



City Council Agenda 09/18/2018

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on September 18, 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. Proclamation of October 7-13, 2018 as Fire Prevention Week
- b. Proclamation of October 1, 2018 as World Habitat 2018 and Affordable Housing Day
- c. Recognition of Julia Antilley's underwriting of Orange Cat adoptions at the Animal Shelter
- d. Texas Film Commission presentation on San Angelo's Film Friendly Designation and recognition of CVB Vice President Diann Bayes and City Manager Daniel Valenzuela for their efforts related to the Film Friendly Program

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 September 4, 2018 City Council regular meeting minutes (Antilley)
- b. Consider authorizing the sole source purchase of Hydra-Stop Insta-Valve tapping machine in the amount of \$67,214 plus delivery, budgeted in FY18 Water Capital Funds and authorizing the City Manager to execute any related documents (Overstreet)
- c. Consider authorizing the San Angelo Fire Department to accept and execute an Assistance to Firefighter's Grant for \$254,991 to install diesel exhaust systems in 6 fire stations, the matching portion for the city is \$23,181 (Dunn)
- d. Consider acceptance of vehicle extrication equipment received by the San Angelo Fire Department from the Firehouse Subs Foundation grant. This equipment consists of extrication tools, portable scene lights, collapsible chocks, airbag controller and accessories valued at \$24,487.75 (Dunn)
- e. Consider adopting resolutions authorizing the adoption of Investment Policies for the City of San Angelo, Lake Nasworthy, and COSADC (Dierschke)

- f. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018 for equipment replacement, grants, reimbursed expenses, and obligations (Dierschke)
- g. Consider a resolution regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its statement of intent filed around June 1, 2018 (T. James)

7. Regular Agenda

- a. Consider adopting a resolution relating to a public hearing and approving financing by Orchard Cultural Education Facilities Finance Corporation for the benefit of Baptist Memorials Ministries and related matters - (Presentation made by Orrick Public Finance Senior Associate Amanda Stephens)
- b. Consider a resolution authorizing the City Manager to execute a second amendment to the Texas Parks and Wildlife State Boating Access Program 75% matching fund reimbursement grant program agreement and related documents that will require 25% matching funds for the construction and renovation of boat ramps and related facilities at Lake Nasworthy and Middle Concho Park - (Presentation made by Parks and Recreation Director Carl White)
- c. First reading and public hearing of ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)
- d. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" - (Presentation made by Planning & Development Services Director Jon James)
- e. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the City is required - (Presentation made by Planning and Development Services Director Jon James)
- f. First reading and public hearing of ordinances approving:
 - 1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street
 - 2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street - (Presentation made by Planning & Development Services Director Jon James)
- g. Final reading and public hearing on an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, or alternatively to the Planned Development (PD18-04) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James)

- h. Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$626,546 (1.67%), and of that amount, \$383,414 is tax revenue to be raised from new property added to the tax roll - (Presentation made by Finance Director Tina Dierschke)
- i. Final public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2018 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2018-2019 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation made by Finance Director Tina Dierschke)
- j. Update on Sales Tax revenue performance - (Presentation made by Finance Director Tina Dierschke)
- k. Discussion regarding the use of fiscal year 2018 sales tax revenue surplus - (Presentation made by Finance Director Tina Dierschke)
- l. Consider a resolution enacting Standard Conservation Level of the City's Water Conservation/Drought Contingency Plan - (Presentation made by Water Utilities Director Allison Strube)

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. Lake Nasworthy residential lots
 - 2. Lot 9D, Block 2, Section 9A, Red Arroyo Hills Addition
 - 3. Lease at San Angelo Regional Airport
- 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 Supply
 - 2. West Texas Water Partnership

9. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Consider approving various board nominations:
Design and Historic Review Commission: James Thomas (SMD2/Historian) to an unexpired term ending September 2019 and Lisa Wallace (SMD5/Designer) to an unexpired term ending September 2019

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 14th day of September 2018, at 4:15 p.m.

Bryan Kendrick, City Clerk

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

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

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

Proclamation

Fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at the greatest risk from fire.

Fire departments in the United States respond to nearly 400,000 home fires in a single year.

San Angelo residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes.

The fire service of San Angelo is dedicated to the safety of life and property from the devastating effects of fire, and they are joined by other emergency service providers, businesses, safety advocates, schools, and service clubs.

Now, therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the week of October 7-13, 2018 as

FIRE PREVENTION WEEK

and call upon the people of San Angelo to participate in fire prevention activities at home, work, and school, and practice home fire safety especially this week which commemorates the great Chicago Fire of 1871 which killed 250 persons, left 100,000 homeless, and destroyed 17,400 buildings.

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 18th day of September, 2018.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

On Monday, October 1, 2018, Habitat for Humanity of San Angelo will join with partners around the world in raising awareness, educating, and mobilizing individuals and communities to take action on the current global housing crisis.

Habitat for Humanity of San Angelo joins our partners to rededicate ourselves to recognizing the basic right of everyone to adequate shelter. We ask everyone to join together as one global network in communicating the message that every one of us deserves the opportunity for a better future. A decent place to live can remove barriers to opportunity, health and success for growing families now and for generations to come.

Habitat for Humanity began in 1976 as a grassroots effort on a community farm in southern Georgia. The Christian housing organization has since become a leading global nonprofit, working in more than 1,300 communities throughout the U.S and in more than 70 countries.

Families and individuals in need of a hand up partner with Habitat for Humanity to build, or improve, a place they can call home. Habitat homeowners help build their home alongside volunteers and pay an affordable mortgage. Everyone can help families achieve the strength, stability and self-reliance they need to build better lives for themselves.

Locally, Habitat for Humanity of San Angelo, Galilee Community Development Corporation, and the City of San Angelo stand together to help ensure we can all provide affordable housing throughout our community. Through shelter, we empower.

Now, therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim Monday, October 1, 2018 as

World Habitat Day 2018 & Affordable Housing Day

and call upon the people of San Angelo to realize the positive impact affordable housing has on 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 18th day of September, 2018.

Brenda Gunter
Mayor of the City of San Angelo

Recognition

For the past year, Deputy City Clerk Julia Antilley has been on a mission to provide a home for every orange cat at the City of San Angelo's Animal Shelter. Thanks to her efforts, 27 copper-colored felines have found new families ... at no cost to the adopters.

Julia's love for orange cats dates back to her childhood pet Cougar. More recently, she adopted Cougar 2.0 from the Animal Shelter, and confesses to being madly in love with him. Wanting others to experience the joy of a cat with carrot coloring, she agreed to underwrite the \$50 cost for anyone who adopts a Morris lookalike from the shelter. To date, she has invested over \$1,300 in her campaign.

It's worth noting that another cat lover offers the same deal for any gray tabby at the shelter. The \$50 adoption cost includes the new pet being spayed or neutered, microchipped and vaccinated against rabies.

For her efforts, we think Julia is the cat's meow.

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

Julia Antilley

for her 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 18th day of September, 2018.

Brenda Gunter

Mayor of the City of San Angelo

Certificate of Recognition

The City Council of the City of San Angelo hereby recognizes and applauds

Convention and Visitors Bureau Vice President Diann Bayes

for her contributions to the City of San Angelo receiving a Film Friendly Texas Community designation.

***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 18th day of
September, 2018.***

—

Brenda Gunter
Mayor of the City of San Angelo

Certificate of Recognition

The City Council of the City of San Angelo hereby recognizes and applauds

City Manager Daniel Valenzuela

for his contributions to the City of San Angelo receiving a Film Friendly Texas Community designation.

***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 18th day of
September, 2018.***

—

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 4, 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 8:33 a.m. on Tuesday, September 4, 2018, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

An invocation was provided by Council Member Carter

3. Pledges

The San Angelo Lakers Organization - 11 year olds Michael Robinson, Jordan Sellars, Joseph Saldago, and Isaac Harding - led the pledges.

4. Proclamations/Recognitions

September 2018 was proclaimed as National Childhood Cancer Awareness Month

5. Public Comment

No public comments were made.

6. Consent Agenda

- a. Approval of the August 21, 2018 City Council regular meeting and August 28, 2018 special meeting and budget workshop minutes
- b. Authorization of the sale of the following Lake Nasworthy properties to current residential lot leaseholder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties:
 1. 1616 Canal Road (\$25,877)
 2. 2586 Sleepy Hollow (\$99,987)
 3. 2602 Sleepy Hollow (\$96,707)
- c. Acceptance of a non-warranty deed conveying to the City of San Angelo the following properties:
 1. "Park Area" as designated out of Block 3, Section 1, Meadowcreek Addition
 2. "Park Area" as designated out of Block 6, Section 1, Meadowcreek Addition
 3. "Park Area" as designated out of Block 6, Section 4, Meadowcreek Addition
 4. "Park Area" as designated out of Block 10, Section 5, Meadowcreek Addition
 5. "Park Area" as designated out of Block 22, Section 8, Meadowcreek Addition

- d. Approval of the Federal Aviation Administration's FY-2018 Grant No. 37 (AIP Project No. 3-48-0191-037-2018) for improvements at San Angelo Regional Airport and Task Order No. 110 with KSA Engineers, Inc. (awarded under AP-02-15) in the amount of \$173,000 and authorizing City Manager to negotiate and execute all related documents (Pg. 348, 2018-099)
- e. Approval of awarding RFP WU-08-18 Lake Water Pumping System to Barco Pump, budgeted in FY18 and FY19, and authorizing the City Manager to execute any related documents
- f. Approval of modifying a resolution by the City of San Angelo authorizing the City Manager or his designee to accept the Homeland Security Grant #3534001 in the amount of \$67,537.62 for a communications trailer/satellite equipment. Also, a written assurance that in the event of loss or misuse of grant funds, the governing body will return the funds to HSGD (Pg. 349, 2018-100)
- g. Second reading and adoption of an ordinance for the abandonment and vacation of a 25-foot wide, 0.162-acre (7,096-square foot) segment of the Ben Ficklin Rd public right-of-way and a 10-foot wide, 0.061-acre (2,678-square foot) public alley, located immediately east and between Lots 1-5 and 22-27 within Block 4 of the Monterrey Addition (Pg. 350, 2018-101)
- h. Second reading and adoption of ordinances approving:
 - 1. Case CP18-05, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.36 acres located at 320 W. Ave O (Pg. 355, 2018-102)
 - 2. Case Z18-14, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Office Commercial (CO) Zoning District, being 0.36 acres located at 320 W. Ave O (Pg. 358, 2018-103)

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the Consent Agenda, with the exception of item 6c. The motion carried unanimously (7) ayes to (0) nays.

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

7. Regular Agenda

- a. Discussion of possible options for the curbside recycling program and any possible amendments - (Requested by Republic Services, Presentation made by Republic Services General Manager Davy Daniel)

This item was also discussed in Closed Session under section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding item 7A Curbside Recycling Discussion.

- b. Postponement of second reading and adoption of an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, or alternatively to the Planned Development (PD18-04) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James)

Consensus: Consensus of Council was to postpone item 7b to the September 18, 2018 City Council Meeting

- c. Denial of an appeal from a denial by the Design and Historic Review Commission (DHRC) regarding exterior improvements to a building located at 220B N. Chadbourne St -
(Presentation made by Planning and Development Services Director Jon James)

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

- d. Ratification of a resolution by COSADC authorizing the use of sales and use tax funds in an amount not to exceed \$121,000 to provide master planning services for a business and industrial park located at the City of San Angelo Airport (Mathis Field) with participation by the City of San Angelo for a project authorized under Chapter 505 of the Local Government Code for Type B Development Corporations - (Presentation made by Economic Development Director Guy Andrews)

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

- e. Ratification of a resolution by COSADC authorizing the use of sales and use tax funds in an amount not to exceed \$46,435 to provide an economic development incentive to U.S. Customs and Border Protection Air and Marine Operations with participation by the City for a Project authorized under the Texas Economic Development Corporation Act -
(Presentation made by Economic Development Director Guy Andrews)

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

- f. Ratification of a resolution by COSADC making application to the City Council for approval of Second Amendment to the Articles of Incorporation providing for term limits of its board members - (Presentation made by Economic Development Director Guy Andrews)

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

- g. Discussion and action on matters related to the fiscal year 2018-2019 operating budget including:
 - 1. First public hearing and introduction of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$626,546 (1.67%), and of that amount, \$383,414 is tax revenue to be raised from new property added to the tax roll.

Motion: Mayor Gunter made a motion, seconded by Council Member Hiebert, for the City to fund the entire increase in the health insurance premiums. The motion carried unanimously (7) ayes to (0) nays.

Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to approve the ordinance, with the exception of reducing the Loyalty Pay Plan for the Police Department and applying that reduction and the reduction from the estimated Health Insurance contribution to likewise reduce the Sales Tax Forecast. The motion carried unanimously (7) ayes to (0) nays.

- 2. A separate record vote was taken to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for the September 18, 2018, regular meeting of the City Council as an action item - (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 18, 2018 regular meeting of the City Council as an action item. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

h. Second public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2018 tax year:

An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2018-2019 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the ordinance, as presented. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

i. 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 equipment replacement, grants, reimbursed expenses, and obligations - (Presentation made by Finance Director Tina Dierschke)

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

j. Approval of increasing award of RFB FS-01-18 Patrol Utility Vehicles to Jim Bass Ford (San Angelo, TX) in the amount of \$736,080, for the purchase of 24 additional units, and authorizing the City Manager to execute any related documents - (Presentation made by Fleet Superintendent Ryan Kramer)

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

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 551.087(1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiation relating to MedHab, LLC
- b. Section 551.072 Deliberations about Real Property regarding 30 W. Twohig
- c. *Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding item 7A (Curbside Recycling Discussion)*

9. Follow Up and Administrative Issues

a. Consider items discussed in Executive Session

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, authorizing the city manager to negotiate a lease for the property located at 30 W. Twohig. The motion carried unanimously (7) ayes to (0) nays.

b. Consider approving the following board nomination:

Design and Historic Review Commission: Clay Engdahl (SMD1/Downtown Development Organization) to an unexpired term ending September 2019

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

c. Announcements and consideration of Future Agenda Items

Council Member Thomas noted an upcoming Town Hall Meeting at Fort Concho Elementary School to discuss the proposed closure of the portion of Avenue D that goes through the fort. Meeting will be held Tuesday, September 11, 2018 beginning at 5:30 p.m.

Mayor Gunter noted dangerous traffic issues on Avenue D.

City Manager Daniel Valenzuela noted the upcoming 9/11 memorial event held September 11, 2018 at 10 a.m. at the 9/11 Memorial Site and sponsored by the Fire Fighter's Association.

10. Adjournment

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

There being no further business, the meeting adjourned at 12:44 p.m.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider authorizing the sole source purchase of Hydra-Stop Insta-Valve tapping machine in the amount of \$67,214 plus delivery, budgeted in FY18 Water Capital Funds and authorizing the City Manager to execute any related documents (Overstreet)

Summary/History:

The previous tapping machine being used by Water Distribution was purchase in 1999. This machine is critical for distribution to be able to install any water taps. The current machine has been used daily and on many occasions multiple times daily. The existing machine is showing signs of extensive wear and at times problematic operation due to the age/amount of usage.

This item is being requested to be purchased as a sole source because the existing stock on hand from the same manufacturer only works with a like manufacturer of tapping machine, changing tapping machine manufacturer would mean the existing valve stock would not be able to be used.

Financial Impact:

Budgeted in FY18 Water Capital funds.

Shipping is being estimated to be around \$1300 +/- \$200.

Other Information/Recommendation:

Current valve stock compatible with Hydra-Stop tapping machine approximately (3) 12", (8) 10", (8) 8", (10) 6", (12) 4".

Attachments:

- | | |
|-----------------------------------|------------------------------------|
| 1. Hydra-stop Quote | Hydra-stop Quote.pdf |
| 2. City of San Angelo Sole Source | City of San Angelo Sole Source.pdf |

Presentation:

Approvals/Reviews:

Lance Overstreet	Created/Initiated
Allison Strube	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval



144 Tower Drive | Burr Ridge, IL 60527
Phone: (708)389-5111 | Fax: (708)389-5125

QUOTATION: HSPQ13182-05

DATE: 08-31-2018

Customer ID: 201028

Bill To

City of San Angelo
Alex Maldonado
1948 St. Ann St.
San Angelo, TX 76905

Phone (325)657-4295

Fax

Ship To

City of San Angelo
Alex Maldonado
1948 St. Ann St.
San Angelo, TX 76905

Phone (325)657-4295

Fax

Sales Representative	Created By	Tax Exempt	Terms	Type of Business
Dan Spratt	Dan Spratt	Yes	NET 30	FB - Forecasted Business
Incoterms	Freight	Lead Time	Client Request Date	Industry
Destination	Prepay & Add	4 Weeks ARO		Water

Line	Part Number	Description	Qty	Unit Price	Ext. Price
1		The 4"-12" Insta-Valve Equipment includes the following features: -4"-12" Valve Insertion Capabilities -Base Tap Machine with OS&Y Feedscrew -Air Drive Motor -Tool Kit -250 PSI Pressure Rating -14" & 16" Valve Insertion Capabilities with Optional Expansion Kit	1	\$67,214.00	\$67,214.00
2	3-TAPMACH-OSY-250	Base Tap Machine, 250 PSI, OS&Y Feedscrew		\$6,435.00	\$6,435.00
3	3-TMMDRVAIR-412	Air Motor Assembly, Restrained		\$14,077.00	\$14,077.00
4	3-TOOLKIT-412	Installation Tool Kit		\$758.00	\$758.00
5	3-480IV-250	4"-8" Insta-Valve Equipment		\$18,588.00	\$18,588.00
6	3-112IV-250	10"-12" Insta-Valve Add On Equipment		\$27,356.00	\$27,356.00
7	OTHER - HYDRA-STOP	2 Days Equipment Training	1	\$4,800.00	\$4,800.00
8		100.0% Discount			-\$4,800.00

Grand Total**\$67,214.00**

The sale of product (s) or services provided by Hydra-Stop shall be governed by the attached Terms and Conditions. Pricing is good for 30 days from the quotation date. Hydra-Stop's offer to sell products to or to provide services to you ("Customer") is expressly limited by Customer's acceptance of these Terms and Conditions, as evidenced by Customer's issuance of a purchase order for products (s) or services, or Customer's payment for any additional products or services under the purchase order. Additional or different terms or conditions proposed by Customer (including those that may be contained in Customer's purchase order) shall be void and of no effect unless a written agreement to contrary is provided by Hydra-Stop.

Authorizing Signature:

I have read the quotation and agree to the terms and conditions outlined therein. To confirm this sales order, provide the following information and fax to (708)389-5125 or email to dspratt@hydra-stop.com.

Signature: _____

P.O Number: _____

Print Name: _____

Date: _____



CITY OF SAN ANGELO

PURCHASING DIVISION

72 West College Avenue, San Angelo, Texas 76903

Tel: (325) 657-4219

SOLE SOURCE AFFIDAVIT

Before me, the undersigned official, on this day, appeared, Amy Van Meter, a person known to me to be the person whose signature appears below; who after being duly sworn under his/her oath deposed and said:

1. My name is Amy Van Meter; I am over the age of 18, have never been convicted of a felony and am competent to make this affidavit.

2. I am an authorized representative of the following company or firm: Hydra-Stop LLC

3. The above named company or firm is the sole source of the following items and there are no other items available in the marketplace that have the same fit, form, and function of the items listed below:

3-Tapmach-051-250, 3TmmDRVAIR-412, 3-TOOLKIT-412,
3-480IV-250, 3-112IV-250

4. To comply with the State of Texas definition of a sole source provider (Section 252.022, Subchapter A of the Local Governmental Code 7), the vendor must indicate below which of the following requirements they satisfy:

- ☒ An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
- ☐ A film, manuscript, or book;
- ☒ A captive replacement part or component for equipment.

5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above named item(s) or products(s) because of exclusive distribution or marketing rights. A vendor who markets a product through distributors, or more than one outlet, is not a sole source provider because the products are available from more than one source.

COMPANY: Hydra-Stop LLC

ADDRESS: 144 Tower Dr, Ste A

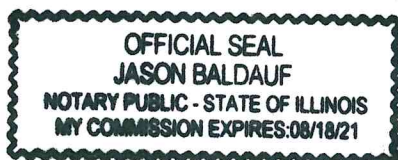
PHONE: 703 339 5111 CONTACT PERSON: Dan Spratt

Amy Van Meter
Signature of Authorized Official

CFU
Title of Authorized Official

SUBSCRIBED AND SWORN to before me on this 10th day of September, 2018.

(seal)



Jason Baldauf
Notary Public
Jason Baldauf
Print Name
8/18/21
My Commission Expires

The City approves this form effective for one (1) year from _____ to _____.
Purchaser's initials: _____.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider authorizing the San Angelo Fire Department to accept and execute an Assistance to Firefighter's Grant for \$254,991 to install diesel exhaust systems in 6 fire stations, the matching portion for the city is \$23,181 (Dunn)

Summary/History:

The San Angelo Fire Department has received an AFG (Assistance to Firefighters Grant) to install diesel exhaust removal systems in 6 of the fire stations in San Angelo. These systems will help remove toxic fumes that are emitted from the apparatus so the station won't be contaminated as much. Studies have found that diesel emissions are a contributor to an alarming rate of firefighters contracting cancer. SAFD has had 6 active cases of cancer in the last six years among active duty personnel.

The total grant is for \$254,991. The federal government will pay \$231,810 and the City has a matching amount of \$23,181. The Fire Department has the funds available in account 502-9000-800.07-20.

This grant will help make this station safer for all personnel in the stations.

Financial Impact:

The total grant is for \$254,991. The federal government will pay \$231,810 and the City has a matching amount of \$23,181. The Fire Department has the funds available in account 502-9000-800.07-20. There are \$140,320 dollars in this account which were set aside from the sale of the old fire stations #5 and #7 to make improvements to existing fire stations.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: James "Todd" Sanford, Assistant Chief, Fire Department, 325-657-4355

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider acceptance of vehicle extrication equipment received by the San Angelo Fire Department from the Firehouse Subs Foundation grant. This equipment consists of extrication tools, portable scene lights, collapsible chocks, airbag controller and accessories valued at \$24,487.75 (Dunn)

Summary/History:

The San Angelo Fire Department applied for a Firehouse Subs grant back in April of this year. The San Angelo Fire Department requested over \$24,400 worth of Hurst vehicle extrication equipment in the grant. On July 2, 2018 we were notified that we did receive the grant worth \$24,487.75. The money from this grant goes directly to the manufacturer of the rescue equipment and then the rescue equipment is sent directly to the San Angelo Fire Department. We started receiving the new rescue equipment at the end of August. The Hurst Extrication Tools that we requested are battery operated and will give us more mobility than we have ever had before. We do not have any cost besides the routine upkeep of this equipment.

Financial Impact:

There is no cost to the city.

Other Information/Recommendation:

Attachments:

Presentation:

James "Todd" Sanford

Approvals/Reviews:

James "Todd" Sanford
Brian Dunn
Theresa James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Marlin Dale Hahn, Cash/Debt Analyst, Accounting, 325-481-2649

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider adopting resolutions authorizing the adoption of Investment Policies for the City of San Angelo, Lake Nasworthy, and COSADC (Dierschke)

Summary/History:

The Public Funds Investment Act requires that a city's investment policy be reviewed annually. The Act also requires that the governing body (Council) take action (documented in the minutes) on the policies yearly.

Both 2017 City policies were previously adopted on October 3rd, 2017. Adopting the two City 2018 policies and the COSADC 2018 policy will keep the City in compliance with the Public Funds Investment Act which requires the City to review and adopt new policies annually.

Financial Impact:

Depending on the market and the size of the City's portfolio, investment income has been as high as \$1 million per year.

Other Information/Recommendation:

Staff recommends that the three policies be approved as presented for the current year.

Attachments:

1.18-906_FINANCE_CITY_INVEST_POLICY_RESO	18-906_FINANCE_CITY_INVEST_POLICY_RESO.docx
2.18-906_FINANCE_INVEST_POLICY_COSADC_2018_RESO	18-906_FINANCE_INVEST_POLICY_COSADC_2018_RESO.docx
3.18-906_FINANCE_INVEST_POLICY_NASWORTHY_2018_RESO	18-906_FINANCE_INVEST_POLICY_NASWORTHY_2018_RESO.docx
4.EDC Proposed Policy 2018 to be adopted (2)	EDC Proposed Policy 2018 to be adopted (2).docx
5.2018 Lake Nasworthy Investment Policyrevrg (1)	2018 Lake Nasworthy Investment Policyrevrg (1).docx
6.2018 City Investment Policy revrg	2018 City Investment Policy revrg.docx

Presentation:

No special equipment is required

Approvals/Reviews:

Marlin Dale Hahn
Theresa James
Anthony Wilson
Candice Blake
Tina Dierschke
Theresa James

Created/Initiated
Approved
Approved
Approved
Approved
Approved

Becky Dunn
Bryan Kendrick

Approved
Final Approval

RESOLUTION # _____

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL ADOPTING CITY OF SAN ANGELO, TEXAS INVESTMENT POLICY, STRATEGY AND BROKER/DEALER LIST 2018

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

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

WHEREAS, the Public Funds Investment Act (Section 2256.005e), requires the resolution approving the investment policy and strategies to record any changes made thereto; and

WHEREAS, the City Council has chosen to make no changes material to the city's Investment Policy and Strategy for 2018;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City has complied with the requirements of the Public Funds Investment Act. The City of San Angelo, Texas Investment Policy 2018, attached hereto as Exhibit "A", is hereby adopted as the city's investment policy, strategy and broker/dealer list, effective immediately.

PASSED, ADOPTED AND APPROVED by City of San Angelo Development Corporation board this the _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Tina Dierschke, Finance Director

Theresa James, City Attorney

RESOLUTION # _____

A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL RATIFYING AND ADOPTING THE INVESTMENT POLICY, STRATEGY AND BROKER/DEALER LIST APPROVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD.

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

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

WHEREAS, the Public Funds Investment Act (Section 2256.005e), requires the resolution approving the policy and strategy to record any changes made thereto; and

WHEREAS, on August 22, 2018, the COSADC Board reviewed and approved adoption of investment policy and strategies for the City of San Angelo Development Corporation (COSADC) attached hereto as Exhibit "A",

WHEREAS, the City Council has reviewed the investment policy and strategies approved and adopted by the City of San Angelo Development Corporation (COSADC), and has determined that the written instrument so adopted records any changes made to either the investment policy or investment strategies for 2018;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City has complied with the requirements of the Public Funds Investment Act. The City of San Angelo, Texas Investment Policy, Strategy and Broker/Dealer List of the San Angelo Development Corporation 2018, attached hereto as Exhibit A, and approved and recommended for adoption by the COSADC Board is hereby ratified and adopted as the Investment Policy of COSADC, effective immediately.

PASSED, ADOPTED AND APPROVED by City of San Angelo Development Corporation board this the _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Tina Dierschke, Finance Director

Theresa James, City Attorney

DRAFT

RESOLUTION # _____

**A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL REVIEWING
AND ADOPTING THE LAKE NASWORTHY—SAN ANGELO, TEXAS INVESTMENT
POLICY, STRATEGY AND BROKER/DEALER LIST.**

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

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

WHEREAS, the Public Funds Investment Act (Section 2256.005e), requires the resolution approving the policy and strategy to record any changes made thereto; and

WHEREAS, the City Council has reviewed the Lake Nasworthy—San Angelo, Texas Investment Policy and Strategies and has determined that the Investment Policy and Strategies, a copy of which is attached to this Resolution as Exhibit “A”, records any changes made to either the investment policy or investment strategies for 2018;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City has complied with the requirements of the Public Funds Investment Act with respect to the Lake Nasworthy—San Angelo, Texas Investment Policy and Strategies 2018. The Lake Nasworthy--San Angelo, Texas Investment Policy 2018, attached hereto as Exhibit “A”, is hereby adopted as the Nasworthy—San Angelo, Texas Investment and Strategies Policy 2018, effective immediately.

PASSED, ADOPTED AND APPROVED by City of San Angelo Development Corporation board this the _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Tina Dierschke, Finance Director

Theresa James, City Attorney

CITY OF SAN ANGELO DEVELOPMENT CORPORATION
INVESTMENT POLICY, STRATEGY AND BROKER/DEALER LIST
2018

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

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

Section One: Scope

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

Section Two: Investment Objectives and Standard of Care

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

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

Section Three: Investment Strategy

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

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

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

The Investment Officers, or designated Investment Advisors, will create a strategy to project the term for such investments and will invest based on market conditions, cash flow, and diversity in the portfolio.

Section Four: Authorized Investments

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

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

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

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

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

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

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

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

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

(9) A1/P1 domestic commercial paper with a maximum maturity of ninety (90) days.

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

<u>Security Type</u>	<u>Max. % in Overall Portfolio</u>
Depository CDs	40 %
Per bank	10 %
US Treasuries	80 %
US Agencies & Instrumentalities	80 %
Repurchase Agreements	50 %
Constant Dollar LGIP	80 %
Ownership of the pool	10 %
Money Market Mutual Funds	75 %
Municipal and State Obligations	40 %
FDIC Brokered CDs	20 %
Commercial paper	15 %

Delivery versus Payment

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

Competitive Bidding Required

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

Loss of Rating

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

Monitoring FDIC Coverage

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

Monitoring Credit Ratings

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

Section Five: Collateral and Safekeeping

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

Repurchase Agreements Owned Collateral

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

Safekeeping

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

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

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

Section Six: Investment Officer Designation

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

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

the signature of an investment Officer.

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

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

Section Seven: Training

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

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

Section Eight: Investment Activity Reporting

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

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

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

Section Nine: Audit

The COSADC-City's independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes. The review shall be conducted annually and the results of the review shall be reported to the COSADC Board. In

addition, in conjunction with the annual audit, the COSADC shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the Board.

Section Ten: Authorized Financial Institutions and Broker/Dealers

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

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

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

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

Section Eleven: Policy Adoption and Revisions

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

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

ADOPTED on this the _____ day of _____, 2018

Exhibit A
City of San Angelo Development Corporation
Authorized Broker/Dealer List

2018

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

The Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the Board. Patterson & Associates maintains the brokerage compliance files for the COSADC.

When any material changes are made to the Investment Policy the new Policy is sent out to all broker/dealers.

Bank of America/Merrill Lynch
BOK Financial
Cantor Fitzgerald
G.X. Clark & Co.
Mizuho Securities
Morgan Stanley
Mutual Securities
Oppenheimer
Piper Jaffray
Raymond James
RBC Capital Markets
Stifel Nicolaus
Vining Sparks
Wells Fargo Securities
Williams Group

LAKE NASWORTHY - SAN ANGELO, TEXAS
INVESTMENT POLICY
201~~8~~7

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

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

Section One: Scope

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

Section Two: Investment Objectives and Standard of Care

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

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

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

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

Section Three: Investment Strategy

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

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

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

Section Four: Authorized Investments

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

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

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

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

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

completion date of the project(s);

(4) Constant dollar, local government investment pools as defined by the Act, as amended, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council;

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

(6) General debt obligation bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by two nationally recognized rating agencies and with a stated maturity not to exceed two (2) years;

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

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

Diversification

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

Delivery versus Payment

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

Competitive Bidding Required

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

Loss of Rating

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

Monitoring FDIC Coverage

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

Monitoring Credit Ratings

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

Time and Demand Bank Deposits Pledged Collateral

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

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

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

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

Repurchase Agreements Owned Collateral

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

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

Safekeeping

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

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

All safekeeping arrangements shall be approved by the Investment Officers and an agreement of the terms executed in writing. The third party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, [Committee on Uniform Security Identification Procedures \(CUSIP\)](#), and other pertinent information. Each safekeeping receipt shall be clearly marked that the security is held for the City.

Section Five: Investment Officer Designation

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

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

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

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

Section Six: Training

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

compliance with the Act.

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

Section Seven: Investment Activity Reporting

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

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

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

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

Section Eight: Oversight Committee

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

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

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

Section Nine: Audit

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

Section Ten: Authorized Financial Institutions and Broker/Dealers

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

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

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

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

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

Section Eleven: Policy Adoption and Revisions

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

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

ADOPTED on this the _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter~~Dwain Morrison~~, Mayor

ATTEST:

Bryan Kendrick~~Alicia Ramirez~~, City Clerk

Approved as to Content:

Approved as to Form:

Tina Dierschke, Finance Director

Theresa James, City Attorney

ADDENDUM A

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

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

ADDENDUM B

Broker/Dealer List

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

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

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

The broker/dealers certified by the City are:

Bank of America/Merrill Lynch
Cantor Fitzgerald
Morgan Stanley
Mutual Securities
G.X. Clarke & Co.
Mizuho Securities
Oppenheimer
Piper Jaffray
BOK Financial
Raymond James
RBC Capital Markets
Stifel Nicolaus
Vining Sparks
Wells Fargo
Williams Group

CITY OF SAN ANGELO, TEXAS

INVESTMENT POLICY

2018

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

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

Section One: Scope

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

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

Section Two: Investment Objectives and Standard of Care

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

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

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

and appropriate action is taken to control adverse developments.

Section Three: Investment Strategy

The City of San Angelo funds shall be commingled for investment purposes recognizing the cash flow needs of the individual funds which makeup the portfolio. The total portfolio will maintain a maximum weighted average maturity of one (1) year which is based on the cash flow analysis and cash requirements of the City.

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

(1) Operating Funds - Operating funds assure-ensure that anticipated cash flows are matched for adequate liquidity on major payment obligations such as payroll.

(2) Debt Service Funds - Debt service funds must cover the upcoming debt service obligations on the required payment dates.

(3) Bond, Capital and Special Project Funds - Bond proceeds and special project funds are used for anticipated liabilities on the projects.

(4) Reserve Funds - Reserve funds provide liquidity for fund obligations and generate a dependable revenue stream from securities.

(5) Non-expendable Trust Funds - Non-expendable trust funds generate dependable revenue streams for their designated uses.

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

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

Section Four: Authorized Investments

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

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

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

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

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

(4) Constant dollar, local government investment pools as defined by the Act, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council;

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

(6) General obligation bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by two nationally recognized rating agencies and with a stated maturity not to exceed two (2) years;

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

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

(9) A1/P1 domestic commercial paper with a maximum maturity of one hundred-eighty (180)
days-

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

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

Delivery versus Payment

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

Competitive Bidding Required

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

Loss of Rating

The City is not required to liquidate investments that were authorized investments at the time of

purchase- ([Chapter 2256.017](#)). However, should a security that requires a minimum rating under state law not have that required rating, the ~~Investment officer~~ Officer shall take all prudent measures to liquidate the security- ([Chapter 2256.021](#)).

Monitoring FDIC Coverage

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

Monitoring Credit Ratings

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

Section Five: Collateral and Safekeeping

Time and Demand Bank Deposits Pledged Collateral

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

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

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

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

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

Repurchase Agreements Owned Collateral

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

Safekeeping

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

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

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

Section Six: Investment Officer Designation

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

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

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

²Security Industry and Financial Markets Association, formerly the Bond Market Association.
Investment Policy 2018
City of San Angelo

second degree of blood or marriage, disclosure should also be sent to the Texas Ethics Commission.

Section Seven: Training

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

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

Section Eight: Investment Activity Reporting

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

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

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

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

Section Nine: Investment Oversight Committee

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

City's Finance Director. The duties of the Investment Oversight Committee shall include:

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

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

Section Ten: Audit

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

Section Eleven: Authorized Financial Institutions and Broker/Dealers

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

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

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

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

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

authorized counter-parties is shown as Addendum B of this Policy and approved with adoption of this Policy.

Section Twelve: Policy Adoption and Revisions

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

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

ADOPTED on this the _____ day of _____, 2018.

CITY OF SAN ANGELO, TEXAS

~~Brenda Gunter~~ Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content:

Tina Dierschke, Finance Director

Approved as to Form:

Theresa James, City Attorney

ADDENDUM A

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

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

ADDENDUM B

Broker/Dealer List

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

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

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

The broker/dealers certified by the City are:

Bank of America/Merrill Lynch
Cantor Fitzgerald
Morgan Stanley
Mutual Securities
G.X. Clarke & Co.
Mizuho Securities
Oppenheimer
Piper Jaffray
BOK Financial
Raymond James
RBC Capital Markets
Stifel Nicolaus
Vining Sparks
Wells Fargo
Williams Group

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Coordinator, Budget, 325-657-6291

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018 for equipment replacement, grants, reimbursed expenses, and obligations (Dierschke)

Summary/History:

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

- Police Vehicle Replacement
- Dangerous Building Demolitions
- Technology Capital
- Hotel Occupancy Tax Revenue for Civic Events and San Angelo Cultural Affairs Council

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|-------------------------------|------------------------------------|
| 1. | 09-04-18 FIN Budget Amendment | 09-04-18 FIN Budget Amendment.pptx |
| 2. | Ordinance 9-18-18 | Ordinance 9-18-18.docx |
| 3. | 9.4.18 BA Memos | 9.4.18 BA Memos.pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council

September 4, 2018



Budget Amendment

	Revenue	Expense
Sales Tax Revenue	\$1,080,000	
General Equipment Replacement		\$1,080,000



Budget Amendment

	Revenue	Expense
Liens	\$55,000	
Demolition Expenses		\$55,000



Budget Amendment

	Revenue	Expense
WIC Grant Funds	\$29,320	
Technology Capital		\$29,320



Budget Amendment

	Revenue	Expense
Hotel Occupancy Tax	\$350,949	
Civic Events (48%)		\$317,841
Cultural Affairs Council (5%)		\$33,108





City Council

September 4, 2018



**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2017, AND ENDING SEPTEMBER 30, 2018, FOR EQUIPMENT
REPLACEMENT, GRANTS, REIMBURSED EXPENSES, AND
OBLIGATIONS.**

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 4th day of September, 2018, and APPROVED and ADOPTED on this 18th day of September.

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	\$1,135,000	\$1,135,000	\$-
Intergovernmental Fund	\$29,320	\$29,320	\$-
General Equipment Replacement Fund	\$1,080,000	\$1,080,000	\$-
Hotel Occupancy Tax Fund	\$350,949	\$350,949	\$-
	\$2,595,269	\$2,595,269	\$-

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Police Vehicle Replacement	Sales Tax Revenue	\$2,160,000	\$2,160,000	\$-
Dangerous Building Demolitions	Property liens	\$55,000	\$55,000	\$-
Technology Capital	Women Infant and Children Grant	\$29,320	\$29,320	\$-
Civic Events/ San Angelo Cultural Affairs Council	Hotel Occupancy Tax	\$350,949	\$350,949	\$-
		\$2,595,269	\$2,595,269	\$-

Memo

To: Tina Dierschke, Finance Director

From: Ryan Kramer, Senior Fleet Manager

Date: 09/04/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Fleet Services has recognized an opportunity to realize significantly savings by purchasing an additional 24 police vehicles before September 21, 2018.

Source of Funding:

The use of marginal sales tax revenue in fiscal year 2018 will be used for all 24 vehicles, then budgeted expenses in fiscal year 2019 will be reduced to reallocate the cost of 12 vehicles back to the General Fund's 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
			0
Sales Tax Revenue	17,125,000	1,080,000	18,205,000
			0
Capital Expense	535,215	1,080,000	1,615,215
			0
			0

Additional Comments:

See attached memo for additional information.

Memo

To: Tina Dierschke, Finance Director

From: Brian Dunn, Fire Chief

Date: 09/04/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To pay for demolition and cleanup of dangerous buildings

Source of Funding:

Liens on property cleaned up and demolished

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 Fund			0
Revenue	12,600	55,000	67,600
Expense	0	55,000	55,000
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Christine Eureste, WIC Manager

Date: 09/04/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Allocation of \$29,320 in extra funding from our Local Agency's "Not to Exceed" (NTE Amount).

Source of Funding:

Department of Social and Health Services

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

Yes, grant application approved in budget ordinance adopted September 19, 2017.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
WIC	848,998	29,320	878,318
			0
Expense:			0
Technology Capital	8,328	29,320	37,648
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Kimberly Holle, Budget Manager

Date: 09/04/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Increase Hotel Occupancy Tax revenue and corresponding expense for Civic Events and San Angelo Cultural Affairs Council

Source of Funding:

Hotel Occupancy Tax Revenue

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

Council has previously approved 48% for Civic Events and 5% for San Angelo Cultural Affairs Council

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
			0
Hotel Occupancy Tax Revenue	1,857,500	350,949	2,208,449
			0
Transfer to Civic Events	1,185,600	317,841	1,503,441
SACAC	92,875	33,108	125,983
			0

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, Legal, X1413

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider a resolution regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its statement of intent filed around June 1, 2018 (T. James)

Summary/History:

On or about June 1, 2018, Atmos Energy Corporation ("Atmos") filed a Statement of Intent to increase rates by \$46.0 million dollars. The rate was proposed to go into effect on July 6, 2018.

On June 19, 2018, City Council passed a resolution suspending the effective date for 90 days to give the Atmos Texas Municipalities coalition of cities to review the application.

After reviewing the information provided by Atmos, Special Counsel and the consulting group hired to review the information recommends that the request to increase rates by \$46 million dollars be denied and a corresponding increase of \$12.81 million be approved. If accepted the proposed rate increase would result in 0.76% increase in residential rates versus the requested increase of 2.32% for residential customers.

Financial Impact:

Other Information/Recommendation:

If the City of San Angelo does not take action by October 4, 2018, the rate proposed by Atmos will be deemed approved.

Attachments:

- | | | |
|----|---|---|
| 1. | 1-Atmos MidTex-2018 SOI-Option B-ORDINANCE-1-AIS-FINAL-090718 | 1-Atmos MidTex-2018 SOI-Option B-ORDINANCE-1-AIS-FINAL-090718.doc |
| 2. | 3-Atmos MidTex 2018 SOI-ORDINANCE-EXHS A & B-FINAL-090718 | 3-Atmos MidTex 2018 SOI-ORDINANCE-EXHS A & B-FINAL-090718.pdf |
| 3. | 2018-09-18 (6h) Resolution - Atmos MidTex 2018 SOI-Option B | 2018-09-18 (6h) Resolution - Atmos MidTex 2018 SOI-Option B.doc |

Presentation:

Approvals/Reviews:

Theresa James
Theresa James

Created/Initiated
Approved

Anthony Wilson
Candice Blake
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Final Approval

AGENDA INFORMATION SHEET
ITEM NO. _____

**DENIAL OF ATMOS ENERGY'S PROPOSED INCREASE IN RATES
AND APPROVAL OF AN ALTERNATIVE INCREASE IN RATES**

BACKGROUND

On or about June 1, 2018, Atmos Energy Corporation ("Atmos" or "Company") filed a Statement of Intent with members of the coalition of cities known as the Atmos Texas Municipalities ("ATM") comprised of about 50 cities, of which the City is a member, to increase rates by approximately \$4.5 million, which equates to an increase of about 8% in annual non-gas-cost revenue in the ATM cities. On a system-wide basis, Atmos's proposed increase would be the equivalent of about \$46.0 million; this equates to an increase in annual revenue of about 7.3%.

The City, as part of the ATM coalition of cities, engaged the law firm of Herrera Law & Associates as Special Counsel to review Atmos' application. On behalf of ATM, Herrera Law & Associates engaged rate experts to assist in reviewing Atmos' application.

Special Counsel and the consulting firms of the Garrett Group, LLC; GDS and Associates, Inc.; and J. Randall Woolridge, Ph.D., recommend that the City deny Atmos' request to increase rates by \$46 million (system wide), and instead approve the rates shown in "**Exhibit A**" to this Agenda Information Sheet and a corresponding increase of about \$12.81 million, the details of which are presented in the schedules attached as "**Exhibit B**" to this Agenda Information Sheet.

Atmos proposed an effective date of July 6, 2018 for its change in rates. In prior action the City suspended Atmos's proposed effective date for the statutory time period of 90 days, to October 4, 2018.

The City must take final action on Atmos' proposed rates and must do so by no later than October 4, 2018.

CITY JURISDICTION TO SET ATMOS'S RATES

Unless a city ceded its original jurisdiction to the Railroad Commission of Texas, the Gas Utility Regulatory Act § 103.001 grants a city exclusive original jurisdiction over a gas utility's rates, services, and operations within the city limits. But even if a city has ceded its jurisdiction, to the Railroad Commission, the Gas Utility Regulatory Act § 103.023, grants a city the statutory right to participate in rate proceedings before the Railroad Commission.

ATMOS TEXAS MUNICIPALITIES

The Atmos Texas Municipalities (“ATM”) was organized by a number of municipalities, served by Atmos. Alfred R. Herrera with the law firm of Herrera Law & Associates, PLLC, has previously represented the City as part of ATM in rate cases involving Atmos. The ATM cities are:

Austin	Fredericksburg	Jacksboro	Ranger
Balch Springs	Gatesville	Kerens	Rice
Bandera	Glen Rose	Lampasas	Riesel
Bartlett	Goldthwaite	Lancaster	Rockdale
Belton	Granbury	Leander	Rogers
Blooming Grove	Greenville	Lometa	Round Rock
Burnet	Groesbeck	Longview	San Angelo
Cameron	Hamilton	Marble Falls	Sanger
Cedar Park	Heath	Mart	Somerville
Clifton	Henrietta	Mexia	Star Harbor
Commerce	Hickory Creek	Olney	Trinidad
Copperas Cove	Hico	Point	Whitney
Corsicana	Hillsboro	Pflugerville	
Electra	Hutto	Princeton	

OVERVIEW OF ATM’S SPECIAL COUNSEL RECOMMENDATION

ATM’s Special Counsel and rate experts, the Garrett Group, LLC and GDS Associates, Inc., and Dr. Woolridge (collectively referred to as “Special Counsel”), recommend that the ATM cities approve an increase in Atmos Energy’s annual revenue of about \$12.81 million (on a system-wide basis), which equates to an increase of about \$1.3 million for the ATM cities and represents an increase of about 2% in annual revenue.

Additionally, Special Counsel recommends that the ATM cities approve a surcharge to recover the ATM cities’ rate case expenses incurred through August 31, 2018, which total about \$116,000.00, as allowed under the Gas Utility Regulatory Act § 103.022. The tables below show the details of Special Counsel’s recommendations, including a comparison of Special Counsel’s recommendations to Atmos Energy’s proposed changes in revenue and rates.

Special Counsel further recommends that the rates approved by the City have an effective date Oct. 4, 2018, for service rendered on and after that date; that the City direct Atmos to file tariffs conformed to the rates shown in Attachment A; that in addition to rate case

expenses incurred through August 31, 2018, the City direct Atmos to reimburse the City's rate case expenses, as part of ATM, incurred after August 31, 2018.

COMPARISON OF CHANGE IN BILLS:

Class of Customer	ATMOS: Change in Average Bill (<i>excluding</i> cost of gas)	ATM: Change in Average Bill (<i>excluding</i> cost of gas)
Residential – Rate R	11.15% increase	1.47% increase
Commercial – Rate C	4.22% decrease	0.69% decrease
Industrial – Rate I	12.39% decrease	5.09% increase
Transportation – Rate T	12.39% decrease	5.09% increase

Class of Customer	ATMOS: Change in Average Bill (<i>including</i> cost of gas)	ATM: Change in Average Bill (<i>including</i> cost of gas)
Residential – Rate R	4.82% increase	0.76% increase
Commercial – Rate C	1.35% decrease	0.22% decrease
Industrial – Rate I	2.14% decrease	2.32% increase
Transportation – Rate T	2.33% decrease	2.32% increase

COMPARISON OF ATMOS' PROPOSED PERCENTAGE CHANGE IN REVENUE TO ATM'S PROPOSED CHANGE IN REVENUE:

Class of Customer	ATMOS: Change in Revenue (<i>excluding</i> cost of gas)	ATM: Change in Revenue (<i>excluding</i> cost of gas)
Residential – Rate R	11.18% increase	2.32% increase
Commercial – Rate C	0.14% decrease	1.06% increase
Industrial – Rate I	9.20% decrease	3.23% increase
Transportation – Rate T	9.20% decrease	3.23% increase

COMPARISON OF ATMOS' PROPOSED RATES TO ATM'S PROPOSED RATES:

Customer Class/Rate	Current	ATMOS: Proposed Rate	\$\$ and % Change	ATM: Proposed Rate	\$\$ and % Change
Rate R - Residential					
Customer Charge per month	\$18.35	\$20.21	\$1.86 / 10%	\$17.89	<\$0.46> / <2.52%>
Consumption Charge (per CCF)	\$ 0.13734	\$0.15701	\$0.01967 / 14.32%	\$0.16052	\$0.02318 / 16.88%

Rate C - Commercial					
Customer Charge per month	\$41.95	\$41.85	<\$.10> / <0.24%>	\$37.85	<\$4.10> / <9.78%>
Consumption Charge (per CCF)	\$0.08746	\$0.07729	<\$0.01017> / <11.63%>	\$0.10081	\$0.01335 / 15.26%
Rate I & T – Indus. & Transp.					
Customer Charge per month	\$752.00	\$752.00	<\$1.93> / <0.26%>	\$619.85	<\$132.15> / <17.57%>
Consumption Chrg - First 1,500 MMBTU	\$0.3172	\$0.2390	<\$0.7820> / <24.65%>	\$0.3655	\$0.0483 / 15.21%
Consumption Chrg - Next 3,500 MMBTU	\$0.2322	\$0.1901	<\$0.0421> / <18.13%>	\$0.2908	\$0.0586 / 25.23%
Consumption Chrg - Over 5,000 MMBTU	\$0.0498	\$0.0498	No change	\$0.0761	\$0.0263 / 52.90%

Atmos requested recovery of its rate case expenses. However, it did not provide the requisite information to support its request; thus the proposed resolution/ordinance does not address Atmos Energy's rate case expenses. As noted above, cities have a statutory right to recover their reasonable rate case expenses under Gas Utility Regulatory Act § 103.022. Below are shown the monthly surcharges to recover the ATM cities' rate-case expenses for an average customer:

Residential: \$0.01 per month (based on a surcharge of \$0.00030/ccf)
Commercial: \$0.03 per month (based on a surcharge of \$0.00011/ccf)
Industrial & Transportation: \$0.57 per month (based on a surcharge of \$0.0001/MMbtu)

Special Counsel has submitted its and the consultants' invoices to the the City of Longview for review. The City of Longview's City Attorney's Office has served in this review/coordinating role for over 10 years. Following that review, the invoices are forwarded to Atmos Energy for reimbursement and provided to all ATM cities for their review.

Finally, Special Counsel recommends that the City approve the following elements to determine Atmos Energy's cost of capital and to determine Atmos Energy's rates.

Cost of Capital		
	Atmos Requested	ATM City Approved
Return on Equity	10.50%	9.80%
Cost of Long-Term Debt	5.45%	5.45%
Cost of Short-Term Debt	1.68%	1.68%

Capital Structure Ratios		
	Atmos Requested	ATM City Approved
Equity	60.18%	53.81%
Long-Term Debt	39.82%	7.21%
Short-Term Debt	0.0%	38.98%

Weighted Average Cost of Capital (aka, Rate of Return)		
	Atmos Requested	ATM City Approved
Weighted Cost	8.3876%	7.5189%
Pre-Tax Weighted Cost	10.0674%	8.9207%

ACTION REQUIRED BY October 4, 2018

The City must take action on Atmos's Statement of Intent no later than October 4, 2018. Absent such action, Atmos's rates are deemed approved by operation of law.

RECOMMENDATION

ATM's Special Counsel and ATM's rate experts recommend that the City adopt the attached resolution or ordinance, as the case may be, which if approved will deny Atmos Energy's proposed increase about \$46 million and approve a lesser increase of about \$12.81 million; that the City approve the rates that correspond to such an increase, including approval of recovery of the ATM's rate case expenses.

The City must take action no later than October 4, 2018. If the City does not take action by October 4, 2018, Atmos's proposed rates will be deemed approved by operation of law, subject to the City's right to hold a hearing to address Atmos's rate application.

EXHIBIT A

EXHIBIT A

Atmos Proposed Increase in Annual Revenue (System Wide – MidTex Division)	ATM City Approved Increase in Annual Revenue (System Wide – MidTex Division)
\$45,993,529	\$12,807,858

Customer Class/Rate	CURRENT	ATMOS: PROPOSED RATE	ATM CITY APPROVED RATE
Rate R - Residential			
Customer Charge per month	\$18.35	\$20.21	\$17.89
Consumption Charge (per CCF)	\$ 0.13734	\$0.15701	\$0.16052
Rate C - Commercial			
Customer Charge per month	\$41.95	\$41.85	\$37.85
Consumption Charge (per CCF)	\$0.08746	\$0.07729	\$0.10081
Rate I & T – Indus. & Transp.			
Customer Charge per month	\$752.00	\$752.00	\$619.85
Consumption Chrg - First 1,500 MMBTU	\$0.3172	\$0.2390	\$0.3655
Consumption Chrg - Next 3,500 MMBTU	\$0.2322	\$0.1901	\$0.2908
Consumption Chrg - Over 5,000 MMBTU	\$0.0498	\$0.0498	\$0.0761

Cost of Capital and Capital Structure			
	Atmos Requested	ATM City Approved	
Return on Equity	10.50%	9.80%	
Cost of Long-Term Debt	5.45%	5.45%	
Cost of Short-Term Debt	1.68%	1.68%	

Capital Structure Ratios		
	Atmos Requested	ATM City Approved
Equity	60.18%	53.81%
Long-Term Debt	39.82%	7.21%
Short-Term Debt	0.0%	38.98%

Weighted Average Cost of Capital (aka, Rate of Return)		
	Atmos Requested	ATM City Approved
Weighted Cost	8.3876%	7.5189%
Pre-Tax Weighted Cost	10.0674%	8.9207%

EXHIBIT B

REVENUE REQUIREMENT SCHEDULES

ATMOS ENERGY CORP., MID-TEX DIVISION
ATM COALITION REVENUE REQUIREMENT SUMMARY
TEST YEAR ENDING DECEMBER 31, 2017

Line No.	Description (a)	Ref. (b)	Atmos Proposed (Note a)		ATM Adjustments (See Schedule B) (e)	ATM Proposed Operating Income (f)	Δ	COS
			Rate Base / ROR (c)	Operating Income (d)				
1	Test Year Revenue Requirement:							
2	Revenue at Present Rates	Schedule A		\$ 1,494,918,603	\$ -	\$ 1,494,918,603	-	1,494,918,603
3								
4	GCR			\$ 816,965,570		\$ 816,965,570	-	816,965,570
5								
6	Operation and Maintenance Expenses	Schedule F-1		\$ 188,642,689	\$ (1,299,845)	\$ 187,342,844	-	187,342,844
7								
8	Taxes Other than Income Tax - Non-Revenue Related	Schedule F-5		43,711,991		\$ 43,711,991	-	43,711,991
9								
10	Revenue Related Taxes			96,255,692	(2,054,831)	\$ 94,200,861	-	94,200,861
11								
12	Depreciation and Amortization Expense	Schedule F-3		144,321,772		\$ 144,321,772	-	144,321,772
13								
14	Interest on Customer Deposits	Schedule F-7		117,764		\$ 117,764	-	117,764
14a								
15	Rate Base	Schedule B	\$ 2,573,504,828		(830,856)	2,572,673,972	-	2,572,673,972
16	Atmos Rate of Return	Schedule G	8.388%					
17	ATM Rate of Return					7.5189%	0.00%	7.52%
18	Return Requirement			\$ 215,855,775	\$ (22,418,528)	\$ 193,437,246	-	193,437,246
19								
20	Income and Other Taxes	Schedule F-6		47,913,915	(7,396,426)	40,517,489	-	40,517,489
21								
22	Revenue Requirements	L. 3... L. 20		<u>\$ 1,553,785,168</u>	<u>\$ (33,169,630)</u>	<u>\$ 1,520,615,538</u>	-	1,520,615,537
25								
26	Base Revenue Deficiency (excluding revenue taxes)	L. 22 - L. 2		<u>\$ 58,866,565</u>	<u>\$ (33,169,630)</u>	<u>\$ 25,696,934</u>	<u>\$ -</u>	<u>\$ 25,696,934</u>
27								
28	Amortization of Excess ADIT - with Revenue Taxes			<u>12,873,035</u>	<u>16,041</u>	<u>12,889,076</u>	-	12,889,076
29								
30	Proposed Cost of Service - Systemwide Adjusted for Excess ADIT			<u>\$ 45,993,529</u>	<u>(33,185,671)</u>	<u>\$ 12,807,858</u>	<u>\$ -</u>	<u>\$ 12,807,858</u>

Exhibit MG-2 Summary

ATMOS ENERGY CORP., MID-TEX DIVISION
 ATM RECOMMENDATION SUMMARY
 TEST YEAR ENDING DECEMBER 31, 2017

Line No.	Description	Equity/ ROE	Reference	Rate Base	Pre-Tax ROR	Rate Change
	Requested Amounts			\$ 2,573,504,828	10.0674%	\$ 45,993,529
	Pension and OPEB Regulatory Asset		MG-2.4	\$ (20,861)	10.0674%	(2,100)
	Cash Working Capital		MG-2.1	\$ (66,472)	10.0674%	(6,692)
	Adjustment to ADIT - SEBP Adjustment		MG-2.4	(464,794)	10.0674%	(46,792)
	SEBP EDIT Liability Net Adjustment		MG-2.4	(278,730)	10.0674%	(28,061)
	Excess ADIT Liability, Net of ADIT				10.0674%	-
	NOL ADIT Regulatory Adjustment				10.0674%	-
	NOL EDIT Liability Net Adjustment				10.0674%	-
	Total Rate Base Adjustments			\$ (830,856)		\$ (83,645)
	Capital Structure and ROE	53.81%	MG-2.10	\$ 2,572,673,972	-1.1467%	(29,499,831)
		9.80%				-
	Total Cost of Capital Adjustments					(29,499,831)
	Incentives - Restricted Stock Units		MG-2.2			(306,458)
	Incentives - Annual Incentive Plan		MG-2.3			(488,558)
	Non-Qualified Retirement Plans		MG-2.4			(37,089)
	Injuries and Damages		MG-2.5			(216,667)
	Bad Debt Expense		MG-2.1			(251,073)
	Taxes Other Than Income Tax		MG-2.1			(2,054,831)
	Gross Margin Tax		MG-2.1			(231,477)
	EDIT Amortization SEBP		MG-2.4			(15,047)
	EDIT Amortization @ 12-31-17					-
	EDIT Amortization NOL					-
	EDIT Amortization Flow Through		MG-2.1			(994)
	Total Revenue and Expense Adjustments					\$ (3,602,194)
	Total Revenue Requirement Adjustments					\$ (33,185,671)
	Rate Incease (Decrease)					\$ 12,807,858

Exhibit MG-2.10

ATMOS ENERGY CORP., MID-TEX DIVISION
 COST OF CAPITAL
 TEST YEAR ENDING DECEMBER 31, 2017

Atmos Cost of Capital (Schedule G)

Line No.		Capital Structure	Cost of Capital	Weighted Cost	Tax Gross Up	Pre-Tax Weighted Cost
1	Debt	39.82%	5.20%	2.0686%	1	2.0686%
2	Equity	<u>60.18%</u>	10.50%	<u>6.3190%</u>	1.2658228	<u>7.9988%</u>
3		100.00%		8.3876%		10.0674%

ATM Recommended Capital Structure

		Capital Structure	Cost of Capital	Weighted Cost	Tax Gross Up	Pre-Tax Weighted Cost
4	LT Debt	38.98%	5.45%	2.1244%	1	2.1244%
5	ST Debt	7.21%	1.68%	0.1211%	1	0.1211%
6	Equity	<u>53.81%</u>	9.80%	<u>5.2734%</u>	1.2658228	<u>6.6752%</u>
7		100.00%		7.5189%		<u>8.9207%</u>
8	Difference					<u><u>-1.1467%</u></u>

ATM Recommended ROE and Capital Structure

		Capital Structure	Cost of Capital	Weighted Cost	Tax Gross Up	Pre-Tax Weighted Cost
4	LT Debt	38.98%	5.45%	2.1244%	1	2.1244%
5	ST Debt	7.21%	1.68%	0.1211%	1	0.1211%
6	Equity	<u>53.81%</u>	9.80%	<u>5.2734%</u>	1.2658228	<u>6.6752%</u>
7		100.00%		7.5189%		<u>8.9207%</u>
8	Difference					<u><u>0.0000%</u></u>

COST ALLOCATION AND RATE DESIGN SCHEDULES

ATMOS ENERGY CORP - MID-TEX DIVISION
COMPARISON OF BASE RATE CHARGES

Line No.	Rate Description	Current Rate	Atmos Proposed (See Note 1)			ATM Proposed (See Note 1)		
			Rate	Incr./ (Decr.) from Current - \$	Incr./ (Decr.) from Current - %	Rate	Incr./ (Decr.) from Current - \$	Incr./ (Decr.) from Current - %
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1	Rate R - Residential							
2	Customer Charge (per Bill)	\$ 18.35	\$ 20.21	\$ 1.86	10.14%	\$ 17.89	\$ (0.46)	-2.52%
3	Consumption Charge (per Ccf)	0.13734	0.15701	0.01967	14.32%	0.16052	0.02318	16.88%
4	Rate C - Commercial							
5	Customer Charge (per Bill)	\$ 41.95	\$ 41.85	\$ (0.10)	-0.24%	\$ 37.85	\$ (4.10)	-9.78%
6	Consumption Charge (per Ccf)	0.08746	0.07729	(0.01017)	-11.63%	0.10081	0.01335	15.26%
7	Rates I and T - Industrial & Transportation							
8	Meter Charge	\$ 752.00	\$ 750.07	\$ (1.93)	-0.26%	\$ 619.85	\$ (132.15)	-17.57%
9	Consumption Charge - 0 to 1,500 MMBtu	0.3172	0.2390	(0.0782)	-24.65%	0.3655	0.0483	15.21%
10	Consumption Charge - Next 3,500 MMBtu	0.2322	0.1901	(0.0421)	-18.13%	0.2908	0.0586	25.23%
11	Consumption Charge - All Additional MMBtu	0.0498	0.0498	-	0.00%	0.0761	0.0263	52.90%

Note 1: All proposed charges exclude gas costs, riders and Atmos' proposed Rate Case Expense Surcharge

ATMOS ENERGY CORP., MID-TEX DIVISION
ATM RECOMMENDED RATE CASE EXPENSE SURCHARGE

	<u>Costs Incurred to Date</u>	
<u>ATM Consulting</u>		
Garrett Group	\$	43,050
GDS Associates, Inc.		33,753
J. Randell Woodridge		2,600
Total ATM Consulting		79,403
<u>ATM Legal</u>		
Herrera Law & Associates, PLLC		36,654
Total ATM Legal		36,654
Total Rate Case Expenses to be Recovered	\$	116,057
Recovery Period (Years)		5
Annual Recovery	\$	23,211

Rate Class	ATM Base Rate Revenue		ATM RCE Allocation		Volumetric Billing	RCE Surcharge		Average Monthly	Average Monthly	
	Req.				Determinants (1)			Usage	Bill Impact	
Residential	\$	497,923,762	\$	18,825	63,441,015	\$	0.00030	34.60	\$	0.01
Commercial		103,088,213		3,897	35,426,746		0.00011	273.30	\$	0.03
Industrial and Transportation		12,932,750		489	3,554,341		0.0001	4,114.00	\$	0.57
Total	\$	613,944,726	\$	23,211						

(1) Residential and Commercial volumetric billing determinants are Ccf, I&T determinants are MMBtu.

ATMOS ENERGY CORP - MID-TEX DIVISION
COMPARISON OF REVENUE DISTRIBUTION TO CUSTOMERS

Line No.	Rate Description	Current Revenue	Atmos Proposed			ATM Proposed		
			Revenue	Incr./ (Decr.) from Current - \$	Incr./ (Decr.) from Current - %	Revenue	Incr./ (Decr.) from Current - \$	Incr./ (Decr.) from Current - %
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1	Rate R - Residential	\$ 447,851,269	\$ 497,926,227	\$ 50,074,958	11.18%	\$ 458,255,829	\$ 10,404,560	2.32%
2	Rate C - Commercial	108,705,970	103,089,082	(5,616,888)	-5.17%	109,855,273	1,149,303	1.06%
3	Rates I and T - Industrial & Transportation	14,243,218	12,932,618	(1,310,600)	-9.20%	14,703,776	460,559	3.23%
4	Total	\$ 570,800,457	\$ 613,947,927	\$ 43,147,470	7.56%	\$ 582,814,879	\$ 12,014,422	2.10%

ATMOS ENERGY CORP - MID-TEX DIVISION
COMPARISON OF MONTHLY BASE RATE BILL IMPACTS

Line No.	Rate Description & Usage Level (a)	Current Base Rate Bill Total (b)	Atmos Proposed (See Note 1)			ATM Proposed (See Note 1)		
			Base Rate Bill Total (c)	Incr./Decr. from Current - \$ (d)	Incr./Decr. from Current - % (e)	Base Rate Bill Total (f)	Incr./Decr. from Current - \$ (g)	Incr./Decr. from Current - % (h)
1	Rate R - Residential							
2	0 Ccf	\$ 18.35	\$ 20.21	\$ 1.86	10.14%	\$ 17.89	\$ (0.46)	-2.52%
3	20 Ccf	21.10	23.35	2.25	10.68%	21.10	0.00	0.01%
4	50 Ccf	25.22	28.06	2.84	11.28%	25.91	0.70	2.76%
5	70 Ccf	27.96	31.20	3.24	11.58%	29.12	1.16	4.15%
6	100 Ccf	32.08	35.91	3.83	11.93%	33.94	1.86	5.78%
7	120 Ccf	34.83	39.05	4.22	12.12%	37.15	2.32	6.66%
8	160 Ccf	40.32	45.33	5.01	12.42%	43.57	3.25	8.05%
9	180 Ccf	43.07	48.47	5.40	12.54%	46.78	3.71	8.61%
10	200 Ccf	45.82	51.61	5.79	12.65%	49.99	4.17	9.11%
11	Rate C - Commercial							
12	0 Ccf	\$ 41.95	\$ 41.85	\$ (0.10)	-0.24%	\$ 37.85	\$ (4.10)	-9.78%
13	50 Ccf	46.32	45.71	(0.61)	-1.31%	42.89	(3.43)	-7.41%
14	100 Ccf	50.70	49.58	(1.12)	-2.20%	47.93	(2.77)	-5.46%
15	200 Ccf	59.44	57.31	(2.13)	-3.59%	58.01	(1.43)	-2.41%
16	300 Ccf	68.19	65.04	(3.15)	-4.62%	68.09	(0.10)	-0.14%
17	400 Ccf	76.93	72.77	(4.17)	-5.42%	78.17	1.24	1.61%
18	500 Ccf	85.68	80.50	(5.19)	-6.05%	88.25	2.57	3.00%
19	1,000 Ccf	129.41	119.14	(10.27)	-7.94%	138.65	9.24	7.14%
20	1,500 Ccf	173.14	157.79	(15.36)	-8.87%	189.06	15.92	9.19%
21	2,000 Ccf	216.87	196.43	(20.44)	-9.43%	239.46	22.59	10.42%
22	2,500 Ccf	260.60	235.08	(25.53)	-9.79%	289.86	29.26	11.23%

Note 1: All proposed charges exclude gas costs, riders and Atmos' proposed Rate Case Expense Surcharge

ATMOS ENERGY CORP - MID-TEX DIVISION
REVENUE REQUIREMENT ALLOCATION TO CUSTOMER CLASSES - AT CLASS COST OF SERVICE

Line No.	Revenue Requirement Component (a)	Total (b)	Residential (c)	Commercial (d)	I&T (e)
1	Operating and Maintenance Expenses	\$ 187,342,844	\$ 148,585,126	\$ 33,873,802	\$ 4,883,916
2	Depreciation Expense	144,321,772	113,626,539	27,120,191	3,575,042
3	Taxes Other than Income	43,711,991	34,337,668	8,259,964	1,114,360
4	Interest on Customer Deposits	117,764	83,481	34,283	-
5	Return on Investment	193,437,246	151,754,188	36,747,735	4,935,323
6	Income Taxes	40,517,490	31,786,530	7,697,204	1,033,756
7	Total Cost of Service	\$ 609,449,107	\$ 480,173,532	\$ 113,733,178	\$ 15,542,396
8	Revenue Credits	14,543,619	11,458,645	2,714,077	370,897
9	Amortization of AD FIT	(12,090,609)	(9,481,039)	(2,302,608)	(306,962)
10	Total Revenue Requirement	<u>\$ 582,814,879</u>	<u>\$ 459,233,848</u>	<u>\$ 108,716,493</u>	<u>\$ 14,864,538</u>

ATMOS ENERGY CORP - MID-TEX DIVISION
RATE BASE ALLOCATION TO CUSTOMER CLASSES

Line No.	Revenue Requirement Component (a)	Total (b)	Residential (c)	Commercial (d)	I&T (e)
1	Gross Plant	\$ 4,532,029,129	\$ 3,559,151,661	\$ 858,973,880	\$ 113,903,588
2	Accumulated Depreciation	1,323,023,298	1,042,759,772	247,831,547	32,431,979
3	Net Plant	3,209,005,831	2,516,391,889	611,142,333	81,471,609
4	Cash Working Capital	(26,580,445)	(21,081,449)	(4,806,059)	(692,936)
5	Materials and Supplies	1,053,524	835,570	190,490	27,465
6	Prepayments	17,841,836	14,150,695	3,226,015	465,126
7	Pension Expense Regulatory Asset	941,167	746,457	170,174	24,536
8	Customer Deposits	(12,941,103)	(9,173,792)	(3,767,311)	-
9	Injuries and Damages Reserve	(2,002,505)	(1,588,225)	(362,077)	(52,204)
10	ADFIT & Regulatory Liabilities	(603,948,499)	(473,595,620)	(115,019,577)	(15,333,302)
11	Rate Base Adjustments	(10,695,834)	(8,387,305)	(2,036,979)	(271,550)
12	Total Rate Base	<u>\$ 2,572,673,971</u>	<u>\$ 2,018,298,220</u>	<u>\$ 488,737,009</u>	<u>\$ 65,638,742</u>

RESOLUTION #2018-1xx

RESOLUTION BY THE CITY OF SAN ANGELO, TEXAS ("CITY") DENYING A PROPOSED INCREASE SOUGHT BY ATMOS ENERGY-MIDTEX DIVISION IN CONNECTION WITH THE RATE INCREASE FILING IT MADE ON ABOUT JUNE 1, 2018; APPROVING AN ALTERNATIVE INCREASE IN RATES; DIRECTING ATMOS TO FILE CONFORMING TARIFFS AND TO REIMBURSE THE CITY'S RATE CASE EXPENSES; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, Atmos Energy ("Atmos Energy," "Atmos," or "Company") filed a Statement of Intent with the City on or about June 1, 2018, to increase its annual revenue by approximately \$4.5 million in the cities known as Atmos Texas Municipalities ("ATM"), which equates to an increase in annual revenue of approximately 8.0 percent, and is the equivalent of an increase of about \$46.0 million on a system-wide basis; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 104, §103.001 et seq. of GURA has exclusive original jurisdiction over Atmos's rates, operations, and services within the municipality; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating Atmos's rate request and its changes in tariffs it is prudent to coordinate the City's efforts with a coalition of similarly situated municipalities; and

WHEREAS, the City, in matters regarding applications by Atmos to change rates, has in the past joined with other local regulatory authorities to form an alliance of cities known as Atmos Texas Municipalities ("ATM"), and hereby continues its participation in ATM; and

WHEREAS, Atmos's rate request consists of a voluminous amount of information including Atmos's rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, Atmos's rate application is the Company's first general rate case since about 2012, and follows annual increases approved under the now-expired tariff known as the "Rate Review Mechanism" ("RRM"); and

WHEREAS, Atmos proposed July 6, 2018, as the effective date for its requested increase in rates; and

WHEREAS, the City previously suspended Atmos' proposed effective from July 6, 2018, to October 4, 2018; and

WHEREAS, the City, exercising its duties as a local regulatory authority with regard to Atmos' rates, services, and operations, through ATM engaged the law firm of Herrera Law & Associates as Special Counsel and rate experts from the consulting firms of the Garrett Group, LLC, GDS and Associates, Inc., and J. Randall Woolridge, Ph.D, to review Atmos' rate filing package; and

WHEREAS, Atmos failed to establish the need for an increase of about \$46 million and the specific rates Atmos proposed; and

WHEREAS, merits at most an increase of about \$12.81 million, which is approximately an increase of \$1.25 million in the ATM cities, and the specific rates set forth in **Exhibit A** to this Resolution, and made a part of this Resolution as if fully set out in its body; and

WHEREAS, Atmos failed to establish the reasonableness of its proposed rate design; and

WHEREAS, a reasonable rate design is as set forth in **Exhibit A**;

WHEREAS, Atmos failed to establish the reasonableness of its proposed cost of capital, including Atmos' proposed capital structure; and

WHEREAS, a reasonable cost of capital and capital structure is as set forth in **Exhibit A** to this Resolution; and

WHEREAS, pursuant to Gas Utility Regulatory Act § 103.022, cities have a statutory right to recover their reasonable rate case expenses.

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

Section 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

Section 2. Atmos failed to establish that its requested increase in revenue of about \$46 million, and its proposed changes in rates as set forth in its Statement of Intent submitted to the City on about June 1, 2018, result in just and reasonable rates, and are therefore, hereby **DENIED**.

Section 3. An increase of about \$12.81 million as shown in **Exhibit A**, and as detailed in **Exhibit B** to this Resolution, each of which is hereby incorporated by reference, and the rates shown below, are hereby **APPROVED**, to wit:

Approved Increase in Annual Revenue (System Wide – MidTex Division)	
\$12,807,858	

Customer Class/Rate	APPROVED RATE
Rate R - Residential	
Customer Charge per month	\$17.89
Consumption Charge (per CCF)	\$0.16052
Rate C - Commercial	
Customer Charge per month	\$37.85
Consumption Charge (per CCF)	\$0.10081
Rate I & T – Indus. & Transp.	
Customer Charge per month	\$619.85
Consumption Chrg - First 1,500 MMBTU	\$0.3655
Consumption Chrg - Next 3,500 MMBTU	\$0.2908
Consumption Chrg - Over 5,000 MMBTU	\$0.0761

Section 4. A rate-case-expense surcharge (“RCE Surcharge”) as shown below to allow Atmos to recover the City’s rate case expenses is hereby **APPROVED**, said surcharge per class to be in effect for a period of five (5) years:

Rate Class	RCE Surcharge
Residential	\$0.00030 per ccf
Commercial	\$0.00011 per ccf
Industrial & Transportation	\$0.0001 per MMbtu

Section 5. Atmos is hereby ordered to submit to the City a report detailing the rate-case expenses recovered through the RCE Surcharges, said report to be filed by October 1 of each year until full recovery of the rate case expenses and in no event is Atmos permitted to recover in excess of the rate case expenses approved by this Resolution.

Section 6. Atmos’ requested return on equity of 10.50% and its proposed capital structure of 60.18% equity and 39.82% long-term debt, are hereby **DENIED**.

Section 7. A return on equity of 9.80%; a cost of long-term debt of 5.45%; and a cost of short-term debt of 1.68%, are hereby **APPROVED**.

Section 8. A capital structure of 53.81% equity; 38.98% long-term debt; and 7.21% short-term debt, yielding a weighted cost of capital of 7.5189%, are hereby **APPROVED**.

Section 9. Atmos is hereby ordered to reimburse the City’s rate case expenses incurred as a member of the Atmos Texas Municipalities (“ATM”) through August 31, 2018, as set forth in **Exhibit B**, by no later than thirty (30) days from the effective date of this Resolution.

Section 10. Atmos is hereby ordered to reimburse the City’s rate case expenses incurred after August 31, 2018, for the City’s reasonable costs associated with the City’s continued activities related to this rate review or related to proceedings involving Atmos in proceedings before the City or any ATM city, the Railroad Commission of Texas, or any court of law, and that Atmos shall do so on a monthly basis and within 30 days after submission of the City’s invoices to Atmos.

Section 11. Atmos is directed to submit to the City a set of tariffs modified to correspond to the rates approved by this Resolution and that it do so by no later than fifteen (15) calendar days after the effective date of this Resolution, said submittal to be accompanied by an affidavit from an officer of Atmos Energy attesting that the rates presented in the modified tariffs are in accordance with the rates approved by this Resolution.

Section 12. The City shall continue its participation in a coalition of cities known as the Atmos Texas Municipalities (“ATM”), and authorizes intervention in proceedings related to Atmos’ Statement of Intent before the Railroad Commission of Texas and related proceedings in courts of law that may have an impact on rates within the City; and

Section 13. Subject to the right to terminate employment at any time, the City continues its engagement of and authorizes the law firm of Herrera Law & Associates, PLLC to act as Special Counsel with regard to rate proceedings involving Atmos before the City, the Railroad Commission of Texas, or any court of law, and to retain such experts as may be reasonably necessary for review of Atmos’s rate application in such proceedings and subject to approval by the steering committee of the ATM.

Section 14. Any relief not expressly granted or approved by this Resolution is expressly denied.

Section 15. A copy of this Resolution shall be sent to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 816 Congress Ave., Suite 950, Austin, Texas 78701, and a courtesy copy to Atmos's local representative.

Section 16. Atmos shall implement the rates approved by this Resolution beginning October 4, 2018, for service rendered on and after that date.

Section 17. To the extent of an inconsistency between this Resolution and a prior ordinance or resolution related to Atmos' rates, this Resolution governs and supersedes all prior ordinances or resolutions related to Atmos' rates.

Section 18. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 19. This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this _____ day of _____, 2018.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Secretary

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 18, 2018

Item type: Consent Item

Caption:

Consider adopting a resolution relating to a public hearing and approving financing by Orchard Cultural Education Facilities Finance Corporation for the benefit of Baptist Memorials Ministries and related matters - (Presentation made by Orrick Public Finance Senior Associate Amanda Stephens)

Summary/History:

The City of San Angelo, Texas has been informed that the Orchard Cultural Education Facilities Finance Corporation which was created pursuant to Chapter 337, Texas Local Government Code will issue bonds, loans and/or other obligations in the maximum aggregate principal amount of \$14,500,000, to be loaned to Baptist Memorials Ministries for the purpose of financing and refinancing various Projects.

The projects include the following:

- a) the construction, acquisition, renovation and/or equipping of Sagecrest Alzheimer's Care Center and the Green House Homes at Sagecrest located at 438 E. Houston Harte Expressway, San Angelo, Texas 76903;
- (b) the renovation and/or equipping of the Baptist High-Rise Independent Living Apartments (Henley-Mabee Building) located at 903 N. Main Street, San Angelo, Texas 76903;
- (c) the construction, demolition, renovation and/or equipping of the Elsie Gayer Nursing Building located at 902 N. Main Street, San Angelo, Texas 76903;
- (d) the construction, acquisition, renovation and/or equipping of road and landscaping improvements located throughout the Borrower's approximate 100-acre campus located primarily at 902-903 N. Main Street, San Angelo, Texas 76903 including the area generally bound by E. 7th Street, N. Poe Street, E. 14th Street, E. 18th Street and Akin Street;
- (e) the construction, acquisition, renovation and/or equipping of The Crest, a memory care assisted living facility, located at 403 and 430 E. 8th Street, San Angelo, Texas 76903,
- (f) the construction, acquisition, renovation and/or equipping of independent living homes on the Campus, including those located at 114 Chrysanthemum, 103 Ash, 103 and 110 Morning Glory, 100 Cosmos, 104 Green Acres, 106 and 203 Memorials Circle, 103 and 104 Camelot, 112 and 132 Northstar, 137 and 153 Northgate, and 121 Mesquite;
- (g) paying a portion of the costs of issuance of the Obligations.

Section 147(f) of the Internal Revenue Code of 1986 requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice. The public hearing was held on September 14, 2018 at Baptist Retirement Community.

Baptist Memorials Ministries is requesting approval of the attached Resolution and the issuance of the obligations.

Financial Impact:

Other Information/Recommendation:

There is no financial obligation for the City as a result of this Resolution.

Attachments:

- | | | |
|----|--|--|
| 1. | RES Baptist Memorials Ministries - Letter to Mayor | RES Baptist Memorials Ministries - Letter to Mayor.pdf |
| 2. | 18-949 RES Approval of the City of San Angelo - Baptist Memorials Ministries | 18-949 RES Approval of the City of San Angelo - Baptist Memorials Ministries.doc |
| 3. | 18-949 Publisher's Affidavit - San Angelo Standard-Times - Baptist Memorials | 18-949 Publisher's Affidavit - San Angelo Standard-Times - Baptist Memorials.pdf |
| 4. | Certificate of Public Hearing (Project) - Baptist Memorials | Certificate of Public Hearing (Project) - Baptist Memorials.pdf |

Presentation:

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



Orrick, Herrington & Sutcliffe LLP

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Amanda Victoria Stephens
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astephens@orrick.com

August 30, 2018

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

Re: Baptist Memorials Ministries

Dear Mayor Gunter:

Baptist Memorials Ministries, a nonprofit organization in San Angelo, Texas, is (a) financing and refinancing the construction, acquisition, renovation and/or equipping of Sagecrest Alzheimer's Care Center and the Green House Homes at Sagecrest located at 438 E. Houston Harte Expressway, San Angelo, Texas 76903; (b) financing the renovation and/or equipping of the Baptist High-Rise Independent Living Apartments (Henley-Mabee Building) located at 903 N. Main Street, San Angelo, Texas 76903; (c) financing and refinancing the construction, demolition, renovation and/or equipping of the Elsie Gayer Nursing Building located at 902 N. Main Street, San Angelo, Texas 76903; (d) financing the construction, acquisition, renovation and/or equipping of road and landscaping improvements located throughout the Borrower's approximate 100-acre campus located primarily at 902-903 N. Main Street, San Angelo, Texas 76903 including the area generally bound by E. 7th Street, N. Poe Street, E. 14th Street, E. 18th Street and Akin Street (such area is collectively, the "Campus"), (e) refinancing the construction, acquisition, renovation and/or equipping of The Crest, a memory care assisted living facility, located at 403 and 430 E. 8th Street, San Angelo, Texas 76903, (f) refinancing the construction, acquisition, renovation and/or equipping of independent living homes on the Campus, including those located at 114 Chrysanthemum, 103 Ash, 103 and 110 Morning Glory, 100 Cosmos, 104 Green Acres, 106 and 203 Memorials Circle, 103 and 104 Camelot, 112 and 132 Northstar, 137 and 153 Northgate, and 121 Mesquite (all of the foregoing is collectively, the "Project"). Baptist Memorials Ministries is financing at a favorable tax-exempt interest rate through one or more loan transactions facilitated by the Orchard Cultural Education Facilities Finance Corporation. Orrick, Herrington & Sutcliffe LLP serves as bond counsel for this transaction.

Because the Property is located within the City of San Angelo, Texas, section 147(f) of the Internal Revenue Code, requires that the governing body of the City of San Angelo, Texas must approve the transaction after a public hearing is held. The public hearing will be held on September 14, 2018, prior to the September 18, 2018 City Council meeting, at Baptist Retirement Community, in the Chapel of the Elsie Gayer Building, 902 N. Main Street, San Angelo, Texas 76903. We will provide a Certificate of Hearing Officer after the public hearing documenting any persons or comments presented at the public hearing. We respectfully request that the attached Resolution of the City of San Angelo, Texas be placed on the City Council's agenda for the



September 18, 2018 meeting. Such consent is similar to ones that have been given by the City of Houston, City of Dallas, City of San Antonio, City of Abilene and other cities throughout the State of Texas for tax-exempt transactions for other nonprofits.

The City of San Angelo, Texas is not being asked to undertake any financial obligation. The transaction will not be a debt or liability of the City of San Angelo, Texas. The consent is only for the purpose of complying with federal tax law regarding tax-exempt obligations. The transaction is scheduled to close on September 28, 2018.

We greatly appreciate your assistance in this matter. Please call me if we can provide any further information or can assist you in connection with this request for consent.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda Stephens", with a stylized flourish at the end.

Amanda Stephens

17784

RESOLUTION # _____

**RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING FINANCING BY
ORCHARD CULTURAL EDUCATION FACILITIES FINANCE CORPORATION FOR THE
BENEFIT OF BAPTIST MEMORIALS MINISTRIES AND RELATED MATTERS.**

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

WHEREAS, the City of San Angelo, Texas (the “City”) has been informed that the Orchard Cultural Education Facilities Finance Corporation (the “Corporation”) created pursuant to Chapter 337, Texas Local Government Code (“State Law”) will issue bonds, loans and/or other obligations (the “Obligations”) in the maximum aggregate principal amount of \$14,500,000, whereby the proceeds of the Obligations will be loaned to Baptist Memorials Ministries (the “Borrower”) for the purpose of financing and refinancing the Project (the “Financing”);

WHEREAS, the Corporation is authorized by State Law to provide the Financing for cultural, health, educational and housing facilities by contractual arrangement, and the Obligations issued to the Corporation constitute contractual arrangements in which the Corporation is authorized by State Law to participate in;

WHEREAS, the Obligations are being issued for the purpose of (a) financing and refinancing the construction, acquisition, renovation and/or equipping of Sagecrest Alzheimer’s Care Center and the Green House Homes at Sagecrest located at 438 E. Houston Harte Expressway, San Angelo, Texas 76903; (b) financing the renovation and/or equipping of the Baptist High-Rise Independent Living Apartments (Henley-Mabee Building) located at 903 N. Main Street, San Angelo, Texas 76903; (c) financing and refinancing the construction, demolition, renovation and/or equipping of the Elsie Gayer Nursing Building located at 902 N. Main Street, San Angelo, Texas 76903; (d) financing the construction, acquisition, renovation and/or equipping of road and landscaping improvements located throughout the Borrower’s approximate 100-acre campus located primarily at 902-903 N. Main Street, San Angelo, Texas 76903 including the area generally bound by E. 7th Street, N. Poe Street, E. 14th Street, E. 18th Street and Akin Street (such area is collectively, the “Campus”), (e) refinancing the construction, acquisition, renovation and/or equipping of The Crest, a memory care assisted living facility, located at 403 and 430 E. 8th Street, San Angelo, Texas 76903, (f) refinancing the construction, acquisition, renovation and/or equipping of independent living homes on the Campus, including those located at 114 Chrysanthemum, 103 Ash, 103 and 110 Morning Glory, 100 Cosmos, 104 Green Acres, 106 and 203 Memorials Circle, 103 and 104 Camelot, 112 and 132 Northstar, 137 and 153 Northgate, and 121 Mesquite (all of the foregoing is collectively, the “Project”); and (g) paying a portion of the costs of issuance of the Obligations.

WHEREAS, the Borrower has agreed to make payments in amounts sufficient to pay the payments required to be made under the Obligations (the “Payments”);

WHEREAS, section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice;

WHEREAS, the publication of the Notice of Public Hearing (the “*Public Notice*”) is evidenced by a Publisher's Affidavit (a copy of which is attached hereto as Exhibit A);

WHEREAS, attached hereto as Exhibit B is Certificate of Public Hearing regarding the conduct of the Public Hearing;

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

Section 1. The City hereby approves the Financing and the Project solely for the purpose of satisfying the requirements of section 147(f) of the Code; provided that the City shall have no liabilities for the Payments nor shall any of the City's assets be pledged to secure the Payments.

Section 2. This Resolution shall become effective immediately upon its passage.

ADOPTED AND APPROVED on September 18, 2018.

ATTEST:

Bryan Kendrick, City Secretary

Brenda Gunter, Mayor

Approved as to form:

Theresa James, City Attorney

EXHIBIT A

PUBLISHER'S AFFIDAVIT

EXHIBIT B

CERTIFICATE OF PUBLIC HEARING

PROOF OF PUBLICATION

ORRICK
MARILYN HERZOG
609 MAIN STREET 40TH FLOOR
HOUSTON, TX 77002

State of Wisconsin, County of Brown

On **August 31, 2018**, personally appeared before me the undersigned, a Notary Public in and for said county and state, legal clerk of the **SAN ANGELO STANDARD-TIMES**, a daily newspaper published in San Angelo, County of TOM GREEN, State of Texas and of general circulation in the following counties: **Tom Green, Coke, Concho, Crockett, Irion, Kimble, Mason, McCulloch, Menard, Reagan, Runnels, Schleicher, Sterling, Sutton**. The attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in its issues thereof the following dates:

August 31, 2018

Subscribed and sworn to before me on **August 31, 2018**.

Legal Clerk

Notary Public

My commission expires



Ad#: 2106926
P.O.:
of Affidavits: 0

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Orchard Cultural Education Facilities Finance Corporation (the "Corporation"), a nonprofit corporation created by the City of Orchard, Texas pursuant to Chapter 337, Texas Local Government Code, will hold a public hearing on September 14, 2018, commencing at 10:00 a.m. at Baptist Retirement Community, in the Chapel of the Elsie Gayer Building, 902 N. Main Street, San Angelo, Texas 76903, to provide an opportunity for all interested persons to be heard with respect to proposed loans from First Financial Bank, N.A. (the "Bank") to the Corporation in the maximum aggregate amount of \$14,500,000 and proposed loans from the Corporation to Baptist Memorials Ministries (the "Borrower") in the same aggregate amount (collectively, the "Loans"); all pursuant to one or more Loan Agreements by and among the Corporation, the Bank and the Borrower.

The Loans are being made for the purpose of (a) financing and refinancing the construction, acquisition, renovation and/or equipping of Sagecrest Alzheimer's Care Center and the Green House Homes at Sagecrest located at 438 E. Houston Harte Expressway, San Angelo, Texas 76903; (b) financing the renovation and/or equipping of the Baptist High-Rise Independent Living Apartments (Henley-Mabee Building) located at 903 N. Main Street, San Angelo, Texas 76903; (c) financing and refinancing the construction, demolition, renovation and/or equipping of the Elsie Gayer Nursing Building located at 902 N. Main Street, San Angelo, Texas 76903; (d) financing the construction, acquisition, renovation and/or equipping of road and landscaping improvements located throughout the Borrower's approximate 100-acre campus located primarily at 902-903 N. Main Street, San Angelo, Texas 76903 including the area generally bound by E. 7th Street, N. Poe Street, E. 14th Street, E. 18th Street and Akin Street (such area is collectively, the "Campus"); (e) refinancing the construction, acquisition, renovation and/or equipping of The Crest, a memory care assisted living facility, located at 403 and 430 E. 8th Street, San Angelo, Texas 76903, and (f) refinancing the construction, acquisition, renovation and/or equipping of independent living homes on the Campus, including those located at 114 Chrysanthemum, 103 Ash, 103 and 110 Morning Glory, 100 Cosmos, 104 Green Acres, 106 and 203 Memorials Circle, 103 and 104 Camelot, 112 and 132 Northstar, 137 and 153 Northgate, and 121 Mesquite (all of the foregoing is collectively, the "Project"); and (f) paying a portion of the costs of issuance of the Loans. The Project is owned by the Borrower. The Loans are not payable out of taxes and are secured by and payable solely from funds provided by the Borrower.

All interested persons are invited to attend the hearing to express their views, both orally and in writing, with respect to the Loans and the Project. Any interested persons unable to attend the hearing may submit their views in writing to the President of the Board of Directors of the Corporation, c/o Orrick, Herrington & Sutcliffe LLP, Attn: Hoang Vu, 609 Main Street, 40th Floor, Houston, Texas 77002, prior to the date scheduled for the hearing.

**ORCHARD CULTURAL
EDUCATION FACILITIES
FINANCE CORPORATION**

CERTIFICATE OF PUBLIC HEARING

I, the undersigned, hereby certify in connection with a series of loan transactions to be entered into by the Orchard Cultural Education Facilities Finance Corporation (the "*Corporation*"), Baptist Memorials Ministries ("*Borrower*") and First Financial Bank, N.A. in the maximum amount of \$14,500,000 (the "*Loans*") for the benefit of Borrower, as follows:

1. I served as Hearing Officer for the Corporation for the purpose of conducting a public hearing on the Loans and the use of the proceeds thereof for the purpose of (a) financing and refinancing the construction, acquisition, renovation and/or equipping of Sagecrest Alzheimer's Care Center and the Green House Homes at Sagecrest located at 438 E. Houston Harte Expressway, San Angelo, Texas 76903; (b) financing the renovation and/or equipping of the Baptist High-Rise Independent Living Apartments (Henley-Mabee Building) located at 903 N. Main Street, San Angelo, Texas 76903; (c) financing and refinancing the construction, demolition, renovation and/or equipping of the Elsie Gayer Nursing Building located at 902 N. Main Street, San Angelo, Texas 76903; (d) financing the construction, acquisition, renovation and/or equipping of road and landscaping improvements located throughout the Borrower's approximate 100-acre campus located primarily at 902-903 N. Main Street, San Angelo, Texas 76903 including the area generally bound by E. 7th Street, N. Poe Street, E. 14th Street, E. 18th Street and Akin Street (such area is collectively, the "Campus"), (e) refinancing the construction, acquisition, renovation and/or equipping of The Crest, a memory care assisted living facility, located at 403 and 430 E. 8th Street, San Angelo, Texas 76903, and (f) refinancing the construction, acquisition, renovation and/or equipping of independent living homes on the Campus, including those located at 114 Chrysanthemum, 103 Ash, 103 and 110 Morning Glory, 100 Cosmos, 104 Green Acres, 106 and 203 Memorials Circle, 103 and 104 Camelot, 112 and 132 Northstar, 137 and 153 Northgate, and 121 Mesquite (all of the foregoing is collectively, the *Project*").

2. Such hearing was conducted commencing at 10:00 a.m. on September 14, 2018 at Baptist Retirement Community, in the Chapel of the Elsie Gayer Building, 902 N. Main Street, San Angelo, Texas 76903, which building and office was open to the public for purposes of the hearing.

3. At the time for the commencement of the hearing, comments, either orally or in writing, were publicly requested on the Project to be financed with proceeds of the Loan and on the making of the Loans.

4. At the hearing,

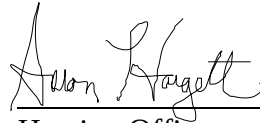
☐ no persons presented comments orally or in writing.

☐ the comments summarized in Exhibit B-1 were made orally by the persons listed therein.

☒ the written comments attached hereto were presented. *

5. No time limitations were imposed on any public comments.

IN WITNESS WHEREOF, I have hereunto set my hand this September 14, 2018.

A handwritten signature in black ink, appearing to read "Aaron Hagatt", is written over a horizontal line.

Executive Director
Baptist Memorials Ministries

Hearing Officer

* Comments: One resident of the Baptist Retirement Community attended the hearing. This resident inquired about the scope of the planned renovations, amount of new debt incurred, and the amount of existing debt being refinanced. She posed no objections.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Consider a resolution authorizing the City Manager to execute a second amendment to the Texas Parks and Wildlife State Boating Access Program 75% matching fund reimbursement grant program agreement and related documents that will require 25% matching funds for the construction and renovation of boat ramps and related facilities at Lake Nasworthy and Middle Concho Park - (Presentation made by Parks and Recreation Director Carl White)

Summary/History:

On June 7, 2016, The City Council approved a resolution authorizing the execution of a grant agreement with the Texas Parks and Wildlife Department, to design and construct boat ramp, parking and restroom improvements at Middle Concho Park at Lake Nasworthy. Under this resolution, the City leveraged \$353,250 from TPWD with a match of \$117,750 from the Lake Nasworthy Trust interest income, for a total project cost of \$471,000.

As we began to prepare for implementation of this project, and in discussions with staff, we realized the opportunity to tap in to a new sewer line extension that now ends near the park. This would allow the new restroom to utilize this sewer line, as opposed to the existing septic tank system. Doing so would increase the cost of the project.

In discussions with TPWD about this opportunity, they offered the possibility of granting additional funds, for which they now have approval, pending the City's commitment to increase the matching funds.

City Council's approval is needed to both accept the additional grant funds and City match. Under the proposed new project scenario, the total grant funds would be \$499,500 and the City total match would be \$155,500, an increase of \$48,750. We propose that the additional City matching funds come from FY 17-18 Parks and Recreation Department budget savings, so there would be no additional burden on the General Fund. Anticipated increased maintenance costs for the improvements is estimated at \$4-5,000/year for the additional utilities and operations.

Financial Impact:

Under the proposed new project scenario, the total grant funds would be \$499,500 and the City total match would be \$155,500, an increase of \$48,750. We propose that the additional City matching funds come from FY 17-18 Parks and Recreation Department budget savings, so there would be no additional burden on the General Fund. Anticipated increased maintenance costs for the improvements is estimated at \$4-5,000/year for the additional utilities and operations.

With approval of this item, we would return with any required budget amendment request.

Other Information/Recommendation:

Staff recommends adoption of this resolution.

Attachments:

- | | | |
|----|---|---|
| 1. | Presentation for TPWD boat ramp grant project | Presentation for TPWD boat ramp grant project.pptx |
| 2. | 18-578-1_PK_TPWD_GRANT_AMEND_2_RESO | 18-578-1_PK_TPWD_GRANT_AMEND_2_RESO.docx |
| 3. | Agreement Executed Grant TPWD Boating Access Middle Concho Park | Agreement Executed Grant TPWD Boating Access Middle Concho Park.pdf |
| 4. | amendment to extend executed | amendment to extend executed.pdf |

Presentation:

Approvals/Reviews:

Carl White	Created/Initiated
Theresa James	Approved
Rick Weise	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council

August 21, 2018



Boating Access Grant

Consider a resolution authorizing the City Manager to execute a second amendment to the Texas Parks and Wildlife State Boating Access Program 75% matching fund reimbursement grant program agreement and related documents that will require 25% matching funds for the construction and renovation of boat ramps and related facilities at Lake Nasworthy, Middle Concho Park.
(Presentation made by Parks and Recreation Director Carl White)





Budget Summary, Current, Revised

	Current	Revised
--	---------	---------

- | | | |
|-------------------------|-----------|-----------|
| • Professional Services | \$46,000 | \$55,000 |
| • Construction | \$425,000 | \$611,000 |
| • Total Project | \$471,000 | \$666,000 |

		Difference
--	--	------------

- | | | | |
|---------------|-----------|-----------|-----------|
| • Grant (75%) | \$353,250 | \$499,500 | \$146,250 |
| • Match (25%) | \$117,750 | \$166,500 | \$48,750 |





City Council

August 21, 2018



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO TEXAS PARKS AND WILDLIFE STATE BOATING ACCESS PROGRAM SEVENTY-FIVE PERCENT MATCHING FUND REIMBURSEMENT GRANT PROGRAM AGREEMENT AND RELATED DOCUMENTS THAT WILL REQUIRE TWENTY-FIVE PERCENT MATCHING FUNDS FOR THE CONSTRUCTION AND RENOVATION OF BOAT RAMPS AND RELATED FACILITIES AT LAKE NASWORTHY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Parks and Wildlife Department (TPWD), State Boating Access Program provides seventy-five percent (75%) matching fund reimbursement grant assistance for construction and renovation of boat ramps and related facilities that provide public access to waters for recreational boating (hereinafter "TP&W Grant"); and,

WHEREAS, on June 7, 2016 City Council adopted a resolution authorizing execution of a grant agreement with the Texas Parks and Wildlife Department to design and construct a boat ramp, parking and restroom improvements at Middle Concho Park, Lake Nasworthy for a project cost of \$471,000 and 75% reimbursement assistance of \$353,250; and,

WHEREAS, the grant agreement was amended to extend the project term to May 31, 2019; and,

WHEREAS, it is desirable to supplement the scope of the project with a sewer line extension and related improvements for a revised total project cost of \$666,000 with federal reimbursement at 75% of \$499,500, and

WHEREAS, TPWD has approved additional grant funds for the project;

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

SECTION 1. The foregoing recitals are adopted by the City Council as true and correct.

SECTION 2. The City Manager for the City of San Angelo is hereby authorized and directed to execute the second amendment to Texas Parks and Wildlife Boating Access Grant Program Agreement in substantially the attached form, providing for an estimated total project cost of \$666,000. and a seventy-five percent matching fund reimbursement grant assistance of \$499,500, for the construction and renovation of boat docks and related facilities on park lands at Lake Nasworthy, and to execute such other documents on behalf of the City as may be necessary or convenient to such grant agreement.

SECTION 3. This Resolution shall take effect immediately from and after its passage and approval.

PASSED and APPROVED THIS 21st DAY OF August, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

Carl White, Dir. of Parks & Recreation

APPROVED AS TO FORM

Theresa James, City Attorney

TEXAS PARKS AND WILDLIFE

Recreation Grants Branch
BOATING ACCESS GRANT PROGRAM

AMENDMENT TO PROJECT AGREEMENT

TPWD Contract Number: 480802 Service Award Number: F16AF00481
Unique Entity Identifier (DUNS): 078547502 CFDA: 15.605
Project Number: F-271-B-1
Sponsor Name: CITY OF SAN ANGELO
Project Name: LAKE NASWORTHY BOAT RAMP
Project Period: 4-27-2016 TO 05-31-2019
Total Project Cost: \$666,000.00 Approved Federal Funds: 499,500.00 (75%)

THIS AMENDMENT # 2 to Project Agreement Number F-271-B-1 is hereby made and agreed upon by the State of Texas, acting through the Texas Parks and Wildlife Department and by the undersigned subdivision pursuant to the Texas Recreation and Parks Account Program.

The political subdivision (sponsor) and the State of Texas, in mutual consideration of the promises made herein and in the fund agreement of which this is an amendment, do promise as follows:

TO ADD FUNDS TO PROJECT, ADDITIONAL FUNDS OF \$146,250.00 FEDERAL AND \$48,750.00 SAN ANGELO'S MATCH.

**NEW TOTAL PROJECT: \$499,500.00 FEDERAL
\$166,500.00 SAN ANGELO MATCH
\$666,000.00 TOTAL PROJECT COST**

In all other respects the fund agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this Amendment as of the date entered below.

TEXAS PARKS AND WILDLIFE DEPARTMENT

CITY OF SAN ANGELO


By: Trey Cooksey, Manager, Boating Access Program

By: Daniel Valenzuela, City Manager

07/09/2018

Date of Signature

Date of Signature

☒ SAM Date Cage ODUWO rgk 7-9-2018

☒ Federal Aid Date/Initials 7/9/2018 LL

Approved as to Content: _____
Carl White, Director of Parks &
Recreation

Approved as to Form: _____
Dan T. Saluri, Deputy City
Attorney

TEXAS PARKS AND WILDLIFE

**Recreation Grants Branch
BOATING ACCESS GRANT PROGRAM AGREEMENT**

TPWD Contract Number: **480802**

Service Award Number: **F16AF00481**

Unique Entity Identifier (DUNS): **078547502**

CFDA: **15.605**

Project Number: **F-271-B-1**

Sponsor Name: **CITY OF SAN ANGELO**

Project Name: **LAKE NASWORTHY BOAT RAMP**

Project Period: **DATE OF AGREEMENT TO 06-30-2018**

Total Project Cost: **\$471,000.00**

Approved Federal Funds: **353,250.00 (75%)**

PROJECT SCOPE AND LOCATION:

This subaward is funded through the U.S. Fish and Wildlife Service (USFWS), Grant TX F-271-B-1 Renovate Boating Access Facilities at Lake Nasworthy, San Angelo Texas, F16AF00481, under the authority of the Sport Fish Restoration Grant Program, (CFDA# 15.605) issued to the Department on date of award April 27, 2016. All publications arising from this project shall acknowledge the Department, as well as USFWS, as funding sources.

To expand the existing public boat ramp by adding two additional ramps, a new docking area, an updated parking area, a new restroom with showers and walkways will be installed and lighting and signs to be installed.

City of San Angelo is authorized to be reimbursed \$43,000 for the Corps permit (\$4,000), cultural resources survey (\$2,000), engineering plans and specifications (\$34,000), application preparation (\$3,000) incurred on or after June 30, 2012, prior to the grant period start date of this award, and necessary to comply with the proposed project schedule/period of performance. We do not authorize \$3,000 for construction inspections as pre-agreement costs. Pre-award expenses are allowable only to the extent that they are authorized by the approved SF 424, scope of work, and project budget incorporated by reference under this award.

Location of ramp is located near San Angelo, Texas in Tom Green County and the nearest street is Middle Concho Drive and Middle Concho East The geographic coordinates at the ramp: 31.378614 / -100.520816

This grant agreement ("**Agreement**"), as defined in 2 CFR, 200.51, is made and entered into by and between the Texas Parks and Wildlife Department ("**Department**") and the City of San Angelo ("**Sponsor**"), with respect to the above described project ("**Project**") as follows:

1. This grant is approved for planning, coordination and design only. Sponsor shall submit to the Department an aerial or satellite image, and ground-level color digital photos, which together show precise locations of all project components before the project begins. Work on the ground (construction) may not proceed until these documents are approved by the USFWS. **Any construction costs incurred prior to the receipt of the Notice to Proceed with construction will not be eligible for reimbursement.**
2. Sponsor agrees to submit complete signed and sealed construction plans and specifications to USFWS and the Department and to construct the Project as specified in this agreement; and **register the Project with the Texas Department of Licensing and Regulation (TDLR) – "Elimination of Architectural Barriers Program."**
3. All construction shall be in compliance with all laws and regulations duly adopted by governmental agencies of competent jurisdiction including meeting current Americans with Disabilities Act compliance for boating access facilities.
4. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the Sponsor, or any person working on the Sponsor's behalf, shall be immediately reported to the Service and the State Historic Preservation Officer. The Sponsor shall stop all operations in the area of potential effect until written authorization to proceed is issued by the USFWS after determination of appropriate actions to prevent the loss of significant cultural, religious, or scientific values.
5. After completion of the Project and final payment by the Department, Sponsor shall assume sole responsibility for facility operation including area surveillance, maintenance and repairs for a minimum of twenty-five (25) years.
6. Local regulations may be adopted by Sponsor pursuant to Section 31.092 of the Parks and Wildlife Code. It is understood and agreed that Sponsor shall not designate public water served by the Project as areas restricted from use by registered motorboats without Department approval. Violation of this covenant by Sponsor shall require 100% reimbursement to the Department of the costs of the Project.
7. This project is being funded with federal funds generated by recreational boaters. As such, charging a fee to utilize this facility is discouraged. If a fee is charged to utilize the boat ramp, all revenue collected must be used to maintain and operate the boating access facility.
8. The Department will provide the Sponsor with advisory assistance within its capabilities.

9. Sponsor shall submit Performance reports (status reports) through the Recreation Grants Online (RGO) system (<https://tpwd-recgrants.fluidreview.com>). Performance reports are due on 15th day of the month following the end of each calendar quarter. Reports must contain sufficient text and photographic detail to inform the Department of the current status of the grant project components. Each report must contain clear color ground-level digital photos of the work site and each project component at the time the report is written and approved. The report must describe in detail any progress, delays or problems occurring within the grant period covered by the report. The final Performance report must summarize all work completed (or not completed) and contain photos showing the overall site, and the site of each individual project component, both before work began and after the project is completed.
10. The Sponsor will submit financial reports with each reimbursement request submitted quarterly through the RGO system. The reports should be in the form of an updated budget summary of the project elements showing total costs to date. Frequency of submission of reimbursement requests can be as needed, but they should be submitted at least quarterly to show financial activity of the grant.
11. Cost Sharing or Match: The minimum non-federal match requirement is 25% of total cumulative expenditures. No more than 75% of cumulative costs will be reimbursed.
12. Under the terms and conditions of this award, Sponsor must maintain an active System for Award Management (SAM) registration at <https://www.sam.gov/portal/public/SAM/> until the final financial report is submitted or final payment is received, whichever is later. If Sponsor's SAM registration expires during the required period, the USFWS will suspend payment under this and all other USFWS awards to Sponsor until it updates its SAM registration
13. The Department will perform a final site inspection at the completion of the project. Progress inspections may be performed at the discretion of the Department.
14. Sponsor will maintain adequate records to support all claims for reimbursement and submit to the Department copies of all expenditures to be charged against the Project. Financial records shall be retained by Sponsor for three years (3) after satisfaction of all Uniform Administrative Requirements for Grants and Cooperative agreements to State and Local Governments. Other records such as construction plans and this agreement shall be maintained for the period specified in **2 CFR 200.333** Retention requirements for records.
15. Sponsor understands that acceptance of funds under this agreement acts as acceptance of the authority of the State Auditor's Office, the Department or any successor agency, to conduct an audit or investigation in connection with those funds. Sponsor further agrees to cooperate fully with the State Auditor's Office, the Department or any successor in the conduct of the audit or investigation, including providing all records requested. Sponsor will ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through Sponsor and the requirement to cooperate is included in any subcontract it awards. This right to audit provision includes the right of the applicable federal agencies and the federal Office of the Inspector General to audit.

16. Amendments or change orders to this agreement shall be requested in writing by the Sponsor and submitted through the RGO system. The Department will review and approve or disapprove amendments or change orders in concurrence with the USFWS.
17. In the event the cost of construction is below the maximum amount authorized, the Sponsor may, at its discretion, include additional improvements or appurtenances on each designated site as long as the Project total cost figures are not exceeded; provided, however, such improvements or appurtenances are first approved in writing by the Department.
18. Awards are based on the application and supporting documentation submitted to and approved by the Department and the USFWS. Acceptance of this grant carries with it the responsibility to be aware of and comply with Program legislation, Federal regulations, special award terms, conditions and provisions including the Assurances- Constructions Programs, (SF 424D), which are attached and made part of this Agreement. Acceptance is defined as the start of work, drawing down of funds, or accepting the award via electronic means. The federal regulations applicable to Service awards are listed by recipient type in Service Financial Assistance Award Terms and Conditions posted at <http://www.fws.gov/grants/>.
19. To the extent allowable by law, sponsor shall defend, indemnify, and hold harmless the state of Texas, its officers, and employees, and the department, its officers, and employees and contractors, from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, including without limitation attorneys' fees and court costs, arising out of, connected with, or resulting from any acts or omissions of sponsor or any agent, employee, subcontractor, or supplier of sponsor in the execution or performance of this agreement, sponsor shall coordinate its defense with the Texas Attorney General as requested by the department.
20. The Department may temporarily suspend USFWS assistance under the project pending corrective action by the Sponsor or pending a decision to terminate the grant by the Department.
21. The Sponsor may unilaterally terminate the project at any time prior to the first payment on the Project. After the initial payment, the project may be terminated, modified, or amended by the Sponsor only by mutual agreement with the Department.
22. The Department may terminate the Project in whole, or in part, at any time before the date of completion, whenever it is determined that the Sponsor has failed to comply with the conditions of the grant. The Department will promptly notify the Sponsor in writing of the determination and the reasons for termination, together with the effective date. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be handled in accord with the legal rights and liabilities of the parties.

23. The Department or Sponsor may terminate the Agreement in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the Project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portions to be terminated. The Sponsor shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department may allow full credit to the Sponsor for the State share of the non-cancelable obligations, properly incurred by the Sponsor, pending written receipt detailing the reasons and effective date of termination. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be handled in accord with the legal rights and liabilities of the parties.
24. Termination either for cause or for convenience requires that the project in question be brought to a state of recreational usefulness agreed upon by the Sponsor and the Department, or that all funds provided by the Department be returned.
25. Sponsor must disclose, in a timely manner and, in writing to the Department all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this Agreement. Failure to make required disclosures can result in any of the remedies described in § 2 CFR 200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR Part 180 and 31 U.S.C. 3321).
26. **Whistleblower Rights and Requirements:** 41 U.S.C. 4712, Pilot Program for Enhancement of the Sponsor and Subrecipient (Sub-Contractors) Employee Whistleblower Protection: This requirement applies to all awards issued after July 1, 2013 and shall be in effect until January 1, 2017.
- a) This award and related subawards and contracts over the simplified acquisition threshold and all employees working on this award and related subawards and contracts over the simplified acquisition threshold are subject to the whistleblower rights and remedies in the pilot program on award recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239).
 - b) Recipients, and their subrecipients and contractors awarded contracts over the simplified acquisition threshold related to this award, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.
 - c) The Sponsor shall insert this clause, including this paragraph (c), in all subawards and contracts over the simplified acquisition threshold related to this award.
27. **U.S. Department of Homeland Security's E-Verify System:** By entering into this Agreement, the Sponsor certifies and ensures that it utilizes and will continue to utilize, for the term of this Agreement, the U.S. Department of Homeland Security's E-Verify system to determine the eligibility of:
- a) All persons employed to perform duties within Texas, during the term of the Agreement; and

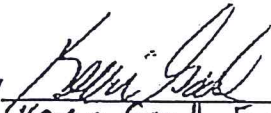
- b) All persons (including subcontractors) assigned by the Sponsor to perform work pursuant to the Agreement, within the United States of America.

The Sponsor shall provide, upon request of TPWD, an electronic or hardcopy screenshot of the confirmation or tentative non-confirmation screen containing the E-Verify case verification number for attachment to the Form I-9 for the three most recent hires that match the criteria above, by the Sponsor, and Sponsor's subcontractors, as proof that this provision is being followed.

If this certification is falsely made, the Sponsor may be **immediately terminated, at the discretion of the state and at no fault to the state, with no prior notification.**

28. The Agreement is effective upon execution by both parties.

TEXAS PARKS AND WILDLIFE DEPARTMENT

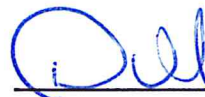
by 
Kevin Good For Brent Leasure
Brent Leasure, State Parks Division Director
Name and Title

5-17-16

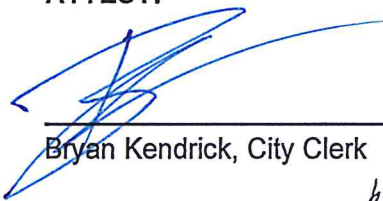
Date of Signature

☐ SAM Date/Initials N/A

CITY OF SAN ANGELO


Daniel Valenzuela, City Manager

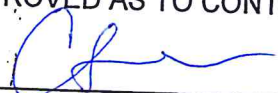
ATTEST:


Bryan Kendrick, City Clerk

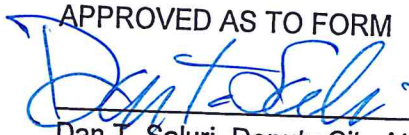
☐ Federal Aid Date/Initials BT 5/17/2016



APPROVED AS TO CONTENT


Carl White, Director of Parks & Rec.

APPROVED AS TO FORM


Dan T. Saluri, Deputy City Attorney

TEXAS PARKS AND WILDLIFE

Recreation Grants Branch
BOATING ACCESS GRANT PROGRAM

AMENDMENT TO PROJECT AGREEMENT

TPWD Contract Number: 480802

CFDA: 15.605

Project Number: F-271-B

FWS AWARD NUMBER: F16AF00481

Project Name: CITY OF SAN ANGELO

Project Period: DATE OF AGREEMENT TO: 05-31-2019

Total Project Cost: \$471,000.00

Approved Federal Funds: \$353,250.00 (75%)

THIS AMENDMENT # 1 to Project Agreement Number F-271-B is hereby made and agreed upon by the State of Texas, acting through the Texas Parks and Wildlife Department and by the undersigned subdivision pursuant to the Texas Recreation and Parks Account Program.

The political subdivision (sponsor) and the State of Texas, in mutual consideration of the promises made herein and in the fund agreement of which this is an amendment, do promise as follows:

EXTEND PROJECT TO MAY 31, 2019

In all other respects the fund agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this Amendment as of the date entered below.

TEXAS PARKS AND WILDLIFE DEPARTMENT

By: Trey Cooksey
Trey Cooksey, Manager, Boating Access Program,

2/12/2018
(Date of Approval)

APPROVED FOR CONTENT

Carl White
Carl White, Director of Parks & Recreation

CITY OF SAN ANGELO

Daniel Valenzuela
Daniel Valenzuela, City Manager

Date: May 18, 2018

APPROVED AS TO FORM

Dan T. Saluri
Dan T. Saluri, Deputy City Attorney

☒ SAM Date 02/09/2018 RSL

CAGE : 0DUWO

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Theresa James, City Attorney, City Clerk, X1413

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

First reading and public hearing of ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)

Summary/History:

This is the a First Reading of an Ordinance amending Chapter 2 as follows:

- Creating an overarching rule of thumb for all Boards and Commissions related to terms and limits (this speaks to term limits and lengths of term for all boards and commissions that do not specify different terms and limits in their individual specific board ordinance mandated by State Law).
- Deleting all sections related terms and limits information for all board ordinances that are not uniquely mandated by a superseding state law.
- Addressing all inconsistencies with State Law and cleaning up Chapter 2 as part of the larger effort to clean up the Code of Ordinances.

This will make for a much more plain and simple approach to terms and limits for all Boards and Commissions. Instead of having a rule of exceptions related to terms and limits, we will have an overarching rule with few exceptions.

Financial Impact:

N/A

Other Information/Recommendation:

Staff Recommends approval

Attachments:

- | | | |
|----|---|--|
| 1. | ARTICLE ORD 2.07 Boards and Commissions Unification Exhibit A - FINAL BK JA | ARTICLE ORD 2.07 Boards and Commissions Unification Exhibit A - FINAL BK JA.docx |
| 2. | COSA 2018 Boards amendment presentation Revised - FINAL BK JA | COSA 2018 Boards amendment presentation Revised - FINAL BK JA.pptx |
| 3. | Ordinance 2.07 Boards and Commissions Unification Exhibit A - FINAL BK JA | Ordinance 2.07 Boards and Commissions Unification Exhibit A - FINAL BK JA.docx |

Presentation:

Approvals/Reviews:

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

“Exhibit A”

Delete and Replace Chapter 2, Article 2.07 with the following:

ARTICLE 2.07 BOARDS, COMMITTEES AND COMMISSIONS

Division 1. Generally

Sec. 2.07.001 Organization and Procedure. Unless otherwise required by statute or this article, all boards and commissions shall be governed as follows:

(1) *Appointment.* Members shall be appointed by a vote of City Council. One member shall be nominated by the mayor. Each of the six remaining member seats shall be designated for a single member district one through six respectively, to be filled by nomination of the councilmember representing the designated single member district. Should any nominee not secure at least four affirmative votes of councilmembers, the mayor or single member district city council member having made the nomination shall schedule a new nomination for vote of the council.

(2) *Attendance.* Any member who fails to attend at least 2/3 of the meetings in a rolling one year period shall be deemed to have automatically resigned from office unless such absences are considered excused as set forth in the board or commission's bylaws.

(3) *Number of members.* Boards shall be composed of seven members.

(4) *Compensation.* All members shall serve without compensation.

(5) *Conflict of interest.*

(A) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of “substantial” interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in chapter 171 in the Texas Local Government Code, as amended.

(B) No member of the city council, or person related to a councilmember within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

(C) None of the following persons or entities shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

1) The member of the board;

2) A person related to a board member within the second degree by consanguinity or affinity;

3) A legal entity owned by or under the control of the board member or for which the board member serves as an officer, director or member;

4) A legal entity owned by or under the control of a person related to the board member within the second degree by consanguinity or affinity or for which such person serves as an officer, director or member.

(D) No employee of the department associated with the board, or person related to an employee or supervisor of this department within the second degree by consanguinity or affinity, shall be eligible for assistance from the board during his/her employment or for six months thereafter.

(E) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.

(6) *Election of Officers.* Each board shall include in the adopted bylaws the manner in which officers and committees will be selected. Each board shall have at a minimum a chair, vice-chair, and secretary.

(7) *Meetings.* Each board shall hold regular monthly meetings on a day to be selected by the commission and on other such occasions as may be called by the chairman. Additional meetings may be called as needed. Meetings may be cancelled in months where there is no business to be transacted. All meetings shall be open to the public and held in accordance with the Texas Open Meetings Act. All meetings shall be held within the city limits.

(8) *Minutes.* Board liaisons shall keep a permanent record of all minutes.

(9) *Qualifications.* Members shall be at least 18 years of age and a resident of the City.

(10) *Quorum.* A quorum shall consist of a simple majority of the appointed members, excluding any ex-officio members.

(11) *Removal.* Members may be removed at any time by a 2/3 vote of the City Council without cause.

(12) *Rules, regulations and bylaws.* Each board shall have the power to make rules, regulations and bylaws for its own government and in conformity with the laws of the state and this article. All said rules, regulations, and bylaws shall be approved by the city council.

(13) *Term:* The term of office for each member of the boards shall be two years. For the purposes of this article, the first term of a member shall include the term held as of the date of passage of this Article.

(14) *Term Limit.* No member may serve more than 3 consecutive terms, not including an unexpired term. Members who term out of a position are eligible for reappointment after one year.

(15) *Vacancies.* All vacancies shall be filled for unexpired terms in the same manner as original appointment. Vacancies for unexpired terms shall be filled for the remainder of the unexpired term.

Secs. 7.02.002 through 7.02.010 Reserved

Division 2. Planning Commission

Sec. 2.07.011 Creation; members; terms

(a) There is hereby created within the city a planning board to be known as the planning commission which shall serve for all purposes as the zoning commission required under Chapter 211 of the Texas Local Government Code, as amended.

(b) All members of the board shall be representative, insofar as possible, of different businesses, professions or occupations.

(c) No more than three (3) members of the commission shall be in the same, similar or related business, profession or occupation.

Sec. 2.07.012 Removal or resignation of members. Members of the planning commission may be removed by the mayor with the approval of the city council after a public hearing and for cause assigned in writing.

Sec. 2.07.013 Ex-officio members. The director of planning and the director of public works shall be ex-officio, nonvoting members of the planning commission. The director of planning, assisted by staff, shall furthermore serve as recording secretary for the planning commission.

Sec. 2.07.014 Meetings

If a quorum is not present on any regular meeting day in which there is business to be transacted, the chairman shall call a special meeting in order to transact said business with minimum delay. Said chairman shall continue to call special meetings until a quorum is present.

Sec. 2.07.015 Additional duties

In addition to duties delegated to the planning commission by other laws of the city, it shall be the duty of the planning commission to prepare, amend and keep current a master plan for the development of the city, and to make recommendations to the city council relative to long-range planning of all phases of city development that it deems necessary.

Secs. 2.07.016–2.07.025 Reserved

Division 3. Zoning Board of Adjustment

Sec. 2.07.026 Creation and Appointment of Members

(a) There shall be a zoning board of adjustment that consists of seven (7) regular board member seats and four alternate board member seats to be filled by nomination and appointment by the city council as follows:

(1) Four alternate board member seats shall be designated to be filled by nominations of the mayor and mayor pro-tem with each nominating two of the alternates

(b) Each case before the zoning board of adjustment must be heard by at least six (6) members.

(c) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(d) Removal for Cause. The city council may remove a regular board member or alternate board member for cause on a written charge after a public hearing.

Sec. 2.07.027 Authority

(a) The zoning board of adjustment may:

- (1) Hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this division or the zoning ordinance.
- (2) Hear and decide special exceptions to the terms of the zoning ordinance when the ordinance requires the board to do so.
- (3) Authorize in specific cases, and subject to appropriate conditions and safeguards, a variance from the terms of the zoning ordinance, if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the regulation is observed and substantial justice is done.

(b) In exercising its authority under subsection (a), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for the purpose of the board has the same authority as the administrative official.

(c) The concurring vote of six (6) members of the board is necessary to:

- (1) Reverse an order, requirement, decision, or determination of an administrative official;
- (2) Decide in favor of any applicant on a matter on which the board is required to pass under the zoning ordinance; or
- (3) Authorize a variation from the terms of the zoning ordinance;

Sec. 2.07.028 Appeal to the board

(a) Any of the following persons may appeal to the zoning board of adjustment a decision made by an administrative official:

- (1) A person aggrieved by the decision; or
- (2) Any officer, department, board, or bureau of the city affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed within a reasonable time as determined by the rules of the board. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal within a reasonable time.

(e) Prior to the public hearing in which the zoning board of adjustment shall hear an appeal, the following actions shall be made by the board at a separate public hearing:

- (1) Designating of the parties in interest;
- (2) Setting of a reasonable time and date for the appeal hearing;
- (3) Giving of due notice of the appeal hearing to parties in interest;
- (4) Giving of public notice of the appeal hearing; and
- (5) Establishing of protocol for conducting the appeal hearing.

(f) The public hearing for any appeal shall follow the following procedural order except as may otherwise be directed by consensus of the board:

- (1) Identification of parties.
- (2) Identification of documents constituting the record on appeal to the board.
- (3) Identification and admission as evidence of pre-filed documents and any additional documents offered into evidence.
- (4) Presentation by city staff.
- (5) Presentations by identified parties in interest.
- (6) Public comment.
- (7) Rebuttals.
- (8) Discussion and deliberation by board members.
- (9) Motion and decision to affirm, modify, or reverse the decision of the administrative official, with supporting findings of fact applicable under the zoning ordinance.

Sec. 2.07.029 Judicial review of board decision

(a) Any of the following persons may present to a court of record a verified petition stating that the decision of the zoning board of adjustment is illegal in whole or in part and specifying the grounds of the illegality:

- (1) A person aggrieved by a decision of the board;
- (2) A taxpayer; or
- (3) An officer, department, board, or bureau of the city.

(b) The petition and procedure must be in compliance with Texas Local Government Code section 211.011, as amended.

Sec. 2.07.030 Fee

(a) No application to the zoning board of adjustment shall be processed unless such application is accompanied with the appropriate processing fee as established by the city council.

(b) In the case of a second hearing, the fee, or a portion thereof, may be waived by the board.

Sec. 2.07.031 Notification of property owners

(a) The zoning board of adjustment shall mail notices of each hearing to the petitioner and to the owners of property lying within two hundred feet (200') of any point of the lot, or portion thereof, on which a variance or special exception is desired, and to all other persons deemed by the board to be affected thereby, such owners and persons being determined according to the current tax rolls of the Tom Green County tax appraisal district.

(b) Written notice of the public hearing shall be sent within not less than ten (10) days before any such hearing is held. Depositing such written notification in the mail shall be deemed sufficient compliance.

Sec. 2.07.032 Second hearing.

(a) An appeal of a denial by the zoning board of adjustment shall not be allowed on the same piece of property prior to the expiration of six months from a ruling of the board, unless other property in the same zoned area shall have been, within such six (6) month period, altered or changed by a ruling of the zoning board of adjustment.

(b) Such circumstance shall permit the allowance of a second hearing but shall in no way have any force in law to compel the zoning board of adjustment, after a hearing, to grant the variance or special exception; such request shall be considered on its individual merits.

Sec. 2.07.033 Time limitation on approved requests.

(a) Unless otherwise specified in the minute record of the zoning board of adjustment's action on a request, an application to commence construction of improvements that were the subject of the request must be applied for and approved within 12 months from the date of approval of that request; otherwise, the board's action on that request shall automatically become null and void. Permitted time frames do not change with successive owners.

(b) Upon written request, only one extension of the 12-month period may be granted by the planning director if it is determined that conditions of the site and immediately surrounding area are substantially changed.

Sec. 2.07.034 Enforcement. In addition to other remedies provided under this Code of Ordinances and this Division, the Director of planning or designee may institute appropriate action to:

- (1) prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;
- (2) restrain, correct, or abate the violation;
- (3) prevent the occupancy of the building, structure, or land; or
- (4) prevent any illegal act, conduct, business, or use on or about the premises

Secs. 2.07.035–2.07.045 Reserved.

Division 4. Airport Advisory Board

Sec. 2.07.046 Creation; members. There is hereby created an airport advisory board.

Sec. 2.07.047 Officers; quorum; rules. Three (3) members shall constitute a quorum and said board.

Sec. 2.07.048 Duties. The board shall act as an advisory board to the airport manager and the city council, and is expressly directed and empowered to make a complete study of all phases of the airport operations and make recommendations from time to time for the most efficient operation of the airport.

Secs. 2.07.049–2.07.060 Reserved

Division 5. Design and Historic Review Commission

Sec. 2.07.061 Creation; members

(a) A design and historic review commission is hereby created and established within the city.

(b) *Qualifications.* Candidates shall have a known or demonstrated interest in, general knowledge of, and experience relevant to historic preservation or other professional design field within the city.

(c) To the extent that candidates are available among the residents of the community, appointments shall be made by the city council based upon the following qualifications:

- (1) At least two (2) members shall be licensed or otherwise recognized as professional in architecture, landscape architecture, design, engineering, surveying, or related profession;
- (2) At least one (1) member shall be recognized as a historian or a member of a local historic preservation group;
- (3) At least one (1) member shall be an owner of real property within the River Corridor;
- (4) At least one (1) member shall own real property designated or recognized as a community landmark, or within a designated historic district; and
- (5) At least one (1) member shall be a member of a downtown development organization under contract with the city.

Sec. 2.07.062 Ex-officio members. The planning manager and the building official of the city shall serve as nonvoting ex-officio members of the commission.

Sec. 2.07.063 Duties. The duties of the design and historic review commission shall include acting as an advisory commission to the city council in matters of design review relating to historic preservation in the city and development along the Concho River. The responsibility of the commission within the scope of its general authority shall include the authority to:

- (1) Adopt criteria for the designation of historic, architectural, and cultural landmarks and delineation of historic districts, which shall be ratified by the city council.
- (2) Prepare and present to the city council recommendations for policies and ordinances regarding development and all types of signage along the Concho River and other similar bodies of water as designated, which shall be ratified by the city council.

- (3) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city.
- (4) Recommend the designation of landmarks, historic districts, and other types of districts.
- (5) Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public educational programs.
- (7) Increase public awareness of the value of open spaces, public spaces, natural habitats, and wildlife along the Concho River and other similar bodies of water as designated by developing and participating in public educational programs.
- (8) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of open and public spaces along the Concho River and other similar bodies of water as designated.
- (9) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.
- (10) Approve or deny applications for certificates of appropriateness pursuant to provisions of the city zoning ordinance.
- (11) Prepare specific design guidelines for the review of landmarks, districts, and construction and demolition of historic buildings.
- (12) Recommend the acquisition of a landmark structure by the city where its preservation is essential to the purpose of this division and where private preservation is not feasible.
- (13) Recommend the acquisition of land along the Concho River and other similar bodies of water as designated by the city where its proximity to the river is vital to the purpose of this division.
- (14) Recommend to the city council tax abatement and other economic development programs for the preservation of landmarks or historic districts.
- (15) Recommend to the city council tax abatement and other economic development programs for sustainable developments along the Concho River and other similar bodies of water as designated.
- (16) Recommend to the city council the acceptance of the donation of preservation easements and development rights as well as any other gift of value for the purpose of historic and environmental preservation.
- (17) Carry out other duties as specifically delegated to the commission by the city council.

Sec. 2.07.064 Officers. The commission shall elect from the appointed members of the commission a chairperson and a vice-chairperson to serve in the absence of the chairperson. The chairperson and vice-chairperson shall serve in their respective capacities for one (1) year terms or until their term of appointment to the commission expires, whichever shall first occur. No chairperson or vice-chairperson shall serve in such capacity for more than three (3) consecutive years. The planning manager for the city,

or the manager's designee, shall serve as secretary to the commission. The commission shall elect such other officers as the commission may establish in its bylaws.

Sec. 2.07.065 Historic preservation officer. The city council or its designee shall appoint a city official, city staff person, or resident of the city having a known or demonstrated interest in, general knowledge of and experience relevant to historic preservation or other professional design field to serve as the historic preservation officer (HPO) for the city, to facilitate the administration of this division and serve as an advisor to the commission on request of the commission. The historic preservation officer, in coordination with the secretary for the commission and the planning manager or his/her designee, shall coordinate the preservation efforts of the commission with applicable state and federal agencies and nonprofit organizations.

Sec. 2.07.066 Quorum and voting. Five (5) duly appointed regular members of the commission shall constitute a quorum. The affirmative vote of four members is required to approve any item brought before the commission.

Sec. 2.07.067 Minutes. The commission shall keep minutes of its proceedings in a permanent record, and a certified copy of said minutes shall be filed with the secretary for the commission.

Secs. 2.07.068–2.07.080 Reserved

Division 6. Economic Development Corporation*

Sec. 2.07.081 Creation. There is hereby created a corporation known as the city development corporation.

Sec. 2.07.082 Powers. The corporation shall have the powers and duties and be subject to the limitations set out in Chapter 501 and 502 of the Texas Local Government Code, as amended.

Sec. 2.07.083 Board of directors

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

(b) No person shall be appointed as a director who is an employee, officer or member of the city council of the city, or a member of any board or commission of the city, except that a director may be appointed to serve as a member of the water advisory board.

(c) A director who is a member of any other boards or commissions of the city, except the water advisory board, shall elect the board on which he will continue to serve within fourteen (14) days of the effective date of this section. If he fails to designate the board on which he will continue to serve within the specified time period, the city council shall make the designation.

Sec. 2.07.084 Registered agent; corporate office. The corporation's registered agent must be an individual resident of the state and the corporation's registered office must be within the boundaries of the city.

Sec. 2.07.085 Administrative services. The corporation shall contract with the city for the provision of administrative services.

Sec. 2.07.086 Levy, use and termination of sales tax.

(a) In accordance with the results of the November 2, 2010, sales tax election held under section 4B of article 5190.6 V.A.C.S, the city shall continue to levy and collect a one-half cent sales and use tax for the purposes and projects authorized by said election.

(b) In accordance with the results of the September 11, 2004, sales tax election held under section 4B of Vernon's Ann. Civ. St. article 5190.6 ("act" hereinafter), the city shall continue to levy and collect a one-half cent sales and use tax for the purposes authorized by said election.

Secs. 2.07.087–2.07.095 Reserved.

Division 7. Tax Increment Reinvestment Zone Board

Sec. 2.07.096 Organization and procedure.

(a) There is hereby created within the city a tax increment reinvestment zone board that consists of nine (9) regular board members to be filled by nomination and appointment as follows:

(1) One (1) board seat shall be appointed by city council from a nomination of the mayor;

(2) Each of six board member seats shall be appointed by city council, designated for city council single member districts one through six respectively, from nomination of each councilmember representing each designated single member district;

(3) Two (2) board member seats shall be appointed by the county commissioners court;

(b) In addition, there shall be five (5) nonvoting, ex-officio members who will attend and participate in an advisory capacity. Each one of the five will be a representative of each of the following organizations: San Angelo Chamber of Commerce, Downtown San Angelo, San Angelo Independent School District, Goodfellow Air Force Base, and Angelo State University.

Sec. 2.07.097 Qualifications.

(a) All regular and alternate board members shall be at least eighteen (18) years of age and be a resident of the county in which the zone is located or a county adjacent to that county; or own real property in the zone, whether or not the individual resides in the county in which the zone is located or a county adjacent to that county.

(b) *Vacating position.* Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated his or her position on the board.

Sec. 2.07.098 Terms. All appointments for regular members made after the initial appointments shall be for a term of two (2) years, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term, thereby maintaining staggered terms. Ex-officio members will not have terms or term limitations.

Sec. 2.07.099 Duties.

(a) The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ

(b) All action by the board is subject to city council approval.

(c) The authority and responsibility of the board expressly includes:

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

Sec. 2.07.100 Officers. The city council shall appoint a chair, as established in section 311.009.f of the Local Government Code, as amended, for a term of one year, beginning in January.

Sec. 2.07.101 Minutes. The board shall keep a record of its proceedings in a permanent book.

Sec. 2.07.102 Absent members. In the event of three (3) consecutive absences or a cumulative total of four (4) absences by a member within a calendar year from regularly scheduled meetings, a board

member shall be deemed to have resigned unless the board excused such absences by procedures established in its bylaws.

Secs. 2.07.103–2.07.115 Reserved.

Division 8. Water Advisory Board

Sec. 2.07.116 Creation; members. There is hereby created a water advisory board (“board”), which shall be composed of nine (9) members, seven (7) of whom shall be voting members and two (2) of whom shall be non-voting members appointed or designated as follows:

(a) Voting members; appointment or designation.

(1) City Council shall appoint four (4) voting members to the board. For city council appointments, the city manager shall conduct a review of potential appointees to identify the most qualified candidates for board membership and make recommendations to city council for city council appointment of appointees to serve as members of board. Of the four (4) city council appointees:

(2) One (1) member shall be an individual who is either an engineer, a hydrologist, a meteorologist or a water well driller;

(3) One (1) member shall be an individual who is involved in either the industry of banking, accounting or financial services with a specialization in agricultural lending or water financing;

(4) One (1) member shall be an individual involved either in agriculture or rural water issues; and

(5) One (1) member shall be an individual who is either an attorney, a former municipal water district or other governmental officer, a legislator or a person who has experience in legal issues related to water.

(6) The city development corporation board shall appoint one (1) voting member to the board who shall be an individual who is either a member of the city development corporation board or a city employee who performs staff services by contract for the city development corporation;

(7) The county commissioners court shall appoint one (1) voting member to board who shall be an individual who is a member of the commissioners court, including the county judge; and

(8) One (1) voting member who shall be an individual employed by the Upper Colorado River Authority as director of operations.

(b) Non-voting members; appointment or designation.

(1) The chamber of commerce shall appoint one (1) non-voting member to board who shall be an individual who is a member of the chamber of commerce board or a staff employee of the chamber of commerce.

(2) One (1) non-voting member who shall be an individual employed by the city as water utilities director or a designee of such director. Furthermore, the water utilities director or a designee of such director shall serve as secretary for board.

Sec. 2.07.117 Duties. The board shall act as an advisory board to the city council and city manager on matters of water supply, conservation, reuse and other water-related projects which the city council directs it to investigate, study and make recommendations on from time to time.

Sec. 2.07.118 Staff representative. The city manager or his designee shall act as staff representative to the board.

Sec. 2.07.119 Meetings. The board shall adopt a schedule providing for at least one (1) regular meeting per quarter and may make provision for such other meetings, as it deems appropriate.

Sec. 2.07.120 Absenteeism of members. In the event of two (2) unexcused absences from regularly scheduled meetings, a board member shall be deemed to have resigned. The city manager shall recommend a policy for excusing absences to be adopted by the board in its bylaws.

Sec. 2.07.121 Minutes. The board shall keep minutes of its proceedings in a permanent record and a certified copy of said minutes shall be filed with the secretary for the board.

Secs. 2.07.122–2.07.130 Reserved.

Division 9. Civic Events Board

Sec. 2.07.131 Creation. There is hereby created a civic events board.

Sec. 2.07.132 Duties. The board shall act as an advisory board to the city council as to matters of policy and to the city manager or his/her representatives as to administrative matters in regard to operation of the convention center, Foster Communications Coliseum, Bill Aylor Sr. Memorial River Stage, Farmer's Market, City of San Angelo Indoor Arena, Pecan Creek Park Pavilion, and El Paseo de Santa Angela. The board may enact rules and regulations regarding the operation of the above-named facilities which shall take effect after review by the city council; however, the city council may take action to enact different rules and regulations at any time.

Sec. 2.07.133 Minutes. The board shall keep a record of its proceedings.

Sec. 2.07.134 Absent members. Any member who shall be absent from three (3) meetings, regular or special, in a calendar year, unless excused by the board by procedures established in its bylaws, shall be deemed to have resigned, and the board shall immediately notify the city council that a vacancy exists.

Secs. 2.07.135–2.07.145 Reserved.

Division 10. Fort Concho Museum Board

Sec. 2.07.146 Creation. There is hereby created a Fort Concho Museum board of the city, which board shall be composed of fifteen (15) members. Fourteen (14) members shall be appointed by the city council. The remaining position shall be filled by the Army Commander at Goodfellow Air Force Base or designee.

Sec. 2.07.147 Vacancies. Vacancies on the board, whether by expiration of term or for other reason, shall be filled by the city council upon recommendation by the remaining board members, provided that the city council can reject any nomination and request additional nominations for any reason.

Sec. 2.07.148 Duties. The board shall act as an advisory board to the city in the operation and administration of all the Fort Concho Museum properties of the city. The authority and responsibility of the board expressly includes:

- (a) Establishing goals, objectives and operational policies for the fort which are consistent with city council policies and objectives.
- (b) Approving all budget proposals made to the city manager's office and the city council.
- (c) Establishing guidelines for acquisition, restoration, preservation and maintenance of Fort Concho and museum property so long as those procedures do not conflict with existing objectives and policies of the city council.
- (d) Determining regulations, guidelines, and procedures for staffing, operation and programs for Fort Concho.

Sec. 2.07.149 Qualifications. All members of the board shall meet the following qualifications:

- (1) Shall be twenty-one years of age or older at the time of appointment; and
- (2) Shall have demonstrated experience or interest in heritage education, historic preservation, and community service and/or tourism promotion.

Secs. 2.07.150–2.07.160 Reserved.

Division 11. Public Art Commission

Sec. 2.07.161 Creation; members.

- (a) There is hereby created a city public art commission.
- (b) To the extent available, the city council shall appoint to the commission:
 - (1) At least one (1) member who is a teacher or professor of art.
 - (2) At least one (1) member who is a member of the San Angelo Cultural Affairs Council or the San Angelo Museum of Fine Arts.
 - (3) At least one (1) member who is an artist.
 - (4) At least one (1) member who is a landscape architect, architect, engineer, or other type of design professional.
- (c) There may be one (1) ex-officio nonvoting member who represents the parks and recreation department or parks and recreation advisory board as designated by the city council from time to time.

Sec. 2.07.162 Duties. The commission shall act as an advisory board to the city council and city manager on the selection and placement of art on city owned or controlled property, and this shall be accomplished through:

- (1) Developing a plan for the appropriate location for works of art;
- (2) Developing a plan for the type of art that will be recommended at the different locations;

- (3) Evaluating and making recommendation on art that is proposed for donation to the city; and
- (4) Assisting with related projects which the city council directs it to investigate, study and make recommendations on from time to time.

Sec. 2.07.163 Staff representative. The city manager or his designee shall act as staff representative to the commission.

Sec. 2.07.164 Meetings. Meetings shall be scheduled only as needed.

Secs. 2.07.165–2.07.175 Reserved.

Division 12. Parks and Recreation Advisory Board

Sec. 2.07.176 Creation; members. A parks and recreation advisory board is hereby created and established within the city. Said parks and recreation advisory board shall be composed of eight (8) members, seven (7) of whom shall be appointed by the city council. The eighth member shall be a member of the park commission, nominated by the park commission and approved by the city council. The appointments to the board shall be on the basis of the nominee's educational and professional qualifications and general knowledge of, interest in, and experience relevant to youth or adult sports, senior activities, recreation activities, other organized social activities, parks, nature or conservation.

Sec. 2.07.177 Duties. The parks and recreation board shall act as an advisory board to the city council in matters of oversight, policy and administration relating to city parks, recreation programs and facilities, with the exception of the Santa Fe Parks, for which the parks commission shall continue to act as the advisory commission to the city council. The responsibility of the parks and recreation board within the scope of its general authority shall include to:

- (1) Communicate with and make recommendations to the city manager and parks and recreation director regarding parks, recreation programs and senior services programs.
- (2) Make recommendations to the city manager, parks and recreation director and city council regarding the administration of parks, recreation programs and senior services programs.
- (3) Make recommendations to the city manager, parks and recreation director and city council regarding the creation of a parks and recreation system.
- (4) Make recommendations to the city manager, parks and recreation director and city council regarding maintenance of parks and park improvements.
- (5) Make recommendations to the city manager, parks and recreation director and city council regarding maintenance of recreation and/or senior facilities.
- (6) Make recommendations to the city manager, parks and recreation director and city council regarding the acquisition of physical improvements and equipment for parks, recreation and senior services programs.
- (7) Make recommendations to the city manager, parks and recreation director and city council regarding rules or regulations for parks, recreation and senior services programs.

Sec. 2.07.178 Quorum and voting. Five (5) duly appointed members of the board shall constitute a quorum. The affirmative vote of a majority of the members present at a properly called meeting with a quorum present shall be the act of the board.

Secs. 2.07.179–2.07.190 Reserved.

Division 13. Animal Shelter Advisory Committee

Sec. 2.07.191 Committee created. In accordance with the authority granted under Texas Health and Safety Code chapter 823, there is hereby created the animal shelter advisory committee.

Sec. 2.07.192 Purpose. The committee shall perform the state law advisory committee functions contemplated in section 823.005 of the Health and Safety Code, as amended by rendering advice and assistance to the animal services manager regarding the city's compliance with the requirements of chapter 823 of the Health and Safety Code.

Sec. 2.07.193 Composition.

- (a) The committee shall consist of seven members which shall be designated as positions one through seven.
- (b) The members shall be appointed by the city council. The following membership criteria shall apply:
 - (1) Position one shall be filled by a veterinarian.
 - (2) Position two shall be filled by a municipal or county official.
 - (3) Position three shall be filled by a person whose duties include the daily operation of an "animal shelter" as that term is defined in section 823.001 of the Health and Safety Code.
 - (4) Position four shall be filled by a person who is an officer or employee of an animal welfare organization.
 - (5) Positions five through seven shall be filled by residents of the city.

Sec. 2.07.194 Terms. The members of the committee in positions one through three shall serve an indefinite term until a successor is duly appointed.

Sec. 2.07.195 Removal of members. Members of the animal shelter advisory committee in positions four through seven may be removed for good cause by the city council after hearing.

Sec. 2.07.196 Officers. At the first meeting of each calendar year, the members of the committee shall select a chairperson. The member serving in position two of the committee shall be the ex-officio secretary of the committee.

Sec. 2.07.197 Meetings. The committee shall meet from time to time at the call of the chairperson, provided that the committee shall meet not less than three times per calendar year.

Secs. 2.07.198–2.07.205 Reserved.

Division 14. Civil Service Commission

Sec. 2.07.206 Creation. In accordance with chapter 143 of the Texas Local Government Code, which was adopted by the qualified voters of the city, there is hereby established a civil service system for firefighters and police officers; and pursuant thereto, there is hereby established a civil service commission (fire and police), which shall consist of three (3) members.

Sec. 2.07.207 Appointments; vacancies.

(a) Members of the commission shall be appointed by the City Manager, and such appointments shall be confirmed by the city council before such appointments shall be effective.

(b) Any vacancies in said commission, caused by death, resignation or otherwise, or by failure of any appointee to qualify within ten (10) days after appointment, shall be filled in the manner hereinabove specified, and such appointment shall be for the unexpired term of the retiring commissioner or the appointee failing to qualify.

Sec. 2.07.208 Qualifications. All such commissioners shall be of good moral character and resident citizens of the city, shall have resided in the city for a period of more than three (3) years, shall be over the age of twenty-five (25) years, and shall not have held any public office within the preceding three (3) years.

Sec. 2.07.209 Terms. The term of office of each member shall be for three (3) years, or until a successor is appointed, confirmed and qualified.

Sec. 2.07.210 Removal of members. Any member of the commission may be removed by 2/3 vote of the governing body for any act contrary to the best interest of the service or failure to act in a manner to promote the best interest of the service, having first given to such member a copy of the charges against him. Such action of the governing body shall be final.

Sec. 2.07.211 Meetings. The members of the civil service commission shall, at a date, hour and place set by the commission, hold meetings as needed or required to properly discharge its duties.

Sec. 2.07.212 Quorum. Two (2) members of said commission shall constitute a quorum to transact business.

Sec. 2.07.213. Duties. The duties of the civil service commission, as a body, are as follows:

- (1) *Commission's operational rules.* To prepare and in open meeting to adopt such rules and regulations for the proper conduct of its business as it shall find necessary and expedient.
- (2) *Limits on rules for hiring.* To refrain from the adoption of any rule or regulation which will permit the appointment or employment of any person without good moral character, any person unfit mentally or physically or any person incompetent to discharge the duties of such appointment or employment.
- (3) *Substantive rules for employees.* To make rules and regulations as authorized by civil service law, including, but not limited to, rules regarding promotion, removal, and leaves of absence, with and without pay. Such rules shall be consistent with city ordinances.
- (4) *Written and published rules.* To reduce to writing and publish any rules it makes in accordance with civil service law.
- (5) *Standards and qualifications for employees.* To formulate minimum standards and qualifications for each classified position in the classified service.

- (6) *Development of classification and compensation plans.* In open meeting to adopt, modify or reject such classification and compensation plans for firefighters and police officers, together with rules for their administration, as may be recommended by the director of civil service after a thorough survey of the personnel and departmental organization of the fire department and police department. No such plans or any amendments thereof shall be effective until adopted by ordinance of the governing body, which body shall have the authority to originate or make such changes to any such plans as it may deem fit.
- (7) *Competitive examinations.* To make provisions for open, competitive and free examinations for persons making proper application and meeting the requirements as prescribed in the civil service law, this division and the rules and regulations of the commission.
- (8) *Maintenance of eligibility lists.* To maintain an eligibility list for each classified position.
- (9) *Temporary appointments.* To authorize temporary appointments to the classified service in the event no eligibility list has been prepared for the position and to limit such temporary appointments to a maximum period of three (3) continuous months.
- (10) *Enforcement of civil service law.* To require compliance with the provisions of the civil service law.
- (11) *Hearings of disciplinary appeals.* To hear appeals of disciplinary suspensions to determine whether there is just cause for any such suspension.
- (12) *Hearings of promotional examination appeals and demotions.* To hear appeals of promotional examinations and to consider demotions recommended by the fire and police chiefs.
- (13) *Hearings of various complaints.* To hear and determine complaints respecting the administrative work of the director of civil service, the rejection of an applicant for admission to an examination, and such other matters as may be referred to the commission by the director of civil service.
- (14) *Format of decisions.* To render written decisions, signed by each commissioner.
- (15) *Conducting investigations.* To conduct investigations either on request of a citizen, a public official or on its own initiative concerning the enforcement and effect of civil service law or rules and to require observance of them. In such investigations, the commission shall have the power to administer oaths, subpoena witnesses and evidence relevant to such investigations, and require depositions.
- (16) *Technical services for commission.* To contract or arrange, within its budgetary allowance, for such technical services in connection with personnel selection and administration as may be necessary, including the preparation and conduct of examinations.

Sec. 2.07.214 Powers and duties of director. A director shall be appointed pursuant to Chapter 143 of the Texas Local Government Code, as amended. It shall be the duty of the director of firefighter's and police officers' civil service:

- (1) To attend the regular and special meetings of the commission, to act as its secretary and to record its official actions.
- (2) To prepare and recommend rules and regulations for the administration of this division, which shall become effective after approval by the civil service commission and the governing

body of the city as provided in this division; to administer such rules and regulations; and to propose amendments thereto.

(3) To establish and maintain in card or other suitable form a roster of officers and employees in the classified service of the city. Such roster shall include items specified by the commission in its rules and regulations.

(4) To recommend, as soon as practicable after this division takes effect, with such outside assistance as may be authorized, a classification plan, which when adopted by the governing body of the city shall become the official classification plan for the city.

(5) To make a study of the rates of compensation being paid for each class of position in the classified service and prepare a compensation plan for submission to the commission when called upon. No such plan shall be effective until it is approved by the governing body of the city.

(6) To formulate and hold competitive examinations to determine the relative qualifications of persons who seek employment and as a result thereof establish eligibility lists for the various classes of positions.

(7) When a vacant position is to be filled, to certify to the appointing authority on written request the name of the three (3) persons highest on the reinstatement list or eligibility list for the class.

(8) To submit to the governing body recommendations as to uniform standards in respect to attendance and leave regulations, employee training and welfare, duties and salary classification and other personnel matters.

(9) To establish records of performance and a system of service ratings to be used in determining increases and decreases in salaries, promotions, the order of layoffs and reinstatement.

(10) To keep such records as may be necessary for the proper administration of this division and rules and regulations.

(11) To make investigations concerning the administration and effect of this division and the rules made thereunder and report his findings and recommendations to the commission.

(12) To make an annual report to the commission, and such interim reports as may be requested by the commissioner or the governing body.

(13) To perform such other work relevant to the civil service system as may be required by the commission.

(14) If directed by the governing body, to provide a system of checking payrolls, estimates and accounts for payment of salaries to employees so as to enable the commission, upon satisfactory evidence, to certify or cause to be certified that the persons whose names appear thereon have been regularly employed in the performance of the duties indicated at the compensation rates and for the periods for which compensation is claimed or are on authorized leave before payment may be lawfully made to such employees.

Sec. 2.07.215 Civil suits. It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this division and of the rules of the commission

and to defend all civil suits which may be brought against the commission. The commission shall be represented in such suits by the city attorney or other counsel designated by the governing body.

Secs. 2.07.216 through 2.07.225 Reserved.

Division 15. Construction Board of Adjustment and Appeals.

Sec. 2.07.226 Creation. There is hereby created a Construction Board of adjustments and appeals.

Sec. 2.07.227 Definitions.

(a) “Contractor” defined. For the purposes of this Contractor means any person engaged in any occupation regulated by this chapter who has registered with the building official and paid the annual registration fee as set forth in the fee schedule found in appendix A of this code and holds a valid state license for his occupation.

Sec. 2.07.228 Composition. Composition. The construction board of adjustments and appeals created pursuant to section 112.1 of the International Building Code shall include:

- (1) One architect or engineer.
- (2) One commercial building contractor.
- (3) One residential building contractor.
- (4) One electrical contractor.
- (5) One plumber.
- (6) One mechanical contractor.
- (7) One realtor, real estate inspector or real estate appraiser (member at large building industry).
- (8) One homeowner (member at large from the public).
- (9) One commercial business owner.

Sec. 2.07.229 Removal of members. The city council may remove any member of the board for good cause shown after hearing.

Sec. 2.07.230 Duties and powers. The board shall submit to the council such recommendations for the improvement and revision of this code as it may from time to time deem necessary or proper in light of the development of new materials, methods, or techniques which would result in a safer and more economical construction system or construction work. All requests for use of materials or methods not covered in this code shall be fully supported by factual evidence, or prior approval, from a recognized testing agency or other impartial, qualified, non-local authority.

Sec. 2.07.231 Appeals.

(a) The owner of a building, structure or service system, or the owner’s duly authorized agent, may appeal a decision of the building official or code official to the board under the conditions and pursuant to the procedures set forth in section 112 of the International Building Code, section 112 of the International

Residential Code, section 109 of the International Mechanical Code and section 108 of the International Fire Code.

(b) Building official is defined as that official designated in the International Building Code. Code official is defined as that official designated in each of the codes adopted in article 4.04 and article 6.03 of this code.

(c) Any appeals pending before or eligible to be heard by the former board of appeals at the time of adoption of this amendment, and any appeals that become eligible to be heard by the board before all of its members are appointed, shall be heard by the board upon appointment of all of the members.

Secs. 2.07.232 through 2.07.250 Reserved.



City Council

September 18, 2018



Amendments to Boards

Amending Article 2.07 Boards, Committees and Commissions after request by council to standardize provisions.

Will be bringing Park Commission in future for inclusion in the code.



General Provisions

- Term limits of no more than three 2-year terms.
- Failing to attend 2/3 of the meetings in a rolling year shall be deemed to be a resignation.
- Removal without cause takes 2/3 vote of council.
- All boards will have the same conflict of interest provisions. Based on the current TIRZ and COSADC language.



Boards Removed from Ordinance

- Airport Zoning Board
- Board of City Development (Downtown Dev. Corp.)
- Housing Authority
- Keep San Angelo Beautiful



No Changes to Term Lengths

- Water Advisory Board
- Public Art Commission
- Parks and Recreation
- Civil Service



Changes to Terms/Term Limits Only

Planning Commission, Ft. Concho, COSADC, Civic Events

- Two 3-year terms → Three 2-year terms

Airport Advisory Board

- 4-year terms → 2-year terms
- No term limit → 3 term limit

Animal Services, Design and Historic Review Commission

- 2 term limit → 3 term limit (ASAC - positions 4-7 only)



Zoning Board of Adjustment

- Added 2 additional alternate members – 4 total
- Two nominated by Mayor, two by Mayor pro tem
- Changed from no term limit to three term limit
- Removed requirement for attendance report
- Inserted statutory language regarding enforcement



TIRZ

- Changed qualifications to be compliant with state statute.
- New qualifications
 - 18 years old, AND
 - Resident of county or adjacent county; OR
 - Own real property in the zone



Construction Board of Adjustment and Appeals

- Changed from two two-year terms to three two-year terms.
- Meetings can be cancelled when there is no business.
- Moves this board into the Board section of the Code.



Ordinance Direction

- All boards must approve new bylaws to comply with this ordinance within 6 months.
- City Clerk is authorized to stagger terms for COSADC and adjust other boards as necessary to ensure appropriate rotation.



AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF SAN ANGELO, TEXAS BY DELETING AND REPLACING CHAPTER 2 "ADMINISTRATION AND PERSONNEL", ARTICLE 2.07 "BOARDS, COMMITTEES, AND COMMISSIONS"; DELETING CHAPTER 4 "BUILDING AND CONSTRUCTION"; ARTICLE 4.02 "ADMINISTRATION", SECTION 4.02.01 "CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS"; DELETING SECTION 4.02.002 "APPEALS"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

- 1) THAT**, Chapter 2, Article 2.07, is hereby deleted and replaced as shown on Exhibit "A".
- 2) THAT**, Chapter 4, Article 4.02, Sections 4.02.001 and 4.02.002 be deleted in the entirety.
- 3) THAT**, all Boards and Commissions of the City of San Angelo are hereby instructed to revise their bylaws to conform with these changes within six months of the passage of this ordinance.
- 4) THAT** the City Clerk is hereby instructed to create staggered terms for the City of San Angelo Development Corporation Board and to adjust all other boards as necessary to ensure appropriate of members.
- 5) THAT**, all remaining provisions not amended by this ordinance remain in full force and effect.
- 6) 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.
- 7) THAT**, this Ordinance shall be effective on, from, and after the date of its passage and publication as required by law.

INTRODUCED on the 18th day of September, 2018, and finally **PASSED, APPROVED** and **ADOPTED** on this the 4th day of October, 2018.

THE 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: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

First reading and public hearing on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

A text amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance, to remove the last reference to the Use Category of "Game Hall" from the Zoning Ordinance. At the City Council meeting on April 17, 2018, the Use Category of "Game Hall" was removed from Article 3, Section 310.E & Section 315.H.3.c, and Article 4, Section 411 of the Zoning Ordinance. The decision was made to reclassify all Game Hall uses under the "Indoor Entertainment, Retail Sales & Services," Use Category. It was discovered however that "Game Halls" was also listed under the exceptions outlined in Article 3, Section 315.H.4.d of the Zoning Ordinance, which relates to the "Retail Sales & Services" Use Category. This text amendment will clean up the final remnants of "Game Hall" and remove it completely from our Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018, the Planning Commission unanimously recommended approval of the Text Amendment.

Attachments:

- | | |
|-------------------------|---|
| 1. Draft Ordinance (TA) | 18-970_PL_SEC_315_GAME_HALL_ORD.docx |
| 2. Staff Report (TA) | Memo_Game_Hall_City Council (Revision-August 2018).docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	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

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 12 “PLANNING AND DEVELOPMENT”, EXHIBIT “A” “ZONING ORDINANCE,” ARTICLE 3 “USE REGULATIONS”, SECTION 315 “COMMERCIAL USE CATEGORIES” BY DELETING REFERENCE TO GAME ARCADES, BILLIARD AND POOL HALLS AND GAME HALLS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing zoning districts, regulating uses within each district and providing standards for uses;” and,

WHEREAS, all “Game Hall” uses have been reclassified by ordinance amendment under “Indoor Entertainment, Retail Sales and Services;”

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,” Subpart 4 of Section 315 “Commercial Use Categories” is amended by amending subpart 4 “Exception”, deleting subparagraph “d” thereof and re-designating subparagraphs “e” and “f” to be “d” and “e” respectively, such that such subpart 4 of Section 315 shall read as follows:

“4. Exceptions

- a. Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.
- b. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
- c. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See “Community Services.”
- d. Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
- e. Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.”

Section 2.) All provisions of Articles 3 “Use Regulations,” Section 315 “Commercial Use Categories” not amended or repealed hereby shall remain in full force and effect.

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 18th day of September, 2018, and finally PASSED, APPROVED and ADOPTED on this the 2nd day of October, 2018.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM

Jon James, Director of Planning and
Development

Theresa James, City Attorney

MEMO

**Meeting**

Dates: September 18, 2018

To: City Council

From: Jon James, AICP
Director

Request: Text Amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance

Background:

The attached is an amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance, to remove the last reference to the Use Category of "Game Hall" from the Zoning Ordinance.

At the City Council meeting on April 17, 2018, the Use Category of "Game Hall" was removed from Article 3, Section 310.E & Section 315.H.3.c, and Article 4, Section 411 of the Zoning Ordinance. The decision was made to reclassify all Game Hall uses under the "Indoor Entertainment, Retail Sales & Services," Use Category.

It was discovered however that "Game Halls" was also listed under the exceptions outlined in Article 3, Section 315.H.4.d of the Zoning Ordinance, which relates to the "Retail Sales & Services" Use Category. This text amendment will clean up the final remnants of "Game Hall" and remove it completely from our Zoning Ordinance.

Planning Commission Action:

This request was considered by the Planning Commission at their meeting on August 20, 2018. Below is an excerpt from the meeting's unofficial minutes:

Kristina Heredia, Planner, presented the proposed Text Amendment to remove the last reference in the City's Zoning Ordinance for "game halls". She explained that in April 2017, City Council removed the use of game hall as an outdated use category and staff realized later there still one more reference in the Zoning Ordinance to game halls.

Chair Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed Text Amendment to remove the last reference to the Use Category of “Game Hall” from the Zoning Ordinance. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

Attachment: Proposed Text Amendment

ARTICLE 3 USE REGULATION

Section 315.H.4.d Retail Sales and Services - Exceptions

4. Exceptions

- a. Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.
- b. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
- c. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Services."
- ~~d. Game arcades, billiard and pool halls are not classified as Retail Sales and Services. Game halls are classified as a separate use category.~~
- e. Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
- f. Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

First reading and public hearing on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the City is required - (Presentation made by Planning and Development Services Director Jon James)

Summary/History:

Per Article 2, Section 208. & 209 of the Zoning Ordinance, currently both Conditional Uses and Special uses expire after one year, if no building permit has been acquired within 12 months of the approval of the Conditional or Special Use. There are many instances where Conditional Uses and/or Special Uses are approved solely to bring a property into compliance. Frequently under this approval, no additional building permit is needed, and thus, under our current ordinance, the approved Conditional or Special Use would be null and void after 12 months. Planning Staff is proposing to amend the expiration sections of both Conditional Uses and Special Uses to revise the requirement of receiving a building permit to only those approvals that require a permit.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018 the Planning Commission unanimously recommended APPROVAL of the text amendment.

Attachments:

- | | |
|-------------------------|--|
| 1. Draft Ordinance (TA) | 18-969_PL_EXA_208-209_AMEND_ORD.docx |
| 2. Staff Report (TA) | Memo_CU & SU_Permit_Requirements_City Council.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	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

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY OF SAN ANGELO CODE OF ORDINANCES, CHAPTER 12 “PLANNING AND DEVELOPMENT,” EXHIBIT “A” “ZONING ORDINANCE,” ARTICLE 2 “DEVELOPMENT REVIEW,” BY AMENDING SUBPART “G,” “1.” OF SECTION 208. “CONDITIONAL USE REVIEW”, AND SUBPART “I”, “1.” OF SECTION 209 “SPECIAL USE REVIEW, TO EXCEPT FROM EXPIRATION A CONDITIONAL USE OR SPECIAL USE NOT REQUIRING A BUILDING PERMIT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing zoning districts, regulating uses within each district and providing standards for uses; and,

WHEREAS, Chapter 12, Exhibit “A” “Zoning Ordinance”, Article 2 “Development Review” provides for Conditional Use Review at Section 208, and Special Use Review at Section 209; and,

WHEREAS, Conditional Use and Special Use approvals on review expire if a building permit for exercise of the Conditional Use or Special Use is not acquired within 12 months; and

WHEREAS, some Conditional Use and Special Use approvals do not require a building permit for exercise of the Conditional Use or Special Use;

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 2 “Development Review,” subpart “G,” “1” of Section 208 “Conditional Use Review” is amended by restating such subpart in its entirety to read as follows:

“G. Expiration of Conditional Use Approval

1. All Conditional Use approvals that require a permit from the City for implementation of the conditional use must acquire the permit within 12 months from the granting of the conditional use. The Planning Director, with significant evidence that the designated conditional 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 2: Chapter 12 “Planning and Development,” Exhibit A “Zoning Ordinance” of the City Code of Ordinances, Article 2 “Development Review,” Subpart “I,” ”1” of Section 209 “Special Use Review” is amended by restating such subpart in its entirety to read as follows:

"I. Expiration of Special Use Approval

1. All Special Use approvals that require a permit from the City for implementation of the special use must acquire the permit within 12 months from the granting of the special use. The Planning Director, with significant evidence that the designated special 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 3: All provisions of Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 2 "Development Review," not amended or repealed hereby shall remain in full force and effect.

Section 4: 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 5: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 18th day of September, 2018, and finally PASSED, APPROVED and ADOPTED on this the 2nd day of October, 2018.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM

Jon James, Director of Planning and
Development

Theresa James, City Attorney

MEMO

**Meeting**

Dates: September 18 2018

To: City Council

From: Jon James, AICP
Director

Request: Text Amendments to Article 2, Section 208.G and Article 2, Section 209.I of the Zoning Ordinance

Background:

Article 2, Section 208. & 209 of the Zoning Ordinance relates to Conditional Uses and Special Uses, respectively. Currently both Conditional Uses and Special uses expire after one year, if no building permit has been acquired within 12 months of the approval of the Conditional or Special Use.

There are many instances where Conditional Uses and/or Special Uses are approved solely to bring a property into compliance. One of the most common reasons would be to bring a legal non-conforming residence that is located in a commercial zone into compliance with a Conditional Use. Frequently under this approval, no additional building permit is needed, and thus, under our current ordinance, the approved Conditional or Special Use would be null and void after 12 months.

Planning Staff is proposing to amend the expiration sections of both Conditional Uses and Special Uses to revise the requirement of receiving a building permit to only those approvals that require a permit.

Planning Commission Action:

This request was considered by the Planning Commission at their meeting on August 20, 2018. Below is an excerpt from the meeting's unofficial minutes:

Kristina Heredia, Planner, presented the proposed Text Amendment to only apply the 12-month expiry period for Conditional and Special Uses when a permit from the City is required.

Chair Stribling opened the meeting for public comment.

Mickey Favre, a resident, asked if this meant if a required permit is not obtained within 12 months, the conditional use would expire.

Ms. Heredia responded this was correct.

Vice Chair Spano made a Motion to recommend APPROVAL of the proposed Text Amendment to only apply the 12-month expiry period for Special Uses and Conditional Uses when a permit from the City is required. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0

Attachment: Proposed Text Amendments

ARTICLE 2 DEVELOPMENT REVIEW

Section 208.G Conditional Use Review – Expiration of Conditional Use Approval

G. Expiration of Conditional Use Approval

1. All Conditional Use approvals that require a permit from the City must acquire the permit within 12 months from the granting of the conditional use. All Conditional use approvals, issued, shall be subject to the requirement that the property for which the approval was issued must actually acquire a building permit for the approved use within 12 months from the granting of the conditional 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.
2. If the designated use is not made of the property within the time limitation granted, the conditional use approval shall be canceled and revoked and be of no effect.

Section 209.I Conditional Use Review – Expiration of Special Use Approval

I. Expiration of Special Use Approval

1. All Special Use approvals that require a permit from the City must acquire the permit within 12 months from the granting of the special use. All Special use approvals, issued, shall be subject to the requirement that the property for which the approval was 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.
2. If the designated use is not made of the property within the time limitation granted, the special use approval shall be canceled and revoked and be of no effect.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

First reading and public hearing of ordinances approving:

1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street
2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has submitted two concurrent applications to rezone and amend the Future Land Use of a property located at the corner of South Bell Street and Bryan Street. The applicant is intending to begin retail sales and service or vehicle services limited on the subject property which has frontage along South Bell Street. Properties west along Bryan Street are predominately residential but South Bell Street is a mix of residential and commercial zoning. Section 310 of the Zoning Ordinance does not permit the proposed uses by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212.G of the Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018, the Planning Commission unanimously recommended APPROVAL of the Comprehensive Plan Amendment and the Rezoning.

Attachments:

- | | | |
|----|------------------------|--|
| 1. | Draft Ordinance (RZ) | Z18-16 Ord.docx |
| 2. | Draft Ordinance (CP) | CP18-07 ORD.docx |
| 3. | Staff Report (CP & RZ) | cc Staff Report CP18-07 & Z18-16 Galvan.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker
Jon James
Theresa James
Anthony Wilson

Created/Initiated
Approved
Approved
Approved

Jon James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **1520 BRYAN STREET, CITY of SAN ANGELO, TEXAS, compromising a total of 0.218 ACRES**, FROM SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z18-16

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 Neighborhood Commercial (CN) Zoning District; and,

WHEREAS, on the 18th day of September, 2018, City Council held a public hearing on Z18-16, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real property located at 1520 Bryan Street, compromising a total of 0.218 acres in Fairview Addition, Block 13, The South Half of Lots 13 and 14, City of San Angelo, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED on the **18th day of September, 2018**, and finally PASSED,
APPROVED AND ADOPTED on this the **2nd day of October, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

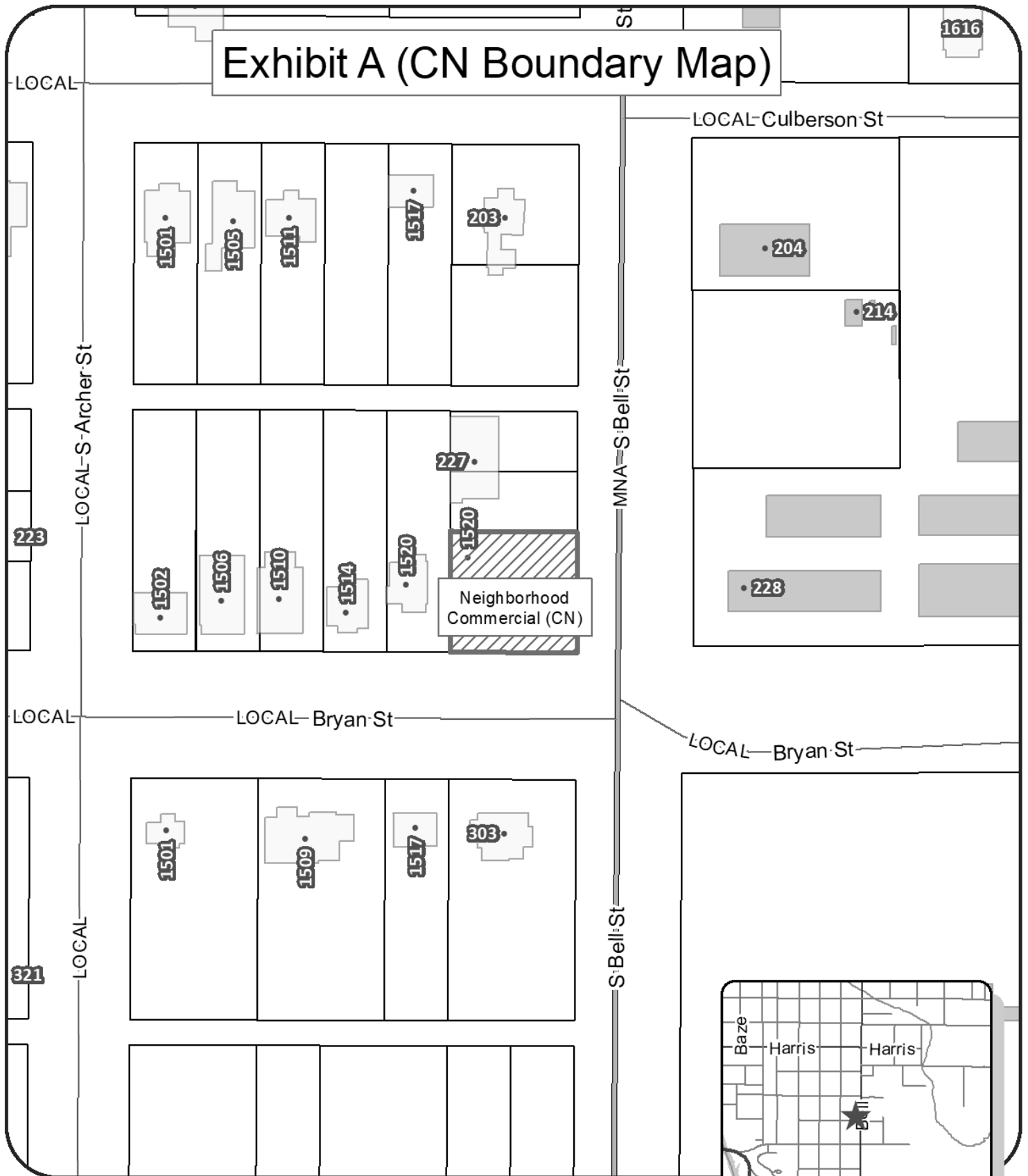
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (CN Boundary Map)



CP18-07/Z18-16: Galvan

1520 Bryan Street

Council District: SMD #3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 100 ft

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: CN

Vision: Neighborhood



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 **1520 BRYAN STREET, CITY of SAN ANGELO, TEXAS, compromising a total of 0.218 ACRES**, FROM "NEIGHBORHOOD" TO "NEIGHBORHOOD CENTER;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-18-07

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

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

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

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

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

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

1520 Bryan Street, comprising 0.218 acres in Fairview Addition, Block 13, The South Half of Lots 13 And 14, City of San Angelo, Texas, from “Neighborhood” 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.

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 **18th day of September, 2018**, and finally PASSED,
APPROVED AND ADOPTED on this the **2nd day of October, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

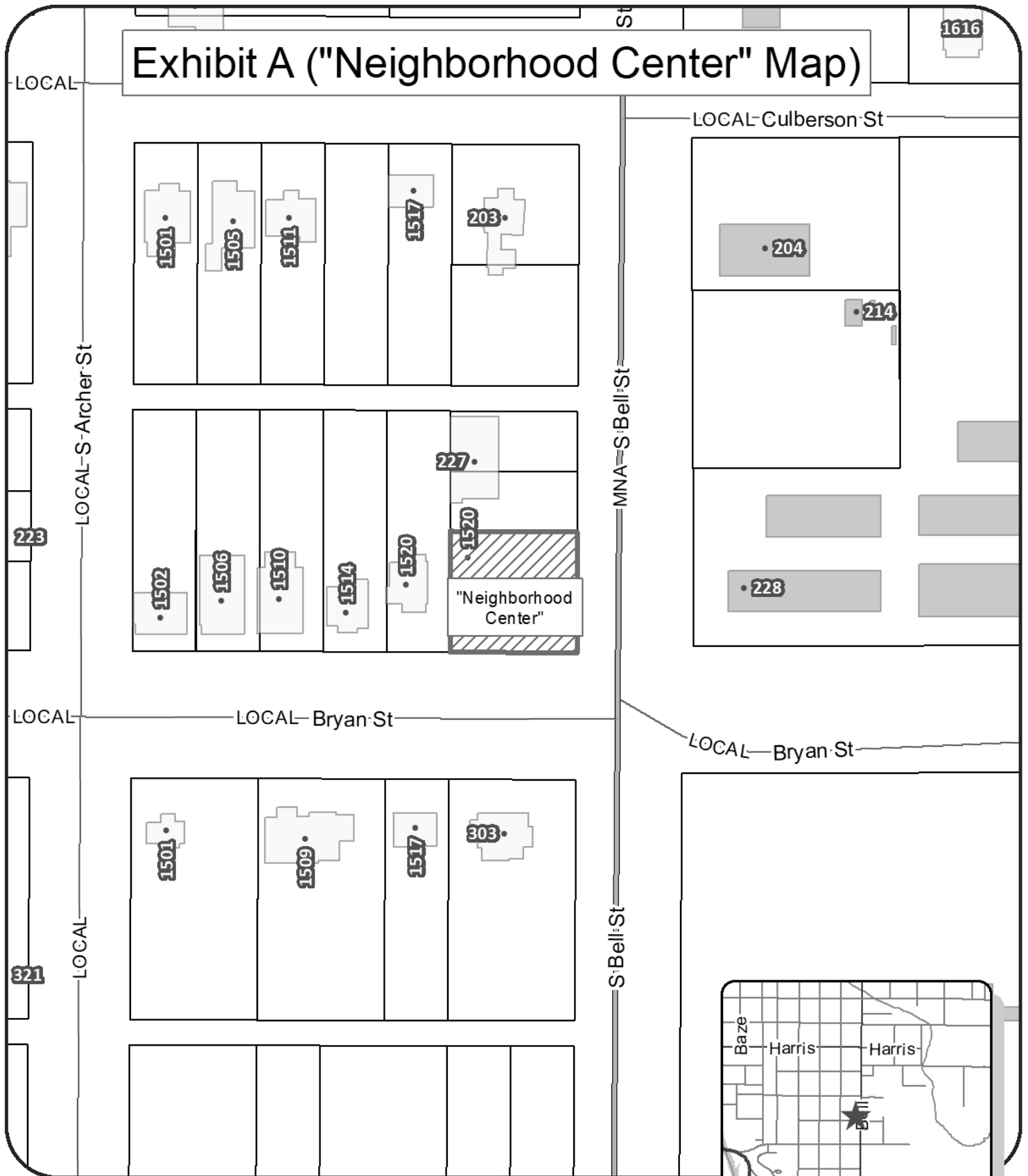
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A ("Neighborhood Center" Map)



CP18-07/Z18-16: Galvan

1520 Bryan Street

Council District: SMD #3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 100 ft

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: CN

Vision: Neighborhood



CITY COUNCIL – September 18 & October 2, 2018
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP18-07/Z18-16: Galvan	
SYNOPSIS:			
A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood to Neighborhood Center on the subject property, and a request for approval of a Rezoning from the Single Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property. The applicant is intending to begin retail sales and service or vehicle services limited. Section 310 of the Zoning Ordinance does not permit such use by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212.G of the Zoning Ordinance.			
LOCATION:		LEGAL DESCRIPTION:	
1520 Bryan Street		Being The South Half of Lots 13 And 14, Block 13, Fairview Addition, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho East Neighborhood	RS-1 – Single Family Residential	Neighborhood	0.218 acres
THOROUGHFARE PLAN:			
<u>South Bell Street</u> –Urban Minor Arterial Street, Required 80’ min. ROW (92’ Existing), 64’ min. pavement width (48’ Existing). <u>Bryan Street</u> –Urban Local Street, Required 50’ min. ROW (100’ Existing), 36’ min. pavement with sidewalk or 40’ without sidewalk (40’ Existing).			
NOTIFICATIONS:			
15 notifications were mailed within a 200-foot radius on August 3, 2018. Zero response has been received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from “Neighborhood” to “Neighborhood Center,” and APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District			
PROPERTY OWNER/PETITIONER:			
Miguel Galvan			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

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

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.* The Comprehensive Plan amendment from Neighborhood to Neighborhood Center would allow transition between the existing Future Land Use designations in the adjacent area and also allow for compatibility with the associated rezoning to Neighborhood Commercial. Section 304 of the Zoning Ordinance states that the intent of the Neighborhood Commercial Zoning District is to “provide opportunities for development of commercial development that serves and is supported by a relatively small surrounding area” The rezoning will allow a transition from the heavier commercial development in the area, and more specifically, allow the applicant to construct the proposed retail use.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The proposed development would comply with the Neighborhood Commercial development standards. The 9,500 square foot property exceeds the minimum lot area of 6,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 80 feet in the Neighborhood Commercial district. Any future buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from Bryan Street and South Bell Street, as well as a 10-foot side yard setback to the west and north.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The property is located within an area that has mixed uses, but is comprised of mostly residential to the west and commercial/industrial along South Bell Street. The subject parcel will be adjacent to residential lots on the west and north side but will remain at a neighborhood scale in the proposed CN zoning district. This type of commercial use is similar to other uses already existing along Bell Street to the east.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property has been zoned Single Family Residential District since the 1954 Zoning Ordinance. Where the Zoning Ordinance may have initially anticipated more residential development, the area has not developed that way, so allowing the Comprehensive Plan amendment and rezoning would make better use of the land in a manner consistent with existing adjacent development.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Comprehensive Plan amendment and rezoning are anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary. Although there will be a heavier footprint with a commercial development as opposed to a residential development, staff will be able to mitigate this during the site plan and permitting processes.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been any demonstrated community need for a use on the site to be residential. The site has been vacant for some time and the potential tenant would not be allowed in the RS-1 Zoning District. Allowing the site to rezone to Neighborhood Commercial would be reflective of the continuing need for commercial in the area, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area along South Bell Street is considerably commercial. This parcel will keep in continuity with the adjoining lots directly adjacent to along this corridor.

Planning Commission Recommendation:

On August 20, 2018 the Planning Commission recommended APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation to “Neighborhood Center,” and APPROVAL of a Rezoning to the Neighborhood Commercial (CN) Zoning District. The following is the complete excerpt of the minutes from the meeting for this case:

Hillary Bueker, Senior Planner, presented the proposed Comprehensive Plan Amendment and Rezoning request. She explained that the current Comprehensive Plan designation was “Neighborhood” and the current zoning “Single-Family Residential (RS-1)” for the property. Ms. Bueker outlined Staff’s recommendation for approval which included that the proposed amendments to Neighborhood Center and CN would be a good transition from the nearby commercial uses; that the proposed amendments were consistent with the Future Land Use of Neighborhood Commercial; and that the area has not developed residentially.

Chair Stribling opened the meeting for public comment.

Mr. Galvan, the owner of the property, spoke in support of the requests.

Ms. Sanders indicated that she believed the amendments would be beneficial to the City allowing more businesses on Bell Street.

Mr. Galvan explained that he sees potential in the property for future development.

Ms. Becky De Marinis, a nearby resident asked what the hours of operation would be for a future business on the property.

Mr. Galvan indicated that he plans to sell tacos and does not want to create a negative environment.

Commissioner Smith made a Motion to recommend APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing the “Neighborhood” Future Land Use to the “Neighborhood Center” Future Land Use on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

Commissioner Smith made a Motion to recommend APPROVAL of a Rezoning from the Single Family (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0

Recommendation:

Staff’s recommendation is for the City Council to:

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

Attachments:

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



CP18-07/Z18-16: Galvan

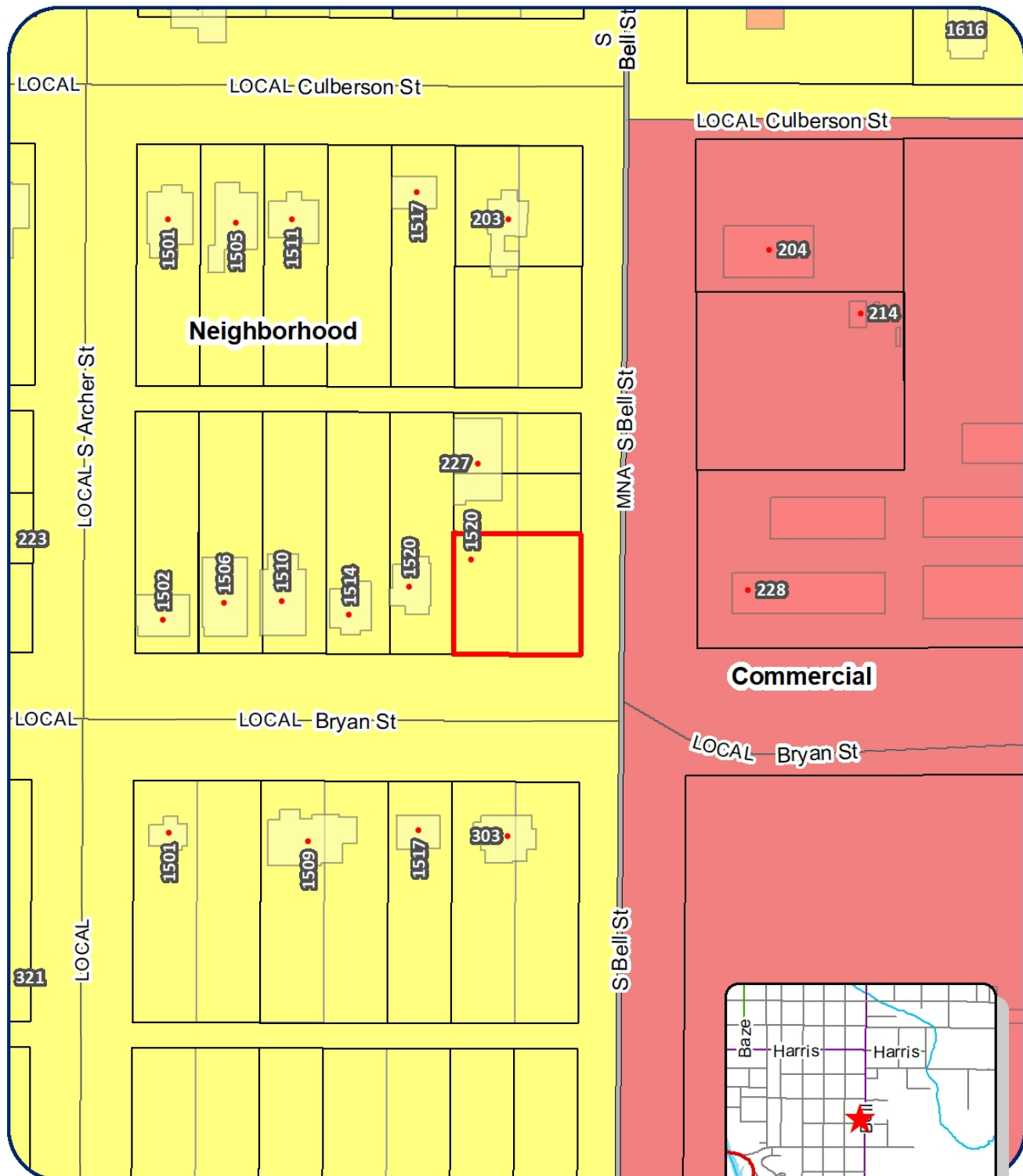
1520 Bryan Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
 Current Zoning: **RS-1**
 Requested Zoning Change: **CN**
 Vision: **Neighborhood**



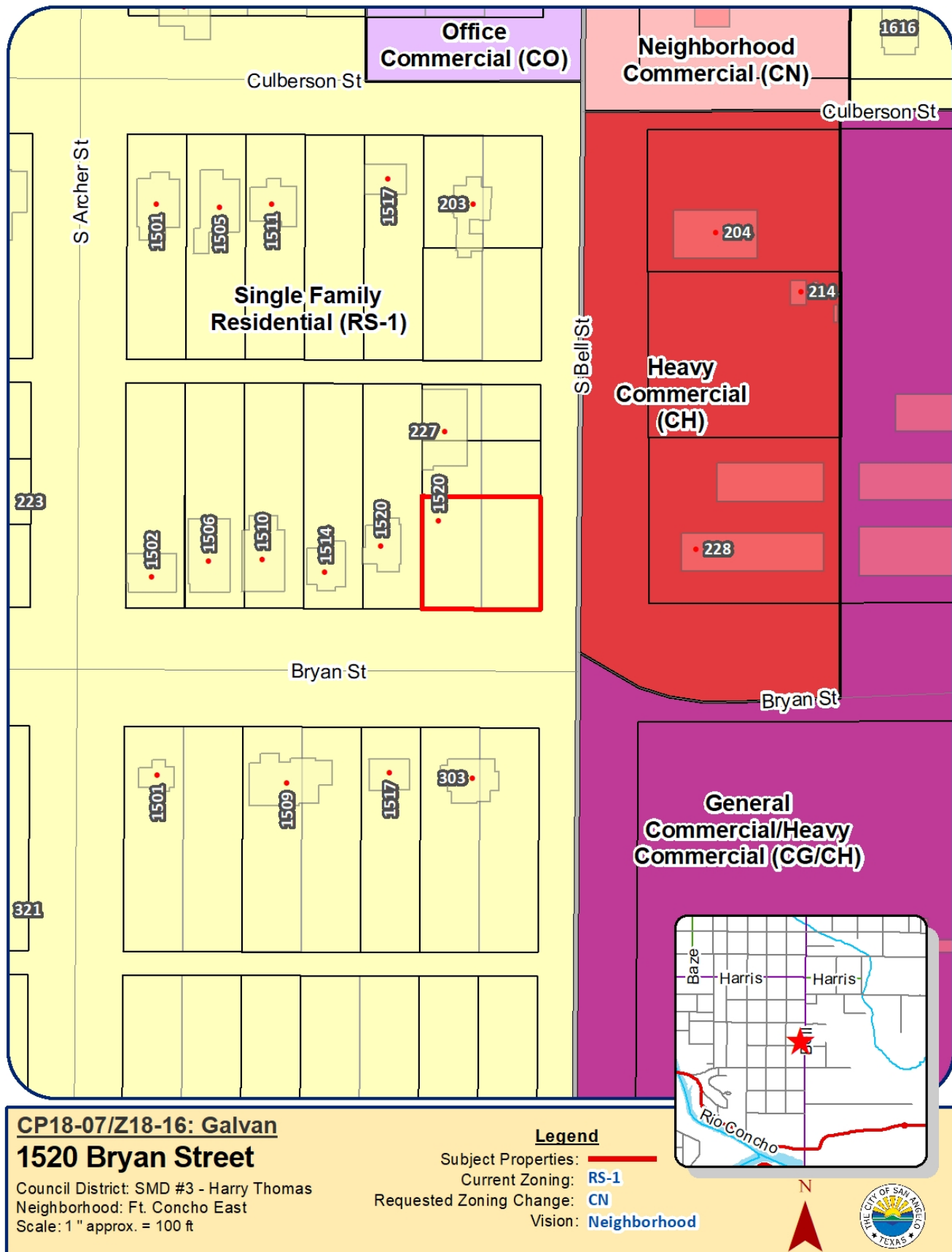
**CP18-07/Z18-16: Galvan****1520 Bryan Street**

Council District: SMD #3 - Harry Thomas
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
 Current Zoning: RS-1
 Requested Zoning Change: CN
 Vision: Neighborhood





Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s):

Miguel Galvan

☒ Owner☐ Representative (Notarized Affidavit Required)

Mailing Address

210 Robinhood Trl San Angelo Tx 76903

Contact Phone Number

(325) 716-6644

Contact E-mail Address

1520 Bryan St. San Angelo Texas 76903

Subject Property Address

City

State

Zip Code

South half lot of 13314 Bell St.

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

Existing Zoning:

RS1

Proposed Zoning:

Neighborhood commercial
Lot Size: W: 150.00'
S: 95.00'(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property:

Garage: for lot 12:

*Proposed Use of Property:

Commercial Neighborhood Business:
FOOD RETAIL

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Miguel Angel Galvan Miguel Galvan 07-20-18
 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: 7 / 20 / 18

Case No.: Z 18 -- 16

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 625

Receipt #: _____ Date paid: 7 / 20 / 18

Sign Deposit \$37.50 CP

Receipt #: _____ Date paid: ____/____/____

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

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

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

Planning Commission hearing date: 8 / 20 / 18 Date notifications due: 8 / 3 / 18

City Council hearing date: 9 / 18 / 18 Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: H. Buckner Date: 7 / 20 / 18

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue

Application for Request to Amend Comprehensive Plan



Section 1: Basic Information

Name of Applicant(s):

Miguel Galvan

☐ Owner☐ Representative (Notarized Affidavit Required)

Mailing Address

210 Robinhood Trl San Angelo Tx 76901

City

State

Zip Code

Contact Phone Number

(325) 716-6644

Contact E-mail Address

Subject Property Address

1520 Bryan St San Angelo Tx 76903

City

State

Zip Code

Lot Size:

W. 150.00' S. 95.00'

Zoning:

Section 2: Site Specific Details

Existing Use of Property:

Garage

Proposed Use of Property:

Retail

Existing Comprehensive Plan Land Use Designation:

neighborhood

Requested Comprehensive Plan Land Use Designation:

neighborhood center

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:

There is a small structure that we would like to expand and turn into a small business for food retail. It would be in an excellent site for business in that area of San Angelo.

Rezoning - 500

Comp Plan 500

Ad(2) 125

Sign 37.50

~~122.05~~ 1287.5

July 20 Submit Sept 18
Aug 20 - PC Oct 2 CC

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgment**Please initial the following:**

MG This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

MG Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

MG If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

MG The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

MG If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

MG Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

MG Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

MG 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.

Uguel Galvan
Signature of licensee or authorized representative

07-20-18
Date

Uguel Galvan
Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: 18 -- 07

Planning Commission Date: 8 / 20 / 18

City Council Date(s): 9 / 18 / 18 10/2/18

Non-Refundable Fee: \$ 662.50 Receipt #: _____ Date paid: _____ / _____ / _____

Reviewed/Accepted by: H. Buckner Date: 7 / 20 / 18

Site Photos



Subject Property



Subject Property



Subject Property along South Bell Street



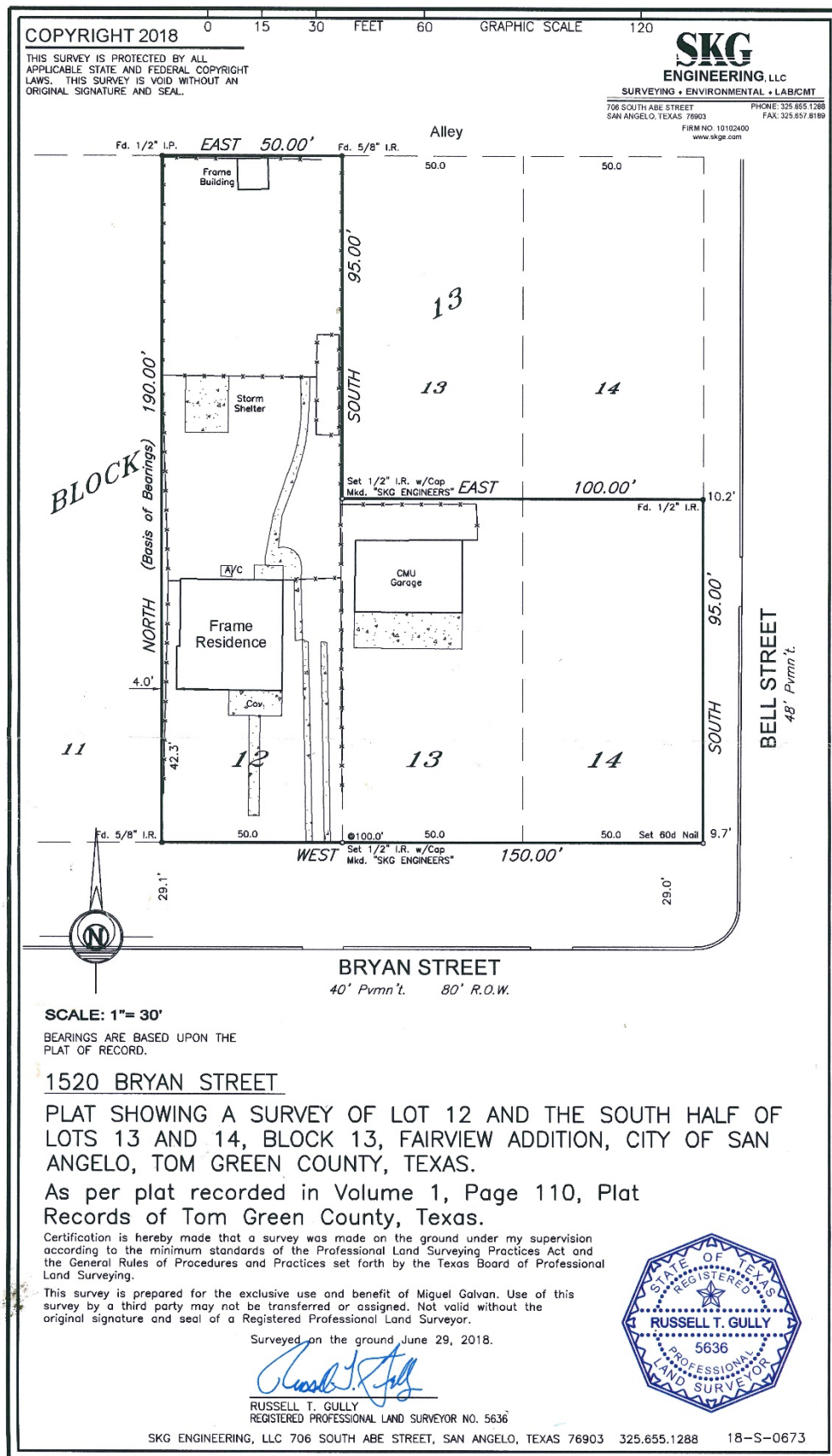
Property Directly East across South Bell Street

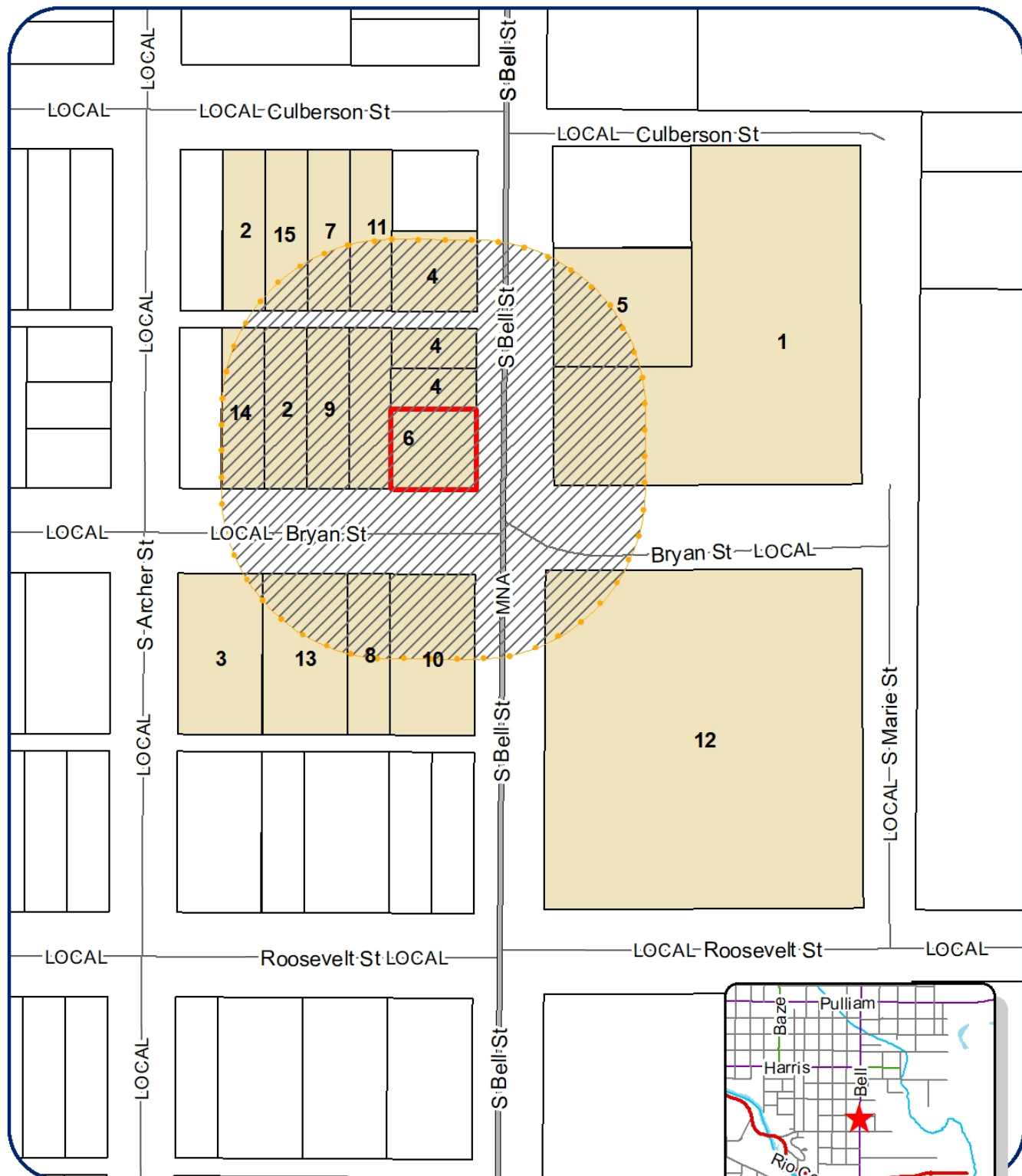


Property Directly Southeast across South Bell Street



Property Directly South across Bryan Street





1520 Bryan Street

Neighborhood: Ft. Concho East

Scale: 1 " approx. = 150 ft

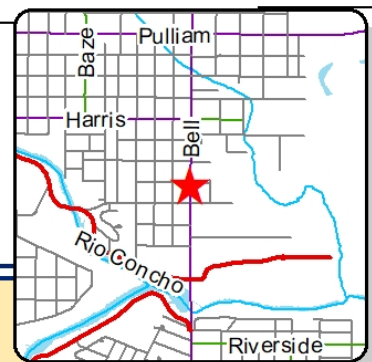
Legend

Subject Properties:

Current Zoning: **RS-1**

Requested Zoning Change: **CN**

Vision: **Neighborhood**



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Final reading and public hearing on an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, or alternatively to the Planned Development (PD18-04) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

UPDATE #2: Staff has met with a representative of Hirschfeld, as well as the neighboring homeowner. While both are generally OK with the proposed Planned Development, Hirschfeld would like to see a few changes regarding the buffer area. Primarily they would like to see it reduced from 55 feet to 35 feet and their preference would be to only apply it adjacent to the complaining homeowner. Staff supports the reduction from 55' to 35', but is hesitant about applying a protective buffer only for one residence when the entire property is adjacent to residential.

UPDATE: Per the recommendation of Council on first reading, the attached ordinance has been updated to a Planned Development district ordinance which includes rezoning the property to a base district of Heavy Commercial (CH), as requested by the applicant, but places additional restrictions and conditions on the property as part of the planned development ordinance.

Those restrictions include a prohibition on buildings, structures, and outdoor storage in the area 55' from the east property line. In addition, staff has suggested the following additional restrictions for consideration based on similar planned developments and concerns raised at the meeting:

- No vehicular access from West 31st Street
- A limit on the hours of operation on the property to coincide with the City's existing noise ordinance, 7am to 10:30pm.
- Requiring that any site lighting within the 55' setback area be shielded from the neighboring residential properties.

The applicant has applied for a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Heavy Commercial (CH) Zoning District to allow the storage and shipping of fabricated steel on the entire property. The 100-foot by 423.5-foot CG/CH west portion of the property allows these uses by right. The remaining RS-1 portion which comprises approximately half of the property, does not. In early May 2018, the City's Code Compliance Division received a complaint by the adjacent neighbor at 209 West 31st Street about the applicant storing steel pipes on the RS-1 portion of their property near the shared property fence. The applicant subsequently applied for this rezoning to allow the uses on the entire site, and has temporarily moved all storage items onto the CG/CH portion of the property.

Financial Impact:

N/A

Other Information/Recommendation:

On September 4, 2018, the City Council voted to postpone this item to September 18 in order for staff to meet with the neighbor and a representative of the property owner.

On August 21, 2018, the City Council voted 7-0 to approve a Planned Development district, instead of the requested CH zoning, that would prohibit outdoor storage within 55' of the east property line on the property.

On June 18, 2018, the Planning Commission unanimously recommended APPROVAL of the proposed Rezoning.

Attachments:

- | | | |
|----|--------------|-------------------------------------|
| 1. | Staff report | PL_Z18-13 report.docx |
| 2. | PD Ordinance | PL_PD18-04_ORDINANCE FINAL (R).docx |

Presentation:

Jon James

Approvals/Reviews:

Jon James	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 – August 21, September 4, and September 18, 2018
STAFF REPORT



APPLICATION TYPE:	CASE:		
Rezoning	Z18-13: Hirschfeld Properties, L.P.		
SYNOPSIS:			
The applicant has applied for a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Heavy Commercial (CH) Zoning District to allow the storage and shipping of fabricated steel on the entire property. The 100-foot by 423.5-foot CG/CH west portion of the property allows these uses by right. The remaining RS-1 portion which comprises approximately half of the property, does not. In early May 2018, the City's Code Compliance Division received a complaint by the adjacent neighbor at 209 West 31st Street about the applicant storing steel pipes on the RS-1 portion of their property near the shared property fence. The applicant subsequently applied for this Rezoning to allow the uses on the entire site, and has temporarily moved all storage items onto the CG/CH portion of the property.			
LOCATION:		LEGAL DESCRIPTION:	
3014 Grape Creek Road; located at the southeast corner of Grape Creek Road and West 31 st Street		Being 2.053 acres in Block 9, Mather Addition No. 1	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #2 – Tom Thompson Riverside Neighborhood	General Commercial /Heavy Commercial (CG/CH) and Single-Family Residential (RS-1)	I - Industrial	2.053 ac.
THOROUGHFARE PLAN:			
Grape Creek Road – Urban Collector Street Required: 60' right-of-way, 50' pavement Provided: 110' right-of-way, 40' pavement (complied with subdivision standards at time of platting) West 31st Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 50' right-of-way, 30' pavement and no sidewalk (complied with subdivision standards at time of platting)			
NOTIFICATIONS:			
15 notifications mailed within 200-foot radius on June 6, 2018. To date, one letter was received in support and three letters were received in opposition of the request (see attached) .			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Heavy Commercial (CH) Zoning District on the subject property.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner and Applicant:</i> Mr. Jeremy Bartz, Hirschfeld Properties, L.P.			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information:

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

1. **Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The subject property has had a Future Land Use designation of “Industrial” since the City’s original 2003 Comprehensive Plan (CP). The 2009 Strategic Plan update to the CP defines Industrial areas as “areas where industry and agricultural are suitable” and calls to “cluster industrial and intensive agricultural businesses into several large areas by specifying boundaries within which such uses may be incentivized to locate, remain and thrive, while establishing increased business diversity.” Although there is no record of any permits on the property, historical aerial photography confirms there has been non-residential storage on the property since 1996. This industrially-designated cluster comprises mainly of the Hirschfeld properties in the area, which extend north to West 32nd Street, west of Grape Creek Road, and south to West 28th Street, east of Martin Luther King Drive. The existing uses of steel storage and shipping are compatible with the “Industrial” Future Land Use designation policies. A Rezoning to CH would allow these uses by right on the entire property, including the Single-Family Residential (RS-1) portion.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** As indicated previously, the easterly RS-1 portion of the property never allowed steel storage or shipping by right. The proposed CH zoning is the least intense zoning district that would allow steel storage and shipping. These uses would fall under the “Industrial Service” category of the CH zoning district, which allows “sales, repair and/or storage of heavy machinery, metal and building materials.” Heavier industrial uses such as manufacturing and production that may include processing and fabrication are not be allowed in the CH zone. The Planning Division believes that the CH zoning is the preferred alternative given the property faces residential homes to the north and east. Section 509 of the Zoning Ordinance requires a minimum 6-foot high opaque privacy fence along the east property line abutting a residential use and zoning district, and there is an existing 6-foot high metal fence along the east property line and extending around most of the property. In addition, Section 504.E of the Zoning Ordinance requires that no outdoor storage shall be allowed within required side yards. The CH zone requires a 10-foot side yard setback if abutting a residential district or use, and therefore, any outdoor storage will be required to be setback a minimum of 10 feet from the east property line. The Planning Division believes this required setback will assist in mitigating the adjacent property owner’s concerns about steel piping being placed against his west property line. Finally, the 2.053-acre property with a lot width of 175 feet and a lot depth

of 423.5 feet well exceeds the minimum lot area of 6,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 80 feet in the CH zone. The property will comply with all applicable CH zoning provisions. Prior to any future construction on the property, the applicant will be required to pave any required parking, maneuvering, and driveway approaches, as the property currently has a caliche surface.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The City's Comprehensive Plan has designated the future land use of the subject property "Industrial," as well as the residential properties immediately to the east. Utilization of the property for steel shipping and storage would be compatible with the other Hirschfeld steel properties to the west and south. The existing 6-foot high privacy fence adjacent to the east property line and the outdoor storage setback requirement of 10 feet from this property line will mitigate any effects on the residential property to the east. The 6-foot high fence also screens the north side of the property facing residential development north of West 31st Street. As indicated above, the Planning Division believes that the CH zone is the preferred option - it allow the existing steel storage use to continue, but ensure any intensive industrial uses including manufacturing and processing remain prohibited to protect the residential properties to the north and east.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The RS-1 zone, formerly R-1 before the current 2000 Zoning Ordinance, prohibits commercial or industrial storage. However, the City's Comprehensive Plan has designated the property "Industrial" since at least 2003, and there has been non-residential storage on the property since at least 1996. Therefore, the Planning Division believes that a rezoning on the east portion of the property from RS-1 to CH is appropriate and reflects the changed conditions of the property.
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 entire property contains a caliche surface and is used exclusively for outdoor storage of steel piping and related equipment. Since the CH zoning does not allow manufacturing or processing, the Planning Division does not believe there will be any negative effects on the natural environment. There is no entrance from West 31st Street, a local street, to the property and vehicles are required to use Grape Creek Road or West 30th Street to enter and exit the site. This will improve traffic safety by ensuring that commercial traffic will enter the site from streets already surrounded by commercial and industrial uses, away from predominantly residential streets.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes that the CH zone in this area addresses a demonstrated community need. The property is located next to the existing Hirschfeld steel business which provides employment to San Angelo residents and has been in operation for over 30 years. The CH zoning in this case is compatible with the future land use of the area and property of “Industrial.” This zoning designation will allow the existing steel storage operation, but ensure that more intense industrial and heavy commercial uses are prohibited.
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.* There are no anticipated changes to existing development patterns. The existing lot configuration will not change, and as indicated previously, commercial traffic would enter from either Grape Creek Road or West 30th Street next to the existing Hirschfeld operation and away from residential properties.

Planning Commission Recommendation:

On June 18, 2018, the Planning Commission recommended **APPROVAL** of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the **Heavy Commercial (CH) Zoning District** on the subject property. The following is the complete excerpt of the draft minutes from the June 18, 2018, meeting for this case:

Public hearing and consideration of a request for approval of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Heavy Commercial (CH) Zoning District, being 2.053 acres located at 3014 Grape Creek Road.

Jeff Fisher, Senior Planner, presented the rezoning request. He indicated that the west half of the property is zoned General Commercial/Heavy Commercial (CG/CH) and the east half is zoned Single-Family Residential (RS-1). He explained that Hirschfeld applied for the rezoning to CH to allow their existing industrial storage of steel pipes across the entire property which is not allowed on the RS-1 portion. Mr. Fisher further explained that if rezoned to CH, storage would be allowed, but not manufacturing, production or processing reserved for heavier zoning districts. He indicated that all storage had been moved back onto the CG/CH portion of the property after the adjacent neighbor to the east complained of outdoor steel storage being placed against the shared fence. He also indicated that the CH zone, if approved, would require a 10-foot east side yard setback adjacent to a residential zone and use, ensuring that the storage was not placed again up to the shared property line. A 6-foot high privacy fence would also be required along this side which had already been installed. Mr. Fisher outlined Staff’s rationale to approve the Rezoning on the grounds that the Future Land Use designation in the City’s Comprehensive Plan was “Industrial” which supported industrial storage and had remained in effect since 2003; that the property would comply with all CH zoning standards; that the use was compatible with the surrounding area facing other Hirschfeld properties to the west and south and had existed since at least 1996; that there were no anticipated effects on the natural environment; and that there would be no adverse effects on existing development patterns as the lot was already platted in its configuration and that there are

access points from Grape Creek Road and West 30th Street adjacent to the existing Hirschfeld facilities.

Chair Stribling asked how long Hirschfeld has used this property for industrial storage. Mr. Fisher responded since at least 1996, based on aerial photography.

Vice Chair Spano asked when the adjacent resident to the east moved in. Mr. Fisher indicated the adjacent resident was in attendance to answer questions.

Chair Stribling opened the meeting for public comment.

Mr. Raymond Bannert, owner and resident of the adjacent property at 209 West 31st Street, indicated that he had lived next to the property since 1963. He explained that when he returned from military service in 1997 after 22 years of service, the storage use was there. He outlined his primary concern that the steel pipes were placed against his fence, as well as the leaking of oil that ended up on his property. He explained that he was not opposed to the rezoning but wanted the steel away from his house.

Commissioner Brooks III asked Mr. Bannert if he would consider other remedies to resolve the issue. Mr. Bannert indicated he was considering other remedies.

Mr. Jeremy Bartz, representative for Hirschfeld Steel, spoke on behalf of the request. He indicated that he understood Mr. Bannert's concerns, including noise. He explained that they would not operate within the prohibited noise ordinance hours. He also explained that Hirschfeld had no concerns about complying with the required setback, and that they agreed to only storage on the property, and no welding or cutting. He concluded by telling the Commission that Hirschfeld did not want to be bad neighbors and would be willing to move back the storage as necessary for the adjacent owner.

Chair Stribling asked if the privacy fence runs all four sides. Mr. Bannert responded that there was fencing on three sides, but not the south side.

Chair Stribling asked Mr. Fisher to confirm that the zoning ordinance had a 10-foot setback requirement. Mr. Fisher responded this was correct but only when a non-residential use was adjacent to a residential use or district, which in this case was from the east side yard facing Mr. Bannert's property.

Chair Stribling asked Mr. Bannert if he was okay with this setback. Mr. Bannert responded that he would have to wait and see.

Vice Chair Spano made a Motion to recommend APPROVAL of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Heavy Commercial (CH) Zoning District on the subject property. Commissioner Uherik seconded the Motion. The Motion passed unanimously, 5-0.

Recommendation:

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

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Response Letters

Applicant's Response to Zoning Criteria

Application



Zoning Case File

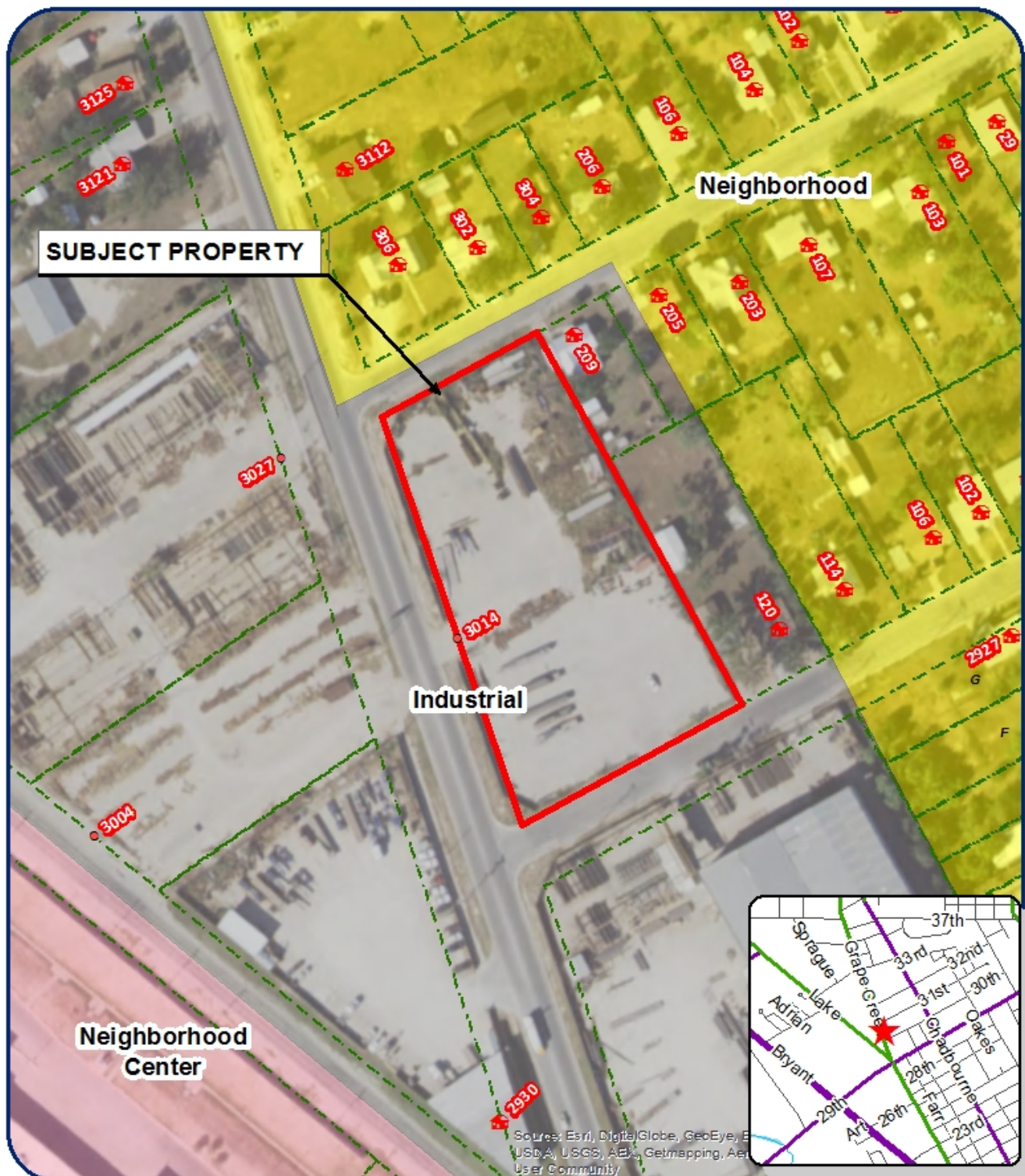
Case Z18-13: Hirschfeld

Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 125 ft
Subject Property: 3014 Grape Creek Road

Legend

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





Zoning Case File

Case Z18-13: Hirschfeld

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

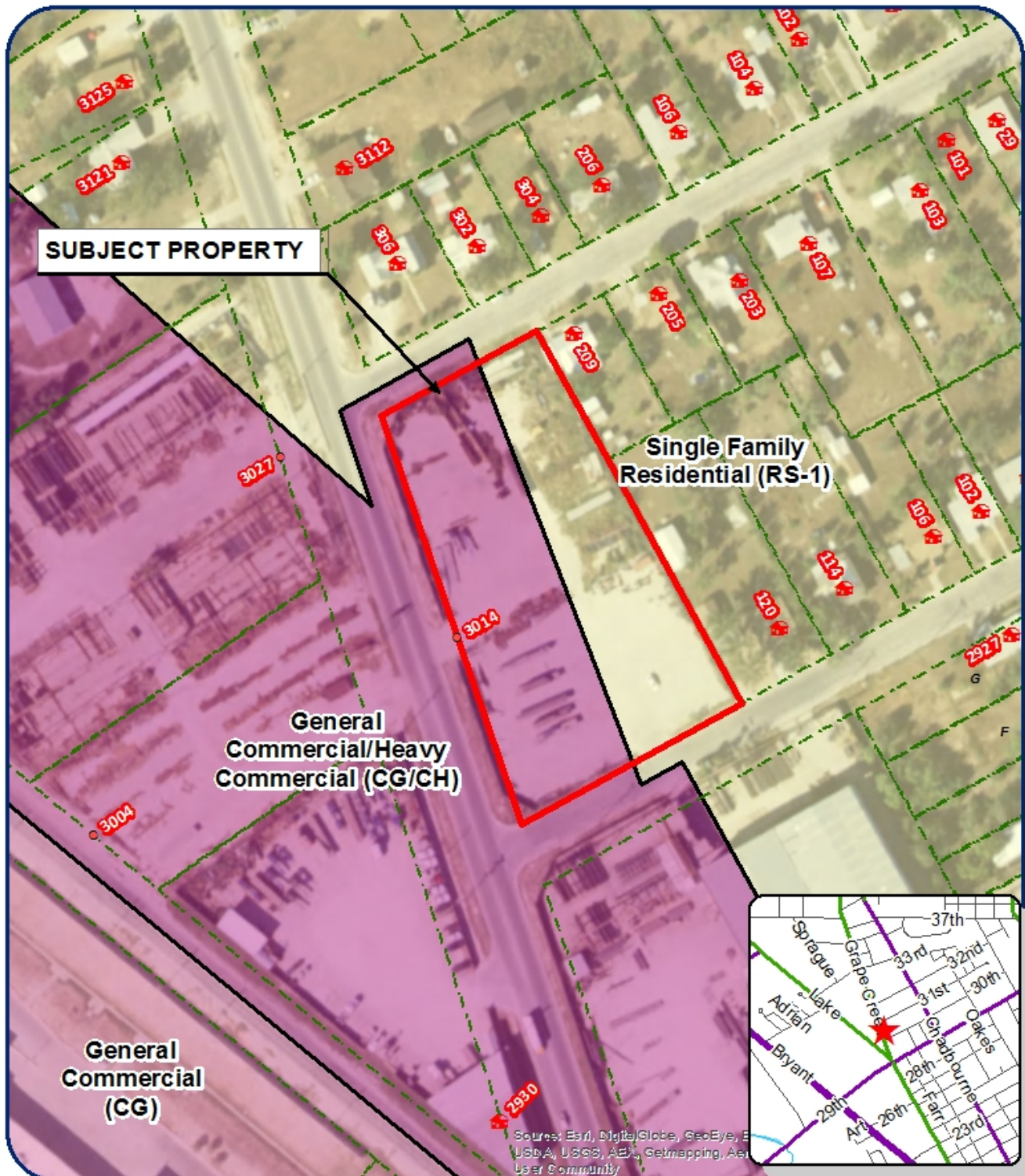
Scale: 1" approx. = 125 ft

Subject Property: 3014 Grape Creek Road

Legend

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





Zoning Case File

Case Z18-13: Hirschfeld

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 125 ft

Subject Property: 3014 Grape Creek Road

Legend

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



Photos of Site and Surrounding Area

NORTH



WEST



EAST



SOUTH AT 209 WEST 31ST STREET



Photos of Site and Surrounding Area

LOOKING WEST AT GRAPE CREEK ROAD



INSIDE PROPERTY LOOKING SOUTH



INSIDE PROPERTY LOOKING NORTH



INSIDE PROPERTY LOOKING SOUTH



Response Letters

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 STREET IN SAN ANGELO, TEXAS 76903.

(X) IN FAVOR

() IN OPPOSITION

REASON(S) More jobs and oportunities
for people in San Angelo.

NAME: Elizabeth Colding, Villeda Antonio

ADDRESS: 302 W. 31st Street
San Angelo, Tx. 76903

SIGNATURE: Elizabeth Colding Antonio Villeda

Z18-13: Hirschfeld Properties, L.P.

property owner number: 13

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

(Note: Response Letter from owner of 209 West 31st Street is total of 19 pages including photos). Copies of written pages follow below. Copies of entire document will be provided to Council Members at the meeting).

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 STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(X) IN OPPOSITION

REASON(S)

1. Health hazard, they spilled oil every where and covered it up with rock so you can't see it. Ask me, I'll show you a house to dig.

2. They put the steel right next to my house. ever since last 10-12 years lightning has struck it so less that it is costing me more than \$20,000. All I have ever asked them to do is move the steel away from my house, but every time it is put so less than 10 feet from my house and that is right on the property line.

NAME:

ADDRESS:

SIGNATURE:

Z18-13: Hirschfeld Properties, L.P.
property owner number: 2

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

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 STREET IN SAN ANGELO, TEXAS 76903.

2

() IN FAVOR

(X) IN OPPOSITION

REASON(S) 1. The road cutting when and it turns into
mosquito hell. Not to mention the wild animals that
stay in the lot. They store loose petroleum
products in there and they have leaked on the
ground. There have been fires in there
that have gotten close to my house, but never
once was the fire dept called.
2. They are a blight on the neighborhood.
The fence looks like crap with graffiti on it.
They throw trash every where. They only
want to use this one lot to harass me.

NAME: _____

ADDRESS: _____

SIGNATURE: _____

Z18-13: Hirschfeld Properties, L.P.

property owner number: 2

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with
the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning
Division staff may also be reached by email at jeff.fisher@cosatx.us.

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 STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(X) IN OPPOSITION

REASON(S) Yes, I am the person who submitted the
H & P permit at Hirschfeld, and he has been harassing
me ever since. They are the "Neighbors from
Hell."

4. There is no boundary. There is an area
and then there is the tank yard. There is no defined
boundary it just is. According to your vision plan this
is incompatible use within a residential area. Any other use
would mean that you have double standards and have
turned your backs on our neighbor hood. Again they
are a incompatible neighbor here.

NAME: _____

ADDRESS: _____

SIGNATURE: _____

Z18-13: Hirschfeld Properties, L.P.

property owner number: 2

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

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 STREET IN SAN ANGELO, TEXAS 76903.

4

() IN FAVOR

() IN OPPOSITION

REASON(S) To use one of your own terms, Hirschfeld is a "hole" and should be moved to the River Area when they have successfully destroyed the area there.

So when they moved the steel the other day they retaliated again. Sec 7.02.033 my steel trees were cut down, my post trees were cut. All without my consent.

6. 7.02.062 when I saw junk yard really mean junk yard. they throw, trash, glass, dead animals

NAME: _____

ADDRESS: _____

SIGNATURE: _____

Z18-13: Hirschfeld Properties, L.P.

property owner number: 2

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() IN FAVOR

(X) IN OPPOSITION

REASON(S) hope deals, junk metal, junk vehicles, you
wake it it ends up next to my house.

7.02.063 only last month when they covered
up the oil spills did they finally cut the weeds
down in them. some were 10' tall.

7.02.064 Junk unsightly metal. After
it turns into a junk yard, the only
reason they want to use it is to retaliate at me.

NAME: _____

ADDRESS: _____

SIGNATURE: _____

Z18-13: Hirschfeld Properties, L.P.

property owner number: 2

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() IN FAVOR

(X) IN OPPOSITION

REASON(S)

7.02.068 ANIMAL CARCASSES
I have the vet bills due to the wild animals from the lot being thrown into my lot by employee of Hirschfeld. We also have violations of section 7.02.061 health, safety, public health. When they don't place the dead animals into my yard, they just let the lie and rot there. We have kids / families here. 8.01.068 noise, it never stops

NAME:

ADDRESS:

SIGNATURE:

Z18-13: Hirschfeld Properties, L.P.

property owner number: 2

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() IN FAVOR

(X) IN OPPOSITION

REASON(S)

This Property is directly Next To
peoples Homes and should not be changed
to Heavy Commercial. The noise and dust from
Heavy Equipment should not be in a RS-1 zoning
district. I would ask the City, Why
was this allowed to begin with?

NAME:

Donald A Spadley

ADDRESS:

304 W. 3rd St

SIGNATURE:

Donald A Spadley

Z18-13: Hirschfeld Properties, L.P.

property owner number: 12

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

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 STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(X)

IN OPPOSITION

REASON(S)

I don't think this type of commercial business should be allowed up against residential property. We were here first.

1. Noise

2. Dust

3. Reduced Property Value

NAME:

Donald A. Spradley

ADDRESS:

304 W. 31st

SIGNATURE:

Donald A. Spradley

Z18-13: Hirschfeld Properties, L.P.

property owner number: 12

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

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 STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR

(X) IN OPPOSITION

REASON(S)

It is noisy & dirt is always blowing. This is a Residential Zone and we want to keep it that way

NAME: Thelma Nalley

ADDRESS: 206 W. 31st. Street
San Angelo, Tx. 76903

SIGNATURE: Thelma Nalley

Z18-13: Hirschfeld Properties, L.P.

property owner number: 8

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

Sec. 212. Amendments to Text or Official Zoning Map

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

1. Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.

THE AMENDMENT OF ZONING THIS PARCEL OF PROPERTY WOULD
ALLOW FOR CONSISTENT USE OF SAID PROPERTY AS A MATERIAL
STORAGE YARD, AND DISTRIBUTION LOCATION FOR SHIPMENT OF MATERIAL.
THIS MATERIAL IS STRUCTURAL STEEL, AND IS COMPATIBLE WITH
ALL OTHER PROPERTIES OWNED/OPERATED BY HIRSCHFELD IN SAN
ANGELO.

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

THERE SHOULD BE NO CONFLICTS WITH ZONING ORDINANCE,
AS WE (HIRSCHFELD) SHALL COMPLY WITH ALL REQUIREMENTS
OF THE ZONE CHANGE AMENDMENT.

3. Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.

THE PARCEL OF LAND IN QUESTION IS COMPATIBLE WITH THE
SURROUNDING AREA.

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

THERE ARE NO CHANGED CONDITIONS

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

THERE SHALL BE NO EFFECT ON THE NATURAL ENVIRONMENT
AND HIRSCHFELD SHALL COMPLY WITH ALL STATE, LOCAL AND
FEDERAL LAWS FROM AN ENVIRONMENTAL PROTECTION
STANDPOINT.

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

THE COMMUNITY NEED, IN THIS CASE, WOULD BE CONTINUED
EMPLOYMENT OF SAN ANGELO RESIDENTS WHO WORK
FOR HIRSCHFELD

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.

NOT KNOWN.

LIVEWIRE JANUARY 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue

Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): HIRSCHFELD PROPERTIES, L.P.

☒ Owner ☐ Representative (Notarized Affidavit Required)

Mailing Address: 112 W. 27th STREET City: SAN ANGELO State: TX Zip Code: 76903

Contact Phone Number: 325-486-4415 Contact E-mail Address: JOSEPHY.BARTZ@HIRSCHFELD.COM

Subject Property Address: Block 7, SUBD MATHER ADDITION NO. 1, 2.0530 ACRES, SAN ANGELO, TX City: SAN ANGELO State: TX Zip Code: 76903

Legal Description (can be found on property tax statement or at www.tamraencad.com): Block 7, SUBD MATHER ADDITION NO. 1, 2.0530 ACRES

Existing Zoning: PARTIAL CGH / PARTIAL RS-1 Proposed Zoning: CH Lot size: 2.0530 ACRES

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

Section 2: Site Specific Details

Existing Use of Property: FABRICATED STEEL STORAGE/SHIPPING

*Proposed Use of Property: SAME

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.

☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.

☒ If approved, a zone change is applied to the property, not the property owner.

☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.

☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.

☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.

☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.

☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Staff Report – Z18-13: Hirschfeld Properties, L.P.
August 21 and September 4, 2018

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

HIRSCHFELD PROPERTIES, LP
Owner Name (Print)

Signature

HIRSCHFELD
Company/Organization (If Applicable)

5/18/18
Date

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 5/18/2018

Case No.: Z 18-13

Fully-dimensioned site plan: ☒

Nonrefundable fee: \$ 625.00

Receipt #: _____ Date paid: 5/21/2018

Sign Deposit \$37.50

Receipt #: _____ Date paid: ____/____/____

Affidavit attached?

☒ Yes

☐ No

☐ N/A

Applicant's signature on information sheet?

☐ Yes

☐ No

Previous Zone Change Inquiry?

☐ Yes

☒ No

If yes, ZCI case no.: _____

River Corridor Commission?

☐ Yes

☒ No

If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 6/18/2018

Date notifications due: 6/7/2018

City Council hearing date: 7/17/2018

Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: J. Fisher

Date: 5/18/2018

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: **3014 Grape Creek Road; generally located at the southeast corner of Grape Creek Road and West 31st Street; being 2.053 acres**, FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) ZONING DISTRICT AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR USES PERMITTED IN THE HEAVY COMMERCIAL (CH) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY

RE: PD18-04: HIRSCHFELD PROPERTIES, 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 Z18-13, a zoning change from General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) to Heavy Commercial (CH) Zoning District; and,

WHEREAS, on August 21, 2018, on first reading of the ordinance, staff revised its recommendation and Council directed that the ordinance be amended for second reading to provide for a Planned Development Zoning District to permit uses allowed in the CH Zoning District; and,

WHEREAS, on the 4th day of September, 2018, City Council held a public hearing on PD18-04, pursuant to published notice, and has considered the application as amended for Planned Development Zoning District, 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 Planned Development (PD) District to allow for uses permitted in the Heavy Commercial (CH) Zoning District.

3014 Grape Creek Road; generally located at the southeast corner of Grape Creek Road and West 31st Street; being 2.053 acres in Block 9 of the Mather Addition No. 1, City of San Angelo, Texas; zoned General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning District, shall henceforth be permanently zoned as follows: Planned Development (PD18-04) Zoning District to allow for uses permitted in the Heavy Commercial (CH) Zoning District.

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

SECTION 3: Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the **Heavy Commercial (CH)** Zoning District standards.

SECTION 4: Overall site use shall be in accordance with the **Site Plan** shown in **Exhibit “A”** of this Ordinance. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.

SECTION 5: Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final site plan to the Planning Director for review and approval.

SECTION 6: All buildings, structures, and outdoor storage shall maintain a minimum 55-foot setback from the east property line.

SECTION 7: There shall be no driveways or vehicular access to the property from West 31st Street.

SECTION 8: Hours of operation shall be limited to between 7:00 a.m. and 10:30 p.m. All occupancy and use on the property shall comply with all relevant City Ordinances with respect to offenses and nuisances including Section 8.01.004 making unlawful the storing or keeping of material classified as junk in close proximity to residences; and Section 8.01.005 making it unlawful to make, create or cause to be created any unnecessary, loud, unusual or prolonged noise which disturbs or is calculated to disturb persons in the immediate vicinity thereof.

SECTION 9: Any new site lighting within 55 feet of the east property line shall be shielded, downward emitting, and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto adjacent properties within a residential zoning district. Any illuminated signage visible from properties within a residential zoning district shall be turned off between the hours of 10:30 p.m. and 7:00 a.m.

SECTION 10: 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 11: The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended herein shall remain in full force and effect.

SECTION 12: 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 13: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **21st day of August, 2018**, and finally PASSED, APPROVED AND ADOPTED on this the **18th day of September, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

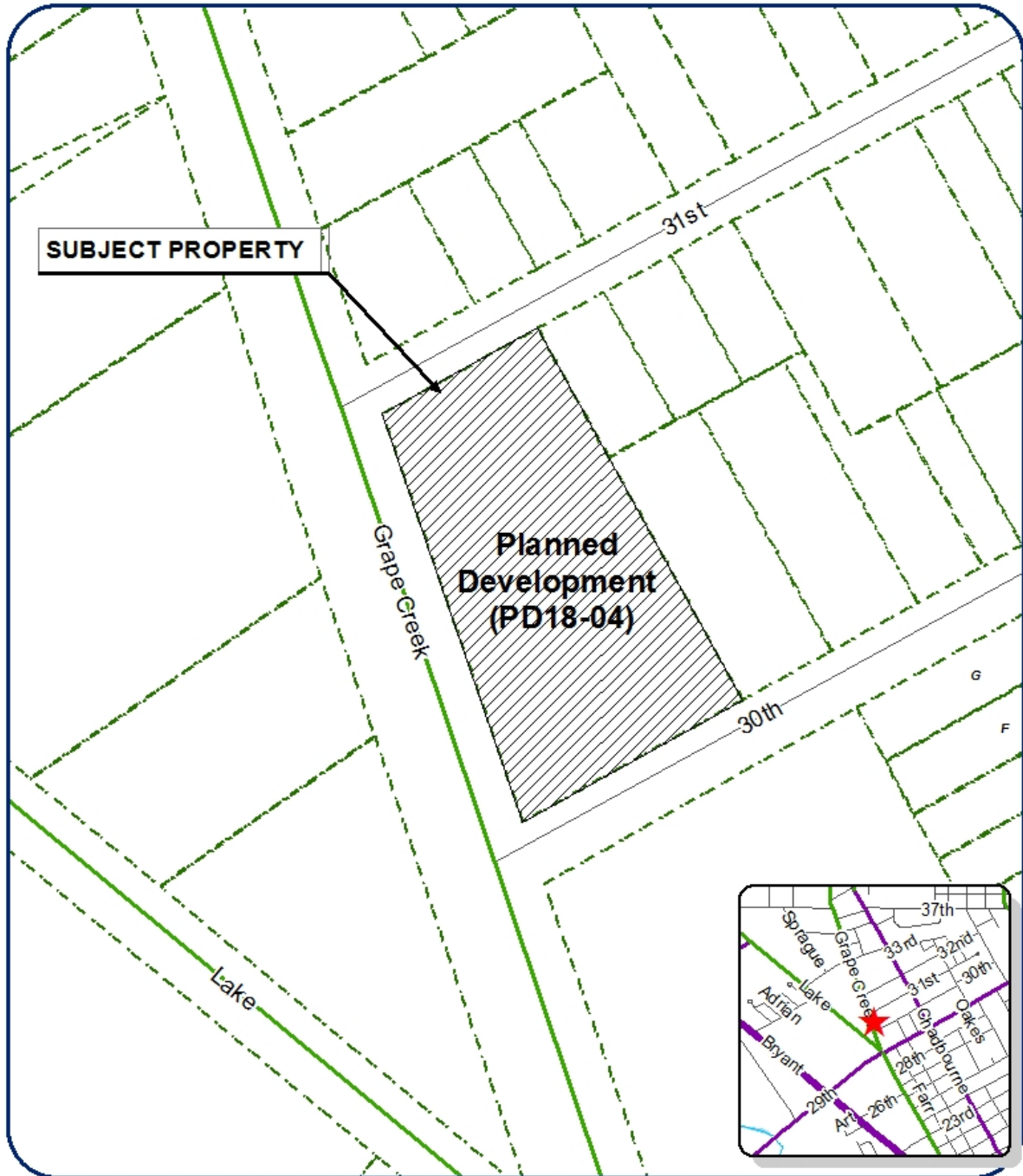
APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

EXHIBIT "A"

PD Boundary Map



Zoning Case File

Case PD18-04: Hirschfeld

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 125 ft

Subject Property: 3014 Grape Creek Road

Legend

Subject Properties: —

Current Zoning: CG/CH and RS-1

Requested Zoning Change: N/A

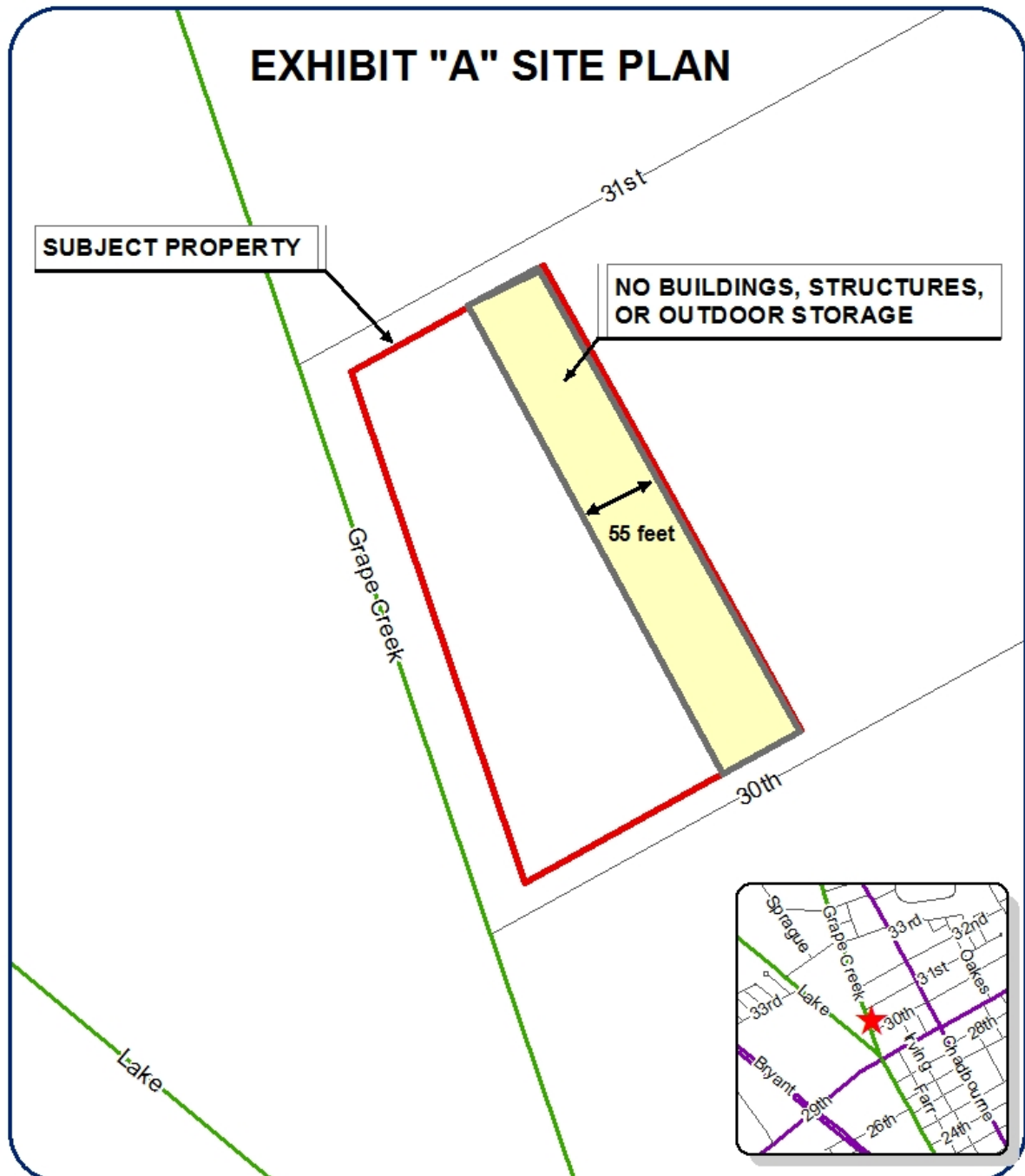
Vision: Industrial

N



EXHIBIT "A"

Site Plan



Zoning Case File

Case PD18-04: Hirschfeld

Council District: Tom Thompson (SMD#2)

Neighborhood: Riverside

Scale: 1" approx. = 100 ft

Subject Property: 3014 Grape Creek Road

Legend

Subject Properties: —

Current Zoning: CG/CH and RS-1

Requested Zoning Change: N/A

Vision: Industrial

N



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Coordinator, Budget, 325-657-6291

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$626,546 (1.67%), and of that amount, \$383,414 is tax revenue to be raised from new property added to the tax roll - (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This is the second public hearing and adoption of the budget ordinance for the fiscal year beginning October 1, 2018, and ending September 30, 2019. The ordinance appropriates funds for the 2018-2019 fiscal year (exhibit A) and approves the pay schedule for all City employees (exhibit B). It also determines and approves budget amendment authorizations.

The ordinance authorizes the city manager to apply for the routine, recurring grants listed in exhibit C and execute any documents related to these grants. Lastly, the staffing headcount is authorized in sections nine (for civil service) and ten (for civilians) with support in exhibit D.

The proposed 2018-2019 budget is balanced for all funds and meets all legal requirements.

Financial Impact:

Total operating budget of \$150,008,184. See attached budget ordinance for specific funds.

Other Information/Recommendation:

Attachments:

1. Presentation 180918 Budget Ordinance Second Hearing.pptx
2. Proposed Budget Financial Summaries and Graphs PROPOSED.pdf
3. Budget Ordinance FY 2018-19 Budget Ordinance FY 2018-19_OPERATING BGT_DRAFT TJ Comments 8 6 18.docx

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle
Tina Dierschke

Created/Initiated
Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval



City Council

Sept. 18, 2018



Budget ordinance

1. Second public hearing and adoption of an ordinance adopting the 2018-19 budget
 - Salary adjustments
 - Health insurance
 - Additional police officers





City Council

Sept. 18, 2018



Other potential opportunities

- Health insurance options
 - 0% increase to employee / 3.7% increase to COSA
 - \$119,854 COSA expense
 - 2.9% increase to employee / 2.9% increase to COSA
 - \$95,292 COSA expense
 - 14.1% increase to employee / 0% increase to COSA
 - \$0 COSA expense



Budget ordinance

- The budget ordinance includes the following provisions:
- Authorizes employee compensation schedules;
- Provides for the general appropriation of funds;
- Reserves unto the City Council the authority to transfer appropriations budgeted, ratifying transfers of appropriations occurring in the 2017-2018 fiscal year and amending that budget ordinance accordingly;
- Provides for lapse of all unencumbered or unobligated funds for the prior fiscal year and for carryover of all appropriations of encumbered, obligated or restricted funds;



Budget ordinance

- Reserves unto the City Council the power, only as permitted by law, to amend or make changes in the budget for municipal purposes;
- Provides authority for the city manager or his designee to make certain adjustments from time to time in or between budgeted allocations;
- Authorizes the city manager or his designee to apply for and accept certain grants and execute any related documents; and,
- Provides for filing of the budget.



Budget ordinance

2. Conduct a separate vote to:

“Ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 18, 2018 regular meeting of the City Council as an action item.”





City of San Angelo, Texas

Operating Budget Fiscal Year 2018-2019

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$626,546 (1.67%), AND OF THAT AMOUNT, \$383,414 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR

City Council Record Vote
****September 18, 2018****

The members of the governing body voted on the adoption of the budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Tax Rate	Adopted FY2018-19	Adopted FY2017-18
Property Tax Rate	0.7760 / \$100	0.7760 / \$100
Effective Tax Rate	0.7641 / \$100	0.8564 / \$100
Effective M&O Tax Rate	0.6707 / \$100	0.7463 / \$100
Rollback Tax Rate	0.8179 / \$100	0.9127 / \$100
Debt Tax Rate	0.0936 / \$100	0.0936 / \$100

The total amount of outstanding City debt obligations secured by property taxes is \$173,890,000. Of that amount, the total amount of outstanding debt obligations considered self-supporting is \$127,750,000. Self-supporting debt is currently secured by the 4B Sales Tax Corporation, Water/Sewer Funds, and State Office Building Lease Revenue. In the event such amounts are insufficient to pay debt service, the City will be required to assess an ad valorem tax to pay such obligations. Additionally, the City has one outstanding revenue bond in the amount of \$47,070,000 that is supported by the Water Fund and is not secured by the property tax.

City of San Angelo

Consolidated Financial Schedule

Revenue and Expenditures, Fiscal Year Ending September 30, 2019

Fund No.	Fund Name	Beginning Balance	Operating Revenues	Transfers In	Amount Available	Operating Expenditures	Transfers Out	Total Expenditures	Rev Over/ (Under) Exp	Ending Balance
101	General	\$21,230,272	\$70,340,220	\$4,233,746	\$95,804,238	\$71,191,984	\$3,381,982	\$74,573,966	\$0	\$21,230,272
105	General Debt Service	1,780,962	4,691,199	2,909,822	9,381,983	7,601,021	0	7,601,021	0	1,780,962
501	Equipment Replacement	349,018	95,000	1,201,373	1,645,391	1,296,373	0	1,296,373	0	349,018
502	Capital Projects	144,468	2,852	247,148	394,468	250,000	0	250,000	0	144,468
103	Intergovernmental	587,650	1,990,463	394,772	2,972,885	2,288,062	97,173	2,385,235	0	587,650
106	TIRZ	1,648,787	795,630	0	2,444,417	795,630	0	795,630	0	1,648,787
453	Community Development Block Grant	0	731,822	0	731,822	731,822	0	731,822	0	0
483	HOME Grant	0	430,042	0	430,042	430,042	0	430,042	0	0
601	Designated Revenue	118,938	45,130	0	164,068	45,130	0	45,130	0	118,938
605	Hotel Occupancy Tax	1,345,442	2,271,707	0	3,617,149	1,064,633	1,176,476	2,241,109	30,598	1,376,040
640	Lake Nasworthy Trust	14,884,883	751,000	0	15,635,883	50,000	175,500	225,500	525,500	15,410,383
203	Texas Bank Sports Complex	515,265	192,231	757,532	1,465,028	949,763	0	949,763	0	515,265
410	Civic Events	839,511	549,885	1,076,476	2,465,872	1,495,929	130,432	1,626,361	0	839,511
420	Fort Concho	239,395	675,848	482,230	1,397,473	1,158,078	0	1,158,078	0	239,395
440	Fairmount Cemetery	(62,582)	372,300	93,111	402,829	418,592	0	418,592	46,819	(15,763)
201	State Office Building	152,498	1,304,801	0	1,457,299	1,284,999	19,802	1,304,801	0	152,498
220	Airport Operating	148,222	1,554,304	0	1,702,526	1,471,626	82,678	1,554,304	0	148,222
529	Airport PFC	1,192,865	285,854	0	1,478,719	0	285,854	285,854	0	1,192,865
230	Solid Waste Enterprise	3,785,406	1,960,425	0	5,745,831	1,705,425	255,000	1,960,425	0	3,785,406
240	Stormwater	3,126,616	2,958,399	95,000	6,180,015	3,045,867	344,523	3,390,390	(336,991)	2,789,625
260	Water Operating	6,984,557	28,598,086	1,822,960	37,405,603	24,744,940	3,493,134	28,238,074	2,182,972	9,167,529
261	Water Debt Service	19,060	76,978	11,200,147	11,296,185	11,277,125	0	11,277,125	0	19,060
512	Water / Supply Capital Projects	7,856,537	4,771,169	200,000	12,827,706	3,166,402	1,804,767	4,971,169	0	7,856,537
270	Wastewater Operating	12,015,736	14,295,934	0	26,311,670	8,403,062	5,410,106	13,813,168	482,766	12,498,502
271	Wastewater Debt Service	246,317	6,521	3,810,636	4,063,474	3,817,157	0	3,817,157	0	246,317
520	Wastewater Capital Projects	7,492,832	1,784,431	0	9,277,263	1,324,522	459,909	1,784,431	0	7,492,832
Operating Totals		\$86,642,655	\$141,532,231	\$28,524,953	\$256,699,839	\$150,008,184	\$17,117,336	\$167,125,520	\$2,931,664	\$89,574,319
301	Vehicle Maintenance	\$623,148	\$6,478,469	\$0	\$7,101,617	\$6,458,315	\$0	\$6,458,315	\$20,154	\$643,302
305	Communications	184,949	770,499	0	955,448	770,499	0	770,499	0	184,949
310	Health Insurance	(19,109)	9,002,565	0	8,983,456	9,002,565	0	9,002,565	0	(19,109)
320	Property/Casualty	741,977	1,215,621	0	1,957,598	1,215,621	0	1,215,621	0	741,977
330	Workers' Compensation	(423,551)	1,222,071	0	798,520	929,304	0	929,304	292,767	(130,784)
Total Internal Service Funds		\$1,107,414	\$18,689,225	\$0	\$19,796,639	\$18,376,304	\$0	\$18,376,304	\$312,921	\$1,420,335

City of San Angelo

Budget Summary by Fund Type

FY 2018-19

	General Fund*	Special Revenue	Other Funds	Expendable Trust	Debt Service	Enterprise Funds	Internal Service	Grand Total
Funding Sources								
Property Taxes	34,356,663	784,996			4,642,049			39,783,708
Other Taxes	25,594,199	2,242,657	1,076,476					28,913,332
Development Services	695,300							695,300
Grants		2,756,235				679		2,756,914
Charges for Services	5,842,047	327,545	1,526,100	556,000		55,914,890	18,637,778	82,804,360
Fines & Forfeitures	3,200,267							3,200,267
Interest & Miscellaneous	749,596	153,361	214,164	195,000	132,649	1,597,834	51,447	3,094,051
Other Financing Sources	5,682,267	394,772	1,382,873		17,920,605	2,117,960		27,498,477
Total Revenues & Other Financing Sources	76,120,339	6,659,566	4,199,613	751,000	22,695,303	59,631,363	18,689,225	188,746,409
Beginning Fund Balances	21,723,758	3,700,817	1,531,589	14,884,883	1,780,962	43,020,646	1,107,414	87,750,069
Total Available Resources	97,844,097	10,360,383	5,731,202	15,635,883	24,476,265	102,652,009	19,796,639	276,496,478
Expenditures								
General Government	6,055,288	282,257				1,840,158		8,177,703
Human Resources & Risk Mgt.	2,556,494						11,147,490	13,703,984
Administrative Svcs.	3,333,077						770,499	4,103,576
Community & Eco. Develop.	2,442,872	986,105						3,428,977
Neighborhood & Family Svcs.	1,411,236	2,067,201						3,478,437
Police & Fire	39,550,419							39,550,419
Operations	11,305,881					1,960,425	6,458,315	19,724,621
Parks & Rec	4,716,370	272,429	4,152,794			1,132,276		10,273,869
Health	234,782	637,564						872,346
Water & Wastewater				225,500		48,806,842		49,032,342
Stormwater						3,390,390		3,390,390
Debt Service					22,695,303	152,723		22,848,026
Other	4,513,920	2,383,412				19,802		6,917,134
Total Expenditures	76,120,339	6,628,968	4,152,794	225,500	22,695,303	57,302,616	18,376,304	185,501,824
Ending Fund Balances	21,723,758	3,731,415	1,578,408	15,410,383	1,780,962	45,349,393	1,420,335	90,994,654
Total Fund Commitments & Fund Balances	173,964,436	16,989,351	9,883,996	15,861,383	47,171,568	159,954,625	38,172,943	461,998,302

*Note: includes General, Equipment Replacement, and Capital Project Funds

City of San Angelo

General Fund

Schedule of Revenues

Category	Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>101 REVENUES:</u>					
Taxes	Property Tax	32,201,381	33,753,546	34,356,663	603,117
	Sales Tax	17,263,828	17,417,526	18,477,004	1,059,478
	Franchise Tax	6,601,241	6,790,826	7,117,195	326,369
	Total Taxes	56,066,450	57,961,898	59,950,862	1,988,964
Charges for Services	Real Estate	220,262	129,126	148,126	19,000
	Construction Management	48,500	74,300	60,000	(14,300)
	Development Services	711,053	656,481	695,300	38,819
	Operations	236,126	211,500	211,500	0
	Parks & Recreation	543,220	566,200	599,600	33,400
	Neighborhood & Family Svcs	304,708	322,129	318,213	(3,916)
	Police	548,782	577,026	577,975	949
	Fire	5,748,538	3,624,837	3,795,000	170,163
	Other Charges	130,473	132,750	131,633	(1,117)
	Total Charges for Service	8,491,662	6,294,349	6,537,347	242,998
Fines and Forfeitures	Municipal Court	2,832,155	3,128,116	3,200,267	72,151
Other	Interest	275,990	418,466	508,523	90,057
	Miscellaneous	414,095	110,914	143,221	32,307
	Total Other	690,085	529,380	651,744	122,364
Transfers	Miscellaneous Transfers In *	766,902	775,603	436,414	(339,189)
	Administrative Charges	3,694,180	3,813,981	3,797,332	(16,649)
	Total Transfers	4,461,082	4,589,584	4,233,746	(355,838)
Total General Fund Revenues		\$72,541,434	\$72,503,327	\$74,573,966	\$2,070,639

*The decrease in Miscellaneous Transfers In is due to the loss in revenue from the Development Corporation for park maintenance.

City of San Angelo

General Fund

Schedule of Expenditures

Category	Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>101 EXPENDITURES:</u>					
General Government	City Council	145,066	156,989	187,473	30,484
	City Manager	691,267	719,704	730,939	11,235
	Internal Auditor	74,781	76,863	78,346	1,483
	City Attorney/Legal	636,603	653,370	679,291	25,921
	Real Estate	169,146	175,450	190,030	14,580
	Public Information	250,792	456,417	458,600	2,183
	City Clerk	235,876	261,721	280,930	19,209
	Construction Management	178,565	127,791	115,618	(12,173)
	Municipal Court	2,296,994	2,565,208	2,641,999	76,791
	Facilities Maintenance	682,870	677,229	692,062	14,833
	Total General Government	5,361,960	5,870,742	6,055,288	184,546
Human Resources	Human Resources	386,358	2,402,668	2,435,977	33,309
	Crossing Guards	132,910	125,700	120,517	3,700
	Total Human Resources	519,268	2,528,368	2,556,494	37,009
Finance	Finance	1,596,055	1,666,864	1,745,804	78,940
	Billing & Receipts	675,521	704,861	750,112	45,251
	Information Technology	534,644	647,407	653,282	5,875
	Purchasing	155,819	169,287	183,879	14,592
	Total Finance	2,962,039	3,188,419	3,333,077	144,658
Economic Development	Development Corporation	405,137	489,934	444,003	(45,931)
	Total Development Corporation	405,137	489,934	444,003	(45,931)
Planning & Development Services	Administration	338,106	467,510	466,461	(1,049)
	Planning	290,729	296,139	307,343	11,204
	GIS	274,953	301,144	305,003	3,859
	Permits & Inspections	893,899	883,580	920,062	36,482
	Total Development Services	1,797,687	1,948,373	1,998,869	50,496
Neighborhood & Family Services	Code Compliance	487,604	453,434	471,756	18,322
	Animal Services	814,861	914,880	939,480	24,600
	Total Neighborhood & Family Services	1,302,465	1,368,314	1,411,236	42,922

City of San Angelo

General Fund

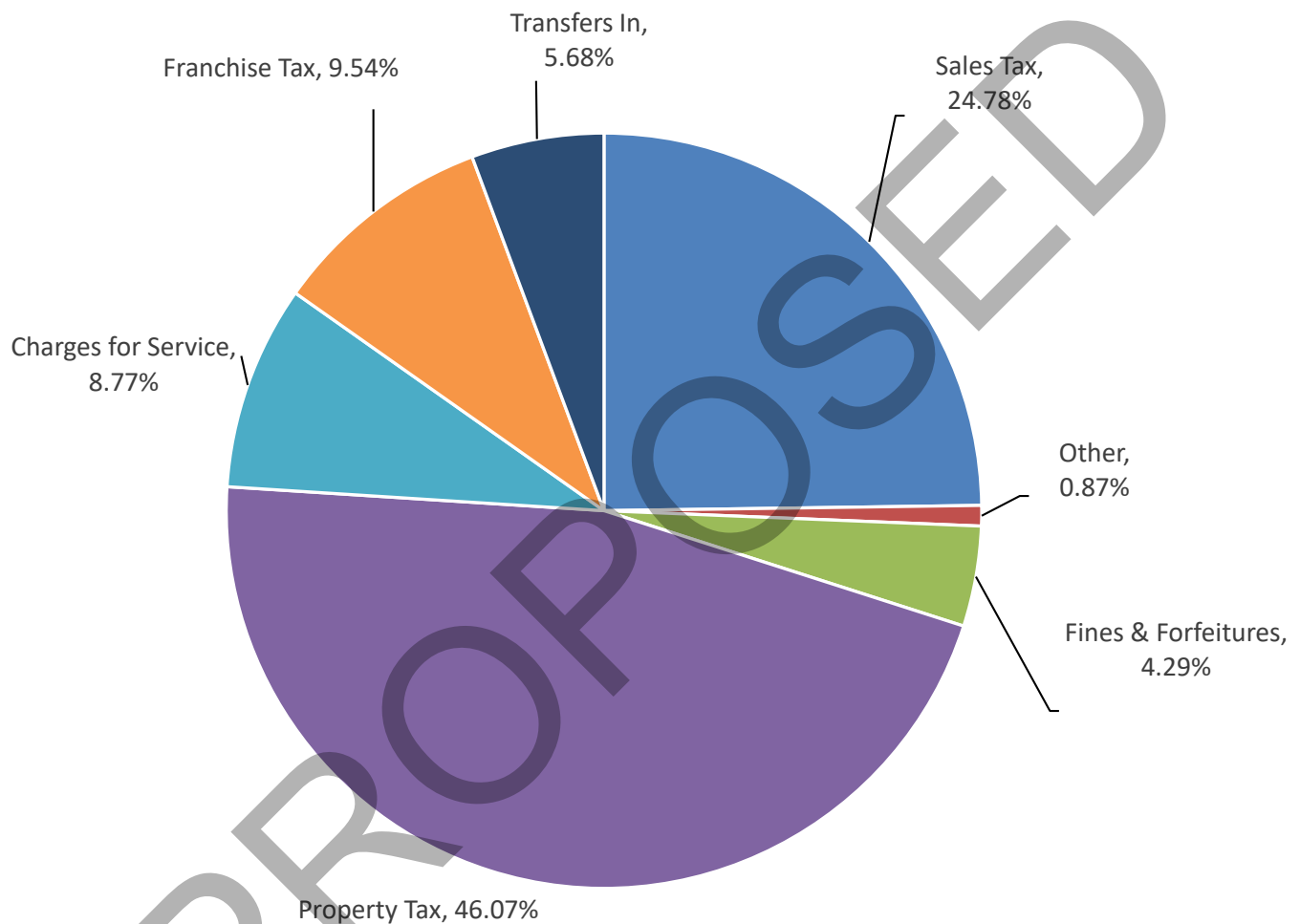
Schedule of Expenditures

Category	Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
Health Services	Administration	170,924	176,616	179,282	2,666
	MHMR Contribution	55,423	55,500	55,500	0
	Total Health Services	226,347	232,116	234,782	2,666
Police	Police	17,954,451	18,359,034	19,104,328	745,294
	Traffic Safety	287,090	247,878	247,878	0
	DWI Stop	13,804	39,222	39,222	0
	Public Safety Communications	1,432,462	1,516,048	1,580,305	64,257
	Total Police	19,687,807	20,162,182	20,971,733	809,551
Fire	Fire	16,677,765	16,926,633	17,532,042	605,409
	Fire Prevention	781,001	737,993	796,644	58,651
	Total Fire	17,458,766	17,664,626	18,328,686	664,060
Public Works	Engineering	1,086,703	1,209,596	1,200,910	(8,686)
	Operations Admin	344,778	357,130	371,797	14,667
	Traffic/Signal Control	907,679	986,806	1,017,772	30,966
	Street and Bridge	4,748,911	6,346,045	6,300,200	(45,845)
	Street Lighting	1,057,184	1,118,829	1,118,829	0
	Total Public Works	8,145,255	10,018,406	10,009,508	(8,898)
Parks & Recreation	Parks	3,149,838	3,419,845	3,468,815	48,970
	Water Lily Garden	99,843	102,346	104,905	2,559
	Recreation	1,018,317	1,119,499	1,142,650	23,151
	Total Parks & Recreation	4,267,998	4,641,690	4,716,370	74,680
Other	Non-Departmental	368,328	1,113,502	1,131,938	18,436
	Transfers Out	3,281,094	3,276,655	3,381,982	4,047
	Total Other	3,649,422	4,390,157	4,513,920	123,763
Total General Fund Expenditures		\$65,784,151	\$72,503,327	\$74,573,966	\$2,070,639
Increase/(Decrease) in Fund Balance		6,757,283	0	0	0
Beginning Fund Balance		14,472,989	21,230,272	21,230,272	0
Ending Fund Balance		\$21,230,272	\$21,230,272	\$21,230,272	\$0

City of San Angelo

General Fund

Schedule of Revenues



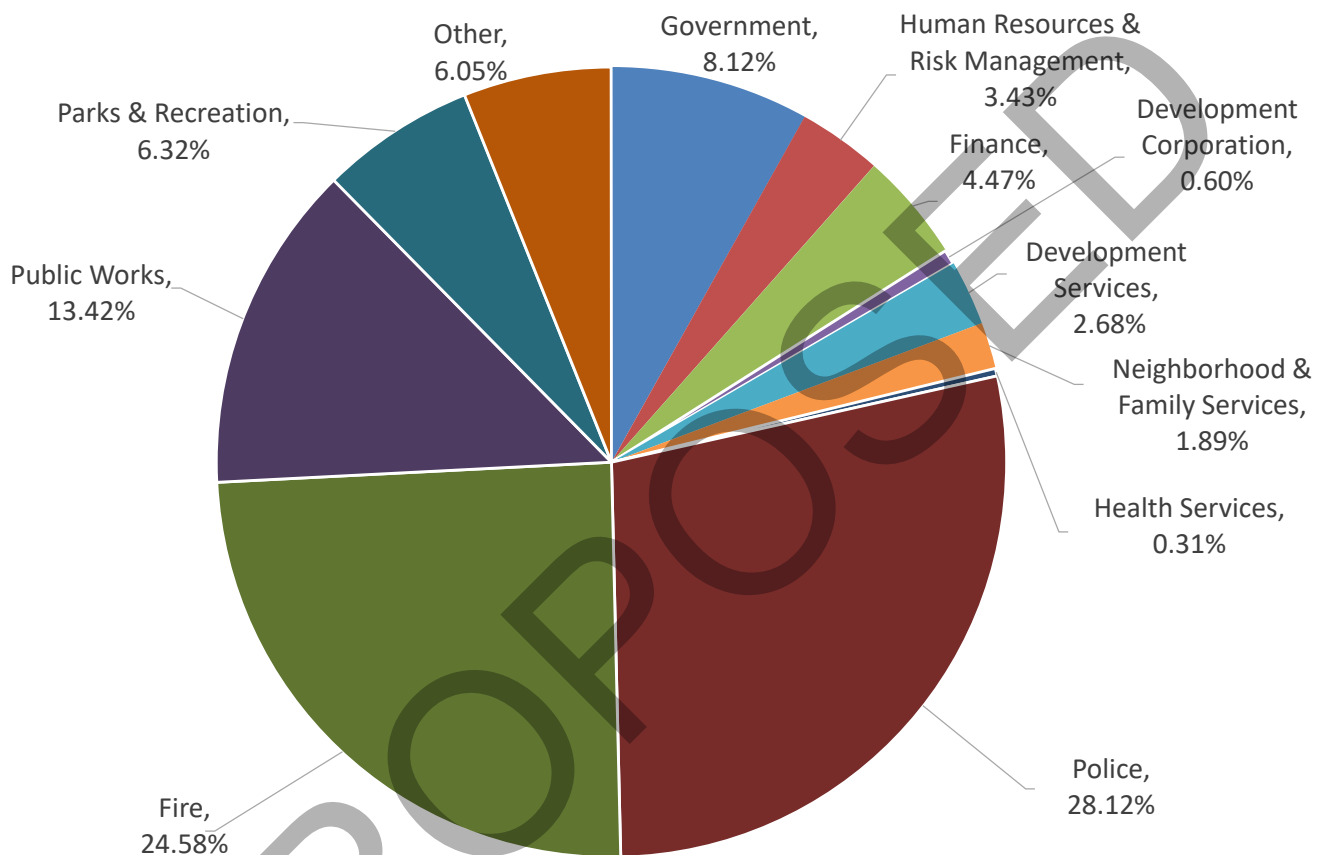
Graph Description:

The property tax, at a rate of 0.7760 per \$100 valuation, is the largest revenue source for the General Fund. Property, sales, and franchise taxes account for 80.39% of the General Fund's revenue.

City of San Angelo

General Fund

Schedule of Expenditures by Division



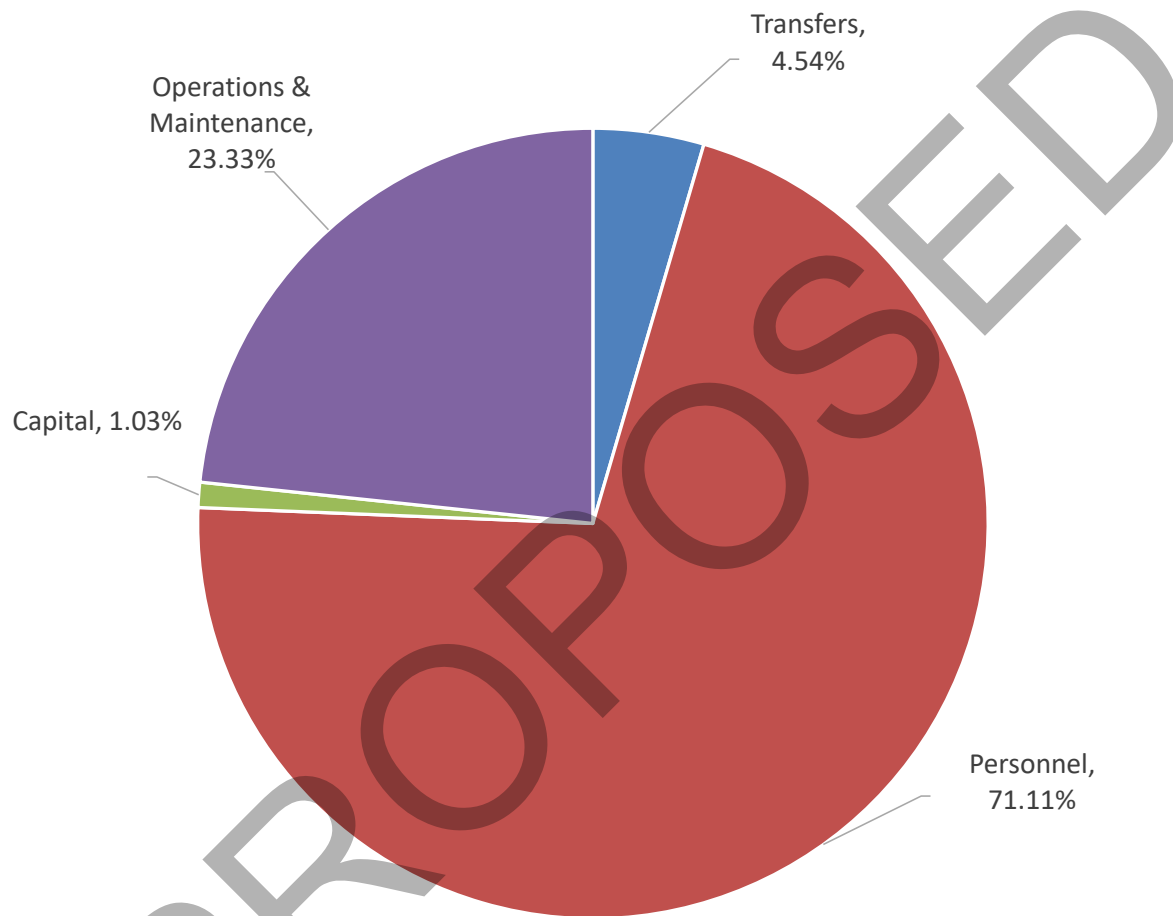
Graph Description:

The "Other" portion includes transfers and non-departmental (civil service leave payoffs, tax rebates, and transit contracts).

City of San Angelo

General Fund

Schedule of Expenditures by Category



Graph Description:

The single largest General Fund expense for the City of San Angelo is personnel. This category consists of salary and benefits for employees. Operations & maintenance, capital, and transfers account for just over one-quarter of General Fund expenses.

City of San Angelo

General Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>105 REVENUES:</u>				
Current Taxes	4,563,051	4,519,800	4,595,373	75,573
Delinquent Taxes	58,184	46,676	46,676	0
Transfers In	3,810,860	2,909,822	2,909,822	0
Interest	3,937	4,500	49,150	44,650
Total Revenues	\$8,436,032	\$7,480,798	\$7,601,021	\$120,223
<u>105 EXPENSES:</u>				
Principal on Debt	8,385,000	5,324,696	4,945,000	(379,696)
Interest on Debt	2,402,022	2,140,968	2,449,944	308,976
Issue Costs	3,081	15,134	206,077	190,943
Total Expenditures	\$10,790,103	\$7,480,798	\$7,601,021	\$120,223
Revenues Over/ (Under) Expenditures	(2,354,071)	0	0	0
Beginning Fund Balance	4,135,033	1,780,962	1,780,962	0
Ending Fund Balance	\$1,780,962	\$1,780,962	\$1,780,962	\$0

City of San Angelo

General Equipment Replacement Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>501 REVENUES:</u>				
Transfers In	1,201,373	1,201,373	1,201,373	0
Sale of Fixed Assets	110,760	110,000	55,000	(55,000)
Other Revenue	35,047	40,000	40,000	0
Interest	1,562	0	0	0
Total Revenue	\$1,348,742	\$1,351,373	\$1,296,373	(\$55,000)
<u>501 EXPENDITURES:</u>				
Vehicles & Equipment	1,307,153	1,351,373	1,296,373	(55,000)
Total Expenditures	\$1,307,153	\$1,351,373	\$1,296,373	(\$55,000)
Revenues Over/ (Under) Expenditures	41,589	0	0	0
Beginning Fund Balance	307,429	349,018	349,018	0
Ending Fund Balance	\$349,018	\$349,018	\$349,018	\$0

City of San Angelo

General Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Current Budget *	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>502 REVENUES:</u>				
Transfers In	283,795	244,295	247,148	2,853
Other Revenue	98,307	3,906,685	0	(3,906,685)
Interest	15,622	5,705	2,852	(2,853)
Total Revenue	\$397,724	\$4,156,685	\$250,000	(\$3,906,685)
<u>502 EXPENDITURES</u>				
Vehicle Maintenance	61,291	0	0	0
Facilities	1,300	198,051	0	(198,051)
City Hall Plaza Rehabilitation	(156,708)	2,552	0	(2,552)
19th St. Sidewalks	0	0	0	0
Development Software	0	0	0	0
Transportation Enhancement	62,745	50,117	0	(50,117)
Street Improvements	121,635	49,358	0	(49,358)
Stormwater Improvements	0	2,080,000	0	(2,080,000)
Dog Park	4,449	7,551	0	(7,551)
Texas Bank Sports Complex	14,636	659,908	0	(659,908)
29th St Sports Complex	68,498	877,436	0	(877,436)
Fort Concho	22,564	2,846	0	(2,846)
Cemetery Improvements	1,321	1,042,699	0	(1,042,699)
Auditorium	4,504,118	148,320	0	(148,320)
Fire Station	0	1,249,991	0	(1,249,991)
Ambulance Replacement	0	0	250,000	250,000
Fire Mobile Data Terminals	28,392	0	0	0
Contingencies	0	0	0	0
Total Expenditures	\$4,734,241	\$8,050,331	\$250,000	(\$7,800,331)
Revenues Over/ (Under) Expenditures	(4,336,517)	(3,893,646)	0	3,893,646
Beginning Fund Balance	8,374,631	4,038,114	144,468	(3,893,646)
Ending Fund Balance	\$4,038,114	\$144,468	\$144,468	\$0

* Reporting amended budget due to numerous multi-year projects.

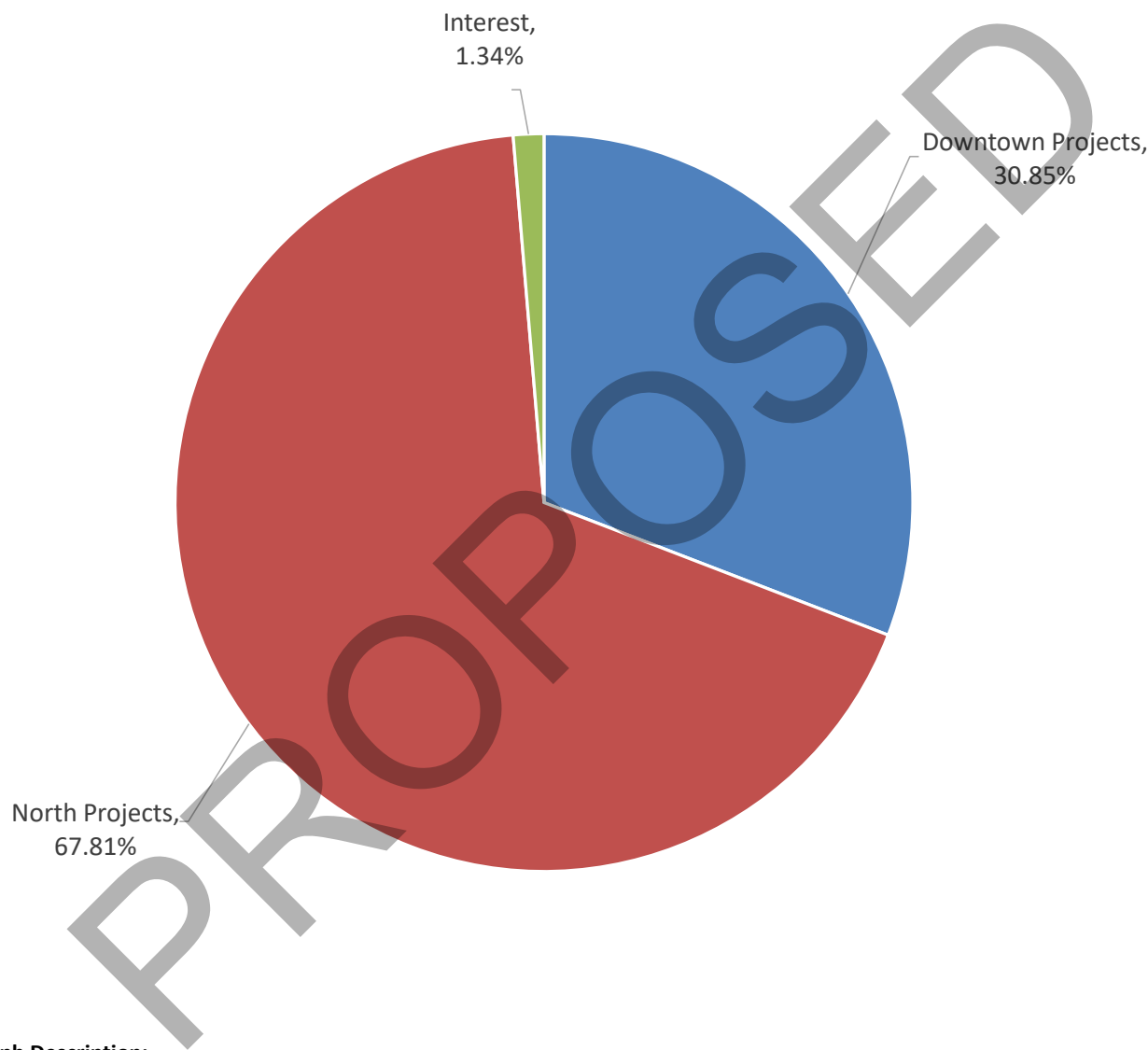
City of San Angelo

TIRZ Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>106 REVENUES:</u>				
Downtown Property Tax	297,972	315,758	245,448	(70,310)
North Property Tax	445,008	555,501	539,548	(15,953)
Interest	13,105	15,567	10,634	(4,933)
Total Revenues	\$756,085	\$886,826	\$795,630	(\$91,196)
<u>106 EXPENSES:</u>				
Downtown Projects	518,511	323,542	245,780	(77,762)
North Projects	90,917	563,284	549,850	(13,434)
Total Expenditures	\$609,428	\$886,826	\$795,630	(\$91,196)
Revenues Over/ (Under) Expenditures	146,657	0	0	0
Beginning Fund Balance	1,502,130	1,648,787	1,648,787	0
Ending Fund Balance	\$1,648,787	\$1,648,787	\$1,648,787	\$0

City of San Angelo
TIRZ Fund
Schedule of Revenues



Graph Description:

The purpose of this graph is to show that TIRZ funds are allocated in accordance with receipt, with resources in North exceeding resources in the Downtown area

City of San Angelo

Water Enterprise Fund

Schedule of Revenues and Expenditures

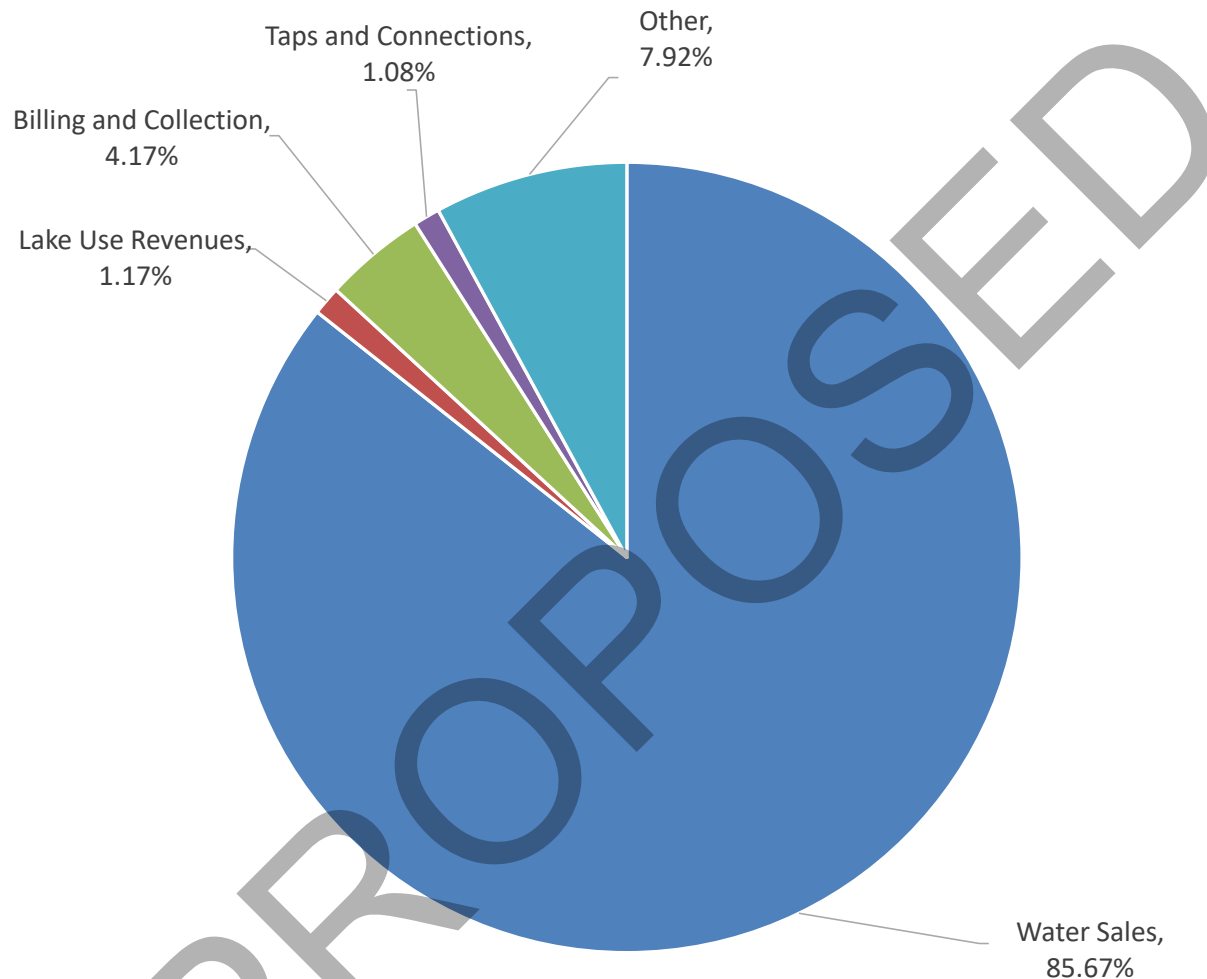
Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>260 REVENUES:</u>				
Water Sales	21,982,760	23,708,262	26,060,566	2,352,304
Lake Use Revenues	337,006	378,717	356,048	(22,669)
Billing and Collection	1,535,456	1,506,000	1,267,045	(238,955)
Taps and Connections	287,665	325,000	328,200	3,200
Other Operating Revenue	134,799	21,627	36,980	15,353
Misc	295,668	345,570	425,570	80,000
Transfers In	1,131,050	1,279,705	1,822,960	543,255
Interest	45,578	39,545	123,677	84,132
Total Revenues	\$25,749,982	\$27,604,426	\$30,421,046	\$2,816,620
<u>260 EXPENSES:</u>				
Personnel	6,330,358	6,224,876	6,425,566	200,690
Operations & Maintenance	8,672,919	14,245,862	14,769,867	524,005
Capital	476,714	2,839,682	3,549,507	709,825
Transfers Out	3,282,317	3,432,825	3,493,134	60,309
Total Expenses	\$18,762,308	\$26,743,245	\$28,238,074	\$1,494,829
Revenues Over/ (Under) Expenditures	6,987,674	861,181	2,182,972	3,044,153
Beginning Fund Balance	(864,298)	6,123,376	6,984,557	861,181
Ending Fund Balance *	\$6,123,376	\$6,984,557	\$9,167,529	\$2,182,972

* There is a contribution to fund balance as planned in the adopted water rate study to build an appropriate amount for 75 days of operating budget. The fund balance was drawn down in prior fiscal years due to water drought conservation.

City of San Angelo

Water Enterprise Fund

Schedule of Revenues



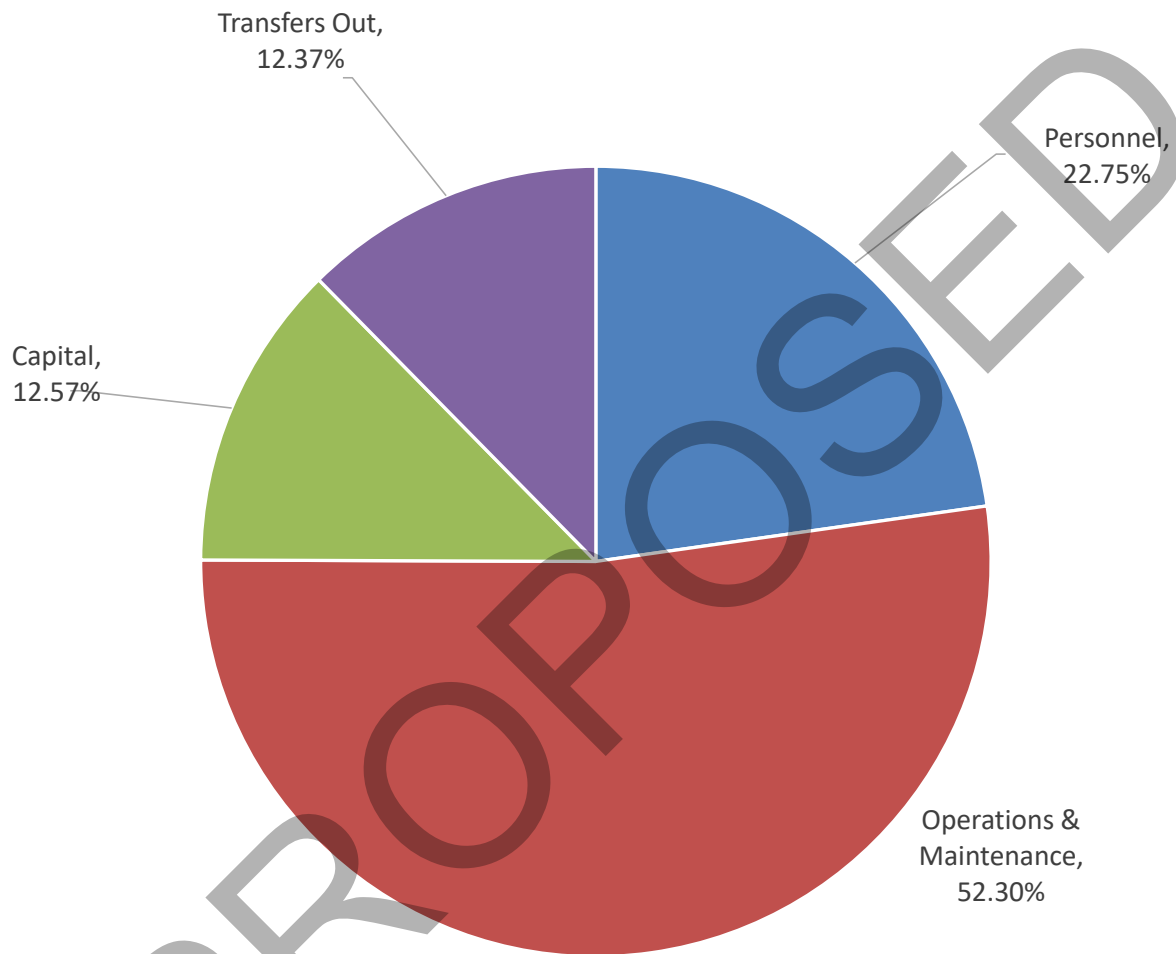
Graph Description:

The graph above shows that the sale of water to customers serves as the main source of revenue for the Water Enterprise Fund. The water rates are determined by a multi-year plan to build up fund balance to an appropriate level and for capital needs.

City of San Angelo

Water Enterprise Fund

Schedule of Expenditures



Graph Description:

The graph above shows that operations and maintenance is the principal expenditure category for the Water Enterprise Fund.

City of San Angelo

Water Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>261 REVENUES:</u>				
Development Corporation	3,331,217	3,527,574	2,700,000	(827,574)
Transfers In	7,835,607	7,946,647	8,500,147	553,500
Interest	24,360	0	76,978	76,978
Total Revenues	\$11,191,184	\$11,474,221	\$11,277,125	(\$197,096)
<u>261 EXPENDITURES:</u>				
Debt Service	8,725,255	11,474,221	11,277,125	(197,096)
Total Expenses	\$8,725,255	\$11,474,221	\$11,277,125	(\$197,096)
Revenues Over/ (Under) Expenditures	2,465,929	0	0	0
Beginning Fund Balance	(2,446,869)	19,060	19,060	0
Ending Fund Balance	\$19,060	\$19,060	\$19,060	\$0

City of San Angelo

Water Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>512 REVENUES:</u>				
Water Sales	4,825,833	4,687,870	4,687,870	0
Transfers In	64,762	200,000	200,000	0
Interest	81,452	95,076	83,299	(11,777)
Total Revenues	\$4,972,047	\$4,982,946	\$4,971,169	(\$11,777)
<u>512 EXPENDITURES:</u>				
Capital Improvements	1,338,339	2,978,179	2,966,402	(11,777)
Franchise Fee	241,318	234,394	234,394	0
Transfers Out	1,568,523	1,570,373	1,570,373	0
Contract Services	641,542	200,000	200,000	0
Total Expenses	\$3,789,722	\$4,982,946	\$4,971,169	(\$11,777)
Revenues Over/ (Under) Expenditures	1,182,325	0	0	0
Beginning Fund Balance	6,674,212	7,856,537	7,856,537	0
Ending Fund Balance	\$7,856,537	\$7,856,537	\$7,856,537	\$0

City of San Angelo

Lake Nasworthy Trust Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
640 REVENUES:				
Lot Sales	619,112	700,000	520,000	(180,000)
Lake Lease Income	35,158	32,882	36,000	3,118
Interest	162,081	206,138	195,000	(11,138)
Total Revenues	\$816,351	\$939,020	\$751,000	(\$188,020)
640 EXPENDITURES:				
Professional Services	48,050	50,000	50,000	0
Transfers Out *	145,873	185,524	175,500	(10,024)
Total Expenditures	\$193,923	\$235,524	\$225,500	(\$10,024)
Revenues Over/ (Under) Expenditures	622,428	703,496	525,500	(177,996)
Beginning Fund Balance	13,558,959	14,181,387	14,884,883	703,496
Ending Fund Balance	\$14,181,387	\$14,884,883	\$15,410,383	\$525,500

* 90% of interest is transferred to the Water Enterprise Fund to assist in operational activities.

City of San Angelo

Wastewater Enterprise Fund

Schedule of Revenues and Expenditures

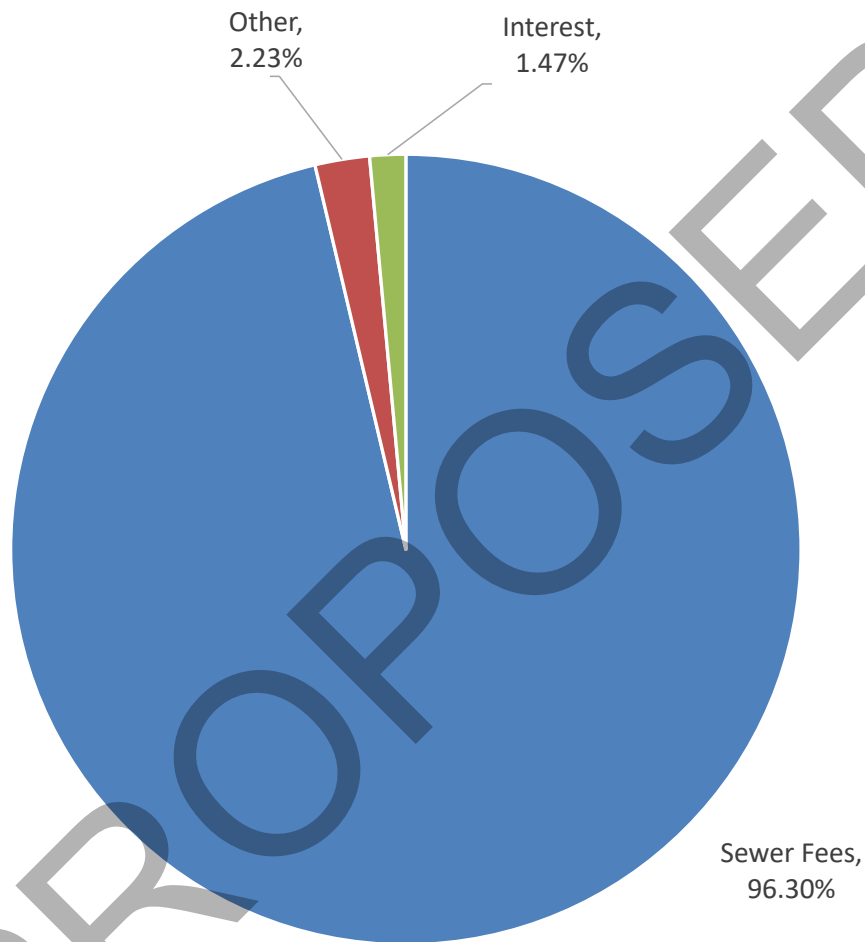
Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>270 REVENUES:</u>				
Wastewater Charges	11,784,278	13,013,231	13,767,649	754,418
Farm Use Revenues	201,182	203,806	218,591	14,785
Connections	11,195	20,000	30,000	10,000
Paving Cuts	45,985	20,000	45,000	25,000
Non-Refundable Aid	0	0	0	0
Miscellaneous	87,725	20,000	25,000	5,000
Interest	73,060	115,396	209,694	94,298
Total Revenues	\$12,203,425	\$13,392,433	\$14,295,934	\$903,501
<u>270 EXPENSES:</u>				
Personnel	2,126,264	2,186,331	2,228,522	42,191
Operations & Maintenance	2,441,718	2,754,373	2,876,979	122,606
Capital	498,989	1,579,036	3,297,561	1,718,525
Transfers Out	3,635,192	5,119,108	5,410,106	290,998
Total Expenses	\$8,702,163	\$11,638,848	\$13,813,168	\$2,174,320
Revenues Over/ (Under) Expenditures	3,501,262	1,753,585	482,766	(1,270,819)
Beginning Fund Balance	6,760,889	10,262,151	12,015,736	1,753,585
Ending Fund Balance *	\$10,262,151	\$12,015,736	\$12,498,502	\$482,766

* Due to a restructuring of debt service payments, a surplus occurred in the Wastewater Enterprise Fund. Those dollars were earmarked for a specific future capital project.

City of San Angelo

Wastewater Enterprise Fund

Schedule of Revenues



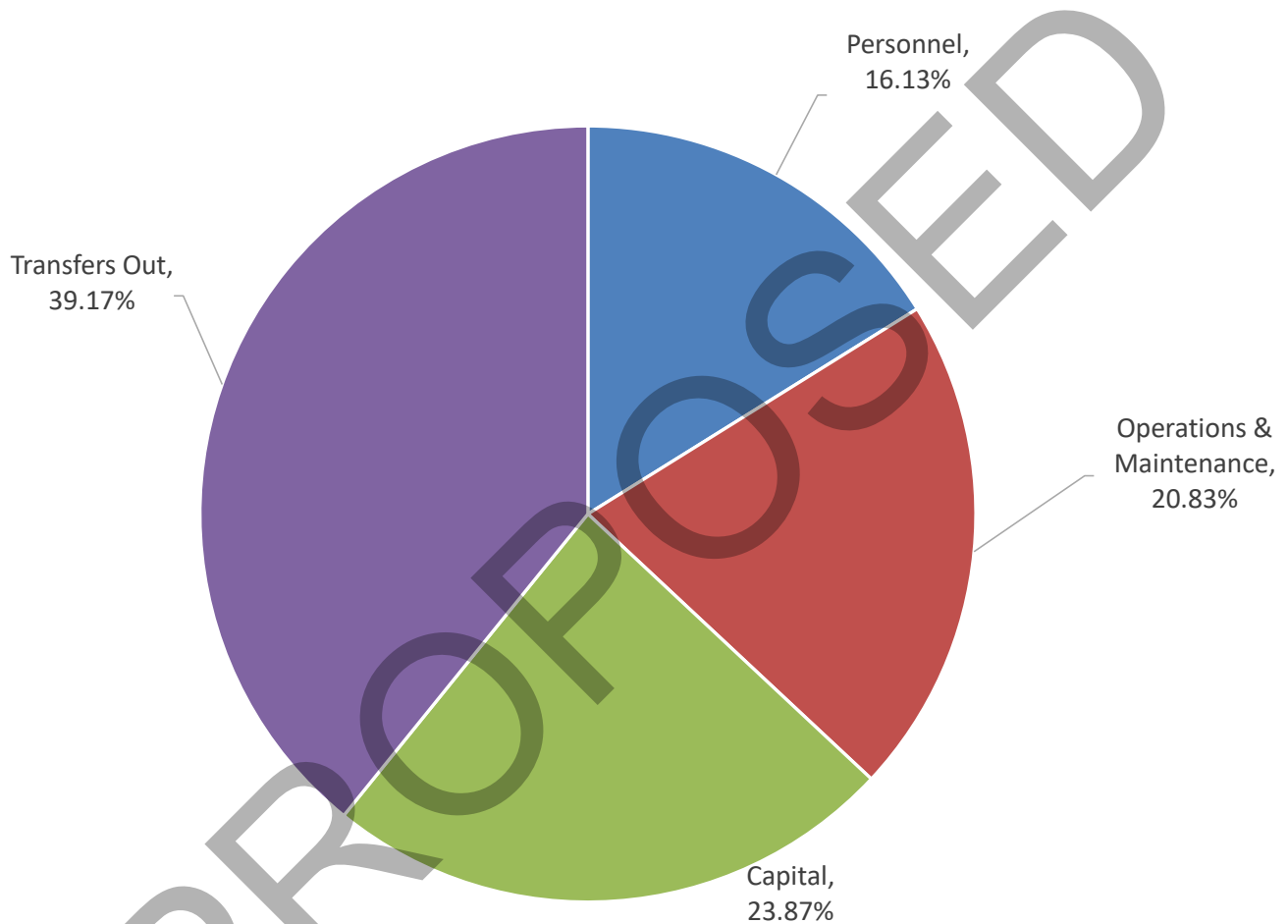
Graph Description:

The graph above shows that sewer fees serve as the main source of revenue for the Wastewater Enterprise Fund. Wastewater rates are determined by a multi-year plan to build up fund balance for capital needs.

City of San Angelo

Wastewater Enterprise Fund

Schedule of Expenditures



Graph Description:

The graph above shows that transfers out is the principal expenditure category for the Wastewater Enterprise Fund, this is primarily for debt service activities.

City of San Angelo

Wastewater Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>271 REVENUES:</u>				
Transfers In	4,162,688	4,014,333	3,810,636	(203,697)
Interest	1,100	0	6,521	6,521
Total Revenues	\$4,163,788	\$4,014,333	\$3,817,157	(\$197,176)
<u>271 EXPENDITURES:</u>				
Debt Service	11,875	4,014,333	3,817,157	(197,176)
Total Expenses	\$11,875	\$4,014,333	\$3,817,157	(\$197,176)
Revenues Over/ (Under) Expenditures	4,151,913	0	0	0
Beginning Fund Balance	(3,905,596)	246,317	246,317	0
Ending Fund Balance	\$246,317	\$246,317	\$246,317	\$0

City of San Angelo

Wastewater Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>520 REVENUES:</u>				
Wastewater Charges	1,743,079	1,727,496	1,727,496	0
Interest	72,086	78,506	56,935	(21,571)
Total Revenues	\$1,815,165	\$1,806,002	\$1,784,431	(\$21,571)
<u>520 EXPENDITURES:</u>				
Capital Projects	1,643,187	1,346,093	1,324,522	(21,571)
Franchise Fee	87,185	86,375	86,375	0
Transfers Out	395,187	373,534	373,534	0
Total Expenses	\$2,125,559	\$1,806,002	\$1,784,431	(\$21,571)
Revenues Over/ (Under) Expenditures	(310,394)	0	0	0
Beginning Fund Balance	7,803,226	7,492,832	7,492,832	0
Ending Fund Balance	\$7,492,832	\$7,492,832	\$7,492,832	\$0

City of San Angelo

Solid Waste Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>230 REVENUES:</u>				
Landfill Fees	1,265,933	968,106	1,002,920	34,814
Leases	598,828	602,450	606,075	3,625
Other	198,808	1,000	268,650	267,650
Interest	38,115	39,258	82,780	43,522
Total Revenues	\$2,101,684	\$1,610,814	\$1,960,425	\$349,611
<u>230 EXPENDITURES:</u>				
Personnel	267,998	261,999	220,769	(41,230)
Operations & Maintenance	218,832	335,346	1,279,620	944,274
Transfers Out	255,000	255,000	255,000	0
Capital	115,306	458,469	205,036	(253,433)
Debt Service	0	0	0	0
Total Expenditures	\$857,136	\$1,310,814	\$1,960,425	\$649,611
Revenues Over/ (Under) Expenditures	1,244,548	300,000	0	(300,000)
Beginning Fund Balance	2,240,858	3,485,406	3,785,406	300,000
Ending Fund Balance *	\$3,485,406	\$3,785,406	\$3,785,406	\$0

* There has previously been a planned contribution to fund balance in an effort to fully fund the future expenditures associated

City of San Angelo

Stormwater Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>240 REVENUES:</u>				
Stormwater Fee	2,556,864	2,786,000	2,786,000	0
Transfers In	95,000	95,000	95,000	0
Other	7,339	100,000	120,000	20,000
Interest	28,315	42,154	52,399	10,245
Total Revenues	\$2,687,518	\$3,023,154	\$3,053,399	\$30,245
<u>240 EXPENSES:</u>				
Personnel	1,290,844	1,313,538	1,308,772	(4,766)
Operations & Maintenance	171,862	656,475	685,325	28,850
Transfers Out	211,710	359,239	344,523	(14,716)
Capital	64,725	693,902	1,051,770	357,868
Total Expenses	\$1,739,141	\$3,023,154	\$3,390,390	\$367,236
Revenues Over/ (Under) Expenditures *	948,377	0	(336,991)	(336,991)
Beginning Fund Balance	2,178,239	3,126,616	3,126,616	0
Ending Fund Balance	\$3,126,616	\$3,126,616	\$2,789,625	(\$336,991)

* There is a planned use of fund balance to replace antiquated capital equipment.

City of San Angelo

Airport Operating Fund

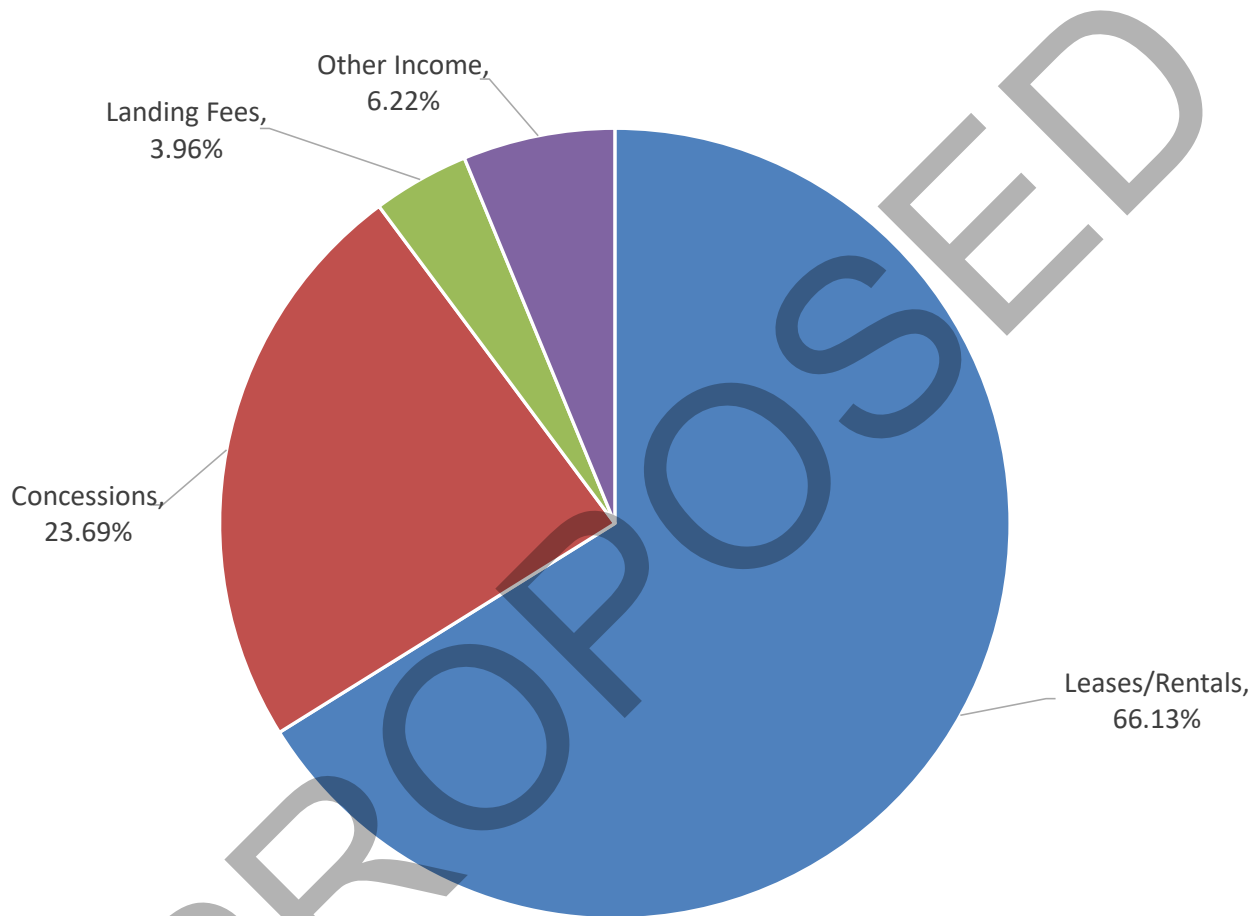
Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>220 REVENUES:</u>				
Leases/Rentals	1,035,786	1,010,758	1,027,913	17,155
Concessions	331,285	358,100	368,214	10,114
Landing Fees	41,917	52,682	61,523	8,841
Advertising	16,952	30,000	30,000	0
Grants	683	722	679	(43)
Transfers In	73,757	0	0	0
Other Income	55,565	20,658	62,232	41,574
Interest	675	1,172	3,743	2,571
Total Revenues	\$1,556,620	\$1,474,092	\$1,554,304	\$80,212
<u>220 EXPENSES:</u>				
Personnel	740,498	784,271	787,791	3,520
Operations & Maintenance	777,060	559,655	637,106	77,451
Capital	0	0	0	0
Transfers Out	79,829	84,200	82,678	(1,522)
Debt Service	0	45,966	46,729	763
Total Expenses	\$1,597,387	\$1,474,092	\$1,554,304	\$80,212
Revenues Over/ (Under) Expenditures	(40,767)	0	0	0
Beginning Fund Balance	188,989	148,222	148,222	0
Ending Fund Balance	\$148,222	\$148,222	\$148,222	\$0

City of San Angelo

Airport Operating Fund

Schedule of Revenues



Graph Description:

The graph above shows the majority of the City's Airport revenue comes from leases and rental income, such as hangar rentals.

City of San Angelo

Airport Passenger Facility Charges (PFC) Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>529 REVENUES:</u>				
Passenger Facility Charges	228,256	256,500	256,500	0
Interest	10,180	16,086	29,354	13,268
Total Revenues	\$238,436	\$272,586	\$285,854	\$13,268
<u>529 EXPENSES:</u>				
Transfer to Capital Fund	0	272,586	285,854	13,268
Miscellaneous	0	0	0	0
Total Expenses	\$0	\$272,586	\$285,854	\$13,268
Revenues Over/ (Under) Expenditures	238,436	0	0	0
Beginning Fund Balance	954,429	1,192,865	1,192,865	0
Ending Fund Balance	\$1,192,865	\$1,192,865	\$1,192,865	\$0

City of San Angelo

State Office Buildings Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>201 REVENUES:</u>				
Rental Income	1,232,054	1,240,000	1,250,300	10,300
Other Revenue	0	50,000	50,000	0
Interest	499	3,998	4,501	503
Total Revenues	\$1,232,553	\$1,293,998	\$1,304,801	\$10,803
<u>201 EXPENDITURES:</u>				
Personnel	134,969	122,952	125,362	2,410
Operations & Maintenance	624,244	926,532	956,826	30,294
Debt Service	31,141	171,573	152,723	(18,850)
Capital	5,924	50,000	50,088	88
Transfers Out	0	22,941	19,802	(3,139)
Total Expenditures	\$796,278	\$1,293,998	\$1,304,801	\$10,803
Revenues Over/ (Under) Expenditures	436,275	0	0	0
Beginning Fund Balance	(283,777)	152,498	152,498	0
Ending Fund Balance	\$152,498	\$152,498	\$152,498	\$0

City of San Angelo

Texas Bank Sports Complex Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>203 REVENUES:</u>				
Program Fees	102,205	98,000	105,000	7,000
Transfers In	754,143	751,728	757,532	5,804
Other Revenue	74,121	62,700	74,700	12,000
Interest	4,150	5,009	12,531	7,522
Total Revenues	\$934,619	\$917,437	\$949,763	\$32,326
<u>203 EXPENSES:</u>				
Personnel	351,108	390,227	399,677	9,450
Operations & Maintenance	333,409	527,210	550,086	22,876
Total Expenses	\$684,517	\$917,437	\$949,763	\$32,326
Revenues Over/ (Under) Expenditures	250,102	0	0	0
Beginning Fund Balance	265,163	515,265	515,265	0
Ending Fund Balance	\$515,265	\$515,265	\$515,265	\$0

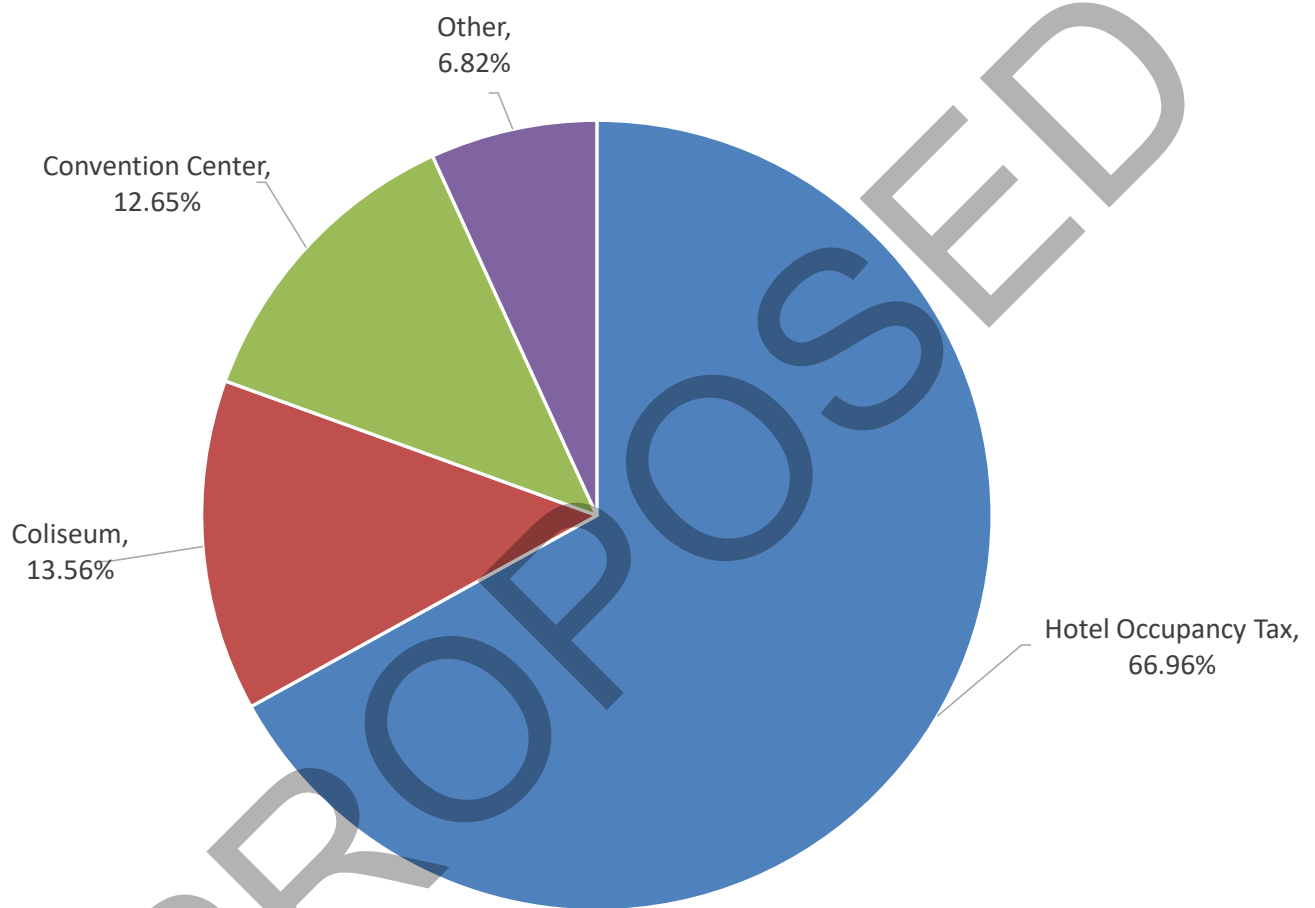
City of San Angelo

Civic Events Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>410 REVENUES:</u>				
Hotel Occupancy Tax (Transfer In)	948,707	891,600	1,076,476	184,876
Coliseum Revenue	327,667	238,500	218,000	(20,500)
Auditorium Revenue	0	0	4,000	4,000
Convention Center Revenue	228,223	209,750	203,350	(6,400)
River Stage Revenue	30,662	22,500	17,500	(5,000)
Pavilion Revenue	9,028	11,200	11,200	0
Pecan Creek Revenue	3,781	5,000	5,000	0
Other	85,590	60,000	76,000	16,000
Interest	13,855	32,228	14,835	(17,393)
Total Revenues	\$1,647,513	\$1,470,778	\$1,626,361	\$155,583
<u>410 EXPENDITURES:</u>				
Personnel	720,283	772,267	781,018	8,751
Operations & Maintenance	513,593	590,946	569,321	(21,625)
Transfers Out	99,232	99,232	130,432	31,200
Capital	421,857	8,333	145,590	137,257
Total Expenditures	\$1,754,965	\$1,470,778	\$1,626,361	\$155,583
Revenues Over/ (Under) Expenditures	(107,452)	0	0	0
Beginning Fund Balance	841,495	734,043	839,511	105,468
Ending Fund Balance	\$734,043	\$734,043	\$839,511	\$105,468

City of San Angelo Civic Events Fund Schedule of Revenues



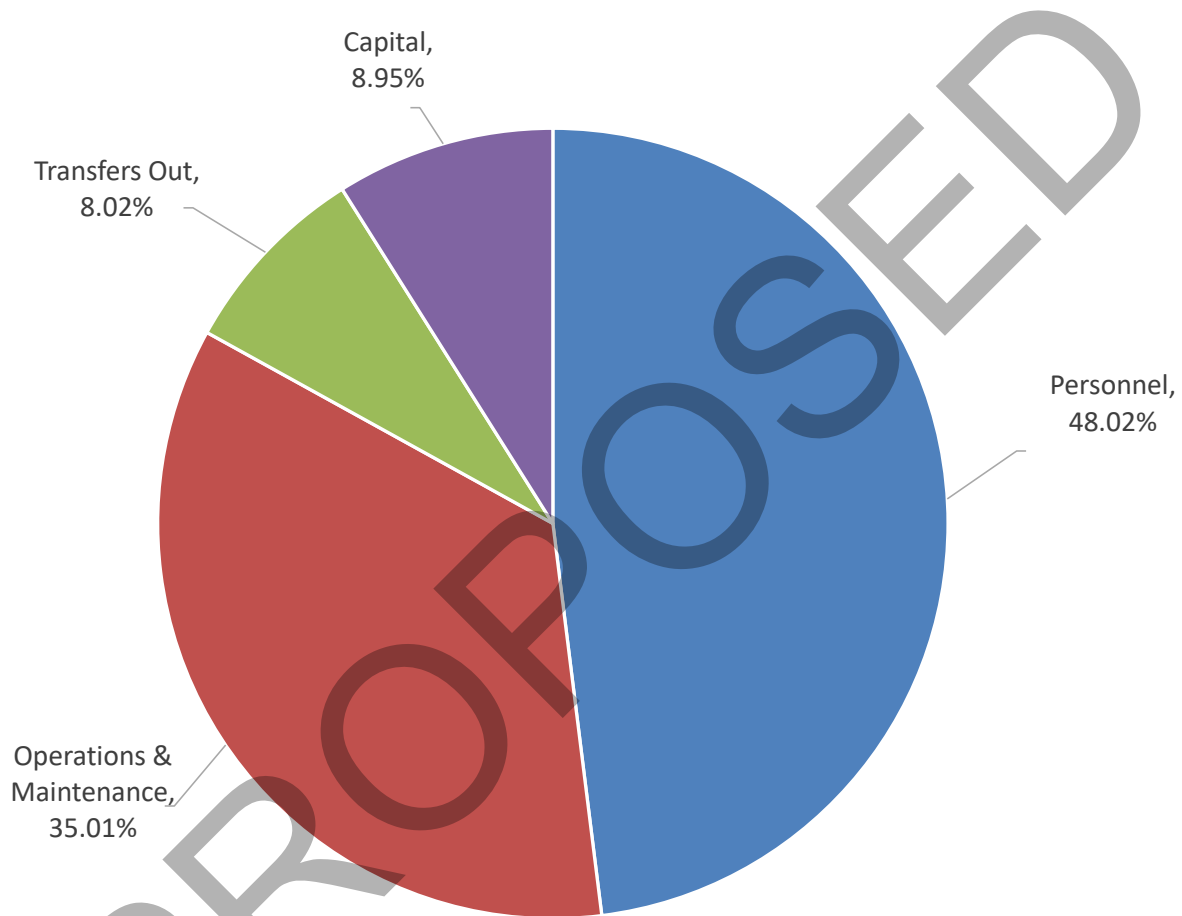
Graph Description:

The graph above shows that the hotel occupancy tax serves as the main source of revenue for the the Civic Events Fund.

City of San Angelo

Civic Events Fund

Schedule of Expenditures



Graph Description:

The graph above shows that personnel comprises the largest expense for the Civic Events Fund at over 48%, followed by operations and maintenance.

City of San Angelo

Fort Concho Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>420 REVENUES:</u>				
Rent & Donations	601,149	623,250	644,750	21,500
Transfers In	410,862	406,388	482,230	75,842
Other	22,456	24,450	24,450	0
Interest	1,886	3,567	6,648	3,081
Total Revenues	\$1,036,353	\$1,057,655	\$1,158,078	\$100,423
<u>420 EXPENDITURES:</u>				
Personnel	734,858	733,073	739,203	6,130
Operations & Maintenance	282,824	321,582	415,875	94,293
Capital	10,761	3,000	3,000	0
Total Expenditures	\$1,028,443	\$1,057,655	\$1,158,078	\$100,423
Revenues Over/ (Under) Expenditures	7,910	0	0	0
Beginning Fund Balance	231,485	239,395	239,395	0
Ending Fund Balance	\$239,395	\$239,395	\$239,395	\$0

City of San Angelo

Fairmount Cemetery Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
440 REVENUES:				
Charges for Service	265,910	285,900	317,300	31,400
Trust Income	40,801	50,000	50,000	0
Transfers In	82,902	86,734	93,111	6,377
Other Revenue	7,375	5,000	5,000	0
Total Revenues	\$396,988	\$427,634	\$465,411	\$37,777
440 EXPENDITURES:				
Personnel	266,614	263,331	265,419	2,088
Operations & Maintenance	90,870	152,303	153,173	870
Capital	0	0	0	0
Total Expenditures	\$357,484	\$415,634	\$418,592	\$2,958
Revenues Over/ (Under) Expenditures	39,504	12,000	46,819	34,819
Beginning Fund Balance	(114,086)	(74,582)	(62,582)	12,000
Ending Fund Balance *	(\$74,582)	(\$62,582)	(\$15,763)	\$46,819

* Due to the negative fund balance the fund is budgeted revenue over expenditure.

City of San Angelo

Intergovernmental Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
103 REVENUES:				
Health Department Revenue	126,339	108,900	113,600	4,700
Health Department Grants	426,899	437,229	432,229	(5,000)
WIC Grant	783,871	854,620	851,686	(2,934)
Transportation Grant	139,418	205,528	208,695	3,167
Nutrition Program Revenue	122,663	158,945	158,945	0
Police Grants	57,224	0	0	0
Parks Grants and Donations	7,500	0	0	0
Emergency Management Grant	173,283	225,308	225,308	0
Other Grants	1,500,000	0	0	0
Interest	0	0	0	0
Transfers In	381,179	386,137	394,772	8,635
Total Revenue	\$3,718,376	\$2,376,667	\$2,385,235	\$8,568
103 EXPENDITURES:				
Health Department Grants	478,336	628,089	637,564	9,475
WIC Grant	732,545	811,755	782,763	(28,992)
Social Services	129,791	126,170	122,574	(3,596)
Transportation Planning Grant	118,311	190,838	190,475	(363)
Nutrition	252,400	271,264	272,429	1,165
Police Grants	66,044	0	0	0
Parks Grants	7,425	0	0	0
Emergency Management	190,706	280,966	282,257	1,291
Fire Grants	836,758	0	0	0
Transfers Out	89,554	67,585	97,173	29,588
Total Expenditures	\$2,901,870	\$2,376,667	\$2,385,235	\$8,568
Revenues Over/ (Under) Expenditures	816,506	0	0	0
Beginning Fund Balance	(228,856)	587,650	587,650	0
Ending Fund Balance	\$587,650	\$587,650	\$587,650	\$0

City of San Angelo

Community Development Block Grant Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
453 REVENUES:				
Grant Income	644,349	688,898	699,822	10,924
Rehab Loans	(700)	32,000	32,000	0
Miscellaneous	61,000	0	0	0
Total Revenues	\$704,649	\$720,898	\$731,822	\$10,924
453 EXPENDITURES:				
Administration	251,004	269,000	271,364	2,364
Debt Service	147,695	146,048	144,154	(1,894)
Public Service Projects	105,988	177,850	100,304	(77,546)
Rehab Grants and Loans	164,147	90,000	178,000	88,000
Code Enforcement	38,000	38,000	38,000	0
Total Expenditures	\$706,834	\$720,898	\$731,822	\$10,924
Revenues Over/ (Under) Expenditures	(2,185)	0	0	0
Beginning Fund Balance	2,185	0	0	0
Ending Fund Balance	\$0	\$0	\$0	\$0

City of San Angelo

HOME Program Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
483 REVENUES:				
Grant Income	211,247	249,197	338,495	89,298
Rent	0	0	0	0
Loan Payments	2,796	24,000	23,000	(1,000)
Miscellaneous	85,622	68,547	68,547	0
Total Revenues	\$299,665	\$341,744	\$430,042	\$88,298
483 EXPENDITURES:				
Administration	37,590	95,867	104,696	8,829
Galilee CDC	88,000	99,450	110,000	10,550
MHMR Contribution	43,755	1,545	80,000	78,455
Homebuyers Assistance	85,658	144,882	135,346	(9,536)
Duplex Maintenance	26	0	0	0
Total Expenditures	\$255,029	\$341,744	\$430,042	\$88,298
Revenues Over/ (Under) Expenditures	44,636	0	0	0
Beginning Balance	(44,636)	0	0	0
Ending Balance	\$0	\$0	\$0	\$0

City of San Angelo

Designated Revenue Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
601 REVENUES:				
Donations	27,626	10,250	15,100	4,850
Riverfest	26,179	30,000	30,000	0
Interest	1,242	2,440	30	(2,410)
Total Revenue	\$55,047	\$42,690	\$45,130	\$2,440
601 EXPENDITURES				
Departmental Projects	110,644	12,690	15,130	2,440
Riverfest	35,928	30,000	30,000	0
Total Expenditures	\$146,572	\$42,690	\$45,130	\$2,440
Revenues Over/ (Under) Expenditures	(91,525)	0	0	0
Beginning Fund Balance	210,463	118,938	118,938	0
Ending Fund Balance	\$118,938	\$118,938	\$118,938	\$0

City of San Angelo

Hotel Occupancy Tax Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
605 REVENUES:				
Hotel Occupancy Tax	1,976,473	1,857,500	2,242,657	385,157
Interest	6,126	27,394	29,050	1,656
Total Revenues	\$1,982,599	\$1,884,894	\$2,271,707	\$386,813
605 EXPENSES:				
San Angelo Performing Arts Center	8,333	50,000	50,000	0
San Angelo Chamber of Commerce	693,145	865,000	865,000	0
San Angelo Cultural Affairs Council	98,824	92,875	112,133	19,258
Down Town San Angelo	37,500	37,500	37,500	0
Transfer to Fort Concho	50,000	50,000	50,000	0
Transfer to Civic Events	948,707	891,600	1,076,476	184,876
Transfer to Sports Complex	50,000	50,000	50,000	0
Total Expenses	\$1,886,509	\$2,036,975	\$2,241,109	\$204,134
Revenues Over/ (Under) Expenditures	96,090	(152,081)	30,598	182,679
Beginning Balance	1,401,433	1,497,523	1,345,442	(152,081)
Ending Balance *	\$1,497,523	\$1,345,442	\$1,376,040	\$30,598

* This fund was created in fiscal year 2017 and fully enacted for fiscal year 2018. Fund balance was allocated from the Civic Events Fund.

City of San Angelo

Vehicle Maintenance Internal Service Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>301 REVENUES:</u>				
Gas and Oil	1,491,449	4,121,154	3,761,301	(359,853)
Material	793,532	1,315,321	1,192,345	(122,976)
Labor	1,425,830	1,371,275	1,353,889	(17,386)
Rent	120,000	120,000	120,000	0
Other Revenue	20,271	32,159	30,781	(1,378)
Interest	511	0	20,153	20,153
Total Revenues	\$3,851,593	\$6,959,909	\$6,478,469	(\$481,440)
<u>301 EXPENSES:</u>				
Personnel	982,587	940,725	963,483	22,758
Operations & Maintenance	2,845,071	5,913,974	5,419,540	(494,434)
Capital	31,183	54,093	75,292	21,199
Total Expenses	\$3,858,841	\$6,908,792	\$6,458,315	(\$450,477)
Revenues Over/ (Under) Expenditures	(7,248)	51,117	20,154	(30,963)
Beginning Fund Balance	579,279	572,031	623,148	51,117
Ending Fund Balance	\$572,031	\$623,148	\$643,302	\$20,154

City of San Angelo

Communications Internal Service Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>305 REVENUES:</u>				
Radio	166,844	157,498	157,498	0
Voice Over IP	296,116	300,041	300,041	0
Internet	60,043	49,367	49,367	0
Cell Phones	282,129	240,788	258,788	18,000
Interest	2,407	2,737	4,805	2,068
Total Revenues	\$807,539	\$750,431	\$770,499	\$20,068
<u>305 EXPENSES:</u>				
Radio	108,765	132,309	136,418	4,109
Voice Over IP	166,075	216,543	212,377	(4,166)
Internet	64,445	49,151	49,140	(11)
Cell Phones	254,979	241,222	259,391	18,169
Capital	91,362	111,206	113,173	1,967
Total Expenses	\$685,626	\$750,431	\$770,499	\$20,068
Revenues Over/ (Under) Expenditures	121,913	0	0	0
Beginning Fund Balance	63,036	184,949	184,949	0
Ending Fund Balance	\$184,949	\$184,949	\$184,949	\$0

City of San Angelo

Health Insurance Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>310 REVENUES:</u>				
Clinic Revenue	103,267	101,200	101,200	0
Self Insurance Revenue	8,662,708	8,677,445	8,901,365	223,920
Interest	189	0	0	0
Total Revenues	\$8,766,164	\$8,778,645	\$9,002,565	\$223,920
<u>310 EXPENSES:</u>				
Personnel	143,538	122,165	162,406	40,241
Operations & Maintenance	1,006,674	1,031,750	2,009,344	977,594
Self Insurance Claims Liability	6,404,842	7,624,730	6,830,815	(793,915)
Capital	0	0	0	0
Total Expenses	\$7,555,054	\$8,778,645	\$9,002,565	\$223,920
Revenues Over/ (Under) Expenditures	1,211,110	0	0	0
Beginning Balance	(1,230,219)	(19,109)	(19,109)	0
Ending Balance	(\$19,109)	(\$19,109)	(\$19,109)	\$0

City of San Angelo

Property/Casualty Insurance Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
320 REVENUES:				
Premium Contributions	466,818	523,154	778,025	254,871
Special Event Insurance	37,888	35,675	36,631	956
Insurance Proceeds	331,646	262,011	384,231	122,220
Interest	12,253	28,672	16,734	(11,938)
Total Revenues	\$848,605	\$849,512	\$1,215,621	\$366,109
320 EXPENSES:				
Personnel	140,432	158,089	136,636	155,742
Prior Year Indemnity	150,119	100,000	100,000	0
Claims	533,962	256,987	256,691	(296)
Insurance Premiums	101,743	118,699	508,907	390,208
Claims Management	41,978	204,987	204,533	(454)
Special Projects/Other	56,799	9,250	7,250	(2,000)
Capital	532	1,500	1,604	104
Total Expenses	\$1,025,565	\$849,512	\$1,215,621	\$366,109
Revenues Over/ (Under) Expenditures	(176,960)	0	0	0
Beginning Fund Balance	918,937	741,977	741,977	0
Ending Fund Balance	\$741,977	\$741,977	\$741,977	\$0

City of San Angelo

Workers' Compensation Insurance Fund

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
330 REVENUES:				
Premium Contributions	1,350,410	1,350,667	1,201,602	(149,065)
Insurance Proceeds	263	34,465	10,714	(23,751)
Interest	2,407	0	9,755	9,755
Total Revenues	\$1,353,080	\$1,385,132	\$1,222,071	(\$163,061)
330 EXPENSES:				
Personnel	212,968	237,249	217,217	(20,032)
Operations & Maintenance	29,752	82,900	77,196	(5,704)
Claims	1,069,155	505,346	504,993	(353)
Insurance Premiums	83,778	127,018	129,898	2,880
Total Expenses	\$1,395,653	\$952,513	\$929,304	(\$23,209)
Revenues Over/ (Under) Expenditures	(42,573)	432,619	292,767	(139,852)
Beginning Balance	(813,597)	(856,170)	(423,551)	432,619
Ending Balance *	(\$856,170)	(\$423,551)	(\$130,784)	\$292,767

* Due to negative claims experience, the fund balance became negative. The fund for fiscal year 18 and 19 has been budgeted revenues over expenditures to gradually increase the fund balance.

City of San Angelo

Development Corporation

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
<u>REVENUES:</u>				
Ballot	7,868,410	5,656,000	6,560,455	904,455
Economic Development	1,795,047	2,556,250	2,695,515	139,265
Total Revenues	\$9,663,457	\$8,212,250	\$9,255,970	\$1,043,720
<u>EXPENSES:</u>				
Ballot	7,868,410	5,656,000	6,560,455	904,455
Economic Development	1,795,047	2,556,250	2,695,515	139,265
Total Expenditures	\$7,868,410	\$8,212,250	\$9,255,970	\$1,043,720
Revenues Over/ (Under) Expenditures	1,795,047	0	0	0
Unreserved Beginning Fund Balance	11,881,056	10,086,009	10,086,009	0
Unreserved Ending Fund Balance	\$10,086,009	\$10,086,009	\$10,086,009	\$0
Ballot Fund Balance Designated for existing projects			241,231	
Economic Development Fund Balance Designated for existing projects			7,199,412	
Total Fund Balance Designated for existing projects			7,440,643	

AN ORDINANCE OF THE CITY OF SAN ANGELO APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019; AUTHORIZING EMPLOYEE COMPENSATION SCHEDULES; PROVIDING FOR THE GENERAL APPROPRIATION OF FUNDS; PROVIDING FOR LAPSE OF ALL UNENCUMBERED OR UNOBLIGATED FUNDS FOR THE PRIOR FISCAL YEAR AND FOR CARRY OVER OF ALL APPROPRIATIONS OF ENCUMBERED, OBLIGATED OR RESTRICTED FUNDS; RESERVING UNTO THE CITY COUNCIL THE POWER, ONLY AS PERMITTED BY LAW, TO AMEND OR MAKE CHANGES IN THE BUDGET FOR MUNICIPAL PURPOSES; PROVIDING AUTHORITY FOR THE CITY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN ADJUSTMENTS FROM TIME TO TIME IN OR BETWEEN BUDGETED ALLOCATIONS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPLY FOR CERTAIN GRANTS AND EXECUTE ANY RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY INTERLOCAL AGREEMENT THAT DOES NOT REQUIRE THE EXPENDITURE OF CITY FUNDS; AND, PROVIDING FOR FILING OF THE BUDGET.

WHEREAS, a budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, has been proposed and submitted by the City Manager to the City Council as required by law; and,

WHEREAS, the proposed budget has been filed with the City Clerk and has been posted on the website for the City of San Angelo, for inspection by any person for more than fifteen (15) days immediately prior to the public hearing upon said budget and more than thirty (30) days prior to a tax levy for the fiscal year; and,

WHEREAS, proper notice of public hearing upon this budget has been posted and published in accordance with applicable law; and,

WHEREAS, the City Council has conducted the necessary public hearings as required by law; and,

WHEREAS, after a full and final consideration of the financial condition and estimated revenues and proposed expenditures as set forth in the budget as filed and amended, it is the consensus of opinion of the Council that the budget as filed and amended should be approved.

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

SECTION 1 The facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

SECTION 2 The proposed budget as filed with the City Clerk and as amended by the City Council, for the fiscal year October 1, 2018, through September 30, 2019, (hereinafter the "Budget") is hereby approved and adopted. A copy of the Budget, as amended, approved, and adopted, is attached hereto as **Exhibit "A"** and made a part hereof for all purposes.

SECTION 3 The Competitive Pay Plan Grade and Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees set forth in the Budget are attached hereto as **Exhibit “B”** and made a part hereof for all purposes. Employee compensation schedules that are in accordance with the Competitive Pay Plan and Grade Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees as set forth are hereby authorized.

SECTION 4 By virtue of the adoption of the Budget, there are hereby appropriated out of available cash funds and out of the general and special revenues of the City that will be received in the treasury during the course of the 2018-2019 fiscal year, the amounts set forth in the Budget for the purposes therein stated.

SECTION 5. All unencumbered or unobligated funds for the prior fiscal year shall lapse at the end of the prior fiscal year. All appropriations for encumbered, obligated, or restricted funds shall carry over to the subsequent fiscal year and be considered committed in order to complete these transactions.

SECTION 6. The expenditures of the City shall be made in accordance with the financial summaries included within the Budget approved by this ordinance provided however:

1. The City Council may, from time to time and as permitted by law, amend this ordinance to authorize changes that increase or decrease the total appropriation of any fund or otherwise make changes in the budget for municipal purposes.
2. The City Manager or his designee is authorized to approve changes that move budgeted amounts between accounts within a fund.
3. The City Manager is authorized to approve budget amendments that reduce the total amount of budgeted revenues and expenditures in a fund. Under this authorization the reduction in budgeted expenditures must equal or exceed any reduction in budgeted revenues.

SECTION 7. Certain grants are identified in the Budget, as listed on **Exhibit “C”**, attached hereto and made a part hereof for all purposes. The City Manager or his designee is hereby authorized to apply for and accept those grants and execute any documents related thereto.

SECTION 8. The City Manager or his designee is hereby authorized to execute any documents necessary for the application and acceptance for any grants in which the City expenditure of funds is less than \$50,000.

SECTION 9. The City Manager is authorized to execute any Interlocal Agreement formed under Chapter 791 of the Texas Government Code that does not require the expenditure of City funds.

SECTION 10. The Classification plan for authorized police and fire positions are attached hereto as **Exhibit “D”** and are hereby authorized.

SECTION 11. The total number of civilian employees in place as shown on **Exhibit “D”** is hereby authorized. The City Manager or his designee is authorized to adjust compensation and position

titles for any non-civil service positions and hire all part-time positions deemed necessary to retain qualified individuals or for the efficient administration of the City.

SECTION 12. The Budget as amended and adopted shall be filed with the City Clerk and posted on the City's website. The City Clerk is hereby directed to provide a certified copy of this budget ordinance and the Budget as amended, approved and adopted to the County Clerk of Tom Green County for recording after final passage and adoption hereof.

SECTION 13. Should any section, provision, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

INTRODUCED on the 4th day of September, 2018, and finally PASSED, APPROVED and ADOPTED on this the 18th day of September, 2018

<u>YES</u>	<u>NO</u>	CITY OF SAN ANGELO, TEXAS
_____	_____	_____ Brenda Gunter, Mayor
_____	_____	_____ Tommy Hiebert, SMD #1
_____	_____	_____ Tom Thompson, SMD #2
_____	_____	_____ Harry Thomas, SMD #3
_____	_____	_____ Lucy Gonzales, SMD #4
_____	_____	_____ Lane Carter, SMD #5
_____	_____	_____ Billie DeWitt, SMD #6

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

City of San Angelo

Consolidated Financial Schedule

Revenue and Expenditures, Fiscal Year Ending September 30, 2019

Fund No.	Fund Name	Beginning Balance	Operating Revenues	Transfers In	Amount Available	Operating Expenditures	Transfers Out	Total Expenditures	Rev Over/ (Under) Exp	Ending Balance
101	General	\$21,230,272	\$70,340,220	\$4,233,746	\$95,804,238	\$71,191,984	\$3,381,982	\$74,573,966	\$0	\$21,230,272
105	General Debt Service	1,780,962	4,691,199	2,909,822	9,381,983	7,601,021	0	7,601,021	0	1,780,962
501	Equipment Replacement	349,018	95,000	1,201,373	1,645,391	1,296,373	0	1,296,373	0	349,018
502	Capital Projects	144,468	2,852	247,148	394,468	250,000	0	250,000	0	144,468
103	Intergovernmental	587,650	1,990,463	394,772	2,972,885	2,288,062	97,173	2,385,235	0	587,650
106	TIRZ	1,648,787	795,630	0	2,444,417	795,630	0	795,630	0	1,648,787
453	Community Development Block	0	731,822	0	731,822	731,822	0	731,822	0	0
483	HOME Grant	0	430,042	0	430,042	430,042	0	430,042	0	0
601	Designated Revenue	118,938	45,130	0	164,068	45,130	0	45,130	0	118,938
605	Hotel Occupancy Tax	1,345,442	2,271,707	0	3,617,149	1,064,633	1,176,476	2,241,109	30,598	1,376,040
640	Lake Nasworthy Trust	14,884,883	751,000	0	15,635,883	50,000	175,500	225,500	525,500	15,410,383
203	Texas Bank Sports Complex	515,265	192,231	757,532	1,465,028	949,763	0	949,763	0	515,265
410	Civic Events	839,511	549,885	1,076,476	2,465,872	1,495,929	130,432	1,626,361	0	839,511
420	Fort Concho	239,395	675,848	482,230	1,397,473	1,158,078	0	1,158,078	0	239,395
440	Fairmount Cemetery	(62,582)	372,300	93,111	402,829	418,592	0	418,592	46,819	(15,763)
201	State Office Building	152,498	1,304,801	0	1,457,299	1,284,999	19,802	1,304,801	0	152,498
220	Airport Operating	148,222	1,554,304	0	1,702,526	1,471,626	82,678	1,554,304	0	148,222
529	Airport PFC	1,192,865	285,854	0	1,478,719	0	285,854	285,854	0	1,192,865
230	Solid Waste Enterprise	3,785,406	1,960,425	0	5,745,831	1,705,425	255,000	1,960,425	0	3,785,406
240	Stormwater	3,126,616	2,958,399	95,000	6,180,015	3,045,867	344,523	3,390,390	(336,991)	2,789,625
260	Water Operating	6,984,557	28,598,086	1,822,960	37,405,603	24,744,940	3,493,134	28,238,074	2,182,972	9,167,529
261	Water Debt Service	19,060	76,978	11,200,147	11,296,185	11,277,125	0	11,277,125	0	19,060
512	Water / Supply Capital Projects	7,856,537	4,771,169	200,000	12,827,706	3,166,402	1,804,767	4,971,169	0	7,856,537
270	Wastewater Operating	12,015,736	14,295,934	0	26,311,670	8,403,062	5,410,106	13,813,168	482,766	12,498,502
271	Wastewater Debt Service	246,317	6,521	3,810,636	4,063,474	3,817,157	0	3,817,157	0	246,317
520	Wastewater Capital Projects	7,492,832	1,784,431	0	9,277,263	1,324,522	459,909	1,784,431	0	7,492,832
Operating Totals		\$86,642,655	\$141,532,231	\$28,524,953	\$256,699,839	\$150,008,184	\$17,117,336	\$167,125,520	\$2,931,664	\$89,574,319
301	Vehicle Maintenance	\$623,148	\$6,478,469	\$0	\$7,101,617	\$6,458,315	\$0	\$6,458,315	\$20,154	\$643,302
305	Communications	184,949	770,499	0	955,448	770,499	0	770,499	0	184,949
310	Health Insurance	(19,109)	9,002,565	0	8,983,456	9,002,565	0	9,002,565	0	(19,109)
320	Property/Casualty	741,977	1,215,621	0	1,957,598	1,215,621	0	1,215,621	0	741,977
330	Workers' Compensation	(423,551)	1,222,071	0	798,520	929,304	0	929,304	292,767	(130,784)
Total Internal Service Funds		\$1,107,414	\$18,689,225	\$0	\$19,796,639	\$18,376,304	\$0	\$18,376,304	\$312,921	\$1,420,335

City of San Angelo

Development Corporation

Schedule of Revenues and Expenditures

Description	FY17 Actual	FY18 Original Budget	FY19 Proposed Budget	Increase (Decrease) from FY18 Original
REVENUES:				
Ballot	7,868,410	5,656,000	6,560,455	904,455
Economic Development	1,795,047	2,556,250	2,695,515	139,265
Total Revenues	\$9,663,457	\$8,212,250	\$9,255,970	\$1,043,720
EXPENSES:				
Ballot	7,868,410	5,656,000	6,560,455	904,455
Economic Development	1,795,047	2,556,250	2,695,515	139,265
Total Expenditures	\$7,868,410	\$8,212,250	\$9,255,970	\$1,043,720
Revenues Over/ (Under) Expenditures	1,795,047	0	0	0
Unreserved Beginning Fund Balance	11,881,056	10,086,009	10,086,009	0
Unreserved Ending Fund Balance	\$10,086,009	\$10,086,009	\$10,086,009	\$0

Fund Balance Designated for existing projects

Ballot	241,231
Economic Development	7,199,412
Total Fund Balance	7,440,643

City of San Angelo
Salary Ranges
Effective 10-1-18

<u>Grade</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
47	\$133,583	\$166,844	\$200,105
43	\$109,995	\$137,359	\$164,722
42	\$104,784	\$130,845	\$156,905
40	\$95,178	\$118,815	\$142,452
39	\$90,645	\$113,157	\$135,669
38	\$86,329	\$107,769	\$129,208
37	\$82,218	\$102,637	\$123,056
36	\$78,421	\$97,891	\$117,360
35	\$74,624	\$93,145	\$111,665
34	\$71,097	\$88,736	\$106,374
33	\$67,754	\$84,558	\$101,361
32	\$64,537	\$80,536	\$96,534
31	\$61,516	\$76,754	\$91,991
30	\$58,587	\$73,099	\$87,610
29	\$55,823	\$69,644	\$83,464
28	\$54,770	\$68,327	\$81,884
27	\$52,818	\$66,023	\$79,228
26	\$50,417	\$63,022	\$75,626
25	\$48,016	\$60,021	\$72,025
24	\$45,730	\$57,162	\$68,594
23	\$43,552	\$54,441	\$65,329
22	\$41,479	\$51,848	\$62,216
21	\$39,502	\$49,378	\$59,253
20	\$36,526	\$45,658	\$54,790
19	\$35,864	\$44,806	\$53,747
18	\$34,786	\$43,484	\$52,181
17	\$31,868	\$39,835	\$47,801
16	\$31,443	\$39,304	\$47,165
15	\$30,363	\$37,953	\$45,542
14	\$30,050	\$37,563	\$45,075
13	\$27,719	\$34,648	\$41,577
12	\$26,483	\$33,103	\$39,723
11	\$22,075	\$27,594	\$33,113

Non-Civil Service Public Safety

<u>Grade</u>	<u>Min</u>	<u>Max</u>
GR 30M	\$78,064	\$87,759
GR 29M	\$68,075	\$77,281
GR 27M	\$48,439	\$66,100

**City of San Angelo
Civil Service Pay Plan
Fire Department
Effective 10/1/18**

		<u>Monthly</u>	<u>Annually</u>
GR 24	Recruit	\$3,193.00	\$38,316
GR 26	Probationary FF	\$3,277.83	\$39,334
GR 27	Firefighter II	\$4,102.25	\$49,227
GR 28	Driver	\$4,687.17	\$56,246
GR 29	Lieutenant	\$5,390.25	\$64,683
GR 30	Captain	\$6,198.83	\$74,386
GR 31	Battalion Chief	\$7,128.58	\$85,543

**City of San Angelo
Civil Service Grade and Step Plan
Police Department**

Effective 10/1/2018

			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
GR 23	Recruit	\$42,856						
GR 26	Probationary PO	\$45,500						
GR 27	Police Officer		\$48,500	\$50,500	\$52,500	\$54,500	\$56,500	\$62,500
GR 29	Sergeant		\$68,500	\$70,500				
GR 30	Lieutenant		\$78,500	\$83,000				

City Council authorizes application for and acceptance of the following grants:

1115 Healthcare Transformation Waiver
Atmos Energy Grant
Bureau of Justice Assistance Edward Byrne Memorial Local Justice Assistance Grant
Community Development Block Grant
Emergency Food and Shelter Program Grant
Emergency Management Performance Grant
Environmental Health Service and Bureau of Regional Local Health Operations Grant
Federal Aviation Administration Grants - Entitlements and Discretionary
Gang Initiative Grant
HOME Grant
Office of Justice Programs Bulletproof Vest Partnership
Office of the Governor Criminal Justice Division Body-Worn Camera Program
Hazards Grant
State and Federal Hazard Mitigation Grants
State and Federal Homeland Security Grants Programs
San Angelo Cultural Affairs Council Grant
State Events Trust Fund Grant
Texas Department of State Health Services Healthy Communities Grant
Texas Department of Transportation Routine Airport Maintenance Program
Texas Department of Transportation Click It or Ticket Grant
Title III C-1 Congregate Nutrition Services
Transit and Transportation Planning Grants - Federal and State
Women, Infant, and Children Grant

Fire Department – Civil Service

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	50
Fire Fighter	82
Total Fire Department – Civil Service	171

Police Department – Civil Service

Police Chief	1
Assistant Chief	2
Police Lieutenant	7
Police Sergeant	28
Police Officer	137
Total Police Department – Civil Service	175

All Others

Civilians	611
Total All Others	611
Grand Total Staffing Levels	957

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Coordinator, Budget, 325-657-6291

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Final public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2018 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2018-2019 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This item is the third public hearing and adoption of the ordinance to levy property taxes for the tax year 2018. The ordinance sets the total tax rate of 0.7760 per \$100 valuation and establishes taxes are delinquent on February 1, 2019. No changes are proposed to the existing exemptions, including the continuation of the 20% homestead exemption available to property owners on their primary residence.

The overall tax rate is proposed to remain the same as the prior year's tax rate of 0.776 per \$100 valuation. The proposed tax rate will be applied as follows.

For the purposes of maintenance and operations in the General Fund: 0.6824

To pay annual interest and maturities and create debt service funding to discharge outstanding bonded indebtedness of the City of San Angelo: 0.0936

The total tax rate for the aforementioned purposes is: 0.7760

This year's proposed tax rate does exceed the lower of the effective tax rate or the rollback tax rate. The associated additional notices and actions are needed for this ordinance.

Financial Impact:

The proposed tax rate will generate property tax revenue as follows for the General Fund, the Debt Service Fund, and TIRZ, providing a 98% collection rate.

General Fund: \$33,503,015

Debt Service Fund: \$4,595,373

TIRZ (North & South): \$784,996

Total Property Tax Revenue: \$38,883,384

Other Information/Recommendation:

None at this time.

Attachments:

- | | | |
|----|-------------------------------|---|
| 1. | Presentation | 180918 Budget Tax Levy ppt.pptx |
| 2. | Tax Levy Ordinance FY 2018-19 | Tax Levy Ordinance FY 2018-19_from legal.docx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council

Sept. 18, 2018



Property tax levy

- Second public hearing of an ordinance levying property taxes for the 2018 tax year
- Proposed rate is 0.776 / \$100 valuation



Property tax levy

Proposed property tax rate

Maintenance & operations	0.6824
Debt service	0.0936
Total proposed property tax rate	0.7760



Property tax levy

“I move that the property tax rate remain the same by the adoption of a tax rate of 0.7760 per \$100 valuation.”





City Council

Sept. 18, 2018



AN ORDINANCE FIXING AND LEVYING AD VALOREM TAXES FOR THE CURRENT TAX YEAR FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF SAN ANGELO, TEXAS, FOR THE 2018-2019 BUDGET YEAR; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING WHEN THE TAX SHALL BECOME DUE; PROVIDING WHEN THE TAX SHALL BECOME DELINQUENT; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION ON THE CITY OPERATED WEB SITE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter for the City of San Angelo provides that the City Council at its first meeting in September of each year, or as soon thereafter as practicable, shall levy the annual tax for such year; and,

WHEREAS, Section 26.05 of the Texas Tax Code requires that the City of San Angelo, Texas, adopt a tax rate for the next fiscal year by September 30, 2018; and,

WHEREAS, the City Council finds that all public notices have been given and published as required by law for fixing and levying the ad valorem taxes; and,

WHEREAS, the City Council further finds that the taxes for the fiscal year beginning October 1, 2018, and ending September 30, 2019, hereinafter levied therefore are necessary to pay interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City; and,

WHEREAS, the City Council further finds that the tax for the fiscal year beginning October 1, 2018, and ending September 30, 2019, hereinafter levied for purposes of maintenance and operations must be levied to provide for the revenue requirements of the budget for the ensuing fiscal year:

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

Section One: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."

Section Two. The following taxes be and are hereby levied for the fiscal year 2018-2019, upon each One Hundred Dollar (\$100) valuation of property subject to taxation in the City of San Angelo for said year:

To pay annual interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City of San Angelo	\$0.0936
--	----------

For the purposes of maintenance and operations in the General Fund	<u>\$0.6824</u>
---	-----------------

The total tax rate for the aforementioned purposes is:	\$0.7760
--	----------

Section Three: The taxes levied herein shall be assessed and proper record made thereof, as required by law by the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office and said officers shall collect such taxes and remit the same required by law and this ordinance.

Section Four: All taxes levied and due under this ordinance, plus penalties and interest thereon, shall become a lien upon the property against which the tax is assessed, as provided by City Charter and State law, and the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office, or their designee, are hereby authorized and empowered to enforce the collection of such taxes, penalties and interest according to the Constitution and laws of the State of Texas and the Charter and Ordinances of the City of San Angelo. Penalties and interest collected shall be paid to and credited to the General Fund of the City of San Angelo.

Section Five: Taxes levied under this ordinance shall be due on October 1, 2018, and if not paid as provided by law, shall immediately become delinquent on February 1, 2019.

Section Six: The City hereby affirms the adoption of the following exemptions from taxation of real property:

An individual may claim an exemption from taxation equal to twenty percent (20%) of the appraised value of his/her residence homestead, but not less than five thousand dollars (\$5,000) or the value of the homestead if said value is less than \$5,000.

Section Seven: Should any part, portion, or section of this ordinance be declared invalid, inoperative, or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining parts, portions or sections of this ordinance, which provisions shall be, remain and continue in full force and effect.

Section Eight: The City Manager or his designee shall cause a copy of this Ordinance, in its entirety, as passed, to be published on the web site operated by the City of San Angelo

Section Nine: This ordinance shall become effective on the date Approved and Adopted.

INTRODUCED on the 4th day of September, 2018, and APPROVED and ADOPTED on this 18th day of September, 2018.

YES

NO

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

Tommy Hiebert, SMD #1

Tom Thompson, SMD #2

Harry Thomas, SMD #3

Lucy Gonzales, SMD #4

Lane Carter, SMD #5

Billie DeWitt, SMD #6

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content

Approved as to Form

Tina Dierschke, Finance Director

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: September 18, 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%
August - increase of 7.28%
September - increase of 14.47%

Year to date, revenue is approximately \$1,606,170 more than budgeted.

Financial Impact:

Sales Tax revenue for fiscal year 2018 is over year-to-date budget by 18.84% and \$1,606,170 after September 2018 receipts.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | Monthly Revenue Trends 2018 - September | Monthly Revenue Trends 2018 - September.pdf |
|----|---|---|

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke
Becky Dunn

Created/Initiated
Approved

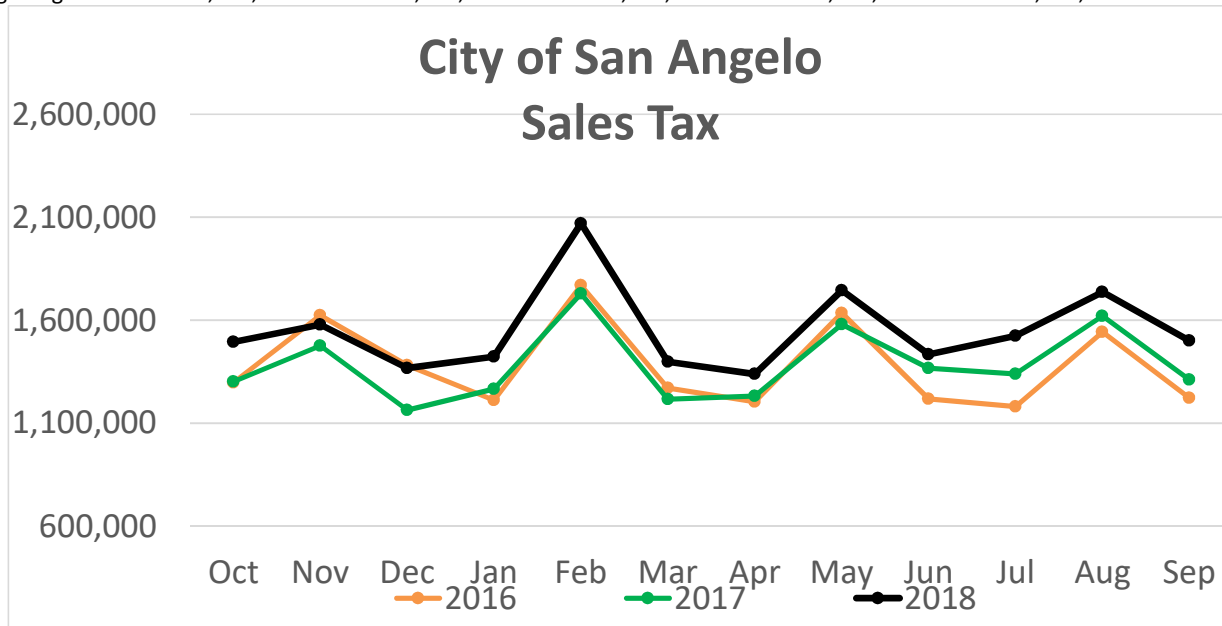
Bryan Kendrick

Final Approval

City of San Angelo

Sales Tax - General Fund

Month	2014	2015	2016	2017	2018	Budget Allocation	Difference from Budget Allocation	% Change Year over Year	Over / (Under) FY2017
Oct	1,388,436	1,508,233	1,296,733	1,301,852	1,494,126	1,323,838	170,288	14.77%	192,274
Nov	1,582,107	1,764,518	1,622,933	1,474,872	1,578,605	1,512,847	65,758	7.03%	103,733
Dec	1,308,812	1,579,718	1,380,463	1,162,763	1,366,024	1,317,665	48,359	17.48%	203,260
Jan	1,314,856	1,482,453	1,210,786	1,265,207	1,422,829	1,277,239	145,590	12.46%	157,622
Feb	1,829,723	2,071,878	1,768,937	1,728,678	2,069,325	1,805,910	263,415	19.71%	340,647
Mar	1,304,418	1,438,299	1,270,043	1,216,505	1,398,172	1,268,663	129,509	14.93%	181,667
Apr	1,423,130	1,347,047	1,202,841	1,231,345	1,338,067	1,272,625	65,443	8.67%	106,722
May	1,684,129	1,779,019	1,633,849	1,579,360	1,744,518	1,619,576	124,942	10.46%	165,159
Jun	1,457,046	1,446,101	1,217,893	1,367,061	1,433,017	1,332,674	100,343	4.82%	65,956
Jul	1,421,110	1,405,787	1,180,024	1,339,373	1,523,855	1,313,593	210,262	13.77%	184,482
Aug	1,814,100	1,693,299	1,542,217	1,619,370	1,737,208	1,611,891	125,318	7.28%	117,838
Sep	1,519,457	1,400,015	1,222,722	1,310,654	1,500,423	1,343,480	156,944	14.48%	189,769
Total	18,047,324	18,916,368	16,549,442	16,597,040	18,606,170	17,000,000	1,606,170	21.72%	2,009,130
Orig Budget	16,075,699	18,427,862	19,200,000	17,200,000	17,000,000				



Projection - Flat	18,606,170
Over/(Under) Budget - Flat	1,606,170

YTD Collections	18,606,170
PYTD Collections	16,597,040
% increase	12.11%

YTD Original Budget	17,000,000
YTD Collections	18,606,170
YTD Over/ (Under) Budget	1,606,170
YTD % Over/ (Under) Budget	18.84%

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, City Clerk, 325-657-4268

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Discussion regarding the use of fiscal year 2018 sales tax revenue surplus - (Presentation made by Finance Director Tina Dierschke)

Summary/History:

The City has received Sales Tax revenue in excess of budget in the amount of \$1,606,170 for fiscal year 2018. This is an opportunity for the City Council to discuss the use of this revenue to address one-time funding needs such as capital projects and equipment replacement. To date, \$125,000 of this has been earmarked for the Concho River bank stabilization project. This leaves available \$941,170.

Attached is a listing from the Capital Improvement Plan of General Fund and General Fund supported projects that do not yet have an identified funding source. There is also a list of equipment needs. These projects have been prioritized by department directors and have been listed in that order.

Financial Impact:

Dependent upon Council direction.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------|-----------------|
| 1. | CIP Funding | CIP Funding.pdf |
|----|-------------|-----------------|

Presentation:

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Becky Dunn	Approved
Bryan Kendrick	Final Approval

City of San Angelo

General Fund Capital Improvement Projects

Responsible Division	Project Title	Total Project Costs	Funded	Comments
CIP projects that are partially funded or unfunded:				
Animal Services	General Population - drop ceiling, update HVAC, divide into smaller rooms, refinish/seal flooring	500,000		Animal Shelter currently has set aside about \$120,000 to start on these projects. These are very early estimates and have not been endorsed by any architects/building professionals.
Animal Services	Old Garage - drop ceiling, install HVAC, close off excess doors, install more metal kennels	75,000		
Animal Services	New Garage - new pad, metal building, overhead door, shelving/storage/lockers	75,000		
Animal Services	Processing Room - demolish old kennels and bathtub, construct solid wall for hallway for through-traffic, install stainless steel counters/cabinets	50,000		
Facilities Maintenance	City Hall - Exterior Wall Waterproofing	1,258,773	~\$379K	Funds available and budgeted in Funds 101 and 502
Facilities Maintenance	Security Equipment Replacement	350,000		Not budgeted or funded
Fort Concho	Fort Concho Roof Replacement	830,000	~\$200K	Ongoing issue - additional funds needed - ~\$200K in risk fund to be allocated proportionately to each roof that was damaged - risk money will expire in one year
Fort Concho	Fort Concho Visitors' Center Restoration and Improvements	2,250,000		\$1M funded and budgeted in Fund 502 - cost expected to increase - still raising private funds and writing grants
Operations	City Fuel Site Improvements	500,000		The project provides additional fueling capacity that can be used by the entire organization including Police, Fire, and Public Works.
Operations	Traffic Signal Battery Backup System	200,000		37 intersections remain to have our core thoroughfares and major roadways (Sherwood Way, Knickerbocker, Bryant, Ave N, and Chadbourne) on battery backups and functional during a power outage
Operations	Traffic Signal Replacement	25,500,000		The physical traffic signal infrastructure is aged and is in need of replacement.
Operations	Fleet Services Facility Improvements	500,000		The Public Works Maintenance Facility is a comprehensive project whose site plan also encompasses the buildings for Traffic, Fleet, Parks, and Street and Bridge.
Operations	Public Works Maintenance Facility	4,500,000		
Operations	Street and Bridge Facility Improvements	500,000		
Operations	Traffic Operations Facility Improvements	500,000		This intersection met warrants in 2016 for the installation of a traffic signal.
Operations	Twin Mountain and Knickerbocker Signal	350,000		

City of San Angelo

General Fund Capital Improvement Projects

Responsible Division	Project Title	Total Project Costs	Funded	Comments
Parks	Tree Irrigation	120,300		Sulfur Springs, Rio Concho, El Paseo de Santa Angela, River Stage
Parks	Unidad (College Hills) Park Playground Refurbishment	350,000	175,000	Highly used and popular park; best accessible playground in town
Parks	River Improvements - Bank Stabilization	Unknown	~\$364K	Some funds and direction to continue this work
Recreation	Splash Pad Improvements	500,000		Highly desired improvement by the public
Recreation	Station 618 Parking Lot	279,675	67,200	Needed and long awaited - partially funded and budgeted
Parks	Sunken Garden Park/Sculpture Gardens Improvements	700,000	75,000	Strong partners; outside funding possibility strong - partial funding of design portion by COSADC
Parks	Civic League Park Improvements	2,000,000		Popular public gardens; idea is to convert this park to an official botanical gardens
Parks	South Concho Park and Trail Renovation and Improvements	200,000		Continue river trail along South Concho
Recreation	Santa Fe and Station 618 Crossing Renovations	160,000	~\$85K	Doing some of this with savings; could continue that trend next 2 years
Recreation	Recreation Centers' Improvements	150,000		Air conditioning for gyms; yes, the gyms are not air conditioned
Parks	Martin Luther King, Jr. Memorial Park Restrooms	225,000		Replace portable restrooms with fixed facility
Parks	Glenmore Park, Restrooms	275,000		Replace portable restrooms with fixed facility
Recreation	29th St. Sports Complex Renovation	2,100,000	1,750,000	partially funded and budgeted
Police	New Police Department Administration Building	25,910,067		Dated estimate - cost is expected to change
Top nine equipment replacement needs:				
Street & Bridge	Haul Truck	135,000		
Parks	Tractor	50,000		
Parks	Riding Mower	13,000		
Parks	3/4T Pickup	30,000		
Animal Shelter	3/4T Animal Bed	45,000		
Police Admin	Car	23,000		
Parks	Pickup	25,000		
Fairmount Cemetery	3/4T flatbed	25,000		
Parks	Pickup	25,000		

City of San Angelo

General Fund Capital Improvement Projects

Responsible Division	Project Title	Total Project Costs	Funded	Comments
CIP projects that are funded, have a plan for funding, or are not yet ready for funding:				
Information Technology	Fire Station Alerting System	200,000	✓	Funded and budgeted
Information Technology	Record Management System Upgrade/Computer Aided Dispatch	2,160,000	✓	Bond funded
Facilities Maint.	Demolition of Riddle Building 713 and 721 S. Oakes Street	250,000	✓	Funded and budgeted
Fire	Fire Facility Improvements	298,320	✓	Funded and budgeted - partially spent - Fund 502
Fire	Fire Station #4 Reconstruction	3,763,067	✓	Bond funded and budgeted
Fire	Land for Future Fire Stations	150,000	✓	Funded and budgeted - partially spent - Fund 502
Fort Concho	Chase State Office Building Improvements	400,000		Plan for funding through Fund 201
Fort Concho	Fort Concho Barracks and Mess Halls 3 and 4 Reconstruction	2,000,000	✓	Foundation
Fort Concho	Fort Concho Officers' Quarters 1 Improvements	300,000	✓	98% complete - private funding
Fort Concho	Fort Concho Officers' Quarters 2 Renovation	170,500		No plans yet - still in feasibility phase
Fort Concho	Fort Concho Officers' Quarters 6 Restoration	300,000		No plans yet - still in feasibility phase
Fort Concho	Fort Concho Officers' Quarters 8 Reconstruction	265,000		No plans yet - still in feasibility phase
Fort Concho	Fort Concho Officers' Row and Company St. Reconstruction	200,000		Preliminary plans created - further study in FY 2019
Public Information	Public Information Video File Archiving	40,000	✓	Funded and budgeted
Parks	Bart De Witt Park	500,000		Only to occur with private funds raised
Parks	Brentwood Neighborhood Park Renovation	250,000	✓	
Parks	Brown Neighborhood Park Renovation	100,000	50,000	May need more funding at some point
Parks	Middle Concho Park Improvements	666,000		On 9/18/18 agenda for approval of funding
Parks	Rio Concho/Texas Bank Sports Complex Improvements	708,744	✓	In process - funded and budgeted
Parks	Santa Rita Neighborhood/School Park Renovation	200,000	✓	Funded and budgeted - partial funding by HOA

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 18, 2018

Item type: Regular Item

Caption:

Consider a resolution enacting Standard Conservation Level 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 Ivie water will be available through December 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 September 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 coming out of Drought 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 Standard Conservation, outside watering is limited to twice every seven days during the April 1 to October 31 period and once every seven days from November 1 through March 31.

It is recommended the resolution be adopted enacting Standard Conservation Level of the Drought Contingency Plan.

Attachments:

- | | | |
|----|--|---|
| 1. | 18-952 RES terminating Drought Level I | 18-952 RES terminating Drought Level I.docx |
|----|--|---|

Presentation:

Approvals/Reviews:

Allison Strube

Created/Initiated

Allison Strube
Theresa James
Anthony Wilson
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Approved
Final Approval

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN
ANGELO, TEXAS, TERMINATING 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, 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

WHEREAS, on July 17, 2018 the City Council passed a resolution implementing Drought Level I.

WHEREAS, as of September 14, 2018, the City of San Angelo has a twenty-five month water supply from its developed water sources which is above the trigger point for Drought Level I conservation measures.

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 does not meet the criteria for "Drought Level I" and City Council hereby declares that the City shall terminate Drought Level I stage effective upon passage of this Resolution; and
- 2) Standard Conservation rates will be applied on all bills sent in the next billing cycle; and
- 3) 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 18th day of September, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney



APPLICATION FOR BOARDS and COMMISSIONS

Name: James Thomas
Address: [REDACTED]
City: San Angelo (unless otherwise noted) Zip: 76903
Phone (Home): [REDACTED] (Office): [REDACTED]
Resident of San Angelo since: 1950 SMD: [REDACTED]
Are you a registered voter of San Angelo? Yes: ✓ No: [REDACTED]
Occupation / Business Affiliation: Broker/Owner San Angelo Real Estate
Occupation / Business Address: 3121 Southwest Blvd, SATX 76904
Position: Corporate Broker (Designated)
Email: [REDACTED]

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

X. James Thomas
Applicant's Signature

09-06-18
Date

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

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

Applying for:

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

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

Recommended by:

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

Based on you board selection, do you meet the membership criteria*? (Yes) No If so, which criteria:
(see back page for board criteria) I live in and own a property in the historic district

Education and/or Professional Licenses: BS Angelo State, Banking Schools, REAL Estate Broker's License and numerous certifications and designations

Current Municipal and Civic Organization Memberships (Positions & Dates): None

Previous Municipal Experience (Positions, Dates, Where): None

What personal qualifications can you bring to this board? Please refer to the attachments

What is your personal vision for the City? [REDACTED]

Why do you want to serve on this board? Public Service and personal interest in this area.

Anything else you would like for us to know? We love this City. It is our Home Town

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

For Office Use Only:

Appointed by: [REDACTED]

CiCo Appt/Reappt Date: [REDACTED]

Term Dates: To [REDACTED]

From [REDACTED]

From: [lisa wallace](#)
To: [Antilley, Julia](#)
Subject: Application
Date: Friday, September 7, 2018 11:47:50 AM
Attachments: [Scannable Document on Sep 7, 2018 at 11:45:05 AM.png](#)



APPLICATION FOR
BOARDS and COMMISSIONS

Name: Lisa S. Wallace
Address: [REDACTED]
City: San Angelo (unless otherwise noted) Zip: 76904
Phone (Home): [REDACTED] (Office): [REDACTED]
Resident of San Angelo since: 1995 SMD: [REDACTED]
Are you a registered voter of San Angelo? Yes: Yes No: [REDACTED]
Occupation / Business Affiliation: Interior Designer
Occupation / Business Address: [REDACTED] 76904
Position: Owner / Lead Designer of Lisa Wallace Interiors
Email: [REDACTED]

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

X [Signature] 9/7/18
Applicant's Signature Date

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

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

Applying for:

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

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

Recommended by:

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

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

Education and/or Professional Licenses: Univ. of Houston; BFA Interior Design

Current Municipal and Civic Organization Memberships (Positions & Dates): Sidewalk Committee
2005-7

Previous Municipal Experience (Positions, Dates, Where): [REDACTED]

What personal qualifications can you bring to this board? Knowledge in historic design, architecture;

What is your personal vision for the City? Downtown & Outskirts to be an energized hub of successful small businesses, music venues, parks, food - for all ages

Why do you want to serve on this board? I'm passionate about San Angelo prospering and growing (like Silos in Waco!)

Anything else you would like for us to know? I am passionately pro-historic restoration and small businesses succeeding!

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

For Office Use Only:

Appointed by:

City Clerk Appt/Reappt Date:

Term Dates: To

From