



City Council Agenda 07/17/2018

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on July 17, 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. Legislative Prayer

3. Pledges

4. Proclamations/Recognitions

- a. Recognition of the Public Information Office for winning three awards at the state conference of the Texas Association of Municipal Information Officers

5. 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.

6. Consent Agenda

- a. Consider approving the June 19, 2018 City Council regular meeting minutes (Kendrick)
- b. Consider a resolution authorizing the donation of salvaged lighting to the San Angelo Soccer Association and finding a public purpose for the donation (Havlak)
- c. Consider a resolution for the release of a part of a twenty foot wide drainage easement that was recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition for property located at 1806 Harbor Ct (James)
- d. Consider authorizing the sale of the following Lake Nasworthy properties to current residential lot leaseholders for the appraised values and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties (Preas):
 - 1. 1623 Canal Rd (\$26,734)
 - 2. 1710 Shad Rd (\$70,749)
 - 3. 2145 Hillside Dr (\$96,900)
 - 4. 2217 Hillside Dr (\$99,200)
 - 5. 2890 Red Bluff Cir (\$109,400)
 - 6. 6421 Lincoln Park Rd W (\$27,840)
 - 7. 6442 Lincoln Park Rd W (\$23,658)
 - 8. 2366 Fisherman's Rd (\$67,593)

- e. Consider declaring the following vacant properties surplus and disposing of said surplus properties under published RFB No. RE-01-18 for the highest sealed bid and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the surplus properties by Special Warranty Deed, reserving unto the City of San Angelo mineral interests, surface and ground water rights (Preas):
Tract One: Lots 12, 13 & 14, Block 15, Angelo Heights Addition; being 618, 622 and 626 Elm St
Tract Two: Lots 3 and 4, Block 15, Angelo Heights Addition; being 607 and 609 Locust St
Tract Three: 13,175 square feet of land North of Lot 14, Block 15, Angelo Heights Addition
Tract Four: 8,810 square feet of land North of Lot 1, Block 15, Angelo Heights Addition
- f. Second reading and adoption of an ordinance granting to Atmos Energy Corporation, a Texas and Virginia corporation, a franchise to construct, maintain, and operate pipelines and equipment in the City of San Angelo, Tom Green County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes (Pehl)
- g. Second reading and adoption of an ordinance for Case SU18-01, a Special Use to allow for the placement of a manufactured home on a 2.5-acre property zoned Ranch and Estate (R&E) located at 5333 S Gas Plant Rd (James)

7. Regular Agenda

- a. Public hearing and first reading for:
 - 1. An amendment to the zoning ordinance creating a new Section 212 River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone and establishing standards for development within these zones; Creating a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay zone, and Section 311 Cultural District Overlay Zone and identifying their purpose, applicability and review procedures; Rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; Rezoning properties generally located north of Neff's Way, east of South David St, south of Houston Harte, and west of N Emerick St to apply the Downtown Overlay Zoning District; and Rezoning properties generally located North of East Highland Blvd, East of Rust St, South of Bakers St and West of Hill St to apply the cultural overlay zoning district.
 - 2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, River Corridor Development Ordinance, the Old Town District and boundary map (Z10-14), and Section 12.04.018 "Fort Concho Historic District"
 - 3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones - (Presentation made by Planning & Development Services Director Jon James)

- b. Consider a resolution and public hearing approving the 2018 Annual Action Plan for use of CDBG and HOME grant funds and authorizing City Manager to execute the applications, required certifications, related documents and annual funding agreement for the allocation of \$699,822 of CDBG and \$338,495 HOME grant funds and \$55,000 in program income - (Presentation made by Neighborhood Services Director Bob Salas)
- c. Consider a resolution enacting Drought Level I of the City's Water Conservation/Drought Contingency Plan - (Presentation made by Water Utilities Director Allison Strube)
- d. Consider approving the development of a volunteer program by the Water Utilities Department to be known as "conserve-a-spot", providing for the beautification of selected parcels of city land through restoration, landscaping and regular maintenance that implement water-wise practices, including adoption of a written program policy and volunteer agreement and release, in a form approved by the City Attorney - (Presentation made by Water Utilities Analyst Paulina Levy)
- e. Second reading and adoption of an ordinance amending Chapter 10 "Traffic Control," Article 10.03 "Operation of Motor Vehicles", Section 10.03.035 "Lake Nasworthy and Twin Buttes", by amending the speed limit on a portion of Camper Rd around Spring Creek Marina from 20 mph to 10 mph - (Presentation made by Parks and Recreation Director Carl White)
- f. Consider approving a rental agreement with The Vessel Church for six months use of some of the rental spaces at Santa Fe Crossing Senior Center on Sundays for church services with a monthly rental rate of \$1,150 (discounted, due to multiple use, from the approved fee schedule of \$1,680 a month) and authorizing the City Manager to negotiate and execute all related documents - (Presentation made by Parks and Recreation Director Carl White)
- g. First reading and public hearing of ordinances approving:
 - 1. Case CP18-04, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Neighborhood Center," being 5 acres located at 4001 S Chadbourne St
 - 2. Case Z18-06, a rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily (RM-1) Zoning District, being 5 acres located at 4001 S Chadbourne St - (Presentation made by Planning & Development Services Director Jon James)
- h. Public hearing and first reading of an ordinance for the abandonment of a 4,897.17-square foot portion of the Harbor Court public right-of-way - (Presentation made by Planning & Development Services Director Jon James)
- i. Consider a resolution related to the Chadbourne Street project RFQ for Professional Services to complete construction documents in phases - (Presentation made by Assistant City Manager Rick Weise)
- j. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects, grants, reimbursements, and donations - (Presentation made by Finance Director Tina Dierschke)
- k. Update on Sales Tax revenue performance - (Presentation made by Finance Director Tina Dierschke)

8. Closed Session

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

- a. Section 551.072 Deliberations about Real Property regarding:
 - 1. City Farm leases
 - 2. Block 15, Angelo Heights Addition
 - 3. 703 S. Chadbourne
- 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:
 - 1. Water rights and contracts for Lake Nasworthy
 - 2. Operational agreement for the Santa Fe Golf Course

9. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Consider adjusting all City of San Angelo Development Corporation appointments in alignment with the ordinance approved June 19, 2018:
 - Edward Carrasco (SMD1) to a first term ending February 2020
 - William Dendle (SMD2) to a first term ending February 2020
 - Aaron Padilla (SMD3) to a first term ending February 2020
 - John Bariou Jr. (SMD4) to a first term ending February 2020
 - David Cummings (SMD5) to a first term ending February 2020
 - Oscar Casillas (SMD6) to a first term ending February 2020
 - Todd Kolls (Mayor) to a first term ending February 2020
- c. Announcements and consideration of Future Agenda Items

10. 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 13th day of July 2018, at 8:52 a.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.

Recognition

San Angelo's Cool Cat Dudes were the top dogs at the state gathering of the Texas Association of Municipal Information Officers.

The video spots produced by the City's Public Information Office touting cat adoptions won first place in the association's competition for most creative marketing campaign with the least dollars. The videos feature local men talking about their love for their cats with the tagline, "Cats ... they're not just for crazy ladies." The Animal Shelter saw a spike in adoptions during the campaign.

The Public Information Office typically stands out in the state competition, and this year was no exception. The office won a second-place award for a public service announcement produced for the SAPD. The recruitment spot features a San Angelo police officer talking about what he loves about his job.

"Shattered Dreams" also won third place in the special, one-time program category. The short film co-produced by City Videographer Brian Groves was a dramatic telling of the fatal consequences of teenage drinking and driving.

All of the awards were won against offices in the state's metropolitan cities. Also at the conference, Groves spoke about innovative video efforts, and the state association elected Public Information Officer Anthony Wilson as its treasurer.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, on behalf of the City Council, do hereby recognize and applaud

The Public Information Office

for its achievement and positive determination to make a difference in our community.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 17th day of July, 2018.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, June 19, 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, June 19, 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 Reverend Bill Proctor Senior Pastor at First Presbyterian Church; and the pledges were led by Jaylee Brinlee 5th grader at Fort Concho.

3. Proclamations/Recognitions

The Tom Green County Hunger Initiative was recognized for the Kids Eat Free Summer Meal Program.

4. Public Comment

John Muckleroy from VFW Post 1815 spoke regarding their plans for an upcoming project, a Walk of Honor along the Concho River Walk. Bob Salas, Neighborhood Services Director, thanked those individuals who contributed to the 8th Annual Code Enforcement license renewal course. Council Member DeWitt thanked Mayor Gunter and Council Member Gonzales for their contribution to the Juneteenth Celebration and recognized various city staff for their helpfulness to her constituents.

5. Consent Agenda

- a. Approval of the June 5, 2018 City Council regular meeting minutes
- b. Adoption of a resolution authorizing two nonexclusive aerial easements appurtenant permitting encroachment of awning structures and lighting fixtures attached to building facades located at 30 and 32 North Chadbourne Street (Pg. 234, 2018-074)
- c. Approval of awarding RFB PUR-01-18 Work Uniforms and Apparel to Unifirst Corporation (San Angelo, TX) for one year with two additional one-year extensions, budgeted for purchase annually, and authorizing the City Manager to execute any related documents
- d. Approval of awarding RFP FS-11-18 Auctioneer Services to René Bates Auctioneers, Inc. and Lone Star Auctioneers and authorizing the City Manager to execute any related documents for online and live auctions
- e. Approval of authorizing the City Manager to reject all bids received for RFB FS-12-18 Body Shop Repair
- f. Adoption of a resolution suspending for ninety days the proposed effective date for the rate increase provided in the filing made around June 1, 2018, by Atmos Energy for its Midtex Division (Pg. 240, 2018-075)

- g. Adoption 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" (Pg. 242, 2018-076)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the consent agenda, with the exception of items e. and f., as presented. The motion carried unanimously (7) ayes to (0) nays.

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

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

6. Regular Agenda

- a. Report from the Convention & Visitors Bureau and Chamber of Commerce Economic Development Council - (Presentations made by CVB Director Diann Bayes and Chamber Vice President for Economic Development Michael Looney)

No action was taken on this item.

- b. Public hearing and approval of first reading of an ordinance amending Chapter 4 of the Code of Ordinances establishing Article 4.11 "Vacant Buildings" and amending Appendix A, Article 2.0 "Building & Construction Related Fees" creating a "Vacant and/or Boarded Building Certificate Fee" - (Presentation made by Planning & Development Services Director Jon James and Fire Chief Brian Dunn)

Citizen Lyleann McClellan expressed concern.

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

- c. Public hearing and approval of first reading of an ordinance for Case SU18-01, a Special Use to allow for the placement of a manufactured home on a 2.5-acre property zoned Ranch and Estate (R&E) located at 5333 S. Gas Plant Road - (Presentation made by Planning & Development Services Director Jon James)

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

- d. Public hearing and approval of first reading of an ordinance amending Chapter 10 "Traffic Control," Article 10.03 "Operation of Motor Vehicles", Section 10.03.035 "Lake Nasworthy and Twin Buttes", by amending the speed limit on a portion of Camper Road around Spring Creek Marina from 20 mph to 10 mph - (Presentation made by Parks and Recreation Director Carl White)

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve the first reading as presented. The motion carried (6) ayes to (1) nay, with Council Member Gonzales casting the dissenting vote.

- e. Public hearing and approval of first reading of an ordinance granting to Atmos Energy Corporation, a Texas and Virginia corporation, a franchise to construct, maintain, and operate pipelines and equipment in the City of San Angelo, Tom Green County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes - (Presentation made by City Engineer Russell Pehl)

Shelley Burnett, Manager of Public Affairs, reaffirmed Atmos Energy Corporation's commitment to work with the City and business owners to accommodate meter locations.

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

- f. Adoption 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) (Pg. 244, 2018-077)

Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to approve the ordinance as presented, with the exception of changing the terms to three years each and imposing a two-term limit. The motion carried unanimously (7) ayes to (0) nays.

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

No action was taken on this item.

7. Follow Up and Administrative Issues

- a. Approval of the following board nomination:
Zoning Board of Adjustments: Gary Cortese (Mayor-Regular) to an unexpired term (from Mayor-Alternate) ending January 2020

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

- b. Announcements and consideration of Future Agenda Items
Deputy City Clerk Julia Antilley noted that the next City Council meeting would be held July 17, 2018 with the regular schedule resuming in August and Budget Workshops held August 14 and 28, 2018.

8. Adjournment

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

There being no further business, the meeting was adjourned at 10:24 a.m.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

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: Roger Havlak, Senior Parks Manager, Parks and Recreation, 325-659-8563

Meeting Date: July 17, 2018

Item type: Consent Item

Caption:

Consider a resolution authorizing the donation of salvaged lighting to the San Angelo Soccer Association and finding a public purpose for the donation (Havlak)

Summary/History:

Park's staff has identified the need for additional storage space for supplies and other amenities for our park systems. At the East 29th Sports Complex (2929 Riverside Golf Club Road), a sea container is filled with salvaged lighting equipment/material that was taken down and stored (February 2007) from the old Southern Little League ball field that existed prior to the construction of the Texas Bank Sports Complex off Bell Street. Staff has not found an appropriate use for these lights due to the fact that these 1,500 watt lights emit too much spill over into residential areas as opposed to what is normally used in our park systems (1,000 watt or less). Also, the cost for rewiring our existing light systems in order to utilize these fixtures could be quite expensive. The lighting material was working properly when removed and appears to be in good condition. There are 2 control panels, 6 cross arms, and approximately 19 (1,500 watt) fixtures.

The San Angelo Soccer Association (SASA) (1701 Glenna Drive) has expressed interest in the above mentioned lighting components. This non-profit organization subleases their property from the City of San Angelo (COSA leases land from Army Corps of Engineers) in an effort to provide programming and leadership for many local soccer teams. They also maintain a good working relationship with the City of San Angelo Parks Division who provides landscape maintenance on their fields. Several years ago, SASA personnel removed a group of field lights due to unsafe conditions of their wooden poles. They acquired metal poles to replace them but have not purchased lighting components to complete the field lighting system. The electrical service on the old wooden poles was left intact and can be utilized for these salvaged light components without excessive costs.

Financial Impact:

There is no substantial financial impact expected to COSA whether lights are donated to SASA, auctioned, or sold for scrap metal.

Other Information/Recommendation:

Park's staff recommends donating these salvaged light components to the San Angelo Soccer Association. Both COSA and SASA can benefit from this exchange. It will free up needed space for the Parks Division and provide the needed components for SASA to restore their lighting system.

Attachments:

- | | |
|--|--|
| 1. Lighting materials to SASA June 2018 | Lighting materials to SASA June 2018.docx |
| 2. 18-610 Resolution donating lighting to SASA | 18-610 Resolution donating lighting to SASA.docx |
| 3. SASA donation support letter July 2018 | SASA donation support letter July 2018.pdf |

Presentation:

Roger Havlak

Approvals/Reviews:

Roger Havlak

Carl White

Theresa James

Anthony Wilson

Candice Blake

Tina Dierschke

Theresa James

Becky Dunn

Bryan Kendrick

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Approved

Approved

Final Approval

(Left) Photo of the lighting fixtures in the current storage sea container at East 29th

(Right) Photo of metal poles and electrical service at SASA



A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING THE DONATION OF SALVAGED SPORTS FIELD LIGHTING COMPONENTS TO THE SAN ANGELO SOCCER ASSOCIATION.

WHEREAS, the City of San Angelo has lighting components that were part of the old Southern Little League fields prior to the construction of the Texas Sports Complex; and

WHEREAS, those components are not usable by the City of San Angelo and are taking up storage space that could be better utilized for other purposes; and

WHEREAS, the San Angelo Soccer Association works hand in hand with the City of San Angelo to provide recreational opportunities for San Angelo citizens; and

WHEREAS, the lighting components held by the City of San Angelo could be utilized by the San Angelo Soccer Association to provide lighting to the soccer fields meeting a recreational public purpose; and

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

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

Part 1: That the City of San Angelo is authorized to donate lighting components currently held in storage by the Parks and Recreation Department to the San Angelo Soccer Association.

Part 2: That the addition of lighting to the soccer fields improves the recreational opportunities for San Angelo residents and constitutes a valid public purpose to justify the donation.

Part 3: That the San Angelo Soccer Association shall provide a report to the City Parks and Recreation Department after the lighting components have been put into use.

PASSED and APPROVED THIS 17th DAY OF JULY, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

BRYAN KENDRICK, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney



San Angelo Soccer Association
1501 Glenna Drive
San Angelo TX. 76901

City of San Angelo,

On behalf of the San Angelo Soccer Association (SASA), we support the City's efforts to donate salvaged lighting for use at our soccer complex. Our previous lighting was removed due to aging and safety issues. The lights will be attached to metal poles that we currently possess without lighting fixtures. The electrical system is available from the previous structures requiring minimal installation. With the addition of more lighted fields, we will be able to add night games to escape the West Texas heat. We currently have more than 1,200 children participating during the SASA season along with 15 to 20 volunteers on each weekend. Your donation to SASA will be used to encourage more players and parents to take part in the sport of soccer.

Sincerely,

A handwritten signature in black ink, reading "Michael Dennis". The signature is written in a cursive, flowing style.

Michael Dennis
President SASA

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Consider a resolution for the release of a part of a twenty foot wide drainage easement that was recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition for property located at 1806 Harbor Ct (James)

Summary/History:

Ener-tel Services has requested release of a part of that certain twenty foot wide drainage easement that was recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition. Engineering Services has no objections to the release as the easement which was originally intended for a water drainage and is no longer needed. Releasing this easement will facilitate construction of the Avenue P drainage project and adjacent Ener-tel Services expansion. It would also allow the applicant to remove the reference to the easement from the 3rd Replat, which will clearly divide land owned by the City and Ener-tel Services.

Financial Impact:

N/A

Other Information/Recommendation:

This item is not required to obtain a recommendation by the Planning Commission.

Attachments:

- | | |
|---------------------|--|
| 1. Staff Report | Easement Release ENER-TEL report.pdf |
| 2. Draft Resolution | 18-690_PL_TJAK_DRAIN_EASE_RLSE_RESO_FINAL.docx |
| 3. Easement Release | 18-690_PL_TJAK_DRAIN_EAS_RLSE.docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL – July 17, 2018
STAFF REPORT



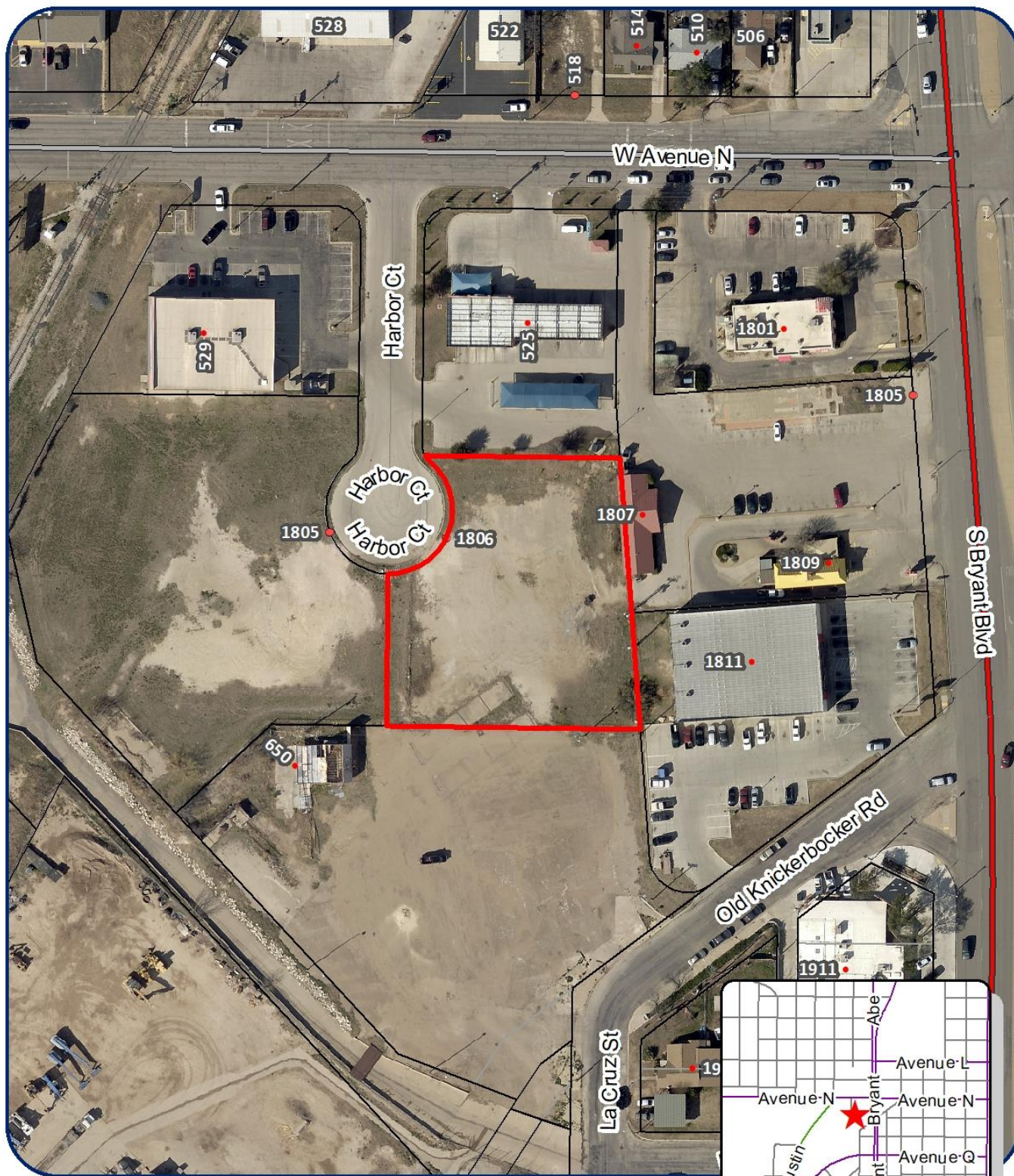
APPLICATION TYPE:		CASE:	
Easement Release		Easement Release: (2nd Replat in Section 2, T.J.A.K. Addition)	
SYNOPSIS:			
Ener-tel Services has requested release of a part of that certain twenty foot wide drainage easement that was recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition. Engineering Services has no objections to the release as the easement which was originally intended for a water drainage and is no longer needed. Releasing this easement will facilitate construction of the Avenue P drainage project and adjacent Ener-tel Services expansion. It would also allow the applicant to remove the reference to the easement from the 3rd Replat, which will clearly divide land owned by the City and Ener-tel Services.			
LOCATION:		LEGAL DESCRIPTION:	
1806 Harbor Court		Being Tract G, 2nd Replat in Section 2, T.J.A.K. Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Rio Vista Neighborhood	ML – Light Manufacturing &	C – Commercial	-/+ 5197 Sq. Ft.
THOROUGHFARE PLAN:			
Harbor Court – Urban Local Street, 50' ROW required (50' Existing), 36' with a 4' sidewalk or 40' pavement required (40' Existing)			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Easement Release			
PROPERTY OWNER/PETITIONER:			
Ener-tel Services			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed Easement Release a part of that certain twenty foot wide Drainage Easements that were recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Location of Easement on Original Replat



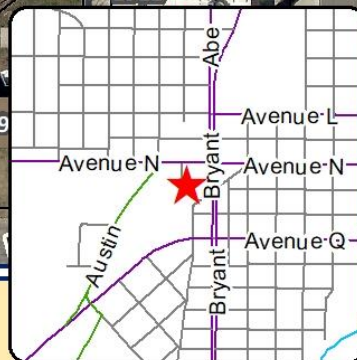
Easement Release

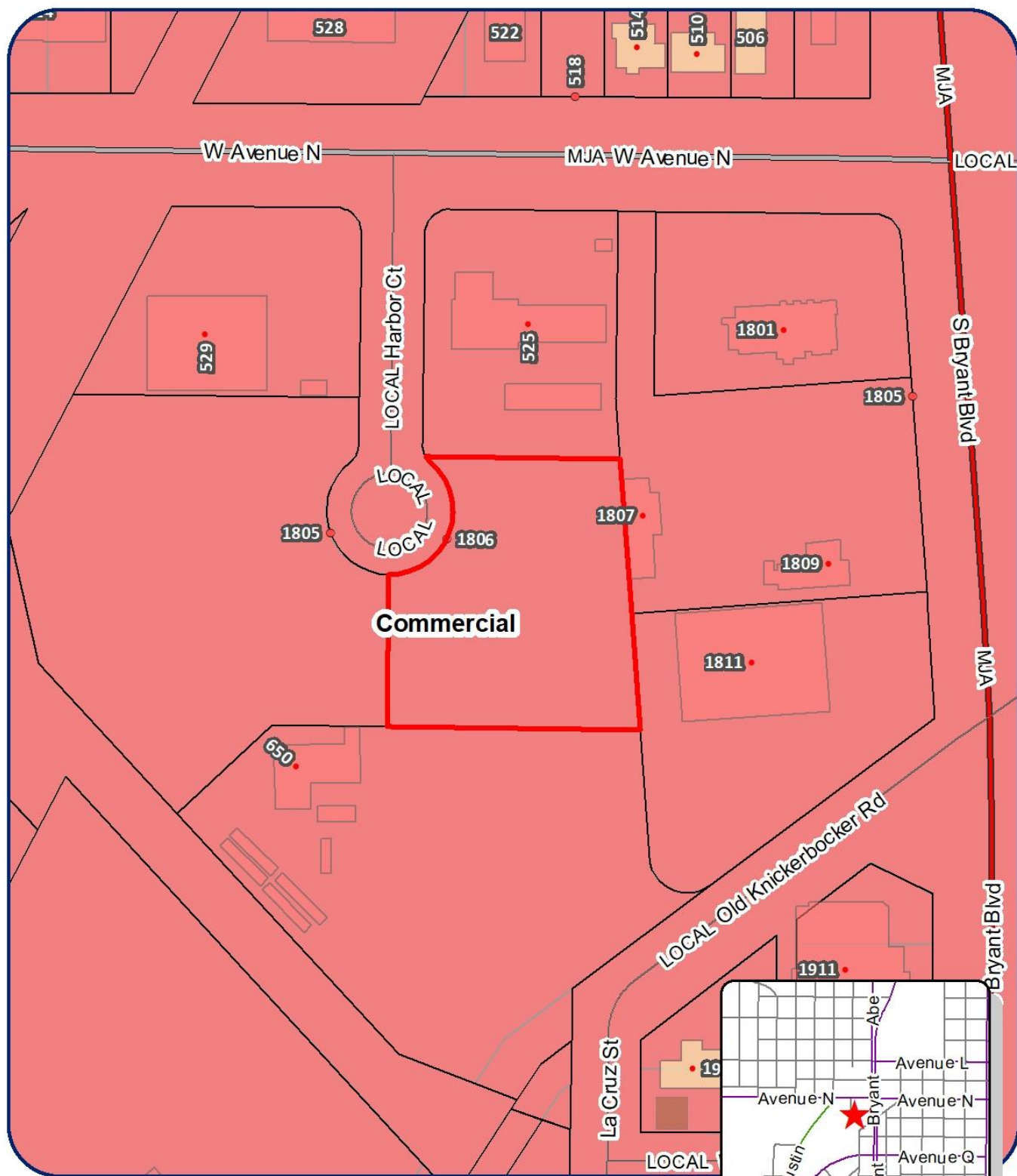
1806 Harbor Court

Council District: SMD #3 - Harry Thomas
Neighborhood: Rio Vista
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: N/A
Vision: Commercial





Easement Release

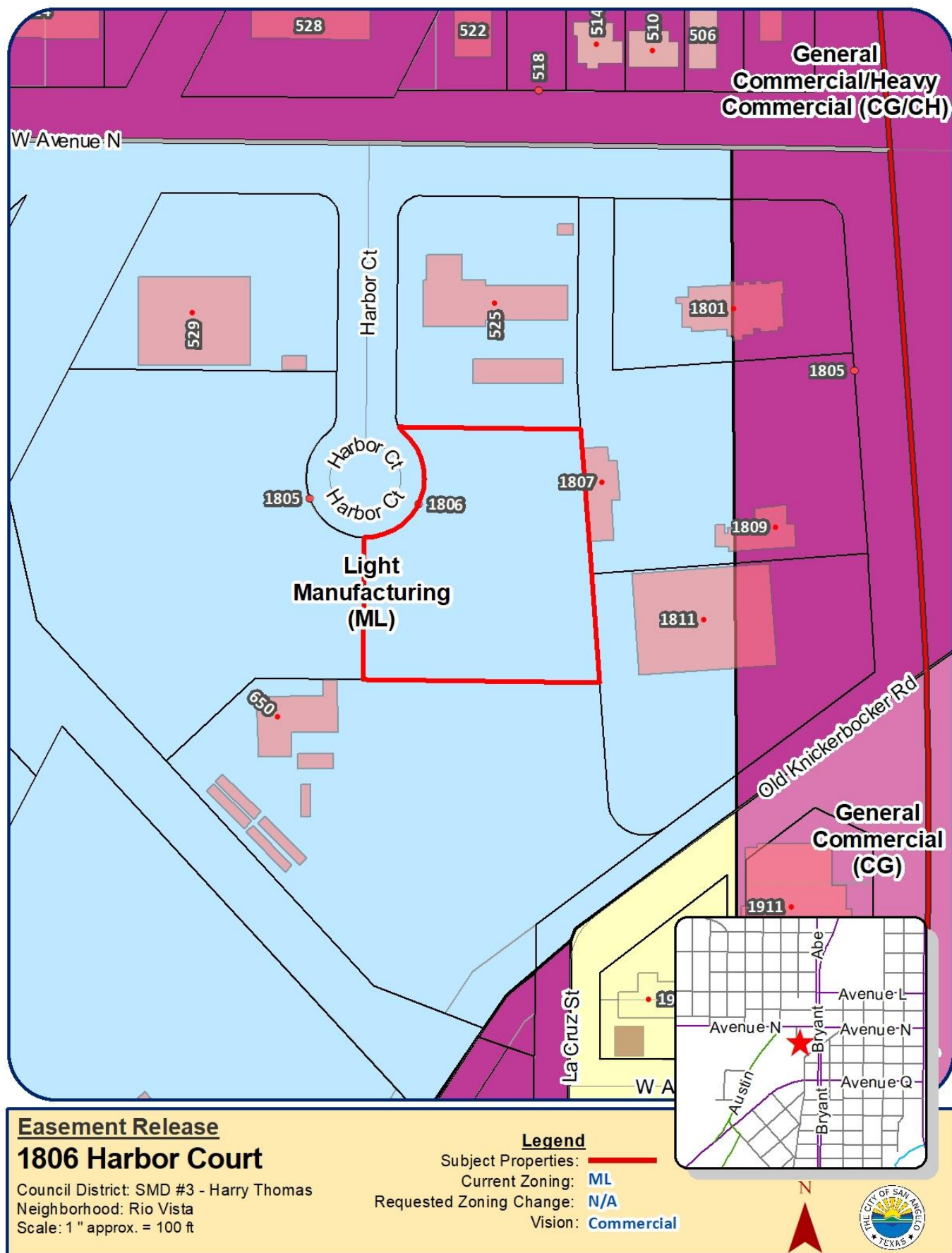
1806 Harbor Court

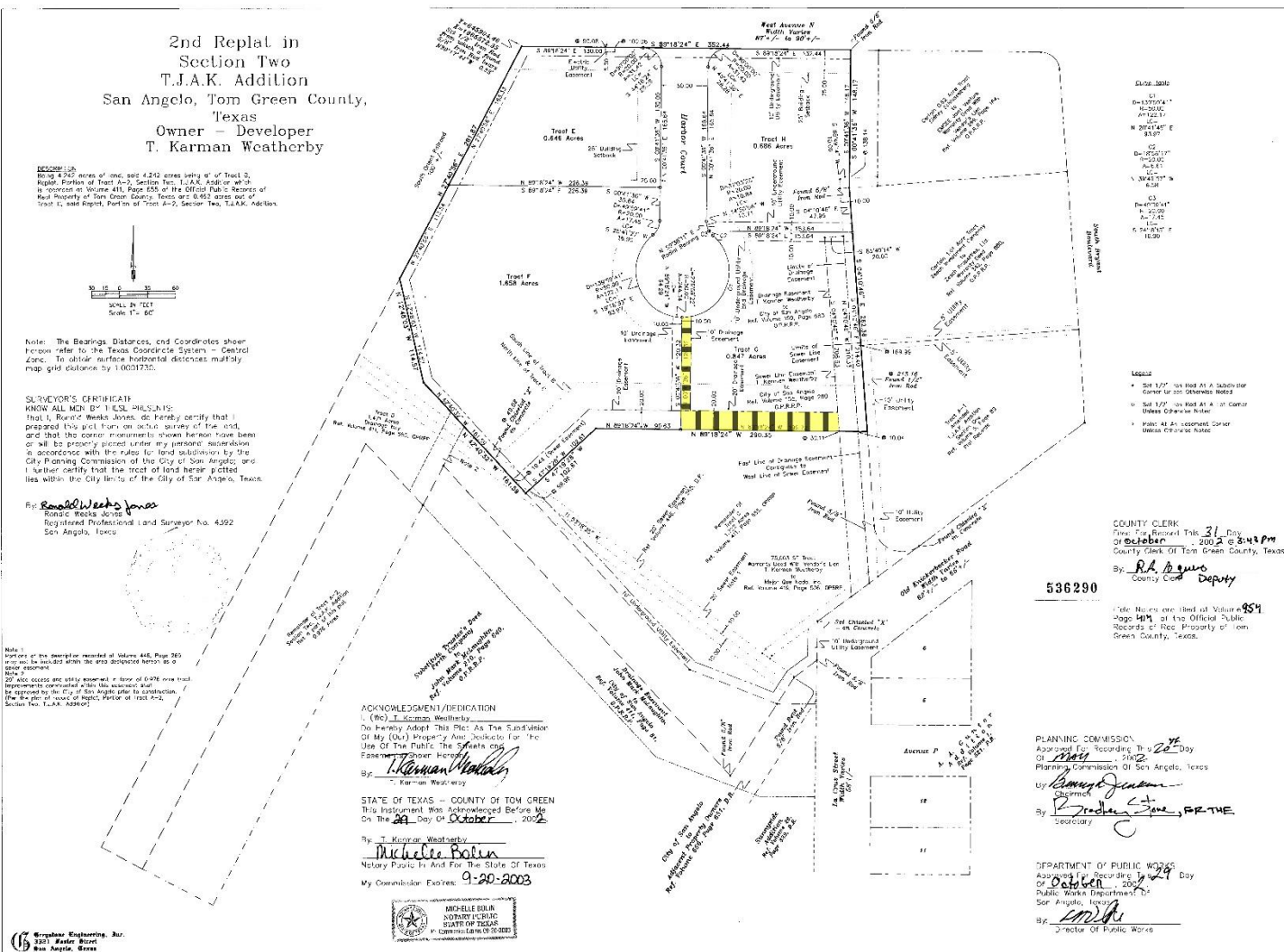
Council District: SMD #3 - Harry Thomas
Neighborhood: Rio Vista
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: N/A
Vision: Commercial







536290

STATE OF TEXAS
COUNTY OF TOM GREEN
I hereby certify that this instrument was FILED
on the date and at the time stamped herein by me
and was duly recorded in plat cabinet F
slide # 448 of the records of Tom Green
County, Texas on October 24, 2002

Elizabeth M. Liles
ELIZABETH MOELL COUNTY CLERK
TOM GREEN COUNTY, TEXAS

RESOLUTION

A RESOLUTION ABANDONING, VACATING, RELEASING AND QUITCLAIMING A PART OF A 20- FOOT WIDE DRAINAGE EASEMENTS LOCATED AT 1806 HARBOR COURT, TRACT G, 2ND REPLAT IN SECTION 2, T.J.A.K. ADDITION TO THE CITY OF SAN ANGELO TO SHAMROCK CAPITAL CORPORATION, LLC; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE OF EASEMENT

WHEREAS, there was dedicated to City of San Angelo certain twenty foot wide drainage easements on Tract G, 2nd Replat in Section 2, T.J.A.K. Addition, Tom Green County, Texas, recorded on October 31, 2002, Cabinet F, Slide No. 48, Official Public Records of Tom Green County, Texas;

WHEREAS, the City Council for the City of San Angelo determines that the said drainage easement existing within Tract G, 2nd Replat in Section 2, T.J.A.K. Addition depicted and designated on **Exhibit "A"**, attached hereto, is no longer needed for any identifiable public purpose now or in the foreseeable future, and it is in the public interest to abandon, vacate and release the said easement;

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

- (a) The drainage easements depicted and designated on **Exhibit "A"**, attached hereto, existing within Tract G, 2nd Replat, Section 2, T.J.A.K. Addition, Tom Green County, Texas, recorded on October 31, 2002, Cabinet F, Slide No. 48, Official Public Records of Tom Green County, Texas, is no longer needed for any identifiable public purpose now or in the foreseeable future, and is hereby deemed abandoned, vacated and released.
- (b) The City Manager of the City of San Angelo is hereby authorized to execute, deliver, and cause to be recorded in the official records of Tom Green County, Texas, a RELEASE OF EASEMENT and to execute any related documents, officially abandoning, vacating, releasing and quitclaiming unto Shamrock Capital Corporation, LLC, the part of said 20 foot wide drainage easements within Tract G, established as part of the approved plat, filed for record in Official Public Records, Tom Green County, depicted and designated on **Exhibit "A"**, attached hereto.

PASSED, APPROVED AND ADOPTED on this the _____ day of _____, 2018.

THE CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk
Approved As To Content:

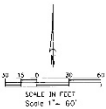
Approved As To Form:

Jon James, AICP, Director of
Planning and Development Services

Theresa James, City Attorney

2nd Replat in
Section Two
T.J.A.K. Addition
San Angelo, Tom Green County,
Texas
Owner - Developer
T. Karman Weatherby

DESCRIPTION
Being 4.247 acres of land, said 4.247 acres being all of Tract B, Replat, Portion of Tract A 2, Section Two, T.44.N., R.104.E., Addition which is recorded at Volume 411, Page 850 of the Official Public Records of New Property of Tom Green County, Texas and 0.452 acres out of Tract C, said Replat, Portion of Tract A 2, Section Two, T.44.N., R.104.E., Addition



Note: The Bearings, Distances, and Coordinates shown hereon refer to the Texas Coordinate System - Central Zone. To obtain surface horizontal distances multiply map grid distance by 1.0001730.

SURVIVOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: That I, Ronald Weika Jones, do hereby certify that I prepared this plat from an actual survey of the land, and that the corner monuments shown hereon have been or will be properly placed under my personal supervision in accordance with the rules for land subdivision by the City Planning Commission of the City of San Angelo, and I further certify that the tract of land herein platted lies within the City limits of the City of San Angelo, Texas.

By: Ronald Weeks Jones
 Ronald Weeks Jones
 Registered Professional Land Surveyor No. 4392
 San Angelo, Texas

Note 1
Portions of the description contained in Volume 448, Page 262
of the report are included within the area designated herein as a
sewer easement.

Note 2
20' wide access and utility easement in favor of D570 area for
improvements constructed within this sewer area shall
be approved by the City of Los Angeles prior to construction.
(For the plot of record of Rangel, Father of Trust A 2,
Section 16, L.A.R. Adkins)

ACKNOWLEDGMENT/DEDICATION

Do hereby Adopt This Plot As The Subdivision
Of My (Our) Property And Dedicate For The
Use Of The Public The Streets and
Easements Shown Herein.

By: T. Korman Weatherby
T. Korman Weatherby

STATE OF TEXAS - COUNTY OF TOM GREEN
This instrument was Acknowledged Before Me
On the 29 Day Of October, 2002

By: J. Karren Weatherby
Michelle Balin

My Commission Expires: 9-20-2003



MICHELLE BOLIN
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 09-20-2008

Greggson Engineering, Inc.
3321 Foster Street
San Angelo, Texas

Curve Totals

C1
D=132°59'4"
R=50.00
A=22.12
LC=
N 20°41'45"
0.237

C2
D=125°56'7"
R=20.00
A=5.8
LC=
N 35°49'57"
6.55

C3
D=42°53'41"
R=70.00
A=17.15
LC=
S 24°15'0"
16.90

Legend

- Set 1/2" Iron Rod At A Subdiagonal Corner Unless Otherwise Noted
- Set 1/2" Iron Rod At A Lot Corner Unless Otherwise Noted
- Put It At An Easement Corner Unless Otherwise Noted

COUNTY CLERK
Filed For Record This 31 Day
Of October, 2002 @ 3:43 PM
County Clerk Of Tom Green County, Texas

536290

Field Notes are filed at Volume **954**
Page **414** of the Official Public
Records of Real Property of Tom
Green County, Texas.

PLANNING COMMISSION
Approved for Recording This 20th Day
Of May, 2002.
Planning Commission Of San Angelo, Texas

By: Bonnie Jackson
Chairman

By: R. Bradley Stone, FOR THE
Secretary

DEPARTMENT OF PUBLIC WORKS
Approved For Recording This 29 Day
Of October, 2002.
Public Works Department Of
San Angelo, Texas
By: [Signature]
Director Of Public Works

536290

FILED IN FEDERAL
2007 OCT 31 PM 3:43

1. NAME
 2. DATE
 3. TIME

STATE OF TEXAS \$
COUNTY OF TOM GREEN \$

I hereby certify that this instrument was FILED
on the date and at the time stamped hereon by me
and was duly recorded in plat cabinet F
slide # 48 of the records of Tom Green
County, Texas on October 31, 2007

 Elizabeth McGill
ELIZABETH MCGILL COUNTY CLERK
TOM GREEN COUNTY, TEXAS



RELEASE OF EASEMENT

Description of Drainage Easement and Recording Data: A part of that certain twenty foot wide Drainage Easements existing within Tract G, of the 2nd Replat, Section 2, T.J.A.K. Addition, Tom Green County, Texas, recorded on October 31, 2002, Cabinet F, Slide No. 48, Official Public Records of Tom Green County, Texas, depicted and designated on **Exhibit “A”**, attached hereto.

Description of Property and Local Address: Tract G, 2nd Replat in Section 2, T.J.A.K. Addition, Tom Green County, Texas as per plat recorded on October 31, 2002, in Official Public Records, Tom Green County, Texas, Cabinet F, Slide No. 48.

Current Owner of Drainage Easements and Owner’s Address:

City of San Angelo
72 W. College Ave
San Angelo, Texas 76903

Current Owner of Property and Owner’s Address:

Shamrock Capital Corporation, LLC
801 S. Abe
San Angelo, Texas 76903

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantee.

NOW THEREFORE, the City of San Angelo, Texas, pursuant to Resolution duly made, seconded and adopted by the City of San Angelo City Council on the 17th day of July, 2018, does hereby abandoned vacate release, and quitclaim unto SHAMROCK CAPITAL CORPORATION, LLC, that part of the twenty foot wide Drainage Easement existing within the bounds of Tract G, 2nd Replat, Section 2, T.J.A.K. Addition, Tom Green County, Texas, recorded on October 31, 2002, Cabinet F,

Slide No. 48, Official Public Records of Tom Green County, Texas, depicted and designated on **Exhibit “A”**, attached hereto.

EXECUTED THIS _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Daniel Valenzuela, City Manager

Bryan Kendrick, City Clerk

STATE OF TEXAS §

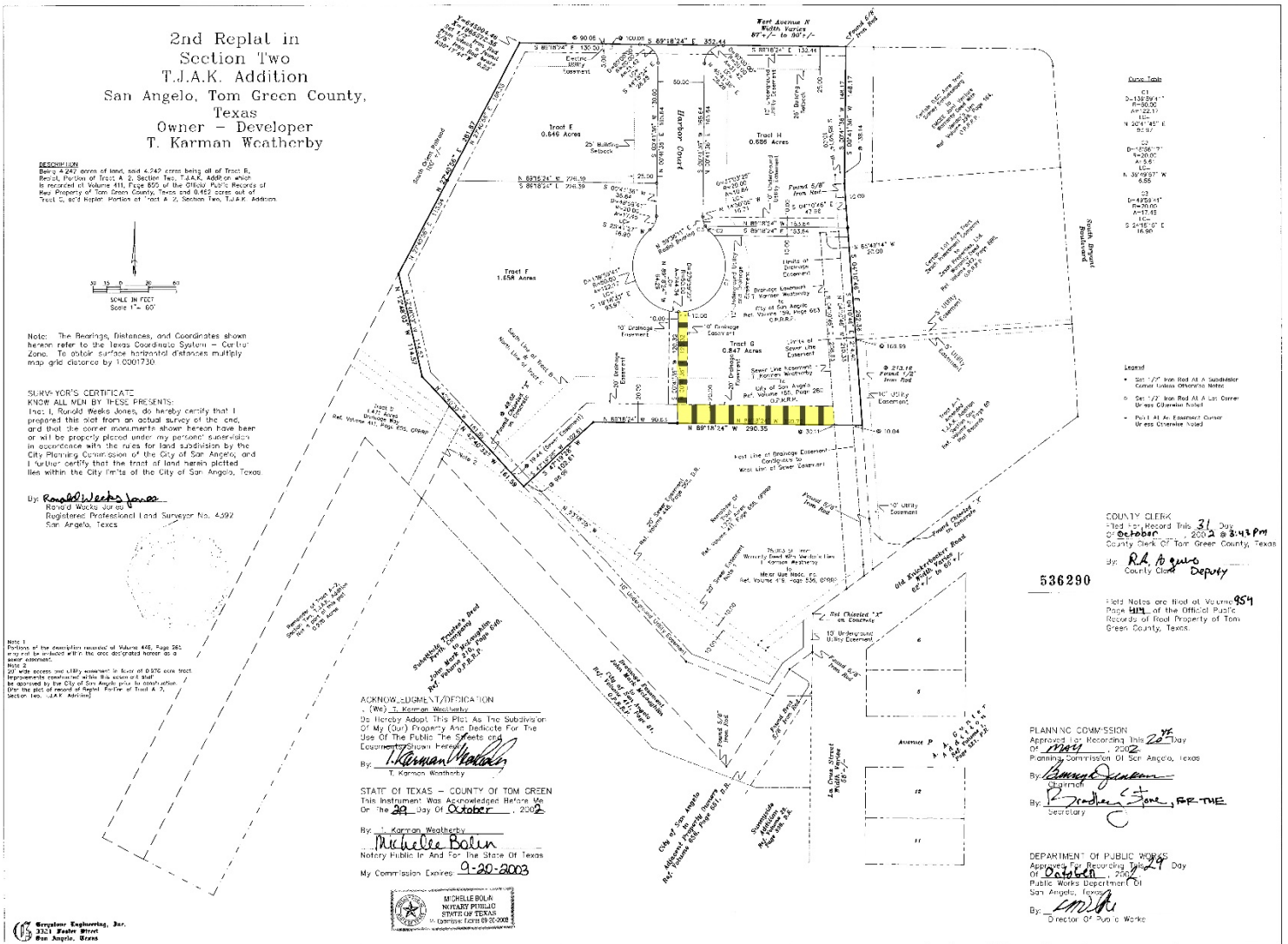
§

COUNTY OF TOM GREEN §

This instrument was acknowledged before me on _____, 2018, by Daniel Valenzuela, as City Manager of the City of San Angelo, a Texas home-rule municipal corporation, on behalf of such corporation.

Notary Public, State of Texas

Exhibit A



536290

STATE OF TEXAS
COUNTY OF TOM GREEN
I hereby certify that this instrument was FILED
on the date and at the time stamped hereon by me
and was duly recorded in plat cabinet F
slide # 48 of the records of Tom Green
County, Texas on October 31, 2002

Elizabeth M. Hill
ELIZABETH MCGILL COUNTY CLERK
TOM GREEN COUNTY, TEXAS

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Consent Item

Caption:

Consider authorizing the sale of the following Lake Nasworthy properties to current residential lot leaseholders for the appraised values and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties (Preas):

1. 1623 Canal Rd (\$26,734)
2. 1710 Shad Rd (\$70,749)
3. 2145 Hillside Dr (\$96,900)
4. 2217 Hillside Dr (\$99,200)
5. 2890 Red Bluff Cir (\$109,400)
6. 6421 Lincoln Park Rd W (\$27,840)
7. 6442 Lincoln Park Rd W (\$23,658)
8. 2366 Fisherman's Rd (\$67,593)

Summary/History:

If the sales are approved at the appraised values, title examinations will be performed and legal staff will prepare Real Estate Contracts of Sale, Special Warranty Deeds, and Surrenders of Leases.

Sale of the surface estate of city-owned Lake Nasworthy residential lots is governed by City of San Angelo Code of Ordinances, Article 9.03, Sec. 9.03.004.

Appraisal of 2366 Fisherman's Road was presented to Council for sale on March 20, 2018, appraiser has determined there was an error in the appraisal report and has submitted a corrected report.

Financial Impact:

Upon approval, proceeds from the sale of residential lots will be placed in the Lake Nasworthy Trust Fund.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|------------------------------------|--|
| 1. | 2145 Hillside Dr Summary Appraisal | 2145 Hillside Dr Summary Appraisal.pdf |
| 2. | 1623 Canal Rd Summary Appraisal | 1623 Canal Rd Summary Appraisal.pdf |
| 3. | 1710 Shad Rd Summary Appraisal | 1710 Shad Rd Summary Appraisal.pdf |
| 4. | 2217 Hillside Dr Summary Appraisal | 2217 Hillside Dr Summary Appraisal.pdf |

- | | | |
|----|--|--|
| 5. | 2366 Fishermans Rd Summary Appraisal | 2366 Fishermans Rd Summary Appraisal.pdf |
| 6. | 2890 Red Bluff Circle Summary Appraisal | 2890 Red Bluff Circle Summary Appraisal.pdf |
| 7. | 6442 Lincoln Park Rd W Summary Appraisal | 6442 Lincoln Park Rd W Summary Appraisal.pdf |
| 8. | 6421 Lincoln Park Rd E Summary Appraisal | 6421 Lincoln Park Rd E Summary Appraisal.pdf |

Presentation:

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

APPRAISAL OF REAL PROPERTY

LOCATED AT

2145 Hillside Dr
San Angelo, TX 76904-7833
Lot 13, Block 1, Group 20, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/13/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2145 Hillside Dr
San Angelo, TX 76904-7833
Borrower: Stephens, Kyle and Mary
File No.: R18-0240

Opinion of Value: \$ 96,900
Effective Date: 06/13/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as though unimproved, in unencumbered fee simple title of ownership (surface only).

This report is based on a physical analysis of the site only, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

1623 Canal Rd
San Angelo, TX 76904-7760
Lot 133, Block 9, Section 2, Group Shady Point, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/13/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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(325) 655-1278
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06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 1623 Canal Rd
San Angelo, TX 76904-7760
Borrower: David Jenkins
File No.: R18-0190

Opinion of Value: \$ 26,734
Effective Date: 06/13/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

1710 Shad Rd
San Angelo, TX 76904-7750
Lot 4, Block 2, Section 1, Group Shady Point, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/13/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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(325) 655-1278
www.halfmannrealty.com

06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 1710 Shad Rd
San Angelo, TX 76904-7750
Borrower: Wayne Walker
File No.: R18-0200

Opinion of Value: \$ 70,749
Effective Date: 06/13/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

2217 Hillside Dr
San Angelo, TX 76904-7835
Lot 20, Block 1, Group 20, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/13/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
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06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2217 Hillside Dr
San Angelo, TX 76904-7835
Borrower: AKH Holding LTD
File No.: R18-0220

Opinion of Value: \$ 99,200
Effective Date: 06/13/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as though unimproved, in unencumbered fee simple title of ownership (surface only).

This report is based on a physical analysis of the site only, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

2366 Fishermans Rd
San Angelo, TX 76904-7865
Lot 17, Block 1, Group 15, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

02/14/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

06/27/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2366 Fishermans Rd
San Angelo, TX 76904-7865
Borrower: Richard Cline
File No.: R17-0730

Opinion of Value: \$ 67,593
Effective Date: 02/14/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

2890 Red Bluff Cir
San Angelo, TX 76904-7846
Lot 38, Block 1, Section 2, Group Red Bluff, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/13/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2890 Red Bluff Cir
San Angelo, TX 76904-7846
Borrower: Hagar, Charles & Daniele
File No.: R18-0230

Opinion of Value: \$ 109,400
Effective Date: 06/13/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership (surface only).

This report is based on a physical analysis of the site only, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

6442 Lincoln Park Rd W
San Angelo, TX 76904-7863
Lot 32, Block 2, Group Lincoln Park, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/19/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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(325) 655-1278
www.halfmannrealty.com

06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 6442 Lincoln Park Rd W
San Angelo, TX 76904-7863
Borrower: Duane Kippes
File No.: R18-0260

Opinion of Value: \$ 23,658
Effective Date: 06/19/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

6421 Lincoln Park Rd E
San Angelo, TX 76904-7862
Lot 6, Block 2, Group Lincoln Park, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

06/19/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

Halfmann Appraisals
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San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

06/22/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 6421 Lincoln Park Rd E
San Angelo, TX 76904-7862
Borrower: Judy Smith
File No.: R18-0250

Opinion of Value: \$ 27,840
Effective Date: 06/19/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Consent Item

Caption:

Consider declaring the following vacant properties surplus and disposing of said surplus properties under published RFB No. RE-01-18 for the highest sealed bid and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the surplus properties by Special Warranty Deed, reserving unto the City of San Angelo mineral interests, surface and ground water rights (Preas):

Tract One: Lots 12, 13 & 14, Block 15, Angelo Heights Addition; being 618, 622 and 626 Elm St

Tract Two: Lots 3 and 4, Block 15, Angelo Heights Addition; being 607 and 609 Locust St

Tract Three: 13,175 square feet of land North of Lot 14, Block 15, Angelo Heights Addition

Tract Four: 8,810 square feet of land North of Lot 1, Block 15, Angelo Heights Addition

Summary/History:

The subject properties are owned by the City and are vacant.

Water Utilities Department managed the properties and have determined the properties are surplus to the City:

Tract One: minimum bid \$6,500; highest sealed bid \$15,500 submitted by Paul Calusio

Tract Two: minimum bid \$4,336; highest sealed bid \$8,001 submitted by Miguel Duran

Tract Three: minimum bid \$4,000; highest sealed bid \$6,000 submitted by Will Green

Tract Four: minimum bid \$2,000; highest sealed bid \$3,001 submitted by Miguel Duran

Financial Impact:

The City will receive the following sealed bid amounts and the properties will be returned to the tax rolls.

Tract One: \$15,500

Tract Two: \$8,001

Tract Three: \$6,000

Tract Four: \$3,001

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. RE-01-18 Bid Tab

RE-01-18 Bid Tab.pdf

Presentation:

None

Approvals/Reviews:

Cynthia Preas

Created/Initiated

Cynthia Preas
Theresa James
Anthony Wilson
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Approved
Final Approval



CITY OF SAN ANGELO

RFB Bid Tabulation * RE-01-18/ Sale of 4 Surface Estate Only Tracts

6/15/2018 at 2:00 p.m.

		NuHome Constructors, LLC	Will Green	Kimberly Kelley	Miguel Duran	Paul Calusio
TRACT 1	MINIMUM BID	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT
618, 622, and 626 Elm Street	\$6,500	\$ 7,500.00	\$	\$ 6,500.00	\$ 6,751.00	\$ 15,500.00
<i>Required Bid Security:</i> \$500.00 Y/N		Yes		Yes	Yes	Yes
TRACT 2	MINIMUM BID					
607 and 609 Locust	\$4,335	\$ 5,000.00	\$	\$	\$ 8,001.00	\$
<i>Required Bid Security:</i> \$500.00 Y/N		Yes			Yes	
TRACT 3	MINIMUM BID					
13,175 SF of land north of Lot 14, Block 15, Angelo Heights	\$4,000	\$ 5,000.00	\$ 6,000.00	\$ 4,500.00	\$ 4,101.00	\$ 4,500.00
<i>Required Bid Security:</i> \$500.00 Y/N		Yes	Yes	Yes	Yes	Yes
TRACT 4	MINIMUM BID					
8,810 SF of land north of Lot 1, Block 15, Angelo Heights	\$2,000	\$	\$	\$ 2,000.00	\$ 3,001.00	\$
<i>Required Bid Security:</i> \$500.00 Y/N				Yes	Yes	

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Consent Item

Caption:

Second reading and adoption of an ordinance granting to Atmos Energy Corporation, a Texas and Virginia corporation, a franchise to construct, maintain, and operate pipelines and equipment in the City of San Angelo, Tom Green County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes (Pehl)

Summary/History:

This is a renewal agreement between the City of San Angelo and Atmos Gas Company allowing Atmos Gas to construction and work within City right of way. The previous agreement between the City and Atmos has expired. This agreement establishes responsibilities for the City and Atmos regarding maintenance, fees for use of right of way and standard procedures in the event of an emergency or accident.

Financial Impact:

The franchise fee will be increased from 4% of Atmos gross revenue to 5% of Atmos gross revenue. There is an expected impact to the General Fund Franchise Fee revenue of approximately \$200,000 per year.

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. San Angelo Reciprocal Agreement Ltr 2018 | San Angelo Reciprocal Agreement Ltr 2018.doc |
| 2. San Angelo - Atmos franchise agreement FINAL | San Angelo - Atmos franchise agreement FINAL.doc |

Presentation:

Approvals/Reviews:

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

June ___, 2018

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

Re: Reciprocal Agreement on Damage to Distribution Facilities

Dear Mr. Valenzuela:

As we have discussed, the City of San Angelo and Atmos Energy Corporation, Mid-Tex Division (Mid-Tex) both operate facilities within the public rights-of-way of San Angelo. On occasion, our respective employees damage those facilities during excavation activity. In order to avoid future misunderstandings concerning the responsibility for the cost of repairing facilities damaged during excavation activities, the City of San Angelo and Mid-Tex are entering into this reciprocal agreement concerning property damage claims.

If Mid-Tex employees damage the facilities owned by the City of San Angelo within the public rights-of-way of San Angelo, the City of San Angelo agrees to repair the damage to its facilities at no cost to Mid-Tex. Mid-Tex agrees to notify the appropriate official of the City of San Angelo as soon as reasonably possible after the occurrence of such damage.

If the City of San Angelo employees damage the distribution facilities owned by Mid-Tex within the public rights-of-way of the City of San Angelo, Mid-Tex agrees to repair the damage to its facilities at no cost to the City of San Angelo. The City of San Angelo agrees to notify the appropriate personnel of Mid-Tex as soon as reasonably possible after the occurrence of such damage.

This reciprocal agreement will remain in full force and effect until one party gives written notice to the other party of termination at least 30 days prior to the proposed termination date. Any such termination will not affect either party's obligation to pay for any damage that occurs prior to the termination date.

If this reciprocal agreement is acceptable to the City of San Angelo, please have both copies of this letter executed by the appropriate City of San Angelo official and return one fully executed copy to me.

Sincerely,

ATMOS ENERGY CORPORATION,
MID-TEX DIVISION

By: _____
Manager of Public Affairs

AGREED TO AND ACCEPTED
THIS ____ DAY OF _____, 2018

CITY OF SAN ANGELO

By: _____
Printed Name: Daniel Valenzuela
Title: City Manager

ORDINANCE NO: _____

AN ORDINANCE GRANTING TO ATMOS ENERGY CORPORATION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAYS; AND PROVIDING THAT SUCH FEE SHALL BE IN LIEU OF OTHER FEES AND CHARGES, EXCEPTING AD VALOREM TAXES; AND REPEALING ALL PREVIOUS GAS FRANCHISE ORDINANCES.

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

SECTION 1. GRANT OF AUTHORITY: The City of San Angelo, Texas, hereinafter called "City," hereby grants to Atmos Energy Corporation, Mid-Tex Division, hereinafter called "Atmos Energy," its successors and assigns, consent to use and occupy the present and future streets, alleys, highways, public utility easements, public ways and other public places ("Public Rights-of-Way"), for the purpose of laying, maintaining, constructing, protecting, operating, and replacing therein and thereon pipelines and all other appurtenant equipment (the "System") to deliver, transport, and distribute gas in, out of, and through City for persons, firms, and corporations, including all the general public, and to sell gas to persons, firms, and corporations, including all the general public, within the City corporate limits, as such limits may be amended from time to time during the term of this franchise, said consent being granted for a term ending December 31, 2037.

SECTION 2. CONSTRUCTION, MAINTENANCE, OPERATION & RELOCATION OF ATMOS ENERGY FACILITIES:

- A. Atmos Energy shall lay, maintain, construct, operate, and replace its pipes, mains, laterals, and other equipment so as to comply with the ordinances, rules, and regulations of the City that are not in conflict with this ordinance and so as to minimize interference with traffic, place or cause to be placed appropriate barriers to mark excavations or obstructions, and promptly clean up and restore to approximate original condition all Public Rights-of-Way that it may disturb at its cost. Atmos shall maintain any repairs related to its activity in the Public Rights-of-Way for a period of one year. Public Rights-of-Way shall not be encumbered longer than necessary to execute the work. In determining the location of the facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then existing facilities of Atmos Energy and shall require other users of Public Rights-of-Way to minimize interference with existing facilities of Atmos Energy. The location of all mains, pipes, laterals and other appurtenant

equipment shall be fixed under the supervision of the City or an authorized representative of the City. In the event of a conflict between the location of the proposed facilities of Atmos Energy and the location of the existing facilities of City or other users of Public Rights-of-Way within Public Rights-of-Way that cannot otherwise be resolved, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Rights-of-Way. In granting this Franchise, the City does not in any manner surrender or waive its regulatory or other rights and powers under and by virtue of the Constitution and statutes of the State of Texas as the same may be amended, nor any of its rights and powers under or by virtue of present or future generally applicable ordinances of the City, including but not limited to, generally applicable ordinances regulating the use of Public Rights-of-Way. Atmos Energy, by its acceptance of this Franchise, agrees that all such lawful regulatory powers and rights as the same may be from time to time vested in the City shall be in full force and effect and subject to exercise thereof by the City at any time.

- B. Atmos Energy or contractors working on behalf of Atmos Energy shall not be required to pay for street cutting, street excavation or other special permits related to excavations in Public Rights-of-Way in connection with Atmos Energy's operations in Public Rights-of-Way. City shall provide Atmos Energy with its annual capital improvements plan as well as any updates or changes as soon as the plan, update, or change becomes available. City shall notify Atmos Energy as soon as reasonably possible of any projects that will affect Atmos Energy's facilities located in the Public Rights-of-Way. When required by City to remove or relocate its mains, laterals, and/or other facilities lying within Public Rights-of-Way, Atmos Energy shall do so as soon as practically possible with respect to the scope of the project. Such relocation shall be completed not later than the deadline set by the City's Public Works Director or his/her designee working in conjunction with Atmos Energy, or if no time frame can be agreed upon, not later than ninety (90) days after the day the notice was sent to Atmos Energy to make the alterations. In no event shall Atmos Energy be required to remove or relocate its facilities in less than thirty (30) days from the time notice is given to Atmos Energy by City. If Atmos Energy fails to remove or relocate its facilities within the time provided by this Section, Atmos Energy shall be subject to liability for actual damages incurred by the City as a result of Atmos Energy's delay, unless such delay is beyond Atmos Energy's control. Atmos Energy's failure to complete the removal or relocation of its facilities within the time provided by this Section may be excused at the City's discretion, if Atmos Energy has promptly notified the City of the circumstances that have caused the delay, and

has requested an extension of the removal/relocation period. City shall grant the extension unless withheld for good cause.

- C. Whenever by reason of street widening, straightening or changes in the grade or contours of a street, alley or other public way or in the location or manner of constructing a water pipe, gas pipe, sewer, communications projects, or any other City owned underground or aboveground structure for a governmental purpose, it is deemed that Atmos Energy's underground or aboveground facilities located in the Public Right-of-Way are in conflict and for this reason it is deemed necessary to remove, alter, change, adapt, or conform the underground or aboveground facilities of Atmos Energy, Atmos Energy shall make the alterations or changes within the time periods discussed in Section 2(B) above, without claim for reimbursement or damages against the City. Atmos Energy shall not be required to remove, alter, change, adapt, or conform its facilities without claim for reimbursement to accommodate a private developer, when such work is for the primary purpose of beautification, or if such facilities are not in conflict with construction performed for a governmental purpose as described above. Facilities are deemed to be in conflict to the extent that their location would be inconsistent with gas distribution industry standard safe operating practices. The City shall not require Atmos Energy to remove its facilities entirely from a street, alley, highway, or other public way unless suitable and safe alternatives are available for relocation at no additional cost to Atmos Energy. Atmos Energy shall not be required to relocate facilities to a depth of greater than four (4) feet below the ground's surface unless necessary to avoid conflict with existing facilities of other authorized users of the Right-of-Way or proposed placement of City's facilities in the Right-of-Way, or if prior agreement is obtained from Atmos Energy.
- D. When Atmos Energy is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Rights-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local or other programs for reimbursement of costs and expenses incurred by Atmos Energy as a result of such removal or relocation, and such reimbursement is required to be handled through City, Atmos Energy costs and expenses shall be included in any application by City for reimbursement if Atmos Energy submits its cost and expense documentation to City prior to the filing of the application. City shall provide reasonable written notice to Atmos Energy of the deadline for Atmos Energy to submit documentation of the costs and expenses of such relocation to City. Upon receipt of

reimbursement from a federal or state agency, the City shall remit to Atmos Energy, within thirty (30) days of receipt, its portion related to the relocation or removal of its facilities.

- E. When Atmos Energy is required to remove or relocate its mains, laterals or other facilities to accommodate construction by City without reimbursement from City, Atmos Energy shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Atmos Energy to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery of such relocation costs. Notwithstanding any provision of this agreement, the City shall have the right to participate and challenge any other capital costs or expenses of Atmos Energy and request full documentation to the full extent provided by state law.
- F. If City abandons any Public Rights-of-Way in which Atmos Energy has facilities, such abandonment shall be conditioned on Atmos Energy's right to maintain its use of the former Public Right-of-Way and on the obligation of the party to whom the Public Right-of-Way is abandoned to reimburse Atmos Energy for all removal or relocation expenses if Atmos Energy agrees to the removal or relocation of its facilities following abandonment of the Public Right-of-Way. If the party to whom the Public Right-of-Way is abandoned requests Atmos Energy to remove or relocate its facilities and Atmos Energy agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

SECTION 3. INDEMNITY & INSURANCE:

Atmos Energy shall fully indemnify and save harmless the City from any and all damage, loss, action or cause of action arising in whole or in part from Company's exercise of any of its rights, privileges, franchises and obligations hereunder, except to the extent arising out of the City's negligence or willful misconduct. In the event of joint and concurrent negligence or fault of both Atmos Energy and the City, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas

without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. It is understood that it is not the intention of the parties hereto to create liability for the benefit of third parties, but that this section shall be solely for the benefit of the parties hereto and shall not create or grant any rights, contractual or otherwise, to any person or entity.

Atmos Energy shall, at its sole cost and expense, obtain, maintain, and provide, throughout the term of this Franchise Agreement, insurance or provide self-insurance against all claims for injuries to person or damages to property that may arise from or in connection with the exercise of the rights, privileges and authority granted hereunder to Atmos, its agents, representatives or employees in accordance with the coverage limits set out below.

The procurement of insurance coverage by Atmos Energy shall not be construed to be a limitation upon Atmos Energy's liability or as a full performance on its part of Atmos Energy's indemnification requirements under this Franchise Agreement. Atmos Energy's obligations are, notwithstanding any policy of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to the exercise of any of its rights, privileges, franchises and obligations hereunder. Failure of Atmos Energy to maintain adequate coverage shall not relieve Atmos Energy of any contractual responsibility or obligation.

A. COMMERCIAL GENERAL LIABILITY.

This policy shall be an occurrence-type policy and shall protect Atmos Energy and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than Atmos Energy's employees) and damage to property of the City or others arising out of the act or omission of Atmos Energy or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Atmos Energy under the paragraph of this Franchise Agreement entitled "Indemnity and Insurance," including completed operations, products liability, contractual coverage, broad form property coverage, explosion, collapse, underground, premises/ operation (to remain in force for two years after expiration of the term hereunder). Coverage limits shall not be less than:

\$ 2,000,000.00	General Aggregate
\$ 1,000,000.00	Products - Completed Operations
\$ 1,000,000.00	Personal & Advertising Injury
\$ 1,000,000.00	Each Occurrence
\$100,000.00	Fire Damage (any one fire)

B. BUSINESS AUTOMOBILE LIABILITY.

This policy shall be written in comprehensive form and shall protect Atmos Energy and the additional insureds against all claims for injuries to members of the public and damage to property of others arising from the use of motor vehicles and shall cover operation on and off the premises of all motor vehicles licensed for highway use, whether they are owned, non-owned or hired. Coverage shall not be less than:

\$ 1,000,000.00	Combined Single Limit per Claim
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C. WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY.

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

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

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

SECTION 4. NON-EXCLUSIVE FRANCHISE: The rights, privileges, and franchises granted by this ordinance are not to be considered exclusive, and City hereby expressly reserves the right to grant, at any time, like privileges, rights, and franchises as it may see fit to any other person or corporation for the purpose of transporting, delivering, distributing, or selling gas to and for City and the inhabitants thereof.

SECTION 5. PAYMENTS TO CITY:

- A. Atmos Energy, its successors and assigns, agrees to pay and City agrees to accept, on or before the 1st days of March, June, September and December, 2018, and on or before the same days of each succeeding year during the life of this franchise the last payment being made on the 1st day of December, 2037, a sum of money which shall be equivalent to five percent (5%) of the Gross Revenues, as defined in 5.B below, received by Atmos Energy during the preceding calendar quarter.
- B. "Gross Revenues" shall mean:
- (1) all revenues received by Atmos Energy from the sale of gas to all classes of customers (excluding gas sold to another gas utility in the City for resale to its customers within City) within the City;
 - (2) all revenues received by Atmos Energy from the transportation of gas through the System

of Atmos Energy within the City to customers located within the City (excluding any gas transported to another gas utility in City for resale to its customers within City);

- (3) the value of gas transported by Atmos Energy for Transport Customers through the System of Atmos Energy within the City ("Third Party Sales")(excluding the value of any gas transported to another gas utility in City for resale to its customers within City), with the value of such gas to be established by utilizing Atmos Energy's monthly Weighted Average Cost of Gas charged to industrial customers in the Mid-Tex division, as reasonably near the time as the transportation service is performed; and
- (4) "Gross Revenues" shall also include the following "miscellaneous charges": charges to connect, disconnect, or reconnect gas and charges to handle returned checks from consumers within the City.

- (5) "Gross Revenues" shall not include:

- (a) revenues billed but not ultimately collected or received by Atmos Energy;
- (b) contributions in aid of construction;
- (c) the revenue of any affiliate or subsidiary of Atmos Energy;
- (d) sales tax and franchise fees paid to the City;
- (e) interest or investment income earned by Atmos Energy; and
- (f) monies received from the lease or sale of real or personal property, provided, however, that this exclusion does not apply to the lease of facilities within the City's right of way.

- C. The initial payment made under this franchise for the rights and privileges herein provided shall be on March 1, 2018, and shall be for the period January 1 through March 31, 2018, and each succeeding payment shall be for the calendar quarter in which the payment is made as follows:

<u>Payment Due Date</u>	<u>Quarter Upon Which Payment is Based</u>	<u>Quarter for Which Payment is Made</u>
June 1 st	January 1 – March 31	April 1 – June 30
September 1 st	April 1 – June 30	July 1 – September 30

December 1st

July 1 – September 30

October 1 – December 31

March 1st

October 1 – December 31

January 1 – March 31

It is also expressly agreed that the aforesaid payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as an ad valorem, special, or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character that City may now impose or hereafter levy and collect from Atmos Energy or Atmos Energy's agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property. If the City does not have the legal power to agree that the payment of the foregoing sums of money shall be in lieu of taxes, licenses, fees, street or alley rentals or charges, easement or franchise taxes or charges aforesaid, then City agrees that it will apply so much of said sums of money paid as may be necessary to satisfy Atmos Energy's obligations, if any, to pay any such taxes, licenses, charges, fees, rentals, easement or franchise taxes or charges aforesaid.

D. Effect of Other Municipal Franchise Ordinance Fees Accepted and Paid by Atmos Energy

If Atmos Energy should at any time after the effective date of this Ordinance agree to a new municipal franchise ordinance, or renew an existing municipal franchise ordinance, with another municipality in Atmos Energy's Mid-Tex Division, which municipal franchise ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Atmos Energy to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise ordinance applied to City. The City acknowledges that the exercise of this right is conditioned upon the City's acceptance of all terms and conditions of the other municipal franchise *in toto*. The City may request waiver of certain terms and Company may grant, in its sole reasonable discretion, such waiver. Such waiver shall not be withheld except for good cause. Requesting such waiver shall not bind the City to a decision to accept or reject any franchise ordinance terms.

E. Atmos Energy Franchise Fee Recovery Tariff

- (1) Atmos Energy may file with the City a tariff or tariff amendment(s) to provide for the recovery of the franchise fees under this agreement.
- (2) City agrees that (i) as regulatory authority, it will adopt and approve the ordinance, rates or tariff which provide for 100% recovery of such franchise fees as part of Atmos Energy's rates; (ii) if the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of Atmos Energy's franchise fees is an issue, the City will take an affirmative position supporting 100% recovery of such franchise fees by Atmos Energy and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Atmos Energy.
- (3) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Atmos Energy.

F. Lease of Facilities Within City's Rights-of-Way. Atmos Energy shall have the right to lease, license or otherwise grant to a party other than Atmos Energy the use of its facilities within the City's public rights-of-way provided: (i) Atmos Energy first notifies the City of the name of the lessee, licensee or user; the type of service(s) intended to be provided through the facilities; and the name and telephone number of a contact person associated with such lessee, licensee or user and (ii) Atmos Energy makes the franchise fee payment due on the revenues from such lease pursuant to Section 5 of this Ordinance. This authority to Lease Facilities within City's Rights-of-Way shall not affect any such lessee, licensee or user's obligation, if any, to pay franchise fees.

SECTION 6. ACCEPTANCE OF FRANCHISE: In order to accept this franchise, Atmos Energy must file with the City Clerk its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City. If such written acceptance of this franchise ordinance is not filed by Atmos Energy, the franchise ordinance shall be rendered null and void.

When this franchise ordinance becomes effective, all previous ordinances of City granting franchises for gas delivery purposes that were held by Atmos Energy shall be automatically canceled and annulled, and shall be of no further force and effect.

SECTION 7. PARAGRAPH HEADINGS. CONSTRUCTION: The paragraph headings contained in this ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this ordinance and this ordinance shall not be construed either more or less strongly against or for either party.

SECTION 8. CONDITIONS OF OCCUPANCY:

(A) All construction and the work done by Atmos Energy, and the operation of its business, under and by virtue of this Franchise Agreement, shall be in conformance with the applicable ordinances, rules and regulations now in force and that may hereafter be adopted by the City relating to the use of its Public Rights-of-Way. This Franchise Agreement shall in no way affect or impair the rights, obligations or remedies of the parties under the Texas Utilities Code, or other state or federal Law.

(B) If the City believes that Atmos Energy has failed to comply with any operational or maintenance standards as required by this Franchise Agreement, City shall give Atmos Energy written notice of such failure to comply. Atmos Energy shall have the opportunity to cure such failure during a period not to exceed fifteen (15) business days from receipt of the written notice. If Atmos Energy fails to cure the alleged failure to comply within the prescribed time period, Atmos Energy's alleged failure to comply shall be heard at a public meeting of the City Council. Atmos Energy shall be given written notice of the public meeting no later than seventy-two (72) hours prior to the posting date of the agenda for the City Council meeting at which such alleged failure is scheduled to be considered by the City Council. The notice to Atmos Energy shall include a list of the failures complained of and, Atmos Energy shall have an opportunity to address the City Council at such public meeting. Commencing five (5) calendar days following the adoption of a resolution or an ordinance of the City Council that finds and determines a failure of Atmos Energy to comply with operational or maintenance standards as required by this Franchise Agreement, this agreement may be subject to termination. In addition, Atmos Energy's failure to timely comply will entitle the City to take actions it deems necessary to protect the public health, safety, and welfare. Any and all reasonable and necessary expenses so incurred by the City shall be invoiced to Atmos Energy and Atmos Energy shall promptly reimburse the City for such expenses.

SECTION 9. LAYING OF LINES IN ADVANCE OF PUBLIC IMPROVEMENTS:

(A) Whenever the City shall decide to make any public improvements in any Public Right-of-Way in which Atmos Energy facilities already exist or in which Atmos Energy may propose to install its facilities, Atmos Energy will be provided the opportunity, at no expense to the City, in advance of such public improvements, to renew such facilities, if defective or inadequate in size, and to lay facilities, or renew same, if inadequate in size or defective, to the property lines where buildings are already located.

(B) At least ninety (90) calendar days prior to the planned paving or repaving of Public Rights-of-Way, City shall give Atmos Energy written notice of the intention of City to pave any such Public Right-of-Way. Upon receipt of such notice, Atmos Energy shall initiate its review process to determine the need to renew its facilities, and the need to lay or renew service lines underneath the portions of the Public Rights-of-Way to be paved. If Atmos Energy determines such a need, Atmos Energy shall promptly initiate such work and shall thereafter proceed in a good faith and workmanlike manner to completion of the necessary work within ninety (90) calendar days after receipt of the notice from the City. Atmos Energy's failure to complete the necessary work within the ninety (90) day period may be excused at the City's discretion, if Atmos Energy has promptly notified the City of the circumstances that have caused the delay, and has requested an extension of the construction period. City shall grant the extension unless withheld for good cause.

(C) If Atmos Energy should fail to take advantage of the pre-paving opportunity to undertake new construction or repairs to its facilities in the Rights-of-Way to be paved, and such street or alley is thereafter paved, except in an emergency, Atmos Energy shall for two (2) years thereafter not be allowed to open cut such pavement or excavate in such paved street or alley. When required to initiate new service within the two (2) year period, Atmos Energy shall be permitted to utilize alternative methods to open cutting in order to establish such service. Atmos Energy shall use its best efforts to minimize disturbance to such paved street or alley, and shall restore the same in accordance with Section 2(A) above.

SECTION 10. EXTENTIONS FOR CUSTOMERS:

Atmos Energy shall, at its expense, extend distribution mains in any Public Right-of-Way up to one hundred (100) feet for any one residential customer only if such customer, at a minimum, uses gas for unsupplemented space heating and water heating. Atmos Energy shall not be required to extend transmission mains in any Public Rights-of-Way within City or to make a tap on any transmission main

within City unless Atmos Energy agrees to such extension by a written agreement between Atmos Energy and a customer.

SECTION 11. EFFECTIVE DATE: If Atmos Energy accepts this ordinance, it becomes effective as of August 24, 2017.

PASSED AND APPROVED on this the _____ day of _____, 2018.

ATTEST:

Bryan Kendrick, City Clerk

Brenda Gunter, Mayor
City of San Angelo, Texas

Theresa James, City Attorney

STATE OF TEXAS §
COUNTY OF TOM GREEN §
CITY OF SAN ANGELO §

I, Bryan Kendrick, City Clerk of the City of San Angelo, Tom Green County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance passed by the City Council of the City of San Angelo, Texas, at a _____ session, held on the _____ day of _____, 2018, as it appears of record in the Minutes in Book _____, page _____.

WITNESS MY HAND AND SEAL OF SAID CITY, this the ____ day of _____, 2018.

Bryan Kendrick, City Clerk
City of San Angelo, Texas

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Second reading and adoption of an ordinance for Case SU18-01, a Special Use to allow for the placement of a manufactured home on a 2.5-acre property zoned Ranch and Estate (R&E) located at 5333 S Gas Plant Rd (James)

Summary/History:

The applicants purchased the property in 2013 with an existing mobile home that was 460 square feet in size, according to the Tom Green County Appraisal District. They expressed their intent to replace this deteriorating home with a new manufactured home. In March 2018, they placed a new 1,376-square foot manufactured home on the property. When they attempted to disconnect electric power from the old home to the new one, the Permits and Inspections Division informed them that new permits would be required for the home.

Financial Impact:

N/A

Other Information/Recommendation:

This item was heard by the Planning Commission on May 21, 2018, where they recommended APPROVAL unanimously, 7-0. City Council heard this item on June 19, 2018, and voted unanimously to APPROVE on first reading.

Attachments:

- | | |
|--------------------|---------------------------------|
| 1. Staff Report | PL_SU18-01 Report_FINAL.pdf |
| 2. Draft Ordinance | PL_SU18-01 Ordinance_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	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL – June 19 and July 17, 2018
STAFF REPORT



APPLICATION TYPE:	CASE:		
Special Use	SU18-01: Zapata		
SYNOPSIS:			
The applicants purchased the property in 2013 with an existing mobile home that is 460-square feet in size, according to the Tom Green County Appraisal District. They expressed their intent to replace this deteriorating home with a new manufactured home. In March 2018, they placed a new 1,376-square foot manufactured home on the property. When they attempted to disconnect electric power from the old home to the new one, the Permits and Inspections Division referred them to the Planning Division.			
LOCATION:		LEGAL DESCRIPTION:	
5333 South Gas Plant Road; generally located approximately 130 feet northwest of the intersection of Gas Plant Road and Shahan Road		Tract 8 in the Blanek Subdivision, compromising a total of 2.5 acres	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	R&E – Ranch and Estate	I – Industrial	2.5 acres
THOROUGHFARE PLAN:			
South Gas Plant Road – Urban Local Street (complied at the time of platting) Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 50' right-of-way, 26' pavement			
NOTIFICATIONS:			
8 notifications mailed within 200-foot radius on May 10, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Special Use to allow for the placement of a manufactured home on a property zoned Ranch and Estate (R&E) as defined in Section 501.F of the Zoning Ordinance, subject to two conditions of approval.			
PROPERTY OWNER/PETITIONER:			
Property Owners: Bertha Zapata et. al. Applicant: Bertha Zapata et. al.			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: As part of their Special Use request, the applicants' submitted a site plan and a Residential Appraisal Report. The Appraisal Report prepared by *Devin Albert Appraisals* on April 18, 2018, was submitted to demonstrate compliance with Section 501.F of the Zoning Ordinance requiring that the new home will be equal to or greater than the median taxable value of all single-family dwellings within 500 feet of the subject property (see attached). It is noted that the Permits and Inspections Division had found a Building Permit #0000-1608 for a new "manufactured" home (HUD home built after June 15, 1976) to replace the existing "mobile" home (built before June 15, 1976) that exists today. The existing mobile home was considered a legal non-conforming structure and State Law allowed its replacement with a new manufactured home at that time. The new home received a final inspection on March 10, 2000. The City's aerial photos show this home was erected, but was removed by 2011. The existing mobile home was never removed. With City Council's adoption of Ordinance No. 2017-09-131, which created a new Section 501.F of the Zoning Ordinance, the applicants now have another opportunity to replace the existing mobile home with a new manufactured home, this time through a Special Use option.

Manufactured Homes in the RS-1, RS-2, or R&E Zoning Districts after September 5, 2017:

Section 501(F) of the Zoning Ordinance requires that the following additional standards for manufactured homes in the RS-1, RS-2, or R&E Zoning Districts are met for any new manufactured homes after September 5, 2017, when these provisions were added to the Zoning Ordinance.

(a) Notwithstanding any previous Special Use or Special Permit approvals by Council, an applicant that seeks to place a manufactured home on a property zoned RS-1, RS-2, or R&E after September 5, 2017, shall be required to obtain Special Use approval from City Council. Properties within these districts must have had a previous mobile home or manufactured home on its premises within one year (365 days) of the date of the application for a Special Use to the Planning Director, or his designee.

The Special Use request will comply with the above standard for manufactured housing in the Ranch and Estate (R&E) Zoning District. If approved, the existing manufacturing home will be removed from the property and the new manufactured home would remain in place. The R&E Zone, and the above provision, allow only one residential dwelling to remain on the lot. As a condition of approval, the Planning Division recommends that the older 460-square foot home be removed within six (6) months of the approval of this Special Use, or before the next manufactured home receives a final occupancy, whichever comes first. This will ensure that eventually only one dwelling will remain on the lot as required by the Zoning Ordinance.

(b) All manufactured homes shall comply with city building setbacks, subdivision control, square footage, and other site requirements applicable for the applicable Zoning District and housing type.

The existing lot has 190 feet of frontage along South Gas Plant Road, a lot depth of 570 feet, and a total area of 2.5 acres, well exceeding the minimum lot frontage and depth of 150 feet by 150 feet, and minimum lot area of 1 acre for R&E lots in the Zoning Ordinance. The applicants' site plan delineates the new manufactured home is approximately 83 feet from the front property line, over 400 feet from the rear yard property line, 77 feet from the north side yard, and 11'-1" from the south side yard. The home will comply with all setbacks except for the required south side yard setback of 15 feet. As a condition of approval, the applicant will be required to submit a final site plan to the Planning Director and Building

Official that delineates a 15-foot south side yard setback in order to obtain a permit for the new home. The existing corrals, totaling approximately 1,500 square feet at the rear, appear to be pre-existing and no record of permits were found for them. The R&E zone allows such accessory structures up to 10% of the principal residential building or 10% of the site area, whichever is greater. The site is 2.5 acres in size, and therefore, these corrals are well under the maximum accessory building size in the R&E Zoning District.

(c) Any property owner or authorized agent who intends to construct, erect, install, or move a manufactured home onto a lot shall first receive Special Use approval from City Council. Once Special Use approval has been granted, an application to the Building Official shall be made to obtain the required permits.

The applicant has submitted this Special Use request in order to satisfy the above standard. In accordance with Section 209.I of the Zoning Ordinance, the applicant will be required to acquire a building permit for the new manufactured home within 12 months from the granting of the Special Use Approval.

(d) If the manufactured home is the principal single-family dwelling on a lot:

1. It shall have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the outer boundaries of the lot on which the manufactured home is proposed to be located, as determined by the most recent certified tax appraisal roll for the county. For purposes of this subsection, "value" shall mean the taxable value of the manufactured home and lot after installation of the home.

The Appraisal Report assessed the taxable value of the new 1,376-square foot manufactured home which includes two-bedrooms, a living room, kitchen, and two bathrooms, and originally constructed in 2017, at \$90,000.00. The report then researched all properties within 500 feet of the subject property and discounted properties that did not have single-family dwellings. The Report found five properties within 500 feet that had single-family dwellings and determined that the median taxable value of the five properties was \$56,380.00, which was \$33,620.00 less than the taxable value of the new manufactured home on the subject property. Specifically, the median taxable value of all single-family dwellings within 500 feet was 37.4% less than the taxable value of new manufactured home, in compliance with this standard of the Zoning Ordinance. The following table is a summary of all properties within 500 feet and those with single-family dwellings that were used to provide the median taxable value:

Taxable Value of Single-Family Dwelling Properties within 500 feet

Address	Structure Type	Year Built (Tom Green County Appraisal District)	Taxable Value (Appraisal Report)
5319 Gas Plant Rd	Single-Family Dwelling	2011	\$53,730.00
5503 Gas Plant Rd	Single-Family Dwelling	1994	\$53,630.00
5238 Old Christoval Road	Single-Family Dwelling	1941	\$56,380.00 (Median)
5429 Gas Plant Rd	Single-Family Dwelling	2009	\$58,730.00
5433 Gas Plant Rd	Single-Family Dwelling	1997	\$142,690.00
5333 Gas Plant Rd	New Manufactured Home	2017	\$90,000.00(Subject Property)
5173 Gas Plant Rd	Mobile Home	1999	N/A
5301 Gas Plant Rd	Mobile Home	1999	N/A
5329 Gas Plant Rd	Mobile Home	2011	N/A

2. If no single-family dwellings exist within 500 feet of the outer boundaries of the lot, the property owner shall not be required to demonstrate comparable value.

Since the Appraisal Report determined that there were single-family residences within 500 feet of the boundaries of the lot, compatible value was required. In addition, the appraiser also examined four other comparable sales within a one-mile radius of the subject property, but outside the 500 foot radius. The results indicated a median taxable value of \$71,686.00 for these four properties, which was still 20.4% less than the taxable value of the new manufactured home of \$90,000.

3. If there are existing single-family dwellings, the Planning Director shall determine compliance with comparable value after the property owner has provided a list of the addresses and current tax valuations of all existing single-family dwellings within 500 feet of the lot on which the manufactured home will be located and a statement from the tax assessor or a competent appraiser of the taxable value that the lot and manufactured home will have after installation.

The Planning Director is satisfied with the Appraisal Report and confirms that the median taxable value of the new manufactured home on the subject property will be greater than the median taxable value for single-family dwellings located within 500 feet of the outer boundaries of the lot.

Planning Commission Recommendation:

On May 21, 2018, the Planning Commission recommended **APPROVAL** of the Special Use to allow for the placement of a manufactured home on the property zoned Ranch and Estate (R&E) as defined in Section 501.F of the Zoning Ordinance. The following is the complete excerpt of the minutes from the May 21, 2018, meeting for this case:

Jeff Fisher, Senior Planner, presented the proposed Special Use request. He explained that the applicants required a Special Use to replace their existing mobile home with a new manufactured home on the property zoned Ranch and Estate (R&E). Mr. Fisher indicated that they had placed the new manufactured home on the property in March 2018 next to the existing home which was not allowed. He explained that the Special Use would allow them to connect electricity from the old home to the new home with a building permit. Mr. Fisher then outlined Staff's rationale for recommending approval, which included that the new home is equal to or greater than the median taxable value of all single-family homes within 500 feet of the property; and that the manufactured home will comply with the development standards of the R&E Zoning District. He explained that the Appraisal Report provided by the applicants showed that the new home will be 37.4% higher in value than the median value of all single-family dwellings within 500 feet as required. Mr. Fisher added that as conditions of approval, the applicants will be required to submit a revised site plan showing a 15-foot south side yard setback for the new home as required, and remove the existing home within 6 months of approval, or before the new manufactured home obtains final occupancy, whichever comes first.

Chair Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the Special Use to allow for the placement of a manufactured home on a property zoned Ranch and Estate (R&E) as defined in Section 501.F of the Zoning Ordinance, subject to the two conditions of approval as presented. Vice Chair Spano seconded the Motion. The Motion passed unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the Special Use to allow for the placement of a manufactured home on a property zoned Ranch and Estate (R&E) as defined in Section 501.F of the Zoning Ordinance. The **following two Conditions of Approval are recommended:**

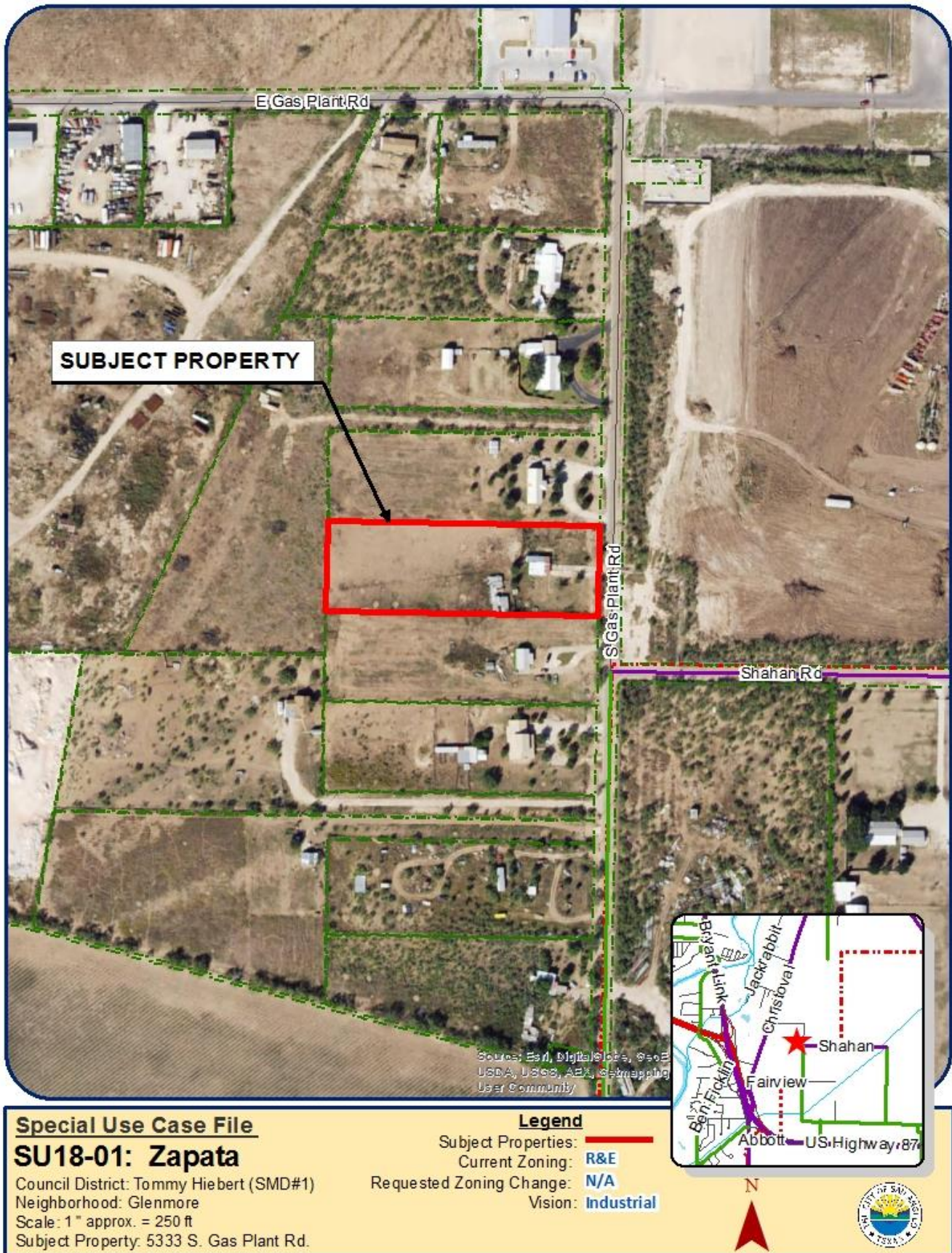
1. The existing 460-square foot manufactured home shall be removed within six (6) months of the approval of this Special Use, or before the new manufactured home receives a final occupancy, whichever comes first.

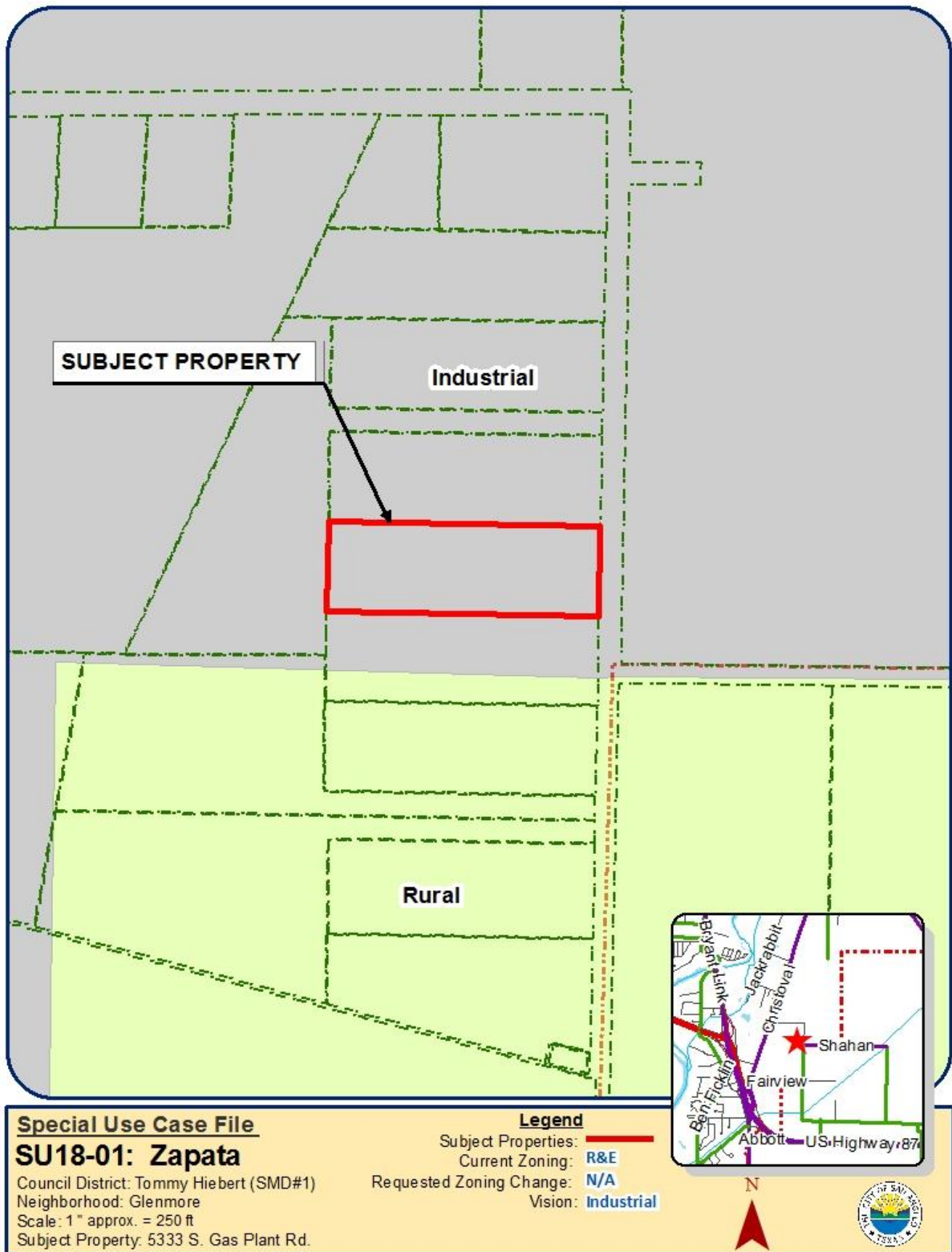
2. The applicants shall submit a final site plan to the Planning Director and Building Official which delineates a minimum 15-foot south side yard setback.

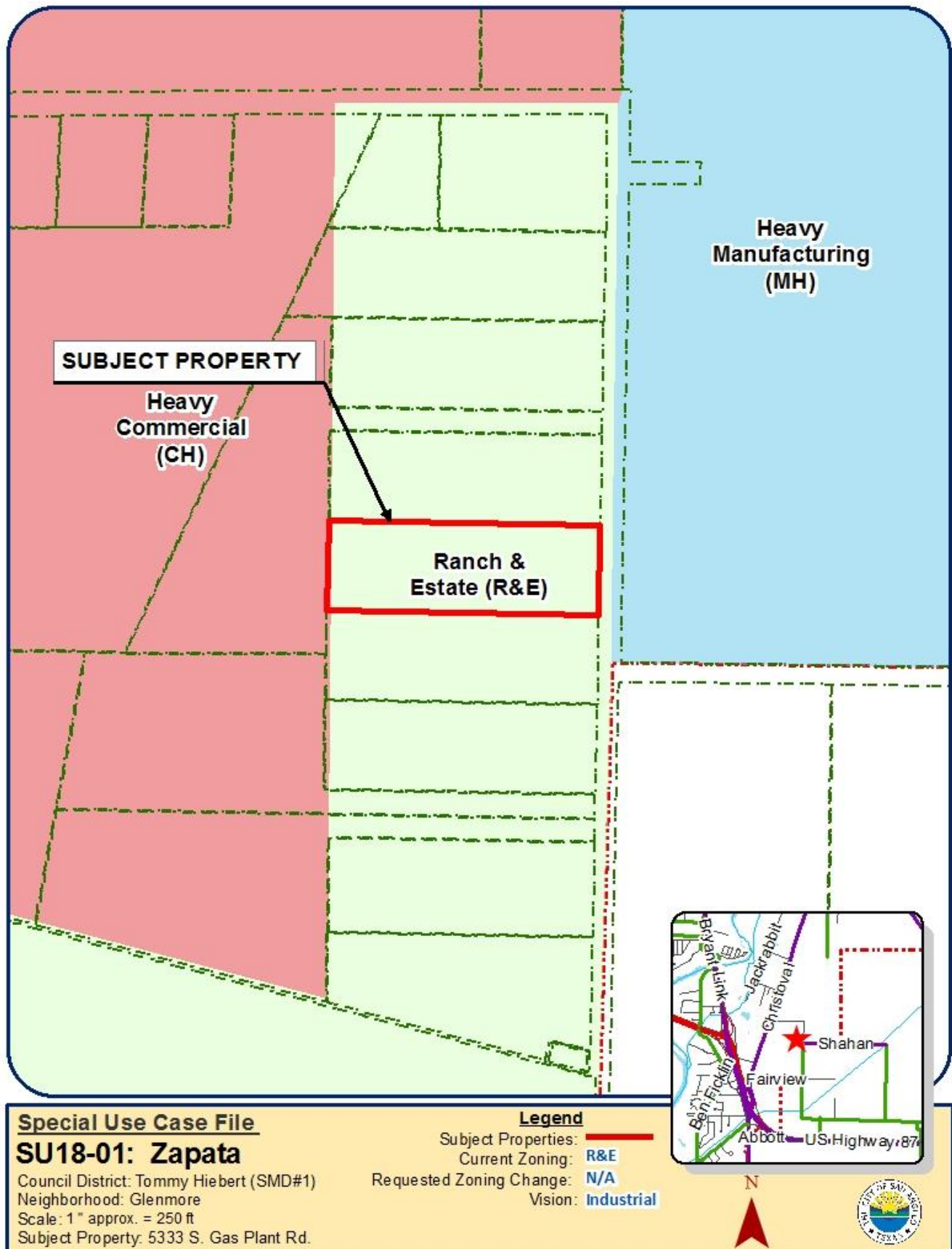
Note: In accordance with Section 209.I of the Zoning Ordinance, the applicant will be required to acquire a building permit for the new manufactured home within 12 months from the granting of the Special Use Approval.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Plan
Appraisal Report – Comparative Value Calculations
500' Boundary Map
Appraisal Report – Photos of New Manufactured Home
Application







Photos of Site and Surrounding Area

NORTH



SOUTH



EAST



WEST AT PROPERTY



**NEW MANUFACTURED HOME
(SPECIAL USE AND PERMIT REQUIRED)**



**EXISTING MOBILE HOME
(TO BE REMOVED)**



Photos of Site and Surrounding Area

5319 SOUTH GAS PLANT ROAD



5301 SOUTH GAS PLANT ROAD



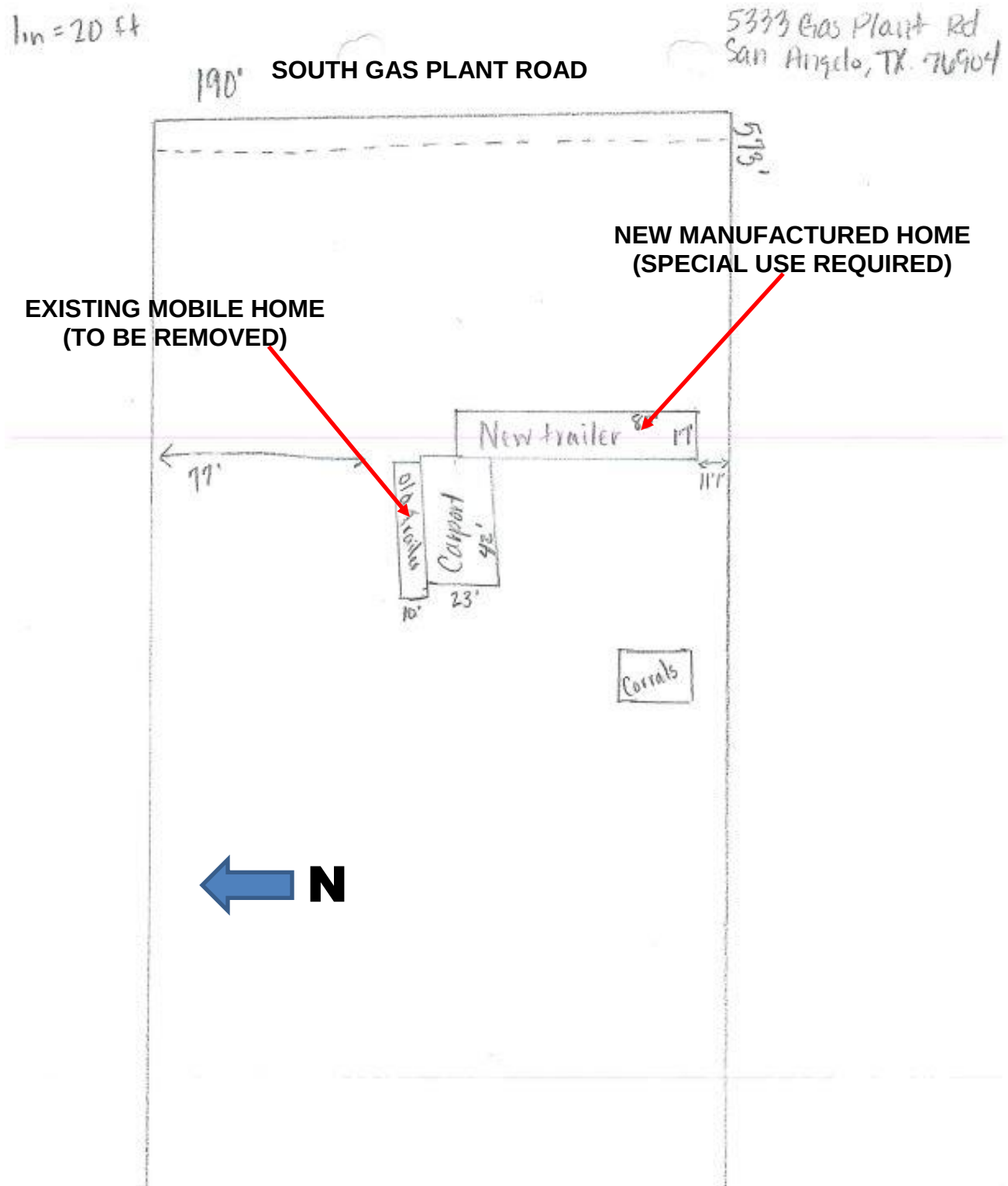
5429 SOUTH GAS PLANT ROAD



5433 SOUTH GAS PLANT ROAD



Site Plan



Appraisal Report Excerpt
Comparable Taxable Value: Single-Family Dwelling Properties within 500 feet

Devin Albert Appraisals
12224 Hidden View Dr. San Angelo, Tx 76904

5333 Gas Plant Rd
File No. 5333 Gas Plant Rd

04/18/2018

Bertha Zapata
5333 Gas Plant Rd
San Angelo, TX 76904

The following is a list of properties within close proximity to the subject property 5333 Gas Plant Rd, San Angelo, Tx 76904. The list includes the address and the Tom Green County Appraisal District assessed value of each property.

1. 5319 Gas Plant Rd., San Angelo, Tx 76904: Assessed value: \$ 53,730.00
2. 5503 Gas Plant Rd., San Angelo, Tx 76904: Assessed value: \$ 53,630.00
3. 5238 Old Christoval Rd., San Angelo, Tx 76904: Assessed value: \$ 56,380.00
4. 5429 Gas Plant Rd., San Angelo, Tx 76904: Assessed value: \$ 58,730.00
5. 5433 Gas Plant Rd., San Angelo, Tx 76904: Assessed value: \$ 142,690.00

The median assessed value is \$ 56,380.00 which is less than the subjects indicated value of \$ 90,000.00.

Properties within 500 feet

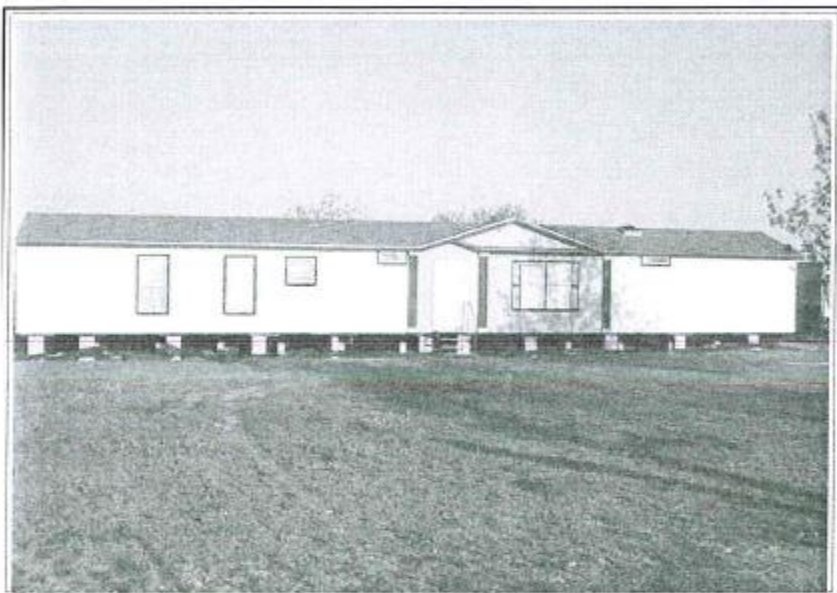
-
- SOUTH GAS PANT ROAD
- N ➡
- Subject Property



Appraisal Report Excerpt
Photos of New Manufactured Home

SUBJECT PROPERTY PHOTO ADDENDUM

Client: Bertha Zapata	File No.: 5333 Gas Plant Rd
Property Address: 5333 Gas Plant Rd	Case No.: 5333 Gas Plant Rd
City: San Angelo	State: TX Zip: 76904



**FRONT VIEW OF
SUBJECT PROPERTY**

Appraised Date: April 18, 2018
Appraised Value: \$ 90,000



**REAR VIEW OF
SUBJECT PROPERTY**



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



Section 1: Basic Information

Name of Applicant(s): Bertha Zapata, Emiliano Zapata & Bertha Rosa Zapata

☒ Owner

☐ Representative (Affidavit Required)

Mailing Address: 3606 Old Post Rd. San Angelo TX 76904
City State Zip Code

Contact Phone Number: 335-374-5206 Contact E-mail Address: brzapata.luna@gmail.com

Subject Property Address: 5333 S Gas Plant Rd. San Angelo TX 76904
City State Zip Code

Lot Size: 2.5 acres Zoning: R+E Future Land Use designation (Comprehensive Plan): Industrial

Section 2: Site Specific Details (Use attachment if necessary)

Existing Use of Property: Existing Mobile Home

Proposed Use of Property: Replacement of Mobile Home w/ New Mobile Home

Proposed Special Use: to allow new mobile home (501F)

I understand that this Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanation(s) below:

Impacts Minimized. Whether and the extent to which the proposed special use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: Surrounding areas are residential, proposed use is residential. No adverse impact.

Consistent with Zoning Ordinance. Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Explanation: Section 501F of zoning ordinance allows special use option on my property which has existing mobile home and to allow it to be replaced by a new mobile home

Compatible with Surrounding Area. Whether and the extent to which the proposed special use is compatible with the existing and anticipated uses surrounding the subject land.

Explanation: Surrounded by other mobile homes in the area

Effective January 3, 2017

Section 2 continued: Site Specific Details

Effect on Natural Environment. Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not limited to , adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: N/A

Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.

Explanation: Existing home is deteriorating, new mobile home will replace it. New mobile home is also higher in value.

Development Patterns. Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.

Explanation: Existing lot is platted, no changes to property

Section 3: Applicant(s) Acknowledgement

Please initial the following:

☒ (B)

If approved, a Special Use is applied to the property, not the property owner.

☒ (B)

The Planning Commission makes recommendations on Special Use requests, City Council has final approval.

☒ (B)

Approval of this Special Use request does not constitute approval of permits, site plans, or other processes that require separate approval.

☒ (B)

If a permit is not sought within one year of the approval date of this Special Use, it will expire and requires another application.

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

Beth Zapata
Signature of licensee or authorized representative

4-20-18
Date

Beth Zapata
Printed name of licensee or authorized representative

Beth Zapata
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: SU 18-01

Date of application: 4,23,2018

Planning Commission Date: 5,21,18 City Council Date: 6,19,2018

Nonrefundable application fee: \$ 225.00 Receipt #: 284677 Date paid: 4,23,2018

Reviewed/Accepted by: J. Fisher Date: 4,23,2018

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 PROPERTY WITHIN THE RANCH AND ESTATE (R&E) ZONING DISTRICT: **5333 South Gas Plant Road; generally located approximately 130 feet northwest of the intersection of Gas Plant Road and Shahan Road;**, AUTHORIZING A SPECIAL USE TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED HOME SUBJECT TO CONDITIONS STATED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

SU18-01

WHEREAS, the Planning Commission for the City of San Angelo, in compliance with the City Ordinances and state law regarding zoning regulations and zoning map, having afforded a full and fair hearing on the subject zoning change and made its recommendation to City Council for Approval of the Special Use subject to conditions stated; and,

WHEREAS, notice has been duly published of the time and place of a public hearing before the City Council regarding the subject zoning changes, which public hearing was held on the 19th day of June, 2018; and,

WHEREAS, the City Council has determined that the amendment to the Comprehensive Plan and Zoning Ordinance herein made is in the best interest of the health, safety and general welfare of the citizens of the City of San Angelo;

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

SECTION 1: Chapter 12 of the Code of Ordinances of the City of San Angelo, the basic Zoning Ordinance for the City adopted on January 4, 2000, and the Zoning Map be and the same are hereby amended as follows:

5333 South Gas Plant Road; generally located approximately 130 feet northwest of the intersection of Gas Plant Road and Shahan Road; and being Tract 8 in the Blanek Subdivision, compromising a total of 2.5 acres, City of San Angelo, Texas, as depicted in Exhibit “A,” zoned Ranch and Estate (R&E) Zoning District, shall henceforth permanently have a **Special Use to allow for the placement of a manufactured home on a property zoned Ranch and Estate (R&E) in compliance with standards defined in Section 501.F of the Zoning Ordinance.**

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to correct Zoning District Maps in the Office of the Director of the Planning and Development Services Department, to reflect the herein described changes in zoning.

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. The Special Use, as hereby authorized, shall have no fundamental effect upon the subject property’s underlying or base zoning classification.

SECTION 4: The Special Use, as hereby authorized, shall be subject to the following Conditions:

1. The existing 460-square foot manufactured home shall be removed within six (6) months of the approval of this Special Use, or before the new manufactured home receives a final occupancy, whichever comes first.
2. The applicants shall submit a final site plan to the Planning Director and Building Official which delineates a minimum 15-foot south side yard setback.

SECTION 5. This special use approval is subject to the requirement that the property for which the approval is issued must actually acquire a building permit for the approved use within 12 months from the granting of the special use approval, provided that the Planning Director, with significant evidence that the designated use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months.

SECTION 6. 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 7 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 8: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **19th day of June, 2018**, and finally PASSED, APPROVED AND ADOPTED on this, the **17th day of July, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Public hearing and first reading for:

1. An amendment to the zoning ordinance creating a new Section 212 River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone and establishing standards for development within these zones; Creating a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay zone, and Section 311 Cultural District Overlay Zone and identifying their purpose, applicability and review procedures; Rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; Rezoning properties generally located north of Neff's Way, east of South David St, south of Houston Harte, and west of N Emerick St to apply the Downtown Overlay Zoning District; and Rezoning properties generally located North of East Highland Blvd, East of Rust St, South of Bakers St and West of Hill St to apply the cultural overlay zoning district.
2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, River Corridor Development Ordinance, the Old Town District and boundary map (Z10-14), and Section 12.04.018 "Fort Concho Historic District"
3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The Planning Division recently undertook a review of the City's River Corridor Development Ordinance, Historical Overlay standards in the Zoning Ordinance, as well as the boundaries of the River Corridor, downtown area, and historic overlay districts. This was to determine a) changes to the current development review process for River Corridor and Certificate of Appropriateness applications; and b) changes to the current boundaries of the River Corridor, downtown area, and historical areas. River Corridor Applications are currently required under Article 12.06 River Corridor Development of the City Code of Ordinances for any new construction, exterior remodeling of a structure, or moving a structure onto a lot located within the current River Corridor boundary. "Construction" includes fences, signs, reroofing and remodeling. Construction under 1,200 square feet, fences, unlit signs no larger than 50 square feet, temporary structures and signs no longer than 10 days, and construction for safety and access may be approved administratively at the discretion of the Planning Manager or designated representative. All other construction must be approved by the Design and Historic Review Commission (DHRC). In addition, the current River Corridor boundary map also includes an additional 150-foot sign area located adjacent to certain streets. Signs located on properties outside the River Corridor, but adjacent within this 150-foot area would require DHRC or the Planning Manager's approval. Section 211 and 308 of the Zoning Ordinance require properties that are designated as historical landmarks or part of a larger historic district require a Certificate of Appropriateness (CA) approval from the DHRC. Similar to River Corridor reviews, CA review is

also required for new exterior construction and reconstruction on historic landmarks or in historic districts.

The current River Corridor ordinance and map have been in effect for over twenty years. The historic overlay standards of the Zoning Ordinance have existed since January 4, 2000 when they were adopted as part of the new Zoning Ordinance. Through research and input from the Design and Historic Review Commission (DHRC), staff has determined that several changes should be made to ensure efficiency and clarity for customers and a clear, simplified approval process for these areas of the City that require a River Corridor approval or Certificate of Appropriateness. Staff also believes that these changes will assist in the creation of design standards in the future to ensure appropriate design and long-term growth potential of these areas.

Financial Impact:

N/A

Other Information/Recommendation:

On June 18, 2018, the Planning Commission recommended approval of an amendment renaming Article 12.04.017 of the Sign Ordinance, "River Corridor Area" which regulates signs in the River Corridor as "River Corridor District, Downtown District and Cultural District Overlays" to now regulation signage in all three new overlays and repealing Article 12.04.018 of the Sign Ordinance, "Fort Concho Historic District" which regulated signs in the Fort Concho area by a unanimous vote.

On May 21, 2018, the Planning Commission recommended approval of a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay Zone, and Section 311 Cultural District Overlay Zone for the three new district overlay zones, identifying their purpose, applicability and review procedures by a vote of 6-1. They also recommended approval of an amendment revising existing standards of Sections 211 and 308 relating to Certificates of Appropriateness for construction on historically designated properties, maintaining Section 211.G.3 as currently approved to require the DHRC to review a Certificate of Appropriateness within 45 days from date of application, by a unanimous vote.

At the same May 21st meeting, the Planning Commission unanimously recommended approval of three rezonings creating new boundary maps for the new River Corridor District Overlay Zone; Downtown District Overlay Zone; and Cultural District Overlay Zone. They voted to apply the River Corridor overlay zoning district to approximately 4,439 acres of property generally located along the Concho River from the eastern to the western City limits including properties that directly adjoin or are a maximum of 2,275 feet from the river's edge, excluding the area south of Avenue L and east of Bell Street. They then voted to apply the Downtown Overlay Zoning District to only include the original area of "Downtown" on the current River Corridor map. Finally, the Commission voted to apply the Cultural Overlay Zoning District to only include the current Historic Overlay zones and City properties shown on the proposed Cultural Overlay map, and to include the Art Museum as part of the new Cultural Overlay District and removing it from the proposed River Corridor Overlay District.

On April 16, 2018, the Planning Commission recommended approval of creating three new proposed Overlay Districts – a revised River Corridor area, a new Downtown Overlay District, and a new Cultural Overlay District with associated maps, revising the application process and the creation of new development standards, and the City Code of Ordinances and repealing Article 12.06 "River Corridor Development" of the San Angelo City Code of Ordinances as well as repealing the "Old Town Historic District" (Z10-14) by a vote of 6-1.

The Design & Historic Review Commission reviewed these amendments at their November 2, 2017, and their January 11, February 15, and March 15, 2018, meetings. During their March 15th meeting, the Commission voted unanimously

to approve the proposed text changes and create the three Overlay Districts.

Attachments:

- | | | |
|----|-----------------------------------|--|
| 1. | Staff Report | PL_Memo_District Overlays_CC 7-17.docx |
| 2. | Summary Table of Proposed Changes | Summary Table of Proposed Changes.docx |
| 3. | Proposed Text | PL_FullText_District Overlays_CC 7-17.docx |
| 4. | Draft Ordinance #1 | RIVER CORRIDOR ORDINANCE #1 (FINAL).docx |
| 5. | Draft Ordinance #2 | RIVER CORRIDOR ORDINANCE #2 (FINAL).docx |
| 6. | Draft Ordinance #3 | RIVER CORRIDOR ORDINANCE #3 (DRAFT).docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

MEMO

**Meeting**

Dates: July 17, & August 7, 2018

To: City Council

From: Jon James, AICP
Director

Request: Public hearing and consideration of an amendment to the Zoning Ordinance for the following: 1) Revising existing standards of Sections 211 and 308 relating to Certificates of Appropriateness for construction on historically designated properties; 2) Establishing a new Section 212 with application process, construction standards, and boundary maps for development in the three new district overlay zones, the River Corridor, Downtown, and Cultural District Overlay Zones; 3) Creating a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay Zone, and Section 311 Cultural District Overlay Zone for the three new district overlay zones, identifying their purpose, applicability and review procedures; 4) Adding to Section 301 to the base zoning districts, the new River Corridor District Overlay Zone (RCO), Downtown District Overlay Zone (DO), and Cultural District Overlay Zone (CDO); and 5) The repeal of the Old Town District and boundary map (Z10-14); Pubic hearing and consideration of an amendment to the Sign Ordinance, revising Section 12.04.017 River Corridor Area of the City Code of Ordinances, replacing the River Corridor with the new River Corridor, Downtown and Cultural District Overlay Zones; and, public hearing and consideration of repeals of Article 12.06, River Corridor Development and Section 12.04.018 Fort Concho Historic District of the City Code of Ordinances.

Background:

The Planning Division recently undertook a review of the City's River Corridor Development Ordinance, Historical Overlay standards in the Zoning Ordinance, as well as the boundaries of the River Corridor, downtown area, and historic overlay districts to determine a) changes to the current development review process for River Corridor and Certificate of Appropriateness applications; and b) changes to the current boundaries of the River Corridor, downtown area, and historical areas. River Corridor Applications are currently required under *Article 12.06 River Corridor Development of the City Code of Ordinances* for any new construction, exterior remodeling of a structure, or moving a structure onto a lot located within the current River Corridor boundary. "Construction" includes fences, signs, reroofing and remodeling. Construction under 1,200 square feet, fences, unlit signs no larger than 50 square feet, temporary structures and signs no longer than 10 days, and construction for safety and access may be approved administratively at the discretion of the Planning Manager or designated representative. All other construction must be approved by the Design and Historic Review Commission (DHRC). In addition, the current River Corridor boundary map also includes an additional 150-foot sign area located adjacent to certain streets. Signs located on properties outside the River Corridor, but adjacent within this 150-foot area would require DHRC or the Planning Manager's approval. Section 211 and 308 of the Zoning Ordinance require properties that are designated as historical landmarks or part of a larger historic

district require a Certificate of Appropriateness (CA) approval from the DHRC. Similar to River Corridor reviews, CA review is also required for new exterior construction and reconstruction on historic landmarks or in historic districts.

The current River Corridor ordinance and map have been in effect for over twenty years. The historic overlay standards of the Zoning Ordinance have existed since January 4, 2000, when they were adopted as part of the new Zoning Ordinance. Staff's research has determined that several changes should be made to ensure efficiency and clarity for customers and a clear, simplified approval process for these areas of the City that require a River Corridor approval or Certificate of Appropriateness. Staff also believes that these changes will assist in the creation of design standards in the future to ensure appropriate design and long-term growth potential of these areas.

Changes to River Corridor, Creation of new Overlay District Zones and Maps

The Planning Division undertook a review of current map boundaries, and conducted site assessments of properties within the River Corridor, Downtown San Angelo, and the historic districts including the Old Town District, Fort Concho District, and the area surrounding the Museum of Fine Arts. Staff determined that the River Corridor Map included parts of downtown San Angelo and properties that did follow the river line. Staff also found that Downtown San Angelo and the area around the museum with a compilation of art galleries and historic properties should have their own unique overlay districts, as they are separate from the River Corridor. Therefore, Staff is proposing the creation of a revised River Corridor District that is more appropriate by following the river line itself; creation of a Downtown District Overlay Zone to encompass properties located within Downtown San Angelo in parts of the Central Business District (CBD) and surrounding urban areas where the City's Comprehensive Plan recommends for future expansion of the CBD; and the creation of a new Cultural District Overlay Zone that incorporates the museum, Fort Concho, Santa Fe Crossing, and a series of art studios and historical buildings into a single district to reflect current activity in this area. The proposed new boundary maps can be found attached to this Staff Report and delineate the current and revised boundaries. This research concluded with the proposed implementation of three new district overlay zones for each of the three areas – a new River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone which would be added to the Zoning Ordinance. As with other overlay zones, properties would still be subject to the underlying zoning that applies. However, the Planning Director or DHRC would now be able to review materials and colors on a building in an overlay district. These overlay zones will eventually have their own criteria and design standards, but at present, will continue to be subject to the *River Corridor Master Development Plan* guidelines until new design standards are implemented.

Changes to Application Process and Standards

After a review of current ordinances and policies, the Planning Division is recommending that the current River Corridor Development Ordinance be repealed and replaced with a more comprehensive set of standards in the Zoning Ordinance that a) establishes a clear approvals process for new applications; b) redefines construction to include exterior painting and certain landscaping; and c) applies to the three new district overlay zones. This includes repeals and amendments of other ordinances that are no longer applicable. For example, the former Old Town District Overlay Zone and Fort Concho Historic District Sign Area are being repealed as they are now located in new Cultural District Overlay Zone which will regulate construction and signage in this area. Finally, the Planning Division found that Section 308 of the Zoning Ordinance repeats much of the same criteria for a Certificate of Appropriateness under Section 211. The proposed changes will consolidate and remove redundant portions of Section 308 into Section 211. Historical buildings and landmarks, and properties that are

part of a historical district overlay zone would continue to require a Certificate of Appropriateness as per Section 211 of the Zoning Ordinance.

Summary of Hearings and Recommendations

The Planning Division presented its recommendations to the Design and Historic Review Commission (DHRC) at their January 11, February 15, and March 15, 2018 Meetings, and then the Planning Commission (PC) at their April 16, May 21, and June 18, 2018 Meetings. The DHRC meetings were presented as discussion items only. The May 21 Planning Commission Meeting which included a review of the current boundary maps, was circulated to all property owners inside and within 200 feet of the current boundaries and proposed new boundaries. **The full text of the proposed changes can be found at the end of this Staff Report. The full minutes record for all DHRC and PC Meetings can be found on the Planning Commission and Design and Historic Review Commission webpages, as well as on file with the Planning and Development Services Department. A summary of the Planning Division's final recommendations, as well as Planning Commission motions of actions are as follows:**

June 18, 2018, Planning Commission:

The Planning Division RECOMMENDED APPROVAL of the following:

- 1. Renaming Article 12.04.017 of the Sign Ordinance, "River Corridor Area" which regulates signs in the River Corridor as "River Corridor District, Downtown District and Cultural District Overlays" to now regulation signage in all three new overlays.** This section which already applies to the current River Corridor, will now apply to all three new overlay zones. This section limits freestanding signage to 30 feet in height and a maximum of 75 square feet in area to maintain view corridors and preserve the historical and cultural significance of these areas.
- 2. Repealing Article 12.04.018 of the Sign Ordinance, "Fort Concho Historic District" which regulated signs in the Fort Concho area.** As indicated, the Fort Concho area is now part of the new Cultural Overlay District Zone and will have its own design standards. Signs in Fort Concho will also continue to require a Certificate of Appropriateness as this district continues to be a historical district.

MOTION: Commissioner Brooks made a Motion to recommend APPROVAL of a Text Amendment to Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" Overlays; and removal of Section 12.04.018 "Fort Concho Historic District." Commissioner Uherik seconded the motion. The motion for passed unanimously 5-0.

May 21, 2018, Planning Commission:

The Planning Division RECOMMENDED APPROVAL of the following:

- 3. Creation a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay Zone, and Section 311 Cultural District Overlay Zone for the three new district overlay zones, identifying their purpose, applicability and review procedures.** The creation of the three new overlay districts will ensure that future exterior construction will be reviewed for quality of design, materials, and colors. New development projects located within these overlays will continue to be reviewed for generally consistency with the current River Corridor Master Development Plan until new design policies and standards have been established.

MOTION: Commissioner Smith made a Motion to recommend APPROVAL of “Item 3A,” an amendment to the Zoning Ordinance, Article 3, creating a new River Corridor District Overlay, Downtown District Overlay, and Cultural District Overlay, identifying their purpose, applicability, and review procedures, as presented. Commissioner Brooks III seconded the motion. Commissioners Smith, Brooks III, Jackson, Uherik, Self, and Chair Stribling voted in favor, and Vice Chair Spano voted against. The motion for Item 3A passed 6-1.

- 4. Revising existing standards of Sections 211 and 308 relating to Certificates of Appropriateness for construction on historically designated properties.** This amendment removed or relocated redundant portions of Section 308 into Section 211 related to Certificates of Appropriateness (CA). This included adding exterior additions and expansions of existing buildings to the criteria in Section 211 for when buildings located on properties historically designated and/or containing a historic landmark require a Certificate of Appropriateness.

MOTION: Commissioner Smith made a Motion to recommend APPROVAL of “Item 3B,” an amendment to the Zoning Ordinance, revising the existing standards for Section 211 “Historic Overlay Zone” and Section 308 “HO – Historic Overlay Zone,” to clarify the process for when a Certificate of Appropriateness is required on properties in historic districts or containing historic landmarks, MODIFYING Section 211.G.3 to require the DHRC to review a Certificate of Appropriateness within 60 days instead of 45 days from date of application. Commissioner Smith retracted his motion.

Commissioner Smith made a new Motion to recommend APPROVAL of “Item 3B”, an amendment to the Zoning Ordinance, revising the existing standards for Section 211 “Historic Overlay Zone” and Section 308 “HO – Historic Overlay Zone,” to clarify the process for when a Certificate of Appropriateness is required on properties in historic districts or containing historic landmarks, AS PRESENTED, maintaining Section 211.G.3 as currently approved to require the DHRC to review a Certificate of Appropriateness within 45 days from date of application. Commissioner Brooks III seconded the motion. The motion for Item 3B passed 7-0.

- 5. Approval of three rezonings creating new boundary maps for the new River Corridor District Overlay Zone; Downtown District Overlay Zone; and Cultural District Overlay Zone.** This amendment created three new overlay zones consistent with the creation of the new design districts. The new districts will cover the land within the old River Corridor and historical districts, as well as expand consistent with the features and uses in the districts themselves. The new River Corridor will now follow the river line itself; the Downtown District will follow the Downtown designation in the Comprehensive Plan; and the Cultural District will encompass the historical districts, the fine arts museum, and various art galleries in this area.

River Corridor Overlay:

MOTION: Commissioner Brooks made a Motion to recommend DENIAL of “Item 4A,” a rezoning to apply the River Corridor overlay zoning district to approximately 4,439 acres of property generally located along the Concho River from the eastern to the western City limits including properties that directly adjoin or are a maximum of 2,275 feet from the river’s edge. The motion was seconded by Commissioner Jackson. Commissioner Brooks RESCINDED his motion.

MOTION: Commissioner Brooks made a new Motion to recommend APPROVAL of “Item 4A,” a rezoning to apply the River Corridor overlay zoning district to approximately 4,439 acres of property generally located along the Concho River from the eastern to the western City limits including properties that directly adjoin or are a maximum of 2,275 feet from the river’s edge, EXCLUDING the area south of Avenue L and east of Bell Street. The motion was seconded by Commissioner Jackson. The motion for Item 4A passed unanimously 7-0.

PLANNING DIVISION REVISED RECOMMENDATION: *The Planning Division supports the Planning Commission’s recommendation that the properties south of Avenue L and east of Bell Street are excluded from the new River Corridor. Many of these properties are presently vacant or used as open space. Should development expand more rapidly east of Bell Street and south of Avenue L in future, an amendment to these maps could be brought forward for consideration.*

Downtown Overlay:

Commissioner Smith made a Motion to recommend APPROVAL of “Item 4B,” a rezoning to apply the Downtown overlay zoning district to approximately 552 acres of property generally located north of Neff’s Way, east of South David Street; south of Houston Harte Expressway, and west of North Emerick Street. There was no second vote to approve and the motion FAILED.

Commissioner Brooks made a Motion to recommend DENIAL of “Item 4B,” a rezoning to apply the Downtown overlay zoning district to approximately 552 acres of property generally located north of Neff’s Way, east of South David Street; south of Houston Harte Expressway, and west of North Emerick Street. The motion was seconded by Vice Chair Spano. The motion FAILED due to lack of any further action from the Commission.

Commissioner Brooks made a new Motion to recommend APPROVAL of “Item 4B,” a rezoning to apply the Downtown overlay zoning district to approximately 552 acres of property generally located north of Neff’s Way, east of South David Street; south of Houston Harte Expressway, and west of North Emerick Street, MODIFYING the boundary to only include the original area of Downtown on the current River Corridor map. The motion was seconded by Vice Chair Spano. The motion for Item 4B passed unanimously, 6-0.

PLANNING DIVISION RECOMMENDATION: *The Planning Division believes the Downtown area should include the entire boundary as proposed. This larger area includes most of the Downtown Future Land Use in the City’s Comprehensive Plan and parts of the Central Business District (CBD) that could be expanded in future. Excluding these areas from Downtown could lead to inappropriate and inconsistent building design and development in Downtown San Angelo. Incorporating these areas as part of the Downtown District Overlay Zone will ensure more quality construction and consistency in design standards.*

Cultural Overlay:

Commissioner Brooks made a Motion to recommend APPROVAL of “Item 4C,” a rezoning to apply the Cultural overlay zoning district to approximately 64 acres of property generally located north of East Highland Boulevard, east of Rust Street, south of Bakers Street, and west of Hill Street, MODIFYING the boundaries to only include the current historic overlay zones and city properties shown on the proposed cultural overlay map, and to direct City Council to include the Art Museum as part of the new Cultural Overlay District and removing it from the new River Corridor Overlay District. The motion was seconded by Commissioner Jackson. The motion for Item 4C passed unanimously 7-0.

PLANNING DIVISION RECOMMENDATION: *The Planning Division believes the Cultural District should be approved as presented. The Division sees no appropriate reason to exclude properties within this area that are not part of existing historical areas or City property. The cultural district includes art studios, boutiques, and other culturally significant buildings whether they are historically designated or not. As more redevelopment of these buildings occur, the importance of design review will become increasingly important. Similar to the River Corridor and Downtown districts, ensuring a minimum standard of design consistency will ensure the long-term enhancement and preservation of these corridors, and thereby continue to attract shopping and tourism in this part of San Angelo. In addition, the Planning Division believes the Art Museum which is adjacent to the River Corridor should remain part of the new River Corridor Overlay District.*

April 16, 2018, Planning Commission:

The Planning Commission RECOMMENDED APPROVAL of the following:

6. Creation of three new proposed Overlay Districts – a revised River Corridor area, a new Downtown Overlay District, and a new Cultural Overlay District with associated maps.

NOTE: This item was brought back to the May 21, 2018, Planning Commission Meeting and reviewed as separate items. The Overlay Districts were separated into three distinct Zoning sections, and the three overlay maps had separate motions for each (see above).

The purpose of this section is to create new district overlays and boundaries that are representative of current development patterns. This included separating what is now the River Corridor into separate districts, including the commercial and historic core into a “Downtown” district, the museums, Fort Concho, and surrounding areas into a “Cultural” district, and the properties adjacent and visible from the river into a new “River Corridor” district.

7. **Revising the application process and the creation of new development standards.** This section establishes a new Section 212 with application process, construction standards, and boundary maps for development in the three new district overlay zones, the River Corridor, Downtown, and Cultural District Overlay Zones.
8. **Repeal of Article 12.06 “River Corridor Development” of the San Angelo City Code of Ordinances; and repeal of the “Old Town Historic District” (Z10-14).** Article 12.06 is no longer required as it being replaced with the new overlay zoning districts in the Zoning Ordinance. The Old Town District is no longer required because properties within this area will become part of either the new Cultural District or River Corridor District.

Commissioner Smith made a motion to table this item until the next Planning Commission Meeting. There was no second and the motion failed for lack of quorum.

Commissioner Brooks III made a Motion to recommend APPROVAL of the proposed Text Amendment as presented. Commissioner Uherik seconded the Motion. Commissioners Brooks III, Uherik, Jackson, Stribling, Spano, and Self voted in favor, and Commissioner Smith voted against. The Motion passed, 6-1.

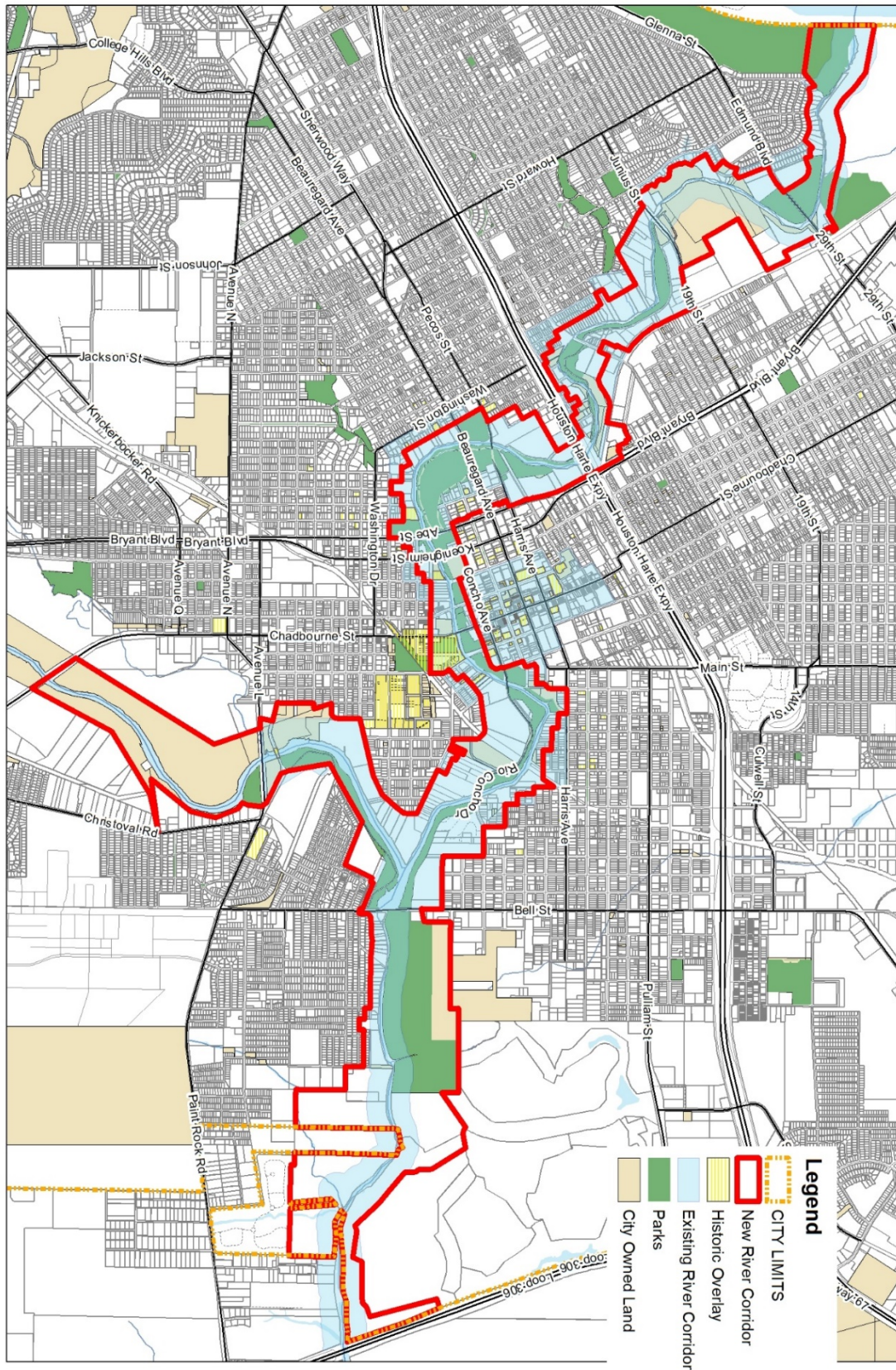
Attachments:

River Corridor District Overlay Zone Map

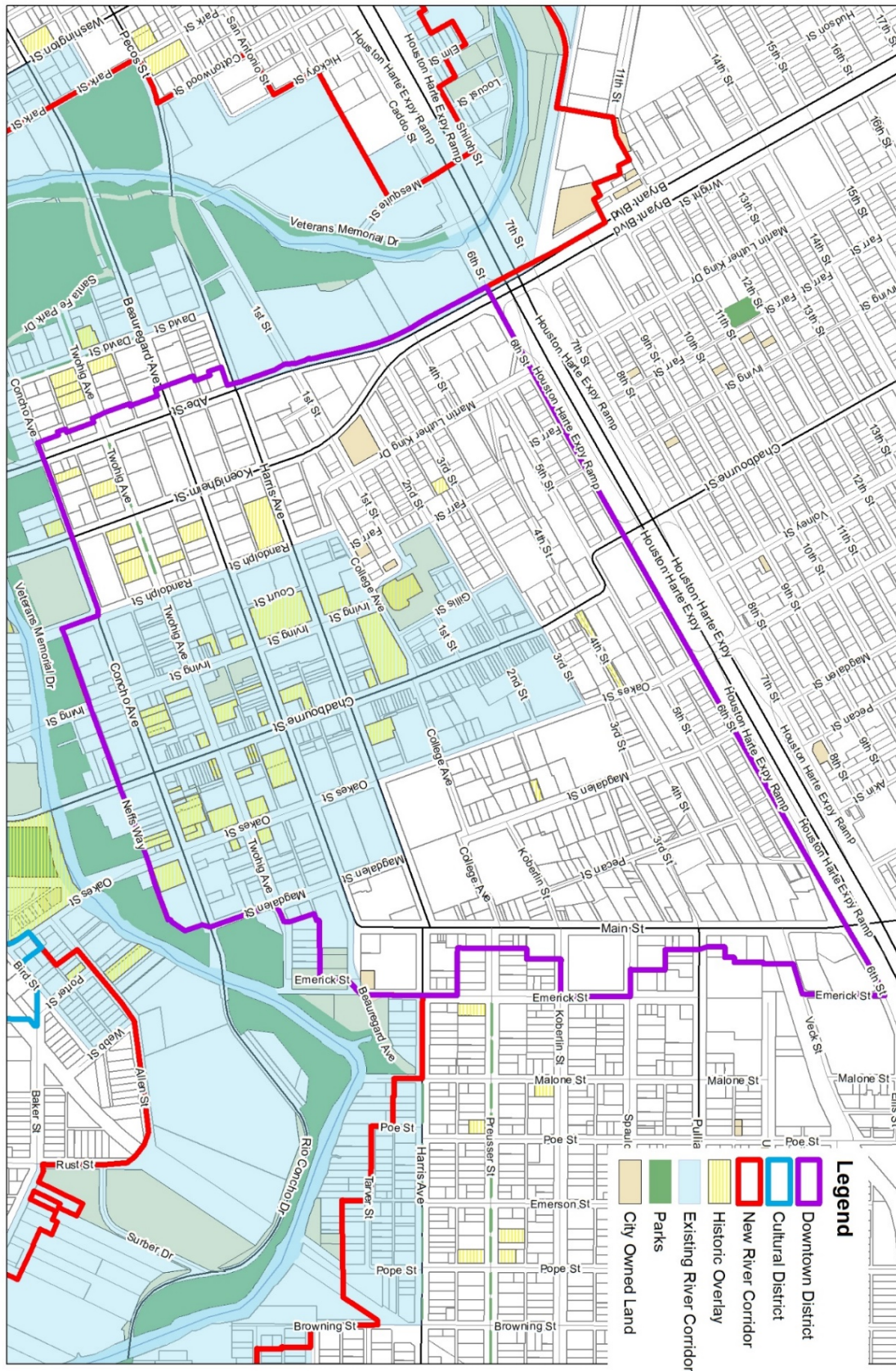
Downtown District Overlay Zone Map

Cultural District Overlay Zone District Map

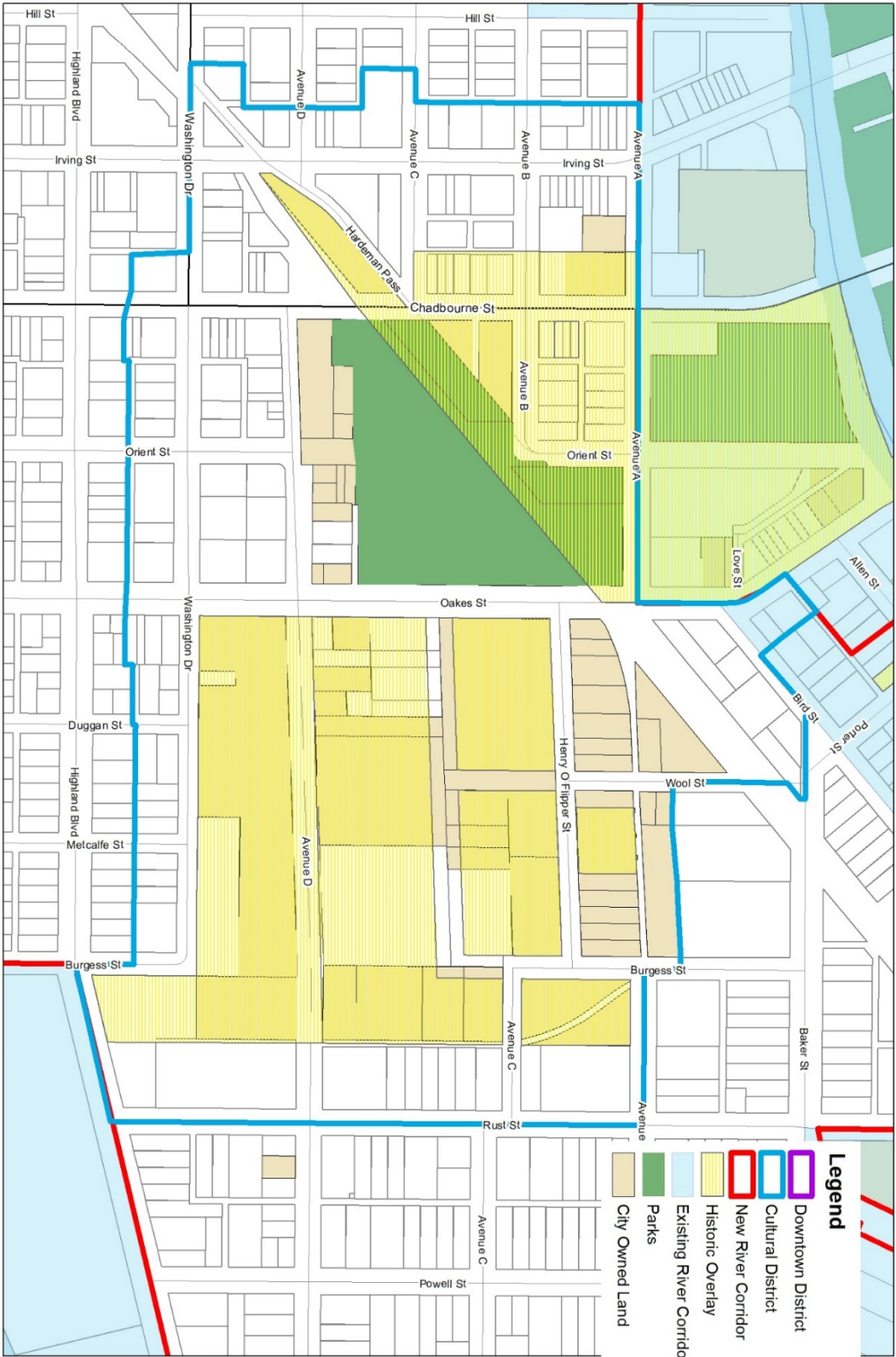
River Corridor Overlay Map



Downtown District Overlay Map



Cultural District Overlay Map



**Summary Table of Proposed Changes:
River Corridor, Downtown and Cultural Overlay Districts**

	Current Ordinances	Proposed Changes
District Overlays and Boundary Maps	Repeal of Article 12.06 the River Corridor Development and current River Corridor Map Repeal of Old Town Historic District (Z10-14) and Overlay Map Repeal of Article 12.04.018 Fort Concho Historic District section of Sign Ordinance	• Creation of new River Corridor District Overlay Zone and Boundary Map • Creation of a new Downtown District Overlay Zone and Boundary Map • Creation of a new Cultural District Overlay Zone and Boundary Map • Adding the three new overlay zones to the base zoning districts of the Zoning Ordinance
When Approval Required	Design approval only when a building permit is required Construction definition limited to new construction, remodeling of the exterior of an existing structure, or moving an existing structure onto a lot; includes signs and fences.	• Revised definition of construction to now includes exterior alteration, restoration, and rehabilitation • Exterior painting, food trucks, and landscaping in a private public or visible from a public right-of-way now requires review. • All fences and walls, even if no permit required, now require review
Administrative Approvals	Administrative approvals by Planning Director limited to: - Construction under 1,200 sq. ft. - unlit signs under 50 sq. ft. - fences - construction for safety and access - temporary structures and signs for no more than 10 days - reroofing or remodeling which does not materially change the appearance of a structure	Administrative approvals by Planning Director now include: - All signs under 50 sq. ft. or replacement of existing sign if substantially similar - fences or walls without signage, messaging, graphics, video or t.v. - landscaping in a private public or visible from a public right-of-way - exterior painting or repainting - telecommunication facilities less than or equal to 35 feet in height - construction not visible from a public street right-of-way - Construction required by law for

		safety - Temporary structures/signs for no more than 1 month - Food truck with temporary permit - Planning Director may approve, conditionally approve, or deny - may refer any application to DHRC
Approval by DHRC required	Approvals by DHRC currently: - Construction 1,200 sq. ft. or greater - reroofing or remodeling that materially changes the appearance of a structure - moving an existing structure onto a lot	Approvals by DHRC now include: - All construction of any part of a structure, canopy, or awning visible from a public right-of-way - All signs 50 sq. ft. or greater - fences or walls with signage, messaging, graphics, video or t.v. - telecommunication facilities 35 feet in height or greater - All food trucks without a temporary food permit - DHRC may approve, conditionally approve, or deny
Appeal Process	- Only an applicant may file an appeal to the DHRC or City Council	- Expanded definition of parties that can appeal a decision by the Planning Director or DHRC to City Council now include “an applicant, designated representative, aggrieved individual.” The Planning Director may now appeal DHRC decisions to City Council

Sec. 211. Historic Overlay Zone

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

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

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

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

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

1. Contains properties and an environmental setting that meet one or more of the criteria for designation of an historic landmark; and

2. Constitutes a distinct section of the city.

E. Certificate of Appropriateness Required for Alteration or New Construction. No person shall carry out any exterior new construction, reconstruction, alteration, restoration, any exterior new rehabilitation, including any addition to or expansion of an existing building, or relocation of any historic landmark or on any property within a historic district without a Certificate of Appropriateness. Nor shall any person make any material change in the light fixtures, signs, sidewalks, fences, steps, paving, building exteriors or other exterior elements in a district or to a landmark, visible from a public right-of-way in that district or landmark, which affect the appearance and cohesiveness of any historic landmark or any property within the historic district without obtaining a Certificate of Appropriateness from the Design and Historic Review Commission.

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

G. Certificate of Appropriateness Application Procedure

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

- a. Name, address, telephone number of applicant, detailed description of proposed work.
- b. Location and current photograph of the property and adjacent properties and historical photographs, if available.
- c. Elevation drawings of the proposed changes, if available.
- d. Samples or description of materials to be used.
- e. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property.
- f. Any other information which the Planning Director or designee may deem necessary in order to visualize the proposed work.
- g. Elevation drawings of the proposed changes.
- h. Samples of materials to be used.

2. No building permit shall be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design and Historic Review Commission. The Certificate of Appropriateness required by this section shall be in addition to, and not in lieu of, any permit for building or other construction-related activity that may be required by any other City ordinance.

3. The Design and Historic Review Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the application is received, at which time an opportunity will be provided for the applicant to be heard. The Commission shall take one of the following actions on the permit: approve, approve with modifications, or deny the application. In the event the Commission does not act within ninety (90) days of the receipt of the application, the Certificate of Appropriateness shall be deemed to have been approved.

4. All decisions of the Design and Historic Review Commission shall be in writing. The Commission's decision shall state its findings pertaining to the approval, denial, or modification of the application. A copy shall be sent to the applicant. ~~Additional copies shall be filed as part of the public record on that property and dispersed to the Planning Division and the Permits Division.~~

H. Criteria for Approval of a Certificate of Appropriateness. Approval of applications for Certificates of Appropriateness shall be determined by the Design and Historic Review Commission, following a public hearing on the matter. In considering an application for a Certificate of Appropriateness, the Commission shall be guided by any specific design guidelines adopted for a particular district or landmark, and where applicable, the following from The Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings:

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

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

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

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
10. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

I. Economic Hardship Application Procedure

1. After receiving written notification from the Design and Historic Review Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or, this process may be simultaneous with the original Certificate of Appropriateness application procedure. No building permit or demolition permit shall be issued, unless the Commission makes a finding that hardship exists.
2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:
 - a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.

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

4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the Planning Director ~~preservation officer~~. Following the hearing, the Commission has thirty (30) days in which to prepare a written recommendation to the building official. In the event that the Commission does not act within ninety (90) days of the receipt of the application, a permit may be granted.

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

J. Appeal. An applicant for a Certificate of Appropriateness dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after receipt of notification of such action. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner and according to the same procedures as provided in Section 212 of Chapter 12, Exhibit A "Zoning Ordinance," of the Code of Ordinances of the City of San Angelo, except that review and public hearing by the Planning Commission shall not be necessary.

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

Section 212. River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone

- A. Application. Any entity commencing work on property or within public street right-of-way located within the River Corridor District Overlay Zone, Downtown Overlay District Zone, or Cultural District Overlay Zone, shall make an application for review and approval.
- B. Construction. The word “construction” shall include:
 - 1. Exterior improvements including new construction, alteration, restoration, rehabilitation, or reroofing of any structure or property;
 - 2. Moving a structure onto a lot.
- C. Structure. The word “structure” as used herein shall include buildings and structures of any type, including but not limited to: signs, fences, walls, and telecommunication towers and facilities.
- D. Review by Planning Director. The Planning Director, or designee, may:
 - 1. Review and approve or disapprove applications for the following activities:
 - a. Signage as follows:
 - i. All signs under 50 square feet;
 - ii. Replacement of an existing sign that is substantially similar.
 - b. Fences or walls that do not advertise any goods, services, facilities, events, or attractions on or off the property, nor contain any graphics, video, or television display;
 - c. Landscaping associated with a private park, or within a public street right-of-way;
 - d. Exterior painting or repainting of any part of a structure;
 - e. All telecommunication towers and related facilities less than or equal to 35 feet in height;
 - f. Any construction not visible from a public street right-of-way;

- g. Construction which is required by law, for the purpose of safety and access;
 - h. Temporary structures and/or signs that will be in place no longer than one (1) calendar month;
 - i. A food truck with a temporary food permit.
 - 2. The Planning Director, or designee, may refer any application to the Design and Historic Review Commission for review and action.
- E. Review by Design and Historic Review Commission (DHRC). The Design and Historic and Review Commission shall be responsible for:
 - 1. Reviewing and approving or disapproving applications for the following construction:
 - a. Construction of any part of a structure, canopy, or awning visible from a public right-of-way;
 - b. All signs 50 square feet or greater;
 - c. Fences or walls that advertise goods, services, facilities, events or attractions on or off the property, or that contain graphics, video, or television display;
 - d. All telecommunication towers and facilities 35 feet in height or greater;
 - e. All other food trucks without a temporary food permit.
 - 2. Each application may be approved, denied, approved with conditions, approved with modifications, or tabled to obtain further information as may be deemed necessary by the Design and Historic Review Commission.
- F. Appeal of Planning Director's Decision. An applicant, designated representative or aggrieved individual may appeal a decision of the Planning Director to the Design and Historic Review Commission within 30 days of the Director's written decision. An appeal of the decision must be in writing and signed by the applicable party.
- G. Appeal of DHRC Decision. An applicant, designated representative, aggrieved individual, or Planning Director, may appeal a decision of the Design and Historic Review Commission to City Council within 30 days of the Design and Historic Review Commission decision. Appeal of the decision shall be submitted to the Planning Director and must be in writing and signed by the applicable party.

- H. Review Criteria. Each application shall be reviewed in compliance with the “*River Corridor Master Development Plan: 2006 Edition (RCMDP).*”
- I. Freestanding Signs. No freestanding sign shall exceed 30 feet in height or 75 square feet in area.
- J. Intermodal Containers. Permanent intermodal containers are prohibited within the River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone.
- K. Maps. The associated boundary maps of the River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone shall be maintained in the City of San Angelo’s Planning Division Office.

Sec. 301. Establishment of Districts

In order to carry out the provisions of this Zoning Ordinance, the City is hereby divided into distinct zoning districts upon which may be applied certain overlay zones.

A. Base Zoning Districts

DISTRICT

R&E	Ranch and Estate District
RS-1	Single-Family Residence District
RS-2	Two-Family Residence District
RS-3	Zero Lot Line, Twinhome and Townhome Residence District
RM-1	Low Rise Multifamily Residence District
RM-2	High Rise Multifamily Residence District
MHP	Manufactured Housing Park District
MHS	Manufactured Housing Subdivision District
CN	Neighborhood Commercial District
CO	Office Commercial District
CG	General Commercial District
CH	Heavy Commercial District
CBD	Central Business District

OW	Office-Warehouse District
ML	Light Manufacturing District
MH	Heavy Manufacturing District
CG/CH	General Commercial/Heavy Commercial District

B. Special Zoning Districts

PD	Planned Development District
PIP	Planned Industrial Park District

C. Overlay Zones

HO	Historic Overlay Zone
OS	Open Structure Overlay Zone
RCO	River Corridor Overlay Zone
DO	Downtown Overlay Zone
CDO	Cultural District Overlay Zone

Sec. 308. HO (Historic Overlay Zone)

A. Purpose. The City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents that unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. This overlay zone is intended for the following purposes.

1. Protect and enhance the landmarks and districts which represent distinctive elements of San Angelo's historic, architectural, and cultural heritage.
2. Foster civic pride in the accomplishments of the past.
3. Protect and enhance San Angelo's attractiveness to visitors and the support and stimulus to the economy thereby provided.
4. Insure the harmonious, orderly, and efficient growth and development of the city.

5. Promote economic prosperity and welfare of the community by encouraging the use of such property within the city.

6. Encourage stabilization, restoration, and improvements of such properties and their values.

B. Establishment. Historic Overlay Zones may be established to preserve and encompass districts and landmarks. Historic Overlay Zones shall be applicable in all zoning districts, or portions thereof. Boundaries of the zone for individual sites or landmarks shall be aligned with recorded property lines, where feasible. Boundaries for districts shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Historic Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.

C. Designation of Historic Landmarks and Districts. Designation of overlay zones for historic landmarks and districts, and any activity thereon as defined in Section 211, shall follow the procedures set forth in Section 211.

D. ~~Certificate of Appropriateness Required~~

~~1. A Certificate of Appropriateness shall be required for any of the following actions undertaken on any property within a Historic Overlay Zone.~~

~~a. Construction of a new building.~~

~~b. Addition to or expansion of an existing building.~~

~~c. Any material alteration, reconstruction, restoration or rehabilitation of exterior features on any existing building.~~

~~d. Relocation of an existing building to or from any property in any Historic Overlay Zone.~~

~~2. A permit for the demolition of an historic landmark or any building on any property within an historic district, including secondary (accessory) buildings, shall not be granted by the Building Official without the approval of a completed application for a Certificate of Appropriateness, as set forth in Sec. 211.~~

D. Ordinary Maintenance. Nothing in this Zoning Ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within any Historic Overlay Zone, that does not involve a change in design, material, or outward appearance. In-kind replacement or repair shall be considered ordinary maintenance.

E. Demolition by Neglect. No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious

state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Design and Historic Review Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration shall include the following.

1. Deterioration of exterior walls or other vertical supports.
2. Deterioration of roofs or other horizontal members.
3. Deterioration of exterior chimneys.
4. Deterioration or crumbling stucco or mortar.
5. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.
6. Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

Sec. 309. River Corridor District Overlay Zone

A. Purpose. The protection, enhancement, and perpetuation of districts of historical and cultural importance and significance is necessary to promote the economic, cultural, and educational welfare of the public. The River Corridor District Overlay will limit the impacts of development and give special consideration to the land along Concho River banks and adjacent properties. The River Corridor District Overlay will help to protect the City's natural resources by including heightened design standards and allowances associated with specific uses. The River Corridor District Overlay is intended to:

1. Protect and enhance the properties which represent distinctive elements of San Angelo's historic, architectural, and cultural heritage.
2. Foster civic pride in the accomplishments of the past, present, and future.
3. Protect and enhance San Angelo's attractiveness to visitors and thereby provide stimulus to the economy.
4. Encourage stabilization, restoration, and improvements of properties in the District and their values.

- B. Establishment. The River Corridor Overlay Zone shall be applicable in all zoning districts, or portions thereof. The boundaries for the district shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the River Corridor Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Procedures for Review within the River Corridor District Overlay. Review of applications within the River Corridor District Overlay shall follow the procedures set forth in Section 212.
- D. Boundary Map. The boundaries of the Cultural District Overlay Zone are depicted on the “River Corridor District Overlay Zone Map” maintained in the Planning Department.

Sec. 310. Downtown District Overlay Zone

- A. Purpose. The San Angelo City Council intends to reinforce Downtown San Angelo as the principal commercial service and cultural center of the City. It is recognized that Downtown San Angelo represents that unique confluence of individuals and businesses that has shaped the identity of this district. As a result, City Council hereby recognizes the Downtown District Overlay as an area to be enhanced through quality design standards and preserved through the protection of historical and cultural resources. This overlay zone is intended to:
 - 1. Protect and enhance the historical landmarks and districts located Downtown that are representative of the City’s architectural, historical, and cultural heritage through appropriate design standards.
 - 2. Promote economic prosperity of the Downtown by encouraging the use of such property and associated improvements.
 - 3. Encourage redevelopment of a mixture of uses, neighborhood services, and amenities Downtown to conserve its long term viability and success.
 - 4. Foster civic pride in the historic Downtown core of the City.
 - 5. Protect and enhance the area’s attractiveness to visitors through ensuring new development and redevelopment is consistent with the Downtown District Overlay Zone standards.
- B. Establishment. The Downtown District Overlay Zone shall be applicable in all zoning districts, or portions thereof. Boundaries shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions, where feasible. Allowed use of

all property included in the Downtown District Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.

- C. Designation of Historic Landmarks and Districts. Review of applications within the Downtown District Overlay Zone shall follow the procedures set forth in Section 212.
- D. Boundary Map. The boundaries of the Downtown District Overlay Zone are depicted on the “Downtown District Overlay Zone Map” maintained in the Planning Department.

Sec. 311. Cultural District Overlay Zone

- A. Purpose. The City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of districts of cultural importance and significance are necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents that unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. This overlay zone is intended for the following purposes.
 - 1. Protect the cultural areas which represent distinctive elements of San Angelo’s historic, architectural, and artistic heritage.
 - 2. Foster civic pride and the preservation of cultural landmarks in this overlay zone.
 - 3. Enhance the district’s attractiveness to visitors and promote stimulus to the economy.
- B. Establishment. The Cultural District Overlay Zone shall be applicable in all zoning districts, or portions thereof. The boundaries for the district shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Cultural District Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Procedures for Review within the Cultural District. Review of applications within the River Corridor District Overlay shall follow the procedures set forth in Section 212.
- D. Boundary Map. The boundaries of the Cultural District Overlay Zone are depicted on the “Downtown District Overlay Zone Map” maintained in the Planning Department.

AN ORDINANCE AMENDING CHAPTER 12, “EXHIBIT A” “ZONING ORDINANCE” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, PROVIDING FOR A NEW SECTION “212 RIVER CORRIDOR DISTRICT OVERLAY ZONE, DOWNTOWN DISTRICT OVERLAY ZONE, AND CULTURAL DISTRICT OVERLAY ZONE;” ESTABLISHING AN APPLICATION PROCESS; PROVIDING FOR APPEAL; PROVIDING NEW SECTIONS “309 RIVER CORRIDOR DISTRICT OVERLAY ZONE,” “310 DOWNTOWN DISTRICT OVERLAY ZONE” AND “311 CULTURAL DISTRICT OVERLAY ZONE,” ADOPTING BOUNDARY MAP FOR RIVER CORRIDOR DISTRICT OVERLAY ZONE AND DESIGNATING THE OVERLAY ZONE TO THAT DISTRICT; ADOPTING BOUNDARY MAP FOR DOWNTOWN DISTRICT OVERLAY ZONE AND DESIGNATING THE OVERLAY ZONE TO THAT DISTRICT, ADOPTING BOUNDARY MAP FOR CULTURAL DISTRICT OVERLAY ZONE AND DESIGNATING THE OVERLAY ZONE TO THAT DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding public hearings thereon, caused to be prepared and delivered reports and recommendations to City Council for establishment of new River Corridor District, Downtown District and Cultural District overlay zoning districts and related standards and processes to protect and enhance the economic, cultural and historical components of properties and public areas located within these districts;

WHEREAS, on the 17th day of July, 2018, City Council held a public hearing, 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, TEXAS:

Section 1. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 2 “Development Review,” is hereby amended by substituting a new Section 212 for the former Section 212 renumbered by separate ordinance, to read as follows:

“Section 212. River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone”

- A. Application. Any person or entity before commencing work on private or public property within the River Corridor District Overlay Zone, Downtown District Overlay Zone, or Cultural District Overlay Zone, shall make an application to the Planning and Development Services Department for review and approval.
- B. Definitions.
1. Construction. The word “construction” shall include:
 - a. Exterior improvements including new construction, alteration, restoration, rehabilitation, or reroofing of any structure or property;
 - b. Moving a structure onto a lot.
 2. Structure. The word “structure” as used herein shall include buildings and structures of any type, including but not limited to: signs, fences, walls, and telecommunication towers and facilities.
 3. Work. “Work” includes construction and any other work described at subparts “C” and “D” of this Section, requiring review and approval,
- C. Review by Planning Director. The Planning Director, or designee, may:
1. Review and approve, conditionally approve or disapprove applications for the following work:
 - a. Signage:
 - i. All signs under 50 square feet;
 - ii. Replacement of an existing sign that is substantially similar.
 - b. Fences or walls that do not include any signage or message, nor contain any graphics, video, or television display;
 - c. Landscaping associated with a private park, or within a public street right-of-way;
 - d. Exterior painting or repainting of any part of a structure;

- e. All telecommunication towers and related facilities less than or equal to 35 feet in height;
 - f. Any construction not visible from a public street right-of-way;
 - g. Construction which is required by law, for the purpose of safety and access;
 - h. Temporary structures and/or signs that will be in place no longer than thirty consecutive days;
 - i. A food truck with a temporary food permit.
 - 2. The Planning Director, or designee, may refer any application for approval of work to the Design and Historic Review Commission for review and approval.
- D. Review by Design and Historic Review Commission (DHRC). The Design and Historic and Review Commission shall be responsible for:
- 1. Reviewing and approving, conditionally approving, or disapproving applications for the following construction:
 - a. Construction of any part of a structure, canopy, or awning visible from a public right-of-way;
 - b. All signs 50 square feet or greater;
 - c. Fences or walls that advertise goods, services, facilities, events or attractions on or off the property, or that include any signage, message, graphics, video, or television display;
 - d. All telecommunication towers and facilities 35 feet in height or greater;
 - e. All other food trucks without a temporary food permit.
 - 2. Each application may be approved, denied, approved with conditions, approved with modifications, or tabled to obtain further information as may be deemed necessary by the Design and Historic Review Commission.
- E. Appeal of Planning Director's Decision. An applicant, designated representative or aggrieved individual may appeal a decision of the Planning Director made under this Section to the Design and Historic Review Commission by filing a written, signed notice of appeal stating the grounds for appeal with the Planning Director within 30 days of the Director's written decision.

- F. Appeal of DHRC Decision. An applicant, designated representative, aggrieved individual, or Planning Director, may appeal a decision of the Design and Historic Review Commission made under this Section to City Council by filing a written, signed notice of appeal stating the grounds for appeal with the Planning and Development Services Department within 30 days of the Design and Historic Review Commission decision. .
- G. Review Criteria. Each application under this section shall be reviewed for compliance with the standards set forth in the “*River Corridor Master Development Plan: 2006 Edition (RCMDP).*”
- H. Freestanding Signs. No freestanding sign within the River Corridor District Overlay Zone, Downtown District Overlay Zone, or Cultural District Overlay Zone shall exceed 30 feet in height or 75 square feet in area.
- I. Intermodal Containers. Permanent intermodal containers are prohibited within the River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone.
- J. Maps. The associated boundary maps of the River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone shall be maintained in the City of San Angelo Planning and Development Services Department, Planning Division Office.

Section 2. That the basic zoning ordinance and the zoning map for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000, and included within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same are hereby amended to designate the following described overlay zone districts as permanently zoned; and, the Director of Planning & Development Department is directed to correct zoning district maps in the office of the Planning & Development Department to implement the new River Corridor District Overlay Zone, Downtown District Overlay Zone and Cultural District Overlay Zone as shown on Exhibit “A”, River Corridor District Overlay Zone, Exhibit “B” Downtown District Overlay Zone, and Exhibit “C” Cultural District Overlay Zone, the boundaries of which are generally described as being within the following parameters:

River Corridor District Overlay Zone: Approximately 4,439 acres of property generally located along the Concho River from the eastern to the western city limits, including properties that directly adjoin, or in some cases up to 2,275 feet from, the river’s edge.

Downtown District Overlay Zone: Approximately 552 acres of property generally located north of Neff’s Way, east of South David Street; south of Houston Harte Expressway, and west of N. Emerick Street.

Cultural District Overlay Zone: Approximately 64 acres of property generally located north of East Highland Boulevard, east of Rust Street, south of Bakers Street, and west of Hill Street.

Section 3. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is hereby amended by substituting a new Section 309 for the former Section 309 renumbered by separate ordinance, to read as follows:

Sec. 309. River Corridor District Overlay Zone

- A. Purpose. The purpose of the River Corridor District Overlay Zone is the protection, enhancement, and perpetuation of the district’s aesthetic, environmental, historical and cultural attributes necessary to promote the public interest in economic, cultural, and educational benefits of the district. The River Corridor District Overlay Zone will limit negative impacts that development might otherwise have on the aesthetics and related benefits of the district. Special consideration shall be given to the land along Concho River banks and adjacent properties. The River Corridor District Overlay will help to protect the City’s natural resources by application of heightened design standards and allowances associated with specific uses. The River Corridor District Overlay is intended to:
1. Protect and enhance the properties within the district overlay zone that represent distinctive elements of San Angelo’s historic, architectural, and cultural heritage.
 2. Foster civic pride in the accomplishments of the past, present, and future.
 3. Protect and enhance San Angelo’s attractiveness to visitors and thereby provide stimulus to the economy.
 4. Encourage stabilization, restoration, and improvement of properties in the District and enhance their values.
- B. Establishment. The River Corridor District Overlay Zone shall be applicable in all base zoning districts within or partially within the overlay zone. The boundaries for the district shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the River Corridor Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.

- C. Procedures for Review within the River Corridor District Overlay. Review of applications within the River Corridor District Overlay shall follow the procedures set forth in Section 212.

Section 4. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is amended by substituting a new Section 310 for the former Section 310 renumbered by separate ordinance, to read as follows:

Sec. 310. Downtown District Overlay Zone

- A. Purpose. The San Angelo City Council intends to facilitate regeneration of Downtown San Angelo as a principal commercial service and cultural center of the City. It is recognized that Downtown San Angelo represents a unique confluence of historical, cultural and business influences that have shaped the identity of the district. As a result, City Council recognizes that it is in the public interest and benefit that the Downtown District Overlay Zone ensure the preservation of historical and cultural resources in the district and require application of quality design standards for development. This overlay zone is intended to:
1. Protect and enhance the City’s architectural, historical, and cultural heritage through appropriate design standards.
 2. Promote economic prosperity within the Downtown Overlay District by encouraging expanded occupancy and use of property and associated improvements.
 3. Encourage redevelopment of a mixture of uses, neighborhood services, and amenities Downtown that enhance its long term viability and success.
 4. Protect and enhance the area’s attractiveness to visitors by ensuring that new development and redevelopment is consistent with the Downtown District Overlay Zone standards.
- B. Establishment. The Downtown District Overlay Zone shall be applicable in all base zoning districts within or partially within the overlay zone. Boundaries shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions, where feasible. Allowed use of all property included in the Downtown District Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Designation of Landmarks. Designation of Historic Landmarks and Districts. Review of applications within the Downtown District Overlay Zone shall follow the procedures set forth in Section 212. .

Section 5. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is amended by substituting a new Section 311 for the former Section 311 renumbered by separate ordinance, to read as follows:

Sec. 311. Cultural District Overlay Zone

- A. Purpose. The San Angelo City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of districts of cultural importance and significance are necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents a unique convergence of time and place that shaped the identity of generations of citizens and produced significant historic, architectural and cultural resources that constitute their artistic heritage. This overlay zone is intended for the following purposes.
1. Protect the cultural areas which represent distinctive elements of San Angelo's historic, architectural, and artistic heritage.
 2. Foster civic pride and the preservation of cultural landmarks in this overlay zone.
 3. Enhance the district's attractiveness to visitors and promote stimulus to the economy.
- B. Establishment. The Cultural District Overlay Zone shall be applicable in all base zoning districts within or partially within the overlay zone. The boundaries for the district shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Cultural District Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Procedures for Review within the Cultural District. Review of applications within the River Corridor District Overlay shall follow the procedures set forth in Section 212.

Section 6. This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of San Angelo, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 7. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, or for any reason unenforceable, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation of this Ordinance.

Section 8. That this Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 17 day of July, 2018, and finally

PASSED, APPROVED AND ADOPTED on this the 7th day of August,
2018.

THE CITY OF SAN ANGELO

ATTEST:

by: _____
Brenda Gunter, Mayor

by: _____
Bryan Kendrick, City Clerk

APPROVED AS TO FORM

by: _____
Theresa James,

City

Attorney

Exhibit “A” (River Corridor District Map)

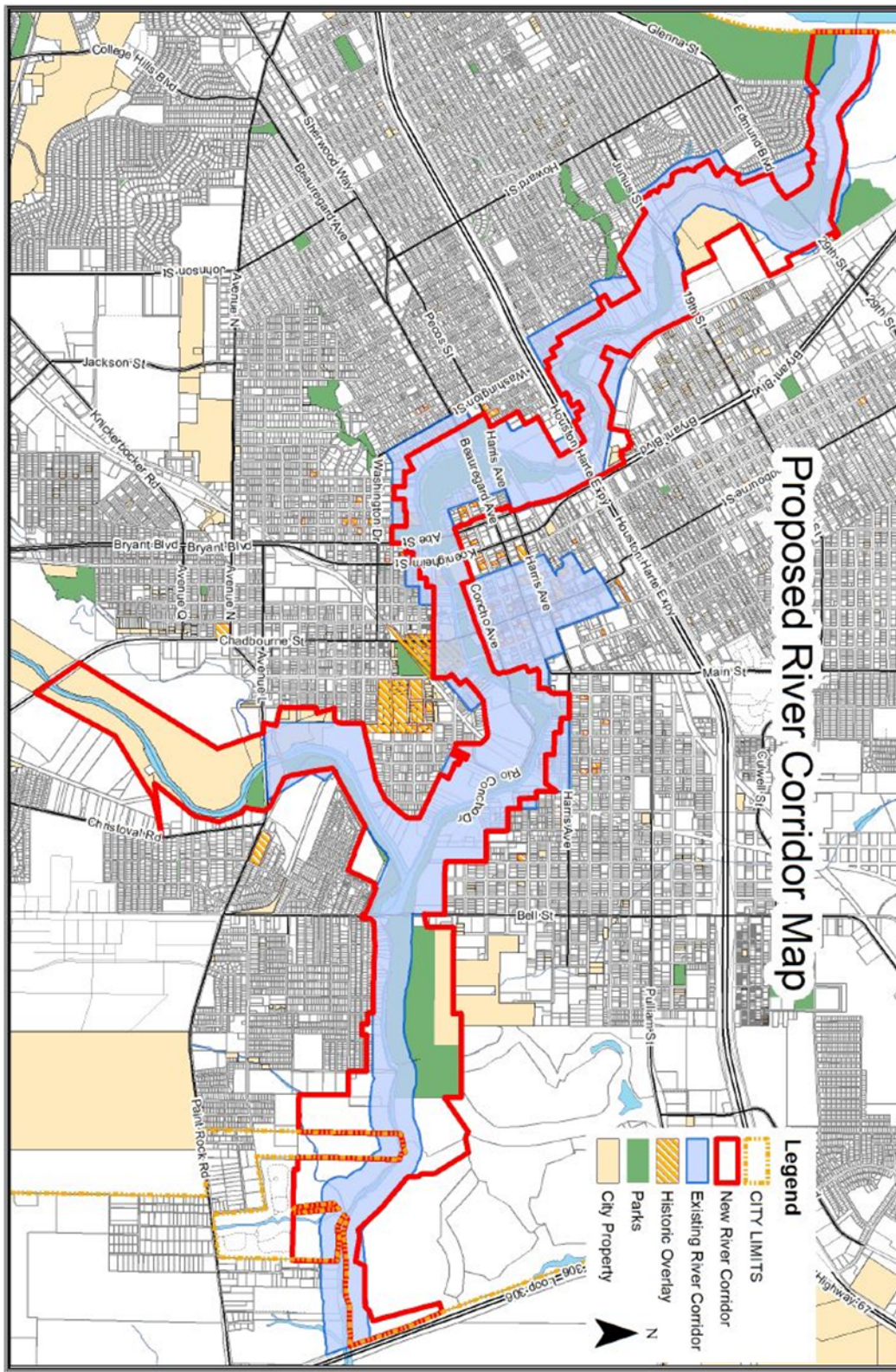


Exhibit “B” (Downtown District Map)

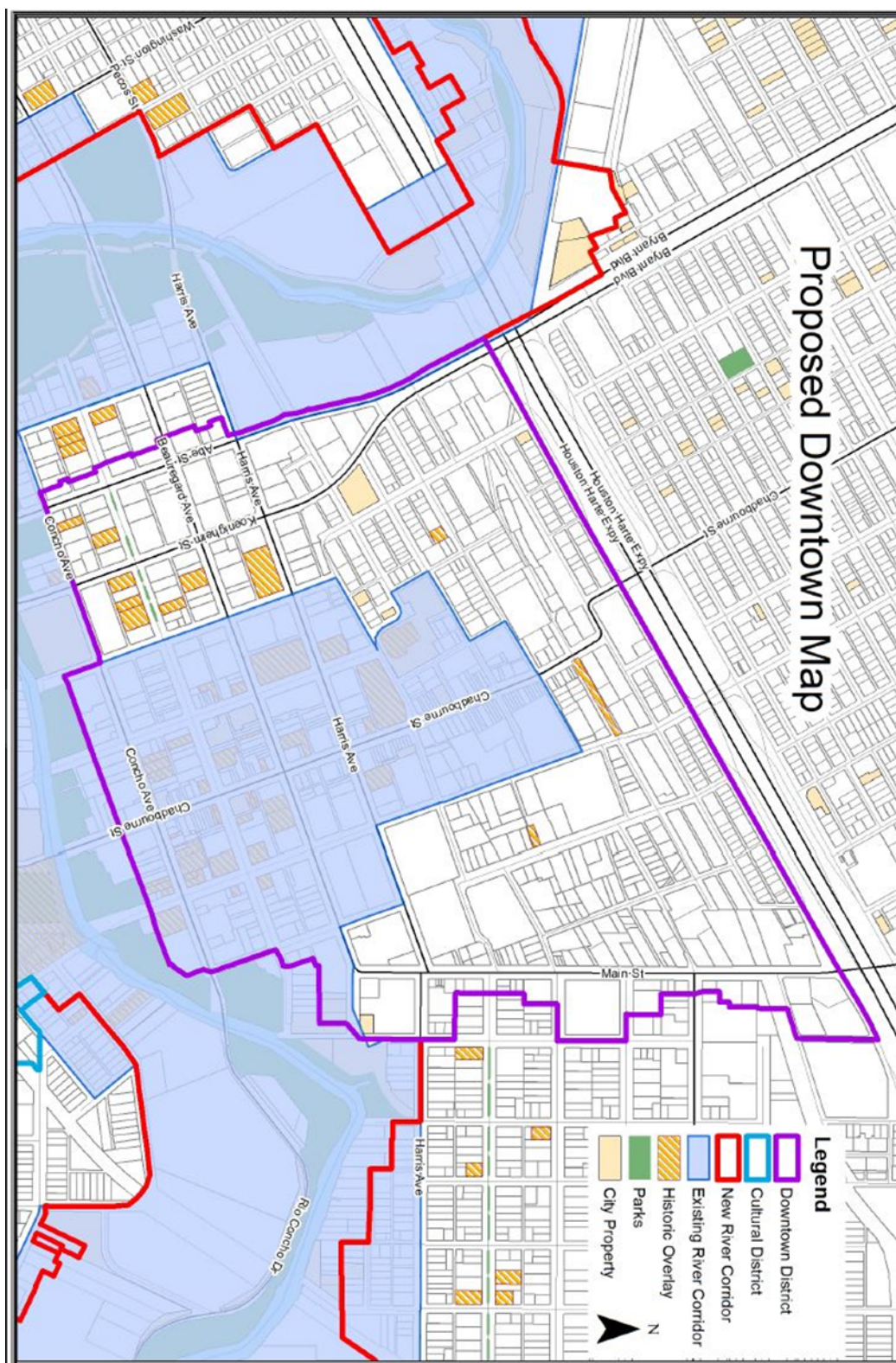
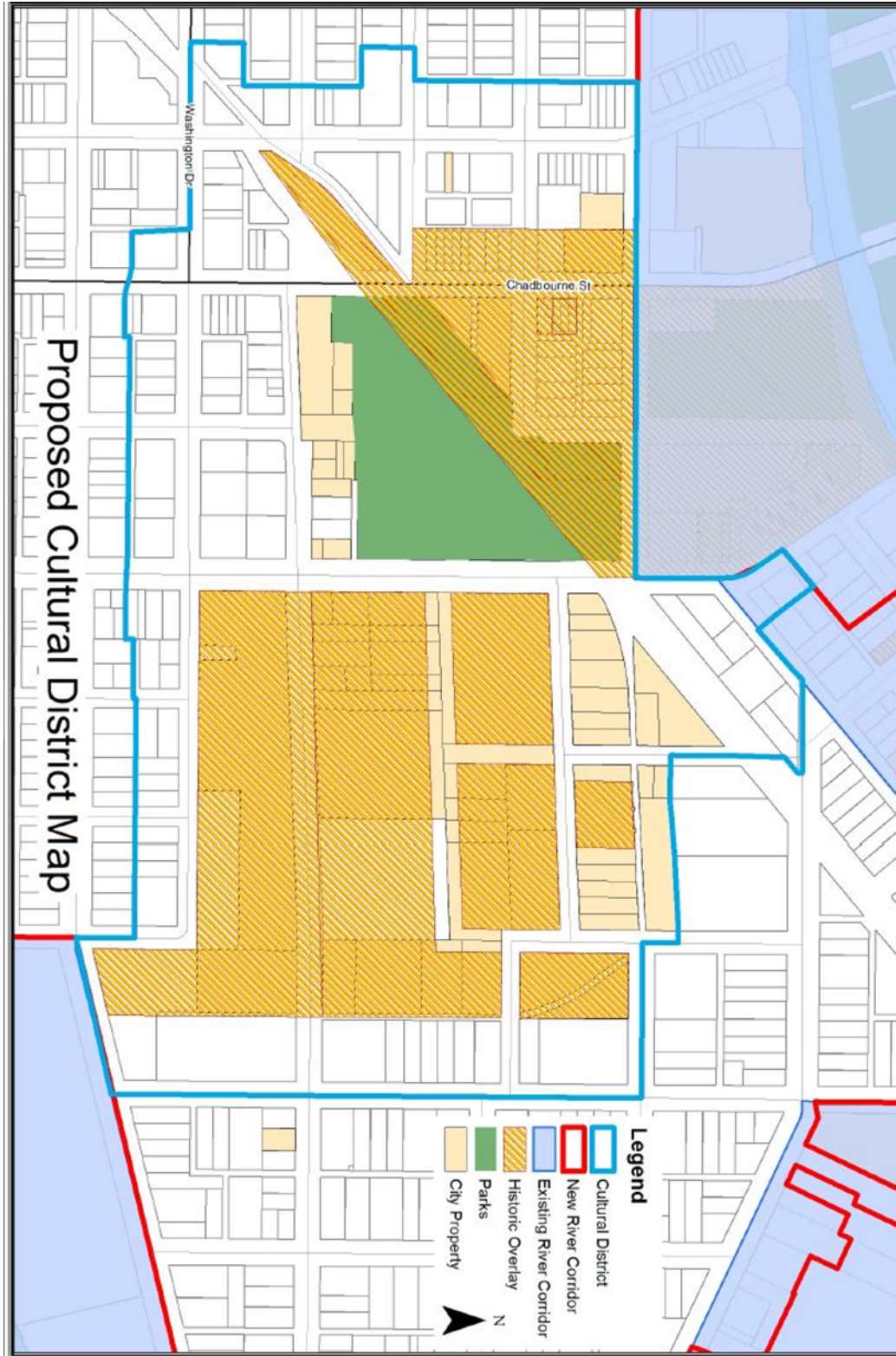


Exhibit “C” (Cultural District Map)



AN ORDINANCE AMENDING CHAPTER 12, “EXHIBIT A” “ZONING ORDINANCE” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP OF THE CITY OF SAN ANGELO, TEXAS, RENUMBERING SECTIONS 212 THROUGH 215 AS SECTIONS 213 THROUGH 216, AND SECTIONS 309 THROUGH 317 AS SECTIONS 312 THROUGH 320; REVISING THE EXISTING STANDARDS FOR SECTION 211 “HISTORIC OVERLAY ZONE” AND SECTION 308 “HISTORIC OVERLAY ZONE,” RELATING TO CERTIFICATE OF APPROPRIATENESS; AMENDING SECTION 12.04.017 “RIVER CORRIDOR AREA,” OF CHAPTER 12 OF THE CITY CODE OF ORDINANCES FOR THE NEW “RIVER CORRIDOR DISTRICT,” “DOWNTOWN DISTRICT,” AND “CULTURAL DISTRICT” OVERLAYS; REPEALING ARTICLE 12.06, RIVER CORRIDOR DEVELOPMENT ORDINANCE, THE OLD TOWN DISTRICT AND BOUNDARY MAP (Z10-14), AND SECTION 12.04.018 “FORT CONCHO HISTORIC DISTRICT;” PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding public hearings thereon, caused to be prepared and delivered reports and recommendations to City Council to approve certain revisions to ordinances relating to the establishment and preservation of River Corridor, Downtown and Cultural district overlay zones; and,

WHEREAS, on the 17th day of July, 2018, City Council held a public hearing, 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, TEXAS:

Section 1. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 2 “Development Review,” is hereby amended by renumbering Sections 212 through 215 as Sections 213 through 216, respectively.

Section 2. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is hereby amended by renumbering Sections 309 through 317 as Sections 312 through 320, respectively.

Section 3. That Chapter 12, Exhibit “A” “Zoning Ordinance,” “Section 211 Historic Overlay Zone” is hereby amended by restating subsections “B,” “E,” “G,” “I,” and “J” in their entirety to read as follows:

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

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

G. Certificate of Appropriateness Application Procedure

1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Planning Director or designee. The application shall contain:
 - a. Name, address, telephone number of applicant, detailed description of proposed work.
 - b. Location and current photograph of the property and adjacent properties and historical photographs, if available.
 - c. Elevation drawings of the proposed changes.
 - d. Samples or description of materials to be used.
 - e. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used,

method of illumination (if any), and a plan showing the sign's location on the property.

- f. Any other information which the Planning Director or designee may deem necessary in order to visualize the proposed work.
 - g. Samples of materials to be used.
2. A building permit shall not be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design and Historic Review Commission. The Certificate of Appropriateness required by this section shall be in addition to, and not in lieu of, any permit for building or other construction-related activity that may be required by any other City ordinance.
 3. The Design and Historic Review Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the fully completed application and application fee is received. The commission may take one of the following actions on the application for permit: approve, approve with modifications, or deny.
 4. All decisions of the Design and Historic Review Commission shall be in writing, adopted by motion of the Commission. The written decision shall include a statement of relevant findings. The decision shall be filed in the office of the Planning Director, with a copy mailed to the applicant.

I. Economic Hardship Application Procedure

1. After receiving written notification from the Design and Historic Review Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or, this process may be simultaneous with the original Certificate of Appropriateness application procedure. No building permit or demolition permit shall be issued, unless the Commission makes a finding that hardship exists.
2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:
 - a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.

3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.
 4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the Planning Director. Following the hearing, the Commission has thirty (30) days in which to prepare a written recommendation to the building official.
 5. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by mail and a copy filed with the Planning Department. The Commission's decision shall state the reasons for granting or denying the hardship application.
- J. Appeal. An applicant for a Certificate of Appropriateness dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after the written decision of the Commission is filed in the Planning Director's office with a copy mailed to the applicant. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner and according to the same procedures as provided in Section 213 of Chapter 12, Exhibit A "Zoning Ordinance," of the Code of Ordinances of the City of San Angelo, except that review and public hearing by the Planning Commission shall not be necessary."

Section 4. That Chapter 12, Exhibit "A" "Zoning Ordinance," "Section 308 (Historic Overlay Zone)" is hereby amended by deleting subpart "D," and redesignating subparts "E" and "F" as, "D" and "E" respectively, and restating subsections "A", "B", and "C", in their entirety to read as follows:

- "A. Purpose. The City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents a unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. This overlay zone is intended for the following purposes.
1. Protect and enhance the landmarks and districts which represent distinctive elements of San Angelo's historic, architectural, and cultural heritage.
 2. Foster civic pride in the accomplishments of the past.
 3. Protect and enhance San Angelo's attractiveness to visitors and the support and stimulus to the economy thereby provided.

4. Insure the harmonious, orderly, and efficient growth and development of the city.
 5. Promote economic prosperity and welfare of the community by encouraging the use of such property within the city.
 6. Encourage stabilization, restoration, and improvements of such properties and their values.
- B. Establishment. Historic Overlay Zones may be established to encompass and preserve historic districts and landmarks. Historic Overlay Zones shall be applicable in all base zoning districts within or partially within the Historic Overlay Zone. Boundaries of the zone for individual sites or landmarks shall be aligned with recorded property lines, where feasible. Boundaries for districts shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Historic Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Designation of Historic Landmarks and Districts. Designation of overlay zones for historic landmarks and districts, and any activity requiring a Certificate of Appropriateness, shall follow the procedures set forth in Sec. 211.”

Section 5. That Chapter 12, Article 12.04.017 “River Corridor Area,” is hereby retitled and amended in its entirety to read as follows:

“Section 12.04.017. River Corridor District, Downtown District, Cultural District Overlays”

“In addition to all other regulations within this article, the following regulations shall also apply within the area designated as the River Corridor District, Downtown District and Cultural District Overlays:

- (1) No freestanding sign shall exceed thirty (30) feet in height or seventy-five (75) square feet in area, or the regulations set forth for freestanding signs, section 12.04.005(b)(1), whichever is less.
- (2) No off-site sign shall be allowed.
- (3) All signs in the River Corridor District, Downtown District, and Cultural District Overlays areas shall be reviewed by the Design and Historic Review Commission, which may recommend placing specific conditions on the sign size, location, height, illumination, etc., more restrictive than provided in this article based on the individual site and location characteristics. The applicant may appeal any action of the Design and Historic Review Commission to the City Council, which shall have final authority.

Section 6. That Chapter 12, Article 12.06 “River Corridor Development,” and associated map, are hereby repealed in their entirety.

Section 7. That Chapter 12, Section 12.04.018 “Fort Concho Historic District,” is hereby repealed in its entirety.

Section 8. That Z10-14 “Old Town District, amending Chapter 12, Exhibit “A” “Zoning Ordinance,” and associated map, is hereby repealed in its entirety.

Section 9. This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of San Angelo, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 10. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, or for any reason unenforceable, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation of this Ordinance.

Section 11. That this Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 17th day of July, 2018, and finally

PASSED, APPROVED AND ADOPTED on this the 7th day of August, 2018.

THE CITY OF SAN ANGELO

ATTEST:

by: _____
Brenda Gunter, Mayor

by: _____
Bryan Kendrick, City Clerk

APPROVED AS TO FORM

by: _____
Theresa James, City Attorney

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12 “PLANNING AND DEVELOPMENT,” EXHIBIT “A” “ZONING ORDINANCE,” BY AMENDING: ARTICLE 3 “USE REGULATIONS,” SECTION 301 “ESTABLISHMENT OF DISTRICTS,” PROVIDING DESIGNATIONS FOR RIVER CORRIDOR, DOWNTOWN AND CULTURAL DISTRICT OVERLAY ZONES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing various zoning districts and permitted uses in each district; and,

WHEREAS, the Zoning Ordinance has been amended to provide for a revised River Corridor Overlay Zone and to add a Downtown Overlay Zone and a Cultural District Overlay Zone;

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

Section 1 Chapter 12 “Planning and Development,” Exhibit “A” “Zoning Ordinance” of the City Code of Ordinances, Article 3 “Use Regulations,” Section 301 “Establishment of Districts Article 3 “Use Regulations,” is restated in its entirety to read as follows:

“Sec. 301. Establishment of Districts

In order to carry out the provisions of this Zoning Ordinance, the City is hereby divided into distinct zoning districts upon which may be applied certain overlay zones.

A. Base Zoning Districts

DISTRICT

R&E	Ranch and Estate District
RS-1	Single-Family Residence District
RS-2	Two-Family Residence District
RS-3	Zero Lot Line, Twinhome and Townhome Residence District
RM-1	Low Rise Multifamily Residence District
RM-2	High Rise Multifamily Residence District

MHP	Manufactured Housing Park District
MHS	Manufactured Housing Subdivision District
CN	Neighborhood Commercial District
CO	Office Commercial District
CG	General Commercial District
CH	Heavy Commercial District
CBD	Central Business District
OW	Office-Warehouse District
ML	Light Manufacturing District
MH	Heavy Manufacturing District
CG/CH	General Commercial/Heavy Commercial District

B. Special Zoning Districts

PD	Planned Development District
PIP	Planned Industrial Park District

C. Overlay Zones

HO	Historic Overlay Zone
OS	Open Structure Overlay Zone
RCO	River Corridor Overlay Zone
DO	Downtown Overlay Zone
CDO	Cultural District Overlay Zone

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

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

INTRODUCED on the 17th day of July, 2018, and finally PASSED, APPROVED and ADOPTED on this the 7th day of August, 2018.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT:

Jon James, Director of Planning and Development

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Consider a resolution and public hearing approving the 2018 Annual Action Plan for use of CDBG and HOME grant funds and authorizing City Manager to execute the applications, required certifications, related documents and annual funding agreement for the allocation of \$699,822 of CDBG and \$338,495 HOME grant funds and \$55,000 in program income - (Presentation made by Neighborhood Services Director Bob Salas)

Summary/History:

The 2018 Annual Action Plan (AAP) is a document required of all entitlement cities receiving annual Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The AAP is the City's application for its 2018 CDBG and HOME funding. The Plan includes a summary of resources available, objectives and goals as they relate to affordable housing, outcome measures, geographic distribution, and barriers to affordable housing.

Approval the 2018 AAP will authorize the City Manager to execute the application for Program Year 2018 funding, required certifications and any other related documents, to include the annual funding agreement with HUD and file all documents with HUD. Funding allocations for 2018 were made by the City Council on June 5, 2018. The City expects to receive \$699,822.00 of CDBG funds and \$338,495.00 of HOME grant funds from the U.S. Department of Housing and Urban Development (HUD) for Grant Year 2018. In addition to the allocation, the City expects to receive approximately \$32,000.00 in CDBG Program Income and \$23,000.00 in HOME Program Income.

Financial Impact:

Approval of the 2018 Annual Action Plan for use of CDBG and HOME funds will authorize City Manager to execute the applications, required certifications, related documents and annual funding agreement for \$699,822.00 of CDBG and \$338,495.00 HOME grant funds and \$55,000.00 in program income.

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. Resolution - 2018 CDBG and HOME Grants | Resolution - 2018 CDBG and HOME Grants.pdf |
| 2. 2018 AAP DRAFT | 2018 AAP DRAFT.pdf |

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas
Theresa James
Anthony Wilson

Created/Initiated
Approved
Approved

Candice Blake
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Final Approval

A RESOLUTION OF THE SAN ANGELO CITY COUNCIL APPROVING AND ADOPTING THE 2018 ANNUAL ACTION PLAN (AAP) FOR USE OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS; AUTHORIZING THE CONSOLIDATED APPLICATIONS FOR AND ACCEPTING CDBG GRANT FUNDS IN THE SUM OF \$699,822., AND HOME FUNDS IN THE SUM OF \$338,495., TO BE USED FOR AFFORDABLE HOUSING PROJECTS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE SUCH GRANT APPLICATIONS, AGREEMENTS AND RELATED DOCUMENTS FOR SAID GRANTS; AND AUTHORIZING THE CITY MANAGER TO PROVIDE FOR THE APPLICATION OF THE GRANT FUNDS FOR THE PURPOSES STATED.

WHEREAS, the City of San Angelo applied for and is eligible for a federal Housing and Urban Development (HUD) Community Development Block Grant (CDBG) in the sum of \$699,822. , and a Home Investment Partnerships Grant (HOME), in the sum of \$338,495., to be used for municipal affordable housing projects; and,

WHEREAS, the grants will provide part of the funding for the City's affordable housing projects and do not require matching funds; and,

WHEREAS, on July 17, 2018, the City Council held a public hearing for approving and adopting the 2018 Annual Action Plan (AAP) at a duly called regular meeting of the City Council pursuant to notice posted as required under Chapter 551 of the Texas Government Code, during which all interested persons had the opportunity to testify before the City Council:

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

SECTION 1. The Annual Action Plan for 2018 for use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds, as presented, is hereby approved and adopted.

SECTION 2. The consolidated applications for CDBG and HOME funds for fiscal year 2018 are hereby authorized and ratified; and, CDBG grant funds in the approximate sum of \$699,822. and HOME grant funds in the approximate sum of \$398,495., are accepted.

SECTION 3. The City Manager or his designee is hereby authorized and directed to execute such grant applications, agreements and related documents for the consolidated CDBG and HOME grants for fiscal year 2018, and to accept such grant funds and provide for their

application for the purposes stated.

PASSED and APPROVED THIS 17th DAY OF July, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Brian Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Robert Salas, Neighborhood &
Family Services Dept. Director

Theresa James, City Attorney

DRAFT



Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

This Annual Action Plan outlines the activities which will be undertaken during the program year beginning October 1, 2018 and ending September 30, 2019 using federal funds granted to the City of San Angelo by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and HOME Investment Partnerships grant (HOME) programs. Programs and activities described in this plan are intended to primarily benefit low-income and moderate-income residents of the City of San Angelo, neighborhoods with high concentrations of low-income and moderate-income residents, and the city as a whole.

Specifically, the plan identifies resources, addresses objectives and outcomes for funded activities, provides a description of geographic areas being affected, outlines plans to address the needs of the homeless and special needs citizens, and addresses the city's goals as they relate to affordable housing.

Based on citizen recommendations, the city plans to focus on four major activities: neighborhood revitalization, housing rehabilitation/preservation, homeless prevention, clearance, and tenant-based rental assistance.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Objectives and outcomes: These activities address goals set in the 2015-2019 Consolidated Plan and meet one of the three **objectives** of the CDBG program:

1. Creating a Suitable Living Environment
2. Providing Decent Housing
3. Creating Economic Opportunities

Moreover, funded activities will address, and are consistent with, the following three **outcome** categories as outlined by the Outcome Performance Measurement System published in the Federal Register on June 10, 2005 (70FR 34044):

1. Improving availability or accessibility of units or services
2. Improving affordability not just of housing but of other services
3. Improving sustainability by promoting viable communities

DRAFT

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Evaluation of Past Performance: The City of San Angelo has been successful over the past year in furthering key housing objectives and goals cited in the 2015-2019 Consolidated Plan. We met or will have met all of the annual goals for emergency and housing repairs, tenant-based rental assistance, and the Homebuyers Assistance Program (HAP), homeless prevention, and new home construction.

Completion data for all projects will be reported in the Consolidated Annual Performance & Evaluation Report (CAPER).

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

Citizen Participation: This plan is the product of public outreach consistent with the City of San Angelo's 2015-2019 Five-Year Consolidated Plan. Public participation efforts included several public meetings and hearings, discussions with agencies and groups that provide services, assist and/or advocate for low-to-moderate-income citizens.

The Community & Housing Support (CHS) staff provided program information to include eligible activities and funds available for 2018. During these public meetings held throughout the city at various times and locations, public comment was received regarding the allocation of CDBG and HOME funds. All comments were accepted. In addition, a 30-day public comment period was provided from June 5, 2018 thru July 17, 2018.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

All public comments at the Neighborhood meetings and at the city council meeting were accepted. The citizens who participated in the meeting were in favor of the city continuing to improve the neighborhoods with the current New Construction program (through the CHDO), the Emergency Repair program, the Neighborhood Blitz, and the Homebuyer's Assistance Program for first time home buyers. Citizens also agreed to reduce the Homeless Prevention program due to the lower than expected number of participants.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted.

7. Summary

Not applicable.

DRAFT

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	SAN ANGELO	Neighborhood & Family Services
HOME Administrator	SAN ANGELO	Neighborhood & Family Services

Table 1 – Responsible Agencies

Narrative (optional)

Consolidated Plan Public Contact Information

Robert Salas, Director of Community & Housing Support - 325-655-0824, robert.salas@cosatx.us

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

Public participation plays a central role in the development of the Consolidated Plan. The City launched an in-depth, collaborative effort to consult with community stakeholders, elected offices, City departments, and beneficiaries of entitlement programs to inform and develop the priorities and strategies contained within this five-year plan. Public hearings, annual neighborhood public meetings, and annual assessments are regularly conducted by the Community & Housing Support Division to identify community needs. The City of San Angelo Community & Housing Support Division will continue to monitor the needs of the community through these activities and through cooperative efforts undertaken from time to time by other local entities.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City facilitated a comprehensive outreach process to enhance coordination and discuss new approaches to working with public and housing providers, private and governmental health agencies, mental health service providers, and other stakeholders that utilize funding for eligible activities, projects, and programs.

A community needs survey was conducted to solicit input from residents and workers in the City. Respondents were informed that the City was updating its Consolidated Plans for federal funds that primarily serve low-to-moderate-income (LMI) residents and areas. The survey polled respondents about the level of need in their respective neighborhoods for various types of improvements.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Concho Valley Homeless Planning Coalition (CVHPC) is a multi-sector group of stakeholders dedicated to ending and preventing homelessness in San Angelo. The group's primary responsibilities are to coordinate large-scale implementation of efforts to prevent and end homelessness. The CVHPC is governed by a board which stands as the driving force committed to supporting and promoting a systems change approach to preventing and ending homelessness in the City. The board is comprised of the members of local agencies and City government that provide services to meet affordable housing and community needs.

Members of the CVHPC meet on a monthly basis to discuss services available to homeless or about to be homeless and opportunities to coordinate these services. One of the issues the group has investigated

is introducing the *Operating and Adminstrating Homeless Management Information System (HMIS)* in San Angelo. The CVHPC has taken steps to integrate the HMIS across service providers in order to share information on recipients of these services. Besides meeting and exceeding HUD's requirements for the implementation and compliance of HMIS Standards, the effort will incorporate a rich array of service provider participation to capture and share information on service recipients.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The city does not have ESG grant funds to allocate nor have HMIS online at this time.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Salvation Army
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	City staff met with the Salvation Army director to discuss homeless needs.
2	Agency/Group/Organization	Galilee CDC
	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Executive Director to obtain housing needs data which will assist in the fulfillment of the Consolidate Plan and this year's Action Plan.
3	Agency/Group/Organization	SAN ANGELO HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Executive Director to obtain public housing data to help formulate this year's Action Plan.
4	Agency/Group/Organization	Concho Valley Community Action Agency
	Agency/Group/Organization Type	Housing Utility Payment Assistance

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Executive Director to obtain housing needs to help formulate the annual plan.
5	Agency/Group/Organization	Habitat for Humanity of San Angelo, Inc.
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with board members to obtain housing data to help formulate the plan.
6	Agency/Group/Organization	MHMR of the Concho Valley
	Agency/Group/Organization Type	Services - Housing Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Program Coordinator to obtain housing needs for persons with disabilities to help formulate the plan.
7	Agency/Group/Organization	INSTITUTE OF COGNITIVE DEVELOPMENT
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff contacted Executive Director to obtain information on the need for housing for victims of domestic violence.

8	Agency/Group/Organization	City of San Angelo
	Agency/Group/Organization Type	Other government - Local Planning organization
	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Planning and other departments within the city to obtain data to help develop the plan.
9	Agency/Group/Organization	CONCHO VALLEY WORKFORCE DEVELOPMENT BOARD (CVWDB)
	Agency/Group/Organization Type	Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff contacted organization to obtain workforce data to help develop the action plan.
10	Agency/Group/Organization	San Angelo Development Corporation
	Agency/Group/Organization Type	Economic Development
	What section of the Plan was addressed by Consultation?	Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff met with Executive Director to obtain information on the economic environment in San Angelo.
11	Agency/Group/Organization	Dream Center
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff contacted Executive Director to obtain information on the need for transitional housing for homeless.

12	Agency/Group/Organization	Adult Mental Health Respite
	Agency/Group/Organization Type	Services - Housing Services-Persons with Disabilities Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff contacted Executive Director to obtain information on the need for emergency housing for adults with mental health issues and homeless.
13	Agency/Group/Organization	Hernandez & Associates Law Firm
	Agency/Group/Organization Type	Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed issues associated with the business environment for low/moderate income families which gives a better understanding of opportunities for low/moderate income families.
15	Agency/Group/Organization	Tom Green County Health Department
	Agency/Group/Organization Type	Services-Health Other government - County
	What section of the Plan was addressed by Consultation?	Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed lead-based paint issues to get an understanding of the lead poisoning threat in the county.
16	Agency/Group/Organization	West Texas Organizing Strategy
	Agency/Group/Organization Type	Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed affordable housing issues with WTOS leaders which assisted in the housing needs assessment.

17	Agency/Group/Organization	Small Business Development Center
	Agency/Group/Organization Type	Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed the current state of small businesses in the city with the Director, identifying barriers to success.
18	Agency/Group/Organization	Adult Protective Services
	Agency/Group/Organization Type	Services-Elderly Persons Other government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed issues associated with senior care and housing needs.
19	Agency/Group/Organization	Women, Infants, and Children (WIC)
	Agency/Group/Organization Type	Child Welfare Agency Other government - State Other government - Local
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed nutritional needs for children and pregnant mothers to coordinate state funding for WIC services.

Identify any Agency Types not consulted and provide rationale for not consulting

The city did not consult with agencies that represent public services since the city's focus on expenditure of funds is on housing programs due to continued cuts in federal funding and public sentiment to for the city to focus on housing. In addition, the city did not consult with adjacent units of general local government since there are no adjacent local governments that affect San Angelo's use of federal resources.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Concho Valley Homeless Planning Coalition	Homeless needs are addressed in both plans.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

Citizen Participation: This plan is the product of public outreach consistent with the City of San Angelo's 2015-2019 Five-Year Consolidated Plan. Public participation efforts included two public meetings, a public hearing, discussions with agencies and groups that provide services, assist and/or advocate for low-to-moderate-income citizens.

The Community & Housing Support (CHS) staff provided program information to include eligible activities and funds available for 2017. During these public meetings held throughout the city at various times and locations, public comment was received regarding the allocation of CDBG and HOME funds. All comments were accepted. In addition, a 20-day public comment period was provided from June 30, 2017 thru July 19, 2017.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Public Meeting	Non-targeted/ broad community	The general response at the public meeting was support and approval for the programs we currently fund through CDBG and HOME such as Emergency Repairs, New Construction through the CHDO, Down Payment & Closing Cost Assistance for first time home buyers. Citizens were also in favor of continuing Homeless Prevention on a smaller scale, and in return, adding the Neighborhood Paint Blitz back into the program.	While most comments received were regarding general city business concerning other departments, the comments received pertaining to our programs were in favor of the current proposed allocation. Citizens who attended were concerned about home owner emergency repair assistance, home buyer assistance, returning the neighborhood paint program, and homeless prevention.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

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AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of San Angelo's 2018 Annual Action Plan covers the time period from October 1, 2018 to September 30, 2019. The City's total entitlement is \$1,038,317. Over the past several years, the City of San Angelo has seen an annual reduction in funding for both CDBG and HOME funds, but received a slight increase in CDBG, and a sizeable increase in HOME funds. Although the City received a an increase this year, the reductions over the previous years have adversely affect the city's ability to meet the needs of low-to-moderate income citizens, we will continue to strive to meet or exceed our goals by finding and taking advantage of synergies with local organizations and government entities wherever possible.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	699,822	32,000	0	731,822	688,000	CDBG funds will be used for the preservation of affordable housing units for LMI households and assist in homeless prevention.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	338,495	23,000	0	361,495	295,000	HOME funds are used to create and acquire affordable housing for low to moderate income households.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

When leveraging entitlement funding, the City combines other local, state, and federal financial resources to maximize the reach and impact of the City's HUD programs. HUD encourages the recipients of federal monies to demonstrate that efforts are being made to strategically leverage additional funds in order to achieve greater results. Leveraging funds is also a way to increase project efficiencies and benefit economies of scale that often come with combining sources of funding for similar or expanded scopes. Funds will be leveraged if financial commitments toward the cost of a project from a source other than the originating HUD program are documented.

The Community and Housing Support division leverages other city departments in order to obtain operating support to include financial, legal, planning, human resources, and purchasing. The City also leverages over \$370,000 of local sales tax revenue for gap financing provided to low/moderate income first-time home buyers. The City also receives a grant from Atmos Energy to continue a housing weatherization program, expending approximately \$25,000 to assist approximately sixteen home owners.

A 25% match is required for HOME funds for the City of San Angelo. The match can be cash, the value of foregone interest, fees, or charges, appraised value of land or real property, or general funds, and must

be available at the time the nonprofit requests reimbursement under its contract.

The majority of Consolidated Plan activities carried out by the Participating Jurisdiction involve the leveraging of a variety of sources. For example, during the FY2016-2017 reporting period, the HOME program utilized a variety of resources to meet the matching requirements. \$48,947 in match funds was accumulated 2016 program year. At the end of the program year, the city maintained \$2,084,986.02 in excess matching funds. This reserve was more than adequate to meet the required match liability for the 2017 program year.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Not applicable.

Discussion

Please see discussion above.

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Annual Goals and Objectives

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AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Decent Housing	2015	2019	Affordable Housing	City Wide	Affordable Housing	CDBG: \$100,304	Homeowner Housing Rehabilitated: 20 Household Housing Unit
2	Home Ownership	2015	2019	Affordable Housing	City Wide	Affordable Housing Neighborhood Revitalization	HOME: \$135,346	Direct Financial Assistance to Homebuyers: 10 Households Assisted
3	Neighborhood Revitalization	2015	2019	Affordable Housing	BLACKSHEAR FORT CONCHO REAGAN RIO VISTA City Wide	Affordable Housing	CDBG: \$186,000	Homeowner Housing Rehabilitated: 20 Household Housing Unit Housing Code Enforcement/Foreclosed Property Care: 5000 Household Housing Unit
4	Affordable Housing	2015	2019	Affordable Housing	BLACKSHEAR FORT CONCHO REAGAN RIO VISTA City Wide	Affordable Housing Neighborhood Revitalization	HOME: \$110,000	Homeowner Housing Added: 3 Household Housing Unit
5	Special Needs & Homelessness	2015	2019	Homeless Non-Homeless Special Needs	City Wide	Affordable Housing Homelessness	CDBG: \$30,000 HOME: \$80,000	Tenant-based rental assistance / Rapid Rehousing: 25 Households Assisted Homelessness Prevention: 6 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Decent Housing
	Goal Description	The Emergency Repair program will assist with meeting this goal.
2	Goal Name	Home Ownership
	Goal Description	The First-Time Homebuyer's Assistance program will assist with meeting this goal.
3	Goal Name	Neighborhood Revitalization
	Goal Description	The Code Compliance Officer and Neighborhood Paint Blitz will assist with meeting this goal.
4	Goal Name	Affordable Housing
	Goal Description	The new construction program carried out by the CHDO for first-time homebuyers will assist with meeting this goal.
5	Goal Name	Special Needs & Homelessness
	Goal Description	The Tenant Based Rental Assistance program and the Homeless Prevention Program will assist with meeting this goal.

Projects

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AP-35 Projects – 91.220(d)

Introduction

The mission of the City's Community & Housing Support Division is to help increase homeownership, support community development, eliminate blight, and increase access to affordable housing for low to moderate income citizens. We execute the mission through a variety of programs that includes rehabilitation, new home construction (through the CHDO), homebuyer's assistance, code compliance, demolition, and emergency repairs.

Whenever possible, the City creates partnerships and synergies with local non-profit organizations that provide services and housing opportunities to low to moderate income citizens. These organizations include Community Housing Development Organizations (CHDO) and Habitat for Humanity.

The City of San Angelo's objectives are consistent with the 2015-2019 Consolidated Plan and meet one of the three national objectives of the CDBG program:

- Creating a Suitable Living Environment
- Providing Decent Housing
- Creating Economic Opportunities

Our plan to meet these objectives covers a myriad of activities. Some of these activities include increasing code enforcement efforts in low to moderate income target neighborhoods; coalescing with non-profit organizations that provide home repair to target citizenship; increasing the number of recreational facilities in target neighborhoods to include parks; expanding access to affordable rental housing, increasing the number of housing rehab projects across the city; and exploring new housing opportunities with housing partners.

As we work to meet these objectives, we anticipate that all funded activities will address and are consistent with at least one of three outcomes:

- Improving availability or accessibility of units or services
- Improving affordability, not just of housing, but of other services
- Improving sustainability by promoting viable communities

Projects

#	Project Name
1	CD Admin
2	Rehab Admin
3	Emergency Repairs
4	Housing Rehabilitation
5	Homeless Prevention
6	Code Compliance
7	Debt Service
8	Home Admin
9	Homebuyer's Assistance Program
10	Galilee CHDO
11	MHMR TBRA

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City's ConPlan update coincides with the development of the first year Action Plan. The City awards Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding to public entities and non-profit agencies that provide services and housing for LMI and special needs households. The City operates on a one-year grant funding cycle for CDBG and HOME projects. The only obstacle the City has to addressing underserved needs is limited available funding.

AP-38 Project Summary

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Project Summary Information

1	Project Name	CD Admin
	Target Area	City Wide
	Goals Supported	Decent Housing Neighborhood Revitalization Special Needs & Homelessness
	Needs Addressed	Homelessness Neighborhood Revitalization
	Funding	CDBG: \$146,364
	Description	Administration of the CDBG programs including salaries, benefits, training, supplies, and services necessary to execute program activities. These activities include, but are not limited to, client intake, eligibility screening, inspections, financial management, monitoring of activities, and monitoring of subrecipients as applicable.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	NA
	Location Description	City Wide
	Planned Activities	Administration of the CDBG Programs includes salaries, benefits, training, supplies, and services necessary to execute program activities.
2	Project Name	Rehab Admin
	Target Area	City Wide
	Goals Supported	Decent Housing Neighborhood Revitalization Affordable Housing Special Needs & Homelessness
	Needs Addressed	Affordable Housing Homelessness Neighborhood Revitalization

	Funding	CDBG: \$125,000
	Description	Administration of the CDBG Rehab program to include salaries, benefits, certifications, training, and supplies necessary to successfully execute the program.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Administration of the Rehab programs including salaries, benefits, training, supplies, and services necessary to execute program activities. These activities include, but are not limited to, client intake, eligibility screening, inspections, financial management, monitoring of activities, and monitoring of subrecipients as applicable.
3	Project Name	Emergency Repairs
	Target Area	City Wide
	Goals Supported	Decent Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$100,304
	Description	100% grant for low/moderate income homeowners for Emergency Repairs. An emergency is a situation that occurred without warning (within two weeks), is detrimental to life, health, or safety and requires immediate action. Action must be taken within 24-72 hours to remedy 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.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 20 households will benefit from the proposed activities.
	Location Description	NA

	Planned Activities	Repairs that are detrimental to life, health, or safety and requires immediate action are completed with this program. These repairs include, but are not limited to gas leaks, sewer leaks, collapsed sewer lines, water leaks, and electrical hazards. Modifications to provide a barrier-free living space, when feasible, for homes occupied by either disabled or elderly individuals requiring such modifications will also be included.
4	Project Name	Housing Rehabilitation
	Target Area	
	Goals Supported	Decent Housing Neighborhood Revitalization
	Needs Addressed	Affordable Housing Neighborhood Revitalization
	Funding	CDBG: \$148,000
	Description	Neighborhood Paint Blitz will provide siding, trim, and paint to low-to-moderate income households in a specified target area.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 20 families will benefit from this activity.
	Location Description	Belaire target area.
	Planned Activities	Replace siding, trim, and paint for selected low to moderate income families.
5	Project Name	Homeless Prevention
	Target Area	City Wide
	Goals Supported	Special Needs & Homelessness
	Needs Addressed	Homelessness
	Funding	CDBG: \$30,000
	Description	The goal of this program is to help prevent homelessness with limited financial 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.
	Target Date	9/30/2019

	Estimate the number and type of families that will benefit from the proposed activities	Approximately 6 households will benefit from the proposed activities.
	Location Description	The goal of this program is to help prevent homelessness with limited financial 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.
	Planned Activities	The goal of this program is to help prevent homelessness with limited financial 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 have 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.
6	Project Name	Code Compliance
	Target Area	BLACKSHEAR FORT CONCHO REAGAN RIO VISTA
	Goals Supported	Neighborhood Revitalization
	Needs Addressed	Neighborhood Revitalization
	Funding	CDBG: \$38,000
	Description	Funds the salary and benefits for a City Code Compliance Officer. This officer will be assigned to enforce codes such as tall grass and weeds, unsightly junk material, and other items that put the health and safety of citizens at risk.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 3,000 families will benefit from Code Compliance activities in the targeted areas.
	Location Description	Not applicable.

	Planned Activities	The code officer in the targeted areas emphasizes compliance to health and safety issues in the residential and commercial buildings in the eligible areas. The Code Compliance Officer will also enforce codes such as junk, tall grass and weeds, junk appliances, refuse, unsightly material, temporary signs, and related state laws in low/moderate income area defined by the 2010 Census.
7	Project Name	Debt Service
	Target Area	REAGAN RIO VISTA
	Goals Supported	Neighborhood Revitalization
	Needs Addressed	Neighborhood Revitalization
	Funding	CDBG: \$144,154
	Description	Repayment of the Section 108 Loan for Rio Vista Park Renovation and Producer's Park Development. This loan, totaling \$2,035,000 plus interest will be paid back over a period not to exceed 20 years.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable.
	Location Description	Not applicable.
8	Planned Activities	The Debt Service is used to repay the principal and interest on the Section 108 Loan taken to construct Producer's Park and rehabilitate Rio Vista Park. Both activities were completed by May 2013.
	Project Name	Home Admin
	Target Area	BLACKSHEAR FORT CONCHO REAGAN RIO VISTA City Wide
	Goals Supported	Home Ownership Neighborhood Revitalization
	Needs Addressed	Neighborhood Revitalization
	Funding	HOME: \$36,149
	Description	Staff and related costs required for overall program management, coordination, monitoring, reporting, and evaluation of HOME programs.

	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable.
	Location Description	Not applicable.
	Planned Activities	Administration of the HOME programs including salaries, benefits, training, supplies, and services necessary to execute program activities. These activities include, but are not limited to client intake, eligibility screening, home inspections, financial management, monitoring of activities, and monitoring of subrecipients as applicable.
9	Project Name	Homebuyer's Assistance Program
	Target Area	City Wide
	Goals Supported	Home Ownership
	Needs Addressed	Affordable Housing
	Funding	HOME: \$135,346
	Description	Provide down payment and closing cost assistance for low to moderate first time home buyers.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 10 low-to-moderate income families will benefit from the First-time Home Buyer's Assistance Program.
	Location Description	City Wide.
10	Planned Activities	The Homebuyer's Assistance Program will provide down payment and closing cost assistance to low-to-moderate income first time home buyers who are purchasing a home within the San Angelo city limits.
	Project Name	Galilee CHDO
	Target Area	BLACKSHEAR FORT CONCHO REAGAN RIO VISTA
	Goals Supported	Home Ownership Affordable Housing

	Needs Addressed	Neighborhood Revitalization
	Funding	HOME: \$110,000
	Description	Funds provide for new home construction for low/moderate income residents. GCDC's current goal is to build at least 3 homes with the 2017 allocation and other sources.
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 3 families will benefit from proposed activities.
	Location Description	Homes will be constructed on lots chosen by the home buyer located in a target area.
	Planned Activities	GCDC will construct 3 single family homes for first time home buyers who are low to moderate income.
11	Project Name	MHMR TBRA
	Target Area	City Wide
	Goals Supported	Affordable Housing Special Needs & Homelessness
	Needs Addressed	Homelessness
	Funding	HOME: \$80,000
	Description	Funds provide tenant-based rental assistance (TBRA) to 23 clients with a chronic mental illness residing within the San Angelo city limits over a period of a year. The HOME funds requested 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.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 25 special needs families will benefit from TBRA assistance.
	Location Description	City wide.

	Planned Activities	Tenant Based Rental Assistance (TBRA) will be provided to clients with a chronic mental illness residing within the San Angelo city limits over a period of approximately a year while on the waiting list for Section 8 housing. The program will provide rental assistance, one-time security deposit assistance, and one-time utility deposit assistance as needed. TBRA may be used on any rental property within the City of San Angelo that meets HUD's minimum Housing Quality Standards.
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AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

People of Hispanic origin compromise the largest minority in San Angelo. Areas with high concentrations of minority population are defined as block groups consisting of 51% or more minority population. Areas of the City with higher concentrations of low-to-moderate income households typically tend to be the areas with the greatest concentrations of minority populations. The largest concentrations of minority population are found in Census Tracts 3, 4, 7, 8, 9, and 14. Some of the Block Groups within these Census Tracts contain high concentrations of Hispanic population. Further, these are also the Census Tracts with the largest numbers and greatest percentages of low-to-moderate income residents.

Minority Concentrations - Indeed, the six neighborhoods targeted for revitalization are located in areas with lower income households and older housing units.

Please refer to the city's NRP online at www.cosatx.us/chs.

Community-wide projects are directed toward low-to-moderate income persons and are usually carried out throughout targeted low-to-moderate income Census Tract Block Groups. These projects are offered on a community-wide basis because, while there are distinct areas with high concentrations of low-to-moderate income populations within the City, over the years the low-to-moderate income population has spread throughout the community. This is especially true for elderly and special needs residents. Out of fairness to all eligible low-to-moderate income residents, these programs are offered on a city-wide basis.

Community-wide projects:

Emergency Repair Program

Homeless Prevention Program

Homebuyers Assistance Program

MHMR TBRA Program

Target Area projects consist of those projects conducted in six City Council designated target areas - Rio Vista, Blackshear, Reagan, Fort Concho, Belaire, and Lakeview. Code Compliance will be conducted strictly in target area neighborhoods as well as new home construction earmarked for the Neighborhood Revitalization Program.

Galilee Community Development Corporation is currently the only CHDO that has applied for 2018 CHDO set-aside funds. Although CHDO funds are not limited to target areas, Galilee has decided to focus on the target areas for their operations.

This year, \$283,34676 (\$38K Code Compliance and \$110,000 CHDO new home construction, and \$135,346 for Housing Rehabilitation) will be expended specifically in the neighborhoods targeted for revitalization which equates to 27% of total CDBG & HOME funds available for the program year.

Geographic Distribution

Target Area	Percentage of Funds
BLACKSHEAR	
FORT CONCHO	
REAGAN	
RIO VISTA	

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City is allocating resources to the six neighborhoods targeted for revitalization. However, the allocations are based on a first-come first-served project basis, so one neighborhood will receive more than the others. The City cannot determine the percentage of funds to be allocated in a particular neighborhood.

Discussion

See above.

Affordable Housing

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AP-55 Affordable Housing – 91.220(g)

Introduction

AFFORDABLE HOUSING FOR HOMELESS/SPECIAL NEEDS

The City of San Angelo's actions as they relate to homeless and special-needs households are identified below.

Homeless Needs

There should be sufficient emergency shelters available for the needs of the homeless; however, the main emphasis should be on providing transitional and permanent housing. The local Salvation Army began a new program which they hope will alleviate some of the problems. This transitional housing program offers selected participants a place of residence with low nightly rates in order to provide the opportunity to save money for a home or apartment. Tenants are housed for three to four months, and each participant is required to take part in a financial course and to find a job. Staff then evaluates the tenants after 90 days and if qualified, the program pays the first month's rent and helps with utilities.

In addition to the Salvation Army, there are two transitional housing programs for men and women managed by the Alcohol & Drug Abuse Council that provide transitional housing for individuals suffering from drug and alcohol addiction. Also, the Institute of Cognitive Development provides transitional housing for families made homeless through domestic violence.

Moreover, the majority of homeless individuals are associated with mental health issues. The city will assist in addressing this problem through its efforts described below regarding the Special Needs Population.

Housing for Special Needs Population

Elderly, frail elderly, handicapped, disabled and other special needs persons should likewise have the opportunity to live in decent, safe, sanitary affordable housing. Furthermore, this housing should be accessible and barrier free when required. Housing rehabilitation assistance through the Amy Young barrier removal program will be provided to homeowners with disabilities to fund renovations necessary to make their homes accessible. Additionally, the PHA offers several barrier free units to those qualified individuals needing accessible housing.

MHMR Services of the Concho Valley will receive HOME funds to provide tenant-based rental assistance (TBRA) to 23 clients with a chronic mental illness residing within the San Angelo city limits over a period of a year. The HOME funds requested 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. Initial and annual inspections of the units are required in order to assure that the funds are being used for decent, safe and sanitary properties.

Galilee Community Development Corporation will provide handicap accessibility features in houses constructed under its HOME funded New Construction Program when such features are requested by participant families.

One Year Goals for the Number of Households to be Supported	
Homeless	6
Non-Homeless	53
Special-Needs	25
Total	84

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	31
The Production of New Units	3
Rehab of Existing Units	40
Acquisition of Existing Units	10
Total	84

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Please see discussion above.

AP-60 Public Housing – 91.220(h)

Introduction

The PHA will continue to offer 174 public housing units consisting of 90 Low Rent Public Housing Family units, 60 elderly units, and 24 Acquisition Project units. The Desert Shadows complex will continue to offer 224 units for rent, but under the Land Use Restriction Agreement in effect only 112 of those units are available at less than market rent for low-to-moderate income tenants. The PHA will continue to provide the Housing Choice Voucher Rental Assistance Program, formally known as Section 8 to serve qualified low-to-moderate income families in San Angelo.

During FY 2002, the Housing Authority sold two of its Affordable Housing Program apartment complexes which resulted in a decrease of affordable housing units operated by the PHA from 221 to 168. Because of a Land Use Restriction Agreement (LURA), the two complexes will continue to benefit 53 lower income families in the City of San Angelo through private operation until expiration of the LURA in 12/21/2033. During FY 2004, the Housing Authority sold a third Affordable Housing Program apartment complex to a local hospital. In 2015 PHA purchased 12 units from the City of San Angelo. PHA now has 122 affordable housing units under its operation.

Actions planned during the next year to address the needs to public housing

The PHA intends to make modifications to public housing based on the Section 504 needs assessment. They intend to install lighting to enhance security; complete modernization of 1-2 units per year for the next five years; replace existing windows in two developments with new windows that comply with the *International Energy Conservation code* over the next five years. The PHA indicated that it will employ effective maintenance and management policies to minimize the number of public housing units off-line and reduce the turnover time for vacated public housing units. The PHA is also planning to continue a winterization program to properly seal and insulate windows and doors and improve the efficiency of all units through the purchase of “Energy Star” rated systems. The PHA continues to partner with the local SAPD to implement a Crime Free program to reduce crime and vandalism. This addition to the residents lease will include all Public Housing residents as well as residents living in the Affordable Housing program.

In 2011 The Housing Choice Voucher program was awarded twenty-five additional vouchers to assist HUD’s mission of eliminating homelessness among veterans. The Veteran’s Affairs Supportive Housing (VASH) program strives to work with the Big Springs VA office to obtain 100 % utilization of these vouchers. In 2016, the HCV program was awarded an additional 8 VASH vouchers. With the addition of these eight vouchers the PHA now has 816 Housing Choice Vouchers to offer low and very low income families.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

For 2018, the PHA will continue to encourage residents to submit responses both telephonically and in writing concerning any PHA matters. The resident Advisory Group provides input to the PHA. In 2016, the PHA opened the availability of the voluntary Family Self-Sufficiency program to not only HCV but Public Housing residents as well. This program encourages homeownership and is designed to remove barriers of residents looking to become self sufficient. This year had the FSS program more than doubled in size and the PHA now has 5 vouchers of the 10 homeownership vouchers leased. The PHA will continue to promote and develop this program to encourage FSS participants to participate in the homeownership program.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

Please see discussion above.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The Concho Valley Homeless Planning Coalition estimates that there were over 400 families identified as homeless with at least 76 chronic homeless individuals identified in the 2018 Point In Time Homeless Survey. This snapshot in time provides a general idea on the homeless problem in San Angelo. The Concho Valley Homeless Planning Coalition is working with local agencies to introduce HMIS in order to better support agencies that provide services to homeless citizens. The HMIS will monitor outcomes and performance measures for all the homeless services agencies in the county.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Concho Valley Homeless Planning Coalition will continue working with local agencies to ensure homeless persons are contacted and provided information on what types of assistance is available. In addition, an annual homeless count will be conducted to assess the needs of homeless persons.

Addressing the emergency shelter and transitional housing needs of homeless persons

The Salvation Army will continue to provide shelter and nutritional assistance to homeless persons. In addition, the City will work with a local women's shelter to provide transitional housing for families made homeless due to domestic violence.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City is working with the Concho Valley Homeless Planning Coalition to develop plans to build a transitional housing complex to provide homeless persons a place to live up to 18 months. The City will also provide funding for MHMR to help its special needs clients transition into permanent housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving

assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City will continue providing affordable housing programs to include emergency housing repair and homeless prevention programs that will help keep low income families from becoming homeless especially renters who have a higher cost burden than homeowners by percentage. The City will also provide funds in the form of tenant-based rental assistance to help low income persons transition into permanent housing. In addition, the City will continue the Homeless Prevention Program (HPP) that aims to help families that have experienced a life crisis and are at risk of becoming homeless for lack of funds to pay rent/mortgage. The City earmarked \$30K of CDBG funds for the HPP and will provide case management thru the Community and Housing Support Division.

Discussion

Please see discussion above.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The City of San Angelo Council and staff believe that it does not have regulatory provisions which bar or create barriers to affordable housing. The City Council is keenly aware of the need to keep permit fees and property taxes low and is committed to raising fees and taxes only when absolutely necessary for essential services. Council also supports affordable housing programs to include Low Income Housing Tax Credits in high opportunity areas of the city and other CDBG/HOME funded or supported programs.

Slow economic development in San Angelo is another barrier to affordable housing for some citizens. The City of San Angelo has undertaken aggressive measures to remedy the problem. One of those measures was to extend the ½ cent sales tax to fund performance-based job creation and business retention. The City of San Angelo Development Corporation provides grants to businesses interested in setting up or expanding operations in San Angelo. Types of businesses include manufacturing, warehousing/distribution, data processing, telecommunications services, research and development, information services, correctional institutions, mining, and agricultural services.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The major barrier to affordable housing is still a lack of funds. While education and/or job training may provide a means to increasing income and improving living conditions for some low income families, low income elderly and disabled will not likely be able to achieve these goals through education or job training.

Slow economic development in San Angelo is another barrier to affordable housing for some citizens. The City of San Angelo has undertaken aggressive measures to remedy the problem. One of those measures was to extend the ½ cent sales tax to fund performance-based job creation and business retention. The City of San Angelo Development Corporation provides grants to businesses interested in setting up or expanding operations in San Angelo. Types of businesses include manufacturing, warehousing/distribution, data processing, telecommunications services, research and development, information services, correctional institutions, mining, and agricultural services.

Discussion:

In addressing the barriers to affordable housing, the City will continue to offer its owner-occupied Housing Rehabilitation Program and the Neighborhood Revitalization/Enhancement Program and will continue its 100% Emergency Repairs Grant Program through the Community & Housing Support Division. The Community & Housing Support Division will also administer the Homebuyers Assistance Program which offers down payment and closing cost assistance to low to moderate income homebuyers.

AP-85 Other Actions – 91.220(k)

Introduction:

This section discusses the City's efforts in addressing the underserved needs, expanding and preserving affordable housing, reducing lead-based paint hazards, and developing institutional structure for delivering housing and community development activities.

Actions planned to address obstacles to meeting underserved needs

During grant year 2018, the City of San Angelo will take action to address obstacles to meeting underserved needs in several areas as discussed below.

Actions planned to foster and maintain affordable housing

Low and moderate income persons should have decent, safe, sanitary, and affordable housing. To address this continuing problem, the City will offer its owner-occupied and rental single family housing rehabilitation and emergency repairs 100% grant programs. Owner-occupied and rental single family housing rehabilitation is critical to aging neighborhoods, especially lower income neighborhoods, in preventing slum/blight conditions from developing. Such neighborhoods have large concentrations of single parent families and elderly residents who lack the financial and/or physical ability to provide even routine maintenance and repairs. Unless these neighborhoods are addressed, neglect will occur and will ultimately result in deterioration of the housing stock and contribute to the further decline of these neighborhoods.

An allocation of \$100,304 of 2018 CDBG funds will enable the department to continue an Emergency Repairs 100% Grant component to the Housing Rehabilitation Program, which will provide assistance with a 100% grant up to \$5,000 for homeowners in need of emergency repairs.

Down payment and closing cost assistance will be provided for income qualified homebuyers under the City's Homebuyers Assistance Program (HAP) which has been allocated HOME funds in the amount of \$135,346. The assistance will be provided as a forgivable, no-interest deferred payment loan which will not have to be repaid as long as the homeowner occupies the home as his or her principal residence for the full five year affordability period.

To further aid in addressing the priority of Housing, the City will assist Galilee Community Development Corporation in construction of three houses for low-to-moderate income families.

HOME funds will be provided for tenant-based rental assistance to 25 persons/households. Additional information regarding the City's Housing objective is contained in this Annual Action Plan under Activities to be undertaken.

Actions planned to reduce lead-based paint hazards

Lead-Based Paint Hazards

The HOME Neighborhood Enhancement/Revitalization rehabilitation component and Housing Rehabilitation Program will adhere to the HUD Regulation on Lead-Based Paint Hazards in Federally Owned Housing and Housing Receiving Federal Assistance, 24 CFR Part 35, Subpart J, that went into effect on September 15, 2000. In response to this regulation and as one of the 2000 Annual Action Plan goals, CHS staff prepared and incorporated a chapter on Lead-Based Paint Hazards in its rehabilitation program guidelines, which is applicable to both CDBG and HOME funded activities.

The CHS Housing Program Coordinator received training and is currently certified by the State in order to carry out the required lead-based paint inspections, risk assessments, interim control/abatement work, lead abatement supervisor, and clearance testing.

Actions planned to reduce the number of poverty-level families

Anti-Poverty Strategy

The City recognizes that its future economic viability rests with elimination of poverty. San Angelo has and will continue to undertake efforts in housing and supportive services to improve the quality of life of its low-to-moderate income residents so long as funding for such activities is available. The major factor in predicting poverty and locking people into a life of poverty is the lack of education and job skills. Being without requisite education and skills necessary to obtain a job paying more than minimum wage prevents many residents from departing the ranks of the impoverished. Therefore, workforce development and area-wide economic development have been identified as priorities which will aid the City in reducing the number of persons living below the poverty level.

The West Texas Training Center, which opened January 3, 2001, is located on property owned by the City and is the focal point of a cooperative effort amongst the City, San Angelo Independent School District, Angelo State University, Howard College, the Chamber of Commerce, and regional business, industry and health care organizations to meet the occupational training needs of the Concho Valley region and West Texas. The Center was renovated/constructed through funding provided by \$1.2 million in an EDA grant, \$925,000 from a State Special Item Appropriations grant, \$40,000 from Howard College and additional funding from the San Angelo Health Foundation.

Actions planned to develop institutional structure

Institutional Structure and Coordination of Activities

The City of San Angelo Community & Housing Support Division, which administers CDBG and HOME funds is a division of the municipal government. The PHA is a separate entity with a Board of Directors

appointed by the Mayor of the City of San Angelo. However, the CHS staff will continue to work with the PHA staff to leverage other federal funds earmarked for affordable housing.

As established by the many cooperative efforts undertaken by the City of San Angelo described previously in this Plan, coordination of activities is an ongoing process. In 2017, the CHS staff will continue to provide technical assistance to all non-profit organizations within the City, particularly those which are the Subrecipients of CDBG and HOME funds and those which are HOME Community Housing Development Organizations. The staff typically provides technical assistance on the availability of federal grants and the availability of private grants and funds to include faith-based organizations. Technical assistance is also provided on program compliance, documentation, and monitoring matters.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of San Angelo benefits from a strong network of housing and community development partners, such as the Annual Community Development Directors Meeting, Galilee Community Development Corporation, and the Homeless Coalition of San Angelo. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local organizations and developers in sharing information and resources.

Discussion:

Please see discussion above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

The activities planned provide for the expenditure of all CDBG funds expected to be available during the program year, including program income. No amount has been excluded for eligible activities that have been identified for the contingency of cost overruns. There is no surplus from urban renewal settlements. No grant funds have been returned to the line of credit for which the planned use has not been included in a prior statement, plan or amended plan. No income will be received from float funded activities in 2018. No “urgent need” activities are allocated 2018 CDBG funding. Approximately 80% of CDBG funds will be used to benefit low-to-moderate income persons.

HOME investments by the City of San Angelo in fiscal year 2018 will consist of grant funds and program income funds. No HOME funds will be used to refinance existing debt secured by multi-family housing being rehabilitated with HOME funds; therefore, no such guidelines are required. The City intends to use 2018 HOME funds for First-time Homebuyers. Our guidelines for recapture of funds are included in the City’s HOME program documents for the Home Buyer’s Assistance Program, the Neighborhood Enhancement/Revitalization Program which includes a down payment and closing cost component, and Galilee Community Development Corporation’s housing construction program, all of which assist homebuyers. All housing under these programs must be acquired by homebuyers whose family qualifies as low-income and the housing must be the principal residence of the family throughout the applicable affordability period. In the case of default, the case will be handed to the City’s Legal Department in order to initiate foreclosure proceedings.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

- | | |
|--|----------|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | 0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |
| Total Program Income: | 0 |

Other CDBG Requirements

DRAFT

1. The amount of urgent need activities

0

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

80.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City of San Angelo does not use HOME funds in any other manner than those described in Section 92.205.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Only the HOME funds used for direct subsidy to the homebuyer are subject to **recapture provisions**.

This is based on the amount of assistance provided and the affordability period on which it is based. Repayment of proceeds at transfer of the property must be reinvested in another HOME-eligible activity. The beneficiaries of that investment must also be low-to-moderate income households. In the event of a sale, short sale, and/or foreclosure, the amount recaptured will be limited to the amount of shared net proceeds (sales price LESS superior, non-HOME loans and closing costs) available at the time of such occurrence. After the superior lien has been paid, HOME funds are reimbursed, followed by the homeowner's investment. The city also passes on its recapture requirements to its CHDO housing construction program, all of which assist homebuyers. All housing under these programs must be acquired by homebuyers whose family qualifies as low-to-moderate income and the housing must be the principal residence of the family throughout the applicable affordability period. In the case of default, the case will be handed to the City's Legal Department in order to initiate foreclosure proceedings.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Annually, the HOME Program Administrator and Housing Rehab Program Administrator conduct inspections on HOME and CDBG funded units to include CHDO built units to ensure compliance to the affordability period as stated in the legal documents. This will be accomplished by the following:

1. Check the current water bill with the Water Billing Department to ensure the client is still the main recipient at the appropriate address.
 2. Check with the Tom Green County Appraisal District to ensure name on tax rolls has not changed.
 3. If the name listed in either the water bill or tax roll does not match original client's name, a title search will be conducted followed by a site visit.
 4. If non-compliance to the affordability period is discovered, action to recapture funds will be taken.
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The City of San Angelo will not use HOME funds to refinance existing debt.

HOME investments by the City of San Angelo in fiscal year 2018 will consist of grant funds and program income funds. The City's HOME program includes the Home Buyer's Assistance Program, TBRA assistance through MHMR (subrecipient), and Galilee Community Development Corporation's housing construction program. All eligible applicants for the homebuyer's assistance program and Galilee's new construction program must be low-to-moderate income (below 80% LMI) first-time home buyers, and cannot have owned a home in the last three years. Clients for these two programs are solicited by the participating lenders in our programs, brochures, and the City's website. All applicants are selected on a first-come, first-approved, first-served basis. MHMR selects TBRA clients that are already enrolled in their Supported Housing Services Program as their caseworker deems them ready to live on their own, and limits it to those who have a chronic mental illness. All applicants are on the waiting list for Section 8 housing and HUD Low Rent program while temporarily receiving TBRA assistance. Detailed information on all programs may be obtained online at the city's website, www.cosatx.us/chs, in our offices at 52 W. College, San Angelo, Texas, or at the offices of any of the participating lenders, subrecipients, or CHDO.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Consider a resolution enacting Drought Level I of the City's Water Conservation/Drought Contingency Plan -
(Presentation made by Water Utilities Director Allison Strube)

Summary/History:

The Water Conservation/Drought Contingency Plan is designed to encourage water conservation at all times and to establish a procedure for identifying, classifying and handling a water supply shortage. Trigger Points are included in the plan for entering three different drought stages. The Colorado River Municipal Water District projects that live water will be available until August 2019. At that time the City will be dependent on its local lakes, supplemented by groundwater from the Hickory Aquifer, for water supply which is projected to last to July 2020. Following the use of available surface water, the City will be totally dependent upon the groundwater from the Hickory Aquifer, which at this time cannot meet the daily needs of the City. Based on the water supply currently available to the City, the criteria for entering Drought Stage, Level I, are met.

The Water Conservation Plan contains the following water supply management levels:

1. Standard Conservation – City has greater than a 2 year water supply.
2. Drought Level I – City has less than a 2 year supply.
3. Drought Level II – City has less than an 18 month water supply.
4. Drought Level IV – City has less than a 1 year supply.

Financial Impact:

Usage Fees will be assessed per City's Code of Ordinances.

Other Information/Recommendation:

Under Drought Level I, outside watering is limited to once every seven days during the April 1 to October 31 period and once every 14 days from November 1 through March 31.

It is recommended the resolution be adopted enacting the Drought Stage, Level I.

Attachments:

- | | | |
|----|--------------------------------|-------------------------------------|
| 1. | 18-XXX_WU_DROUGHT_LEVEL_I_RESO | 18-XXX_WU_DROUGHT_LEVEL_I_RESO.docx |
|----|--------------------------------|-------------------------------------|

Presentation:

Approvals/Reviews:

Allison Strube

Created/Initiated

Theresa James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Final Approval

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, IMPLEMENTING DROUGHT LEVEL I OF THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

WHEREAS, the City Council of the City of San Angelo has passed an ordinance entitled "Water Conservation and Drought Contingency Plan"; and

WHEREAS, said ordinance defines drought stages and water management measures that will be followed for each stage; and

WHEREAS, under said ordinance the City Council shall determine the drought stage; and

WHEREAS, the minimum criteria for Drought Level I is that the total amount of water available to the City from its developed water sources is less than a twenty-four month supply (the "trigger point"); and

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

- 1) The amount of water available to the City from its developed water sources being estimated by the Director of Water Utilities to meet the criteria for entering "Drought Level I". City Council hereby declares that the City is in such Drought Level I stage; and
- 2) All water conservation measures as detailed under the Drought Level I stage of the City's Water Conservation and Drought Contingency Plan shall be applicable and enforced August 1, 2018; and
- 3) All water rate adjustments enacted with the implementation of the Drought Level I stage shall become effective on August 1, 2018; and
- 4) When the available water supply rises above the trigger point for Drought Level I stage, the Director of Water Utilities may recommend to the City Council termination of Drought Level I stage status and a return to Drought Level I stage status or other recommendation.
- 5) The City Clerk shall cause notice of this Resolution to be published one time in a newspaper of general circulation in the City of San Angelo.

PASSED and ADOPTED this 17th day of July, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Paulina Levy, Water Utilities Analyst, Water Utilities, (325) 657-4209

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Consider approving the development of a volunteer program by the Water Utilities Department to be known as "conserve-a-spot", providing for the beautification of selected parcels of city land through restoration, landscaping and regular maintenance that implement water-wise practices, including adoption of a written program policy and volunteer agreement and release, in a form approved by the City Attorney - (Presentation made by Water Utilities Analyst Paulina Levy)

Summary/History:

The City of San Angelo has a long history of creating eco-friendly spaces for its residents. Continuing with this tradition, the Water Utilities department would like to introduce the "Conserve-a-Spot" program. This program's goal is to maintain spaces to the benefit of the environment and the community through volunteer work.

Volunteers would administer restoration and improvement efforts in local areas. This includes but is not limited to watering and caring for flowerbeds, shrubs, and trees, as well as cleaning trash from sites. Pending approval, volunteers may also add drought resistant plants that do not require daily watering, wind and traffic pollution protection, or frequent weeding at their own cost. Such additions will become great examples of ways residents can have beautiful gardens while still being water-conscious.

This year, the Water Conservation Coordinator was approached by a group of volunteers interested in caring for the Bluffs Water Tank (located at FM 2288). In order to foster this joint effort, the "Adopt-a-Spot" program has been modified and expanded into the proposed "Conserve-a-Spot" program, which focuses on habitat preservation and wise water use. If the program is successful in this first location, it has the potential to spread to other sites throughout the city.

Financial Impact:

The Conserve-A-Spot program would offer cost saving opportunities for the water utility. Historically, City personnel have maintained water utility grounds which are open to the public. This includes weeding and upkeep of plants. However, with volunteers taking over the care, staff time would be better allotted to core services. Continuing cost for the program includes safety materials, such as vests volunteers must wear while performing water conservation tasks.

Other Information/Recommendation:

Staff recommends approval of resolution adopting the volunteer program "Conserve-A-Spot."

Attachments:

1. 18-455_PK_REC_CONSERVE-A-SPOT_RESO 18-455_PK_REC_CONSERVE-A-SPOT_RESO.pdf

Presentation:

Paulina Levy

Approvals/Reviews:

Paulina Levy

Allison Strube

Theresa James

Anthony Wilson

Candice Blake

Tina Dierschke

Theresa James

Becky Dunn

Bryan Kendrick

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Approved

Approved

Final Approval

**RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL
APPROVING THE WATER UTILITIES DEPARTMENT
DEVELOPMENT OF A VOLUNTEER PROGRAM TO BE KNOWN
AS “CONSERVE-A-SPOT” , PROVIDING FOR THE
BEAUTIFICATION OF SELECTED PARCELS OF CITY LAND
THROUGH RESTORATION, LANDSCAPING AND REGULAR
MAINTENANCE, INCLUDING ADOPTION OF A WRITTEN
PROGRAM POLICY AND VOLUNTEER AGREEMENT AND
RELEASE, IN A FORM APPROVED BY THE CITY ATTORNEY.**

WHEREAS; the City of San Angelo has a long history of creating beautiful parks and public spaces that enhance the quality of life for the community and its visitors, and desires to refine that tradition through adoption of water-wise practices; and,

WHEREAS, the Water Utilities Department has proposed a volunteer program for civic organization and citizen volunteer participation through adoption of selected public spaces for beautification through restoration, landscaping and regular maintenance that adopt water-wise practices; and,

WHEREAS, the Water Utilities Department proposes program policies in substantially the form of Exhibit “A” attached to this resolution; and,

WHEREAS, citizens and civic organizations have indicated an interest in such beautification projects;

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

The proposal of the Water Utilities Department for development of a volunteer program to be known as “Conserve-A-Spot”, providing for the beautification of selected parcels of City land through restoration, landscaping and regular maintenance that implement water-wise practices is hereby approved. The Water Utilities Department is authorized to develop written policies for the program and to accept volunteer civic organizations and individuals for participation pursuant to written service agreements, all in a form approved by the City Attorney.

PASSED and APPROVED THIS 17 DAY OF JULY, 2018.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Brian Kendrick, City Clerk

Approved As to Form:

Approved As to Content:

Theresa James, City Attorney

Allison Strube, Water Utilities Director

EXHIBIT A

CONSERVE-A-SPOT CITY OF SAN ANGELO, TEXAS

POLICIES AND PROCEDURES

Policy:

The goal of the Conserve-A-Spot program is a more sustainable San Angelo. The Conserve-A-Spot program is designed and directed by the Water Conservation Coordinator. The government sponsor of Conserve-A-Spot is the City of San Angelo, Water Utilities Department, located at 301 W Beauregard Ave. The Water Conservation Coordinator may be reached at (325) 657-4330, or by e-mail paulina.levy@cosatx.us. (hereinafter "Program")

The Program is open to any organization, business, school group, volunteer group, or family wanting to improve sustainability in San Angelo. The Program is not designed to further any political cause, and the Water Utilities Department, therefore reserves the right to refuse adoption and participation privileges under the Program to any entity or individual for direct or indirect political cause activity or promotion.

Participation in the program shall be by written agreement by and between the adopting entity and the City. All Conserve-A-Spot sites must be selected by the City Water Conservation Coordinator (WCC). Site requirements and improvements shall require pre-approval of the WCC. Adopting Entity shall not contract for any work or services to be performed on the Site without prior written notice to the WCC and written permission therefore from the City, which permission may be conditional or withheld in the sole discretion of the City.

Conserve-A-Spot sites are those selected by the WCC as having the highest maintenance requirements such as watering and cultivating flowerbeds, shrubs and trees. Special designs and maintenance plans submitted by an adopting entity require approval of the WCC. It will be at the discretion of the WCC to monitor water usage and make suggestions and alterations to designs and plans.

The City of San Angelo Water Department will monitor each Conserve-A-Spot site monthly. If the site is not maintained satisfactorily, the Water Conservation Coordinator will discuss any difficulties with the adopting entity and make revisions to the agreement as needed, to the satisfaction of both parties. If the group is not capable of maintaining the site to the satisfaction of the Water Department, the adopting group will be released from their contract and the site will be offered to other potential adopting entities.

Volunteers are required to wear safety vests when performing any work on the Conserve-A-Spot site. Adopting Entities and volunteers are responsible for supplying all necessary equipment for maintenance, clean-up and beautification of the site, including but not limited to trash bags, gardening equipment, gloves, all landscape materials, etc. Trash in bags collected by the groups and properly deposited will be removed, free of charge, by the WWC on the next business day following a clean-up event.

Drought resistant plants, landscape materials and designs requiring lower maintenance (i.e. watering, wind and traffic pollution protection, and weeding) are preferred. Trees, shrubs and ground cover planted on the site by the adopting entity shall be those preapproved by the WCC.

All adopting entity members and volunteers must sign the Volunteer Agreement and Release in substantially the attached form prior to performing any work on the Conserve-A-Spot site. Any

volunteers under the age of 16 must be supervised by an adult volunteer also on the site. Such minor volunteers shall be the sole responsibility of the supervising volunteer and the adopting entity.

The Water Utilities Departments would like to thank the adopting entities and their volunteers by recognizing their valuable contribution to quality of life in the community. Proper reporting of any work completed by the adopting entities and their volunteers is important. The adopting entity is required to contact the City designee at 657-4330 on the first business day following work on a Conserve-a-Spot site and report work performed, number of trash bags collected, number of volunteers involved and hours worked.

A sign recognizing the name of the adopting entity will be placed on the site for the duration of the adoption period by the City of San Angelo. Sign design sizes and location will vary as determined in the sole discretion of the WCC depending on site size and location.

Procedure:

1. The adopting entity contacts City of San Angelo Water Utility office to express interest in adopting a Conserve-A-Spot site.
2. Information regarding name of entity, membership, size of group and area desired for a site is collected.
3. Based on criteria outlined by Water Conservation Coordinator, the adopting entity is paired with an appropriate Conserve-A-Spot site on a first come, first served basis.
4. The agreement for the Adopt-A-Spot site is signed, in accordance with Policy.
5. An approved sign stating the name of the adopting entity is placed on the site.
6. The site is cleaned, beautified and maintained by the adopting entity.
7. Following any work on the site by the adopting entity, the City designee is contacted at 657-4330 and a report is made regarding the work performed, number of trash bags collected, number of volunteers, hours worked and other relevant information.
8. Periodic monitoring of the spot is made by the City of San Angelo designee.

**CONSERVE-A-SPOT
CITY OF SAN ANGELO, TEXAS**

ADOPTING ENTITY SERVICE AGREEMENT

This agreement shall be effective on the date when fully executed (“Effective Date”), by and between the City of San Angelo, Texas, a municipal corporation (CITY), and

(Adopting Entity)

- **Entity Address:** _____

- **Entity Authorized Representative:** _____
- **Authorized Representative Contact Information:** _____

WHEREAS, CITY has instituted a Conserve-A-Spot program to encourage and obtain volunteer support from civic-minded entities and their members for the development, improvement and/or maintenance of parks, medians and other public sites throughout the City; and

WHEREAS, ADOPTING ENTITY desires to “adopt” a Conserve-A-Spot site in the City and provide for volunteer beautification and maintenance of the site; and

WHEREAS, CITY wishes to honor Adopting Entity and its volunteers by recognizing the valuable contribution that they make to quality of life in our community;

NOW, THEREFORE, the parties agree as follows:

1. Services and Site: Adopting Entity shall provide the described services at the identified Conserve-A-Spot site:

(Services-may reference attachments)

(Conserve-A-Site location)

2. Sign: In recognition of the Adopting Entity and its volunteers the CITY shall install an approved sign at the adopted Conserve-A-Spot site stating that the site has been adopted by the Adopting Entity.

3. Term: This agreement shall continue for one year from its Effective date and shall automatically renew and extend for an additional year on the first and each subsequent anniversary of the Effective Date, unless earlier terminated as herein provided.

4. Termination: Either the CITY or the Adopting Entity may terminate this Agreement at any time by notifying the other party in writing at least ten days prior to the effective date of termination.

5. Conserve-A-Spot Policies and Procedures: Adopting Entity acknowledges receipt of a copy of the Conserve-A-Spot Policies and Procedures (hereinafter "Program Policy") and agrees that the Program Policy is adopted as additional terms and conditions of this agreement. Adopting Entity agrees to make a copy of the Program Policy available to its members and volunteers.

6. Relationship to City: Nothing contained in this agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/ employee between CITY and Adopting Entity or any of Adopting Entity's members or volunteers. The Adopting Entity, and its members and volunteers, shall at all times remain independent contractors with respect to any services performed under this agreement.

7. Volunteer Agreement: Adopting Entity shall require members who participate in this project to sign the Volunteer Agreement and Release in substantially the form attached hereto as Exhibit "A", prior to any member or volunteer of Adopting Entity performing any work or service on the site, and shall promptly provide the executed Volunteer Agreement and Release to CITY.

8. INDEMNITY AND HOLD HARMLESS: Adopting Entity, individually and on behalf of its members, agree to defend, indemnify and hold t harmless CITY from any claims, actions or other proceedings which may be claimed, made or brought against CITY, its officers, officials, agents or employees, by reason of any injury to or death of any person or damage to or destruction or loss of any property, arising from Adopting Entity's performance under this agreement.

9. No Financial Obligation: Adopting Entity shall not enter into any agreement, implied or otherwise, which would obligate or appear to obligate the CITY financially or otherwise.

THIS AGREEMENT IS ENTERED INTO and effective from the date fully executed.

ADOPTING ENTITY:

Name: _____

BY: _____

ITS: _____

DATE: _____

CITY OF SAN ANGELO

BY: _____

ITS: _____

DATE: _____

The City of San Angelo thank you for your generous contributions to our community.

CONSERVE-A-SPOT SAN ANGELO, TEXAS

VOLUNTEER INDEMNITY AND RELEASE AGREEMENT

I, _____ of _____
(Full Name) (Street Address)

_____, City of San Angelo, a member of and volunteer with _____,
(Adopting Entity)

("Volunteer") for ONE DOLLAR, and other good and valuable consideration, including permission to participate with Adopting Entity under its Services Agreement with the City of San Angelo, Conserve-A-Spot program ("Program"), do hereby agree to comply with the policies and procedures of the City of San Angelo for such Program, and further agree as follows:

1. Volunteer acknowledges that pursuant to this Agreement Volunteer is permitted to participate in the Program and allowed access to the designated Conserve-A-Spot site for purposes of the Program in compliance with Adopting Entity's Service Agreement and Program Policy.

2. **Volunteer assumes full responsibility for any risk of injury, damage or accidents that may occur in relation to the Program and does hereby RELEASE, WAIVE, DISCHARGE, and COVENANT NOT TO SUE AND HOLD HARMLESS the City of San Angelo, its council members, board and commission members, officials, agents, invitees, consultants and employees (hereinafter collectively referred to as "City" or "Releasees"), in advance, from any and all liability, claims, demands, actions, damages, costs, judgments and executions, in law or in equity, for personal injury, death or property damage, which I, Volunteer, or my heirs or assigns, may have or which may subsequently accrue, EVEN THAT CAUSED BY THE NEGLIGENCE OR CONTRIBUTORY NEGLIGENCE OF THE RELEASEES, whatsoever, arising directly or indirectly out of the Program, my participation in the Program or related activity, or while I remain in, on or upon the premises where the Program and related activities are being conducted, or in transportation to or from said premises or Program.**

3. **Volunteer agrees not to sue the Releasees for any claim arising directly or indirectly out of the Program or Volunteer's participation in the Program. Volunteer agrees that this release is intended to be as broad and inclusive as is permitted by the laws of the State of Texas, and if any portion of this release is held to be invalid, the balance of the release will continue in full force and effect. This release is effective each time that Volunteer enters the Site for Program purposes after signing this release.**

4. **This release will be construed according to the laws of the State of Texas, and venue for legal action to interpret or enforce this release will be in Tom Green County, Texas.**

5. I UNDERSTAND THAT THE CITY OF SAN ANGELO WILL NOT BE RESPONSIBLE FOR ANY MEDICAL COSTS ASSOCIATED WITH ANY INJURY THAT MAY BE SUSTAINED BY ME. This release states the full and final agreement between Volunteer and RELEASEES and may not be modified or altered by any verbal or implied agreement.

IN SIGNING THIS RELEASE, WAIVER OF LIABILITY, AND INDEMNITY AND HOLD HARMLESS AGREEMENT I ACKNOWLEDGE AND REPRESENT THAT I HAVE READ THE FOREGOING INSTRUMENT IN ITS ENTIRETY, THAT I UNDERSTAND IT, AND THAT I AM WAIVING VALUABLE LEGAL RIGHTS AND ASSUMING LEGAL OBLIGATIONS BY THE EXECUTION HEREOF.

I, my parents or legal guardian if indicated, sign this Waiver of Liability and Indemnity and Hold Harmless Agreement voluntarily as my/their free act and deed; no oral representations, statements or inducements, apart from the content of this agreement, have been made to me/us. I am, or my below named parent/legal guardian is, at least eighteen years of age and fully competent to understand and execute this agreement. I, and my below named parent/legal guardian if indicated, execute this Agreement for full, adequate, and complete consideration as set forth herein above fully intending to be bound by the same.

EXECUTED AND AGREED TO on this ____ day of _____, 20 ____.

Volunteer:

CITY OF SAN ANGELO

Volunteer's Signature

BY: _____
Signature and office of City Official

If Volunteer is under 18 years of age, the below named parent or guardian hereby consents to the foregoing Agreement.

Printed name of Volunteer (child): _____
(Print minor's full name)

Parent/Guardian: _____
(Parent / Guardian signature)

Printed name of parent: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, City Clerk, Parks and Recreation,

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Second reading and adoption of an ordinance amending Chapter 10 "Traffic Control," Article 10.03 "Operation of Motor Vehicles", Section 10.03.035 "Lake Nasworthy and Twin Buttes", by amending the speed limit on a portion of Camper Rd around Spring Creek Marina from 20 mph to 10 mph - (Presentation made by Parks and Recreation Director Carl White)

Summary/History:

The manager of the Spring Creek Marina has requested that the City consider lowering the speed limit on the portion of Camper Road around the marina from 20 mph to 10 mph.

This matter was discussed at the February 22, 2018 meeting of the Parks and Recreation Advisory Board. After much discussion of the reasons and considering a lowering to only 15 mph, the Board recommended what is now brought to Council for consideration.

The primary reason for this request is to improve safety around the marina. With the number of vehicles and pedestrians, combined with the narrow and curved road, the desire is to slow traffic around the marina in order to reduce the risk of accidents and injuries.

This proposed reduction has been considered by the Parks and Recreation Department, Operations Department, Engineering Services and the Police Department. All are accepting of the proposed change.

Financial Impact:

The fiscal impact for amending this ordinance is nominal, requiring the placement of two speed limit signs on posts at a cost of about \$100-\$150.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | February 22 2018 Minutes | February 22 2018 Minutes.pdf |
| 2. | Presentation to Council on Camper Rd speed limit reduction request | Presentation to Council on Camper Rd speed limit reduction request.pptx |
| 3. | 18-586 ORD reducing speed on camper road first reading | 18-586 ORD reducing speed on camper road first reading.docx |

Presentation:

Approvals/Reviews:

Bryan Kendrick
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Final Approval

THE CITY OF SAN ANGELO, TEXAS
MINUTE RECORD OF A REGULAR MEETING OF THE
PARKS & RECREATION ADVISORY BOARD

Following notice and publication, the Parks & Recreation Advisory Board convened in a regular meeting at 3:30 p.m., February 22, 2018 in the South Meeting Room, McNease Convention Center, 500 Rio Concho Dr., San Angelo, Texas.

Board members present were Francis Jelensperger, Edward Dotson, Laurie Dicello, Bitsy Stone, and Kenneth Dierschke.

Staff members present were Carl White, Brent Casey, Roger Havlak and Mike Hitchcock and minutes were recorded by Ida Rios.

I. OPEN SESSION (3:30 p.m.)

A. Call to Order.

Mr. Jelensperger called the meeting to order at 3:30 p.m.

B. Public Comment.

Mr. Brent Casey, Recreation Manager introduced Catherine Hand, Recreation Supervisor, to the Board. Mrs. Hand is a graduate from Texas A & M and started with the Recreation Division in January.

Mr. Ken Landon and Mr. Larry Jolly presented Board members with a framed print of the state official water lily, "Texas Dawn".

Mr. Rick Abbott, resident of Lake Nasworthy for 32 years and a member of the Lake Nasworthy Homeowners Association, discussed the trash around Lake Nasworthy and the Lake Nasworthy trust fund. The HOA has purchased trash bags with the logo "Sack it, don't sink it". The HOA is asking the City to help distribute the bags at the gates and for the City to provide trash receptacles at the boat ramps. In addition, the Mayor has asked the HOA to provide a list of priorities for the lake area. Lake Nasworthy HOA is asking the public for their input on what improvements need to be made at the lake. The Lake Nasworthy trust fund has money available that can be spent with city-wide approval. An example is the fishing pier that needs to be replaced. There is approximately \$10-\$11 million available right now in the fund.

II. CONSENT AGENDA

1. Consideration of approving the January 25, 2018 meeting minutes.

Mr. Dierschke made a motion to approve the meeting minutes with corrections. Ms. Stone seconded the motion, which passed unanimously.

III. REGULAR AGENDA: PUBLIC HEARING AND COMMENT

2. Consideration of making a recommendation regarding an amendment to the City's license agreement with the People/Plant Connection as it relates to a request to waive the fees charged for use of the recreation center at times not authorized under the agreement.

Mr. White presented background information on this item. The Risk Management office with the City does not recommend allowing citizens inside the recreation center without City staff being present. The People/Plant Connection has requested that the fee for using the recreation center be waived when staff is not present and at times when staff is not scheduled by the Recreation Manager to be present. Staff cannot grant this request. Ms. Stanfield, with People/Plant Connection requested that the language in her agreement be modified for clarity. Mr. Dan Saluri, Assistant City Attorney and the Board discussed the process to amend the agreement. The Board supported renegotiating the language for clarity and bringing that back to the Board for review. Mr. Dotson made a motion recommending not to amend the contract to waive the fee for use of the recreation center as requested by the People/Plant Connection. Mr. Dierschke seconded the motion which passed unanimously.

3. Discussion of requests submitted by the managers of Spring Creek Marina for reducing the speed limit on the park road at Spring Creek Park and amending the City Ordinance to allow the use of golf carts for personal use at Spring Creek Park and recommending any related matters.

Mr. White presented background information on this item. The first item considered was the speed limit. The manager of the marina, Ray Broadway, is requesting the speed limit be changed from 20 mph to 10 mph. Parks & Recreation staff recommends lowering the speed limit to 15 mph. Changing the speed limit will require amending the city ordinance and getting Council's approval. The cost for the change would be approximately \$100 for the new signage. Mr. Broadway addressed issues with the roadway that separates the campers from the Lake. Children are crossing the road constantly and drivers are distracted by the wildlife in the area. The Board discussed the stopping distance of vehicles pulling a camper and enforcement of the speed limit. Sgt. Barry Wike, Lake Patrol, was partially in agreement with the change and discussed the responsibility of pedestrians, speed limit on dirt roads, the number of tickets that are being issued now and the increased number of tickets if the speed limit is lowered. He agreed to reduce the speed limit around the Marina and along the pipe rail fencing before the Tule Princess dock. Mr. Dierschke made a motion to keep the speed limit at 20 mph in the park and change it to 10 mph around the marina as recommended by Sgt. Wike. Mr. Dotson seconded the motion and it passed unanimously.

The second part of the request is to allow the public to use golf carts in Spring Creek Park. The Assistant City Attorney, Dan Saluri, stated that use of golf carts is regulated by city ordinance which refers to the unlawful operation of a golf cart. The ordinance applies where the posted speed limit is more than 30 mph and the golf cart is properly equipped. There is a restriction on personal use on public roads, which these would be, and where the speed limit is 30 mph or more. The state code provides for the use of golf carts within two miles of a golf course, for personal use to and from a golf course or for business. There are exceptions under the state code for certain types of subdivisions. The Board discussed private usage of golf carts on public roads. Sgt. Wike clarified the exceptions with use of golf carts in the Bentwood area because it is near a golf course and a master planned community. UPS is also allowed to use golf carts for business purposes. The Texas Transportation Code allows the City to regulate the use in certain areas, however, Lake Patrol does not recommend the use of them in the Spring Creek park area. There was some discussion about the difference between ATV or 4-wheelers and golf carts. The Board discussed the ordinance and State Code and decided to table this item until there is further information.

4. Recommending matters related to the programed use (pre-scheduled use for practices) of Kirby Park by the San Angelo Bandits Football youth sport organization.

Mr. White presented background information on the Bandits organization. They have requested the use of Kirby Park north for practice fields from February 26 – May 18 on Monday, Tuesday and Thursday from 5:30-8:00 p.m. The program pays for the use of the fields and we have not had any past issues with the program. Parks & Recreation staff try to work with programs that do not have a home and provide space for their use to the extent that we are able. Staff does recommend approval. Mr. Mario Torres, President of the Bandits organization

gave additional information on the program. Ms. Dicello made a motion to allow the Bandits to use Kirby Park for practice fields as recommended by staff. Mr. Dierschke seconded the motion which passed unanimously.

5. Discussion of concerns related to the feeding of wildlife on public properties along roadways and near homes around Lake Nasworthy and recommending any related matters.

Mr. White presented background information. Staff received a call with concern about wildlife on the narrow roadways surrounding the Lake Nasworthy area. Citizens drop off feed for the deer causing congestion on the roadway where people stop to see the wildlife. Deer damaging vegetation in local homes and people stopping to take pictures can be a safety concern. There is no ordinance to prohibit feeding the wildlife. Ms. Debbie Albert Wilson is a resident at the lake and does not want to prevent feeding the wildlife but instead would recommend educating the public and home owners about where to feed them off the roadway. Sgt. Wike stated that they have not had any accidents in the area as a result of the wildlife. Not feeding wildlife would include not feeding ducks downtown. Residents feed the deer across from their homes. He does not recommend not feeding the wildlife. The Board discussed a designated area for feeding the animals, partnering with the Texas Parks & Wildlife to educate the public and perhaps Mr. White could write an article for the newspaper.

6. Presentation by the City Attorney regarding the role and purpose of the Parks and Recreation Advisory Board.

This item was tabled for the next meeting.

7. Consideration of making a recommendation regarding a report from the *ad hoc* committee formed to prioritize unfunded parks and recreation improvement projects.

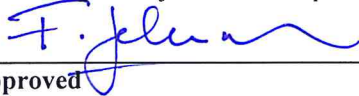
Mr. White presented background information on the ad hoc committee. Members of the committee included Mr. Jelensperger, Ms. Dicello, Mr. Roger Havlak, Mr. Brent Casey, Mr. White and Mr. Mike Hitchcock. The committee met and a list of prioritized unfunded parks and recreation improvement projects is included as a part of the permanent record. Ms. Stone made a motion to approve the list of prioritized unfunded projects as presented. Mr. Dierschke seconded the motion which passed unanimously.

8. Consideration of future agenda items.

Items to consider for the next meeting are Lake Nasworthy Homeowners Association request for trash receptacles and use of lake trust funds, trails from Southwest to Knickerbocker for bikes/runners, a new Nature Center, Gateway study and Board openings.

IV. ADJOURNMENT

The meeting was adjourned at 4:42 p.m.



Approved



City Council

June 5, 2018



Spring Creek Park speed limit

- Manager of Spring Creek Marina has requested speed limit reduction around the marina on Camper Road from 20 mph to 10 mph.
- Primary reason is for safety.
- The Parks and Recreation Advisory Board recommends approval.
- Staff recommends approval.



Spring Creek Park speed limit



Spring Creek Park speed limit





City Council

June 5, 2018



**AN ORDINANCE AMENDING CHAPTER 10 “TRAFFIC CONTROL”, ARTICLE 10.03
“OPERATION OF MOTOR VEHICLES”, DIVISION 2 “SPEED LIMITS” SECTION 10.03.035
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, PROVIDING FOR
SEVERABILITY; PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE
DATE**

WHEREAS, the regulation of traffic, motor vehicles and conveyances upon public streets, roadways and rights-of-way within the City limits is essential and necessary to protect the traveling public and to preserve and protect the public safety of the City of San Angelo (“City”); and

WHEREAS, the Texas Transportation Code sets the prima facie speed limit for streets in an urban district; and

WHEREAS, the Texas Transportation Code authorizes municipalities to alter speed limits under certain conditions; and

WHEREAS, the City Operations and Engineering departments have reviewed posted speed limits on Camper Drive and find it necessary to reduce the speed to 10 miles per hour due to congestion and foot traffic on that road; and

WHEREAS, the City of San Angelo does not have the jurisdiction to regulate speed at Twin Buttes Reservoir.

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

Section 1) THAT, Chapter 10, Article 10.03, Division 2, Section 10.03.035 of the San Angelo Code of Ordinances shall be amended as set out below.

“Sec. 10.03.035 Lake Nasworthy and Twin Buttes

It is hereby determined upon the basis of engineering and traffic investigation that the speed permitted by state law on the streets herein named is greater than is necessary for safe operation of vehicles thereon and it is hereby declared that the prima facie speed limit shall be as follows:

- | | | |
|----------------|----------------------------------|--------------------------------------|
| (1) | Fisherman's Park Road | 20 mph |
| (1) | Horseshoe Bend Road | 20 mph |
| (2) | Camper Road | <u>10</u> mph |
| (3) | Spillway Road | 40 mph |
| (5) | Garr Road | 20 mph Cannot locate road |
| (4) | Lincoln Park West | 20 mph |
| (5) | Lincoln Park East | 20 mph |
| (6) | Middle Concho West | 20 mph |
| (7) | Middle Concho East | 20 mph |
| (8) | Red Bluff West | 30 mph |

(9)	Red Bluff East	30 mph
(10)	Red Bluff Lane	30 mph
(11)	Red Bluff Ramp Road	20 mph
(12)	Red Bluff Circle	30 mph
(13)	FP.D. Road	20 mph F.D. Road
(14)	Jaycee Road	20 mph
(15)	King's Road	20 mph
(16)	Mesquite Lane	20 mph
(17)	Willow Drive	20 mph
(18)	American Legion Road	30 mph
(19)	Cove Road	20 mph
(20)	Mermaid Road	20 mph
(21)	Shark Road	20 mph
(27)	Wilderness Road	20 mph Cannot locate road
(22)	Shady Point Canal Road	20 mph
(23)	Turtle Drive	20 mph
(30)	Bass Drive	20 mph Cannot locate road (There is a Bass Lane outside of City Limits)
(24)	Shad Drive	20 mph
(25)	Shady Point Loop Drive	20 mph
(2633)	Shady Point Circle Drive	20 mph
(34)	Twin Buttes Marina Circle	20 mph Within Twin Buttes
(35)	Twin Buttes Park Road	30 mph Within Twin Buttes
(27)	Joy Road	20 mph
(28)	Mary Lee Park Roads	10 mph
(29)	Sleepy Hollow Road	20 mph"
(39)	Spring Creek Drive	20 mph This is now named Camper Road per 911 adressing

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, the following penalty clause is hereby adopted with this amendment:

PENALTY: Any person who violates any provisions of this Article shall be guilty of a Misdemeanor and upon conviction shall be subject to a fine as provided for in Section 1.106 of this Code. Each day of such violation shall constitute a separate offense.

Section 4) THAT, this Ordinance shall be effective on, from and after the date of publication as required by law.

INTRODUCED on the 19th day of June 2018, and finally PASSED, APPROVED and ADOPTED on this the 17th day of July, 2018.

CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick City Clerk

Approved as to Form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sandra Aguilar, Recreation Supervisor - Senior Services, Recreation, 325-481-2798

Meeting Date: July 17, 2018

Item type: Consent Item

Caption:

Consider approving a rental agreement with The Vessel Church for six months use of some of the rental spaces at Santa Fe Crossing Senior Center on Sundays for church services with a monthly rental rate of \$1,150 (discounted, due to multiple use, from the approved fee schedule of \$1,680 a month) and authorizing the City Manager to negotiate and execute all related documents - (Presentation made by Parks and Recreation Director Carl White)

Summary/History:

The Vessel Church approached us in order to set up a 6-month agreement to use rooms at Santa Fe Crossing Senior Center on Sundays for the purpose of church services. The Vessel Church is a start-up congregation without a permanent location. The Church would be using three rooms, along with restroom facilities, for a 4-hour period and suggested a cost of \$1,000 per month. The adopted fee schedule for use of these rooms for 4 rentals each month would equal \$1,680. Extended for 6 months, this would total \$10,080.

Because this would be a multiple use rental, we have recommended a rate of \$1,150 per month. The Parks and Recreation Advisory Board reviewed this request at their meeting on May 24 and recommended approval.

The rooms at Santa Fe Crossing that would be rented under this agreement are: the dining room, the activity room and the conference room.

Financial Impact:

The monthly fee collected will be a source of revenue added to the rental account already set up for Santa Fe Crossing Senior Center. The total amount collected for the 6 month agreement would be \$6,900 (monthly fee of \$1,150). (The original monthly cost to rent the 3 rooms at Santa Fe Crossing Senior Center would be \$1,680 per month.)

We estimate our direct expenses for a part-time staff member to be present during the rental and utilities would be just under \$300 a month. Net revenue for this 6-month rental agreement would be about \$5,100.

Other Information/Recommendation:

The San Angelo Senior Centers are available for the public to rent during non-business hours. Rental rates are in place which were set by City Council in 2009, ratified in the Code of Ordinances in 2018, and are different for each room. The current number of rentals for the center varies from 3 to none each month.

Attachments:

1. Rental agreement with The Vessel Church for facilities at Santa Fe Crossing Rental agreement with The Vessel Church for facilities at Santa Fe Crossing.pptx

2. 18-720_VESSEL_CH_SANTA_FE_SR_CENTER_LSE_2 18-720_VESSEL_CH_SANTA_FE_SR_CENTER_LSE_2.docx

Presentation:

Approvals/Reviews:

Sandra Aguilar	Created/Initiated
Brent Casey	Approved
Carl White	Approved
Theresa James	Approved
Rick Weise	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council Meeting

July 17, 2018



Weekend rental of rooms at Santa Fe Crossing

- Consider approving a rental agreement with The Vessel Church for six months use of some of the rental spaces at Santa Fe Crossing Senior Center on Sundays for church services with a monthly rental rate of \$1,150 (discounted, due to multiple use, from the approved fee schedule of \$1,680 a month) and authorizing the City Manager to negotiate and execute all related documents



Weekend rental of rooms at Santa Fe Crossing

- 6 month rental of the following rooms at Santa Fe Crossing: Dining room, Activity room, Conference room
- Total rental cost for these rooms for 4 hrs each for four weeks x 6 months = \$10,080 (approved rates)
- “The Vessel Church” has asked for a discounted rate of \$1,000/month x 6 months = \$6,000



Weekend rental of rooms at Santa Fe Crossing



Weekend rental of rooms at Santa Fe Crossing



Weekend rental of rooms at Santa Fe Crossing



Weekend rental of rooms at Santa Fe Crossing

- City costs: staffing, utilities, wear and tear, unforeseen maintenance needs
- Staff recommends a rental cost of \$1,150/month x 6 months = \$6,900 (almost a 32% discount)
- Parks and Recreation Advisory Board recommended approval at the May 24 meeting
- Council approval required





City Council Meeting

July 17, 2018



City of San Angelo

The Vessel Church

Short Term Lease Agreement

Basic Terms

Effective Date: August 5, 2018

Landlord: CITY OF SAN ANGELO PARKS & RECREATION DEPARTMENT
(COSAP&R)

Landlord's Address: 702 S. Chadbourne St., San Angelo, Tom Green County, Texas 76903

Tenant: THE VESSEL CHURCH

Tenant's Address: P.O. Box 761, San Angelo, Texas 76902

Phone: (325) 656-6206

Email: justin@thevesselchurch.com

Leased Premises: Use of three different rooms, plus common use of lobby and restrooms, on Sundays only from 9:00am to 1:00pm at COSAP&R Santa Fe Crossing Senior Center located at 702 S. Chadbourne St, San Angelo, TX. Names and square footage are as followed:

Dining Room-1540 sq. ft

Activity Room-1232 sq. ft

Conference Room-250 sq. ft

Lobby and restrooms

As depicted on the Diagram of Senior Center attached hereto as **Exhibit "A"** ("Leased Premises").

Term: Six (6) months, commencing on the Effective Date and with the option to extend for an additional six (6) month, unless earlier terminated as herein provided.

Commencement Date: August 5, 2018

Termination Date: February 5, 2019

Permitted Use: Tenant shall use the Leased Premises for the limited purpose of church services and church related activities.

Zoning: The Permitted Use shall be subject to use restrictions in the designated zoning district for the Leased Premises.

Initial Payment: Initial Rent Payment due and payable on execution of this Lease, is the sum of ONE THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$1,150.00) which includes recommended staffing costs, utilities, wear and tear on the building and unforeseen maintenance costs.

Monthly Rent: Monthly Rent shall be in the sum of ONE THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS **(\$1,150.00)** payable in advance on or before the 5th day of each month during the term of this Lease. Payments due under this Lease shall be made to the Landlord at 702 S. Chadbourne St., San Angelo, Texas 76903.

Clauses and Covenants

A. Tenant agrees to—

1. Lease the Premises on 6 month basis.
2. Comply with all applicable laws, ordinances, rules and regulations relating to Tenant's occupancy, use and maintenance of the Leased Premises.
3. Pay when due the Initial Rent Payment, regular Rent payments and any other payment obligation of Tenant under the terms of this Lease.
4. Pay to Landlord a late charge of ten percent of the rent due plus interest accrued on the balance past due at the lower of ten percent (10%) per annum or the maximum rate allowed by law. Acceptance by Landlord of late rent, charges or interest shall not be construed as a waiver of the right of Landlord to terminate this Lease at its option as authorized herein.
5. Pay all taxes on Tenant's property located on the Leased Premises.
6. Use the Leased Premises for the Permitted Use only and uses incidental thereto in compliance with applicable law.
7. Tenant shall return the Leased Premises to Landlord in the same condition as when received, reasonable wear and tear excepted.
8. TENANT AGREES TO INDEMNIFY DEFEND, AND HOLD HARMLESS, LANDLORD, ITS BOARD MEMBERS, OFFICERS, AGENTS AND EMPLOYEES, FROM ANY AND ALL CLAIMS, FAULT, LIABILITIES, DEMANDS, SUITS, CAUSES OF ACTION, PROCEEDINGS OF ANY KIND AND JUDGMENTS FOR PERSONAL INJURY AND/OR PROPERTY LOSS OR DAMAGE, PLUS REASONABLE ATTORNEYS' FEES AND COST OF DEFENSE, WHICH THE INDEMNIFIED PARTIES MAY INCUR ARISING DIRECTLY OR INDIRECTLY OUT OF THE SOLE OR JOINT NEGLIGENCE, ERROR, OMISSION, OR INTENTIONAL ACTS OF TENANT IN THE EXERCISE BY TENANT OF THE PRIVILEGES CONFERRED UNDER THIS LEASE.

THIS INDEMNIFICATION, DEFEND AND HOLD HARMLESS AGREEMENT SHALL SURVIVE THE TERM OF THIS AGREEMENT AS LONG AS ANY LIABILITY COULD BE ASSERTED. NOTHING HEREIN SHALL REQUIRE THE INDEMNIFYING PARTY TO INDEMNIFY, DEFEND OR HOLD HARMLESS ANY INDEMNIFIED PARTY FOR THE INDEMNIFIED PARTY'S OWN GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

9. Maintain Insurance as follows:

a. Tenant shall, at all times during the term hereof, maintain such insurance coverage as may be required by COSAP&R and approved by the City of San Angelo Risk Manager of the types and in the amounts specified in **Exhibit "B"** attached hereto, which by this reference is incorporated into this Agreement for all purposes, and with insurers licensed to do business in Texas. All insurance required herein will defend and shall be drawn in the name of Tenant, with COSAP&R, its board members, officers, agents, guests, invitees, consultants and employees named as additional insureds, except on coverage for Workers' Compensation. Every policy required above shall be primary insurance. Any insurance or self-insurance benefits carried by COSAP&R, its board members, officers, or employees, shall be excess and not contributory to that provided by Tenant. All such insurance, including renewals, shall be subject to the approval of the City of San Angelo Risk Manager for adequacy of protection and evidence of such coverage shall be furnished to the City Risk Manager on Certificates of Insurance indicating such insurance to be in force and effect and providing that it will not be canceled during the performance of Services under this Agreement without thirty (30) calendar days prior written notice to City. Completed Certificates of Insurance shall be filed with City's Risk Manager at City Hall, 72 W. College Avenue, San Angelo, Texas 76903, prior to Tenant occupying or utilizing the Leased Premises, provided however, that Tenant shall at any time upon request file duplicate copies of the policies of such insurance with COSAP&R.

b. Tenant shall notify City's Risk Manager of any reduction or exhaustion of insurance policy aggregate limits. Should Tenant fail to immediately secure other insurance, as specified, for any policy canceled before expiration of the Lease Term or any extension thereof, City may procure such insurance and assess the cost thereof against Tenant as additional rent.

c. Tenant shall require its insurance carrier(s), with respect to Commercial General Liability and Automobile Liability insurance policies, to waive all rights of subrogation against COSAP&R, its board members, officers, agents, guests, invitees, consultants and employees.

d. The procuring of such policies of insurance shall not be construed to be a limitation upon Tenant's liability or as a full performance of its obligations under the indemnification provisions of this Lease. Tenant's obligations are, notwithstanding said policies of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its occupation or control over the Leased Premises pursuant to this Lease or any extension thereof.

10. Vacate the Leased Premises on the last day of the Term.

B. Tenant agrees not to—

1. Use the Leased Premises for any purpose other than the Permitted Use, including that:
 - a. No permanent improvements shall be made or construction without the prior written consent of Landlord.
 - b. No storage or dispensing of petroleum products or hazardous materials without Landlord's prior written consent. ("Hazardous Material" being the presence of which requires investigation, notice or remediation under any federal, state or local statute, regulation, ordinance.)
2. Create or allow any nuisance or waste on Leased Premises.
3. Cause or allow a lien to be placed on the Leased Premises.
4. Assign this Lease or sublease any portion of the Leased Premises without Landlord's prior written consent.
5. Litter or leave trash or debris on the Leased Premises.

C. Landlord agrees to—

Lease to Tenant the Leased Premises subject to the terms and conditions herein provided beginning on the Commencement Date. Landlord covenants and agrees that at all times when Tenant is not in default under the terms of this Lease, Tenant's quiet and peaceable enjoyment of the Leased Premises for the Permitted Use shall not be disturbed or interfered with by Landlord or any person claiming by, through or under Landlord, except as otherwise may be specifically provided for under the terms of this Lease.

D. Landlord agrees not to—

Allow any use of the Leased Premises inconsistent with Tenant's Permitted Use, subject to the reservations of rights herein stated, and so long as Tenant is not in default.

E. Landlord and Tenant mutually agree to the following:

1. *Rent Adjustment.* N/A.
2. *Disclaimer of Warranties.* ALL WARRANTIES OF LANDLORD THAT MAY ARISE IN COMMON LAW ARE EXCLUDED. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.
3. *Reservations.* Landlord reserves the right to lease out to third the Leased Premises, including Dining Room-1540 sq. ft., Activity Room-1232 sq. ft. and Conference Room-250 sq. ft., for use on days other than Sundays during the Lease Term; and, to lease to third parties at any time during the Lease Term portions of the building at 702 S. Chadbourne St., other than the rooms

constituting Leased Premises herein. Landlord is responsible for building operation and maintenance of common areas, including use of parking facilities and security. Landlord reserves the right to adopt reasonable rules and regulations relating to use of the building. Tenant agrees to comply with such rules and regulations.

4. *Termination of Lease.* Landlord or Tenant may terminate this lease for convenience on ten (10) days written notice to the other party. The foregoing provision for termination is in addition to termination pursuant to Default by Tenant, under Section 9 herein.

5. *No Encumbrances.* Tenant shall not have the right to encumber the Leased Premises.

6. *Transfer, Assignment and Subletting.* Tenant may not transfer, assign or sublet the Leased Premises, in whole or in part, without the prior written consent of the Landlord, which consent may be withheld in the sole discretion of Landlord.

7. *Fees Related to Leased Premises.*

a. Utilities: Usual utilities (electric, water, HVAC) are provided by Landlord. Telephone and other services are provided by Tenant at Tenant's expense.

b. Only rooms specified under Leased Premises are to be used during duration of Leasing Agreement. Tenant will be charged additional rental fee for other rooms if needed and if available. (Cost of additional rooms will be the rental fees already established.)

c. Taxes: Tenant shall be solely responsible for the payment of any taxes assessed relating to Tenant improvements or personal property placed upon the Leased Premises. Tenant shall pay all such taxes, charges, and assessments to the public officer charged with the collection thereof not less than fifteen (15) days before the same shall become delinquent, and **Tenant agrees to indemnify and save harmless Landlord from all such taxes, charges and assessments.** Failure to pay such taxes and assessments as provided herein shall, at the option of Landlord, result in termination of this Lease.

8. *Default by Tenant/Events.* The following shall constitute events of default by Tenant:

a. failure to timely pay Rent or other charges payable by Tenant under this Lease; or,

b. failure to comply with any provision of this Lease Agreement other than timely payment of Rent.

9. *Default by Tenant/Landlord's Remedies.* Landlord's remedy for Tenant's default, after providing a notice describing the nature of default and such default continues for a period of ten (10) days after notice, is to terminate this Lease Agreement by written notice, take possession of the Leased Premises, and seek judicial relief for costs, rents due and such other damages or relief to which Landlord may be entitled. Landlord may enter and take physical possession and control over the Leased Premises on termination of this Lease

by self-help, and may prohibit the Tenant in default or any other person who may be occupying the Leased Premises, from access thereto or the use thereof, and shall not be liable in trespass or for damages therefore.

10. *Default/Waiver/Mitigation.* It is not a waiver of default if the Landlord fails to declare immediately a default or delays in taking any action. Pursuit of any remedy set forth in this Lease does not preclude pursuit of other remedies under this Lease or provided by law.

11. *Reimbursement of Landlord's Expenses.* Tenant shall pay on demand Landlord's expenses necessarily incurred, including, but not limited to attorney's fees and court costs, to enforce any Tenant obligation under this Lease or to terminate this Lease for Tenant's default and retake physical possession of the Leased Premises.

12. *Amendment of Lease.* This Lease may be amended only by an instrument in writing signed by Landlord and Tenant.

13. *Notices.* Any notice required or permitted under this Lease must be in writing and delivered to the address for the recipient party. Any notice required by this Lease will be deemed to be delivered (whether actually received or not) on the second day after deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address below. Notice may also be given by personal delivery or commercial courier delivery and will be effective when actually received. Any address for notice may be changed by written notice delivered to the other party as provided herein.

LANDLORD:

City of San Angelo
Attn: Recreation Manager
702 S. Chadbourne St.
San Angelo, Texas 76903

TENANT:

The Vessel Church
Attn: Justin Smith
P.O. Box 761
San Angelo, Texas 76902

14. *Entire Agreement.* This Lease Agreement constitutes the entire agreement of the parties concerning the lease of the Premises by Landlord to Tenant. There are no representations, warranties, agreements, or promises pertaining to the lease of the Leased Premises by Landlord to Tenant that are not in this Lease Agreement.

EXCUTED by the parties in duplicate originals.

TENANT:

The Vessel Church

BY: _____

Justin Smith

Church Planter

EMAIL: justin@thevesselchurch.com

LANDLORD:

CITY OF SAN ANGELO Parks & Recreation Department

Attest:

Bryan Kendrick, City Clerk

BY: _____

Daniel Valenzuela, City Manager

APPROVED AS TO FORM

APPROVED AS TO RISK

Dan T. Saluri, Deputy City Attorney

Charles Hagen, Risk Manager

APPROVED FOR CONTENT

Brent Casey, Recreation Manager

EXHIBIT "A"
(Diagram of Leased Premises)

SANTA FE CROSSING SENIOR CENTER

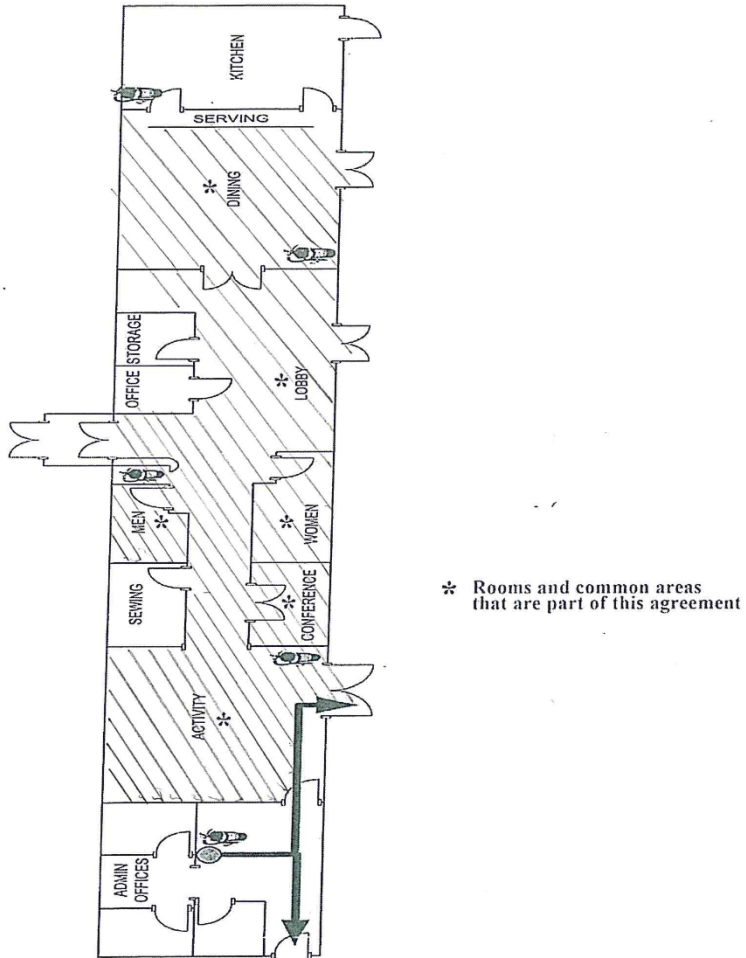


EXHIBIT "B"

SPECIAL INSURANCE RIDER

TYPES AND AMOUNTS OF INSURANCE REQUIRED. Provider shall obtain and continuously maintain in effect at all times during the term hereof, at Provider's sole expense, insurance coverage as follows with limits not less than those set forth below:

- 1.1 Commercial General Liability.** Tenant shall obtain and maintain policies of insurance covering the Leased Premises and Tenant's activities thereon at all times during the Term, including comprehensive general liability insurance with a minimum combined occurrence and annual limitation of \$1,000,000.00; and Fire Damage on the building and fixtures with a minimum combined occurrence and annual limitation of \$150,000. This policy shall be an occurrence-type policy and shall protect Tenant and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than Tenant's employees) and damage to property of City or others arising out of the act or omission of Provider or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Provider under the paragraph of this Agreement entitled "Indemnification".

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

First reading and public hearing of ordinances approving:

1. Case CP18-04, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Neighborhood Center," being 5 acres located at 4001 S Chadbourne St
2. Case Z18-06, a rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily (RM-1) Zoning District, being 5 acres located at 4001 S Chadbourne St - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has requested a Rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District to facilitate construction of a new 76,304-square foot, 60-unit multifamily apartment complex on the west 5.00 acres of the 9.99-acre property. The apartment complex will be comprised of four, two-story buildings containing a total of 36, 2-bedroom and 24, 3-bedroom units. The complex will include a playground area, barbeque facilities, and a clubhouse building containing a management office, meeting room, fitness center, and computer center. The Planning Division has initiated an associated Comprehensive Plan Amendment to provide consistency with the proposed multifamily development on the property.

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.

Attachments:

- | | |
|---------------------------|----------------------------------|
| 1. Staff Report (CP & RZ) | PL_CP18-04 & Z18-06 report.pdf |
| 2. Draft Ordinance (CP) | PL_CP-18-04 Ordinance_FINAL.docx |
| 3. Draft Ordinance (RZ) | PL_Z18-06 Ordinance_FINAL.docx |

Presentation:

Jon James

Approvals/Reviews:

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

Jon James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Final Approval

CITY COUNCIL – July 17 and August 7, 2018
STAFF REPORT



APPLICATION TYPE:		CASE:	
Comprehensive Plan Amendment & Rezoning		CP18-04 / Z18-06: COSA / Glen Park Apartments, L.P.	
SYNOPSIS:			
The applicant has requested a Rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District to facilitate construction of a new 76,304-square foot, 60-unit multifamily apartment complex on the west 5.00 acres of the 9.99-acre property (See Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
4001 South Chadbourne Street; generally located at the southeast corner of South Chadbourne Street and Christoval Road.		Being 5.00 acres out of 9.99 acres in the C.F. Potter Survey No. 160, Abstract No. 7278.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	Light Manufacturing (ML)	Industrial	5.00 ac.
THOROUGHFARE PLAN:			
South Chadbourne Street – Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: Variable 120'-210' right-of-way, 64' pavement Christoval Road – Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: Variable 152'-350' right-of-way, 40' pavement (complied with standards at time of street dedication)			
NOTIFICATIONS:			
7 notifications were mailed within a 200-foot radius on April 4, 2018. There were no letters received in support and one letter received in opposition (see attached). On April 16, 2018, the Planning Commission recommended approval of the Comprehensive Plan Amendment and Rezoning requests. On May 3, 2018, the applicant submitted a postponement request of the City Council Meetings until notification for State funding of their housing tax credit application could be determined. The City Council Meetings have been scheduled for July 17 and August 7, 2018.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Comprehensive Plan Amendment CP18-04 changing the future land use on the northwest 5.00 acres of 4001 South Chadbourne Street from "Industrial" to "Neighborhood Center."			
Staff recommends APPROVAL of the Rezoning of the northwest 5.00 acres of 4001 South Chadbourne Street from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Greg Huling <i>Applicant:</i> Paul Holden, Glen Park Apartments, L.P.			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The apartment complex will comprise of four, two-story buildings containing a total of 36, 2-bedroom and 24, 3-bedroom units. The complex will include a playground area, barbeque facilities, and a clubhouse building containing a management office, meeting room, fitness center, and computer center. The Planning Division has initiated an associated Comprehensive Plan Amendment to provide consistency with the proposed multifamily development on the property. The applicant indicates that the intended occupants will be families and military personnel. On February 20, 2018, the San Angelo City Council adopted a resolution endorsing the applicant's request for a housing tax credit from the Texas Department of Housing for the project. In addition to the comprehensive plan amendment and rezoning approval, the applicant will also require an Urban Design Review approval and approval and recordation of a subdivision plat prior to any future construction.

Comprehensive Plan Amendment: The current "Industrial" Future Land Use designation on the property would not support a rezoning to a Low Rise Multifamily Residential (RS-1) Zoning District. However, given the property's location at the immediate southeast corner of the South Chadbourne Street/Christoval Road intersection, surrounded by commercial uses and designations on the other three quadrants, the Planning Division believes a re-designation to "Neighborhood Center" is appropriate. This designation promotes "a mix of various uses at key intersections to encourage the necessary infill, densification, and walkability necessary for Neighborhood Centers" which would include multi-family residential uses." There is a Stripes Gas Station at the northeast corner, a mobile home park at the northwest corner, a construction office to the south, and Goodfellow Air Force base and residential subdivisions farther north.

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 proposed rezoning to RM-1 would be compatible with the City-initiated Comprehensive Plan Amendment on the property to "Neighborhood Center." As indicated above, this designation supports a mix of uses at key intersections including greater intensification, density and walkability, and the proposed multifamily apartment complex is consistent with all of these objectives providing new apartment housing to the surrounding area close to a major intersection.
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 RM-1 development standards as depicted on the site plan submitted by the applicant (see attached). The 5.00-acre property well exceeds the minimum lot area of 7,000 square feet, minimum lot frontage of 60 feet, and minimum lot depth of 100 feet in the RM-1 zone. The proposed buildings would comply with all required setbacks including 25-foot front yard setbacks from South Chadbourne Street and Christoval Road, a 10-foot side yard setback

and 20-foot rear yard setback. The RM-1 zone allows a maximum of 25 units per acre and the proposed development at 60 units on 5.00 acres would have a maximum density of 12 units/acre, less than half (48%) of the allowable density. Finally, the applicant would require 63 parking spaces for the 2-bedroom units (1.75 spaces x 36 units), 48 spaces for the 3-bedroom units (2.0 spaces x 24), and the clubhouse building would require one space for every 400 square feet of floor area, 6 spaces, for a total of 117 required spaces. The site plan provided delineates only 113 spaces, and therefore, the applicant will require a revised site plan at the permitting stage delineating an additional four parking spaces.

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.* A multifamily apartment complex would appear to be compatible with the surrounding area. As indicated previously, there is already a presence of residential housing in the vicinity and the property is within walking distance of Goodfellow Air Force Base and within one mile of the Walmart store on South Bryant Boulevard.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property is currently vacant and recently received an endorsement from the City of San Angelo for a State housing tax credit application. While there are industrial uses further south and east, the immediate intersection contains a mix of commercial and residential uses already. Additional housing in this vicinity would be compatible with the immediate surrounding land uses. Finally, the development is in close proximity to a large pool of military personnel and others working in surrounding commercial and industrial businesses.
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 Planning Division does not anticipate any adverse impacts on the natural environment. New residences and associated parking areas on the properties will require a building permit and a review of grading, drainage, and stormwater runoff to further ensure there are no negative environmental impacts.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes there is a demonstrated need for additional housing in this area given close proximity to a large military base, commercial and industrial businesses nearby. There is already a presence of various industrial uses to the east and south, but the immediate intersection provides a viable opportunity for additional housing to serve the community.

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 property abuts two arterial roads, Christoval Road and South Chadbourne Street, the latter which connects to downtown San Angelo. The current arterial roads can accommodate any additional traffic generated from the residential development.

Planning Commission Recommendation:

On April 16, 2018, the Planning Commission recommended **APPROVAL** of the proposed Comprehensive Plan Amendment, changing the Future Land Use designation from “Industrial” to “Neighborhood Center,” and the proposed rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily (RM-1) Zoning District on the property. The following is the complete excerpt of the draft minutes from the April 16, 2018, meeting for this case:

Jeff Fisher, Senior Planner, presented both cases. He explained that the purpose of the Comprehensive Plan Amendment was to change the Future Land Use from “Industrial” to “Neighborhood Center” which would be compatible with the associated proposed rezoning from Light Manufacturing (ML) to Low Rise Multifamily Residential (RM-1). Mr. Fisher indicated that the applicant intended to rezone the property to RM-1 to allow for a 60-unit apartment complex. He further explained that the City recently endorsed the applicant’s request for a State housing tax credit for the development. Mr. Fisher outlined Staff’s rationale for approval of both requests on the grounds that the Neighborhood Center designation was compatible with the proposed multifamily apartment project; that the development would comply with the RM-1 development standards; that the development was close to other residential living including the mobile home park to the northwest; and that the property was close to commercial employers and Goodfellow Air Force Base.

Chair Stribling opened the meeting for public comment.

Mr. Paul Holden, the applicant, indicated that he was excited about the proposed development.

Commissioner Jackson made a Motion to recommend APPROVAL of the Comprehensive Plan Amendment, changing the Future Land Use designation from “Industrial” to “Neighborhood Center”, on the subject property. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

Commissioner Jackson made a Motion to recommend APPROVAL of a Rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily (RM-1) Zoning District, on the subject property. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the Comprehensive Plan Amendment CP18-04 changing the Future Land Use designation from "Industrial" to "Neighborhood Center."

Staff's recommendation is also for City Council to **APPROVE** a Rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily Residential (RM-1) Zoning District.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

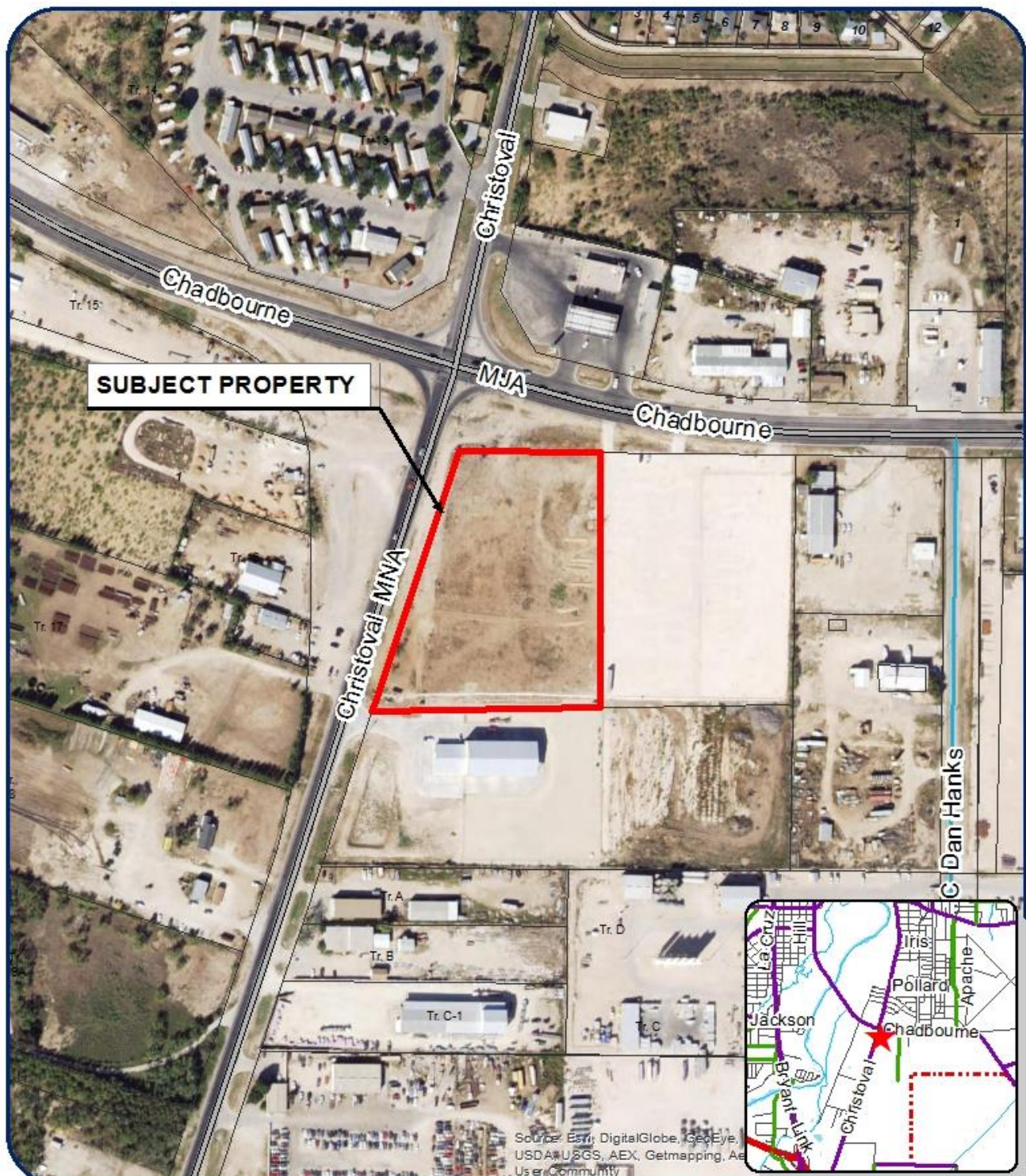
Photographs

Resident Letter

Sample Site Plan

Sample Building Elevations

Application

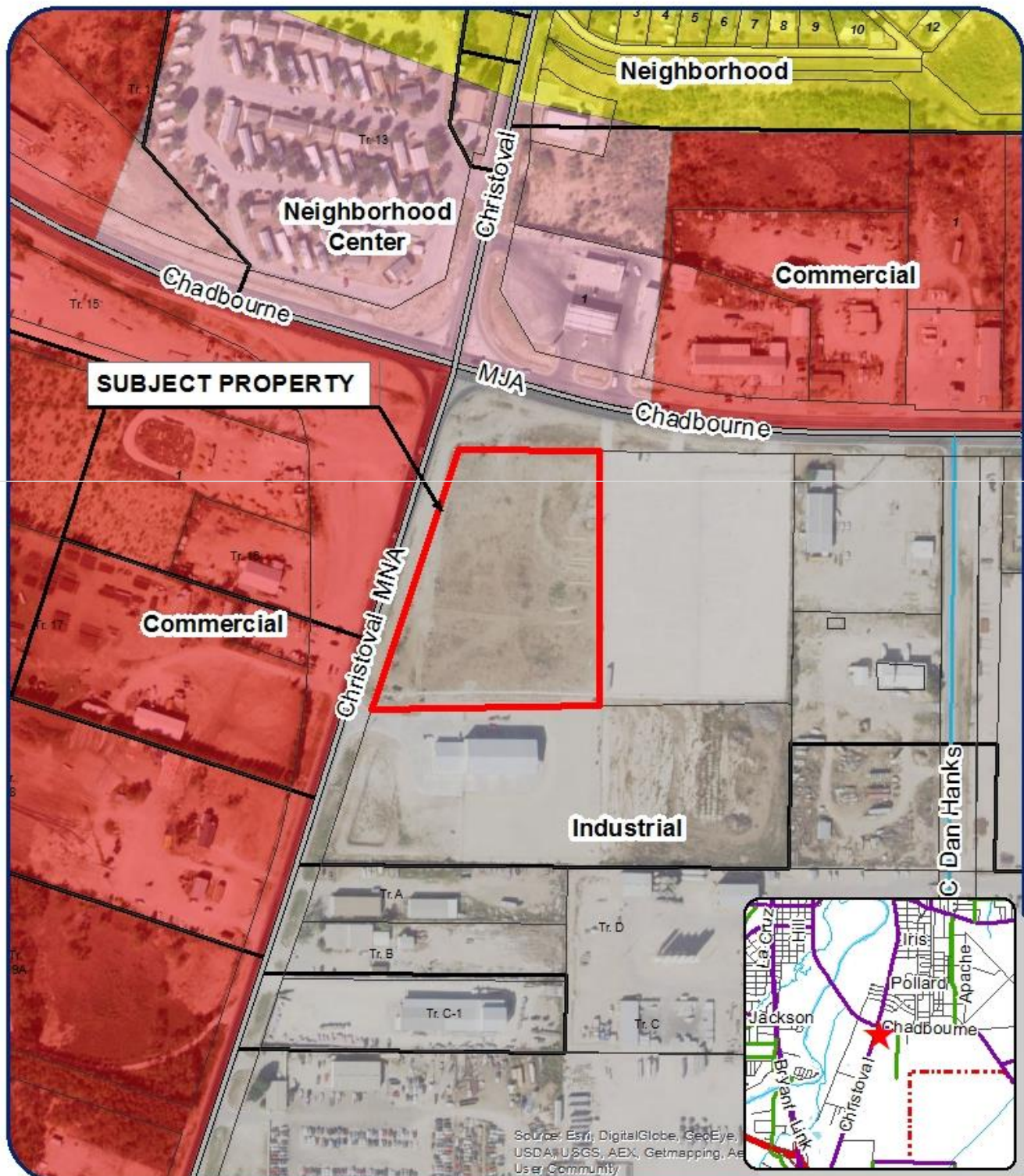


CP18-04 / Z18-06: COSA/Glen Park

Subject Property: 4001 S. Chadbourne Street, 5.00 acres

Vision: **Industrial**



**Zoning Case File****CP18-04 / Z18-06: COSA/Glen Park**

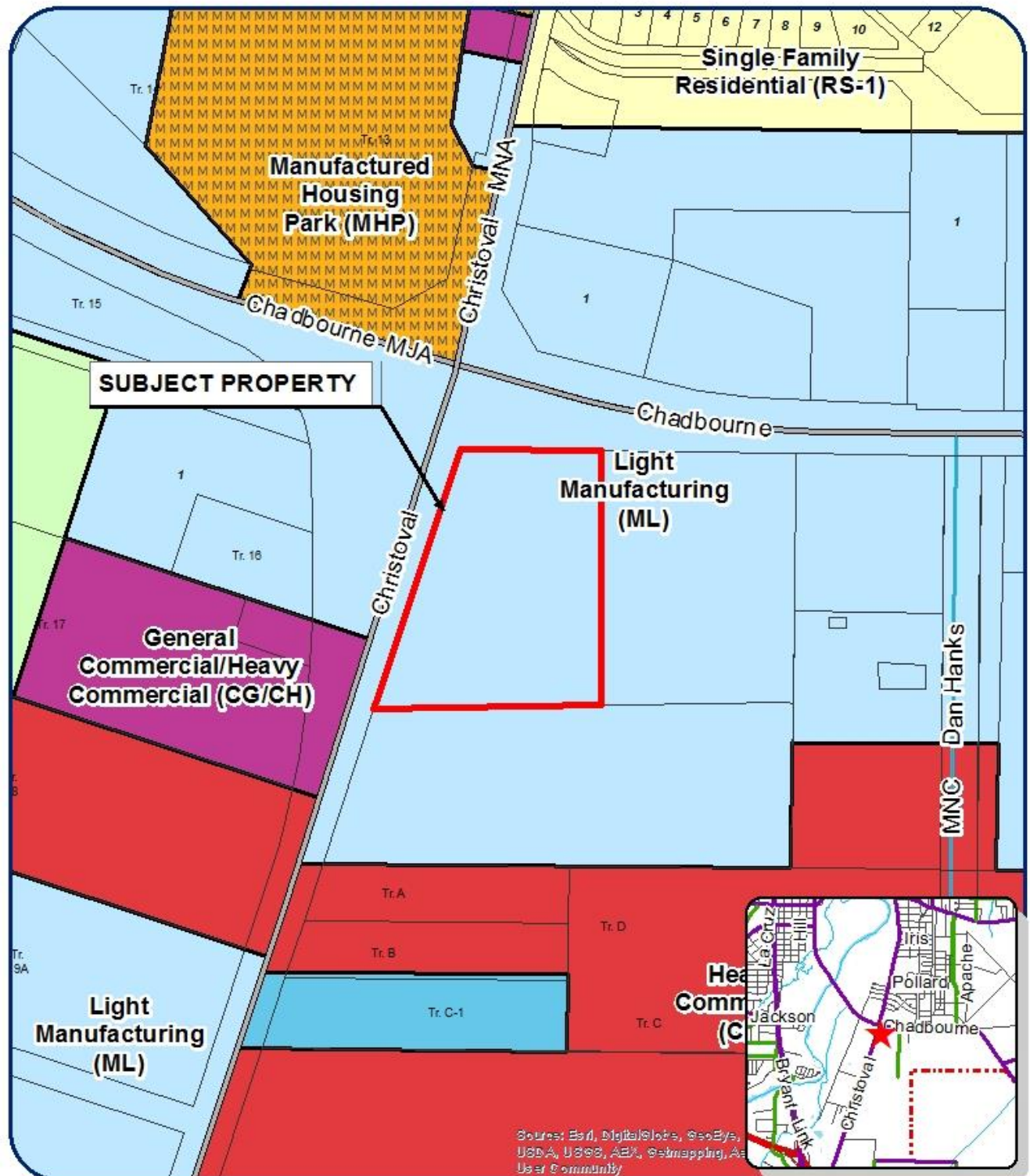
Council District: Tommy Hiebert (SMD#1)

Neighborhood: Glenmore Neighborhood

Scale: approx. = 275 ft

Subject Property: 4001 S. Chadbourne Street, 5.00 acres

LegendSubject Properties: —Current Zoning: MLRequested Zoning Change: RM-1Vision: Industrial



Zoning Case File
CP18-04 / Z18-06: COSA/Glen Park

Council District: Tommy Hiebert (SMD#1)
 Neighborhood: Glenmore Neighborhood
 Scale: approx. = 275 ft
 Subject Property: 4001 S. Chadbourne Street, 5.00 acres

Legend

Subject Properties: —
 Current Zoning: **ML**
 Requested Zoning Change: **RM-1**
 Vision: **Industrial**



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST



EAST



SOUTH AT SUBJECT PROPERTY



EAST AT SUBJECT PROPERTY



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE AVENUE IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

() IN OPPOSITION

REASON(S)

No Apartments
Need to stay
light manufacturing
do not want a lot
of people in coming
and going
it will ruin the value
of property around

NAME: _____

ADDRESS: _____

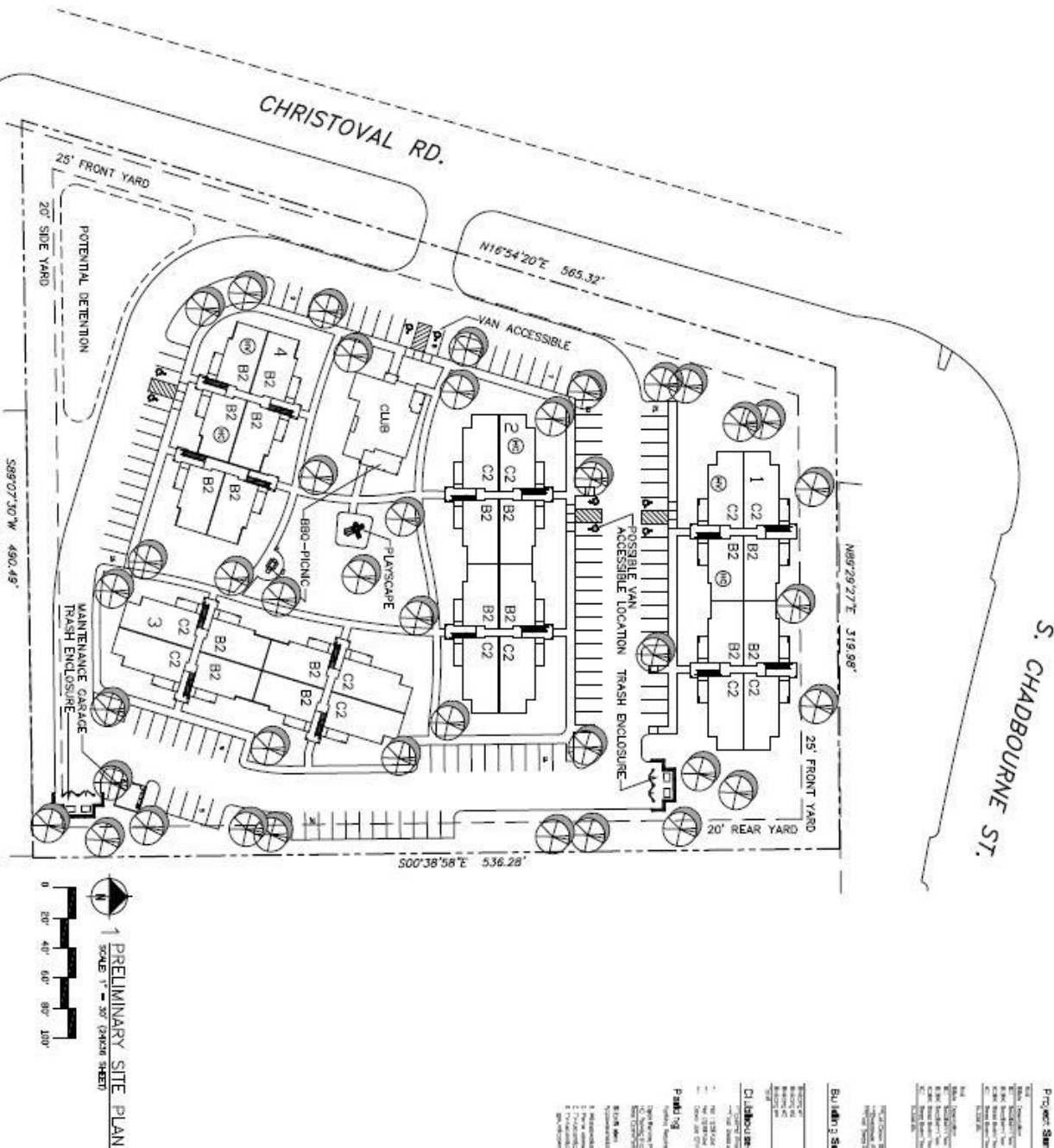
SIGNATURE: Jack Willis

CP18-04/Z18-06: COSA / Glen Park Apartments, L.P.

Property owner number: 6

If you have any questions about these proceedings, please call Jeff Fisher, Senior Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210, ext. 1550. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us

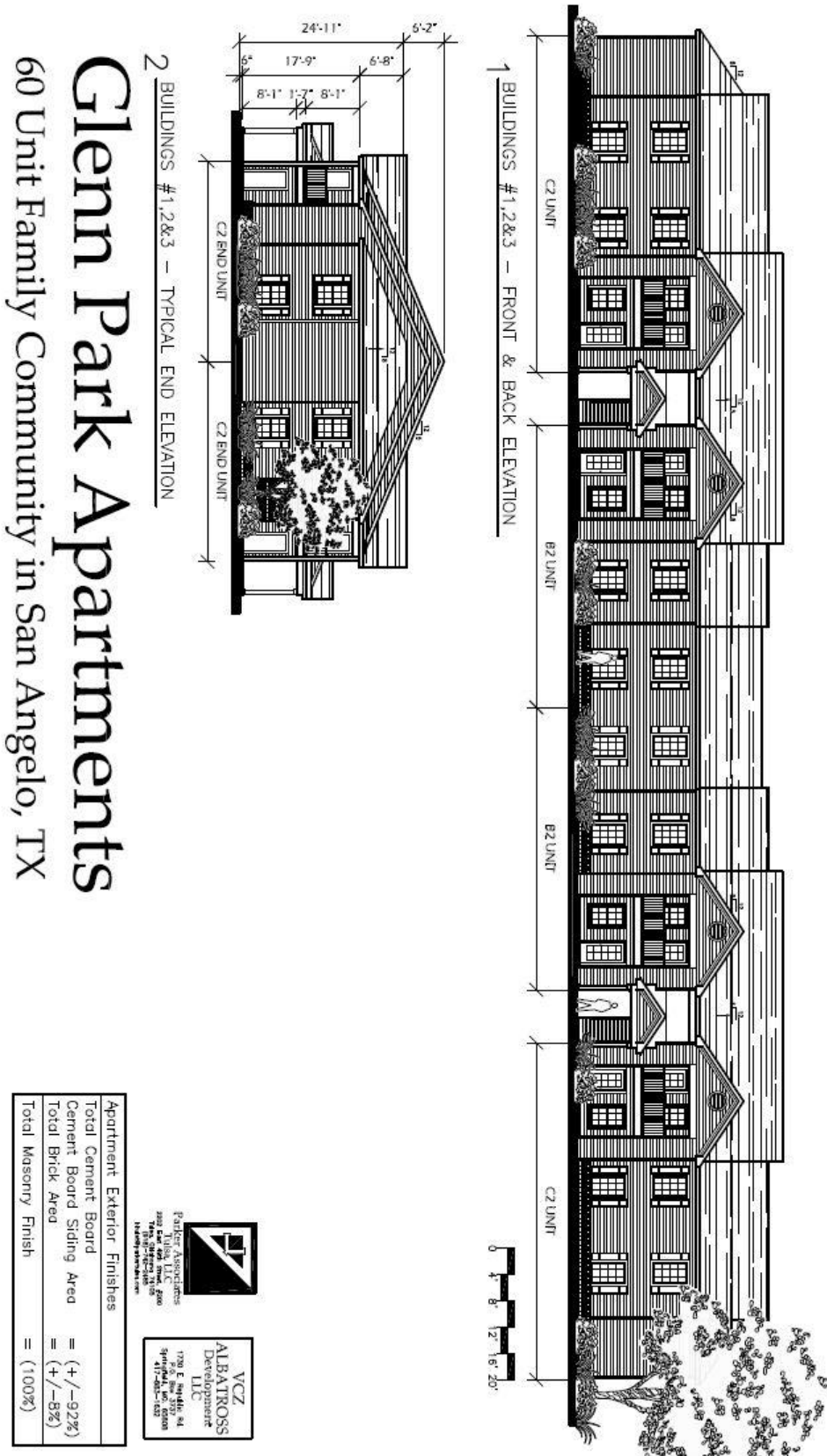
Sample Site Plan



SITE LEGEND	
	ACCESSIBLE PARKING MEETING ADA STANDARDS FOR STANDARD AND VAN ACCESSIBILITY
	ACCESSIBLE UNIT MEETING ADA STANDARDS FOR STANDARD AND VAN ACCESSIBILITY
	UNITS FOR HEARING AND VISUAL IMPAIRMENTS AT FIRST FLOOR MEETING ADA STANDARDS FOR STANDARD AND VAN ACCESSIBILITY
	UNITS FOR HEARING AND VISUAL IMPAIRMENTS AT FIRST FLOOR MEETING ADA STANDARDS FOR STANDARD AND VAN ACCESSIBILITY

Project Summary	
Site Name	Glen Park Apartments, L.P.
Site Address	Christoval Rd. & S. Chadbourne St.
Site Area	1.25 Acres
Site Zoning	Residential Medium Density (RMD)
Site Use	Multi-Family Residential
Site Description	Proposed development of 120 units, including 12 accessible units, on a 1.25-acre site. The site is bounded by Christoval Rd. to the north, S. Chadbourne St. to the east, and a 20' side yard to the west. The site includes a 25' front yard, a 20' rear yard, and a 20' side yard. The layout features several apartment buildings labeled A, B2, C2, and 1. Amenities include a club, playground, BBQ-picnic area, and a maintenance garage. A trash enclosure and a possible van accessible location are also marked.

Sample Building Elevations



Glenn Park Apartments, LP

300 S. CM Allen Parkway, Suite 212-B

San Marcos, TX 78666

Phone: 512-970-8250

To Whom It May Concern:

This letter is to confirm to the City of San Angelo that the Glenn Park Apartments, LP, has submitted an application for re-zoning of the property located in the 4000 block of S. Chadbourne Street (SE Corner of S. Chadbourne Street & Christoval Road), San Angelo, TX 76905.

Glenn Park Apartments, LP further confirms that it will hold harmless the City of San Angelo and all other parties in the event that re-zoning is not accomplished.

Sincerely,

Glenn Park Apartments, LP



Paul Holden, Representative

	City of San Angelo, Texas – Planning Division 52 West College Avenue Application for Approval of a Zone Change	
Section 1: Basic Information		
Name of Applicant(s): <u>Greg Huling</u>		
☒ Owner ☐ Representative (Notarized Affidavit Required)		
<u>300 S. CM Allen Parkway, Suite 212-B</u>		<u>San Marcos</u> TX <u>78666</u>
Mailing Address	City	State Zip Code
<u>512-970-8250</u>	<u>pholden52@gmail.com</u>	
Contact Phone Number	Contact E-mail Address	
<u>4000 Block of S. Chadbourne Street</u>	<u>San Angelo</u>	TX <u>76905</u>
Subject Property Address	City	State Zip Code
<u>Abst: A-7278 S-0160, Survey: C F Potter, 9.990-Acres</u>		
Legal Description (can be found on property tax statement or at www.tamgreencad.com)		
Existing Zoning: <u>ML</u> Proposed Zoning: <u>RM-1</u> Lot size: <u>5.0-Acres</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>Vacant Land</u>		
*Proposed Use of Property: <u>60-units of 2-story garden style apartments.</u>		
*Use separate attachment if necessary		
Section 3: Applicant(s) Acknowledgement		
(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)		
☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;		
☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.		
☒ If approved, a zone change is applied to the property, not the property owner.		
☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.		
☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.		
☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.		
☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.		
☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.		
Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 www.cosatx.us/planning		

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.

Greg Huling



2-22-2018

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: 2, 22, 2018

Case No.: Z 18 -06

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$537.50

Receipt #: _____ Date paid: 2, 22, 2018

Sign Deposit \$37.50

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

Affidavit attached?

☐ Yes ☐ No☐ N/AApplicant'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: 4, 5, 2018

City Council hearing date: ____/____/____

Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: Jeff Fisher

Date: 2, 22, 2018

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 **4001 South Chadbourne Street, comprising 5.00 acres**, FROM "INDUSTRIAL" TO "NEIGHBORHOOD CENTER" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP18-04

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

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

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

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

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

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

4001 South Chadbourne Street, comprising 5.00 acres out of 9.99 acres in the C.F. Potter Survey No. 160, Abstract No. 7278, City of San Angelo, Tom Green County, Texas, and as further depicted on the Boundary and Topographical Survey prepared by Cruse B. Suddeth dated February 27, 2018 on Exhibit "A" of this Ordinance, from "Industrial" to "Neighborhood Center;"

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 (Field Notes, Survey, and “Neighborhood Center” Boundary Map).

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

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

INTRODUCED on the **17th day of July, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of August, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST: APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit "A" (Field Notes)

FIELD NOTES FOR 5.000 ACRES
C.F. POTTER SURVEY 160, ABSTRACT NO. 7278
TOM GREEN COUNTY, TEXAS

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, BEING 5.000 ACRES OF LAND SITUATED IN THE C. F. POTTER SURVEY 160, ABSTRACT NO. 7278, TOM GREEN COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 15.98 ACRE TRACT DESCRIBED IN A DEED FROM JAMES KEITH HARRIS TO GREG HULING, DATED NOVEMBER 20, 2003, RECORDED IN VOLUME 1066, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF TOM GREEN COUNTY, TEXAS. SAID 5.000 ACRES BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT;

BEARINGS ARE BASED THE MONUMENTED NORTH LINE OF THAT CERTAIN CALLED 7.920 ACRE TRACT TO PRIORITY SAN ANGELO, LLC RECORDED UNDER CLERK'S FILE NO. 2013-745691.

BEGINNING AT A 1/2" IRON ROD (FOUND) FOR THE NORTHWEST CORNER OF SAID 7.920 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE EAST RIGHT-OF-WAY OF CRISTOVAL ROAD;

THENCE NORTH 16 DEGREES 54 MINUTES 20 SECONDS EAST, WITH SAID RIGHT-OF-WAY, A DISTANCE OF 565.32 FEET TO A 1/2" IRON ROD (FOUND) FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE SOUTH RIGHT-OF-WAY LINE OF SOUTH CHADBOURNE STREET, SAME BEING THE NORTH LINE OF THE ABOVE MENTIONED HULING TRACT;

THENCE NORTH 89 DEGREES 29 MINUTES 27 SECONDS EAST, WITH SAID NORTH LINE, A DISTANCE OF 319.98 FEET TO A 1/2" IRON ROD (SET) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, A 1/2" IRON PIPE (FOUND) FOR THE NORTHEAST CORNER OF SAID HULING TRACT BEARS NORTH 89 DEGREES 29 MINUTES 27 SECONDS EAST, 406.27 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 58 SECONDS EAST, OVER AND ACROSS SAID HULING TRACT, A DISTANCE OF 536.28 FEET TO A 1/2" IRON ROD (SET) FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING IN THE NORTH LINE OF SAID 7.920 ACRE TRACT, A 1/2" IRON ROD (FOUND) FOR THE NORTHEAST CORNER OF SAME BEARS NORTH 89 DEGREES 07 MINUTES 30 SECONDS EAST, 406.23 FEET;

THENCE SOUTH 89 DEGREES 07 MINUTES 30 SECONDS WEST, WITH THE NORTH LINE OF SAID 7.920 ACRE TRACT, A DISTANCE OF 490.49 FEET TO THE POINT OF BEGINNING CONTAINING 5.000 ACRES OF LAND.

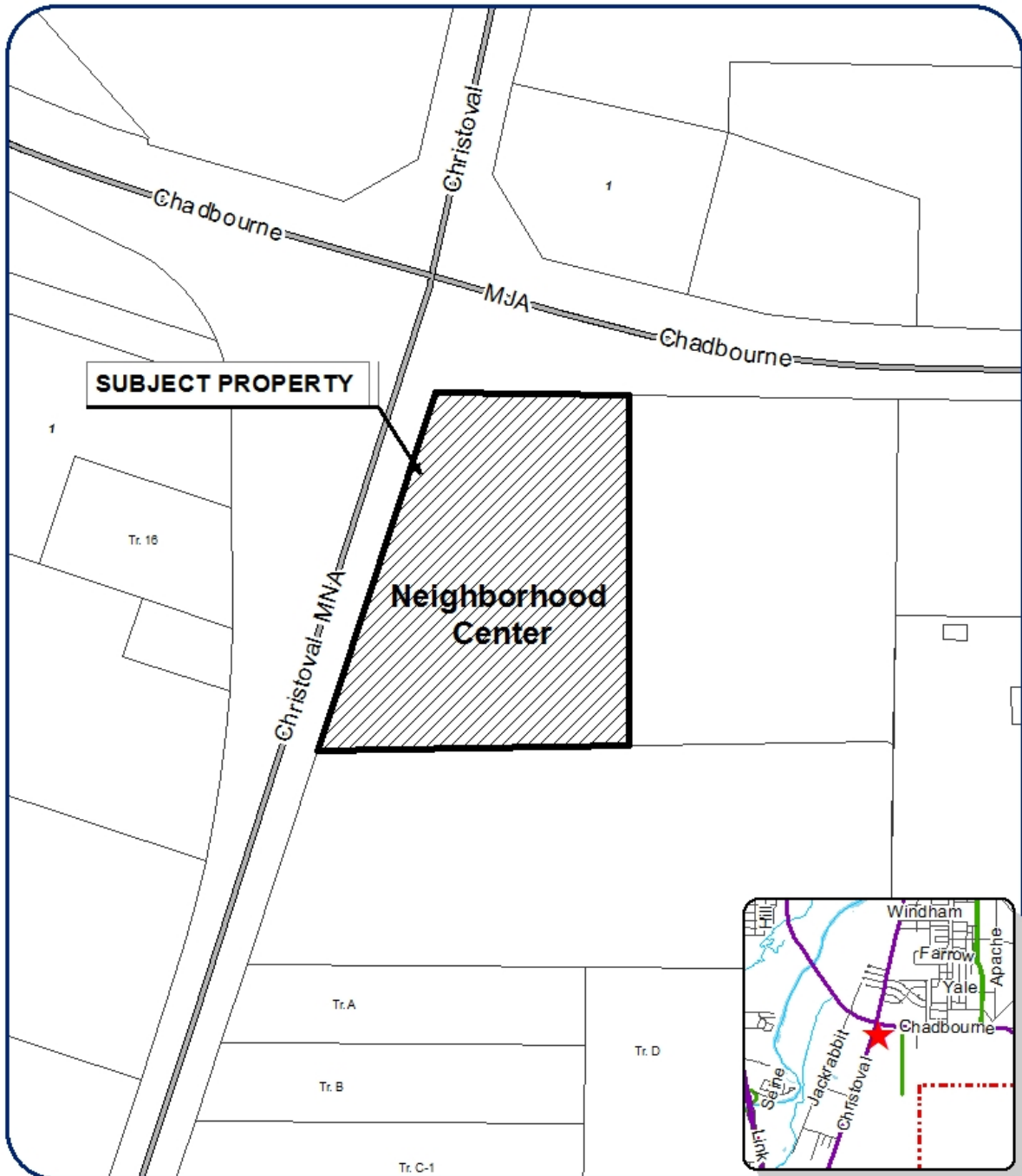
I, the undersigned, being a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears on the records of the Surveyor General of the State of Texas.

GLENN PARK APARTMENTS
 SAN ANGELO, TEXAS
 BOUNDARY & TOPOGRAPHIC SURVEY

101 S. BRIDGEMAN, SUITE 201
 P.O. BOX 10000
 SAN ANGELO, TEXAS 76901-0000
KNIFFIN SURVEYORS
 LAND SURVEYING - CIVIL ENGINEERING
 PHONE (806) 342-1111 FAX (806) 342-1112
 WWW.KNIFFIN-SURVEYORS.COM

REV	DATE	DESCRIPTION	BY	CHK

Exhibit "A"
("Neighborhood Center" Boundary Map)



Zoning Case File

CP18-04 / Z18-06: COSA/Glen Park

Council District: Tommy Hiebert (SMD#1)

Neighborhood: Glenmore Neighborhood

Scale: approx. = 200 ft

Subject Property: 4001 S. Chadbourne Street, 5.00 acres

Legend

Subject Properties: —

Current Zoning: **ML**

Requested Zoning Change: **RM-1**

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: **4001 South Chadbourne Street; comprising of 5.00 acres;** FROM THE LIGHT MANUFACTURING (ML) ZONING DISTRICT TO THE LOW RISE MULTIFAMILY RESIDENTIAL (RM-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

RE: **Z18-06: Glen Park Apartments, L.P.**

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 Low Rise Multifamily Residential Zoning District (RM-1) and,

WHEREAS, on the 15th day of May, 2018, City Council held a public hearing on Z18-06, 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 LOW RISE MULTIFAMILY (RM-1) ZONING DISTRICT:

The real property generally located at 4001 South Chadbourne Street, comprising 5.00 acres out of 9.99 acres in the C.F. Potter Survey No. 160, Abstract No. 7278, City of San Angelo, Tom Green County, Texas, and as further depicted on the Boundary and Topographical Survey prepared by Cruse B. Suddeth dated February 27, 2018 on Exhibit "A" of this Ordinance, shall henceforth be permanently zoned as follows: Low Rise Multifamily Residential Zoning District (RM-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 (Field Notes, Survey, and "RM-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 **17th day of July, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of August, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit "A" (Field Notes)

FIELD NOTES FOR 5.000 ACRES
C.F. POTTER SURVEY 160, ABSTRACT NO. 7278
TOM GREEN COUNTY, TEXAS

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, BEING 5.000 ACRES OF LAND SITUATED IN THE C. F. POTTER SURVEY 160, ABSTRACT NO. 7278, TOM GREEN COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 15.98 ACRE TRACT DESCRIBED IN A DEED FROM JAMES KEITH HARRIS TO GREG HULING, DATED NOVEMBER 20, 2003, RECORDED IN VOLUME 1066, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF TOM GREEN COUNTY, TEXAS. SAID 5.000 ACRES BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT;

BEARINGS ARE BASED THE MONUMENTED NORTH LINE OF THAT CERTAIN CALLED 7.920 ACRE TRACT TO PRIORITY SAN ANGELO, LLC RECORDED UNDER CLERK'S FILE NO. 2013-745691.

BEGINNING AT A 1/2" IRON ROD (FOUND) FOR THE NORTHWEST CORNER OF SAID 7.920 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE EAST RIGHT-OF-WAY OF CHRISTOVAL ROAD;

THENCE NORTH 16 DEGREES 54 MINUTES 20 SECONDS EAST, WITH SAID RIGHT-OF-WAY, A DISTANCE OF 565.32 FEET TO A 1/2" IRON ROD (FOUND) FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING IN THE SOUTH RIGHT-OF-WAY LINE OF SOUTH CHADBOURNE STREET, SAME BEING THE NORTH LINE OF THE ABOVE MENTIONED HULING TRACT;

THENCE NORTH 89 DEGREES 29 MINUTES 27 SECONDS EAST, WITH SAID NORTH LINE, A DISTANCE OF 319.98 FEET TO A 1/2" IRON ROD (SET) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, A 1/2" IRON PIPE (FOUND) FOR THE NORTHEAST CORNER OF SAID HULING TRACT BEARS NORTH 89 DEGREES 29 MINUTES 27 SECONDS EAST, 406.27 FEET;

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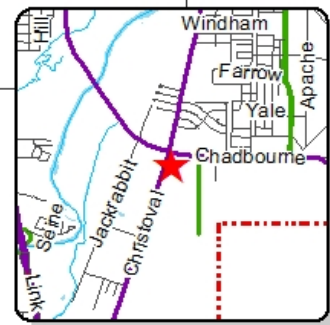
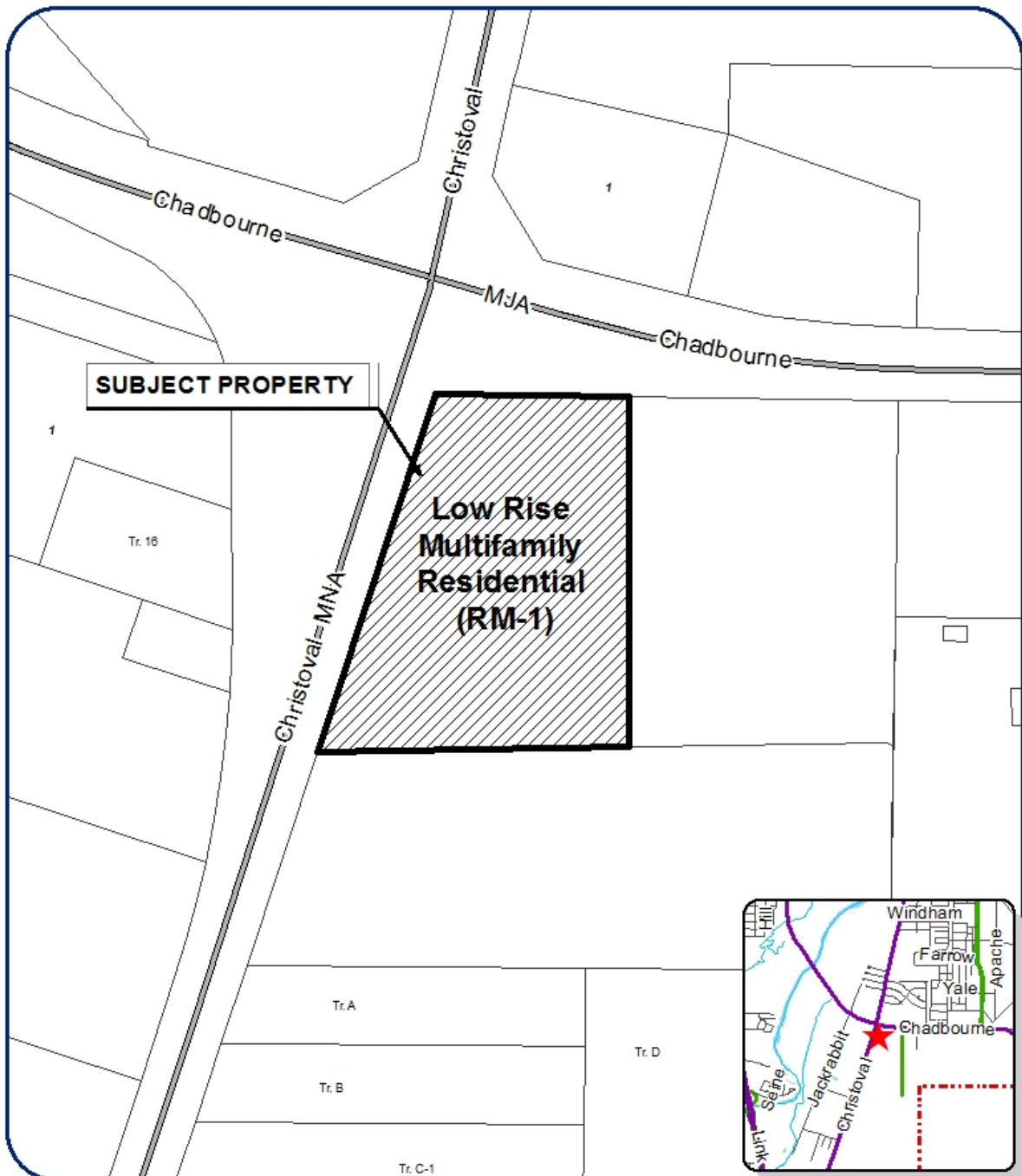
I, the undersigned, being a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears on the records of the County of [County Name], State of Texas.

GLENN PARK APARTMENTS
 SAN ANGELO, TEXAS
 BOUNDARY & TOPOGRAPHIC SURVEY

101 S. BRIDGEMAN, SUITE 201
 P.O. BOX 10000
 SAN ANGELO, TEXAS 76901-0000
KNIFFIN SURVEYORS
 LAND SURVEYING - CIVIL ENGINEERING
 PHONE (806) 342-1111 FAX (806) 342-1112
 WWW.KNIFFIN-SURVEYORS.COM

REV	DATE	DESCRIPTION	BY	CHK

Exhibit "A" (RM-1 Boundary Map)



Zoning Case File CP18-04 / Z18-06: COSA/Glen Park

Council District: Tommy Hiebert (SMD#1)
Neighborhood: Glenmore Neighborhood
Scale: approx. = 200 ft
Subject Property: 4001 S. Chadbourne Street, 5.00 acres

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: RM-1
Vision: Industrial



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Public hearing and first reading of an ordinance for the abandonment of a 4,897.17-square foot portion of the Harbor Court public right-of-way - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has requested the abandonment of a portion of the cul-de-sac bulb of the Harbor Court public right-of-way, immediately northwest of their property. The applicant's intent is to use this space for business expansion. The street is identified as a "Local Street" in the City's Master Thoroughfare Plan.

Financial Impact:

The City, as part of a signed agreement with Ener-Tel, will be responsible for any improvements needed for Harbor Court to meet requirements of the Land Development & Subdivision Ordinance.

Other Information/Recommendation:

This item is not required to obtain a recommendation by the Planning Commission.

Attachments:

- | | | |
|----|-----------------|---|
| 1. | Staff Report | CC Harbor Court Abandonment Staff Report.docx |
| 2. | Draft Ordinance | Harbor Court Aband. Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL –July 17, 2017

STAFF REPORT



APPLICATION TYPE:		CASE:	
Street Right-of-way Abandonment		Harbor Court Abandonment: Wisniewski	
SYNOPSIS:			
The applicant has requested the abandonment of a portion of the cul-de-sac bulb of the Harbor Court public right-of-way, immediately northwest of their property. The applicant's intent is to use this space for business expansion. The street is identified as a "Local Street" in the City's Master Thoroughfare Plan.			
LOCATION:		LEGAL DESCRIPTION:	
Adjacent to 1805 & 1806 Harbor Court		Being a portion of an urban local street located immediately northwest of Tract G, 2nd Replat in Section 2, T.J.A.K. Addition, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Rio Vista Neighborhood	ML – Light Manufacturing & CG/CH – General Commercial/ Heavy Commercial	C – Commercial	4,897.17 square feet
THOROUGHFARE PLAN:			
Harbor Court – Urban Local Street, 50' ROW required (50' Existing), 36' with a 4' sidewalk or 40' pavement required (40' Existing)			
NOTIFICATIONS:			
7 notifications mailed within 200-foot radius on July 3, 2018. Zero received in support or opposition			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment request, subject to two Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Scott Wisniewski Shamrock Capital Corporation LLC			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us			

Additional Information:

Planning Staff circulated all relevant municipal departments, as well as public and private utility companies, and there were no responses in opposition to the request. Staff comments include submit, obtain approval, and officially record a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance and remit payment of the City's assessment formula for the abandoned area. The applicant will be required to pay the full assessed value of the abandoned area, to be determined by the City's Real Estate Division.

Analysis:

Planning Staff reviewed all relevant history, ordinances, policies, and conducted a site visit to the property on July 2, 2018, to determine the appropriateness of abandoning the said public street right-of-way. Planning Staff believes existing or anticipated traffic patterns would not be negatively affected if the subject portion of Harbor Court is closed. At present, this portion of Harbor Court acts as secondary access to properties which also have access off of Old Knickerbocker Road. For these reasons, Staff believe closing this portion of Harbor Court would not create any detrimental effects as this portion does not appear to be used by any surrounding property owner, except for the applicant who intends to acquire and build upon it. Staff believes this portion currently provides no public benefit, and closing it would also remove any additional expense of the City having to upgrade it in future. Per the subsequent proposed replat of the area, the proposed abandonment would not contradict any applicable City Ordinance. As conditions of approval, the applicant would be required to replat the abandonment area into the adjacent property.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** the proposed abandonment of a portion of the cul-de-sac bulb of the Harbor Court public right-of-way, immediately northwest of Tract G, 2nd Replat in Section 2, T.J.A.K. Addition, **subject to two Conditions of Approval:**

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance.
2. Remit payment for assessment formula outlined in fee schedule, if abandonment is approved consistent with the Code of Ordinances, Section A9.008.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Street Abandonment Exhibit
Field Notes
Notification Map
Application



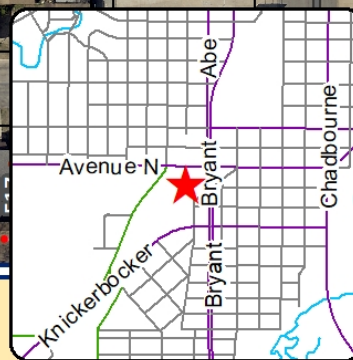
Street Abandonment

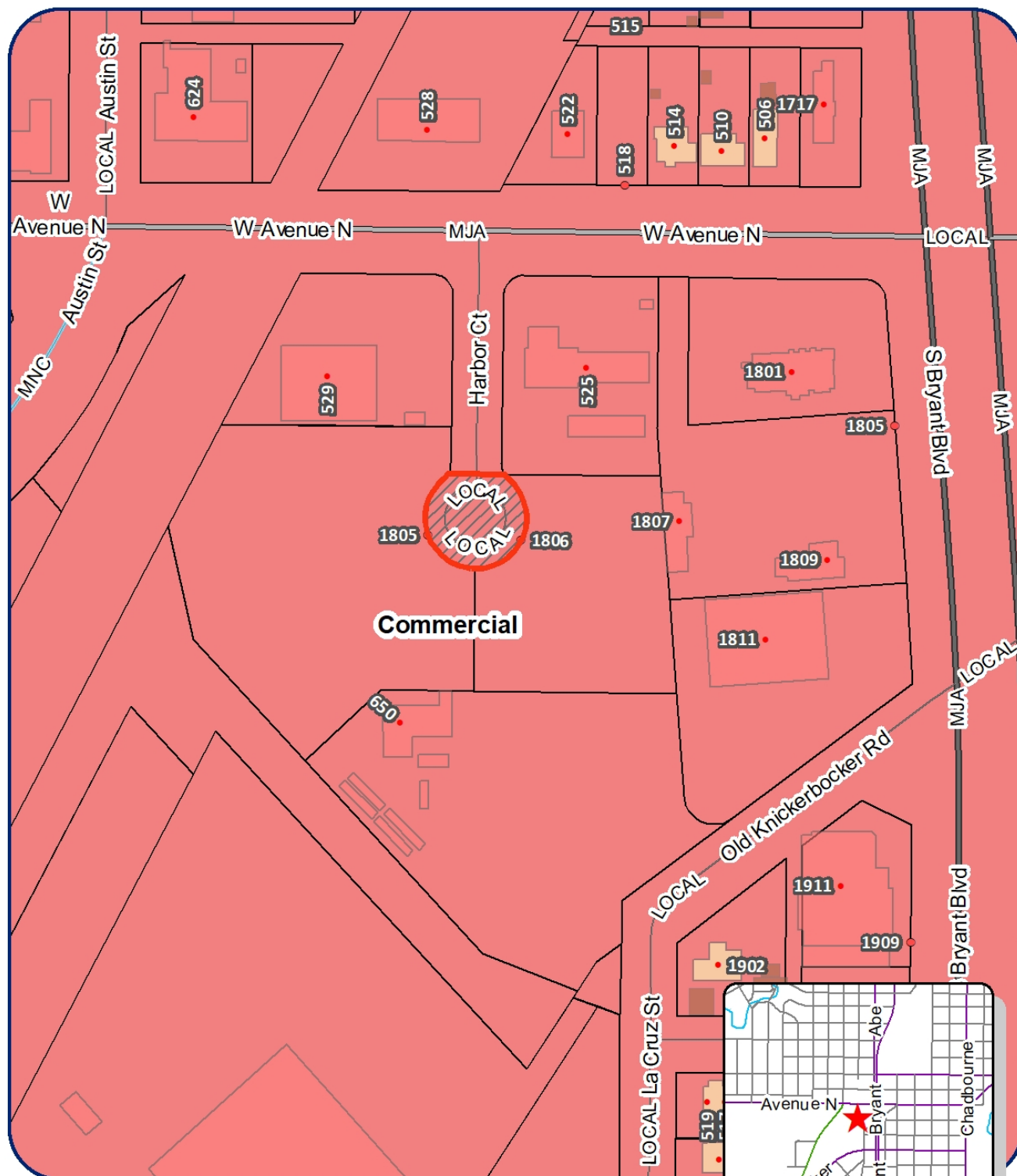
Harbor Court

Council District: SMD #3 - Harry Thomas
Neighborhood: Rio Vista
Scale: 1" approx. = 125 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: N/A
Vision: Commercial





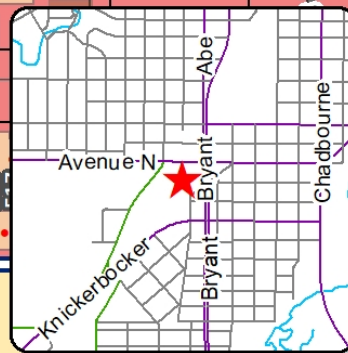
Street Abandonment

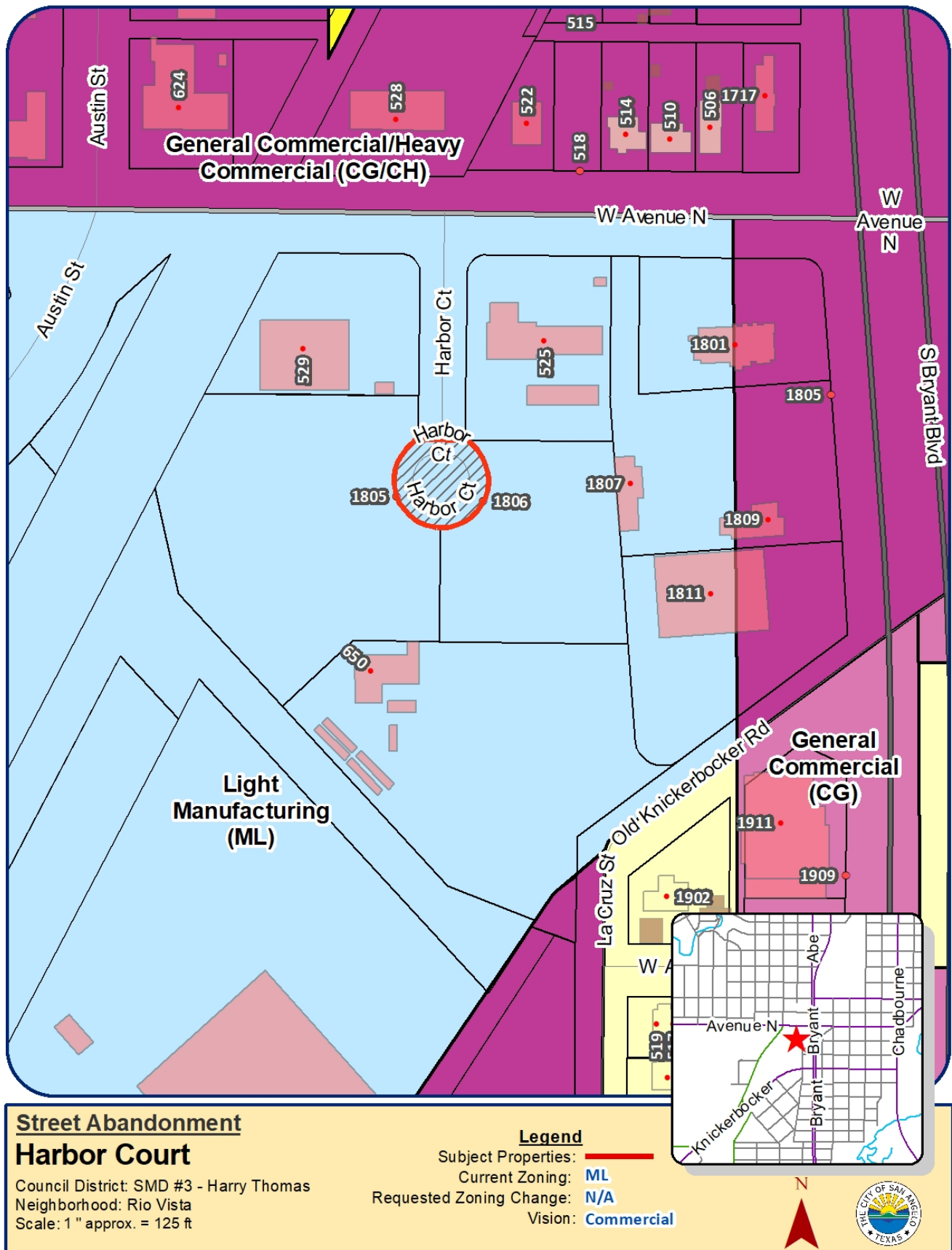
Harbor Court

Council District: SMD #3 - Harry Thomas
Neighborhood: Rio Vista
Scale: 1" approx. = 125 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: N/A
Vision: Commercial





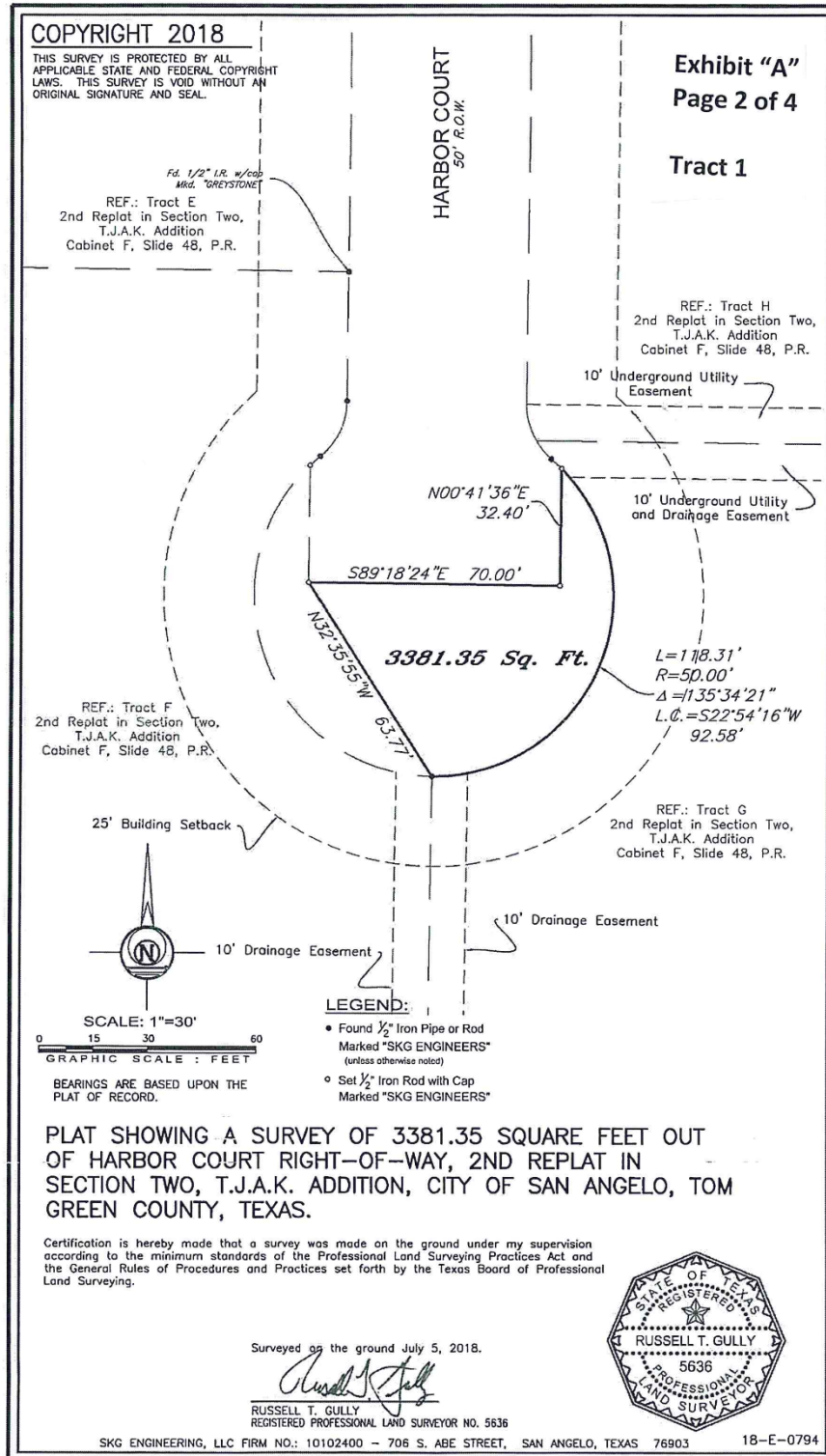


Exhibit "A"
Page 1 of 4

FIELD NOTES

Tract 1

3381.35 Square Feet

July 5, 2018
18-S-0794e

Being an area of 3381.35 Square Feet of land out of Harbor Court Right-of-Way, 2nd Replat in Section Two, T.J.A.K. Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet F, Slide 48, Plat Records of Tom Green County, Texas and said 3381.35 Square Feet tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" found for the south corner of this tract and the common corner of certain Tract G and Tract F of said T.J.A.K Addition and being in the south line of said Harbor Court;

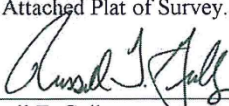
Thence with the southwest line of this tract and across said Harbor Court, N. 32° 35' 55" W. 63.77 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the northwest corner of this tract;

Thence with the north line of this tract, S. 89° 18' 24" E. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for an ell corner of this tract;

Thence with the northerly west line of this tract, N. 00° 41' 36" E. 32.40 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the north corner of this tract in the easterly line of said Harbor Court;

Thence with the easterly line of this tract and said Harbor Court and a westerly line of said Tract G, with a curve to the right, having a radius of 50.00 feet, central angle for this part traversed of 135° 34' 21", arc length of 118.31 feet and whose long chord bears S. 22° 54' 16" W. 92.58 feet to the place of beginning and containing an area of 3381.35 Square Feet of land.

See Attached Plat of Survey.


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



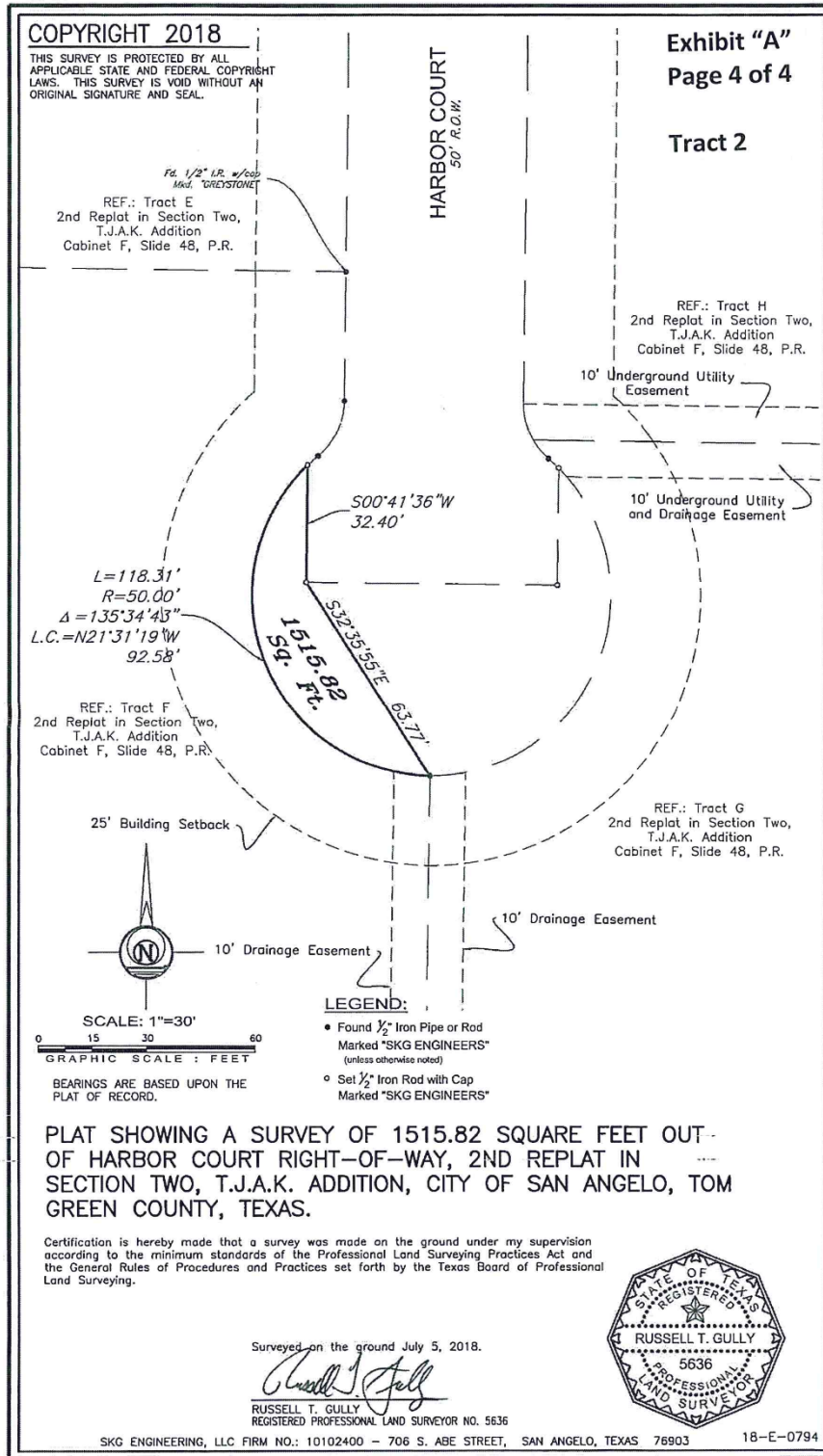


Exhibit "A"
Page 3 of 4

FIELD NOTES

Tract 2

1515.82 Square Feet

July 5, 2018
18-S-0794w

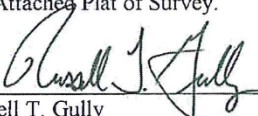
Being an area of 1515.82 Square Feet of land out of Harbor Court Right-of-Way, 2nd Replat in Section Two, T.J.A.K. Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet F, Slide 48, Plat Records of Tom Green County, Texas and said 1515.82 Square Feet tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" found for the south corner of this tract and the common corner of certain Tract G and Tract F of said T.J.A.K Addition and being in the south line of said Harbor Court;

Thence with the west or southwest line of this tract and said Harbor Court, with a curve to the right, having a radius of 50.00 feet, central angle for this part traversed of 135° 34' 43", arc length of 118.31 feet and whose long chord bears N. 21° 31' 19" W. 92.58 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the end of this curve for the north corner of this tract;

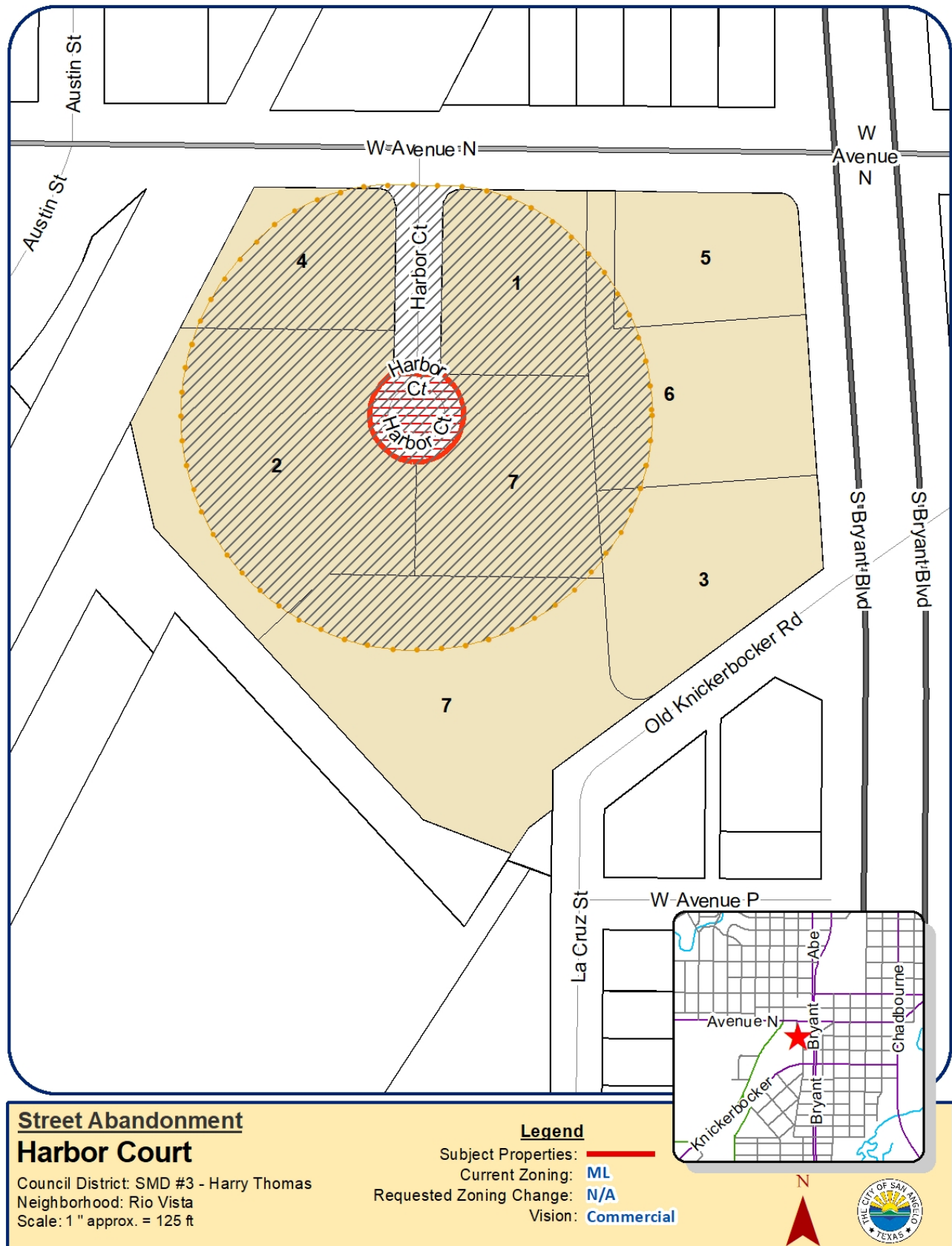
Thence with the east line of this tract and across said Harbor Court, S. 00° 41' 36" W. 32.40 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for angle corner, S. 32° 35' 55" E. 63.77 feet to the place of beginning and containing an area of 1515.82 Square Feet of land.

See Attached Plat of Survey.



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





Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
**Application to Abandon Right-of-way for
Street(s) and/or Alley(s)**



Section 1: Basic Information

Name of Applicant(s): Scott Wisniewski

☒ Owner ☐ Representative (Affidavit Required)

801 South Abe San Angelo Texas 76903
Mailing Address City State Zip Code

325-653-6814

Contact Phone Number Contact E-mail Address

1806 Harbor Ct San Angelo Texas 76903
Subject Property Address City State Zip Code

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

Lot Size: 0.85 Acres Zoning: ML (Light Manufacturing)

Section 2: Site Specific Details

Subdivision Name: T.J.A.K. Addition (Amended)

Lots and/or Blocks Affected*: Tract F Section 2; Tract G Section 2

General Description of Location*: _____

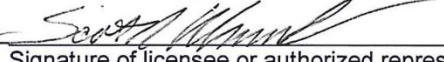
Reason for Abandonment*: Abandonment agreed upon by City with land purchase agreement for detention pond

*Use attachment if necessary.

Effective January 3, 2017

Section 3: Applicant's acknowledgement

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



Signature of licensee or authorized representative
affirming the truth of the above statement.

06/06/2018

Date

Scott Wisniewski

Printed name of licensee or authorized representative

Shamrock Capital Corporation LLC

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 6 / 11 / 18

Non-Refundable Fee: \$ 450

Receipt #: _____

Date paid: 6 / 11 / 18

Date of hearing by Planning Commission: N/A

Date of hearing by City Council: 7 / 17 / 18

Reviewed/Accepted by: H. Buckner

AN ORDINANCE PROVIDING FOR ABANDONMENT AND CLOSING OF PORTIONS OF THE CUL-DE-SAC TURNAROUND OF HARBOR COURT; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ADJOINING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, acting pursuant to law, is of the opinion that the portion of the cul-de-sac turnaround of Harbor Court, is no longer needed for public use and therefore deems it advisable to abandon said portion of street and convey the underlying tract of land to owners of adjoining property; and,

WHEREAS, the City Council of the City of San Angelo is of the opinion that the best interest and welfare of the public will be served by closing, abandoning and vacating said portion of the turnaround of Harbor Court Street and conveying the underlying tracts of land to the abutting property owners, subject to the conditions and restrictions contained herein;

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

SECTION 1: The public right-of-way and street located in the City of San Angelo, Tom Green County, Texas, generally described as two separate tracts out of the cul-de-sac turnaround right-of-way of Harbor Court, more particularly described and depicted in **Exhibit "A,"** attached hereto and made a part hereof for all purposes, be and the same are hereby closed, abandoned and vacated insofar as the right, title and easement of the public are concerned; subject however, to the conditions and restrictions hereinafter more fully set out.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all

existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

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

SECTION 4: As conditions of the abandonment and as part of the consideration for conveyance by quitclaim deed of the underlying tracts of land to owners of adjoining property on the east and west sides of the abandoned tracts, said property owners shall:

- a) Submit a revised survey reflecting compliance with ordinance standards set forth at Land Development and Subdivision Ordinance, Chapter 9, Section III.C.1.b
- b) Submit a joint application with the City of San Angelo for replat of lots adjoining the abandoned tracts, absorbing each of the tracts into the respective adjoining lot(s), meeting all requirements of the Land Subdivision Ordinance; and,
- c) Remit payment determined under the assessment formula outlined in the City Code of Ordinances, Appendix “A”, Fee Schedule, Section A9.008.

SECTION 5: The terms and conditions contained in this Ordinance shall be binding upon Grantees and Grantees’ heirs, successors and assigns.

SECTION 6: The Mayor of the City of San Angelo is hereby authorized to execute and, upon receipt of evidence of compliance with the conditions provided for at Section 4, deliver quit claim deeds conveying the subject tracts of land described and depicted in **Exhibit “A,”** to the abutting property owners as herein provided.

SECTION 7: The City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **17th day of July, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of August, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

FIELD NOTES

Tract 1

3381.35 Square Feet

July 5, 2018
18-S-0794e

Being an area of 3381.35 Square Feet of land out of Harbor Court Right-of-Way, 2nd Replat in Section Two, T.J.A.K. Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet F, Slide 48, Plat Records of Tom Green County, Texas and said 3381.35 Square Feet tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" found for the south corner of this tract and the common corner of certain Tract G and Tract F of said T.J.A.K Addition and being in the south line of said Harbor Court;

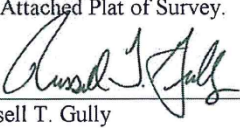
Thence with the southwest line of this tract and across said Harbor Court, N. 32° 35' 55" W. 63.77 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the northwest corner of this tract;

Thence with the north line of this tract, S. 89° 18' 24" E. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for an ell corner of this tract;

Thence with the northerly west line of this tract, N. 00° 41' 36" E. 32.40 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the north corner of this tract in the easterly line of said Harbor Court;

Thence with the easterly line of this tract and said Harbor Court and a westerly line of said Tract G, with a curve to the right, having a radius of 50.00 feet, central angle for this part traversed of 135° 34' 21", arc length of 118.31 feet and whose long chord bears S. 22° 54' 16" W. 92.58 feet to the place of beginning and containing an area of 3381.35 Square Feet of land.

See Attached Plat of Survey.


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

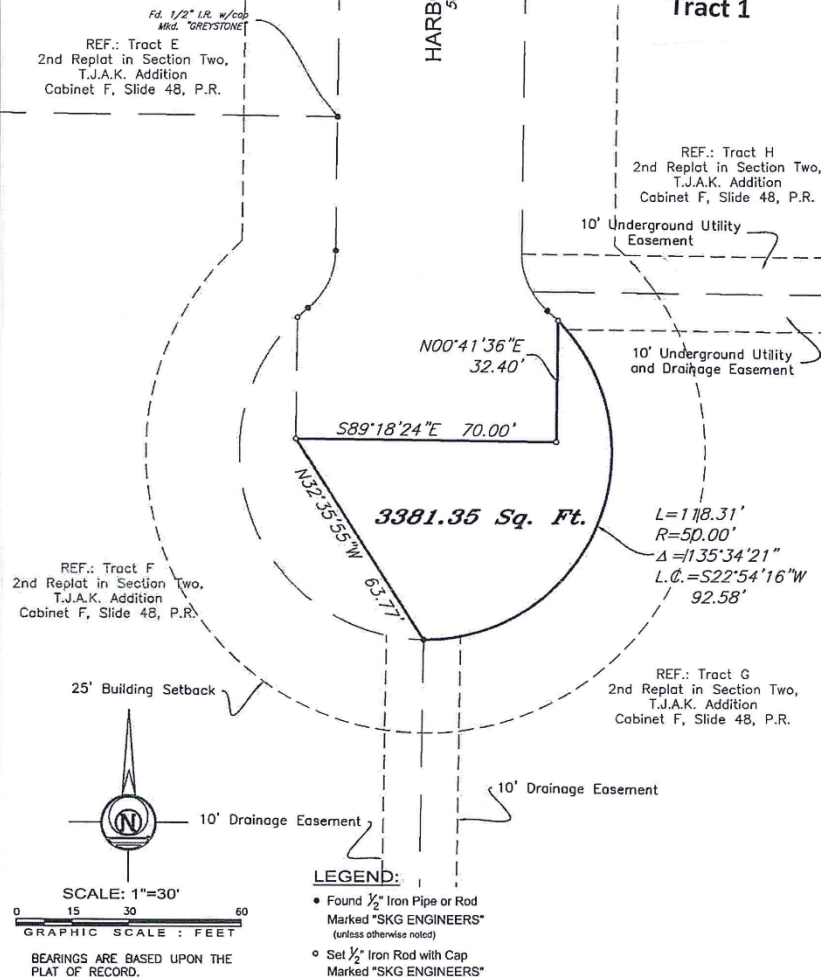


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THIS SURVEY IS PROTECTED BY ALL APPLICABLE STATE AND FEDERAL COPYRIGHT LAWS. THIS SURVEY IS VOID WITHOUT AN ORIGINAL SIGNATURE AND SEAL.

Exhibit "A"
Page 2 of 4

Tract 1

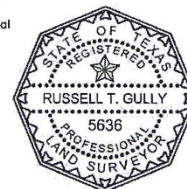


PLAT SHOWING A SURVEY OF 3381.35 SQUARE FEET OUT OF HARBOR COURT RIGHT-OF-WAY, 2ND REPLAT IN SECTION TWO, T.J.A.K. ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS.

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

Surveyed on the ground July 5, 2018.

Russell T. Gully
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636



SKG ENGINEERING, LLC FIRM NO.: 10102400 - 706 S. ABE STREET, SAN ANGELO, TEXAS 76903 18-E-0794

FIELD NOTES

Tract 2

1515.82 Square Feet

July 5, 2018
18-S-0794w

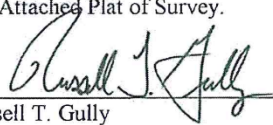
Being an area of 1515.82 Square Feet of land out of Harbor Court Right-of-Way, 2nd Replat in Section Two, T.J.A.K. Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet F, Slide 48, Plat Records of Tom Green County, Texas and said 1515.82 Square Feet tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the south corner of this tract and the common corner of certain Tract G and Tract F of said T.J.A.K Addition and being in the south line of said Harbor Court;

Thence with the west or southwest line of this tract and said Harbor Court, with a curve to the right, having a radius of 50.00 feet, central angle for this part traversed of 135° 34' 43", arc length of 118.31 feet and whose long chord bears N. 21° 31' 19" W. 92.58 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" set for the end of this curve for the north corner of this tract;

Thence with the east line of this tract and across said Harbor Court, S. 00° 41' 36" W. 32.40 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" set for angle corner, S. 32° 35' 55" E. 63.77 feet to the place of beginning and containing an area of 1515.82 Square Feet of land.

See Attached Plat of Survey.



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

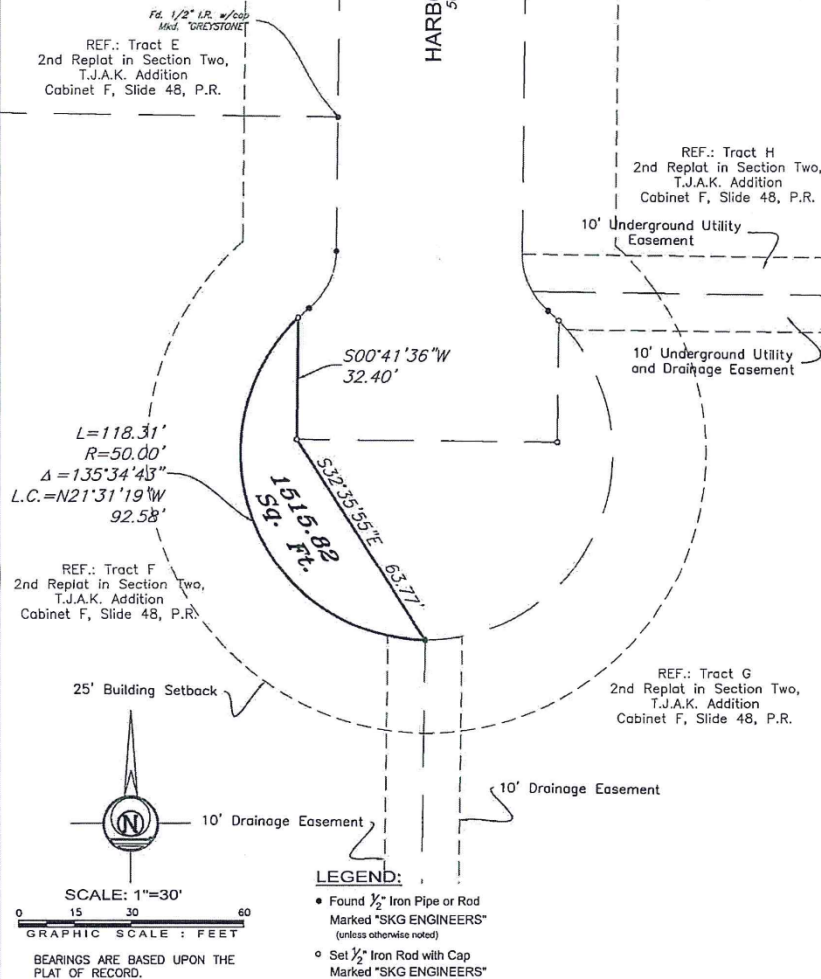


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Exhibit "A"
Page 4 of 4

Tract 2



PLAT SHOWING A SURVEY OF 1515.82 SQUARE FEET OUT-
OF HARBOR COURT RIGHT-OF-WAY, 2ND REPLAT IN
SECTION TWO, T.J.A.K. ADDITION, CITY OF SAN ANGELO, TOM
GREEN COUNTY, TEXAS.

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

Surveyed on the ground July 5, 2018.

Russell T. Gully
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636



SKG ENGINEERING, LLC FIRM NO.: 10102400 - 706 S. ABE STREET, SAN ANGELO, TEXAS 76903

18-E-0794

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, Engineering Services, X1413

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

Consider a resolution related to the Chadbourne Street project RFQ for Professional Services to complete construction documents in phases - (Presentation made by Assistant City Manager Rick Weise)

Summary/History:

In response to a call for projects under the Transportation Alternative Set-Aside (TA Set-Aside) Program by the Texas Department of Transportation (TxDOT), the San Angelo City Council authorized submission of a proposed Chadbourne Street project on May 16, 2017.

The TA Set-Aside program, as administered by TxDOT, provides funding to construct a variety of alternative transportation projects that improve mobility for non-motorized users, bicycles, non-driver infrastructure, public transportation access, and Safe Routes to School. The TA Set-Aside Program funds administered by TxDOT are for construction activities only. The project sponsor (City) must commit to providing a local funding match of at least 20% of the allowable construction and department oversight costs. Although authorized by City Council for a 30% match in order to increase success odds, a local match of 25% was actually used for the grant application.

While initially authorized to apply for Chadbourne funding from West 6th Street to the Concho River, a decision was made to break the project into 3 Phases and to apply for only Phase A. This decision was made after receiving input and advice from the State TA Set-Aside administrative office. While improvements for Phase A still include new sidewalks, ADA accessibility, adding a shared-use vehicle/bicycle lane, and installing landscaping/lighting, the boundaries for Phase A will be from the Concho River to Beauregard Avenue along South Chadbourne Street. Additionally, the project includes an accessibility link designed to connect Chadbourne with the adjoining Concho River Trail some 25 feet below street level.

The City of San Angelo contracted with Halff Associates, INC., for the planning and engineering services associated with the street design, as well as conceptual design, cost estimates, public engagement, and submittal of the TA Set-Aside Program application to TxDOT for the non-motorized streetscape portion of the project.

Phase A of the Chadbourne Street Corridor Project includes both street and motorized/non-motorized transportation alternatives and is estimated to cost approximately \$7,827,970 if implemented within a 3-year time frame. Final plans for the project must be submitted to TxDOT no later than February 2020, and the project must let by July 2020 in order to meet TxDOT grant requirements.

Since initial discussions, changes have also occurred in the proposed allocation of MPO Off System Funding. While the Local MPO had allocated \$4,000,000 over a 3 year period for this project, they are now being told by the State that Off System Projects will not be eligible for MPO funding.

A new funding and cost estimate plan has thus been developed and is being presented for consideration and approval.

Financial Impact:

See Attachment B_TA SetAside Proposed Funding Plan

Other Information/Recommendation:

Staff recommends:

1. Endorsing new funding plan as detailed in Attachment B, allowing work to begin on Phase A, and remaining funds of \$3,314,877 to be utilized for:

a) Phase A construction if needed

b) Design/Construction drawings for Phase B and possibly Phase C (Completion of this work will allow for a shovel ready project, increasing chances to obtain future grant allocations for Phases B&C. Plans are to submit a second TA Set-Aside Program Grant application in 2019 if a call for proposals is received, and a required local match can be secured.

c) Local match dollars for upcoming grants

(Note: \$957,411 of the remaining funds are designated for use only within the North TIRZ zone.)

2. Authorizing staff to move forward with a RFQ to secure a firm who will work with the City to review prior design concepts for the Chadbourne corridor and complete construction documents for Phase A (River to Beauregard), Phase B (Beauregard to 2nd Street), and if funding permits, Phase C (2nd Street to Houston Harte).

(Note: The extend of phases B and C are estimates, and may adjust depending on grant and funding opportunities.)

Attachments:

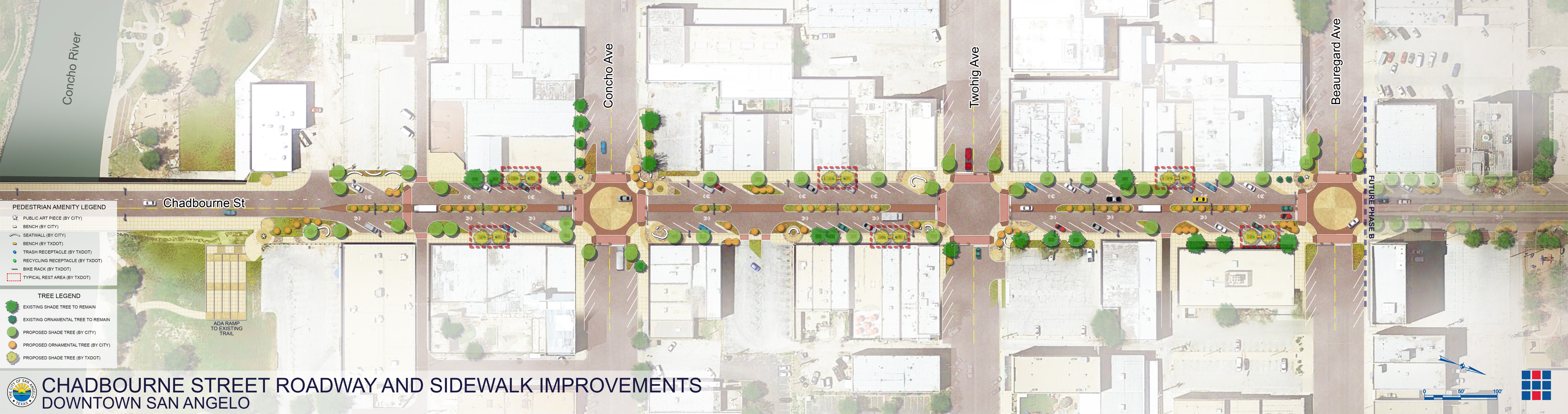
1. Chadbourne River to Beauregard Graphic	Large Board Plot.pdf
2. Attachment+A_TA+SetAside_Original+Funding+Plan	Attachment+A_TA+SetAside_Original+Funding+Plan.pdf
3. Attachment+B_TA+SetAside_Proposed+Funding+Plan	Attachment+B_TA+SetAside_Proposed+Funding+Plan.pdf
4. RESOLUTION+supporting+Funding+Plan_5_16_17	RESOLUTION+supporting+Funding+Plan_5_16_17.pdf
5. RESOLUTION+supporting+TA+application	RESOLUTION+supporting+TA+application.pdf
6. 18-621_CMO_CHADBOURNE_ST_PROJECT_RES (003)	18-621_CMO_CHADBOURNE_ST_PROJECT_RES (003).docx

Presentation:

Rick Weise

Approvals/Reviews:

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



- PEDESTRIAN AMENITY LEGEND**
- PUBLIC ART PIECE (BY CITY)
 - BENCH (BY CITY)
 - SEATWALL (BY CITY)
 - BENCH (BY TXDOT)
 - TRASH RECEPTACLE (BY TXDOT)
 - RECYCLING RECEPTACLE (BY TXDOT)
 - BIKE RACK (BY TXDOT)
 - TYPICAL REST AREA (BY TXDOT)

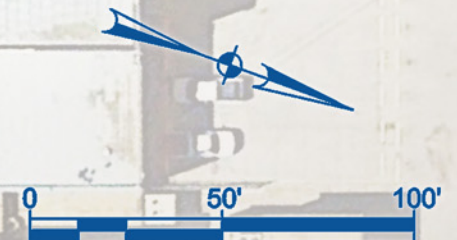
- TREE LEGEND**
- EXISTING SHADE TREE TO REMAIN
 - EXISTING ORNAMENTAL TREE TO REMAIN
 - PROPOSED SHADE TREE (BY CITY)
 - PROPOSED ORNAMENTAL TREE (BY CITY)
 - PROPOSED SHADE TREE (BY TXDOT)

ADA RAMP
TO EXISTING
TRAIL



CHADBOURNE STREET ROADWAY AND SIDEWALK IMPROVEMENTS

DOWNTOWN SAN ANGELO



Attachment A:

Original Funding Resources Approved by City Council on May 16, 2017:

	South TIRZ - 50% (First Year Commitment of 25%)	
	<u>North TIRZ - 25%</u>	
Streets:	2,500,000	
MPO:	4,000,000	(3 year allocation)
TIRZ North:	957,411	(8 year allocation of 25%)
TIRZ South:	1,125,101	(8 year allocation of 50%)
COSADC:	3,750,000	(5 year allocation of \$750,000 each year)
River:	200,000	(Complete ADA river trail - Concho Ped Bridge)
Storm Water:	300,000	(Approximate amount of project pertaining to stormwater)
Sewer Fund:	300,000	(Approximate amount of project pertaining to sewer)
Water Fund:	200,000	(Approximate amount of project pertaining to water)
HOT Fund:	50,000	(Way Finding)
TXDOT Grant:	4,925,273	
<u>Other Grants:</u>	<u>35,000</u>	<u>(Estimate of other possible grants)</u>
Estimated Total:	\$18,342,785	

Project Cost Estimates:

Project Cost	19,901,000
Projected Funding	18,342,785
City Inspection Credit	500,000
<u>Permitting Fees Credit</u>	<u>50,000</u>
Approximate Shortfall	\$1,008,215

Attachment B:

Anticipated Funding Resource Needs As Altered for Phase A Grant Application:

*** South TIRZ - 50% (First Year Commitment of 25%)

North TIRZ - 25%

	Original	Revised Phase A Funding	Remaining Funds B&C	
Streets:	\$2,500,000	\$2,500,000	\$0	
MPO:	\$4,000,000	\$0	\$0	(Change in Funding)
TIRZ North:	\$957,411	\$0	\$957,411	(8 year allocation of 25%) (Only Phase C)
TIRZ South:	\$1,125,101	\$1,125,101	\$0	(8 year allocation of 50%)
COSADC:	\$3,750,000	\$1,900,534	\$1,849,466	(\$750,000 for 5 years)
River:	\$200,000	\$0	\$0	(River Bridge Not Included)
Storm Water:	\$300,000	\$241,000	\$59,000	(Remains for Phase B&C)
Sewer Fund:	\$300,000	\$101,000	\$199,000	(Remains for Phases B&C)
Water Fund:	\$200,000	\$0	\$200,000	(Remains for Phases B&C)
HOT Fund:	\$50,000	\$0	\$50,000	(\$50,000 Remains for Phases B&C)
TXDOT Grant:	\$4,925,273	\$1,960,335	\$0	(Approved Grant Allocation)
Other Grants:	\$35,000	\$0	\$0	(No other grants anticipated at this time)
Est. Total:	\$18,342,785	\$7,827,970	\$3,314,877	

New Project Estimates:

Projected Funding	\$11,142,847
Project Cost Phase A	<u>\$7,827,970</u>
Balance Remaining	\$3,314,877
Phases B&C	

#2017-05-076

**A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL
APPROVING THE FUNDING PLAN FOR CITY OF SAN ANGELO
CHADBOURNE STREET PEDESTRIAN CORRIDOR PROJECT.**

WHEREAS, the City of San Angelo five year Capital Improvement Plan (CIP) includes street improvements on Chadbourne Street, from Houston Hart to Washington streets; and,

WHEREAS, the City of San Angelo desires to include within the scope of its CIP for improvements relating to Chadbourne Street, certain pedestrian infrastructure, including on and off-road pedestrian and bicyclist accommodations; and,

WHEREAS, the City of San Angelo anticipates funding to be received for the project from the Metropolitan Planning Organization, the TIRZ North and the TIRZ South, the COSADC, and various sources of grants.

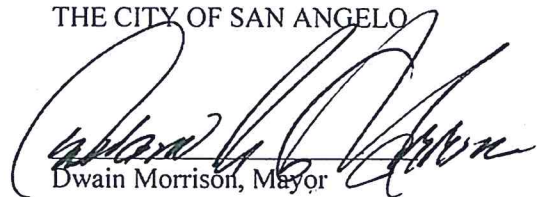
WHEREAS, the City Council for the City of San Angelo supports this project through the allocation of City funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

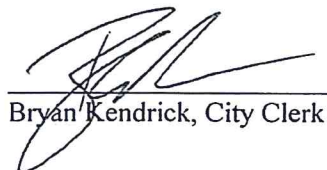
The City of San Angelo supports funding this project through the expenditure of funds as depicted in the funding plan attached as Exhibit A to this resolution.

PASSED, APPROVED, and ADOPTED on this the 16th day of MAY, 2017.

THE CITY OF SAN ANGELO


Dwain Morrison, Mayor

ATTEST:


Bryan Kendrick, City Clerk

APPROVED AT TO FORM:

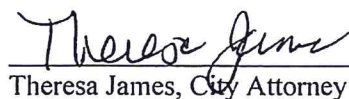

Theresa James, City Attorney

Exhibit "A"

Chadbourne Street Project

Estimated Funding:

S. TIRZ - 50% ***
N. TIRZ - 25%

Streets	2,500,000.00	
MPO	4,000,000.00	
TIRZ North	957,411.00	(3 year allocation)
TIRZ South	1,125,101.00	(8 year allocation of 25%)
COSADC	3,750,000.00	(8 year allocation of 50%) ***
River	200,000.00	(5 year allocation of \$750,000 each year)
Storm Water	300,000.00	(Complete ADA access along river trail)
Sewer Fund	300,000.00	(Approximate amount of project pertaining to stormwater)
Water Fund	200,000.00	(Approximate amount of project pertaining to sewer)
HOT Fund	50,000.00	(Approximate amount of project pertaining to water)
TxDOT Grant	4,925,273.00	(Way Finding)
Other Grants	35,000.00	(Estimate of other possible grants)
Estimated Total:	18,342,785.00	

Project Estimates:

Project Cost	19,901,000.00
Projected Funding	18,342,785.00
City Inspection Credit	500,000.00
Permitting Fees Credit	50,000.00
Approximate Shortfall	1,008,215.00

Shortfall to come from street funding or other sources as they become available

***First year commitment of 25%

**A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL
AUTHORIZING THE CITY'S APPLICATION TO THE TEXAS DEPARTMENT
OF TRANSPORTATION FOR ALTERNATIVES SET-ASIDE (TA Set-Aside)
FUNDING FOR CITY OF SAN ANGELO CHADBOURNE STREET
PEDESTRIAN CORRIDOR PROJECT.**

WHEREAS, the City of San Angelo five year Capital Improvement Plan (CIP) includes street improvements on Chadbourne Street, from Houston Hart to Washington streets; and,

WHEREAS, the City of San Angelo desires to include within the scope of its CIP for improvements relating to Chadbourne Street, certain pedestrian infrastructure, including on and off-road pedestrian and bicyclist accommodations; and,

WHEREAS, prior to May 22, 2017, the City of San Angelo intends to submit a transportation alternative project application to the Texas Department of Transportation under its Transportation Alternatives Set-Aside (TA Set-Aside) Program for areas of 200,000 or less population for a grant funding the Chadbourne Street Pedestrian Corridor Project; and,

WHEREAS, a City Council resolution of support is required as part of the application process in response to the Texas Department of Transportation, Transportation Alternatives Set-Aside Call for Project applications; and,

WHEREAS, the City of San Angelo Development Corporation has resolved by resolution adopted on February 22, 2017, to provide funding in an amount not to exceed \$100,000, in support of the City's application; and,

WHEREAS, the City of San Angelo Tax Increment Financing Zone Board has resolved by resolution adopted on February 28, 2017, to provide funding in an amount not to exceed \$50,000, in support of the City's application; and,

WHEREAS, the City Council for the City of San Angelo shall provide additional sources of funding in support of the application;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

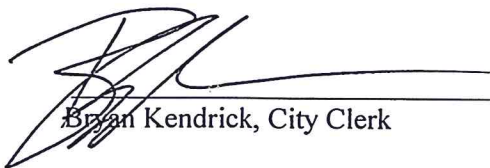
- Section 1. The foregoing recitals are true and correct and are adopted as a part of this Resolution.
- Section 2. The City of San Angelo supports funding this project as described in the 2017 TA Set-Aside Nomination Form (including the construction budget, the department's 15% administrative cost, and a 30% local match) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing.

- Section 3. The City of San Angelo will serve as the public sponsor and lead project contact on this project.
- Section 4. The City of San Angelo is willing and able to enter into an agreement with the Texas Department of Transportation by resolution or ordinance, should the project be selected for funding.
- Section 5. The City of San Angelo will designate a Responsible Person in Charge, a Project Manager, and a Qualified Person before beginning any work on the project.

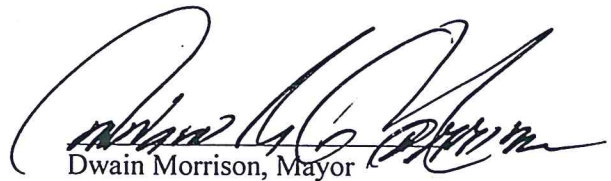
PASSED, APPROVED, and ADOPTED on this the 16th day of May, 2017.

ATTEST:

THE CITY OF SAN ANGELO

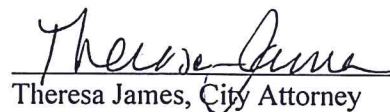


Bryan Kendrick, City Clerk



Dwain Morrison, Mayor

Approved As to Form:



Theresa James, City Attorney

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADVANCE FUNDING AGREEMENT (“AFA”) WITH TXDOT; APPROVING AN AMENDED FUNDING PLAN FOR CITY OF SAN ANGELO CHADBOURNE STREET PEDESTRIAN CORRIDOR PROJECT; AUTHORIZING THAT THE PROJECT PROCEED IN PHASES; AND, AUTHORIZING A REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES NECESSARY TO THE PROJECT

WHEREAS, the City of San Angelo five year Capital Improvement Plan (CIP) includes street improvements on Chadbourne Street, from Houston Hart to Washington streets; and,

WHEREAS, on May 16, 2017, the City Council adopted a resolution approving a Funding Plan for the Chadbourne Street Pedestrian Corridor Project that supplements funding from the Texas Department of Transportation (TxDOT), Transportation Alternatives Set-Aside Program; and,

WHEREAS, on October 26, 2017, via Minute Order 115076, the Texas Transportation Commission authorized the Chadbourne Street Pedestrian Corridor project (the “Project”) to receive Transportation Alternatives Set-Aside (TASA) funds for project construction and Texas Department of Transportation (TxDOT or the State) oversight; and

WHEREAS, the TASA funds require a local match, the City of San Angelo commits to provide the match. The local match is comprised of cash, plus in-kind contributions, if any; and

WHEREAS, the City of San Angelo is responsible for all non-reimbursable costs and 100% of overruns, if any; and

WHEREAS, the Governing Body of the City of San Angelo desires to reaffirm its support of the Project and approve and authorize the execution of an Advance Funding Agreement (AFA) with TxDOT for the Project.

WHEREAS, other proposed funding sources have failed to materialize and the resulting shortfall requires amendment to the adopted Funding Plan; and,

WHEREAS, as a result of the funding limitations, City staff desire to proceed with the Project in Phases, commencing with Phase “A” , being from Concho River to Beauregard Avenue along South Chadbourne Street, plus an accessibility link designed to connect Chadbourne Street with the Concho River Trail; and,

WHEREAS, final plans for the Project Phase “A” must be submitted to TxDOT no later than February 2020, with contracts let on or before July 2020, which will require publication of a Request for Qualifications for engineering-architectural professional services; and,

WHEREAS, the City Council for the City of San Angelo supports this project through the allocation of grant and City funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

1. That the City Manager is hereby authorized to enter into an AFA with TxDOT for the Chadbourne Street Pedestrian Corridor Project.
2. The City of San Angelo Chadbourne Street Pedestrian Corridor Project Funding Plan adopted on May 16, 2017 by City Council Resolution is hereby amended by restating the Funding Plan as set forth in **Exhibit “A” Revised**, attached to and made a part of this resolution, subject to future amendment for additional funding.
3. Staff is authorized to issue a request for qualifications for engineering-architectural professional services for the Project.
4. Staff is authorized to develop construction plans and environmental clearance documentation/certification and construct the project in three phases.
5. Upon selection of the engineer/architect, staff shall bring the project back to Council to approve a scope of services and a fee. The scope would include at a minimum the development of construction plans and environmental clearance documentation/certification for Phase “A”, which includes the integration of existing design concepts into the plan; development of construction plans and environmental clearance documentation/certification for the Project from Concho River to Beauregard Avenue along South Chadbourne Street; development of construction plans and environmental clearance documentation/certification for an accessibility link designed to connect Chadbourne Street with the Concho River Trail; and the development of plans and burial of lines and historic lighting for the entire corridor. At that time Council may choose to authorize complete development of construction plans and environmental clearance documentation/certification for phases B and C.
6. After the development of construction plans for the approved phases is completed, a request for bids for the construction of the project will be advertised. Once construction bids are received, they will be brought back to Council for review and decisions on how to proceed.
7. The following 3 members of Council will provide guidance on the project to staff and the selected professional:
 - 1.
 - 2.
 - 3.

PASSED, APPROVED, and ADOPTED on this the 1st day of May, 2018.

THE CITY OF SAN ANGELO

Attest: _____
Bryan Kendrick, City Clerk

Brenda Gunter, Mayor

Approved As to Form:

Theresa James, City Attorney

Exhibit "A" Revised

Anticipated Funding Resource Needs As Altered for Phase A Grant Application:

*** South TIRZ - 50% (First Year Commitment of 25%)

North TIRZ - 25%

	Original	Revised Phase A Funding	Remaining Funds B&C	
Streets:	\$2,500,000	\$2,500,000	\$0	
MPO:	\$4,000,000	\$0	\$0	(Change in Funding)
TIRZ North:	\$957,411	\$0	\$957,411	(8 year allocation of 25%) (Only Phase C)
TIRZ South:	\$1,125,101	\$1,125,101	\$0	(8 year allocation of 50%)
COSADC:	\$3,750,000	\$1,900,534	\$1,849,466	(\$750,000 for 5 years)
River:	\$200,000	\$0	\$0	(River Bridge Not Included)
Storm Water:	\$300,000	\$241,000	\$59,000	(Remains for Phase B&C)
Sewer Fund:	\$300,000	\$101,000	\$199,000	(Remains for Phases B&C)
Water Fund:	\$200,000	\$0	\$200,000	(Remains for Phases B&C)
HOT Fund:	\$50,000	\$0	\$50,000	(\$50,000 Remains for Phases B&C)
TXDOT Grant:	\$4,925,273	\$1,960,335	\$0	(Approved Grant Allocation)
<u>Other Grants:</u>	<u>\$35,000</u>	<u>\$0</u>	<u>\$0</u>	(No other grants anticipated at this time)
Est. Total:	\$18,342,785	\$7,827,970	\$3,314,877	

New Project Estimates:

Projected Funding	\$11,142,847
<u>Project Cost Phase A</u>	<u>\$7,827,970</u>
Balance Remaining	\$3,314,877
Phases B&C	

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Coordinator, Budget, 325-657-6291

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects, grants, reimbursements, and donations - (Presentation made by Finance Director Tina Dierschke)

Summary/History:

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

- Development services training and site plan review fees
- Engineering computer equipment and cell nodes revenue
- River Bank Stabilization Project
- Indigent Cremation reimbursement
- Airport roof repair
- Aetna wellness incentive
- Coliseum LED lighting reimbursement
- Fort Concho capital needs
- Service line water royalties
- Homebuyer funds reimbursement
- Passenger Facility Charge local grant match
- Airport Master Plan grant
- Airport Rehabilitation grant
- Citizen contribution for spay/neuter assistance
- Industrial Park improvements grant

Financial Impact:

\$3,988,216 (see attached detail on Exhibit A of the ordinance).

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|--------------------------|------------------------------|
| 1. | Ordinance 7-17-18 | Ordinance 7-17-18.docx |
| 2. | ALL+BA+Memos+7-17-18 (1) | ALL+BA+Memos+7-17-18 (1).pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle

Tina Dierschke

Theresa James

Becky Dunn

Bryan Kendrick

Created/Initiated

Approved

Approved

Approved

Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2017, AND ENDING SEPTEMBER 30, 2018, CAPITAL
PROJECTS, GRANTS, REIMBURSEMENTS, AND DONATIONS.**

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2017-2018 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 17th day of July, 2018, and APPROVED and ADOPTED on this the 7st day of August.

ATTEST:

CITY OF SAN ANGELO, TEXAS

Bryan Kendrick, City Clerk

Brenda Gunter, Mayor

Approved as to Content and Form:

Tina Dierschke, Finance Director

**City of San Angelo
Proposed Budget Amendment
Exhibit A**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
General Fund	\$256,000.00	\$256,000.00	\$-
Intergovernmental Fund	\$900.00	\$900.00	\$-
State Office Building Fund	\$-	\$-	\$-
Airport Fund	\$60,829.00	\$60,829.00	\$-
Stormwater Fund	\$-	\$125,000.00	\$(125,000.00)
Health Insurance Fund	\$10,000.00	\$10,000.00	\$-
Civic Events Fund	\$7,000.00	\$7,000.00	\$-
Fort Concho Fund	\$70,000.00	\$70,000.00	\$-
Community Development Block Grant Fund - Current year	\$15,656.00	\$15,656.00	\$-
HOME Fund - Current year	\$11,002.00	\$11,002.00	\$-
General Capital Project Fund	\$-	\$60,829.00	\$(60,829.00)
Airport Passenger Facility Fee Fund	\$-	\$192,000.00	\$(192,000.00)
Airport FAA Project Fund	\$1,920,000.00	\$1,920,000.00	\$-
Citizen Donation Fund	\$9,000.00	\$9,000.00	\$-
Development Corporation	\$1,250,000.00	\$1,250,000.00	\$-
	\$3,610,387	\$3,988,216	\$(377,829)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Training	Site plan review fees	\$3,000	\$3,000	\$-
Computer Equipment	Cell tower node	\$3,000	\$3,000	\$-
River Bank Stabilization Project	Stormwater fund balance/ Sales tax revenue	\$250,000	\$375,000	\$(125,000)
Indigent Cremation	Reimbursement	\$900	\$900	\$-
Airport Roof Repair	General Capital Projects fund balance	\$60,829	\$121,658	\$(60,829)
Wellness Incentive	Aetna	\$10,000	\$10,000	\$-
Coliseum LED lighting	Reimbursement from Rodeo Association	\$7,000	\$7,000	\$-
Fort Concho Capital Needs	State Office Capital	\$70,000	\$70,000	\$-
Repairs	Water Royalties	\$15,656	\$15,656	\$-
Home Buyer Funds	Reimbursement	\$11,002	\$11,002	\$-
Local match	Passenger Facility Fee Fund	\$-	\$192,000	\$(192,000)
Airport Master Plan	FAA Grant/PFC	\$825,000	\$825,000	\$-
Airport Rehabilitation	FAA Grant/PFC	\$1,095,000	\$1,095,000	\$-
Spay/neuter assistance	Citizen Contribution	\$9,000	\$9,000	\$-
Industrial Park Improvements	Economic Development Administration Grant	\$1,250,000	\$1,250,000	\$-
		\$3,610,387	\$3,988,216	\$(377,829)

Memo

To: Tina Dierschke, Finance Director
From: Jon James, Director, Planning & Development Services
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for new site plan review fees that were adopted during the fee review process and additional training for software.



Source of Funding:

Site plan review fees

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

Fees were approved on March 20, 2018.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
General Fund: Development Svcs			0
Revenue	0	3,000	3,000
Expense	3,000	3,000	6,000
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Russell Pehl, City Engineer

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for revenue from cell towers and corresponding expense to purchase computer equipment.

Source of Funding:

Mobilitie cell towers

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

N/A

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
General Fund - Engineering			0
Revenue	4,500	3,000	7,500
Expense	4,500	3,000	7,500
			0
			0
			0

Additional Comments:

We would like the revenue from the permit fees and annual rental of the small cell towers to use to purchase needed office equipment (computers etc).

Memo

To: Tina Dierschke, Finance Director
From: Carl White, Director of Parks and Recreation
Date: July, 17 2018
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Provide matching funds for a TCEQ grant to continue bank stabilization work as directed by City Council

Source of Funding:

Storm Water fund balance, Sales Tax Surplus, TCEQ Grant

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

Consensus of City Council at the May 15, 2018 meeting

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Stormwater Fund:			
Transfer out Expense	0	125,000	125,000
General Fund:			
Transfer in Revenue	0	125,000	125,000
Sales Tax Revenue	17,000,000	125,000	17,125,000
Bank Stabilization Expense	0	250,000	250,000

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Bob Salas, Director, Neighborhood & Family Services
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Reflect reimbursement received for Indigent Cremation Program.

Source of Funding:

Reimbursement of funds.

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Social Services			0
Revenue:			0
Social Services	96,170	900	97,070
Expense:			0
Indigent Care	22,764	900	23,664
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Mitch Sprunger, Interim Airport Director

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for roof repairs on the Customs Building at the Airport and for legal expenses related to the Templeton project.

Source of Funding:

General Capital Projects fund balance

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
General Capital Projects:			0
Transfer out	0	60,829	60,829
			0
Airport Fund: Revenue	0	60,829	60,829
Roof Repairs Expenses	0	44,295	44,295
Legal Expenses	0	16,534	16,534

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Lisa Marley, Director of Human Resources
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Increase budget for Aetna Health Insurance Wellness Incentive

Source of Funding:

Aetna Health Insurance

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Reimbursed Expenses	310,000	10,000	320,000
Expense:			0
Special Services	96,000	10,000	106,000
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Don Maynard, Budget & Finance Analyst

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Deposit \$7,000 from San Angelo Stock Show & Rodeo Association for partial payment of Coliseum area LED lights into Capital account.

Source of Funding:

San Angelo Stock Show & Rodeo Association.

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

City Council approved on March 6, 2018 for LED lighting at the Coliseum.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Reimbursed Expenses	17,000	7,000	24,000
Expense:			0
Improvements Not Bldg.	471,944	7,000	478,944
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Robert F. Bluthardt, Site Manager/ Fort Concho
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To fund deferred building maintenance issues such as column and fascia board replacement and fire protection replacement at Fort Concho.

Source of Funding:

State Office Capital.

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

Concept discussed and approved by City Manager on June 21, 2018.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
State Office:			0
Capital	322,576	-70,000	252,576
Transfer out	0	70,000	70,000
Fort Concho:			0
Revenue	0	70,000	70,000
Capital expense	0	70,000	70,000

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Mauri Rodriguez, Sr. Program Coordinator

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Increase revenue & expenditures by amount of Service Line Water Royalties.

Source of Funding:

Service Line Water Royalties.

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Community Development			0
Revenue:			0
Royalties	0	15,656	15,656
Expense:			0
Special Project "A"	0	15,656	15,656
			0

Additional Comments:

Warranty program royalties to be used for emergency repairs.

Memo

To: Tina Dierschke, Finance Director

From: Mauri Rodriguez, Sr. Program Coordinator

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Increase Home Buyer Program budget to account for repaid funds from a buyer who sold their home prior to the five year affordability period.

Source of Funding:

Revenue was received as program income from external participants.

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
HOME Fund - Current year			0
Revenue	0	11,002	11,002
Expense	114,882	11,002	125,884
			0
			0
			0

Additional Comments:

Memo

To: Budget Staff
From: Mitch Sprunger, Interim Airport Director
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the matching PFC contribution for the new grants at the Airport.

Source of Funding:

The grants under the Federal Aviation Administration's Airport Improvement Program require a 10% match from the City generated from the airport's

Passenger Facility Charges.

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

Grant will be accepted by council on the August 7, 2018 meeting.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Expense			0
Airport Master Plan	0	82,500	82,500
Rehabilitation	0	109,500	109,500
			0
			0
			0

Additional Comments:

Memo

To: Budget Staff
From: Mitch Sprunger, Interim Airport Director
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the new grant to update the Airport Master plan.

Source of Funding:

This grant is under the Federal Aviation Administration's Airport Improvement Program, which covers 90% through federal funds. The remaining 10% match from the city is generated from the airport's Passenger Facility Charges.

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

Grant will be accepted by council on the August 7, 2018 meeting.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue			0
FAA Grant Income	0	742,500	742,500
PFC Match	0	82,500	82,500
Expense			0
Airport Master Plan	0	825,000	825,000
			0

Additional Comments:

Memo

To: Budget Staff
From: Mitch Sprunger, Interim Airport Director
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget the new grants for commercial apron rehabilitation and runway 18-36 rehabilitation.

Source of Funding:

This grant is under the Federal Aviation Administration's Airport Improvement Program, which covers 90% through federal funds. The remaining 10% match from the city is generated from the airport's Passenger Facility Charges.

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

Grant will be accepted by council on the August 7, 2018 meeting.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue			0
FAA Grant Income	0	985,500	985,500
PFC Match	0	109,500	109,500
Expense			0
Rehabilitation Expenses	0	1,095,000	1,095,000
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Morgan Chegwiddden, Assistant Director of Neighborhood 
Date: 07/17/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To capture donated funds designated for spay/neuter assistance for future programming.

Source of Funding:

Citizen contributions.

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

No.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Donations	0	9,000	9,000
Expense:			0
General Supplies	12,703	9,000	21,703
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Nora Nevarez, Executive Office Coordinator

Date: 07/17/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for new grant funds not to exceed \$1.25 million for infrastructure improvements at the Industrial Park.

Source of Funding:

Economic Development Administration (EDA) Grant

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

Council approved on January 9, 2018.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Development Corporation Grant			0
Revenue	0	1,250,000	1,250,000
Expense	0	1,250,000	1,250,000
			0
			0
			0

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: July 17, 2018

Item type: Regular Item

Caption:

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

Summary/History:

Sales Tax Revenue has performed as follows this fiscal year:

October - increase of 14.77%
November - increase of 7.03%
December - increase of 17.48%
January - increase of 12.46%
February - increase of 19.71%
March - increase of 14.93%
April - increase of 8.67%
May - increase of 10.45%
June - increase of 4.82%
July - increase of 13.77%

Year to date, revenue is approximately \$1,323,909 more than budgeted.

Financial Impact:

Sales Tax revenue for fiscal year 2018 is over year-to-date budget by 9.43% and \$1,323,909 after July 2018 receipts.

Other Information/Recommendation:

Attachments:

- | | |
|--------------------------------|------------------------------|
| 1. Sales Tax Update Powerpoint | 180717 Sales Tax Update.pptx |
|--------------------------------|------------------------------|

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council

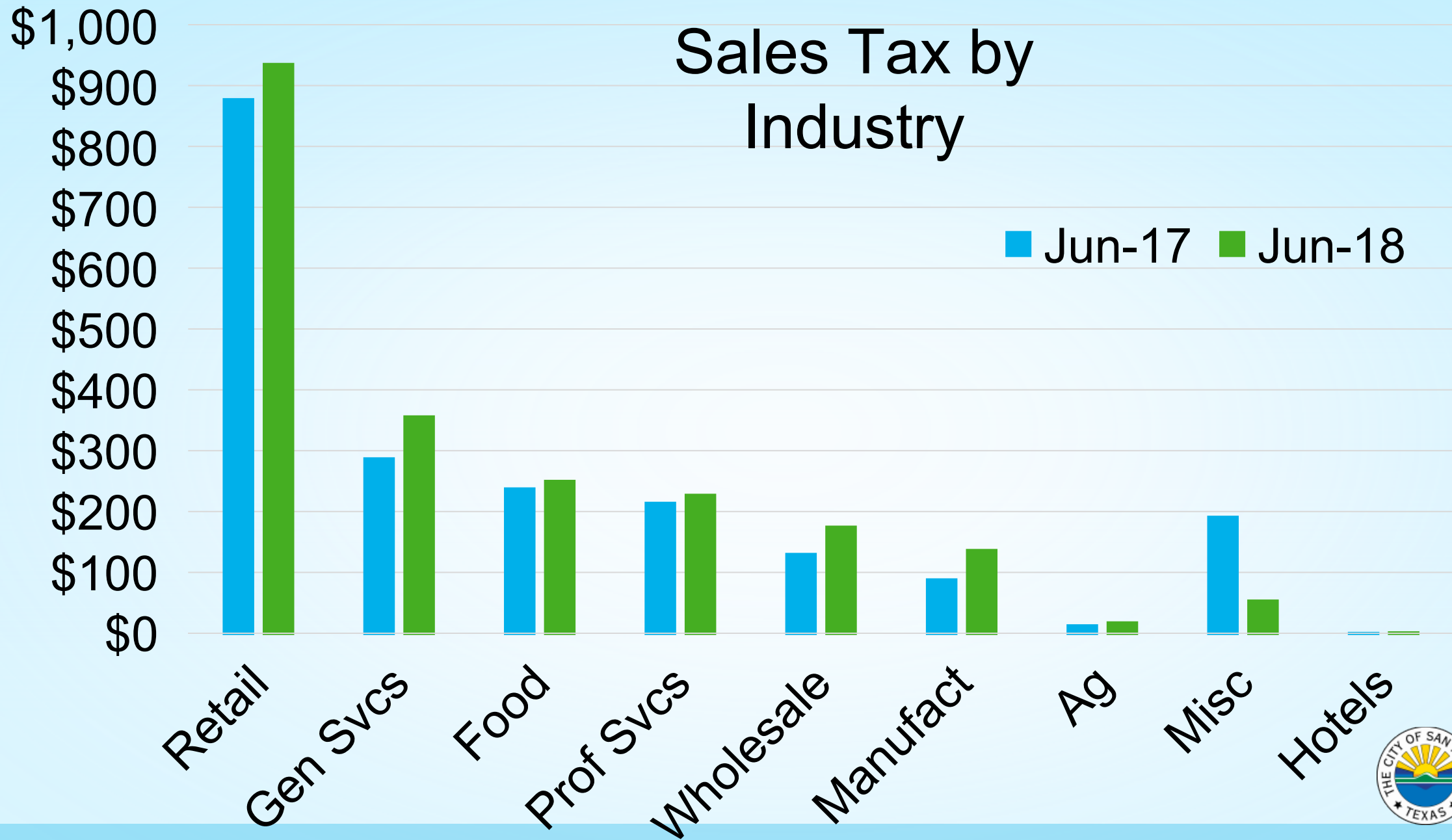
July 17, 2018



Sales Tax Revenue

- Up 13.77% in July compared with the same month in prior year
- Collections for July are \$210,262 over the original monthly budget
- Over budget for revenue by \$1,323,909 year to date







City Council

July 17, 2018

