Increment Reinvestment Zone Board," section 2.07.284 "Duties"- (Presentation made by City Attorney Theresa James)

Summary/History:

- 2006 The TIRZ was created
- 2008 The TIRZ Board was established
- 2016 The TIRZ Board was re-established and assumed some duties of the former Downtown Development Commission

There is a desire to removed the duties that were assumed in 2016. This ordinance deletes provisions added in 2016 that delegated duties of the former Downtown Development Commission to the TIRZ Board.

Financial Impact:

There is no direct fiscal impact.

Other Information/Recommendation:

Staff Recommends Adoption of the Ordinance.

Attachments:

- | | | |
|----|--------------------------------------|--|
| 1. | 2008 Codified Version TIRZ Ordinance | 2008 Codified Version TIRZ Ordinance.pdf |
| 2. | 18-620 TIRZ ORDINANCE AMENDMENT | 18-620 TIRZ ORDINANCE AMENDMENT.docx |

Presentation:

Approvals/Reviews:

Bryan Kendrick
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Final Approval

ARTICLE 2.4300 TAX INCREMENT REINVESTMENT ZONE BOARD***Sec. 2.4301 Created**

There is hereby created within the city a **tax increment** reinvestment zone board. Said board shall be composed of fifteen (15) members. The members shall be appointed as follows:

- (1) Five (5) shall be appointed by the city council from those who own property within the zone of which four (4) shall reside within single member districts (SMD) #2, #3, #4, and #5 respectively;
- (2) One (1) shall be appointed by the county commissioners from those who own property within the zone;
- (3) Three (3) shall be appointed by the city council from those who own businesses within the zone;
- (4) Two (2) shall be appointed by the county commissioners from those who own businesses within the zone;
- (5) One (1) member shall be appointed by the county;
- (6) One (1) member shall be appointed by Goodfellow Air Force Base;
- (7) One (1) member shall be appointed by Angelo State University; and
- (8) One (1) member shall be appointed by San Angelo Independent School District.

Sec. 2.4302 Qualifications

All members shall be:

- (1) A qualified voter of the city; or
- (2) At least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality.

Sec. 2.4303 Terms

(a) Of the members first appointed by the city council, five (5) shall be appointed for a term of two (2) years, three (3) shall be appointed for a term of one (1) year. Of the members first appointed by Tom Green County, two (2) shall be for a one (1) year term. Appointments by all other entities shall be for two (2) year terms.

(b) All additional appointments shall be for a term of two (2) years, except vacancies for unexpired terms which shall be filled for the remainder of the unexpired term. Members may serve three (3) consecutive two (2) year terms and then may be reappointed after one (1) year has passed.

(Sec. 2, Ordinance adopted 12/19/06)

Sec. 2.4304 Duties

The TIRZ Board shall act as an advisory board to the city council in the operation and administration of the TIRZ. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to city council regarding the administration of this article.
- (2) Make recommendations to city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to city council regarding agreements with local governments or political subdivisions for management of the zone or implement the project plan and reinvestment zone financing plan.
- (4) Make recommendations to city council regarding establishing and providing for the establishment of programs that:
 - (A) Develop and diversity the economy of the zone;
 - (B) Eliminate unemployment and underemployment in the zone;
 - (C) Develop or expand transportation, business and commercial activity in the zone;
 - (D) Make grants and loans; and
 - (E) Stimulate business and commercial activity in the zone.
- (5) Contract with the city regarding allocation from the **tax increment** fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.
- (6) Make recommendations to the city council regarding the expenditure of TIRZ funds in conformance with the following process:
 - (A) An affirmative recommendation to expend TIRZ funds for a project in the same area as that from which the funds are derived requires a simple majority vote of the TIRZ Board members present when the matter is voted upon. The city council may approve expenditures under this subsection by a simple majority vote if such expenditure is recommended by the TIRZ Board.
 - (B) An affirmative recommendation to expend TIRZ funds for a project located in the area outside that from which the funds are derived requires an affirmative vote by three quarters of the TIRZ Board members present when the matter is voted upon. The city council may only approve expenditures under this subsection when such expenditures are recommended by the TIRZ Board and with an affirmative vote of six (6) members of the city council.

(Ordinance adopted 6/17/08)

Sec. 2.4305 Officers

The board shall elect a chairman and such other officers as it may establish in its by-laws.

Sec. 2.4306 Quorum

A simple majority of the duly appointed voting members of the board shall constitute a quorum. In the event that a regular or specially called meeting of the board occurs without appointment of a new member (if the vacancy is that of a voting member), a majority of the remaining voting members shall constitute a quorum.

Sec. 2.4307 By-laws

The board shall write its own by-laws establishing its own rules for its regulation. Said by-laws and amendments thereto shall be filed with the city clerk.

Sec. 2.4308 Meetings

The board shall hold regular monthly meetings that shall be open to the public and at a time and place to be established in its by-laws. It may also hold such other meetings as may be necessary to accomplish the purpose of its creation and as established in its by-laws. All meetings shall be public and shall conform to law.

Sec. 2.4309 Minutes

The board shall keep a record of its proceedings in a permanent book and a signed copy of said minutes shall be given to the city clerk.

Sec. 2.4310 Absent Members

In the event of three (3) consecutive absences or a cumulative total of four (4) absences by a member within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned unless the board excused such absences by procedures established in its by-laws.

Sec. 2.4311 Severability

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

(Sec. 2, Ordinance adopted 12/19/06)

**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 2
“ADMINISTRATION,” ARTICLE 2.7 “BOARDS, COMMITTEES AND
COMMISSIONS,” DIVISION 10 “TAX INCREMENT REINVESTMENT ZONE BOARD,”
SECTION 2.07.284 “DUTIES; PROVIDING FOR SEVERABILITY; AND, PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, the City Council for the City of San Angelo adopted an ordinance on December 19, 2006, creating a tax increment reinvestment zone, “Reinvestment Zone Number One, City of San Angelo” to preserve the near and long term integrity of the economic and social investment in the designated area and needed to encourage additional new projects within the designated area; and,

WHEREAS, the City Council for the City of San Angelo established the TIRZ Board in an ordinance adopted on June 17, 2008, and amended that ordinance on May 18, 2016 to incorporate the duties of the Downtown Development Commission to the responsibilities of the TIRZ board; and

WHEREAS, the City Council once again desires to amend the ordinance to remove the responsibilities of the former Downtown Development Commission from the TIRZ Board.

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

Section 1. Chapter 2 “Administration,” Article 2.7 “Boards, Committees and Commissions,” Division 10, “Tax Increment Reinvestment Zone Board”, Section 2.07.284 “Duties”, is hereby amended as follows:

“Sec. 2.07.284 Duties

The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ; all action by the board is subject to city council approval. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the city council regarding the administration of this division.
- (2) Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.

(4) Make recommendations to the city council regarding establishing and providing for the establishment of programs that:

- (A) Develop and diversify the economy of the zone;
- (B) Eliminate unemployment and underemployment in the zone;
- (C) Develop or expand transportation, business and commercial activity in the zone;
- (D) Make grants and loans; and
- (E) Stimulate business and commercial activity in the zone.

(5) Contract with the city regarding allocation from the tax increment fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.

(6) Make recommendations to the city council regarding the expenditure of TIRZ funds ~~related to development and redevelopment of land within the zone~~, in conformance with the following process:

- (A) An affirmative recommendation to expend TIRZ funds for a project in the same area as that from which the funds are derived requires a simple majority vote of the TIRZ board members present when the matter is voted upon. The city council may approve expenditures under this subsection by a simple majority vote if such expenditure is recommended by the TIRZ board.
- (B) An affirmative recommendation to expend TIRZ funds for a project located in the area outside that from which the funds are derived requires an affirmative vote by three-quarters of the TIRZ board members present when the matter is voted upon. The city council may only approve expenditures under this subsection when such expenditures are recommended by the TIRZ board and with an affirmative vote of six (6) members of the city council.

~~(7) Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure and all other physical and economic development decisions related to the TIRZ district.~~

(7) Providing a progress report to the city council annually, or as requested by the city council.”

~~Section 2. Chapter 2 "Administration," Article 2.7 "Boards, Committees and Commissions," Division 10, "Tax Increment Reinvestment Zone Board", Section 2.07.284 "Duties", is amended by deleting subsection 8 in its entirety.~~

~~Section 3. All prior actions of the tax increment reinvestment zone board; all prior actions of the City Council on recommendations made to the City Council by the board; and all prior actions of city staff in connection therewith are ratified and approved.~~

- Section 2. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, paragraph, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, sentences, clauses or phrases be declared unconstitutional; or invalid.

Section 3. This Ordinance shall become effective upon passage.

INTRODUCED on the 5th day of June 2018, and finally PASSED, APPROVED and ADOPTED on this the 19th day of June 2018.

ATTEST:

THE CITY OF SAN ANGELO, TEXAS

Bryan Kendrick, City Clerk

Brenda Gunter, Mayor

Approved as to form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, Legal, X1413

Meeting Date: June 5, 2018

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending Article 2.07 "Boards, Committees and Commissions", Section 2.07.253 COSADC "Board of directors" enacting term limits - (Presentation made by City Attorney Theresa James)

Summary/History:

This amendment to the ordinance would create term limits (2-Terms) for the COSA DC Board Members.

Financial Impact:

None.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------|--------------------------------|
| 1. | 18-xxx COSADC term limits | 18-xxx COSADC term limits.docx |
|----|---------------------------|--------------------------------|

Presentation:

Approvals/Reviews:

Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Final Approval

**AN ORDINANCE AMENDING CHAPTER 2 “ADMINISTRATION AND PERSONNEL”,
ARTICLE 2.07 “BOARDS, COMMITTEES AND COMMISSIONS”, DIVISION 9 “ECONOMIC
DEVELOPMENT CORPORATION” SECTION 2.07.253 OF THE CODE OF ORDINANCES,
CITY OF SAN ANGELO, TEXAS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR
AN EFFECTIVE DATE**

WHEREAS, in 1999 the City Council adopted an ordinance that created an Economic Development Corporation for the City of San Angelo; and

WHEREAS, under that ordinance directors were allowed to serve an unlimited number of two-year terms; and

WHEREAS, there is now a desire to limit the service on the board to two consecutive two-year terms.

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

Section 1) THAT, Chapter 2, Article 2.07, Division 9, Section 2.07.253 of the San Angelo Code of Ordinances shall be amended as set out below.

“Sec. 2.07.253 Board of directors

(a) Each member of the board of directors (“board” hereinafter) of the corporation shall:

- (1) Be appointed by a majority vote of the city council;
- (2) Serve a two-year term of office; and
- (3) Be a resident of the city.

(b) A director may be removed from office by a majority vote of the city council at any time without cause.

(c) No person shall be appointed as a director who is an employee, officer or member of the city council of the city, or a member of any board or commission of the city, except that a director may be appointed to serve as a member of the water advisory board. A director who is a member of any other boards or commissions of the city, except the water advisory board, shall elect the board on which he will continue to serve within fourteen (14) days of the effective date of this section. If he fails to designate the board on which he will continue to serve within the specified time period, the city council shall make the designation.

(d) No director shall serve more than two consecutive two-year terms. For the purposes of this section the first term of a director shall include the term held as of the date of passage of this Ordinance.”

Section 2) THAT, the following severability clause is hereby adopted with this amendment:

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

Section 3) THAT, this Ordinance shall be effective on, from and after the date of publication as required by law.

INTRODUCED on the 5th day of June 2018, and finally PASSED, APPROVED and ADOPTED on this the 19th day of June, 2018.

CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick City Clerk

Approved as to Form:

Theresa James, City Attorney



APPLICATION FOR BOARDS and COMMISSIONS

Name: Raymond "Aron" Padilla
 Address: 245 Amistad Rd.
 City: San Angelo (unless otherwise noted) Zip: 76901
 Phone (Home): _____ (Office): 944.9555
 Resident of San Angelo since: 1987 SMD: 6
 Are you a registered voter of San Angelo? Yes: X No: _____
 Occupation / Business Affiliation: The Bank and Trust
 Occupation / Business Address: 1420 Kartzmiller Rd.
 Position: Commercial Leader
 Email: _____

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

X [Signature] 2.28.12
 Applicant's Signature Date

NOTE: This application is information of public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☐ Airport Advisory Board
- ☐ Animal Shelter Adv Cmm*
- ☐ Civic Events Adv Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adj/Appls*
- ☐ Design & Historic Review Cmm*
- ☒ Development Corporation
- ☐ Downtown Development Cmm*
- ☐ Fort Concho Museum Board
- ☐ Park Commission
- ☐ Parks & Recreation Adv Board
- ☐ Planning Commission
- ☐ Public Art Commission*
- ☐ Public Housing Authority
- ☐ Tax Incrmt Reinvstmt Zone Board*
- ☐ Water Advisory Board*
- ☐ Zoning Board of Adjustment

*specific membership criteria requirements apply-See back page for more information

Recommended by:

Mike Boyd

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? Yes No If so, which criteria: _____
 (see back page for board criteria)

Education and/or Professional Licenses: See attached

Current Municipal and Civic Organization Memberships (Positions & Dates): See attached

Previous Municipal Experience (Positions, Dates, Where): N/A

What personal qualifications can you bring to this board? See attached

What is your personal vision for the City? See attached

Why do you want to serve on this board? See attached

Anything else you would like for us to know? _____

*The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you have been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 657-4405.

For Office Use Only:

Appointed by: _____ CiCo Appt/Reappt Date: _____ Term Dates: To _____ From _____

Application for Boards and Commissions Attachment

February 28, 2018

Education and or Professional Licenses: Central High School Graduate of 2005, Bachelor of Business Administration Angelo State University of 2012

Current Municipal and Civic Organization Memberships: I have been involved with the United Way for over 5 years and am currently serving on the Community Impact Council. I serve on the board of Young Professionals of San Angelo and have two years remaining in my term. I am the past chairman of the Minority Outreach Council under the Chamber of Commerce, and currently serve on the Chamber's Board of Directors.

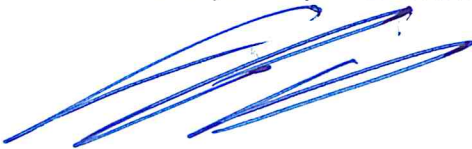
Previous Municipal Experience: N/A

What qualifications can you bring to this board? I believe my background in commercial banking can be beneficial to this board and its mission. I am familiar with the business community and the resources available to it. I am also active in many local organizations and events that allow me to hear citizen's needs and any issues they may be experiencing. I can also help bring a unique perspective from the young professional community to this board.

What is your personal vision for the City? I would like to see the city focus on diversity in businesses that provide sustainability for new and existing businesses. In today's market of online shopping and cheaper labor forces particularly in manufacturing we need to be able to help our businesses find creative solutions to overcome new challenges.

Why do you want to serve on this board? I would like to be a part of this board to assist in building strength for our community to enhance quality of life for our citizens and generations to come.

Thank you for your consideration,



Aaron Padilla