

City Council Agenda

SAGINAW CITY COUNCIL NOTICE OF MEETING

Meeting and/or Executive Session Agenda

6:00 PM - Tuesday, January 17, 2023

Saginaw City Hall Council Chambers

333 West McLeroy Blvd.

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

(1) Call to Order--Todd Flippo, Mayor

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

(2) Invocation--Dr. Mark Towns, First Baptist Church

(3) Audience Participation--On the Video Screen

(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

(a) Action regarding Minutes, January 3, 2023--Janice England, City Secretary

(b) Action regarding Approval for Weaver and Tidwell, LLP to perform the Fiscal Year 2022-2023 Audit--Kim Quin, Finance Director

(c) Action regarding Proposal for Professional Services from Roof Technical

Services, Inc. for Professional Engineering/Roof Consulting Services for the Police Department--Lee Howell, Asst. City Manager & Russell Ragsdale, Police Chief

- (d) Action Regarding Contract for Independence Day Fireworks--Pedro Zambrano, Communications Manager
 - (e) Action regarding Eagle Mountain Saginaw-ISD Memo of Understanding for TLETS/NLETS Access--Russell Ragsdale, Chief of Police
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- (5) Introduction of K9 "Six"--Russell Ragsdale, Chief of Police
 - (6) Presentation of Texas Coalition for Affordable Power (TCAP) Founding Member Award--Margaret Somereve, TCAP Executive Director
 - (7) Presentation of Annual Comprehensive Financial Report for the Year Ended September 30,2022--Kim Quin, Finance Director
 - (8) Consideration and Action regarding Ordinance No. 2023-5, Appointment of Municipal Court Judge and Associate Judges; and Approval of Municipal Court Judge Agreement--Kim Quin, Finance Director
 - (9) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Request for a Specific Use Permit to allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 S. Belmont St. (Ordinance No. 2023-01 & Ordinance No. 2023-04)--David Miank, Phd, Tango Development Services, LLC
 - (10) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Amending the Zoning Ordinance of the City of Saginaw regarding a Change in Zoning from City Facility (CF) to Planned Development (PD) with Restaurant and Entertainment Uses on the Approximate 2.5 Acres out of "SAGINAW, BLOCK 4 PT BLK 4", more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25", more commonly known as 405 S. Belmont Street, Saginaw, Texas 76179 (Per TAD) (Ordinance No. 2023-02)--Susy Victor-Trevino, Planning Manager,
 - (11) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards relating to a New Neighborhood Mixed-Use Zoning District (Ordinance No. 2023-03)--Abra Nusser, Peloton Solutions

- (12) Consideration and Action regarding Board Appointments--Councilmembers Lawson, Bighorse, & Copeland
- (13) Discussion of 2023 Work Plan Projects--Gabe Reaume, City Manager
- (14) Discussion regarding Salary Compression and Starting Salaries--Melanie McManus, Director of Human Resources, and Councilmembers Lawson & Felegy,
- (15) **Executive Session--The City Council may take action on any Executive Session item posted.**

551.071. Texas Government Code.

Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- (a) Any Posted Item
- (b) ILT Charter School Traffic

551.087 Texas Government Code.

Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

- (a) Building Improvement Grant Application--200 S. Blue Mound Road

- (16) **Adjournment--Todd Flippo, Mayor**



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Janice England
City Secretary

Agenda Items: (4)(a)

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:

Action regarding Minutes, January 3, 2023

BACKGROUND/DISCUSSION:

The minutes of the City Council Meeting held on January 3, 2023 are presented for consideration.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description

Minutes, 1-03-2023

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
JANUARY 3, 2023**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Charles Beasley
Councilmember	Nicky Lawson
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Larry Collister
City Engineer	Trenton Tidwell, P.E.
City Engineer	Laura Presley, P.E.
City Manager	Gabe Reaume
Asst. City Manager	Lee Howell
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Russell Ragsdale
Fire Chief	Doug Spears
Director of Public Works	Randy Newsom
Dir. of Community & Eco. Dev.	Keith Rinehart
Chief Building Official	Larry Little
Senior Center Supervisor	Kristi Sinclair
Communications Manager	Pedro Zambrano
Salvador Gonzalez	Management Analyst
Charles Wood	Administrative Intern
Police Sergeant	Christine Gaytan

Absent from the meeting:

City Attorney	Bryn Meredith
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie

Visitors at the meeting:

Brack St. Clair	John Peet
J.D. Peet	Dennis Hudson
Mark Towns	Ronnie Horton
Wes Horton	John Reynolds
Jonathan Reames	Jeremy Cutler
Ron Gailey	

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Dennis Hudson of Saginaw Park Baptist Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

- a. Action regarding Minutes, December 6, 2022
- b. Action regarding Aquatic Center Repairs and Renovations

Mayor Flippo stated that staff has requested that Item 4b be removed from the agenda.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Item 4a of the Consent Agenda as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(5) Recognition of Public Works Staff (Christmas Eve Water Main Break)

Director of Public Works Newsom recognized the Public Works Staff that responded to the water main break on Christmas Eve. He commended them for their efforts.

(6) Citywide Customer Satisfaction Survey Result Analysis Workshop

Mr. Ron Gailey of OnPointe Insights presented the results of the recent Customer Satisfaction Survey.

(7) Consideration and Action regarding Annual Senior Citizens Non-Resident Membership Fee and Amendment to Master Fee Schedule (Ordinance No. 2023-01)

The Council discussed the Annual Senior Citizens Non-Resident Membership Fee which is currently \$20.00 per year. Following much consideration, the Council concurred not to make any changes to the annual fee. It was also suggested that the option for residents to donate to the senior citizens programs by adding a donation amount to their monthly water bill be publicized.

(8) 2022 Work Plan Review/2023 Work Plan Feedback

City Manager Reaume gave a presentation on the 2022 Work Plan and accomplishments. He requested input from the Council regarding projects to be included in the 2023 Work Plan. He explained that a resolution adopting the 2023 Work Plan will be presented to the Council for action at a future meeting.

(9) Board & Committee Update

City Secretary England updated the Council regarding nineteen (19) vacant positions on the following boards/committees: Advisory Recreation and Parks Board, Animal Shelter Advisory Committee, Board of Adjustment, Diversity and Inclusion Committee, Keep Saginaw Beautiful Board, and Library Board. She called the Council's attention to five (5) residents that have recently submitted applications to be considered for appointment. It was suggested that the need for volunteers be posted on the City's Facebook page in addition to the current posts on the City's website.

(10) Executive Session

1 § 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- a. Any Posted Item

(11) Adjournment

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to adjourn the meeting. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of January 3, 2023 adjourned at 7:52 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Kim Quin
Finance Director

Agenda Items: (4)(b)

E-mail: kquin@saginawtx.org

Phone: 817-230-0332

SUBJECT:

Action regarding Approval for Weaver and Tidwell, LLP to perform the Fiscal Year 2022-2023 Audit

BACKGROUND/DISCUSSION:

After a request for proposals for professional auditing services on June 18, 2019 the City Council awarded a two year contract with the option of three one year extensions to Weaver and Tidwell to perform audit services for fiscal years 2018-2019 and 2019-2020. Two of the three one year extensions have been completed. This action will authorize Weaver and Tidwell to complete the third extension.

FINANCIAL IMPACT:

Weaver Tidwell's 2019 proposal included annual increases after the initial two year contract not to exceed 2% per year. The estimated cost of the FY2022-2023 audit is \$48,710. A single audit will likely be needed which will be an additional \$5,300 charge.

RECOMMENDATION:

Staff recommends approval of Weaver and Tidwell, LLP to perform the FY2022-2023 audit.

ATTACHMENTS:

Description

Engagement Letter



January 11, 2023

To the Honorable Mayor, Members of
the City Council, and the City Manager
City of Saginaw, Texas
333 West McLeroy
Saginaw, Texas 76179

You have requested that Weaver and Tidwell, L.L.P. ("Weaver", "our", "us", and "we") audit the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Saginaw, Texas (the "City"), as of September 30, 2023, and for the year then ended and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents. In addition, we will audit the City's compliance over major federal award programs for the period ended September 30, 2023.

Accounting principles generally accepted in the United States of America ("U.S. GAAP"), as promulgated by the Governmental Accounting Standards Board ("GASB") require that management's discussion and analysis and budgetary comparison information, among other items, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by GASB, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information ("RSI") in accordance with auditing standards generally accepted in the United States of America ("U.S. GAAS"). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's Discussion and Analysis
2. Schedule of Changes in Net Pension Liability and Related Ratios
3. Schedule of Contributions
4. Schedule of Changes in Total OPEB Liability and Related Ratios
5. Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – General Fund

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

1. Schedule of Expenditures of Federal Awards
2. Combining and Individual Fund Financial Statements and Schedules

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City Council and the City Manager
City of Saginaw, Texas
January 11, 2023

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Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the basic financial statements:

1. Introductory Section
2. Statistical Section

We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material aspects, in conformity with U.S. GAAP and to report on the fairness of the supplementary information referred to above when considered in relation to the basic financial statements as a whole. The objective also includes reporting on internal control related to the basic financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the basic financial statements in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States of America ("GAGAS"); and internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

Auditor Responsibilities

We will conduct our audit in accordance with U.S. GAAS, the standards applicable to financial audits contained in GAGAS, and the provisions of the Uniform Guidance. Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the basic financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the basic financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. If appropriate, our procedures will therefore include tests of documentary evidence that support the transactions recorded in the accounts, tests of the physical existence of assets, and direct confirmation of cash, investments, and certain other assets and liabilities by correspondence with creditors and financial institutions. As part of our audit process, we may request written representations from your attorneys, and they may bill you for responding. At the conclusion of our audit, we will also request certain written representations from you about the basic financial statements and related matters.

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City of Saginaw, Texas
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Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance (whether caused by errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations) may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and GAGAS.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the basic financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

In making our risk assessments, we consider internal control relevant to the City's preparation and fair presentation of the basic financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the basic financial statements that we have identified during the audit.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

Ms. Jennifer Ripka is the engagement partner for the audit services specified in this letter, and is responsible for supervising our services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

We may from time to time, and depending on the circumstances, use third-party service providers in performing this engagement. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service provider.

We expect to begin our audit procedures in November 2023, and issue our report in January 2024. We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the governing body of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement. If our opinions on the financial statements or compliance are other than unmodified, we will discuss the reasons with you in

advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or withdraw from this engagement.

As part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of the City's compliance with certain provisions of laws, regulations, contracts, and grants that could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with the provisions is not an objective of our audit, and accordingly, we will not express such an opinion.

Our audit of the City's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the provisions of the Uniform Guidance; and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the City has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major federal award programs. Our procedures will consist of determining major federal programs and performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the City's major federal award programs. However, our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report.

In accordance with the requirements of GAGAS, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the City's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

- a. for the preparation and fair presentation of the basic financial statements in accordance with the framework described in Audit Objectives above;
- b. for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, for fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
- c. to provide us with:
 - i. access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements, and relevant to federal award programs, such as records, documentation, and other matters;
 - ii. additional information that we may request from management for the purpose of the audit; and
 - iii. unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence.
- d. for including the auditor's report, and our report on any supplementary information if described above, in any document containing the basic financial statements that indicates that such basic financial statements have been audited by the City's auditor;
- e. for identifying and ensuring that the City complies with the laws and regulations applicable to its activities;
- f. for adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole;
- g. for maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- h. for identifying all federal awards expended during the period including federal awards and funding increments received prior to December 26, 2014, and those received in accordance with the Uniform Guidance generally received after December 26, 2014;
- i. for preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance;
- j. for the design, implementation, and maintenance of internal control over compliance;
- k. For identifying and ensuring that the City complies with laws, regulations, grants, and contracts applicable to its activities and its federal award programs;
- l. For following up and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;

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- m. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
- n. For submitting the reporting package and data collection form to the appropriate parties;
- o. For making the auditor aware of any significant vendor relationships where the vendor is responsible for program compliance;
- p. with regard to the supplementary information referred to above: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon;
- q. informing us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the basic financial statements are issued;
- r. for confirming your understanding of your responsibilities in this letter to us in your management representation letter.

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If we agree herein or otherwise to perform any non-attest services (such as tax services or any other non-attest services), you agree to assume all management responsibilities for those services; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them. The entity has designated Kim Quin, Finance Director, to oversee these services. Such services include:

- i. Preparation of financial statements and related notes
- ii. Preparation of schedule of expenditures of federal awards
- iii. Assisting with entries to convert accounting records from modified accrual to full accrual (GASB 34 entries)
- iv. Preparation of the Data Collection Form

GAGAS require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a nonaudit/nonattest service.

During the course of our engagement, we will request information and explanations from management regarding the City's operations, internal controls, future plans, specific transactions and accounting systems and procedures. At the conclusion of our engagement, we will require, as a precondition to the

issuance of our report, that management provide certain representations in a written representation letter. The City agrees that as a condition of our engagement to perform an audit that management will, to the best of its knowledge and belief, be truthful, accurate and complete in all representations made to us during the course of the audit and in the written representation letter. The procedures we perform in our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the written and oral representations that we receive from management. False or misleading representations could cause us to expend unnecessary efforts in the audit; or, worse, could cause a material error or a fraud to go undetected by our procedures.

Fees and Invoicing

We estimate that the fee for this engagement will be \$48,650 for the financial statement audit and \$5,300 for the single audit, as applicable. The fee estimate is based on anticipated cooperation from all involved and the assumption that unexpected circumstances will not be encountered during the engagement. This is only an estimate and the fee for these services will be determined by the complexity of the work performed and the tasks required. If significant additional time is necessary, we will discuss the reasons with you and arrive at a new fee estimate before we incur the additional costs. It is understood that neither our fees nor the payment thereof will be contingent upon the results of this engagement.

In addition to the fee for our services, reasonable and necessary out-of-pocket expenses we incur (such as parking, reproduction and printing, postage and delivery, and out-of-market travel, meals, and accommodations) will be billed at cost. At this time, we do not anticipate incurring substantial expenses.

Our engagement fees do not include consulting on the adoption of new accounting standards and any future increased duties because of any regulatory body, auditing standard or an unknown or unplanned significant transaction. We will consult with you in the event any of these take place that may affect our fees.

We will also invoice for reasonable and necessary time and out-of-pocket expenses we incur to respond to any request (such as a subpoena, summons, court order, or administrative investigative demand) pertaining to this engagement in a legal matter to which we are not a party. Our time to facilitate the response will be billed at our then-current standard hourly rates, and our expenses (including attorney's fees) will be billed at cost. If we agree to perform additional substantive services related to or arising out of the request, such matters may be the subject of a new engagement letter.

Our invoices for this engagement will be rendered each month as work progresses. Our invoices are payable on presentation. For invoices not paid within sixty (60) days of the invoice date, a late charge will be added to the outstanding balance. The late charge will be assessed at a rate of half a percent (0.5%) on the unpaid balance per month. If invoices are not paid within one hundred twenty (120) days of the invoice date, the engagement will be placed on hold and we will stop work until the balance is brought current, or we may withdraw from the engagement (and any other engagements for the same client).

Ethical Conflict Resolution

In the unlikely event that circumstances occur which we in our sole discretion believe could create a conflict with either the ethical standards of our firm or the ethical standards of our profession in continuing our engagement, we may suspend our services until a satisfactory resolution can be achieved or we may

The Honorable Mayor, Members of the
City Council and the City Manager
City of Saginaw, Texas
January 11, 2023

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resign from the engagement. We will notify you of such conflict as soon as practicable, and will discuss with you any possible means of resolving them prior to suspending our services.

The hiring of or potential employment discussions with any of our personnel could impair our independence. Accordingly, you agree to inform the engagement partner prior to any such potential employment discussions taking place.

Audit Documentation and Confidentiality

The audit documentation we prepare pertaining to and in support of this engagement is our property and constitutes confidential information. If we are requested to make the audit documentation available to outside parties, except in the case of requests during our peer review (discussed below) or when prohibited by law or direction of law enforcement, any such requests will be discussed with you before we make the documentation available to the requesting parties.

We may be requested to make certain audit documentation (working papers) available to regulators and other government agencies, pursuant to authority given by law or regulation. You should understand that responding to many such requests is mandatory. In those cases, access to such working papers will be provided under our supervision and we may, upon their request, provide the regulator or agency with copies of all or selected working papers. The requesting party may intend or decide to distribute the copies or information contained therein to others, including other regulators or agencies. You will be billed for additional fees as a result of the aforementioned work.

Our firm, as well as other accounting firms, participates in a peer review program covering our audit and accounting practices. This program requires that once every three years, we subject our system of quality control to an examination by another accounting firm. As part of this process, the firm conducting our peer review will review a sample of our work. It is possible that the work we perform for you may be selected for such a review. If it is, our peer review firm is bound by professional standards to keep all information confidential and we are required to provide the required information.

It is expected that prior to the conclusion of the engagement, sections of the Data Collection Form will be completed by our firm. The sections that we will complete summarize our audit findings by federal grant or contract. Management is responsible to submit the reporting package (defined as including basic financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. The instructions to the Data Collection Form require that the reporting package be an unlocked, unencrypted, text searchable portable document file (PDF) or else it will be rejected by the Federal Audit Clearinghouse. We will be available to assist management in creating the PDF if needed.

We will coordinate with you the electronic submission and certification upon the reporting package completion. If applicable, we will provide copies of our report for you to include with the reporting package if there is a need to submit the package to pass-through entities.

The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of our reports or nine months after the end of the audit period.

We will retain our audit documentation for a period of at least seven years from the date of our report. You agree that following such period, we may destroy the audit documentation without notice to you.

The Honorable Mayor, Members of the
City Council and the City Manager
City of Saginaw, Texas
January 11, 2023

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To maintain independence, we will not act as the host of your financial or non-financial information or as your information back-up service provider. Instead, it is your responsibility to maintain a complete set of your financial and non-financial data and records. If some portion of your data and records is contained only within our files, you agree to inform us before the issuance of our report and we will provide that to you.

The parties do not intend this engagement letter to be for the benefit of any third-party. You may inform us of third-parties who will receive a copy of our audit report. Unless you inform us of such third-parties in writing, we are not aware of who you intend to supply our audit report to and we do not anticipate other third-parties' reliance upon our professional services unless expressly stated herein.

During the course of the engagement, we may communicate via fax, email, or other electronic mechanism. Please be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Dispute Resolution Procedure including Jury Waiver

If a dispute arises out of or relates to this engagement or engagement letter, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by mediation before resorting to litigation. In such event, the parties will attempt to agree upon a location, mediator, and mediation procedures, but absent such agreement any party may require mediation in Fort Worth, Texas, administered by the AAA under its Commercial Mediation Procedures.

This engagement letter and all disputes between the parties shall be governed by, resolved, and construed in accordance with the laws of the State of Texas, without regard to conflict-of-law principles. Any action arising out of or relating to this engagement or engagement letter shall only be brought in, and each party agrees to submit and consent to the exclusive jurisdiction of, the federal or state courts situated in Harris County, Texas.

Each party hereby irrevocably waives any right it may have to trial by jury in any proceeding arising out of or relating to this engagement or this engagement letter.

Whenever possible, this engagement letter shall be interpreted in such a manner as to be effective and valid under applicable laws, regulations, or published interpretation, but if any term of this engagement letter is declared illegal, unenforceable, or unconscionable, that term shall be severed or modified and the remaining terms of the engagement letter shall remain in force. The parties agree that the court should modify any term declared to be illegal, unenforceable, or unconscionable in a manner that will retain the intended term as closely as possible.

If because of a change in status or due to any other reason, any provision in this engagement letter would be prohibited by, or would impair our independence under laws, regulations or published interpretations by governmental bodies, professional organizations or other regulatory agencies, such provision shall, to that extent, be of no further force and effect and this agreement shall consist of the remaining portions.

Miscellaneous

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of the latest external peer review report of our firm for your consideration and files.

The Honorable Mayor, Members of the
City Council and the City Manager
City of Saginaw, Texas
January 11, 2023

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We may at times provide you with documents marked as drafts. You understand that those documents are for your review purposes only. You should not rely upon those documents in any way.

Although the engagement partner responsible for this engagement is a licensed certified public accountant, we inform you that we have nonlicensees who may provide services pertaining to this engagement.

If you intend to make reference to our firm or include our report or any portion of it in a published document or other reproduction, and that document or other reproduction includes a version of our report or the financial statements that is assembled differently than any version we provided you or audited, you agree to provide us with printers' proofs or masters for our review and approval before reproducing. You also agree to provide us with a copy of the final reproduced material for our written approval before it is distributed. If, in our professional judgment, the circumstances require, we may withhold our approval. This requirement does not pertain to distributing our report or the financial statements when you do not modify their assembly or in situations where you disseminate the audited financial statements as a standalone document, such as on your website.

This engagement letter sets forth all of the agreed upon terms and conditions of our engagement with respect to the matters covered herein, and supersedes any that may have come before. This engagement letter may not be amended or modified except by further writing signed by all the parties.

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The Honorable Mayor, Members of the
City Council and the City Manager
City of Saginaw, Texas
January 11, 2023

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We appreciate the opportunity to assist you and look forward to working with you and your team.

Sincerely,

Weaver and Tidwell, L.L.P.

WEAVER AND TIDWELL, L.L.P.

Fort Worth, Texas

Please sign and return a copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our engagement as described herein, including each party's respective responsibilities. By signing below, the signatory also represents that they have been authorized to execute this agreement.

City of Saginaw, Texas

By: _____

Printed Name: _____

Title: _____

Date: _____



Report on Firm's System of Quality Control

October 16, 2019

To the Partners of Weaver and Tidwell, L.L.P.
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Weaver and Tidwell, L.L.P. (the firm) applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended May 31, 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under Government Auditing Standards, including compliance audits under the Single Audit Act; audits of employee benefit plans, an audit performed under FDICIA, an audit of a broker-dealer, and examinations of service organizations [SOC 1 and SOC 2 engagements].)

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

What inspires you, inspires us. | eidebailly.com

U.S. Bancorp Center | 800 Nicollet Mall, Ste. 1300 | Minneapolis, MN 55402-7033 | T 612.253.6500 | F 612.253.6600 | EOE

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Weaver and Tidwell, L.L.P. applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended May 31, 2019, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of pass, pass with deficiency(ies) or fail. Weaver and Tidwell, L.L.P. has received a peer review rating of pass.

A handwritten signature in cursive script that reads "Eide Bailly LLP".

Eide Bailly LLP



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Lee Howell
Asst. City Manager
Russell Ragsdale
Chief of Police

Agenda Items: (4)(c)

E-mail: lhowell@saginawtx.org
rragsdale@saginawpolice.org

Phone:

SUBJECT:

Action regarding Proposal for Professional Services from Roof Technical Services, Inc. for Professional Engineering/Roof Consulting Services for the Police Department

BACKGROUND/DISCUSSION:

The Police Department roof replacement is complex and will be grant-funded. Therefore it is recommended that a roof specialist prepare the bid documents and recommend a qualified contractor to make the needed repairs. Roof Technical Services Inc. has submitted a proposal to cover the services mentioned. Due to the sensitive nature of the contents in the building including records, evidence, and IT equipment that have been or could be impacted by roof leaks and potentially compromised, the roof issue must be addressed soon.

FINANCIAL IMPACT:

The costs are outlined in the proposal.

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description

Proposal

Architects
Engineers
Roof Consultants

1944 Handley Drive
Fort Worth, TX 76112-4120

Office: 817-496-4631
Fax: 817-496-0892



PROPOSAL FOR PROFESSIONAL SERVICES

January 11, 2023

Mr. Gabe Reaume
City Manager
City of Saginaw
P. O. Box 79070
Saginaw, Texas 79179

Email: greume@saginawtx.org

Re: Engineering/Roof Consulting Services
Preliminary Proposal

Facility: City of Saginaw Police Station
Saginaw, Texas

RTSI Project No.: 23-310

Dear Mr. Reaume:

Roof Technical Services, Inc. (RTSI) proposes to provide the following professional Engineering/Roof Consulting Services for the above reference project.

Phase 1: PREPARATON OF BID DOCUMENTS

- Make an inspection to investigate the various existing construction conditions including employing a roofing contractor to assist with access to the various roof areas as required, an allowance of 850.00 included for hiring the contractor.
- Prepare construction bid documents for the Reroofing of the Saginaw Police Station project including detailed plans and specifications outlining the required scope of work. Final documents to be signed and stamped by an RTSI registered professional engineer.
- Employ a MEP engineering firm to assist with the mechanical and electrical work required for this project (if any). An allowance of \$2,500.00 is included for this item. Actual costs will be determined later as the needs are further assessed.
- Provide a PDF copy of the bid documents to client.

- Prepare an Invitation to Bid/Request for Proposals document for the purpose of soliciting contractor bids.
- Conduct a Pre-Bid Meeting at the project site with prospective bidders.
- Review with client a list of recommended qualified roofing contractors to bid the project.
- Review contractor bids and make a recommendation to client.

RTSI shall provide the above Engineering/Roof Consulting Services for a fee of \$26,275.00. This fee is subject to state sales tax unless owner provides a tax-exempt certification.

Phase 2: CONSTRUCTION ADMINISTRATION SERVICES:

- Assist client in the preparation of the contract between owner and contractor.
- Receive and review contractor's submittals.
- Conduct a pre-construction meeting with contractor at the site.
- Conduct weekly progress meetings with contractor at the project site or virtually.
- Make periodic inspections of the contractor's work and provide client with written inspection reports.
- Review contractor's progress billings and submit to owner.
- Conduct a substantial completion inspection and prepare a written punch list of items remaining to complete or correct.
- Conduct a final inspection.
- Review contractor's warranties and other close-out documents.

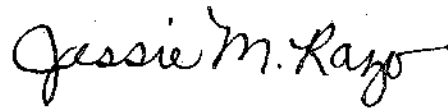
RTSI shall provide the above Engineering/Roof Consulting Services on a time and expenses basis. Our budget estimate for these services would be \$36,700.00. These services are subject to state sales tax unless owner provides a tax-exempt certification.

ADDITIONAL SERVICES

If additional roof consulting services are requested, the services shall be billed on an hourly rate plus reimbursables expenses. See Conditions of the Contract, Sections 8 and 9 for these rates.

Please read the attached **Conditions of the Contract** before signing and returning for our records. Roof Technical Services, Inc. shall schedule the services to be provided once an agreement has been accepted. Thank you for considering Roof Technical Services, Inc. and we look forward to working with you in solving your roofing problems.

Respectfully Submitted By _____



Jessie M. Razo, Executive Administrator
ROOF TECHNICAL SERVICES, INC.

Accepted this ____ day of _____, 20__.

By: _____

Company: _____

Address: _____

Phone & Fax: _____

Email Address: _____

CONDITIONS OF THE CONTRACT

1. Cost estimates are made on the basis of experience and represent our best estimates. Roof Technical Services Inc., cannot, and does not, guarantee that proposals, bids or actual Project or Construction Costs will not vary from opinions of probable cost prepared by us.
2. All documents, including Drawings and Specifications, prepared by Roof Technical Services, Inc. are instruments of service in respect to this Project and are not intended, or represented to be suitable for reuse by Owner, Owner's Representative, or others on extensions of the Project or any other project.
3. Roof Technical Services, Inc., shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s) or the safety precautions and programs incident to the work of the Contractor(s).
4. Jobsite observations shall be made as specified within this document. During such observations, Roof Technical Services, Inc., shall keep the Owner or Owner's Representative advised as to the progress, shall endeavor to guard Owner against defects and deficiencies in such work, and may disapprove or reject work failing to conform to the Contract Documents. Roof Technical Services, Inc. shall not be responsible for the failure of the Contractor(s) to perform the work in accordance with the Contract Documents.
5. Roof Technical Services, Inc. shall not be responsible for the acts or omissions of any Contractor, or subcontractor, or any of the Contractor(s)' or subcontractor(s)' agents or employees or any other persons (except Roof Technical Services' own employees and agents).
6. All claims, counterclaims, disputes, and other matters in question between the parties hereto, arising out of or relating to this Agreement or the breach thereof, may be decided by arbitration, in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.
7. ALL DEMANDS FOR ARBITRATION AND ALL ANSWERING STATEMENTS THERETO, WHICH INCLUDE ANY MONETARY CLAIM, MUST CONTAIN A STATEMENT THAT THE TOTAL SUM OR VALUE IN CONTROVERSY, AS ALLEGED, BY THE PARTY MAKING SUCH DEMAND OR ANSWERING STATEMENT, IS NOT MORE THAN \$100,000.00.
8. Below are the costs for our standard reimbursable expenses.

REIMBURSABLE EXPENSES

Prints/Copies	0.15 per page
Blue Prints	0.32 per square foot
Mylar Sepias	1.60 per square foot
Plotting Bond	1.50 per square foot
Plotting Vellum	2.00 per square foot
Fax	0.50 per page
Notary Service	10.00 per each
Travel	Current IRS Rate
Parking	18.00 per day
Long Distance Fax or Phone	Direct Cost
Air Fare	Direct Cost
Taxi	Direct Cost
Car Rental	Direct Cost
Hotel	Direct Cost
Meals	Direct Cost
Express Mail/Courier	Direct Cost

Postage	Direct Cost
Core Repair	Direct Cost
Outside Consultants/Engineers/Architects	Direct Cost
Other Outside Services	Direct Cost

9. The cost of the work provided shall be based upon the following hourly rates.

HOURLY RATES*

Principal Engineer	375.00 dollars per hour
Director of Engineering	330.00 dollars per hour
Senior Engineer	320.00 dollars per hour
Senior Architect	300.00 dollars per hour
Registered Roof Consultant	290.00 dollars per hour
Senior Roof Consultant	250.00 dollars per hour
Senior Construction Consultant	250.00 dollars per hour
Infrared Thermographer	220.00 dollars per hour
Construction Consultant	215.00 dollars per hour
Laboratory Manager	215.00 dollars per hour
Designer	195.00 dollars per hour
Project Manager	165.00 dollars per hour
Registered Roof Observer	165.00 dollars per hour
Drone Operator	140.00 dollars per hour
Technical Assistant	140.00 dollars per hour
Field Observer	140.00 dollars per hour
Project Administrator	105.00 dollars per hour
CADD Drafting	105.00 dollars per hour
Report Processor	90.00 dollars per hour
Clerical	80.00 dollars per hour

These rates are based upon 8-hour work days and 40-hour work weeks. Overtime shall be charged in the event that either the 8-hour workday or the 40-hour work week is exceeded. Overtime shall be charged in the amount of 1.5 times the hourly rate and for services performed on Saturdays. Overtime shall be charged in the amount of 2.0 times the hourly rate for services performed on Sundays and on holidays. A minimum of 4 hours shall be billed for any observation time or consulting work out of the office. A minimum of 2 hours shall be billed for report preparation.

LABORATORY SERVICES

ASTM D3617 Built-up Roof Test Cut	500.00 dollars per each
ASTM D2829 Built-up Roof Test Cut	550.00 dollars per each
Modified Desaturation – ASTM 3746 BU Roof Test Cut	750.00 dollars per each
Modified Desaturation Coat Tar Pitch – ASTM 3746 BU Roof Test Cut	950.00 dollars per each
ASTM D36-95 Softening Point	275.00 dollars per each
ASTM D1863 Gradation of Roofing Gravel	150.00 dollars per each
Moisture Content - Oven Drying Method	350.00 dollars per each
Core Sample Testing	75.00 dollars per each
Infrared Photography/Moisture Survey Equipment	Hourly + travel time
FM Wind Uplift Testing	Hourly + travel time
Photographic Analysis	300.00 dollars per each
Fastener Pull Testing	Hourly + travel time
TPO/PVC Membrane Test	150.00 dollars per each
Water Column Test (performed under guidelines of ASTM D5635)	175.00 dollars per each

10. Additional services, beyond the original agreed upon Scope of Work, shall be provided based on the reimbursable expenses and hourly rates provided in Sections 8 and 9 listed above.
11. In accordance with Section 151.0101(a)(9) of the Texas Tax Code, firms specializing in technical professional expertise, such as forensic engineering, fire/explosion sciences, electrical engineering, mechanical engineering, traffic/transportation engineering, vehicular accident reconstruction and analysis, civil/structural engineering, safety engineering, and toxicology are frequently hired by insurance companies, law firms representing insurance companies, insured individuals with claims against insurance companies, or law firms representing insured individuals against an insurance company is subject to sales tax.
12. **BILLING/PAYMENTS:** Payment is due 15 days from receipt of the Invoice. The Firm or Individual engaging RTSI is responsible for payment of charges and agrees to pay interest in the amount of 1% per month for all fees, which have not been paid within 30 days from the date of the invoice. In the event any portion of an account remains unpaid 90 days after billing, the Client shall pay cost of collection, including reasonable attorneys' fees.
13. Either Party upon 7 days written notice may terminate this Agreement. The Firm or Individual engaging RTSI agrees to pay for all Services rendered to the date of termination including all Reimbursable Expenses and Termination Expenses.
14. **Severability and Survival:** If any of the provisions contained in this Contract are held for any reason to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability will not affect any other provision, and this Contract will be construed as if such, invalid, illegal or unenforceable provision had never been contained herein.



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Pedro Zambrano
Communications Manager

Agenda Items: (4)(d)

E-mail: pzambrano@saginawtx.org

Phone:

SUBJECT:

Action Regarding Contract for Independence Day Fireworks

BACKGROUND/DISCUSSION:

Pyro Shows of Texas is the vendor who we used in last year's firework's show and we were able to book them for this year's July 1st event.

The cost for this year's show is \$22,000 with a 50% (\$11,000) deposit due when we sign the contract.

Last year's 4th of July Celebration had an estimated attendance of 4,500 with an estimated 7,000 people in the vicinity watching the fireworks.

FINANCIAL IMPACT:

\$22,000 which will come from the Parks Fund

RECOMMENDATION:

ATTACHMENTS:

Description

Fireworks Invoice

Fireworks Contract



Pyro Shows of Texas, Inc

6601 Nine Mile Azle Rd
Fort Worth, TX 76135

Deposit Invoice

Date	Invoice #
1/2/2023	23TX000017

Name / Address
City of Saginaw PO Box 79070 Saginaw, TX 76179

Project	P.O. No.	Show Date	Terms
	Saginaw Independence	7/1/2023	Net 30
Description		Deposit Due	Total
Deposit Due per Contract Agreement: Saginaw; Saginaw Independence 07/01/2023		11,000.00	11,000.00
Contract # 23-TX-0702-C-22000-000017 Total: \$22,000.00			
Please Remit to: Pyro Shows of Texas, Inc. P.O. Box 1776 LaFollette, TN 37766			
We appreciate your prompt payment.		Total	\$11,000.00

PYRO SHOWS OF TEXAS, INC.
Contract Agreement

This Agreement made on Nov 8, 2022 by and between PYRO SHOWS OF TEXAS INC., a Texas Corporation, whose address is 6601 Nine Mile Azle Road, Fort Worth, Texas 76135, and hereinafter referred to as "PYRO SHOWS" and Saginaw, City of with its principal place of business located at P. O. Box 79070 Saginaw, Texas 76179 hereinafter referred to as "Customer".

In consideration of the mutual promises and undertakings set forth herein, receipt of said consideration being acknowledged, the parties hereby agree as follows:

- I. **FIREWORKS DISPLAY:** PYRO SHOWS agrees to furnish to Customer a fireworks display, hereinafter referred to as "Show", pursuant to the project/sales order # **#23-TX-0702-C-22000-000017** dated **Nov 8, 2022**. The Show will be given on **July 1, 2023**. Rain date/postponement date: **No Rain Date Selected 0, 0**
- II. **TARIFF PROVISION:** Because our pyrotechnics are products which are primarily imported into the U.S., PYRO SHOWS is legally responsible for payment of any applicable tariffs (a border tax imposed on the buyer) for pyrotechnics. From the date of execution of the contract herein, in the event of additional cost due to increased price of product as imposed by manufacturer and/or tariffs levied for imported products. Available options are as follows: Customer may opt to increase their budget to absorb tariff - OR - Customer may maintain the current budget of their show with a corresponding reduction in the amount of product included in their show. Should Customer elect to defer, modify, or cancel Show, Customer shall notify Pyro Shows no less than ninety (90) days prior to Show date to cancel or reduce the size of show.
- III. **CANCELLATION:** PYRO SHOWS shall determine what weather conditions prohibit PYRO SHOWS from proceeding with the Show; in which case, PYRO SHOWS agrees to present the Show on the following day or previously agreed upon postponement date. In addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the show on subsequent occasion to include labor, lodging, per diem, etc.; in no event shall these additional expenses be less than ten percent (10%) of the contracted price of the Show. In the event the Show must be RESCHEDULED to a mutually agreed upon date other than the previously agreed upon rain date, in addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the Show on subsequent occasion to include labor, lodging, per diem etc.; in no event shall these expenses be less than thirty percent (30%) of the contracted price of the Show. Should Customer elect to CANCEL the Show for any reason, Customer must provide PYRO SHOWS with a thirty (30) days' written notice by certified mail, return receipt, to PYRO SHOWS' address as set forth above. Customer agrees that PYRO SHOWS shall incur substantial expense in preparation for the Show and, accordingly, agrees to pay PYRO SHOWS fifty (50%) of the total contract price for the show as liquidated damages for cancellation due to the fault of the Customer.
- IV. **SECURITY AREA:** Customer agrees to furnish sufficient space for PYRO SHOWS to properly conduct the Show as determined by NFPA 1123-2014 (hereinafter "Security Area"). Customer agrees to provide adequate security protection to preclude persons unauthorized by PYRO SHOWS from entering the Security Area. For the purposes of the Agreement, "Unauthorized Persons" shall mean anyone other than the employees of PYRO SHOWS or persons specifically designated in writing by the sponsor or the Authority Having Jurisdiction (AHJ), and submitted and approved, to PYRO SHOWS prior to the event. Any expenses for security or stand-by fire protection shall be the responsibility of the Customer.
- V. **SITE CLEANUP:** PYRO SHOWS shall be responsible for basic cleanup of the launch area to include policing of the fallout zone for any unexploded ordnance and removal of all large paper debris, wood, wire, foil, racks, mortars and firing equipment used in the setup for the show. Customer shall be responsible for cleanup of debris located in and around fallout zone.
- VI. **INDEMNIFICATION AND HOLD HARMLESS:** Customer agrees to hold PYRO SHOWS harmless from any damages caused to Customer which result as a consequence of unauthorized persons entering the Security Area. Furthermore, Customer agrees to defend and indemnify PYRO SHOWS from any and all claims brought against PYRO SHOWS for damages caused wholly or in part by Unauthorized Person who have entered the Security Area.
- VII. **AMENDMENT & ASSIGNMENT:** This agreement is deemed personal and confidential to Customer, his heirs, executors and administrators only, and may not be sold, assigned, amended, or transferred without the prior written consent of PYRO SHOWS.

PYRO SHOWS OF TEXAS, INC.
Contract Agreement

- VIII. COMPLIANCE WITH THE LAWS AND REGULATIONS:** Promptly upon the execution of this Agreement, Customer shall apply for the approval hereof to any agency, officer or authority of any government if such approval is required by any applicable law, ordinance, code or regulation. Customer agrees to indemnify and hold harmless PYRO SHOWS from against all claims, suits, and causes of action, demands, penalties, losses or damages which may arise or accrue because of the failure or neglect of customer to obtain such approval. This Agreement is made expressly subject to and Customer expressly agrees to comply with and abide by all applicable laws, ordinances, codes and regulations insofar as the same may be applicable to the terms and conditions of this Agreement, including all rules and regulations now existing or that may be promulgated under and in accordance with any such law or laws.
- IX. PERMITS AND LICENSES:** PYRO SHOWS shall process the necessary permits and licenses to enable PYRO SHOWS to perform fully hereunder unless otherwise forbidden by any other applicable statute, rule or otherwise. It is hereby stipulated that this Agreement is to be construed and governed by the laws of the State of Texas, and any suit involving this contract shall be brought in the Courts of Tarrant County in the State of Texas, and the Customer hereby submits itself to the jurisdiction of said Courts and waives its rights to proceed against PYRO SHOWS in and other actions, in any other jurisdiction. For Shows that include licensed music accompaniment, Customer agrees to verify with their organization, venue, sponsor, and/or municipality, the permission to simulcast music and agrees to pay any and all fees associated with the broadcast of said music in the public environment of the Show.
- X. LATE PAYMENT:** PYRO SHOWS shall charge, and Customer agrees to pay, one and one half percent (1 1/2%) per month late payment fee for each month until PYRO SHOWS is paid the amount set forth in Paragraph XIV herein. The stated late payment fee shall begin to run from the applicable date(s) established in Section XIV, unless this provision is prohibited by law.
- XI. ADVERTISEMENT AND PROMOTIONS:** Customer agrees that when promoting fireworks performed by PYRO SHOWS, Customer will name PYRO SHOWS as the fireworks provider in promotional advertising media. Customer agrees to allow PYRO SHOWS to use Customer's name as Customer.
- XII. COMPLAINTS:** In the event that Customer has a complaint concerning the Show, or any material or product used in or pursuant to the Show, or of the conduct of the Show by PYRO SHOWS, or any act or omission of PYRO SHOWS or its agents, either directly or indirectly, without limitation, Customer shall make complaint known to PYRO SHOWS in writing by certified mail to PYRO SHOWS' address as set forth above, within ten (10) days after the date of the Show. In the event that Customer fails to register any complaint in the time and in the manner specified, Customer agrees that it shall not claim such complaint as cause for an offset or withhold any payment due to PYRO SHOWS hereunder on account of or because of such complaint or any matter arising from, relating to or a consequence of the complaint. Furthermore, Customer agrees that should PYRO SHOWS have to collect any amount due PYRO SHOWS hereunder which Customer claims as an offset or which is withheld by Customer on account of, or because of, a complaint not registered with PYRO SHOWS in the time and in the manner specified herein, by law or through an Attorney-at-Law, PYRO SHOWS shall be entitled to collect attorneys' fees in the amount of 15% of the amount owing PYRO SHOWS or the maximum amount allowed by law, whichever is greater, along with all cost of collection.
- XIII. INSURANCE:** Pyro Shows will provide General Liability Insurance and Automobile Liability in the amount of \$10,000,000.00, combined single limit, covering its activities and services in connection with the show described in this contract. Pyro Shows also agrees to include Customer as additional Insured under the terms of this coverage. Pyro Shows, Inc. will provide a Certificate of Insurance. All entities listed on the certificate will be deemed an additional Insured per this contract.
- XIV. PAYMENT TERMS:** Saginaw, City of shall pay PYRO SHOWS \$ 22,000.00 plus applicable taxes in the amount of \$ 0.00 for a grand total of \$ 22,000.00 according to the terms and conditions set forth for presenting the Show. Customer shall submit a 50% deposit (\$ 11,000.00) upon return of signed contract by **December 8, 2022**. Balance will be due in the PYRO SHOWS office upon Customer's receipt of invoice.
- TAXES:** Customer shall be responsible for all applicable sales taxes.

PYRO SHOWS OF TEXAS, INC.
Contract Agreement

IMPORTANT: Checks must be made payable to **PYRO SHOWS OF TEXAS, INC.** and mailed to P.O. Box 1776, LaFollette, TN 37766

All the terms and conditions set forth on any addendum attached to this Agreement are made part of this Agreement and incorporated by reference herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

PYRO SHOWS OF TEXAS, INC.

BY: _____

DATE: _____

Chad Stanley, General Manager

CUSTOMER

BY: _____ **DATE:** _____

Signature

Printed Name

Title

WARRANTY EXCLUSIONS

EXCEPT AS SPECIFICALLY PROVIDED HEREIN, THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

No representation of affirmation of fact including but not limited to statement regarding capacity, suitability for use, or performance of equipment or products shall be, or be deemed to be, a warranty by PYRO SHOWS for any purpose, nor give rise to any liability or obligation of PYRO SHOWS whatsoever.

IN NO EVENT SHALL PYRO SHOWS BE LIABLE FOR ANY LOSS OF PROFITS OR OTHER ECONOMIC LOSS, INDIRECT, SPECIAL, CONSEQUENTIAL, OR OTHER SIMILAR DAMAGES ARISING OUT OF ANY CLAIMED BREACH OF OBLIGATIONS HEREUNDER.



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Russell Ragsdale
Chief of Police

Agenda Items: (4)(e)

E-mail: ragsdale@saginawpolice.org

Phone: 817-230-0372

SUBJECT:

MOU for Texas Law Enforcement Terminal System (TLETS) and National Law Enforcement Terminal System (NLETS) access.

BACKGROUND/DISCUSSION:

The EMS-ISD is requesting TLETS/NLETS access through the Saginaw Police Department. Due to thier agency not being a Public Service Answering Point (PSAP), they are unable to obtain this access on thier own. In the past we have had a similar MOU with Burlington Northern railroad.

FINANCIAL IMPACT:

Due to the low volume of entries/clearances we do not anticipate there being any financial impact on the Saginaw Police Department. This is a one year MOU, so that we can re-evaluate activities to determine a potential cost after the first year, if warranted.

RECOMMENDATION:

Staff recommends the Council authorize the MOU.

ATTACHMENTS:

Description

MOU

**AMENDMENT TO THE
MEMORANDUM of UNDERSTANDING
Between**

CITY OF SAGINAW, on behalf of its POLICE DEPARTMENT

AND

**EAGLE MOUNTIAN-SAGINAW INDEPENDENT SCHOOL DISTRICT,
on behalf of its POLICE DEPARTMENT**

This Memorandum of Understanding ("MOU") is being executed by the Eagle Mountain-Saginaw Independent School District ("EMS ISD"), on behalf of its Police Department, in conjunction with the City of Saginaw, on behalf of its Police Department, collectively referred to as the "Departments" or the "Parties." The Departments agree to abide by the terms and provisions of this MOU throughout the duration of this MOU.

PURPOSE

The purpose of this MOU is to set out a mutual understanding of the procedures the Departments will follow in providing police service to EMS ISD Police Department located in Saginaw, Tarrant County and/or The State of Texas. This MOU is a formal agreement to allow Saginaw Police Department Dispatcher Non-Terminal Agency Agreement with Eagle Mountain-Saginaw (EMS) ISD Police Department. The Saginaw Police will provide, as needed, Texas Law Enforcement Terminal System (TLETS) and National Law Enforcement Terminal System (NLETS) access for the Eagle Mountain-Saginaw ISD Police Officers through our Non-Terminal Dispatch Center, When EMS-ISD dispatcher is not on duty officers will make direct contact with Saginaw Police Dispatcher. This agreement will further establish a spirit of cooperation to enhance the services that both departments provide to the citizens residing within the city limits of Saginaw, Texas, in accordance with the provisions of Texas Education Code, Section 37.081.

MISSION

The mission of this MOU is to provide better utilization of resources by the Saginaw Police Department and EMS ISD Police Department. Further, it will substantially increase cooperation between these two Departments by eliminating waste of public resources resulting in better accumulation of crime analysis data and ultimately providing the safest environment possible for the school children of EMS ISD and reducing crime in Saginaw, Texas.

TERMS OF AGREEMENT

This MOU shall be in full force and effect January 1, 2023, until December 31, 2023. This MOU may be renewed annually upon approval by both Parties. Either Party may terminate this MOU upon giving the other Party written notice thirty (30) days prior to the date of termination.

**SERVICES PROVIDED AND RESPONSIBILITIES OF THE SAGINAW POLICE
DEPARTMENT**

- The Saginaw Police will provide, as needed, Texas Law Enforcement Terminal System (TLETS) and National Law Enforcement Terminal System (NLETS) access for the Eagle Mountain-Saginaw ISD Police Officers through our Non-Terminal Dispatch Center or by direct contact by EMS-ISD officers when EMS-ISD Dispatch center is not available.
- Saginaw Police will enter EMS ISD warrants, missing persons, and stolen property using Saginaw Police ORI number into NCIC/TCIC. EMS-ISD police department will comply with the TLETS and/or NLETS requirements regarding those entries.

- Saginaw Police will use EMS-ISD PD ORI number when making inquiries through TCIC/NCIC systems, and when running criminal histories for criminal investigations and employment purposes for the EMS-ISD police department.
- Saginaw Police will provide a 24-hour access contact number for confirmations on any NCIC/TCIC entry made for Eagle Mountain-Saginaw ISD Police.
- Saginaw Police Dispatch will communicate any information regarding overlapping jurisdictional investigations and/or potential threats that may impact the safety and security of EMS ISD community and properties.
- Saginaw Police Department will provide 24-hour phone number for EMS ISD Police personnel to conduct TLETS and NLETS related inquiries.

SERVICES PROVIDED AND RESPONSIBILITIES OF THE EAGLE MOUNTAIN-SAGINAW INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT:

- Eagle Mountain-Saginaw ISD Police will maintain the responsibility of all mandated TLETS and Criminal Justice Information Systems (CJIS) training of all personnel and will provide an updated roster to the Saginaw Police Terminal Access Coordinator (TAC). All EMS-ISD PD personnel who request information from TCIC/NCIC systems by the Saginaw Police Department shall maintain at least a TCIC/TLETS Mobile Access certification.
- Eagle Mountain-Saginaw ISD Police Dispatch will communicate any information regarding overlapping jurisdictional investigations and/or potential threats that may impact the safety and security of EMS ISD community and properties.
- Eagle Mountain-Saginaw ISD Police will conduct monthly audits for cases entered into TLETS/NLETS.
- Eagle Mountain-Saginaw ISD Police will provide updated roster of police personnel to the Saginaw Police Department.
- EMS-ISD PD will provide Saginaw PD a 24/7 contact number for confirmation of items entered into TCIC/NCIC and shall respond to Saginaw PD within the time frame allotted by TCIC/NCIC regarding confirmation of those items entered.
- EMS-ISD PD personnel will only make inquiries to Saginaw police dispatch requiring the use of the TCIC/NCIC systems in the course of official police department business.

ASSIGNMENT

Neither Party shall assign, transfer, or sub-contract any of its rights, burdens, duties, or obligations under this MOU without the prior written permission of the other Party to this MOU.

SEVERABILITY

Nothing contained in this MOU shall waive the respective immunities of the City of Saginaw or the Eagle Mountain-Saginaw Independent School District.

The validity of this MOU and/or any of its terms or provisions, as well as the rights and duties of the Parties hereto, shall be governed by the laws of the State of Texas. In the event that any portion of this MOU shall be found to be contrary to law, it is the intent of the Parties hereto that the remaining portions shall remain valid and in full force and effect to the extent possible.

SIGNATORIES

For City of Saginaw:

Chief of Police
Saginaw Police Department

Date

City Manager
City of Saginaw

Date

**For the Eagle Mountain-Saginaw Independent School
District:**

Chief of Police
EMS ISD Police
Department

Date

Superintendent
EMS ISD

Date

Board President
EMS ISD

Date



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Russell Ragsdale
Chief of Police

Agenda Items: (5)

E-mail: ragsdale@saginawpolice.org

Phone: 817-230-0372

SUBJECT:

Introduction of K9 officer "Six"

BACKGROUND/DISCUSSION:

K9 officer Six is our first K9 officer and has completed his training in CA, and is certified as a narcotics detection K9 and is also certified in tracking and suspect apprehension.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Gabe Reaume
City Manager

Agenda Items: (6)

E-mail: greaume@saginawtx.org

Phone: 18172300324

SUBJECT:

Presentation of Texas Coalition for Affordable Power (TCAP) Founding Member Award

BACKGROUND/DISCUSSION:

Margaret Somereve, TCAP Executive Director, will present a TCAP Founding Member Award to the City. She will also give a brief presentation about TCAP.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Kim Quin
Finance Director

Agenda Items: (7)

E-mail: kquin@saginawtx.org

Phone: 817-230-0332

SUBJECT:

Presentation of Annual Comprehensive Financial Report for the Year Ended September 30, 2022.

BACKGROUND/DISCUSSION:

At the end of each fiscal year, the financial transactions of the City are reviewed by external auditors. The objective of the audit is to express an opinion as to whether the basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles, are free from material misstatement, and to report on the fairness of supplementary information when considered in relation to the basic financial statements as a whole. The audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as, the overall presentation of the financial statements.

Jennifer Ripka of Weaver and Tidwell, LLP will present the report.

A hard copy of the report will be distributed at the City Council meeting. If the report is available before the meeting, an electronic copy will be distributed.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

This item is informational only. There is no action required.



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Kim Quin
Finance Director

Agenda Items: (8)

E-mail: kquin@saginawtx.org

Phone: 817-230-0332

SUBJECT:

Consideration and Action regarding Ordinance No. 2023-5, Appointment of Municipal Court Judge and Associate Judges; and Approval of Municipal Court Judge Agreement

BACKGROUND/DISCUSSION:

In January 2012, a Municipal Court of Record was established by the City Council and Attorney Lorraine Irby was appointed Judge. The appointment was for two years; Judge Irby has been reappointed in 2014, 2016, 2018, 2020, and 2022. Associate Judges Wendy Cooper and Stewart Bass are also appointed in conjunction with the Judge's appointment. Their terms of office expire January 31, 2023. The Municipal Judge Agreement also expires on that date. Ordinance No. 2023-5 appoints the Judge and Associate Judges for a one year term. The proposed Municipal Judge Agreement is the same as the current agreement with only the change being the dates and a 5% increase in compensation. The first increase since the original contract with Judge Irby.

FINANCIAL IMPACT:

The annual cost for the Judge's services is \$45,360 and up to \$300 for training expenses. This amount is included in the FY2022/2023 Adopted Budget.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 2023-5, appointment of Lorraine Irby as Municipal Court Judge, and Wendy Cooper and Stewart Bass as Associate Judges for one year beginning February 1, 2023; and approval of the Municipal Judge Agreement.

ATTACHMENTS:

Description

Ordinance No. 2023-5

Municipal Court Judge Agreement

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS APPOINTING THE JUDGE AND ASSOCIATE JUDGES OF THE MUNICIPAL COURT OF RECORD IN THE CITY OF SAGINAW; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to article XI, section 5 of the Texas Constitution and chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council has created a municipal court of record pursuant to Chapter 30 of the Texas Government Code; and

WHEREAS, Chapter 30 of the Texas Government Code relating to municipal courts of record provides that the judge of the municipal court of record shall be appointed by the City Council by ordinance; and

WHEREAS, the workload of the Saginaw Municipal Court is not large enough to support a full time Municipal Court Judge; and

WHEREAS, it is of great benefit to the City of Saginaw to have an experienced municipal court judge sit on the bench of the municipal court of the City of Saginaw; and

WHEREAS, Section 574.001, Texas Government Code requires that a finding be made to the effect that a person who serves as an officer in more than one appointed position obtain a finding from the governing body that such officer has satisfied Article XVI, Section 40, of the Texas Constitution; and

WHEREAS, there is no conflict between the office of municipal judge of the City of Saginaw and the office of municipal court judge in any other municipality in the State of Texas; and

WHEREAS, the City Council desires to appoint Lorraine Irby as municipal judge and Wendy Cooper and Stewart Bass as associate judges for the Municipal Court of Record in the City of Saginaw.

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

SECTION 1.

It is hereby found that the office of municipal court judge of the City of Saginaw is of benefit to the State of Texas and to the City of Saginaw and that there is no conflict between the office of municipal judge of Saginaw and the office of municipal judge in any other city.

SECTION 2.

Lorraine Irby is hereby appointed as the Municipal Judge of the municipal court of record in the City of Saginaw, Texas for a one year term beginning February 1, 2023. At the expiration of said term, in accordance with Article 16, Section 17 of the Texas Constitution, Judge Irby shall continue to serve until her successor shall be duly qualified.

SECTION 3.

Wendy Cooper and Stewart Bass are hereby appointed as the associate judges to serve when the Municipal Judge is temporarily absent or unable to serve.

SECTION 4.

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

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED on this 17th day of January 2023 at a regular meeting of the City Council of the City of Saginaw, Texas.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

APPROVED AS TO FORM:

Bryn Meredith, City Attorney

MUNICIPAL JUDGE AGREEMENT

This Agreement is made by and between the City of Saginaw, Texas (“City”) and Lorraine Irby (“Irby”), for the purpose of documenting the terms and conditions under which Irby will serve as municipal court judge for the City. It shall be performed in and is enforceable in Tarrant County, Texas.

Recitations:

1. Irby desires to contract with the City to serve as municipal court judge.
2. City desires to contract with Irby as an independent contractor to provide services as a municipal court judge.

Agreements:

1. Irby, while serving as municipal judge, has all the powers and shall discharge all the duties of a municipal judge, and shall serve at the pleasure of the City Council. Irby is expected to work the hours necessary to fulfill the obligations of the municipal judge in order to operate the *Municipal Court of Record of the City of Saginaw* in an efficient manner. The essential functions of the municipal judge include, but are not limited to:

- a. presiding over trials and other court proceedings (including bench and jury trials);
- b. accepting pleas;
- c. processing appeals;
- d. supervising the maintenance of official records of proceedings and the court;
- e. conducting arraignments and performing the duties of magistrate under State law;
- f. signing of warrants and issuance of subpoenas;
- g. administering juvenile warnings; and
- h. other functions established in the City’s job description for the municipal judge.

2. City agrees to pay Irby \$45,360 per year for such services, payable in monthly installments on the first day of each month following a month of service, and annual Judicial Training expenses not to exceed \$300.

3. Irby agrees that she is an independent contractor and is not entitled to any City

benefits, such as health insurance, vacation, or retirements.

4. The term of this agreement shall be effective on the date of mutual execution hereof and shall terminate on the one year anniversary of Irby's appointment by the City Council, which is January 31, 2024, unless sooner terminated by either party.

5. This agreement may be terminated by either party without cause upon fifteen (15) days written notice to the other party, and in the case of termination by the City upon compliance with Section 6.08(1) of the City Charter. Upon termination, neither party shall have any further obligation to the other under such agreement or for the termination thereof. It shall terminate immediately should Irby become permanent disabled or disqualified from performing such services.

6. This agreement is made contingent upon appropriations for the funding hereof.

7. This agreement supersedes all other agreements, whether oral or written, between the parties with respect to the engagement of the municipal judge.

8. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

CITY OF SAGINAW

Lorraine Irby

By: _____
Todd Flippo, Mayor

Dated: _____

ATTEST:

Janice England, City Secretary

Dated: _____



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Susy Victor-Trevino
Planning Manager

Agenda Items: (9)

E-mail: svictor@saginawtx.org

Phone: 8172300440

SUBJECT:

PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Request for a Specific Use Permit to allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 S. Belmont St. (Ordinance No. 2023-01 & Ordinance No. 2023-04)

BACKGROUND/DISCUSSION:

See attached for background information on this item.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

See attached memo and P&Z minutes for recommendation.

ATTACHMENTS:

Description

Memo w/P&Z Pkt Info

P&Z Minutes, 1-10-2023 (Unapproved)



Mini-Warehouse Specific Use Permit- 221/225 Belmont St.

Date: January 10, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding a Specific Use Permit to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility in Saginaw located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas. (Ordinance 2023-01 and 2023-04)

Background/Discussion:

Applicant, David C. Miank, PhD, has applied for a specific use permit to allow the expansion, construction, and operation of a mini-warehouse facility in Saginaw located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas. (Ordinance 2023-01 and 2023-04) The applicant has noted that he is requesting a new mini-warehouse facility for vacant lot 12 and the continued use of a mini-warehouse for lot 13. The applicant believes this is the best use for the property due to the adjacent pre-existing property and its lot dimensions (small). The applicant has completed the mandatory thirteen questions as shown in the following application.

Staff Recommendation:

Staff holds a neutral stance on the request for a Specific Use Permit to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility in Saginaw located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas (Ordinance 2023-01 and 2023-04). Staff acknowledges that the SUP does not necessarily align with the Comprehensive Plan's goals; however, we also understand that the property, as is with its adjacent features, may not be the most marketable for any differing operations.

Attachments:

SUP Notices, SUP Application, Ordinance 2023-01 and 2023-04.

Mets snatch Correa for \$315M, 12-year deal

BY RONALD BLUM
Associated Press

In a wild twist overnight, Carlos Correa agreed to a \$315 million, 12-year contract with the free-spending New York Mets after his pending deal with the San Francisco Giants came apart over an issue with his physical.

The agreement with the Mets was confirmed to The Associated Press by a person familiar with the negotiations who spoke on condition of anonymity because the deal was subject to a successful physical. Details were first reported by the New York Post.

"We need one more thing, and this is it," Mets owner Steve Cohen told The Post from Hawaii. "This puts us over the top."

Correa, an All-Star shortstop, would play third base for the Mets, with buddy Francisco Lindor remaining at shortstop.

"This really makes a big difference," Cohen told The Post. "I felt like our pitching was in good shape. We needed one more hitter."

Correa's addition would increase the Mets' luxury tax payroll next year to the \$385 million range, putting them on track to pay a record tax of about \$110 million — more than double the current high of \$44 million set by the 2015 Los Angeles Dodgers. The estimates would change if Correa's deal contains deferred money or if New York trades players.

Correa would cost the Mets \$49.88 million next year in salary and tax, if there is no deferred money in the deal.

The Giants postponed a news conference Tuesday to introduce Correa after a medical concern arose during his physical, according to two people with direct knowledge of the situation.

Correa and the Giants agreed on Dec. 13 to a \$350 million, 13-year deal, subject to a successful physical. One of the people said. One person confirmed that Tuesday's news conference was put on hold because the sides were awaiting the results

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Legals

TABC
Application has been made with the Texas Alcoholic Beverage Commission for Wine and Malt Retailers Off Premise Permit (BQ), by SQRL Texas; DBA: SQRL Service Stations, to be located at 3100 Las Vegas Trail, Fort Worth in Tarrant County. Officer of said cooperation is Joseph Smith. IFLD102845 Dec 21-22 2022

City of Saginaw Public Notice
The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on January 10, 2023 to consider a request for a specific use permit (SUP) to allow the expansion, construction, and operation of a mini-warehouse facility in Saginaw located at 221 and 225 Belmont Street. The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on January 17, 2023 to consider the above-mentioned request for a specific use permit, contingent upon the receipt of a report regarding the specific use permit from the Planning and Zoning Commission. Both meetings will be held at the City of Saginaw City Hall located at 333 W. McLeary Boulevard, Saginaw, Michigan, 48601.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.
Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, at 817-230-0440. IFLD103068 Dec 22 2022

INVITATION TO BIDDERS RECEIPT OF BIDS
Sealed bids for the construction of 2022 WATER SERVICE LEAK REPAIR CONTRACT, City Project No. 104552 ("Project") will be received by the City of Fort Worth Purchasing Office until 1:30 PM, CST, Thursday, January 19, 2023 as further described below:
City of Fort Worth Purchasing Division
200 Texas Street
Fort Worth, Texas 76102
Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above;
Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers.
GENERAL DESCRIPTION OF WORK
The major work will consist of the (approximate) following:
Repair of 1-inch through 2-inch Water Service Leaks
TIME PERIOD AND RENEWALS
The time period of this Agreement will be for one calendar year or the expiration of the funding, whichever occurs last. The City reserves the right to renew the contract for up to three (3) additional one calendar year time periods or up to three (3) additional expenditures of \$750,000.00 under the same terms, conditions and unit prices. The City shall provide at least sixty (60) days' notice to the Contractor of the City's intent to renew.
PREQUALIFICATION
Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening. The procedures for qualification and pre-qualification are outlined in the Section 3 of 00 21 13 - INSTRUCTIONS TO BIDDERS.
DOCUMENT EXAMINATION AND PROCUREMENT
Bids and documents may be examined or obtained on-line by visiting the City of Fort Worth Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/> and clicking on the link to the advertisement.

REQUEST FOR QUALIFICATIONS TO PROVIDE SCADA SYSTEM REPLACEMENT DESIGN-BUILD SERVICES TO THE CITY OF FORT WORTH, TEXAS

The City of Fort Worth Water Department (FWWD) is requesting qualifications from interested and qualified firms to provide SCADA System Replacement Design-Build Services for the following projects:

REQUEST FOR QUALIFICATIONS *SCADA SYSTEM REPLACEMENT

The Request for Qualifications and related information may be examined or obtained on-line by visiting Fort Worth's Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/>. Search for SCADA System Replacement to download the RFQ packet for viewing and printing by interested parties.

Requests for Qualifications (RFQs) and related information, may also be examined or obtained on-line by visiting the Fort Worth Water Department BIM360 website directly using the following Links:

Project Files Folder Link:
<https://docs.b360.autodesk.com/shares/ba867e3d-d4d4-4a87-b156-6e94f0ed218>

Addenda File Folder Link:
<https://docs.b360.autodesk.com/shares/d6c4e6e7-c41d-430f-b255-8c81f99f0e99>

The Applicant is solely responsible to ensure that it has received all communications issued by the City and a failure to obtain any such communication is at the sole and absolute risk of the Applicant.

Meeting with Engineers
In order to address questions from consultants within a public forum, the Water Department will schedule a non-mandatory RFQ review meeting to be held at 2:00 PM, Thursday, January 5, 2023 via web conferencing application only. Invitation with a link to the web conference will be distributed to interested parties who inquire by emailing this city contact: alexander.pierce@fortworthtexas.gov

Submission Requirement
One electronic copy (PDF and/or WORD Format) for each project, shall be submitted by e-mail to alexander.pierce@fortworthtexas.gov not later than 1:30 PM, Thursday, January 19, 2023. Submittals received after this date shall be rejected as non-responsive. Due to possible "size" limitations, a submittal for a specific project can split into more than one part for submission may be required. The Fort Worth Water Department will acknowledge receipt of the submission by return e-mail. If no Receipt of Submittal has been received, contact Alexander Pierce at 817-392-8401 or alexander.pierce@fortworthtexas.gov to resolve any electronic transmission issues.

To qualify for the contract, an interested firm must submit and complete all forms and attachments (Attachment A, B, C, D, E, and F) required in statement of qualifications form section.

David Cooke, City Manager
Mary J. Kayser, Assistant City Secretary
IFLD102970 Dec 22, 2022

NOTICE TO DESIGN-BUILD FIRMS

CITY OF FORT WORTH

Police Department Northwest Patrol Division Facility

Statement of Qualifications (SOQs) for the design (design-build delivery method) of the new Northwest Patrol Division Facility in Fort Worth, Texas, will be received at the Facilities Division/Architectural Services Office, Property Management Department, located at 401 West 13th Street, Fort Worth, Texas 76102. Seven copies of the SOQs must be received not later than 5:00 PM on Thursday, January 19, 2023.

To qualify for the contract, an interested firm must submit and complete all forms and attachments (Attachment A, B, C, D, E, and F) required in statement of qualifications form section.

David Cooke, City Manager
Mary J. Kayser, Assistant City Secretary
IFLD102970 Dec 22, 2022

NOTICE TO DESIGN-BUILD FIRMS

CITY OF FORT WORTH

Police Department Northwest Patrol Division Facility

Statement of Qualifications (SOQs) for the design (design-build delivery method) of the new Northwest Patrol Division Facility in Fort Worth, Texas, will be received at the Facilities Division/Architectural Services Office, Property Management Department, located at 401 West 13th Street, Fort Worth, Texas 76102. Seven copies of the SOQs must be received not later than 5:00 PM on Thursday, January 19, 2023.

To qualify for the contract, an interested firm must submit and complete all forms and attachments (Attachment A, B, C, D, E, and F) required in statement of qualifications form section.

BID NOTICE

Skanska USA Building Inc., Construction Manager-at-Risk for Tarrant County Colleges, will be accepting proposals from qualified subcontractors for the project located at 4801 Marine Creek Parkway in Fort Worth, TX. This solicitation is for Tarrant County Colleges - NW Campus GMP 3, Signage and Graphics. Scope of work to include interior signage and exterior signage. Bids will be due Friday, January 6th, 2023 @ 2:00 PM CST. All Bids should be submitted via BuildingConnected.

Documents are available electronically via www.BuildingConnected.com. MBE/SBE/WBE/AABE/HUB firms are encouraged to submit proposals on this project. Please respond if interested and address all questions to simon.massey@skanska.com. Skanska USA Building is an equal opportunity (EEO) employer. IFLD102661 Dec 20, 2022

CITY OF GRAND PRAIRIE

ADVERTISEMENT FOR BIDS

Competitive Sealed Bids will be received at 300 W. Main Street, Grand Prairie, TX, until January 5, 2023 at 2:00 PM, and publicly opened and read at that time via teleconference for the following:

RFB # 23057 - Remodeling of Boardroom at

Ruth Jackson Center
A Mandatory Pre-Bid meeting will be held on Tuesday, December 27, 2022 @ 10:00am at Ruth Jackson Center, 3119 S. Carrier Pkwy, Grand Prairie TX 76052.

Further information and specifications may be obtained through www.PlanetBids.com, www.gp.org or by contacting the Purchasing division at (972) 237-8372.

The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city.

IFLD103077 Dec 22, 2022

City of Saginaw Public Notice

The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on January 10, 2023 to consider a request for a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD). The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on January 17, 2023 to consider the above-mentioned request for a change of zoning, contingent upon the receipt of a report regarding the proposed zoning change from the Planning and Zoning Commission. Both meetings will be in the Council Chambers at City Hall located at 333 West McLeary Boulevard.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.
Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, at 817-230-0440. IFLD103070 Dec 22 2022

Golden Retriever Pups
Golden Retriever Just in time for Christmas! Put a smile on their face that will last a lifetime! The Golden Retriever is the best dog for families with children! kikibars@gmail.com 817-966-2977

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CITY OF FORT WORTH

Sealed bids/proposals will be received until 1:30 PM on the dates listed below at the Purchasing Office located at 200 Texas St., Fort Worth Texas. All Bids MUST be in a SEALED ENVELOPE with the BID NUMBER LOCATED ON OUTSIDE OF ENVELOPE. Bids will be opened and read aloud publicly at 2:00 PM on the dates listed below in City Council Chambers, located on the 2nd floor of City Hall at 200 Texas St., Fort Worth Texas. RFP 23-0010 GRANT TEMPORARY SERVICES OPENS 1/12/2023
Unless otherwise noted, specifications may be obtained online at: <http://fortworthtexas.gov/purchasing/> IFLD102989 Dec 22 2022

Auctions

Garage Sales

Pre-Christmas Moving Garage Sale with tons of crystal, dishes, kitchen ware, Christmas items & barely worn teen & adult clothing. All must go! 3725 Westcliff Rd Ft. Worth 76109

Animals

Cats

Sweet And Cute Kittens/ Cats
There's a \$15 rehoming fee and would really like to give 2 away together, if possible. Pls text 8176018555.

Dogs

AUSSIE AKC pups
Australian Shepherd AKC puppers All colors. Prices vary 7-12.10 wks. Text 817-583-5949. Great gifts

Reg. Border Collie Puppies
Ready for Christmas \$800 940-867-3741

Reg Bichon Frise puppies 817-980-4132
Ready for new home just in time for Christmas. Hypo allergic/non shed

Pomeranian Christmas Puppies
M-300 IF-400 Call 817-771-9761

Shitzu puppies
CKC 8 weeks Males \$500 Females \$600 817-523-5486



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Real Estate

For Sale

19 & 20 Acres Sunset, Tx Joint LBJ Grasslands

Tract 2 . 19.01 acres, pond, water well, electricity & Oaks \$378,299.00
Tract 3 . 20.71 acres, pond, electricity & Oaks \$347,928.00
Both tracts adjoin and both back up to the LBJ Grasslands
jones-realestate.com 940-841-2656

MOBILE HOME FOR SALE

GORGEOUS! 98 OAKCREEK (18x80) mobile home 3 bedroom/2 bath in IMMACULATE condition! #36028 817-480-8501 \$49,900

MOBILE HOME FOR SALE

VERY NICE! (18x80) Clayton mobile home 3 bedroom/2 bath #36028 817-395-2990 \$44,900

Real Estate Misc.

1219 North Davis Drive Arlington

For Immediate Sale 2 crypts (side by side) located at Moore Memorial Gardens in Arlington, TX. 817-909-5240 \$15,000 OBO

Service Directory

Home & Business Improvement

Interior/Exterior Painting
Tape/Bed/Texture. Minor repairs. Free Estimates. 45 Years of Experience (817) 825-1011

PLUMBING
A to Z Military/Senior Disc All Repair 24/7-FREE est. 817-233-3418

D & S Plumbing
Military and Senior Disc. 682-472-3997

Frank's Roofing, Comp, TPO, Gutters, Concrete Work, Constr, Co Free Est 45yr exp 817-797-7675

Fence Staining DFW
Fair & quality. Old or new fence 817-861-6722. <https://sealthedeal.co>

Carpenter decks, patio cover doors, windows, framing, remodel 817-602-7265

Roofing

New roofs & repairs. We work with your insurance adjuster. Free estimates. Licensed & Insured. We have off all debris. 30 yrs exp. We take a major credit cards. 817-566-4785

ACE BRICK REPAIR
Brick Repair BBB A+ Rating FREE EST. 682-472-9211

BRICK, STONE MASONRY
AMJ Masonry - Mailboxes, Repair and Stone, Concrete 682-558-6086

Rabit Construction Remodeling
Services Schedule a free in-home estimate 817-366-2820

FENCING, AUTO GATES, PLAINUM PERFORMANCE FENCE
Fin Avl 0% interest 817-879-3181

Interior/Exterior Painting
Tape/Bed/Texture/Minor repairs. Free Estimates. 45 Years of Experience (817) 825-1011

Misc. Service

Merchandise

Miscellaneous



205 Brenda Lane
P. O. Box 79070
Saginaw, Texas 76179
817-230-0500
www.ci.saginaw.tx.us

December 21, 2022

NOTICE OF PUBLIC HEARING

RE: Consideration of a Request for a Specific Use Permit (SUP) to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility on property located at 221 and 225 Belmont Street in Saginaw, Texas.

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 10th day of January, 2023 at 6:00 p.m. and the City Council will hold a Public Hearing on the 17th day of January, 2023 at 6:00 p.m. at the Saginaw City Hall, located at 333 West McLeroy Boulevard, Saginaw, Texas, for the purpose of considering a request allow the expansion, construction, and operation of a mini-warehouse facility on property located at 221 and 225 Belmont Street in Saginaw, Texas.

These hearings are open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. A reply form is provided for your convenience. Another person may also represent you.

The enclosed map shows the area of request. The circle around the area is that within which property owners are required by law to be notified. Only that area which is shaded or highlighted is the property to be considered.

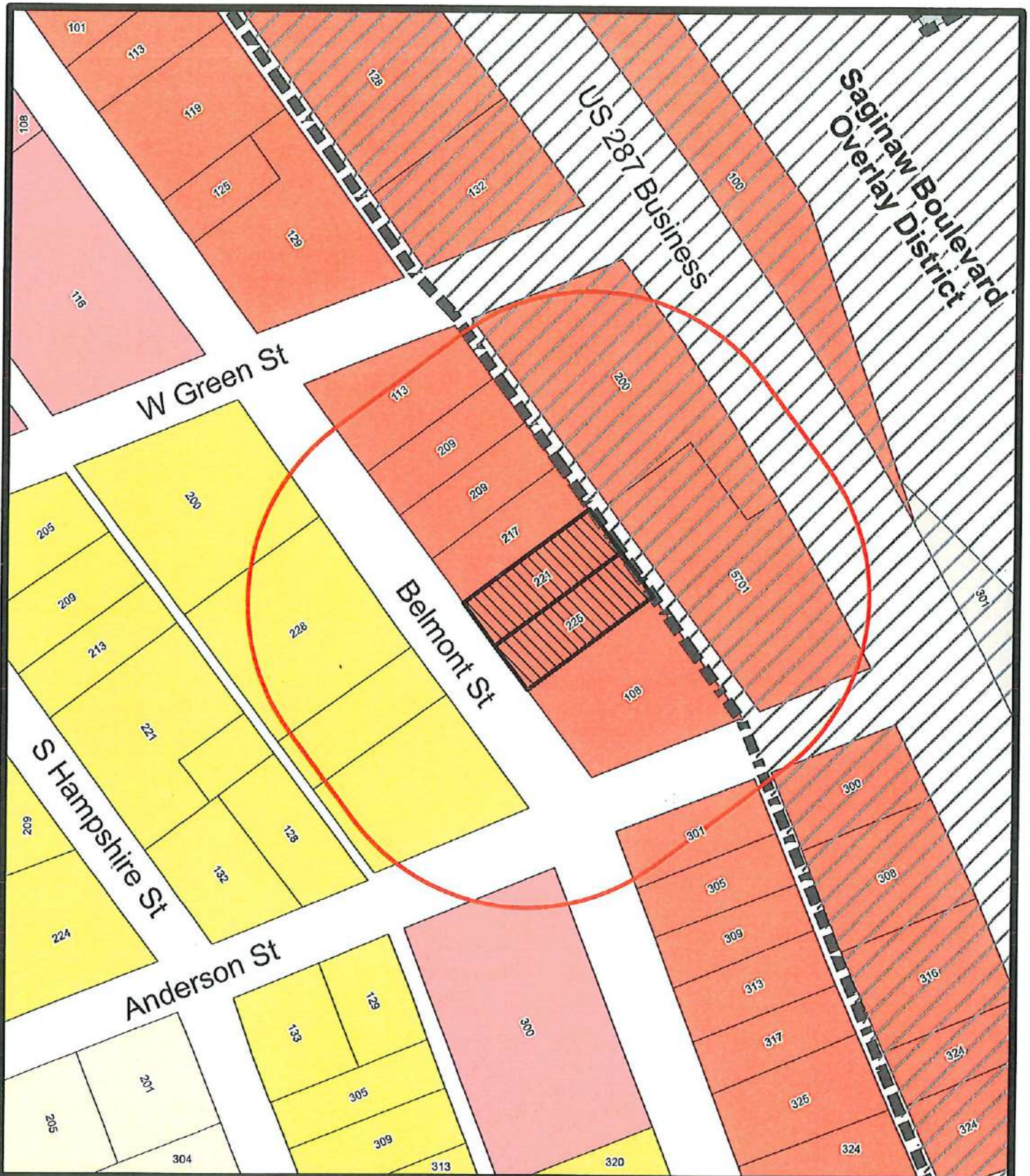
If you have any questions please feel free to give me a call at 817-230-0440.

Sincerely,

A handwritten signature in black ink that reads "Susy Victor-Trevino". The signature is fluid and cursive, with the first name "Susy" being the most prominent.

Susy Victor-Trevino
Planning Manager

Enclosures: Map of requested property and reply form.



Legend

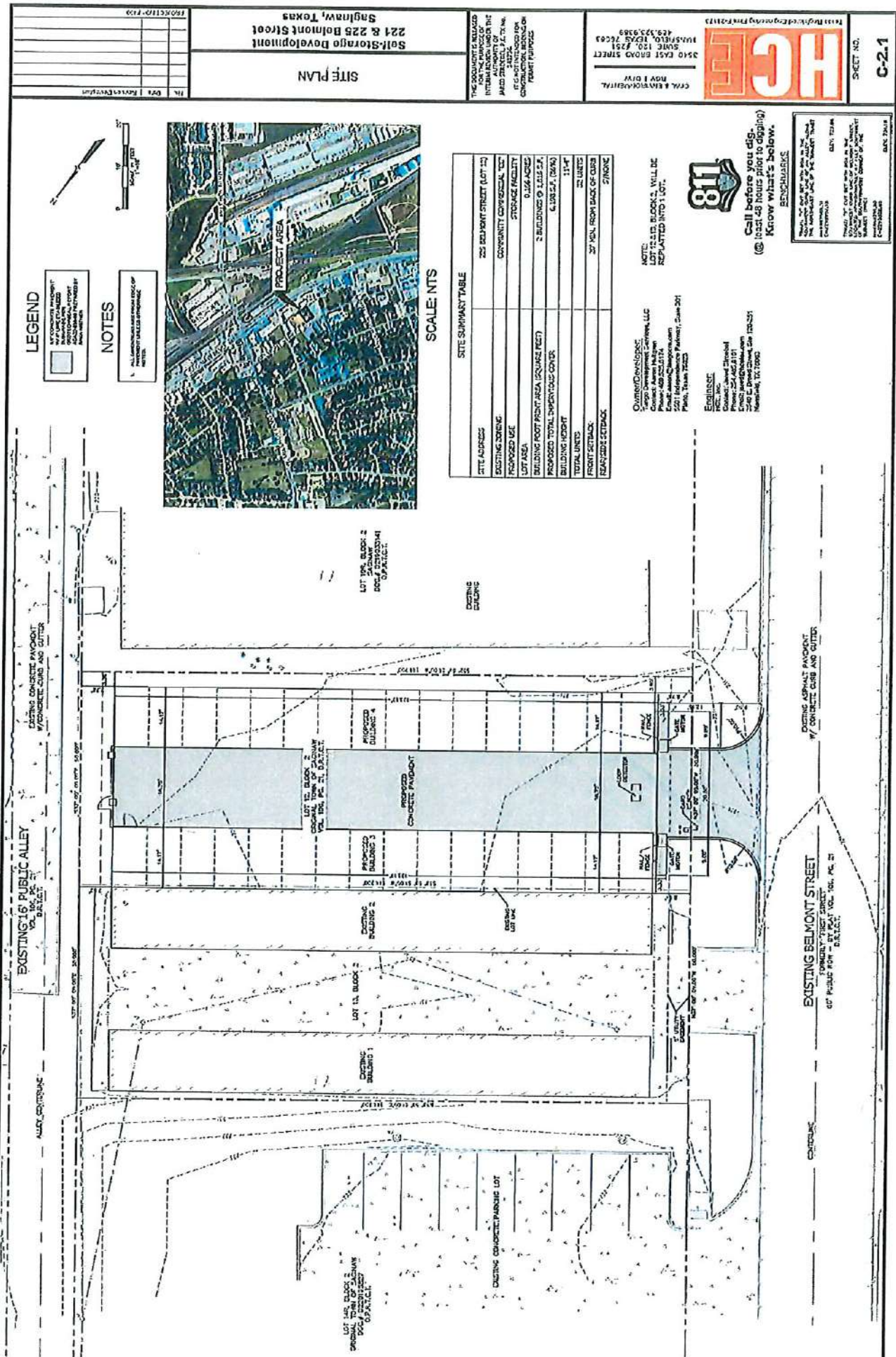
- 200ft Buffer
- Property of Interest

221 & 225 Belmont St. Specific Use Permit 200 ft Property Owner Notification



City of Saginaw





REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning the request, you may call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 01/10/23 begins at 6:00 p.m. and the City Council Meeting on 01/17/23 begins at 6:00 p.m. to discuss a request for a specific use permit (SUP) to allow the expansion, construction, and operation of a mini-warehouse facility in Saginaw located at 221 and 225 Belmont Street.

Name: _____

Address: _____

Phone Number: _____

☐ In Favor

☐ Opposed

Reasons and/or Comments



City of Saginaw

APPLICATION FOR SPECIFIC USE PERMIT

I. PROPERTY INFORMATION

LOCATION OF PROPERTY: ADDRESS: 221 & 225 Belmont Street, Saginaw, Texas 76179

Saginaw Block 2 Lot 12 (vacant)

LEGAL DESCRIPTION: Saginaw Block 2 Lot 13 (Built 1983)

LOT: No 12 BLOCK: 2 ADDITION: Lot 12 (Vacant) Lot 13 (Built 1983)

TRACT: Per attached Survey dated 07/06/21 by Burns Surveying
ABSTRACT: SURVEY:

ZONING: Community Commercial (CC)

PRESENT USE AND IMPROVEMENTS ON PROPERTY:

Lot 12 (Presently vacant & proposed metal building and paving)

Lot 13 (Presently occupied building and paving & proposed

Lots to be platted as one or changed by plat modification, as required by City of Saginaw.

APPLICANT INFORMATION:

David C. Miank, PhD 5501 Independence Pkwy Suite 301
Tango Development Services, LLC Plano, TX 75023 214.457.7582

APPLICANT NAME ADDRESS TELEPHONE

II. OWNER INFORMATION:

Samuel Cheung 702 Aberdeen Way
Star Platinum, LLC Southlake TX 76092 510.910.2663

PROPERTY OWNER NAME ADDRESS TELEPHONE

(Property Owner Signature)

III. AGENT INFORMATION:

David C. Miank, PhD 5501 Independence Pkwy Suite 301
AGENT Plano, TX 75023 214.457.7582

(Agent Signature) ADDRESS TELEPHONE

HAS A PREVIOUS APPLICATION OR APPEAL BEEN FILED ON PROPERTY?

☒ NO ☐ YES, DATE NA

I CERTIFY THAT (I AM THE LEGAL OWNER OF RECORD) (I HAVE SECURED THE PROPERTY OWNER'S PERMISSION) AND HAVE FULL AUTHORITY TO MAKE THIS APPLICATION AND/OR APPEAL

David Miank

APPLICANT SIGNATURE

12-01-22

DATE

IV. REQUESTED ACTION

SPECIFIC USE REQUESTED:

Requesting new mini-storage for vacant lot 12 and continued use as mini-storage at lot 13.

V. APPLICANT JUSTIFICATION FOR REQUEST

PLEASE ATTACH ADDITIONAL SHEET IF NECESSARY

Justification is the nominal extension of a pre-existing and highest best use to a small vacant lot.

VI. PROVIDE A SEPARATE MEMO ADDRESSING THE 13 CONDITIONS THAT MUST EXIST BEFORE THE PLANNING AND ZONING COMMISSION CAN RECOMMEND APPROVAL.

ZONING ORDINANCE, Article 5, Section 5-4, G, 1-13.

G. Conditions of permit approval. A specific use permit shall not be recommended for approval by the planning and zoning commission unless the commission finds that all of the following conditions have been found to exist:

1. The proposed use complies with all the requirements of the zoning district in which the property is located.
2. The proposed use as located and configured will contribute to or promote the general welfare and convenience of the city.
3. The benefits that the city gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
4. Adequate utilities, road access, drainage and other necessary supporting facilities have been or shall be provided.
5. The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.
6. The issuance of the specific use permit does not impede the normal and orderly development and improvement of neighboring vacant property.
7. The location, nature and height of buildings, structures, walls and fences are not out of scale with the neighborhood.
8. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.
9. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration and visual blight.
10. Sufficient on-site lighting is provided for adequate safety of patrons, employees and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.
11. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.
12. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.
13. The proposed use is in accordance with the City of Saginaw Comprehensive Land Use Plan.

12/19/22
DATE RECEIVED

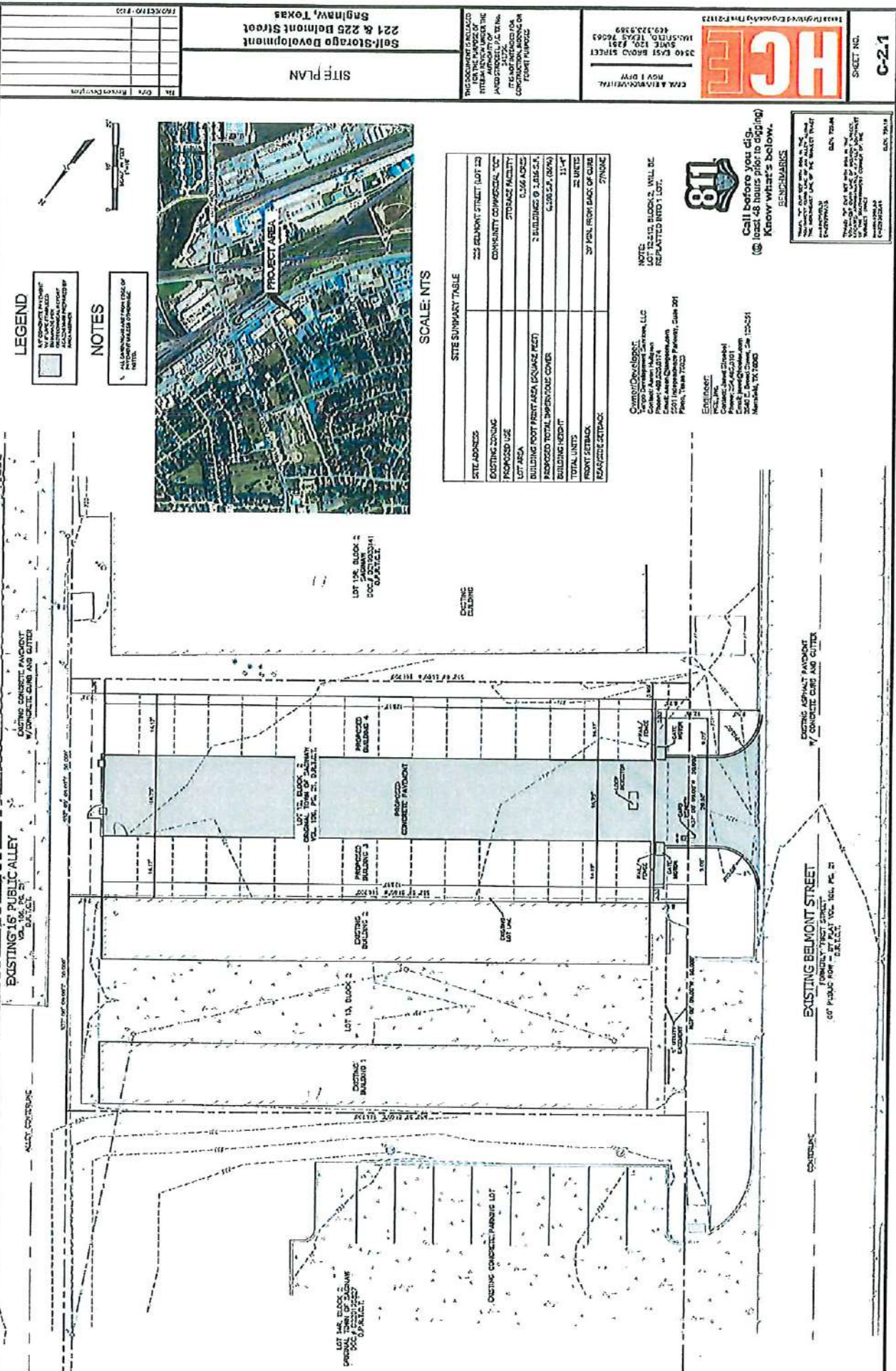
S.V.T.
APPLICATION TAKEN BY

\$ 750.00
FEE RECEIVED

1794168 + 1794166
RECEIPT NUMBER

ZONING & PLANNING
13 CONDITIONS FOR REVIEW BY PLANNING & ZONING COMMISSION

1. The existing and proposed new use is zone appropriate but the location is within a 300 foot radial distance of existing church and residential uses. The modest size extension of the modest size existing building is the applicant's justification and request.
2. The proposed use will contribute to the quality of the neighborhood as the existing building will be refurbished, the vacant lot will be improved with building and drive, and when completed, the maintenance will be performed according to Tango Property Development standards.
3. The benefits to the city include; increase property tax value and development of a vacant lot which might be considered as unsecure and hidden to surrounding occupancies.
4. Utility use and vehicular access is exceptionally low volume.
5. The low number of units will generate exceptionally low traffic volume and nominal impact to use of sidewalks and adjacent developments.
6. We expect the adjacent developments to experience no change to their daily activities.
7. All buildings, existing and new, are one story, and in less height than surrounding developments.
8. This project is located on the quiet side of commercial developments which front roads with much higher traffic counts. This modest project and its use will be no hindrance or diminishment to adjacent properties.
9. Storage is the only use at this development. No other uses will be permitted.
10. Onsite lighting will be provided and appropriately spaced for security and use by customers.
11. Landscape and sidewalk improvements will be as required by code. Matching existing is the intended direction of the project.
12. There will be no other operation use other than storage at this facility.
13. This development appears to be fully compliant with the City of Saginaw Comprehensive Land Use Plan. The location alone, is very unimposing and very available to nearby business and residential uses.



ORDINANCE NO. 2023-01

AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING REGULATIONS OF THE CITY OF SAGINAW, TEXAS, BY APPROVING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A MINI-WAREHOUSE ON CERTAIN PROPERTY LOCATED AT 221 BELMONT STREET, SAGINAW, TEXAS; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE SUBJECT TO ALL APPLICABLE ZONING REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution, and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Saginaw heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Regulations of the City of Saginaw, which ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Sections 1-3 and 5-4 of the Zoning Regulations of the City, the owner of the property located at 221 Belmont Street, Saginaw, Texas, has filed an application for a Specific Use Permit to allow the operation of a mini-warehouse business in the CC Zoning District; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on January 10, 2023, and the City Council of the City of Saginaw, Texas, held a public hearing on January 17, 2023, with respect to the Specific Use Permit described herein; and

WHEREAS, the City has complied with all requirements of the City Zoning Regulations, Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for the rezoning of the property; and

WHEREAS, the City Council has determined that the requested specific use is compatible with adjacent property use, consistent with the character of the neighborhood, and deems it advisable and in the public interest to grant such permit on the terms and conditions described herein.

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

SECTION 1.

Ordinance No. 2002-04, Appendix A of the City Code, as amended, is hereby amended by approving the following specific use on the hereinafter described property and area, subject to all applicable zoning regulations:

Applicant: David C. Miank, Tango Development Services, LLC

Property Address: 221 Belmont Street, Saginaw, Texas 76179

Legal Description: BLOCK 2, LOT 13, ORIGINAL TOWN OF SAGINAW, AN ADDITION TO THE CITY OF SAGINAW, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 106, PAGE 21, DEED RECORDS OF TARRANT COUNTY, TEXAS.

Zoning Change: The property shall remain located in the CC Zoning District, and a Specific Use Permit permitting mini-warehouse storage use on the property is hereby granted subject to the terms and conditions provided herein.

SECTION 2.

The Specific Use Permit as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 3.

The official Zoning Map of the City of Saginaw is amended and the City Secretary is directed to revise the official Zoning Map to reflect the approved Specific Use Permit as set forth above.

SECTION 4.

The use of the property described above shall be subject to all applicable regulations contained in the Zoning Regulations and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 5.

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

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7.

Any person, firm, or corporation who violates any provision of this Ordinance, as adopted by the City Council of the City of Saginaw, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the City of Saginaw. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 8.

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this Ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

SECTION 10.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 17th DAY OF JANUARY, 2023.

MAYOR, TODD FLIPPO

ATTEST:

CITY SECRETARY, JANICE ENGLAND

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, BRYN MEREDITH

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING REGULATIONS OF THE CITY OF SAGINAW, TEXAS, BY APPROVING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A MINI-WAREHOUSE ON CERTAIN PROPERTY LOCATED AT 225 BELMONT STREET, SAGINAW, TEXAS; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE SUBJECT TO ALL APPLICABLE ZONING REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution, and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Saginaw heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Regulations of the City of Saginaw, which ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Sections 1-3 and 5-4 of the Zoning Regulations of the City, the owner of the property located at 225 Belmont Street, Saginaw, Texas, has filed an application for a Specific Use Permit to allow the operation of a mini-warehouse business in the CC Zoning District; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas, held a public hearing on January 10, 2023, and the City Council of the City of Saginaw, Texas, held a public hearing on January 17, 2023, with respect to the Specific Use Permit described herein; and

WHEREAS, the City has complied with all requirements of the City Zoning Regulations, Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for the rezoning of the property; and

WHEREAS, the City Council has determined that the requested specific use is compatible with adjacent property use, consistent with the character of the neighborhood, and deems it advisable and in the public interest to grant such permit on the terms and conditions described herein.

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

SECTION 1.

Ordinance No. 2002-04, Appendix A of the City Code, as amended, is hereby amended by approving the following specific use on the hereinafter described property and area, subject to all applicable zoning regulations:

Applicant: David C. Miank, Tango Development Services, LLC

Property Address: 225 Belmont Street, Saginaw, Texas 76179

Legal Description: BLOCK 2, LOT 12, ORIGINAL TOWN OF SAGINAW, AN ADDITION TO THE CITY OF SAGINAW, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 106, PAGE 21, DEED RECORDS OF TARRANT COUNTY, TEXAS.

Zoning Change: The property shall remain located in the CC Zoning District, and a Specific Use Permit permitting mini-warehouse storage use on the property is hereby granted subject to the terms and conditions provided herein.

SECTION 2.

The Specific Use Permit as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 3.

The official Zoning Map of the City of Saginaw is amended and the City Secretary is directed to revise the official Zoning Map to reflect the approved Specific Use Permit as set forth above.

SECTION 4.

The use of the property described above shall be subject to all applicable regulations contained in the Zoning Regulations and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 5.

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

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7.

Any person, firm, or corporation who violates any provision of this Ordinance, as adopted by the City Council of the City of Saginaw, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the City of Saginaw. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 8.

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this Ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

SECTION 10.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 17th DAY OF JANUARY, 2023.

MAYOR, TODD FLIPPO

ATTEST:

CITY SECRETARY, JANICE ENGLAND

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, BRYN MEREDITH

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW CITY HALL
333 WEST MCCLEROY BOULEVARD
January 10, 2023**

Present at the Meeting:

Member	Place No. 1	Brent Wooten
Chairman	Place No. 2	William Barngrover
Member	Place No. 4	Ed Larson
Vice-Chairman	Place No. 5	Jason LaBruyere
Alternate Member	Alt. No. 1	David Kraus
City Attorney		Rachel Raggio
Planning Manager/Recording Secretary		Susy Victor-Trevino

Absent from the Meeting:

Member	Place No. 3	Phillip Allen
Alternate Member	Alt. No. 2	Lainey Wood

Visitors at the Meeting:

David Miank

(1) Call to Order

Chairman Barngrover called the meeting to order at 6:00 P.M.

(2) Roll Call to Establish Quorum

Chairman Barngrover called roll. The quorum will consist of Chairman Barngrover, Vice-Chairman LaBruyere, Members Wooten and Larson, and Alternate Member Kraus.

(3) Audience Participation

Chairman Barngrover explained the procedures regarding audience participation.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on November 08, 2022 were presented for approval. A motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to approve the minutes for November 08, 2022. Motion carried unanimously.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(5) PZ 0123-01

PUBLIC HEARING

Consideration and Action Regarding Approval of a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6

“Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

Chairman Barngrover opened the public hearing at 6:03 p.m.

Abra Nusser, from Peloton Solutions, briefed the Commission on the proposed changes to the NMU ordinance and explained why the changes were needed. She stated that the current language introduced some misinterpretations regarding the implementation of the Neighborhood Mixed-Use District (NMU). Thus, the NMU rezoning was tabled by Council until the modifications could be made. The Commission asked some questions regarding the next steps in the process and Nusser answered their questions.

Chairman Barngrover closed the public hearing at 6:18 p.m.

A motion was made by Member Larson with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6 “Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

**(6) PZ 0123-02 PUBLIC HEARING
Consideration and Action Regarding a Specific Use Permit to Allow the Expansion,
Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont
Street, City of Saginaw, Tarrant County, Texas.**

Planning Manager Victor-Trevino briefed the Commission on the background and details of the specific use permit. She explained that although the mini-warehouse was not envisioned to be in the Saginaw corridor (per the Comprehensive Plan) that the space in question already exists and the adjacent property is not large in area. She stated that in the short term it does not likely appear that the space could be utilized for many opportunities given the current properties of the land; however, in the long term if both addresses were revitalized as something else in the future the property could have more opportunities. She emphasized that the building has been present since 1983 so the owners most likely may not have any plans to remove the building anytime soon. At 6:29 p.m. David Miank, PhD. joined the Commission and shared some insight regarding the project with the Commission. He mentioned that the plan was to repair the existing building by modernizing it and extending the units to the vacant parcel per code, etc. Audience participation was bypassed.

A motion was made by Member Wooten with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a Specific Use Permit to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(7) PZ 0123-03

PUBLIC HEARING

Consideration and Action Regarding Approval to Consider an Ordinance Amending of the City of Saginaw, Texas, regarding a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

Chairman Barngrover opened the public hearing at 6:38 p.m.

Planning Manager Victor-Trevino briefed the Commission on the background and details of the zoning change for this parcel. She explained that in order to have any development move into the property, that zoning must change from city facility. If the zoning were to remain, only facilities for city-use would be allowed. She further explained that the zoning would include a development plan geared towards allowing only sit-down restaurants and entertainment. Member Larson told the Commission that this parcel has never been available to anyone apart from the City and that they needed to change the zoning to make it marketable, a rezoning and selling of the land had to be done. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 6:42 p.m.

A motion was made by Vice-Chairman LaBruyere with a second by Member Wooten to recommend that the City Council approve a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(10) Staff Report

- A. Discussion of Residential, Commercial, Industrial, and City Capital Projects**
- B. Update Commission of City Council Action on Previous Cases**

Planning Manager Victor-Trevino reviewed current projects under construction in the City.

(11) EXECUTIVE SESSION

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- a. Any Posted Item**

No executive session was held.

(12) Adjournment

Motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to adjourn the meeting. Motion carried.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

Chairman Barngrover declared the meeting of January 10, 2023 closed at 6:47 p.m.

APPROVED:

Chairman

ATTEST:

Susy Victor-Trevino,
Planning Manager/Recording Secretary



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Susy Victor-Trevino
Planning Manager

Agenda Items: (10)

E-mail: svictor@saginawtx.org

Phone: 8172300440

SUBJECT:

PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Amending the Zoning Ordinance of the City of Saginaw regarding a Change in Zoning from City Facility (CF) to Planned Development (PD) with Restaurant and Entertainment Uses on the Approximate 2.5 Acres out of "SAGINAW, BLOCK 4 PT BLK 4", more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25", more commonly known as 405 S. Belmont Street, Saginaw, Texas 76179 (Per TAD) (Ordinance No. 2023-02)

BACKGROUND/DISCUSSION:

This is a Public Hearing Item. See attached for background information on this item.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

See attached memo and P&Z Minutes for recommendation.

ATTACHMENTS:

Description

Memo w/P&Z Pkt Info

P&Z Minutes, 1-10-2023 (Unapproved)



Rezoning 400 S. Saginaw Blvd. (CF to PD for Restaurant & Entertainment Uses)

Date: January 10, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding a Request For a Change in Zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25'," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (*Per TAD*). (*Ordinance 2023-02*)

Background/Discussion:

The City of Saginaw and Saginaw Local Favorite have had discussions to assist in developing 400 (404 *per TAD*) S. Saginaw and 405 S. Belmont St. The plan for this property is for it to be utilized for entertainment and restaurant uses. These uses would assist the City in fulfilling the wishes of Saginaw residents and consumers whom have expressed their desire for more sit-down dining and entertainment options within the city limits. The rezoning of this property is the first step in the process of redeveloping the Saginaw Boulevard corridor to better fit the goals of the recently adopted Comprehensive Plan.

Staff Recommendation:

Staff recommends that the request for an approval of a request for a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25'," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (*Per TAD*) be forwarded to the City Council with a recommendation for approval.

Attachments:

Rezoning Notice, Zoning Application,

Mets snatch Correa for \$315M, 12-year deal

BY RONALD BLUM
Associated Press

In a wild twist overnight, Carlos Correa agreed to a \$315 million, 12-year contract with the free-spending New York Mets after his pending deal with the San Francisco Giants came apart over an issue with his physical.

The agreement with the Mets was confirmed to The Associated Press by a person familiar with the negotiations who spoke on condition of anonymity because the deal was subject to a successful physical. Details were first reported by the New York Post.

"We need one more thing, and this is it," Mets owner Steve Cohen told The Post from Hawaii.

"This puts us over the top," Correa, an All-Star shortstop, would play third base for the Mets, with buddy Francisco Lindor remaining at shortstop.

"This really makes a big difference," Cohen told The Post. "I felt like our pitching was in good shape. We needed one more hitter."

Correa's addition would increase the Mets' luxury tax payroll next year to the \$385 million range, putting them on track to pay a record tax of about \$110 million — more than double the current high of \$44 million set by the 2015 Los Angeles Dodgers. The estimates would change if Correa's deal contains deferred money or if New York trades players.

Correa would cost the Mets \$49.88 million next year in salary and tax, if there is no deferred money in the deal.

The Giants postponed a news conference Tuesday to introduce Correa after a medical concern arose during his physical, according to two people with direct knowledge of the situation.

Correa and the Giants agreed on Dec. 13 to a \$350 million, 13-year deal, subject to a successful physical, one of the people said. One person confirmed the Giants' news conference was put on hold because the sides were awaiting the results of a physical.

Legals

TABC
Application has been made with the Texas Alcoholic Beverage Commission for Wine and Malt Retailers Off Premise Permit (EQ), by SQRL, Texas; DBA: SQRL Service Stations, to be located at 5100 Las Vegas Trail, Fort Worth in Tarrant County. Officer of said cooperation is Joseph Smith.
IPL0102846
Dec 21-22 2022

City of Saginaw Public Notice
The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on January 10, 2023 to consider a request for a specific use permit (SUP) to allow the expansion, construction, and operation of a mini-warehouse facility in Saginaw located at 221 and 225 Belmont Street. The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on January 17, 2023 to consider the above-mentioned request for a specific use permit, contingent upon the receipt of a report regarding the specific use permit from the Planning and Zoning Commission. Both meetings will be held at the City of Saginaw City Hall located at 333 W. McLeary Boulevard, Saginaw, Michigan, 48601.
Texas, 48601.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.
Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, at 817-230-0440.
IPL0103068
Dec 22 2022

INVITATION TO BIDDERS
RECEIPT OF BIDS
Sealed bids for the construction of **2022 WATER SERVICE LEAK REPAIR CONTRACT, City Project No. 104552 ("Project")** will be received by the City of Fort Worth Purchasing Office until 1:30 PM, CST, Thursday, January 19, 2023 as further described below:
City of Fort Worth Purchasing Division
200 Texas Street
Fort Worth, Texas 76102
Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above;
Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers.

GENERAL DESCRIPTION OF WORK
The major work will consist of the (approximate) following:
Repair of 1-inch through 2-inch Water Service Leaks
TIME PERIOD AND RENEWALS
The time period of this Agreement will be for one calendar year or the expiration of the funding, whichever occurs first. The City reserves the right to renew the contract for up to three (3) additional one calendar year time periods or up to three (3) additional expenditures of **\$750,000.00** under the same terms, conditions and unit prices. The City shall provide at least sixty (60) days' notice to the Contractor of the City's intent to renew.

PREQUALIFICATION
Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening. The procedures for qualification and pre-qualification are outlined in the Section 3 of 00 21 13 - INSTRUCTIONS TO BIDDERS.

DOCUMENT EXAMINATION AND REQUIREMENTS
Bids will be examined or obtained on-line by visiting the City of Fort Worth's Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/> and clicking on the link to the advertisement.

REQUEST FOR QUALIFICATIONS TO PROVIDE SCADA SYSTEM REPLACEMENT DESIGN-BUILD SERVICES TO THE CITY OF FORT WORTH, TEXAS

The City of Fort Worth Water Department (FWWD) is requesting qualifications from interested and qualified firms to provide SCADA System Replacement Design-Build Services for the following project:

REQUEST FOR QUALIFICATIONS
* **SCADA SYSTEM REPLACEMENT**
The Request for Qualifications and related information may be examined or obtained on-line by visiting Fort Worth's Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/>. Search for SCADA System Replacement to download the RFQ packet for viewing and printing by interested parties.
Requests for Qualifications (RFQs) and related information, may also be examined or obtained on-line by visiting the Fort Worth Water Department BIM360 website directly using the following links:
Project Files Folder Link:
<https://docs.b360.autodesk.com/shares/b887e3d-d4d-4e87-bf55-64e940ed218>
Addenda File Folder Link:
<https://docs.b360.autodesk.com/shares/d6c4e6a7-c41d-430f-b255-a881f909063>

The Applicant is solely responsible to ensure that it has received all communications issued by the City and a failure to obtain any such communication is at the sole and absolute risk of the Applicant.
Meeting with Engineers
In order to address questions from consultants within a public forum, the Water Department will schedule a non-mandatory RFQ review meeting to be held at 2:00 PM, Thursday, January 5, 2023 via web conferencing application only. Invitation with a link to the web conference will be distributed to interested parties who inquire by emailing this city contact: alexander.pierce@fortworthtexas.gov

Submission Requirements
One electronic copy (PDF and/or WORD Format) for each project, shall be submitted by e-mail to alexander.pierce@fortworthtexas.gov not later than 1:30 PM, Thursday, January 19, 2023. Submittals received after this date shall be rejected as non-responsive. Due to possible "size" limitations, a submittal for a specific project can split into more than one part for submission may be required. The Fort Worth Water Department will acknowledge receipt of the submission by return e-mail. If no Receipt of Submission has been received, contact Alexander Pierce at 817-392-8401 or alexander.pierce@fortworthtexas.gov to resolve any electronic transmission issues.
To qualify for the contract, an interested firm must submit and complete all forms and attachments (Attachment A, B, C, D, E, and F) required in statement of qualifications form section.
David Cooke, City Manager
Mary J. Kayser, Assistant City Secretary
IPL0102970
Dec 22 2022

NOTICE TO DESIGN-BUILD FIRMS
CITY OF FORT WORTH
Police Department Northwest Patrol Division Facility
Statement of Qualifications (SOQs) for the design (design-build delivery method) of the new Northwest Patrol Division Facility in Fort Worth, Texas, will be received at the Facilities Division/Architectural Services Office, Property Management Department, located at 401 West 13th Street, Fort Worth, Texas 76102. Seven copies of the SOQs must be received not later than 5:00 PM on Thursday, January 19, 2023.

South-Point Constructors - Notice of Current & Upcoming Bid Opportunities for the Southeast Connector Project (12/22/22)
Project Description:
South-Point Constructors (SPC) is under contract to deliver TxDOT's South-

BID NOTICE
Skanska USA Building Inc., Construction Manager-at-Risk for Tarrant County Colleges, will be accepting proposals from qualified subcontractors for the project located at 4801 Marine Creek Parkway in Fort Worth, TX. This solicitation is for **Tarrant County Colleges - NW Campus GMP 3, Signage and Graphics**. Scope of work to include interior signage and exterior signage. Bids will be due **Friday, January 6th, 2023 @ 2:00 PM CST. All Bids should be submitted via BuildingConnected.**
Documents are available electronically via www.BuildingConnected.com. MBF/SBE/AFBE/AABE/HUB firms are encouraged to submit proposals on this project. Please respond if interested and address all questions to simon.massey@skanska.com. Skanska USA Building is an equal opportunity (EEO) employer.
IPL0102661
Dec 20, 2022

CITY OF GRAND PRAIRIE
ADVERTISEMENT FOR BIDS
Competitive Sealed Bids will be received at 300 W. Main Street, Grand Prairie, TX, until January 5, 2023 at 2:00 PM, and publicly opened and read at that time via teleconference for the following:
RFB # 23087 - Remodeling of Boardroom at Ruth Jackson Center
A Mandatory Pre-Bid meeting will be held on Tuesday, December 27, 2022 @ 10:00am at Ruth Jackson Center, 3113 S. Carrier Pkwy, Grand Prairie TX 75052.

Further information and specifications may be obtained through www.PlanetBids.com, www.gpctx.org or by contacting the Purchasing Division at (972) 237-8372.
The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city.
IPL0103077
Dec 22 2022

City of Saginaw Public Notice
The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on January 10, 2023 to consider a request for a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD). The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on January 17, 2023 to consider the above-mentioned request for a change of zoning, contingent upon the receipt of a report regarding the proposed zoning change from the Planning and Zoning Commission. Both meetings will be in the Council Chambers at City Hall located at 333 West McLeroy Boulevard.
FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.
Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, at 817-230-0440.
IPL0103070
Dec 22 2022

South-Point Constructors - Notice of Current & Upcoming Bid Opportunities for the Southeast Connector Project (12/22/22)
Project Description:
South-Point Constructors (SPC) is under contract to deliver TxDOT's South-

CITY OF FORT WORTH
Sealed bids/proposals will be received until 1:30 PM on the dates listed below at the Purchasing Office located at 200 Texas St., Fort Worth Texas. All Bids MUST be in a SEALED ENVELOPE with the BID NUMBER LOCATED ON OUTSIDE OF ENVELOPE. Bids will be opened and read aloud publicly at 2:00 PM on the dates listed below in City Council Chambers, located on the 2nd floor of City Hall at 200 Texas St., Fort Worth Texas.
RFP 23-0010 GRANT TEMPORARY SERVICES
OPENS 1/12/2023
Unless otherwise noted, specifications may be obtained online at: <http://fortworthtexas.gov/purchasing/>
IPL0102898
Dec 22 2022

Auctions

Garage Sales
Pre-Christmas Moving Garage Sale with tons of crystal, dishes, kitchen ware, Christmas items & barely worn teen & adult clothing. All must go! 3725 Westcliff Rd Ft. Worth 76109

Animals

Cats
Sweet And Cute Kittens/ Cats
There's a \$15 rehoming fee and would really like to give 2 away together, if possible. PIs text 8176018555.

Dogs

AUSSIE AKC pups
Australian Shepherd AKC pupared All colors. Prices vary 7-12.10 wks. Text 817-593-5949. Great gifts!

Reg. Border Collie Puppies
Ready for Christmas \$800
940-867-3741

Reg Bichon Frise puppies 817-960-4132
Ready for new home just in time for Christmas. Hypoallergenic shed

Pomeranian Christmas Puppies
M-300 IF-400
Call 817-771-9761

Shitzu puppies
CKC 8 weeks Males \$500 Females \$600 817-523-5486

Golden Retriever Pups
Golden Retriever just in time for Christmas! Put a smile on their face that will last a lifetime. The Golden Retriever is the best dog for families with children! kikabars@gmail.com
817-966-2977

Merchandise
Miscellaneous

SELL YOUR STUFF FAST!
817.390.7400
VISA, M.C., A.M.E., D.C.

Real Estate

For Sale
19 & 20 Acres Sunset, Tx Join LBJ Grasslands
Tract 2, 19.01 acres, pond, water well, electricity & Oaks \$378,289.00
Tract 3, 20.71 acres, pond, electricity & Oaks \$347,828.00
Both tracts adjoin and both back up to the LBJ Grasslands
Jones-realestate.com 940-841-2655

MOBILE HOME FOR SALE
GORGEOUS 98 OAKCREEK (16x80) mobile home
3 bedroom/2 bath in IMMACULATE condition! #36028
817-480-8501 \$49,900

MOBILE HOME FOR SALE
VERY NICE! (16x80) Clayton mobile home
3 bedroom/2 bath
#36028
817-395-2990 \$44,900

Real Estate Misc.

1219 North Davis Drive Arlington
For Immediate Sale
2 crypts (side by side) located at Moore Memorial Gardens in Arlington, TX.
817-909-5240 \$15,000 OBO

Service Directory

Home & Business Improvement

Interior/Exterior Painting
Tape/Bed/Texture. Minor repairs. Free Estimates. 45 Years of Experience (817) 825-1011

PLUMBING
A to Z Military/Senior Disc All Repair 24/7-FREE est. 817-323-3418

D & S Plumbing
Military and Senior Disc.
682-472-3997

Frank's Roofing, Comp, TPO, Gutters, Concrete Work, Conslr, Co Fire Est 45yr exp 817-797-7675

Fence Staining DFW
Fair & quality. Old or new fence 817-881-6722. <https://sealtheedge.com>

Carpenter decks, patio covers, doors, windows, framing, remodel 817-602-7265

Roofing
New roofs & repairs. We work with your insurance adjuster. Free estimates. Licensed & insured. We take off all debris. 30 yrs exp. We have a major credit cards. 817-566-4765

ACE BRICK REPAIR
Brick Repair BBB A+ Rating
FREE EST. 682-472-8211

BRICK, STONE MASONRY
AMJ Masonry - Mailboxes, Repair on Stone, Concrete 682-558-6086

Rabit Construction Remodeling Services
Schedule a free in-home estimate 817-366-2820

FENCING, AUTO GATES, PLAINUM PERFORMANCE FENCE
Fin Art 0% interest 817-879-3181

Interior/Exterior Painting
Free Estimate. Minor repairs. Free Estimates. 45 Years of Experience (817) 825-1011

Misc. Service



205 Brenda Lane
P. O. Box 79070
Saginaw, Texas 76179
817-230-0500
www.ci.saginaw.tx.us

December 21, 2022

NOTICE OF PUBLIC HEARING

THIS IS A REQUESTED CHANGE IN PROPERTY ZONING

RE: Planning & Zoning Commission Meeting 01/10/23; Consideration of a request for a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25'," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 10th day of January, 2023 at 6:00 p.m. and the City Council of the City of Saginaw, Texas, will hold a Public Hearing on the 17th day of January, 2023 at 6:00 p.m. for the purpose of considering a request from the City of Saginaw to change the zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25'," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD). Both meetings will be held at the Saginaw City Hall, 333 West McLeroy Boulevard, Saginaw, Texas.

These hearings are open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. A reply form is provided for your convenience. Another person may also represent you.

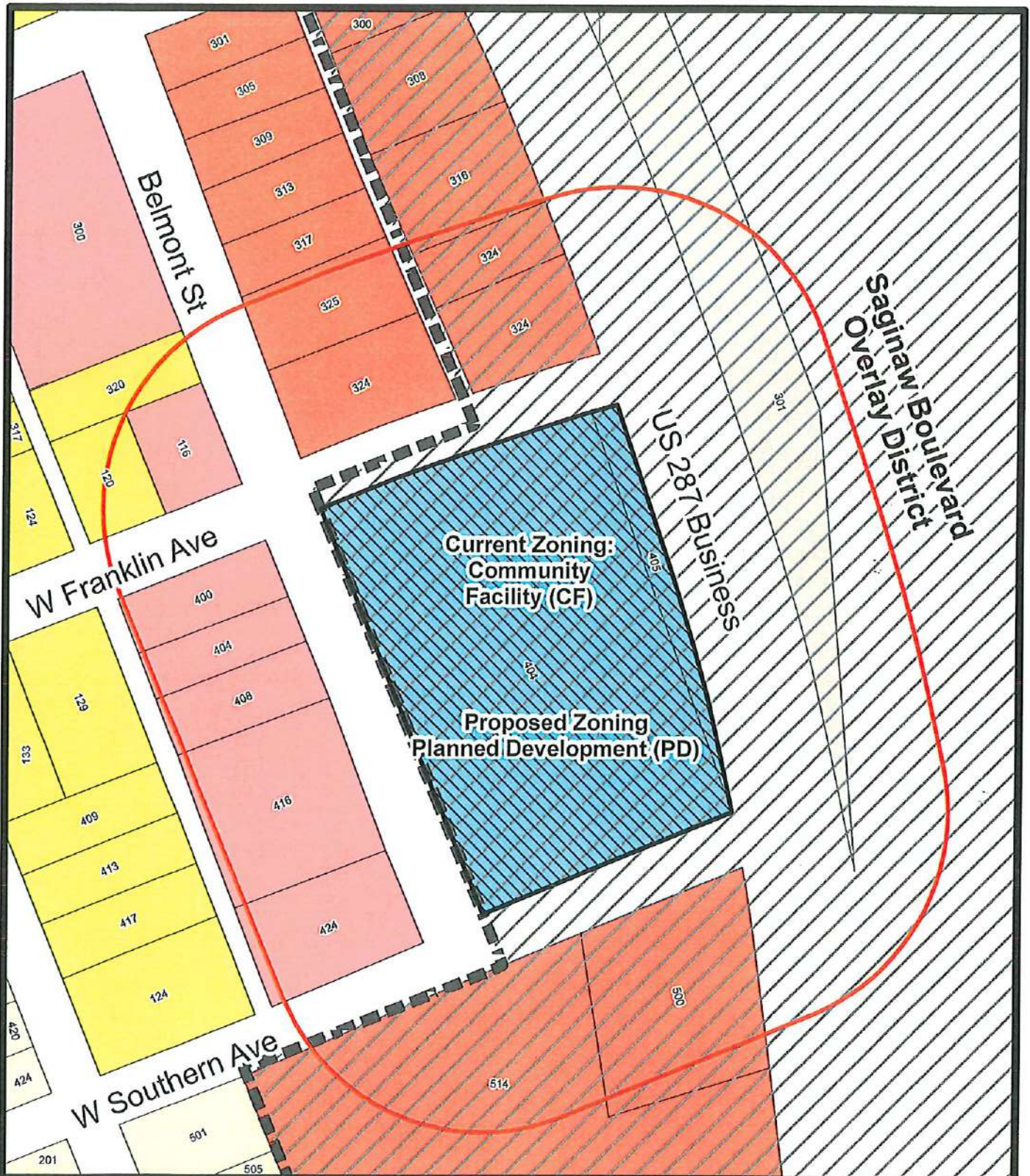
The enclosed map shows the area of request. The circle around the area is that within which property owners are required by law to be notified. Only that area which is shaded or highlighted is the property to be considered.

If you have any questions you may call me at 817-230-0400 or e-mail me at svictor@saginawtx.org.

Sincerely,

Susy Victor-Trevino
Planning Manager

Enclosures: Map of requested property, exhibit, and reply form.



Legend

- 200ft Buffer
- Property of Interest

Saginaw Local Favorite 200 ft Property Owner Notification



City of Saginaw



ZONING METES & BOUNDS DESCRIPTION

BEING a 108,409 square foot (2.4887 acre) tract of land situated in the J. Armendaris Survey, Abstract No. 58 & 59, City of Saginaw, Tarrant County, Texas, and being part of Block 4 of the Original Town of Saginaw, Tarrant County, Texas, according to the plat recorded in Volume 106, Page 21, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of said Block 4;

THENCE North 68°06'19" East, along the north line of said Block 4, a distance of 289.00 feet to a point for corner, being the northwest corner of that certain tract of land described in the Right-of-Way Deed to the State of Texas recorded in Volume 1468, Page 47, said Deed Records, and being on the west right-of-way line of South Saginaw Boulevard, and being a point at the beginning of a non-tangent curve to the right having a central angle of 6°48'35", a radius of 3387.87 feet, a chord bearing and distance of South 15°37'12" East, 402.41 feet;

THENCE in a southeasterly direction, along the said west right-of-way line, and along said curve to the right, an arc distance of 402.65 feet to a point for corner, being a point in the south line of said Block 4;

THENCE South 68°06'19" West, along the said south line of Block 4, a distance of 245.02 feet to a point for corner, being the southwest corner of said Block 4;

THENCE North 21°53'41" West, along the west line of said Block 4, a distance of 400.00 feet to the **POINT OF BEGINNING** and containing 108,409 square feet or 2.4887 acres of land, more or less.

NOTES

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the zoning tract.


JOSHUA D. WARGO
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6391
801 CHERRY STREET
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH. 817-335-6511
josh.wargo@kimley-horn.com



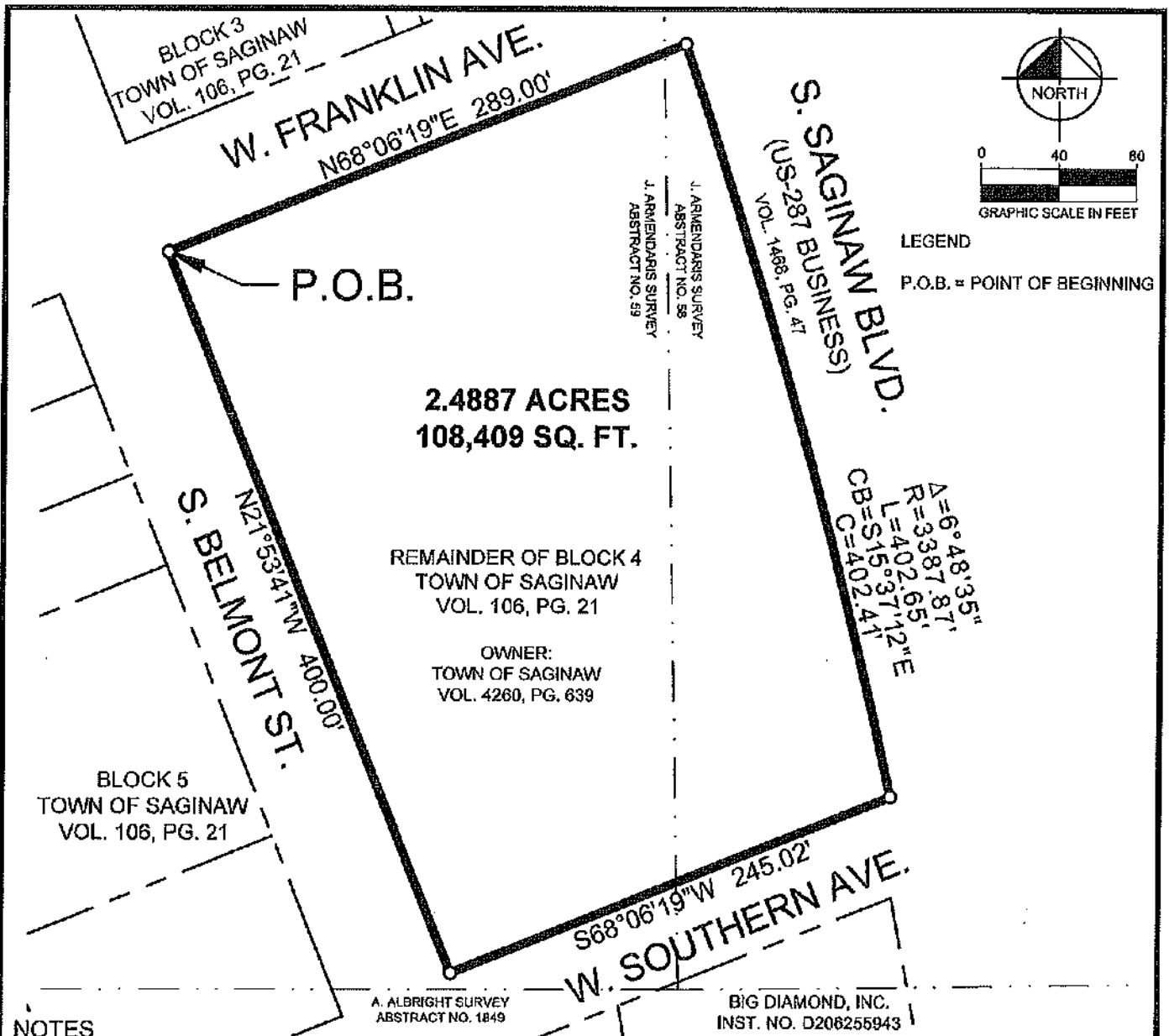
ZONING EXHIBIT
J. ARMENDARIS SURVEY
ABSTRACT NO. 58 & 59
CITY OF SAGINAW
TARRANT COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CRG	JDW	12/20/2022	069427000	1 OF 2



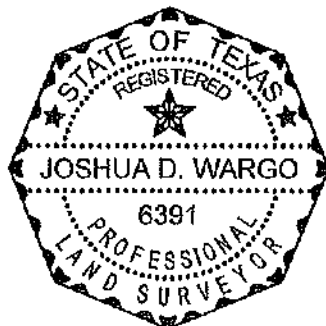
NOTES

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A metes & bounds description of even survey date herewith accompanies this survey plat.

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the zoning tract.

Joshua D. Wargo
JOSHUA D. WARGO
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6391
 801 CHERRY STREET
 UNIT 11 SUITE 1300
 FORT WORTH, TEXAS 76102
 PH. 817-335-6511
 josh.wargo@kimley-horn.com



ZONING EXHIBIT
J. ARMENDARIS SURVEY
ABSTRACT NO. 58 & 59
CITY OF SAGINAW
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	CRG	JDW	12/20/2022	069427000	2 OF 2

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning the request, you may call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 01/10/23 begins at 6:00 p.m. and City Council Meeting on 01/17/23 begins at 6:00 p.m. to consider a request for a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of "SAGINAW, BLOCK 4 PT BLK 4," more commonly known as 400 S. Saginaw Boulevard and "SAGINAW, BLOCK 4 ALL LESS E25'," more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (*Per TAD*).

Name: _____

Address: _____

Phone Number: _____

☐ In Favor

☐ Opposed

Reasons and/or Comments

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION APPLICATION
APPLICATION FOR REQUEST TO CHANGE ZONING

CASE NUMBER: PZ0123-03

All information required in the Zoning Ordinance #2002-04 and/or the Subdivision Ordinance # 2006-10 of the City of Saginaw must be received in the Building Inspection Office by 12:00 noon on the 28th day (always a Tuesday) prior to the Planning and Zoning Commission meeting. Zoning change requests must be accompanied by Exhibits showing existing zoning and proposed zoning.

The office personnel will strictly adhere to the submittal deadline date and time. THERE WILL BE NO EXCEPTIONS. Failure to submit the appropriate signed applications, required information, engineering details, or payment of the required fees will result in refusal of the application.

Acceptance of an application IS NOT A GUARANTEE that an applicant's case will be scheduled for a SPECIFIC AGENDA DATE. After reviewing the application the office personnel will contact the applicant for any required corrections. The agenda date will set after compliance by the applicant of all the required information has been submitted and approved for submittal to the City of Saginaw or Planning and Zoning Commission for consideration.

REQUEST FOR CONSIDERATION OF

ZONING CHANGE (X) PLANNED DEVELOPMENT () DEVELOPMENT PLAN ()

FLOODWAY OR FLOODPLAIN DEVELOPMENT ()

CURRENT ZONING: CF PROPOSED ZONING: PD for Restaurant & Entertainment Uses

LEGAL DESCRIPTION: *(fill in the one that applies)*

LOT: BLOCK: 4 PTBLK 4 + ADDITION: Saginaw

TRACT: ABSTRACT: 4 All Less E25' SURVEY:

(IF LEGAL DESCRIPTION IS TOO LONG ATTACH A COMPLETE COPY)

ADDRESS and/ or LOCATION OF PROPERTY: 400 S. Saginaw Blvd. Saginaw, TX 76179
(405 S. Belmont St. + 404 S. Saginaw Blvd. per TAD)

NAME OF PROPOSED DEVELOPMENT: "Saginaw Local Favorite"

TOTAL ACREAGE OF PROPERTY: ≈ 2.5 acres

REASON FOR ZONING REQUEST: (please be specific)

Property is to be sold for non-city use. Property will no
longer serve as a city facility.

(Use additional sheets and attach if necessary)

CURRENT ZONING: City Facility (CF)

REQUESTED ZONING: Planned Development (PD) for restaurant and
entertainment uses.

I hereby certify that I will follow all Ordinances as set forth by the city of Saginaw with respect to my Subdivision and understand that copies of the Zoning Ordinance and Subdivision Ordinance are available for my purchase. I further understand that the payment of the required fees does not in any way guarantee approval of my request or obligate the city in any way to refund said fees.

OWNER'S SIGNATURE: /s/ City of Saginaw PHONE #: 817-230-0320

and/or OPTION HOLDER: _____ PHONE #: _____

OWNER'S NAME: (Please Print) City of Saginaw

OWNER'S ADDRESS: 333 W. McLeroy Blvd. Saginaw, TX 76179

APPLICANT'S SIGNATURE: [Signature] PHONE #: 817-230-0440

APPLICANT'S NAME: City of Saginaw (Planning Manager Susij Victor)

APPLICANT'S ADDRESS: 333 W. McLeroy Blvd. Saginaw, TX 76179

FOR CITY USE ONLY DO NOT WRITE BELOW THIS LINE

RECEIVED BY: SVT DATE: 12/12/22 TIME: —

FEE FOR APPLICATION: Waived RECEIPT #: —

SUBMITTED INFORMATION REVIEWED BY: SVT

PLANNING AND ZONING COMMISSION MEETING DATE: 01/10/23

ACTION TAKEN: _____

CITY COUNCIL MEETING DATE: 01/17/23

ACTION TAKEN: _____

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW CITY HALL
333 WEST MCCLEROY BOULEVARD
January 10, 2023**

Present at the Meeting:

Member	Place No. 1	Brent Wooten
Chairman	Place No. 2	William Barngrover
Member	Place No. 4	Ed Larson
Vice-Chairman	Place No. 5	Jason LaBruyere
Alternate Member	Alt. No. 1	David Kraus
City Attorney		Rachel Raggio
Planning Manager/Recording Secretary		Susy Victor-Trevino

Absent from the Meeting:

Member	Place No. 3	Phillip Allen
Alternate Member	Alt. No. 2	Lainey Wood

Visitors at the Meeting:

David Miank

(1) Call to Order

Chairman Barngrover called the meeting to order at 6:00 P.M.

(2) Roll Call to Establish Quorum

Chairman Barngrover called roll. The quorum will consist of Chairman Barngrover, Vice-Chairman LaBruyere, Members Wooten and Larson, and Alternate Member Kraus.

(3) Audience Participation

Chairman Barngrover explained the procedures regarding audience participation.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on November 08, 2022 were presented for approval. A motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to approve the minutes for November 08, 2022. Motion carried unanimously.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(5) PZ 0123-01

PUBLIC HEARING

Consideration and Action Regarding Approval of a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6

“Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

Chairman Barngrover opened the public hearing at 6:03 p.m.

Abra Nusser, from Peloton Solutions, briefed the Commission on the proposed changes to the NMU ordinance and explained why the changes were needed. She stated that the current language introduced some misinterpretations regarding the implementation of the Neighborhood Mixed-Use District (NMU). Thus, the NMU rezoning was tabled by Council until the modifications could be made. The Commission asked some questions regarding the next steps in the process and Nusser answered their questions.

Chairman Barngrover closed the public hearing at 6:18 p.m.

A motion was made by Member Larson with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6 “Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

**(6) PZ 0123-02 PUBLIC HEARING
Consideration and Action Regarding a Specific Use Permit to Allow the Expansion,
Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont
Street, City of Saginaw, Tarrant County, Texas.**

Planning Manager Victor-Trevino briefed the Commission on the background and details of the specific use permit. She explained that although the mini-warehouse was not envisioned to be in the Saginaw corridor (per the Comprehensive Plan) that the space in question already exists and the adjacent property is not large in area. She stated that in the short term it does not likely appear that the space could be utilized for many opportunities given the current properties of the land; however, in the long term if both addresses were revitalized as something else in the future the property could have more opportunities. She emphasized that the building has been present since 1983 so the owners most likely may not have any plans to remove the building anytime soon. At 6:29 p.m. David Miank, PhD. joined the Commission and shared some insight regarding the project with the Commission. He mentioned that the plan was to repair the existing building by modernizing it and extending the units to the vacant parcel per code, etc. Audience participation was bypassed.

A motion was made by Member Wooten with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a Specific Use Permit to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(7) PZ 0123-03

PUBLIC HEARING

Consideration and Action Regarding Approval to Consider an Ordinance Amending of the City of Saginaw, Texas, regarding a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

Chairman Barngrover opened the public hearing at 6:38 p.m.

Planning Manager Victor-Trevino briefed the Commission on the background and details of the zoning change for this parcel. She explained that in order to have any development move into the property, that zoning must change from city facility. If the zoning were to remain, only facilities for city-use would be allowed. She further explained that the zoning would include a development plan geared towards allowing only sit-down restaurants and entertainment. Member Larson told the Commission that this parcel has never been available to anyone apart from the City and that they needed to change the zoning to make it marketable, a rezoning and selling of the land had to be done. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 6:42 p.m.

A motion was made by Vice-Chairman LaBruyere with a second by Member Wooten to recommend that the City Council approve a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(10) Staff Report

- A. Discussion of Residential, Commercial, Industrial, and City Capital Projects**
- B. Update Commission of City Council Action on Previous Cases**

Planning Manager Victor-Trevino reviewed current projects under construction in the City.

(11) EXECUTIVE SESSION

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- a. Any Posted Item**

No executive session was held.

(12) Adjournment

Motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to adjourn the meeting. Motion carried.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

Chairman Barngrover declared the meeting of January 10, 2023 closed at 6:47 p.m.

APPROVED:

Chairman

ATTEST:

Susy Victor-Trevino,
Planning Manager/Recording Secretary



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Susy Victor-Trevino
Planning Manager

Agenda Items: (11)

E-mail: svictor@saginawtx.org

Phone: 8172300440

SUBJECT:

PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning & Zoning Commission on Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards relating to a New Neighborhood Mixed-Use Zoning District (Ordinance No. 2023-03)

BACKGROUND/DISCUSSION:

See attached for background information on this item. Abra Nusser will be present to address any questions or concerns.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

See attached memo and P&Z Minutes for recommendation.

ATTACHMENTS:

Description

230117 - NMU Amendment CC

230117 - CC vs NMU Comparison

230117 - NC vs NMU Comparison

Memo w/P&Z Pkt Info

P&Z Minutes, 1-10-2023 (Unapproved)



SAGINAW
TEXAS

NEIGHBORHOOD MIXED-USE DISTRICT AMENDMENT

COMPREHENSIVE PLAN IMPLEMENTATION

OVERVIEW

Implementation of the Comprehensive Plan that was adopted on March 1, 2022

The new zoning districts give guidance to developers, property owners, City Leadership, Staff, stakeholders, and community members

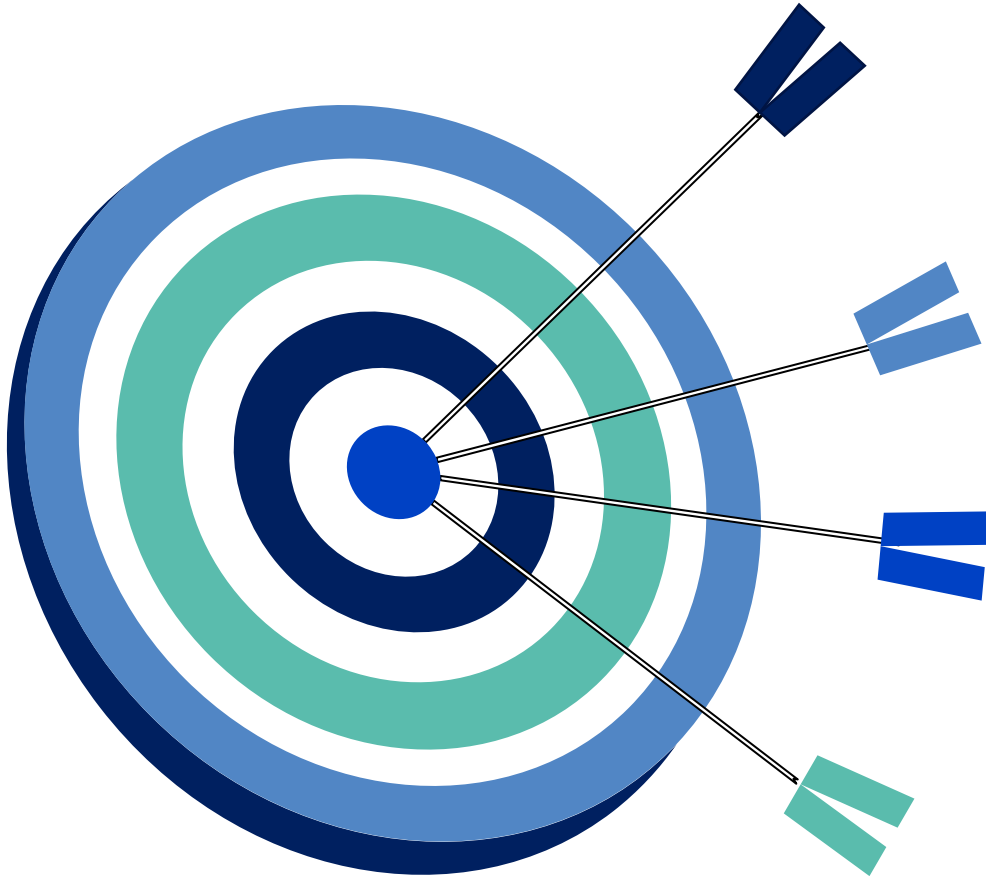
The Comprehensive Plan is a guiding document for Saginaw that includes a Vision for the future and strategies to make the Vision a reality

Properties are being rezoned by the City to match the Comprehensive Plan and apply the new zoning districts

New zoning districts are being created to match the Vision in the Comprehensive Plan

Continuous refinement of zoning districts and standards is essential to Saginaw's success

PROCESS



Comprehensive Plan Update Adopted

- March 1, 2022

NMU Zoning District Created

- September 9, 2022

Batch 1 NMU Parcel Rezoning Public Hearings

- P&Z: November 8, 2022
- City Council: December 6, 2022

NMU District Amendment

Batch 1 NMU Parcel Rezoning Reconsideration

Batch 2 NMU Parcel Rezoning Public Hearings

Future Districts and Parcel Rezoning



COMPREHENSIVE PLAN NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use Vision

Saginaw Comprehensive Plan (2022)

LAND USE

Shops, restaurants, offices, entertainment, parks, and gathering spaces with limited residential

DESIGN

Low-intensity, walkable destinations (max two stories) connected to neighborhoods

PURPOSE

Get desired neighborhood-oriented commercial development while protecting existing homes



NEIGHBORHOOD MIXED-USE ZONING DISTRICT CREATED

Neighborhood Mixed-Use District

Unanimously Recommended & Adopted in September 2022

COMMERCIAL FRONTAGE

Reserve valuable frontage along major roads for desired commercial development

MAIN STREET FEEL

Design buildings along major roads to have a Main Street-type feel

LIMITED RESIDENTIAL

Allow limited residential uses to support desired commercial & market feasibility

GATHERING & PARK SPACES

Encourage gathering & park spaces through residential use Activated Amenity incentive

RESIDENT PROTECTION

Protect existing residents by requiring compatible screening, heights, & uses

PREVENT OVERCROWDING

Prevent residential structure overcrowding and preservation of open space

**BATCH 1 NMU
PARCEL REZONING**

To Apply New NMU District to Properties Designated NMU in Comp Plan



Rezoning an Initial Batch of Parcels to NMU

On 11/8/22, P&Z Recommended Approval but without Parcels 6 & 10 Based on Feedback from Property Owners at the Public Hearing



Rezoning an Initial Batch of Parcels to NMU

Apply New NMU District to Properties Designated NMU in Comp Plan

12/7/22 CITY COUNCIL

Staff recommended tabling the rezoning until an amendment to the newly adopted NMU District could be processed, based on clarification needs identified between P&Z and the City Council meeting.

PUBLIC HEARING FEEDBACK

A few property owners expressed concern over the proposed zoning change but did not articulate what in the proposed zoning was specifically inconsistent with their development intentions.

City Council voted to table the item indefinitely.



PROPOSED NMU DISTRICT AMENDMENTS

Neighborhood Mixed-Use District

Proposed Clarification Amendments

DENSITY

Ground floor commercial uses constructed
= maximum gross density can be grouped

Ground floor commercial uses not
constructed = density limited to maximum
eight* gross dwelling units per acre on each
acre (not in Commercial Frontage Area) and
cannot be grouped

BUILD-TO ZONE

The Build-to Zone can be adjusted, subject
to the consideration and approval of the
City Council, due to existing site
obstructions or site-specific issues that
make the required build-to-zone
impractical or overly burdensome

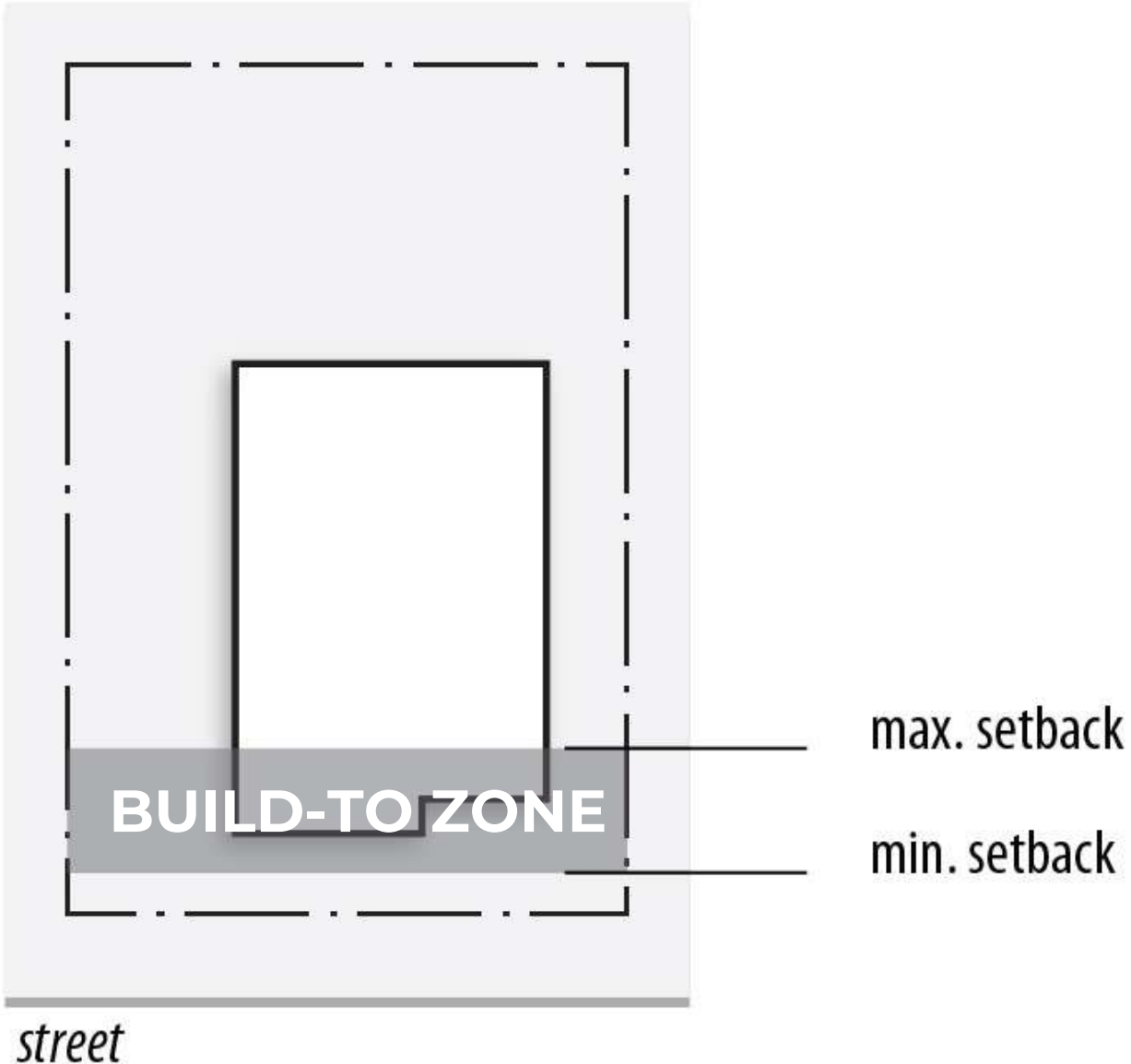
**Can be increased up to 10 gross dwelling units per acre on
each acre if Activated Amenity is provided*

Neighborhood Mixed-Use District

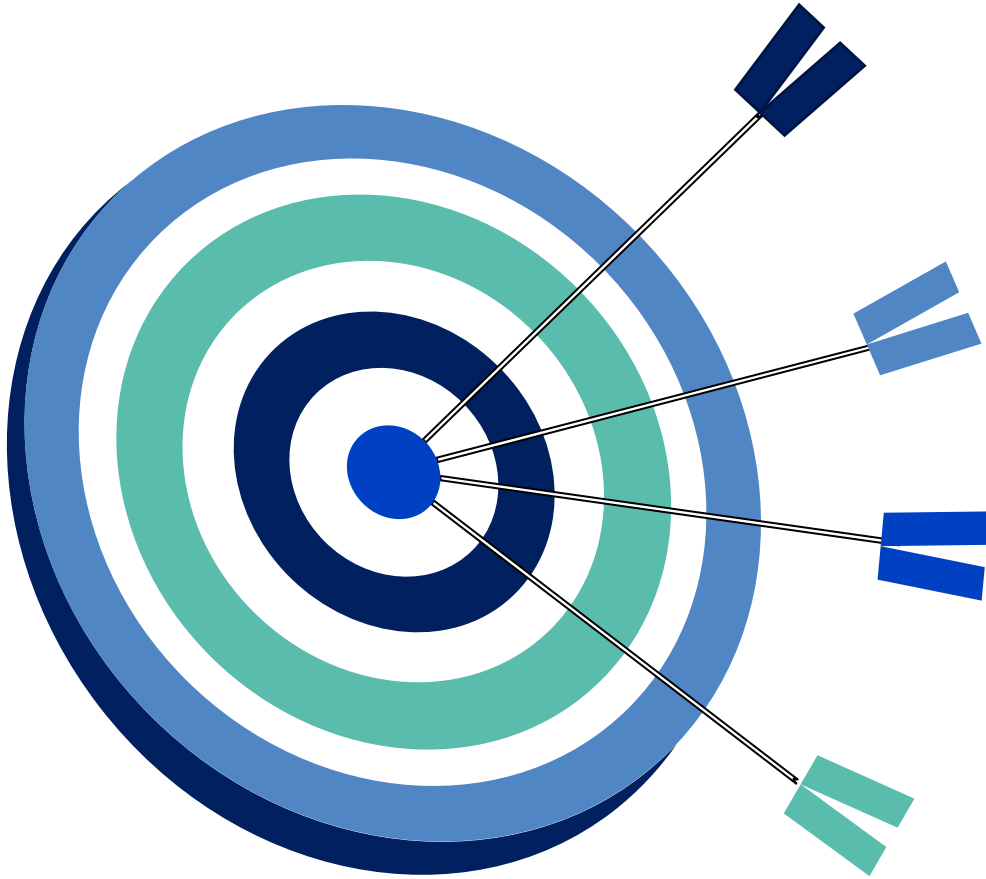
Proposed Clarification
Amendments

BUILD-TO ZONE

the area on a lot, measured parallel from the front and/or corner side lot line, where a structure must locate its façade within the minimum and maximum range of setback provided



NEXT STEPS



Comprehensive Plan Update Adopted

- March 1, 2022

NMU Zoning District Created

- September 9, 2022

Batch 1 NMU Parcel Rezoning Public Hearings

- P&Z: November 8, 2022
- City Council: December 6, 2022

NMU District Amendment

- P&Z: January 10, 2023 (Unanimous Recommendation of Approval)
- City Council: January 17, 2023

Batch 1 NMU Parcel Rezoning Reconsideration

Batch 2 NMU Parcel Rezoning Public Hearings

Future Districts and Parcel Rezonings

CC VS. NMU ZONING COMPARISON

STANDARDS

	Community Commercial	Neighborhood Mixed-Use
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Front Yard Setback	Minimum 20 feet	10-20 feet build-to-zone
Minimum Side Yard Setback	None	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.
Minimum Rear Yard Setback	10 feet	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.

	Community Commercial	Neighborhood Mixed-Use
Maximum Density	None	Residential uses shall be limited to a maximum of 8 dwelling units* per one acre, on each one acre not included within the Commercial Frontage Requirement area as described in subsection 6-18.C., unless or until ground floor commercial uses consistent with the standards and intent of the Commercial Frontage Requirement are constructed and operational. Once the city staff determines that aforementioned ground floor commercial uses are constructed and operational consistent with the Commercial Frontage Requirement, density allocation is permitted to include a maximum of 8 dwelling units* per acre for the entire development and is not limited to any one area of the development. Housing units can be placed above ground floor commercial areas within the commercial frontage requirement area. <i>(Can be increased to 10 dwelling units per gross acre of at least 2,500 sq ft of the gross land area is provided as an Activated Amenity)</i>
Maximum Building Height	110 feet or 8 stories	36 feet or 2 stories
Minimum Distance Between Residential Structures	None, except 10 feet typical for fire safety	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features
Exterior Construction	Faced entirely of masonry or of tilt-wall construction and all building exterior walls, excluding window and door areas, when visible from a public right-of-way. Wood finish may be applied over the masonry for decorative purposes but not to exceed an area of 1:10 square feet of the exterior walls including the windows and doors	Compatible in style, intensity, color, and scale with neighborhoods within 200 feet of the property High quality and durable materials shall be utilized, and providing placemaking elements (ex. plazas, lighting, signage, landscaping, etc.) consistent with the character and traditions in Saginaw

	Community Commercial	Neighborhood Mixed-Use
Living Compatibility Screen	None	When a Mixed Use, Non-Residential Use, or Multi-Family Use is adjacent to a Single Family or Duplex Residential property, the following provisions apply: • Development shall provide a landscaped area at least 20 ft in width along the common property line • Canopy trees shall be planted for each 30 linear feet or portion of exposure and should not be clustered • Connection to the adjacent neighborhood shall be provided via sidewalk or trail, leading to an adjacent right-of-way, sidewalk, or trail • Developments shall screen parking from adjacent properties with a Living Compatibility Screen
Residential Landscaping	None	Four inches of nursery stock tree(s) are required in each residential front yard with a minimum size of two-inch caliper for any single tree
Interior Landscape Area	Minimum 30% of Floor Area	Minimum 30% of Floor Area
Green Space	None	Minimum of 15% of the gross land area
Lot Coverage	Maximum of 50%	None

	Community Commercial	Neighborhood Mixed-Use
Activated Amenity	None	Minimum of 2,500 sq ft to qualify for up to 10 dwellings units per acre Aesthetic, leisure, and recreational purposes, that is accessible to and permanently reserved for the common use and enjoyment of the occupants of the development Maximum amount of open space used for storm water detention or retention purposes shall not exceed 25 percent of the common open space area Activated Amenities adjacent to street rights-of-way shall be a minimum depth of 25 feet and shall be landscaped to include the retention or planting of one three-inch caliper tree per each 50 feet of street frontage
Commercial Frontage	None	Minimum of 70% of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development's residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.)

USES

P = Permitted

S = Specific Use Permit Required

(Blank Indicates Use is Prohibited)

Refer to Zoning Ordinance for Supplemental Conditions.

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Accessory Banking	P	P	
Accessory building	P	S	16
Ambulance Service	P		2
Amusement Center, Indoor	P	P	
Amusement Center, Outdoor	P		1, 7
Animal Grooming	P		2
Antique Shop	P	P	2
Apartment		P	19
Apparel Alteration and Repair or Tailor Shop	P	P	
Appliance Repair, Household	P	S	
Art Gallery	P	P	2
Arts, Crafts, and Hobby Shop	P	P	
Assembly Hall	P	S	2
Assembly Plant			7, 22
Athletic Field & Play Field, Commercial	S	S	1, 7, 22
Auction House, Indoor	P		1
Auditorium	P		
Auto Car Wash	S		2, 7
Auto Parts & Accessory Sales	P		2
Auto Rental (Car & Truck)	P		2, 13
Auto Repair Garage	S		1, 11, 12, 13

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Auto Sales, New & Used	S		2, 7, 12, 13
Auto Service Station	P		2, 7, 11, 12, 13
Auto Service Station, Light Maintenance	P		
Bakery, Retail Confectionery	P	P	
Bakery, Wholesale Candy	P	S	2
Bank, Savings and Loan Association, Financial Institution	P	P	
Bank, Savings and Loan Association, Financial Institution	P	P	
Barber Shop, Beauty Salon, other Personal Shop	P	P	
Bingo Hall	S		1, 23
Boarding House		P	
Brewery	S		1
Building Material Sales	P		1, 3, 7, 13, 22
Bus, Train, & Taxi Station or Terminal	P	S	2, 13
Cabinet &/or Upholstery Shop	S		2, 3
Camp Ground & Related Facilities	S		2
Caretaker, Guard or Servant, Residence or Apt. Garage	S		2
Cargo Container	P		
Catering Service	P	P	
Community Center	P	P	

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Contractor, no Outside Storage Permitted	P		
Convenience Store, with or without Fuel Sales	P	S	7
Convent, Rectory, Monastery	P	P	
Copy Shop	P	S	2
Cosmetic Tattoo Establishment	P	S	
Cottage Industry	P	P	
Country Club	S	S	2
Day Care Center, Adult	P	S	2
Day Care Center, Child	P	S	2, 10
Department Store	P	S	2
Dwelling, Assisted Living Facility		P	2, 19
Dwelling, Industrialized Housing		P	
Dwelling, Multifamily		P	
Dwelling, Single Family Attached		P	
Dwelling, Single Family Detached		P	
Dwelling, Two Family		P	
Electrical Substation	P	P	20
Electrical Transmission Line	P	P	
Extended-Stay Hotel/Motel	S		2, 7
Exterminating Service	P		2
Factory Outlet, Retail or Wholesale Store	P		3, 7, 13, 22

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Farm Machinery & Implement Sales & Service	S		2, 12, 13
Farmers Market, Outdoor	P	S	2, 7,
Funeral Home, Mortuary	P		1, 22
Furniture Repair	P		2
Furniture, Fixture & Appliance Store	P		2
Garage, Public	S		
Gas Regulator Station	P	P	
Gift Shop including Florist	P	P	
Golf Course, Driving Range	P		1, 7
Golf Course, Miniature	P	S	2
Golf Course, Private	S	S	2
Golf Course, Public			2
Government Administration Facility	P	P	
Greenhouse or Plant Nursery	P	P	7
Grocery Store	P	P	
Group Home for the Disabled or Disadvantaged		P	2
Gymnasium	P	S	1
Hardware Store	P	P	
Health Club, Recreation Facility	P	P	2
Hobby Studio, Private	P	P	
Home Improvement Store	P	S	2, 13
Hookah/Smoke Lounge	S		
Hospital	P		2, 22
Hotel, Motel	P		2, 7
Kiosk	P	P	2

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Laboratory, Medical and/or Dental	P		2
Laboratory, Research	P		2
Laboratory, Support	P		
Landscape Service	S		2
Laundry, Dry Cleaning Full Service	P		
Laundry, Dry Cleaning Pickup & Receiving Station	P		2
Laundry, Self Service	P		2
Library	P	P	2
Line Compressor Station	S	S	1, 15, 24
Liquor Store, Packaging Sales	P		22
Lithography or Print Shop	P		
Locksmith Shop	P	P	
Lodge, Fraternal, Sorority & Clubs	P	S	2
Machinery Sales or Repair	S		2
Massage Therapy Establishment	S		
Meat Market (includes Seafood)	P	P	
Medical, Dental & Optical Retail Sales	P	P	
Medical, Dental Office	P	P	
Mini-warehouse	S		2, 7, 18
Mobile Food Unit Park	S	S	28
Motorcycle Sales	P		2, 12, 13

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Movie Theater, Cineplex	P		2, 7, 22
Museum	P	P	
Music Store	P	P	
Non-depository financial institutions	S		1
Nursing Home	P		2
Office Machine Sales & Service	P		
Office Supply Store	P	P	
Office, Business	P	P	
Office, Professional	P	P	
Office, Real Estate Development Tract or Field Office	P	P	
Oil and Gas Wells	P	S	15
Optician Shop	P	P	2
Park	P	P	
Park and Ride Lots	P	S	2, 7
Parking Lot, Commercial (Auto)	P		7
Parking lot, off premises	S	S	7
Pet Shop	P	P	
Pharmacy	P	P	2
Philanthropic and/or Charitable Use	P	P	
Photographic Equipment Sales & Service	P	P	
Photographic Service	P	P	
Physical Training and Athletic Facility	P		
Private Card Club	S		2

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Private Club	S	S	2
Public Maintenance Building, Storage Yard		S	
Public Safety Facility, Police & Fire	P	P	
Public Utility	P	P	
Radio, Television Studio	P	P	
Recreational vehicle Rental	S		2, 7, 13
Religious Institution	P	P	22
Rental Store	P	P	13
Rental Yard, Commercial & Heavy Equipment	S		1, 3, 7, 13, 22
Repair, Small Engine	P		
Restaurant, Drive-in / Drive-thru	P	S	7, 22, 26
Restaurant, limited	S	P	
Restaurant, Refreshment Stand (Temporary or Seasonal)	P	P	7
Restaurant, with alcohol sales	P	P	2, 7, 22, 26
Restaurant, without alcohol sales	P	P	2, 7, 22, 26
Rodeo Ground/Fair Ground	S		1, 7, 22
School, Business College	P	S	2, 22
School, College or University	P	S	2, 22

	Community Commercial	Neighborhood Mixed-Use	Supplemental Conditions
School, Commercial Instruction	P	S	2, 22
School, Commercial Trade	P	S	2, 22
School, Institution, Rehabilitation & Training Center	P	S	2
School, Nursery	P	P	2
School, Primary or Secondary	S	S	22
School, Vocational	P		2
Sexually Oriented Business	See Ordinance No. 95-1 (as amended)	See Ordinance No. 95-1 (as amended)	
Shoe Repair	P	P	
Shooting Range, Indoor	S		2, 5
Sign Shop, Painted or Silk-screened	P		
Skating Rink, Indoor	P	S	
Snow Cone Stand Seasonal	P	P	1, 25
Special Event Venue	S	S	1
Stone Monument Sales	S		2, 3, 7
Studio, Dance	P	S	
Swimming Pool, Commercial	P	S	2
Tanning Studio	P	P	2
Taxidermist Shop	S		1
Taxidermist Studio	P		
Telephone Exchange, Switching or Relay	P	P	
Tobacco Shop	S	S	2
Veterinarian Office, Small Animal Practice	P	P	2

	Community Commercial	Neighborhood Mixed- Use	Supplemental Conditions
Veterinary Hospital without Outside Pens	P	S	2
Video / Game Rental	P	P	
Watch &/or Jewelry Sales & Repair	P	P	
Water Park, Commercial	P		1, 7, 22
Winery	S		1

NC VS. NMU ZONING COMPARISON

STANDARDS

	Neighborhood Commercial	Neighborhood Mixed-Use
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Front Yard Setback	Minimum 20 feet	10-20 feet build-to-zone
Minimum Side Yard Setback	None or 10 feet when abutting any residential district	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.
Minimum Rear Yard Setback	10 feet or 20 feet when abutting any residential district	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.
Maximum Density	None	Residential uses shall be limited to a maximum of 8 dwelling units* per one acre, on each one acre not included within the Commercial Frontage Requirement area as described in subsection 6-18.C., unless or until ground floor commercial uses consistent with the standards and intent of the Commercial Frontage Requirement are constructed and operational. Once the city staff determines that aforementioned ground floor commercial uses are constructed and operational consistent with the Commercial Frontage Requirement, density allocation is permitted to include a maximum of 8 dwelling units* per acre for the entire development and is not limited to any one area of the development.

	Neighborhood Commercial	Neighborhood Mixed-Use
		Housing units can be placed above ground floor commercial areas within the commercial frontage requirement area. <i>(Can be increased to 10 dwelling units per gross acre of at least 2,500 sq ft of the gross land area is provided as an Activated Amenity)</i>
Maximum Building Height	36 feet or 2.5 stories	36 feet or 2 stories
Minimum Distance Between Residential Structures	None, except 10 feet typical for fire safety	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features
Exterior Construction	Faced entirely of masonry or of tilt-wall construction and all building exterior walls, excluding window and door areas, when visible from a public right-of-way. Wood finish may be applied over the masonry for decorative purposes but not to exceed an area of 1:10 square feet of the exterior walls including the windows and doors	Compatible in style, intensity, color, and scale with neighborhoods within 200 feet of the property High quality and durable materials shall be utilized, and providing placemaking elements (ex. plazas, lighting, signage, landscaping, etc.) consistent with the character and traditions in Saginaw

	Neighborhood Commercial	Neighborhood Mixed-Use
Living Compatibility Screen	None	When a Mixed Use, Non-Residential Use, or Multi-Family Use is adjacent to a Single Family or Duplex Residential property, the following provisions apply: • Development shall provide a landscaped area at least 20 ft in width along the common property line • Canopy trees shall be planted for each 30 linear feet or portion of exposure and should not be clustered • Connection to the adjacent neighborhood shall be provided via sidewalk or trail, leading to an adjacent right-of-way, sidewalk, or trail • Developments shall screen parking from adjacent properties with a Living Compatibility Screen
Residential Landscaping	None	Four inches of nursery stock tree(s) are required in each residential front yard with a minimum size of two-inch caliper for any single tree
Interior Landscape Area	Minimum 30% of Floor Area	Minimum 30% of Floor Area
Green Space	None	Minimum of 15% of the gross land area
Lot Coverage	Maximum of 35%	None

	Neighborhood Commercial	Neighborhood Mixed-Use
Activated Amenity	None	Minimum of 2,500 sq ft to qualify for up to 10 dwellings units per one acre Aesthetic, leisure, and recreational purposes, that is accessible to and permanently reserved for the common use and enjoyment of the occupants of the development Maximum amount of open space used for storm water detention or retention purposes shall not exceed 25 percent of the common open space area Activated Amenities adjacent to street rights-of-way shall be a minimum depth of 25 feet and shall be landscaped to include the retention or planting of one three-inch caliper tree per each 50 feet of street frontage
Commercial Frontage	None	Minimum of 70% of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development's residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.)

USES

P = Permitted

S = Specific Use Permit Required

(Blank Indicates Use is Prohibited)

Refer to Zoning Ordinance for Supplemental Conditions.

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Accessory Banking	P	P	
Accessory building	P	S	16
Ambulance Service	S		2
Amusement Center, Indoor	P	P	
Animal Grooming	S		2
Antique Shop	S	P	2
Apartment		P	19
Apparel Alteration and Repair or Tailor Shop	P	P	
Appliance Repair, Household	P	S	
Art Gallery	P	P	2
Arts, Crafts, and Hobby Shop	P	P	
Assembly Hall	S	S	2
Athletic Field & Play Field, Commercial	S	S	1, 7, 22
Auto Car Wash	S		2, 7
Auto Parts & Accessory Sales	S		2
Auto Rental (Car & Truck)	S		2, 13
Auto Repair Garage	S		1, 11, 12, 13
Auto Service Station	S		2, 7, 11, 12, 13
Auto Service Station, Light Maintenance	S		
Bakery, Retail Confectionery	P	P	

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Bakery, Wholesale Candy	S	S	2
Bank, Savings and Loan Association, Financial Institution	P	P	
Bank, Savings and Loan Association, Financial Institution	P	P	
Barber Shop, Beauty Salon, other Personal Shop	P	P	
Boarding House		P	
Building Material Sales	P		1, 3, 7, 13, 22
Bus, Train, & Taxi Station or Terminal	S	S	2, 13
Catering Service	P	P	
Community Center		P	
Contractor, no Outside Storage Permitted	S		
Convenience Store, with or without Fuel Sales	P	S	7
Convent, Rectory, Monastery	P	P	
Copy Shop	S	S	2
Cosmetic Tattoo Establishment	P	S	
Cottage Industry	P	P	
Country Club	S	S	2
Day Care Center, Adult	P	S	2
Day Care Center, Child	S	S	2, 10
Department Store	S	S	2

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Dwelling, Assisted Living Facility	S	P	2, 19
Dwelling, Industrialized Housing		P	
Dwelling, Multifamily		P	
Dwelling, Single Family Attached		P	
Dwelling, Single Family Detached		P	
Dwelling, Two Family		P	
Electrical Substation	P	P	20
Electrical Transmission Line	P	P	
Extended-Stay Hotel/Motel	S		2, 7
Exterminating Service	S		2
Farmers Market, Outdoor	S	S	2, 7,
Funeral Home, Mortuary	S		1, 22
Furniture Repair	S		2
Furniture, Fixture & Appliance Store	S		2
Gas Regulator Station	P	P	
Gift Shop including Florist	P	P	
Golf Course, Miniature	S	S	2
Golf Course, Private	S	S	2
Government Administration Facility	P	P	
Greenhouse or Plant Nursery	P	P	7
Grocery Store	P	P	
Group Home for the Disabled or Disadvantaged		P	2

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Gymnasium	P	S	1
Hardware Store	P	P	
Health Club, Recreation Facility	P	P	2
Hobby Studio, Private	P	P	
Home Improvement Store	S	S	2, 13
Hospital	S		2, 22
Hotel, Motel	S		2, 7
Kiosk	P	P	2
Laboratory, Research	S		2
Laundry, Dry Cleaning Pickup & Receiving Station	S		2
Laundry, Self Service	S		2
Library	P	P	2
Line Compressor Station	S	S	1, 15, 24
Lithography or Print Shop	P		
Locksmith Shop	P	P	
Lodge, Fraternal, Sorority & Clubs	S	S	2
Meat Market (includes Seafood)	P	P	
Medical, Dental & Optical Retail Sales	P	P	
Medical, Dental Office	P	P	
Mini-warehouse	S		2, 7, 18
Mobile Food Unit Park	S	S	28
Motorcycle Sales	S		2, 12, 13
Movie Theater, Cineplex	S		2, 7, 22
Museum	P	P	
Music Store	P	P	

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Nursing Home	S		2
Office Machine Sales & Service	P		
Office Supply Store	P	P	
Office, Business	P	P	
Office, Professional	P	P	
Office, Real Estate Development Tract or Field Office	P	P	
Oil and Gas Wells	P	S	15
Optician Shop	S	P	2
Park	P	P	
Park and Ride Lots	S	S	2, 7
Parking lot, off premises	S	S	7
Pet Shop	P	P	
Pharmacy	P	P	2
Philanthropic and/or Charitable Use	P	P	
Photographic Equipment Sales & Service	P	P	
Photographic Service	P	P	
Private Club	S	S	2
Public Maintenance Building, Storage Yard		S	
Public Safety Facility, Police & Fire	P	P	
Public Utility	P	P	
Radio, Television Studio	P	P	
Religious Institution	P	P	22
Rental Store	P	P	13
Repair, Small Engine	S		

	Neighborhood Commercial	Neighborhood Mixed-Use	Supplemental Conditions
Restaurant, Drive-in / Drive-thru	P	S	7, 22, 26
Restaurant, limited	S	P	
Restaurant, Refreshment Stand (Temporary or Seasonal)	P	P	7
Restaurant, with alcohol sales	P	P	2, 7, 22, 26
Restaurant, without alcohol sales	P	P	2, 7, 22, 26
School, Business College		S	2, 22
School, College or University		S	2, 22
School, Commercial Instruction		S	2, 22
School, Commercial Trade		S	2, 22
School, Institution, Rehabilitation & Training Center		S	2
School, Nursery	P	P	2
School, Primary or Secondary	S	S	22
Sexually Oriented Business	See Ordinance No. 95-1 (as amended)	See Ordinance No. 95-1 (as amended)	
Shoe Repair	P	P	
Skating Rink, Indoor	P	S	
Snow Cone Stand Seasonal		P	1, 25
Special Event Venue	S	S	1
Studio, Dance	P	S	
Swimming Pool, Commercial		S	2
Tanning Studio	P	P	2

	Neighborhood Commercial	Neighborhood Mixed- Use	Supplemental Conditions
Taxidermist Studio	P		
Telephone Exchange, Switching or Relay	P	P	
Tobacco Shop	S	S	2
Veterinarian Office, Small Animal Practice	P	P	2
Veterinary Hospital without Outside Pens	S	S	2
Video / Game Rental	P	P	
Watch &/or Jewelry Sales & Repair	P	P	



Neighborhood Mixed-Use (NMU) Ordinance Amendment

Date: January 10, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding Approval of a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

Background/Discussion:

On August 09, 2022 the Planning and Zoning Commission made a recommendation to Council to approve the request to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District. On August 16, 2022, the City Council voted unanimously to table this item and approved the item on September 06, 2022.

On November 08, 2022 the NMU City-initiated rezoning went before the Planning and Zoning Commission where they decided to recommend all the parcels, with the exclusion of parcels 6 and 8, be forwarded to the City Council with a recommendation for approval. The recommendation went before the City Council on December 06, 2022, but with recommendation from staff, the item was tabled due to potential conflicts in the existing ordinance language. Staff believed it was best to hold off on the rezoning until an NMU District amendment could be processed to ensure clarity before execution. The amendment change is presented in the following exhibit.

Staff Recommendation:

Staff recommends that the request for a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11) be forwarded to the City Council with a recommendation for approval.

Attachments:

NMU Newspaper Notice, Ordinance 2022-03, NMU PowerPoint

Legals

CITY OF LAKE WORTH
ORDINANCE NO. 1250

AN ORDINANCE AMENDING Ordinance No. 1169, the Comprehensive Zoning Ordinance of the City of Lake Worth, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 0.425-ACRES OF LAND DESCRIBED HEREIN AS BLOCK 30, LOT 21, INDIAN OAKS SUBDIVISION, being that all of the certain called 0.425-acre PARCEL of land recorded in the deed records of Tarrant County, Texas, from a zoning designation of "pc" PLANNED COMMERCIAL (OBSOLETE zoning district) to a zoning designation of "C" commercial, for a property GENERALLY KNOWN AS 3029 CADDOL TRL, Lake Worth, Tarrant County, Texas and by amending the Official Zoning Map to reflect such change; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENFORCEMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.

SECTION 6. PENALTY CLAUSE. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10. PUBLICATION CLAUSE. The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, the penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

SECTION 11. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on the 20th day of December 2022.

CITY OF LAKE WORTH
/s/ Walter Bowen
Walter Bowen - Mayor
ATTEST:
/s/ Holly Fimbres
Holly Fimbres - City Secretary
IPL0103112
Dec 23, 30 2022

NTTA

RFB 05756-DNT-05-CN-PD
DNT Winter Operational Facility
Project Description: This project consists of the construction of a covered winter maintenance operations facility under the DNT mainline bridge at US 380. Construction includes grading, paving, and the construction of aluminum covered storage structures with associated illumination, utilities, and sanitary facilities.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 1/19/2023 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (https://www.nttamarketplace.org). Bids will be read at a virtual bid opening meeting on 1/19/2023 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 1/10/2023 at 1:00 p.m. CT. See RFB documents for meeting details.

Email: bidpurchasing@ntta.org for questions on registration or use of website.

ADVERTISEMENT FOR
REQUEST FOR PROPOSALS
CITY OF SOUTHLAKE
OWNER

Sealed Request for Proposals for Disaster Debris Management and Monitoring Services RFP-2211B320AM220011 will be received by the City of Southlake. All proposals must be submitted electronically and received by 3:00 PM, CST, Friday February 10, 2023. Further information regarding this solicitation is available from the City Website located at www.cityofsouthlake.com or Bonfire website located at <https://southlake.bonfirehub.com/login>.

The Owner reserves the right to waive any and all informalities or to reject any and all proposals.

For further information please contact City of Southlake Purchasing Manager at 817-748-8312.
IPL0103222
Dec 30, Jan 6 2023

City of Colleyville

The City of Colleyville City Council gives notice of a Public Hearing on Tuesday, 1/17/2023 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

VC22-013 - Consideration of a Variance for an accessory building to encroach into to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for the street side yard setback in the R-20 Single Family Residential district on Lot 3, Block G, Brook Meadows Addition, located at 4731 Meandering Way, Case VC22-013

The City Council will hold a Public Hearing on the above items on 1/17/2023 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas. All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE
JR
Jacquelyn Reyff
Planning Manager
IPL0103475
Dec 30 2022

PUBLIC HEARING

CITY OF GRAPEVINE, TEXAS
The City Council of the City of Grapevine, Texas will hold a public hearing on the adopting the Grapevine Youth Programs Standards of Care for the Parks and Recreation Department as required by Section 42.041(b)(14) of the Child Care Standards and Regulations of the Texas Human Resources Code, on Tuesday, January 17, 2023 at 7:30 p.m. The public hearing will be held during the regularly scheduled City Council Meeting in the Council Chambers at City Hall, 200 South Main Street, Second Floor, Grapevine, Texas 76051.

Citizens are invited to attend the hearing and make comments.
IPL0103512
Dec 30 2022

NTTA

North Texas Tollway Authority
RFQ 05775-NTT-00-PS-TM
Traffic Engineering Consultant Services

Project Description: NTTA is soliciting qualifications for a four (4) year contract to provide Traffic Engineering Consultant services consisting of speed zone studies, roadway capacity analysis, traffic safety studies, engineering design for roadway and traffic projects, origin and destination studies as well as other related tasks as requested by NTTA to improve toll road operations and safety performance.

CITY OF KELLER
PUBLIC HEARING

A public hearing will be held by the City Council of the City of Keller at 7:00 PM, on Tuesday, January 17, 2023, at Keller Town Hall, 1100 Bear Creek Parkway, to consider an ordinance approving three Specific Use Permits (SUPs) for a detached accessory building on 2.83 acres located on the east side of Whitley Road, approximately 250 feet northeast from the intersection of Whitley Road and Harper Lane, legally described as Lot 1, Block A of Andrews Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and Single-Family 8,400 square-foot lot size or greater (SF-8.4) and addressed 1621 Whitley Road. Nathan Olmstead, Owner/Applicant. (SUP-22-0037)

Persons with disabilities who plan to attend this hearing and who may need auxiliary aid or services, such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the ADA Coordinator 48 hours in advance, at (817) 743-4041, and reasonable accommodation will be made for assistance.
IPL0103762
Dec 30 2022

City of Saginaw Public Notice

A Public Hearing will be conducted by the Planning and Zoning Commission at 6:00 p.m. on January 10, 2023 to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11). A Public Hearing will be conducted by the Saginaw City Council 6:00 p.m. on January 17, 2023 to consider the above-mentioned zoning ordinance amendment, contingent upon the receipt of a report regarding the amendment from the Planning and Zoning Commission. Both meetings will be in the Council Chambers at the Saginaw City Hall located at 333 West McLeroy Boulevard.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.

Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, 817-230-0440.
IPL0103770
Dec 30 2022

ADVERTISEMENT FOR BIDS

Sealed bids will be received via www.PlanetBids.com, until Thursday, January 19, 2023, at 2:00 p.m., at that time publicly opened and read via teleconference for the following:

BID # 23059 - Landscape Maintenance for Epic Central

There will be a pre-bid meeting held on Wednesday, January 11, 2023, at 9:30 a.m. at the Parks, Arts & Recreation Hall of Fame conference room, located at 400 College Street, Grand Prairie, TX 75050.

Further information and specifications may be obtained at www.planetbids.com, www.gptx.org, or from the Purchasing division at (972) 237-8045.

The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city.
IPL0103789
Dec 30, Jan 6 2023

DEPARTMENT OF

Fort Worth Star-Telegraph

Extended new No exchange

The eEdition, the core of the print paper to subscribers, sections with up to additional content

DAILY BONUS eEDITION



AP-NORC poll: Police violence remains high concern in

01/10/2023 P&Z Packet Page #10

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING SUBSECTIONS C AND D OF SECTION 6-18 "NMU (NEIGHBORHOOD MIXED USE)" OF ARTICLE 6 "ZONING DISTRICTS" OF APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY AMENDING DENSITY AND BUILD-TO-ZONE REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council of the City has previously adopted regulations to create an NMU (Neighborhood Mixed Use) zoning district to provide for low-intensity mixed uses compatible with residential land uses, encourage the development of community gathering spaces, and enact regulations related to landscaping, screening, and fencing; and

WHEREAS, the City Council now finds it appropriate to amend those regulations; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on January 10, 2023, and the City Council held a public hearing on January 17, 2023, with respect to the regulations described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements to amend the zoning regulations of the City.

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

SECTION 1.

Subsection B of Section 6-18 "NMU (Neighborhood Mixed Use)" of Article 6 "Zoning Districts" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a definition for Commercial Frontage Requirement, inserted alphabetically to read as follows:

“1. “Build-to-Zone” shall mean the area on a lot, measured parallel from the front and/or corner side lot line, wherein a structure’s façade must be built within the minimum and maximum ranges of setback provided.

2. “Commercial Frontage Requirement” shall mean the requirement that a minimum of 70 percent of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development’s residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.). Major Corridors constitute an existing or proposed roadway classified and designated on the Master Thoroughfare Plan, other than Local Streets.”

SECTION 2.

Subsection D of Section 6-18 “NMU (Neighborhood Mixed Use)” of Article 6 “Zoning Districts” of Appendix A “Zoning” of the Saginaw City Code is hereby amended to read as follows:

“D. *Area requirements.* Development shall comply with the following requirements, as it pertains to this district, and shall conform with the provisions provided in the table below:

Area Requirements	
Minimum Lot Area	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A
Minimum Front Yard Setback	10- to 20-foot build-to-zone ¹
Minimum Side Yard Setback	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.

¹ City Council may approve, following submission of a site plan in accordance with section 8-1 governing supplemental district regulations, an adjusted build-to-zone due to existing site obstructions or site-specific issues that make the required build-to-zone impractical or overly burdensome.

Minimum Rear Yard Setback	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.
Maximum Density	Residential uses shall be limited to a maximum of 8 dwelling units* per one acre, on each one acre not included within the Commercial Frontage Requirement area as described in subsection 6-18.C., unless or until ground floor commercial uses consistent with the standards and intent of the Commercial Frontage Requirement are constructed and operational. Once the city staff determines that aforementioned ground floor commercial uses are constructed and operational consistent with the Commercial Frontage Requirement, density allocation is permitted to include a maximum of 8 dwelling units* per acre for the entire development and is not limited to any one area of the development. Housing units can be placed above ground floor commercial areas within the commercial frontage requirement area.
Maximum Building Height	36 feet or 2 stories
Minimum Distance Between Residential Structures	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features

**Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per one acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as detailed in section 8-18."*

SECTION 6.

This ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 11.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2023.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, City Attorney



SAGINAW
TEXAS

NEIGHBORHOOD MIXED-USE DISTRICT AMENDMENT

COMPREHENSIVE PLAN IMPLEMENTATION

OVERVIEW

Implementation of
the Comprehensive
Plan that was
adopted on March
1, 2022

The new zoning
districts give guidance
to developers,
property owners, City
Leadership, Staff,
stakeholders, and
community members

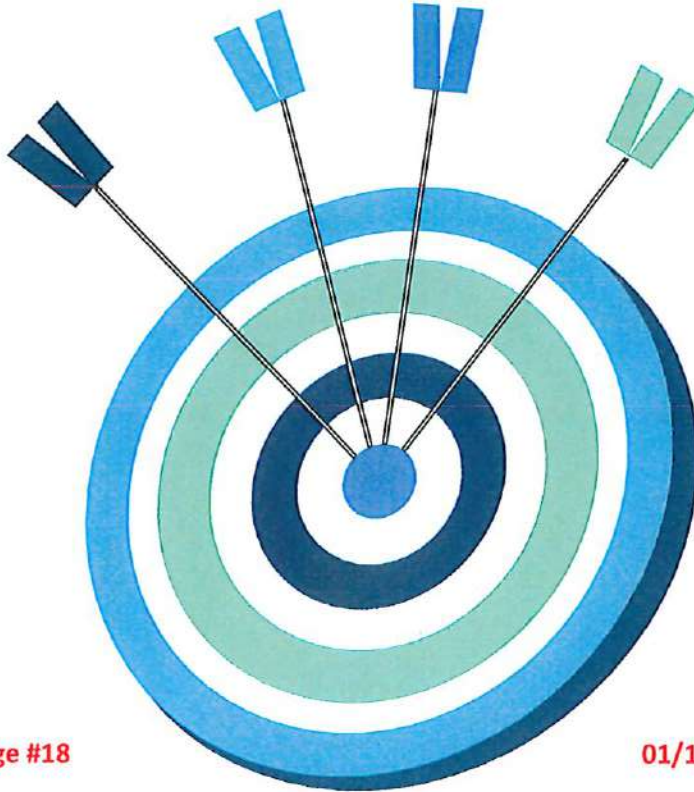
The Comprehensive
Plan is a guiding
document for
Saginaw that
includes a Vision for
the future and
strategies to make
the Vision a reality

New zoning districts
are being created to
match the Vision in
the Comprehensive
Plan

Properties are being
rezoned by the City to
match the
Comprehensive Plan
and apply the new
zoning districts

Continuous refinement
of zoning districts and
standards is essential
to Saginaw's success

PROCESS



Comprehensive Plan Update Adopted

- March 1, 2022

NMU Zoning District Created

- September 9, 2022

Batch 1 NMU Parcel Rezoning Public Hearings

- P&Z: November 8, 2022
- City Council: December 6, 2022

NMU District Amendment

Batch 1 NMU Parcel Rezoning Reconsideration

Batch 2 NMU Parcel Rezoning Public Hearings

Future Districts and Parcel Rezoning



COMPREHENSIVE PLAN NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use Vision

Saginaw Comprehensive Plan (2022)

LAND USE

Shops, restaurants,
offices,
entertainment,
parks, and gathering
spaces with limited
residential

DESIGN

Low-intensity,
walkable
destinations (max
two stories)
connected to
neighborhoods

PURPOSE

Get desired
neighborhood-
oriented
commercial
development while
protecting existing
homes



NEIGHBORHOOD MIXED-USE ZONING DISTRICT CREATED

Neighborhood Mixed-Use District

Unanimously Recommended & Adopted in September 2022

COMMERCIAL FRONTAGE

Reserve valuable frontage along major roads for desired commercial development

MAIN STREET FEEL

Design buildings along major roads to have a Main Street-type feel

LIMITED RESIDENTIAL

Allow limited residential uses to support desired commercial & market feasibility

GATHERING & PARK SPACES

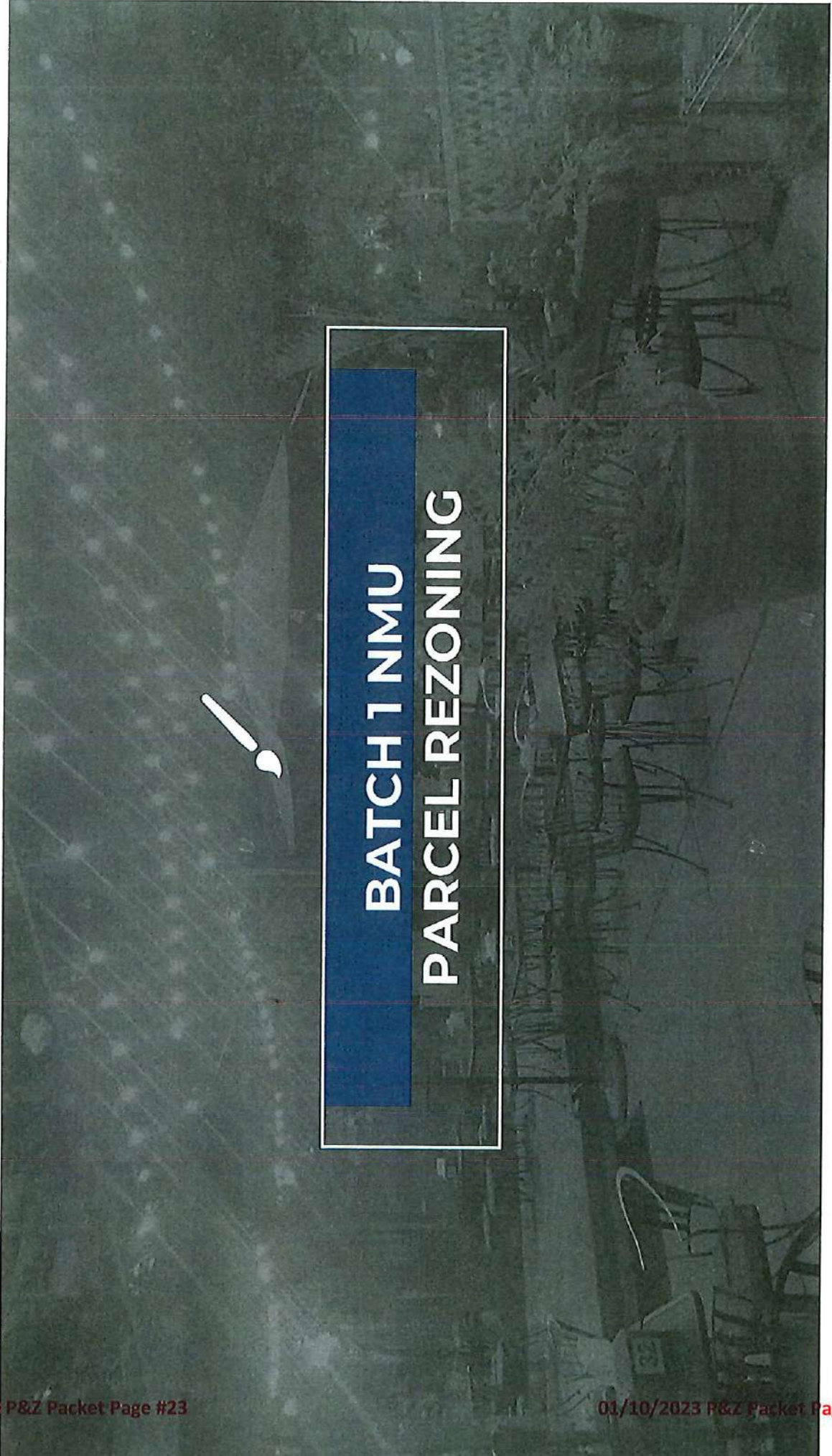
Encourage gathering & park spaces through residential use Activated Amenity incentive

RESIDENT PROTECTION

Protect existing residents by requiring compatible screening, heights, & uses

PREVENT OVERCROWDING

Prevent residential structure overcrowding and preservation of open space

An aerial photograph of a coastal area, likely a marina or harbor. A large white boat is visible in the water on the left side. The background shows a shoreline with buildings and infrastructure. A blue rectangular box is overlaid on the image, containing the text "BATCH 1 NMU" and "PARCEL REZONING" in white, bold, sans-serif font.

BATCH 1 NMU PARCEL REZONING

**Rezoning an
Initial Batch
of Parcels to
NMU**

To Apply New
NMU District to
Properties
Designated NMU
in Comp Plan

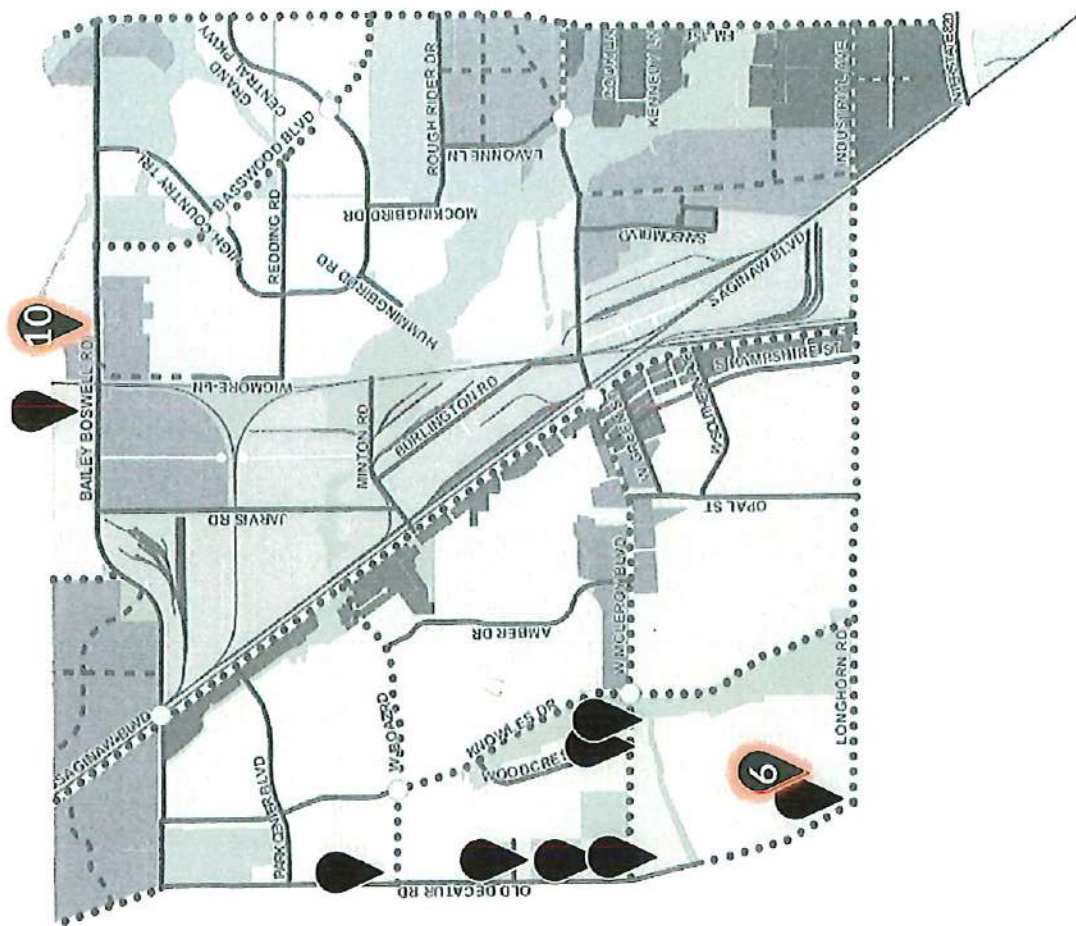
**Rezoning an
Initial Batch
of Parcels to
NMU**

To Apply New
NMU District to
Properties
Designated NMU
in Comp Plan



Rezoning an Initial Batch of Parcels to NMU

On 11/8/22, P&Z Recommended Approval but without Parcels 6 & 8 Based on Feedback from Property Owners at the Public Hearing



Rezoning an Initial Batch of Parcels to NMU

Apply New NMU District to Properties Designated NMU in Comp Plan

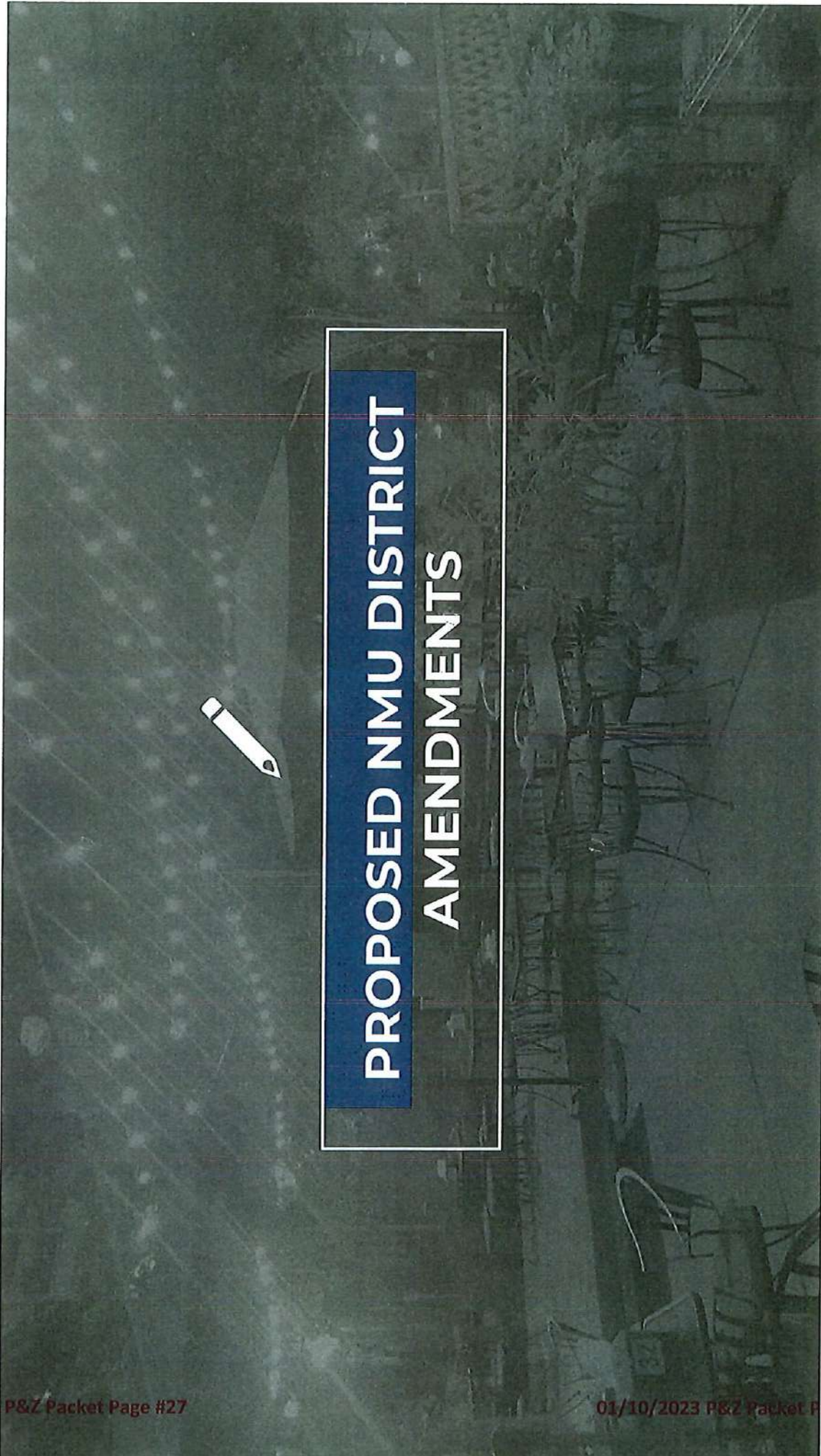
12/7/22 CITY COUNCIL

Staff recommended tabling the rezoning until an amendment to the newly adopted NMU District could be processed, based on clarification needs identified between P&Z and the City Council meeting.

PUBLIC HEARING FEEDBACK

A few propt owners expressed concern over the proposed zoning change but did not articulate what in the proposed zoning was specifically inconsistent with their development intentions.

City Council voted to table the item indefinitely.



PROPOSED NMU DISTRICT AMENDMENTS

Neighborhood Mixed-Use District

Proposed Clarification Amendments

DENSITY

Ground floor commercial uses constructed = maximum gross density can be grouped

Ground floor commercial uses not constructed = density limited to maximum eight* gross dwelling units per acre on each acre (not in Commercial Frontage Area) and cannot be grouped

BUILD-TO ZONE

The Build-to Zone can be adjusted, subject to the consideration and approval of the City Council, due to existing site obstructions or site-specific issues that make the required build-to-zone impractical or overly burdensome

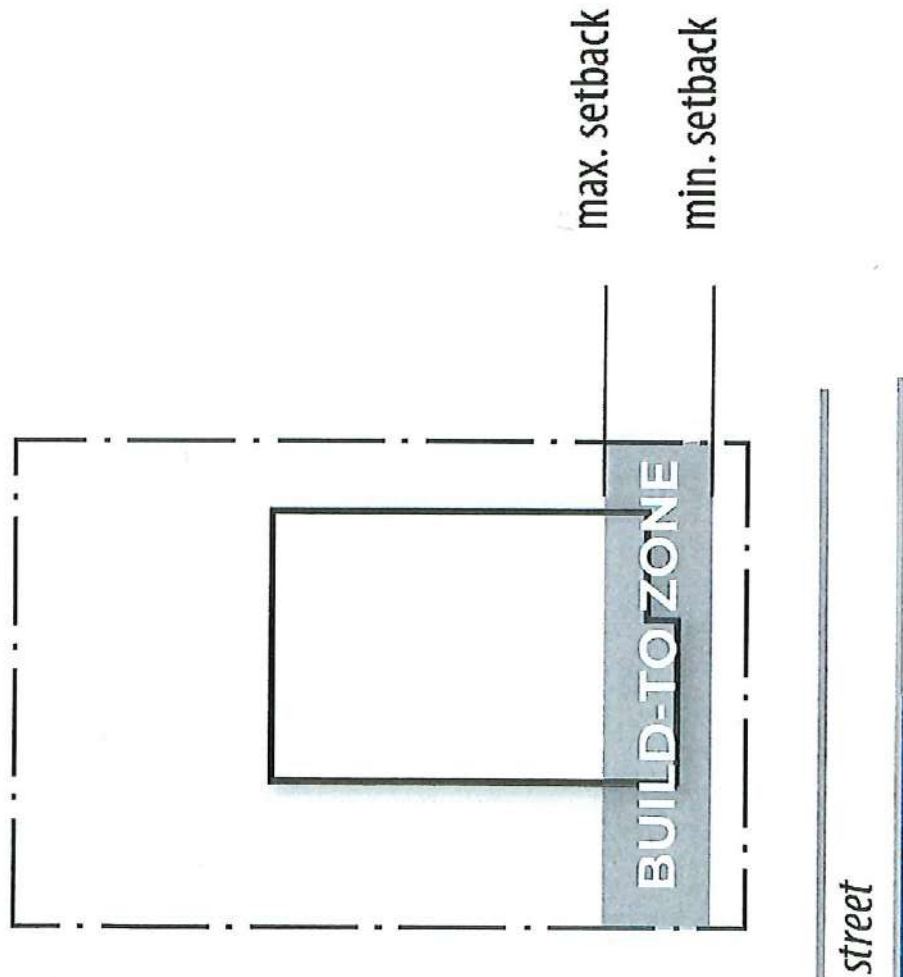
**Can be increased up to 10 gross dwelling units per acre on each acre if Activated Amenity is provided*

Neighborhood Mixed-Use District

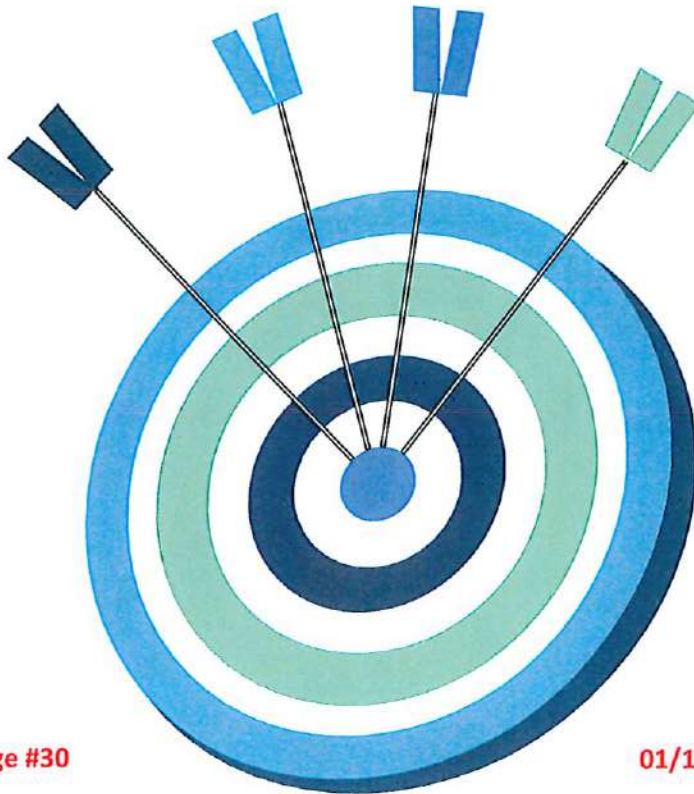
Proposed Clarification
Amendments

BUILD-TO ZONE

the area on a lot, measured parallel from the front and/or corner side lot line, where a structure must locate its façade within the minimum and maximum range of setback provided



NEXT STEPS



Comprehensive Plan Update Adopted

- March 1, 2022

NMU Zoning District Created

- September 9, 2022

Batch 1 NMU Parcel Rezoning Public Hearings

- P&Z: November 8, 2022
- City Council: December 6, 2022

NMU District Amendment

Batch 1 NMU Parcel Rezoning Reconsideration

Batch 2 NMU Parcel Rezoning Public Hearings

Future Districts and Parcel Rezoning

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW CITY HALL
333 WEST MCCLEROY BOULEVARD
January 10, 2023**

Present at the Meeting:

Member	Place No. 1	Brent Wooten
Chairman	Place No. 2	William Barngrover
Member	Place No. 4	Ed Larson
Vice-Chairman	Place No. 5	Jason LaBruyere
Alternate Member	Alt. No. 1	David Kraus
City Attorney		Rachel Raggio
Planning Manager/Recording Secretary		Susy Victor-Trevino

Absent from the Meeting:

Member	Place No. 3	Phillip Allen
Alternate Member	Alt. No. 2	Lainey Wood

Visitors at the Meeting:

David Miank

(1) Call to Order

Chairman Barngrover called the meeting to order at 6:00 P.M.

(2) Roll Call to Establish Quorum

Chairman Barngrover called roll. The quorum will consist of Chairman Barngrover, Vice-Chairman LaBruyere, Members Wooten and Larson, and Alternate Member Kraus.

(3) Audience Participation

Chairman Barngrover explained the procedures regarding audience participation.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on November 08, 2022 were presented for approval. A motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to approve the minutes for November 08, 2022. Motion carried unanimously.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(5) PZ 0123-01

PUBLIC HEARING

Consideration and Action Regarding Approval of a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6

“Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

Chairman Barngrover opened the public hearing at 6:03 p.m.

Abra Nusser, from Peloton Solutions, briefed the Commission on the proposed changes to the NMU ordinance and explained why the changes were needed. She stated that the current language introduced some misinterpretations regarding the implementation of the Neighborhood Mixed-Use District (NMU). Thus, the NMU rezoning was tabled by Council until the modifications could be made. The Commission asked some questions regarding the next steps in the process and Nusser answered their questions.

Chairman Barngrover closed the public hearing at 6:18 p.m.

A motion was made by Member Larson with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 “Permitted Uses”, Article 6 “Zoning Districts”, Article 8 “Supplemental District Regulations”, and Article 12 “Definitions”, Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

**(6) PZ 0123-02 PUBLIC HEARING
Consideration and Action Regarding a Specific Use Permit to Allow the Expansion,
Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont
Street, City of Saginaw, Tarrant County, Texas.**

Planning Manager Victor-Trevino briefed the Commission on the background and details of the specific use permit. She explained that although the mini-warehouse was not envisioned to be in the Saginaw corridor (per the Comprehensive Plan) that the space in question already exists and the adjacent property is not large in area. She stated that in the short term it does not likely appear that the space could be utilized for many opportunities given the current properties of the land; however, in the long term if both addresses were revitalized as something else in the future the property could have more opportunities. She emphasized that the building has been present since 1983 so the owners most likely may not have any plans to remove the building anytime soon. At 6:29 p.m. David Miank, PhD. joined the Commission and shared some insight regarding the project with the Commission. He mentioned that the plan was to repair the existing building by modernizing it and extending the units to the vacant parcel per code, etc. Audience participation was bypassed.

A motion was made by Member Wooten with a second by Vice-Chairman LaBruyere to recommend that the City Council approve a Specific Use Permit to Allow the Expansion, Construction, and Operation of a Mini-Warehouse Facility located at 221 and 225 Belmont Street, City of Saginaw, Tarrant County, Texas.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(7) PZ 0123-03

PUBLIC HEARING

Consideration and Action Regarding Approval to Consider an Ordinance Amending of the City of Saginaw, Texas, regarding a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

Chairman Barngrover opened the public hearing at 6:38 p.m.

Planning Manager Victor-Trevino briefed the Commission on the background and details of the zoning change for this parcel. She explained that in order to have any development move into the property, that zoning must change from city facility. If the zoning were to remain, only facilities for city-use would be allowed. She further explained that the zoning would include a development plan geared towards allowing only sit-down restaurants and entertainment. Member Larson told the Commission that this parcel has never been available to anyone apart from the City and that they needed to change the zoning to make it marketable, a rezoning and selling of the land had to be done. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 6:42 p.m.

A motion was made by Vice-Chairman LaBruyere with a second by Member Wooten to recommend that the City Council approve a change in zoning from City Facility (CF) to Planned Development (PD) with restaurant and entertainment uses, on the approximate 2.5 acres out of “SAGINAW, BLOCK 4 PT BLK 4,” more commonly known as 400 S. Saginaw Boulevard and “SAGINAW, BLOCK 4 ALL LESS E25’,” more commonly known as 405 S. Belmont Street, Saginaw, Texas, 76179 (Per TAD).

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

(10) Staff Report

- A. Discussion of Residential, Commercial, Industrial, and City Capital Projects**
- B. Update Commission of City Council Action on Previous Cases**

Planning Manager Victor-Trevino reviewed current projects under construction in the City.

(11) EXECUTIVE SESSION

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or 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 the provisions of Chapter 551, including the following items:

- a. Any Posted Item**

No executive session was held.

(12) Adjournment

Motion was made by Vice-Chairman LaBruyere with a second by Alternate Member Kraus to adjourn the meeting. Motion carried.

For: Chairman Barngrover, Vice-Chairman LaBruyere,
Members Wooten and Larson, and Alternate Member Kraus

Against: None

Absent Member Allen and Alternate Member Wood

Chairman Barngrover declared the meeting of January 10, 2023 closed at 6:47 p.m.

APPROVED:

Chairman

ATTEST:

Susy Victor-Trevino,
Planning Manager/Recording Secretary



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Councilmembers Lawson, Bighorse
& Copeland

Agenda Items: (12)

E-mail: nlawson@saginawtx.org
cbighorse@saginawtx.org
mcpeland@saginawtx.org

Phone:

SUBJECT:

Consideration and Action regarding Board Appointments

BACKGROUND/DISCUSSION:

Councilmembers Lawson, Bighorse, and Copeland will present their recommendation for appointments to the boards with vacancies to the Council for consideration and action.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Councilmembers Lawson, Bighorse, and Copeland will present their recommendation for appointments at the meeting.

ATTACHMENTS:

Description

Vacant Position List

BOARD/COMMITTEE VACANCIES

12-29-2022

ADVISORY RECREATION & PARKS BOARD (7 Members & 2 Alternates)

Place No. 1 Vacant

Alt. No. 2 Vacant

ANIMAL SHELTER ADVISORY COMMITTEE (9 Members & 2 Alternates)

Place No. 8 Vacant (No specific requirements for this position)

BOARD OF ADJUSTMENT

Alt. No. 2 Vacant

DIVERSITY & INCLUSION COMMITTEE (15 Members & 2 Alternates)

Place No. 3 (member does not meet new residency requirements)

Place No. 7 Resigned

Place No. 9 Resigned

Place No. 11 (member does not meet new residency requirements)

Alt. No. 1 Resigned

Alt. No. 2 (member does not meet new residency requirements)

KEEP SAGINAW BEAUTIFUL BOARD (7 Members & 2 Alternates)

Place No. 1 Resigned

Place No. 2 Resigned

Place No. 3 Resigned

Place No. 4 Resigned

Place No. 7 Vacant

Alt. No. 1 Vacant

Alt No. 2 Vacant

LIBRARY BOARD (7 Members & 2 Alternates)

Alt. No. 1 Vacant

Alt. No. 2 Vacant



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Gabe Reaume
City Manager

Agenda Items: (13)

E-mail: greaume@saginawtx.org

Phone: 18172300324

SUBJECT:

Discussion of 2023 Work Plan Projects

BACKGROUND/DISCUSSION:

The following is a working list of twelve (12) 2023 work plan projects the Council has submitted to date. Remember that these will serve as the Council's priorities for staff in 2023. We plan to bring a resolution adopting the 2023 work plan projects forward for action at the first meeting in February.

- Employee Suggestion/Incentive Program
- Customer Service Request Reporting
- Parks Action Plan (Please see items covered in the plan below)
 - Evaluation, priority, and recommendation of equipment for each park
 - Recommendation for a **possible pond with fishing** and other associated activities
 - Evaluation on tying all the walking trails together into one system
 - Revisit comments received from master plan
 - Adding consideration for park areas in new developments and public space planning in Beltnell.
 - Identify areas to plant and establish more trees.
- Bond Project Delivery: Knowles Phase II and Library/Senior Center Construction
(Please note: this project will cross fiscal and calendar years.)
- Salary Compression and Market Study
- Public Works and Animal Shelter Facility Needs/Planning
- Focused Code of Ordinance Updates (**We need the Council to choose a focus area like property standards, Animal Services, etc.**)
- Video Communications
(We are limited in video production capability due to the lack of equipment. However, using the HCTC students as a resource, we can likely collaborate so that 2 videos are recorded, edited, and produced in the coming year.)
- Survey Action Plan (the Council needs to define this. It is too broad, since the survey covers all operating aspects of the city. In need of specific recommendations.) (One thought is to send educational mailers quarterly on topics of concern/confusion, such as street & sidewalk repairs, zoning questions, economic development updates, etc.)

- Stray Animal/Shelter Occupancy/Management Plan
- Public Safety Camera (Flock) Program Review
- Employee Survey (*Onpointe Insights*)

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A



City of Saginaw

Meeting Date: 1/17/2023

Staff Contact: Melanie McManus
Director of Human Resources

Councilmembers Lawson & Felegy

Agenda Items: (14)

E-mail: mmcmanus@saginawtx.org
nlawson@saginawtx.org
pfelegy@saginawtx.org

Phone: 8172300330

SUBJECT:

Discussion regarding Salary Compression and Starting Salaries

BACKGROUND/DISCUSSION:

The purpose of this item is to discuss salary compression and starting salaries.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

ATTACHMENTS:

Description

Salary Discussion Presentation

PD Pay Scale Memo

PD 24 City Comparison

PD Salary Comparison and Step Plan Adjustments



Employee Salaries



Three Simple Budget Options



- Maintain Services
 - *(This costs more.)*
- Reduce Services
 - *(Tell us where you want to reduce.)*
- Enhance Services
 - *(This costs more. Tell us where you want to enhance)*



Comparative Analysis



- Saginaw is at or near the bottom of comparable agencies in salaries across all departments.



Recommendation #1

(Now)



- Increase minimum **full time** salaries to at least \$17.50 per hour now (mid-year budget adjustment). This affects 12 positions citywide. (8 filled, 4 vacant)
- \$21,813
- General Fund \$19,248
- Enterprise Fund \$ 2,565



Recommendation #2 (Now)



- Public Works employees at Crew Leader level and below receive a “step” adjustment now (mid-year budget adjustment). (Approximately 3%)
- \$ 10,198
- General Fund \$ 4,593
- Enterprise Fund \$ 5,605

Recommendation #3 (Now)



- There are serious competitiveness, recruitment and retention, and compression issues in the Police Department.



Recommendation #4

(Future)



- Explore retention, recruitment, and referral bonus programs.



Recommendation #4 (Future)



- Beginning in FY24, plan on cost of living, market adjustments, and/or steps between 5-10%.
- Furthest behind market=larger adjustments.
- Ultimately we are limited by budget capacity.
 - Likely health insurance increases and higher employee out of pocket cost.
- We recommend this target for at least the next 3 fiscal years.

Questions?





SAGINAW POLICE DEPARTMENT INFORMATIONAL MEMO

TO: Gabe Reaume, City Manager,
Lee Howell, Asst. City Manager

FROM: Russell Ragsdale, Chief of Police

REF: Salary comparison and step-pay plan adjustments

DATE: January 11, 2023

This memo is intended to provide comparative information related to salaries in the metroplex and to other cities of similar size to Saginaw that fall in other metropolitan areas/regions. We will start with sworn positions, which is our police employees that are licensed through TCOLE and have full arrest powers, and we will then move into comparisons with our non-sworn positions. We will attach a copy of the matrix showing pay and incentives for comparison City's.

Sworn Officer Positions

The pay scale for the police department is a 9-step scale, beginning with a minimum or beginning pay and then progressing Step 1 through 8. On first look, it appears that it was intended to be an 8-year step plan, where the employee would receive a step increase each anniversary until reaching the top of the scale upon completing 8 years of service. Unfortunately, there is no guidance incorporated into the pay scale authorizing step increases or explaining the actual intent of the scale. As such, until two years ago, the city had applied the scale unsystematically. Two years ago, the city allowed departments to begin moving employees towards the step they had earned through tenure. Many employees have been moved, but we still have several that are behind, some as much as two steps.

The below list are officers that are currently behind on their step adjustment, based on tenure:

Name	Tenure in grade	Current Step	Correct Step	Difference
Sergeant	6 yrs	5	6	2576.89
Officer	15 yrs	7	8	2141.99
Corporal	6 yrs	4	6	4387.13
Officer	9 yrs	6	8	4221.60
Officer	9 yrs	6	8	4221.60
Officer	6 yrs	5	6	2019.03
Officer	6 yrs	5	6	2019.03
Officer	5 yrs	4	5	1960.23
Officer	5 yrs	4	5	1960.23
Officer	4 yrs	2	4	3750.84
Officer	3 yrs	2	3	1847.70

Total cost to catch these officers up would be: \$31,106.27 + benefits

On the public safety side of things, when a pay scale is seen that specifically includes steps, it is assumed that steps will be given annually, and when not given, it is seen unfavorably by applicants. They want to know how they progress through the steps, and how long until they reach top out.

With the current recruiting efforts, many, if not all, cities are advertising their step plans with specific emphasis on where an employee will be on the given pay scale in 1, 2 or 3 years and how long it will take to reach top out. Particularly with the lateral transfer efforts that cities are utilizing to draw applicants, an applicant with two years of experience will start at step 2, or five years of experience starting at Step 5, and potentially top out in 3 or 5 years.

If we tried to offer a lateral transfer incentive, typically a 5-year officer would start at Step 5, but my own 5-year employees are only at step 4. This disparity would create a very negative atmosphere and likely result in my 5-year employees feeling unappreciated and increasing the likelihood of them then applying at other agencies, where they would qualify for the hiring bonuses and lateral transfer incentives earning more than they are receiving here.

These discrepancies make it difficult to offer hiring incentives to potential applicants because we have employees that are not on their proper scale. These incentives therefore risk bringing in the same or lessor experienced applicants at rates that are higher than our own experienced employees.

During the FY22/23 budget Council approved budgetary funding giving all employees a 2% pay increase and a 3% step increase, however, with another year of tenure, every employee will be due or eligible for another step increase in FY23/24.

When comparing our pay scale to that of other agencies I looked at 24 agencies ranging in size of population from 4737 (Lake Worth) up to 954,457 (Ft Worth). Thirteen agencies were 35,000 or smaller, seven were 35k-80k, and four were above 100k (Ft Worth, Arlington, Grand Prairie and Garland). The agencies above 100k in population were not utilized for average calculations when comparing our salary to other agencies, but I did include them in the list since they are in our recruiting pool and are offering lucrative incentives that draw potential applicants away from us.

In a base comparison of only salary, utilizing minimums and maximums in the salary range for each given rank the data shows Saginaw to be significantly behind our counterparts, not just in our region, but across other regions where those cities are in similar conditions to Saginaw, being near or within a major metropolitan area. This data is solely based on the average of all agencies, other than the four 100k+ agencies. It is not based on maximums or minimums of any particular agency. The only agency that showed lower salary numbers than Saginaw across all ranks was Richland Hills, with the exception of starting pay in which they started 6% higher than what Saginaw currently offers.

The base data indicates the following:

Recruit pay- Saginaw is 44% behind other agencies. Our pay for recruits attending the academy is \$41,258, where the average of other agencies is \$59,309. This is an immediate impact on our ability to recruit and draw applicants.

Officer Pay- our base pay is 13% behind and max or top out pay is also 13% behind. Saginaw starts at \$58,054 and tops at \$73,541 for a patrol officer, the average for officer base pay is \$65,764 to a max of \$83,161. Again, this has a direct impact on our ability to attract and recruit new officers

As we move up the scale the same holds true. I will show the comparisons but reserve any comment.

	<u>Saginaw</u>	<u>Average</u>	<u>Difference</u>
Corporal	\$64,005	\$70,015	9%
	\$81,079	\$90,283	11%
Sergeant	\$74,094	\$85,208	15%
	\$93,861	\$100,555	7%
Lieutenant	\$77,798	\$98,644	27%
	\$98,553	\$106,681	8%
Assistant Chief	\$90,062	\$108,790	21%
	\$114,088	\$144,231	26%
Chief	\$109,471	\$117,023	7%
	\$138,675	\$174,021	25%

Many of the agencies across our region have begun adding hiring incentives and lateral transfer incentives. In addition, they are offering a list of benefits to include full paid memberships to fitness clubs, very lucrative incentive pay for TCOLE certificates and educational degrees, take home units, dry cleaning for uniforms and one out of state agency is now advertising life time medical insurance upon retirement.

Burleson advertises on their brochures that they have had a 40% increase in pay over the last 3 years. They also specifically mention that they have Community and City Council support. This is a huge statement to today's applicants. They want to know that they are accepted and supported and that the council is dedicated to ensuring public safety remains progressive and market compatible.

We are currently at the bottom of the list compared to the 24 agencies used in our comparison. Even with a proposed 5% salary increase, Saginaw will remain in the last position for all ranks of sworn officer pay.

Non-sworn Positions

When looking at our non-sworn positions, which include Dispatch, Records, Public Safety Officer (Jailers) and Dispatch/Record Supervisor we see very similar findings. Especially in the dispatch and dispatch supervisor arena. As our council knows, we have struggled getting dispatchers hired for over a year now. The same holds true with all the other agencies, resulting in a similar pay war going on for these positions.

During our salary comparisons, we had 13 agencies return pay information for dispatch and dispatch supervisor. Of those, four were the large agencies and their pay was excluded from the average. Of the remaining agencies, Saginaw was the lowest paid.

	Saginaw	Average	Difference
Dispatcher	\$41,258	\$50,351	18%
	\$52,265	\$67,468	39%
Dispatch Supervisor	\$47,761	\$61,220	22%
	\$60,502	\$82,970	42%

Agencies are not offering the same lateral incentives as they are for police officers, but pay has increased significantly, surpassing \$25/hour for several agencies as they try to entice applicants to apply. The majority of the Blue Mound dispatchers were hired by agencies that offered close to or exceeded \$25/hr. Just for reference, Saginaw starts at \$18.84/hr.

Incentives being offered to non-sworn personnel are typically seen as lump sum payments for years of service. Typically, \$1200 for year one, \$1800 for year two, and then \$2400 for year three and each year thereafter.

For the supervisory position, we are way behind as well. It is important to note that our dispatch supervisor also supervises the records unit. Of all the cities that returned pay information, their dispatch supervisor position only supervised dispatch, with many typically only supervising a shift, more like our police sergeants. None of the responding agencies had their dispatch supervisor being responsible for records. It should be noted that the police records unit handles more record requests associated with the Freedom of Information Act than any other city department in our city.

Our dispatch supervisor currently makes \$50,670, which is barely over the minimum average for what other cities pay their standard dispatcher without any supervisory responsibilities. If dispatcher Gomez is also adjusted to his correct tenure step, he will be making \$1,595 more than his supervisor and not have any of the supervisory responsibilities.

No agency returned information related to records or PSO's, however, it seems fairly commonplace that PSO and dispatch share a pay grade, like they do here. Therefore, their pay discrepancies would be similar to that of dispatcher. I do not have any comparative data for the records position.

Our non-sworn ranks also have a couple of employees that are out of their step based on tenure. They are listed below:

Dispatcher	15 yrs	6	8	3000.26
Public Service Officer	6 yrs	4	6	2828.04

Total cost to catch these officers up would be: \$5,828.30 + benefits

To get all police employees caught up on the step plan for the current fiscal year, it would cost the city roughly \$36,934.57 plus benefits.

Step Plan Modification

In addition to adjustments that need to be made throughout the step plan, we would also recommend removing steps from the plan as rank increases. We have noted that many cities may start with an 8 or 10 step plan for the officer rank, as that rank increases the number of steps reduces, for example, Corporal might be 6 steps, sergeant might be 4 steps and Lieutenant and assistant chief might be 3 steps. Most city's that returned salary information did not show steps for the chief position, so this might be handled based on evaluation or agreed upon terms at time of hire.

In conclusion, we have included a spreadsheet that shows salary ranges and number of steps in those plans for agencies used in our comparison. The first 12 agencies provided a full range of their salaries for each rank, if that rank was available in their agency. The remaining agencies only provided the salary ranges for their patrol officer rank, and a few with dispatch or dispatch supervisor pay ranges.

	Sworn Positions								Non-Sworn Positions				
City	Position	Recruit	Officer	Corporal	Sergeant	Lieutenant	Assist Chief	Chief	Dispatch Supervisor	Dispatch	Records	Jail	
Saginaw	Start	41,258	58,054	64,005	74,094	77,798	90,062	109,471	47,761	41,258	41,258	41,258	
	Max		73,541	81,079	93,861	98,553	114,088	138,675	60,502	52,265	52,265	52,265	
	Steps	1	8	8	8	8	8	8	8	8	8	8	
Azle POP:13853	Start		59,116	68,434	79,220	87,341		122,897					
	Max		81,555	94,410	109,290	120,494		169,546					
	Steps												
	Min Diff		2%	7%	7%	12%		12%					
Benbrook POP:25178	Start	65,650	68,932	65,650	75,998	83,788	92,377	117,898		45,078			incentive 5k
	Max		79,898	87,977	101,845	112,284	123,794	157,995		60,409			
	Steps		7	7	7	7	7						
	Min Diff	59%	19%	3%	3%	8%	3%	8%		9%			
Burleson POP:49831	Start	61,436	69,360		85,000	95,880			63,338	55,003			lat-3y 77250, 5y 79567, 7y 81954, 9y 84954, 10+y 86945
	Max		82,819		98,454	107,914			84,450	69,477			10K hiring bonus
	Steps		12		8	8							
	Min Diff	49%	19%		15%	23%			33%	33%			
Colleyville POP:26707	Start	60,228	65,307		88,071	102,630	109,275	120,476					5k sign-on, 2500 sign on for non-sworn
	Max		84,050		98,247	113,920	158,600	174,857					
	Steps												
	Min Diff	46%	12%		19%	32%	21%	10%					
Corinth POP:23174	Start	55,993	61,609	66,726	84,635	107,348							
	Max		80,267	86,985	95,222	117,270							
	Steps		10	10	5	4							
	Min Diff	36%	6%	4%	14%	38%							
Grapevine POP:51491	Start	58,573	67,828		96,637	109,990	119,666	125,649	60,444	52,208			10k hiring incentive
	Max		91,208		102,523	113,297	173,516	207,322	84,614	78,515			(5k hire, 2500 fto, 2500 comp prob)
	Steps		8		3	2	3						lat up to step 6
	Min Diff	42%	17%		30%	41%	33%	15%	27%	27%			
Keller POP:47006	Start		64,327	73,189	89,425	108,202		112,530					incentive 2500, 2500 relocation
	Max		81,597	92,332	104,786	137,904		168,794					
	Steps		13	10	9	6							
	Min Diff		11%	14%	21%	39%		3%					
NRH POP:71231	Start		77,128		90,124	106,445	136,811		64,375	53,315			pays bonus for years service
	Max		83,422		101,376	114,749	145,185		87,385	66,668			1200 1yr, 1800 2yrs, 2400 3+yrs
	Steps		8		4	3							
	Min Diff		33%		22%	37%	52%		35%	29%			
	Start												
	Max												
	Steps												
	Min Diff												
	Start												
	Max												
	Steps												
	Min Diff												

Richland Hills POP:8785	Start	49,500	61,280		69,414	74,919	85,989		Lat 2y 63118, 3+ yrs 65012 Dry cleaning provided Biennial boot allowance
	Max		68,972		90,570	97,752	112,196		
	Steps		5						
	Min Diff	20%	6%		-6%	-4%	-5%		
	Max Diff		-6%		-4%	-1%	-2%		
Sachse POP:28457	Start	63,440	67,246		90,661	108,097	108,622	102,690	
	Max		85,529		101,981	118,040	152,094	165,610	
	Steps		8		4	3			
	Min Diff	54%	16%		22%	39%	21%	-6%	
	Max Diff		16%		9%	20%	33%	19%	
Watauga POP:23680	Start		63,686	79,847	91,613	105,114			10k hiring (2500 hire, 2500 FTO, 5k 1 year) Assoc- 300, Back 600, Master 900 Inter-300, adv 600, master 900 Fitness incentive 600/yr intensive 2y-65597, 3y 67564, 4y 69591, 5y 71679, 6y 73830, 7y 76044
	Max		76,044	87,251	100,109	114,860			
	Steps		10	4	4	4			
	Min Diff		10%	25%	24%	35%			
	Max Diff		3%	8%	7%	17%			
Hutto POP:30153	Start	60,647	62,466	66,246	81,697	93,977			
	Max		84,112	92,744	102,251	118,368			
	Steps		11	11	8	8			
	Min Diff	47%	8%	4%	10%	21%			
	Max Diff		14%	14%	9%	20%			
Lake Worth POP: 4737	Start		58,000				56,000	44,000	Assoc-50, Bach 75, Master 100 Defender outdoor membership +100 rds ammo no cost employee Lat upto Step 3 (61,532)
	Max		75,677				73,000	57,200	
	Steps								
	Min Diff		0%				17%	7%	
	Max Diff		3%				21%	9%	
Arlington POP:400032	Start		68,123				72,130	63,320	
	Max		86,931				108,196	93,479	
	Steps								
	Min Diff		17%				51%	53%	
	Max Diff		18%				79%	79%	
Deer Park POP:34991	Start	56,929	60,736						
	Max		82,492						
	Steps								
	Min Diff	38%	5%						
	Max Diff		12%						
Euless POP:62984	Start		70,857						
	Max		94,242						
	Steps								
	Min Diff		22%						
	Max Diff		28%						
Forney POP:25213	Start		63,622				51,444	42,178	
	Max		85,194				72,842	61,632	
	Steps								
	Min Diff		10%				8%	2%	
	Max Diff		16%				20%	18%	

Garland POP:249846	Start	67,205	72,144						52,853	46,176	
	Max		96,854						84,843	73,590	
	Steps		8								
	Min Diff	63%	24%						11%	12%	
	Max Diff		32%						40%	41%	
Grand Prairie POP:200240	Start		72,982						66,563	51,399	10k hiring, take home unit, tcole certs upto 125/mo, edu upto 150/mo, 20 vac days, crossfit membership
	Max		103,499						101,641	78,486	
	Steps										
	Min Diff		26%						39%	25%	
	Max Diff		41%						68%	50%	
Haltom City POP: 46805	Start		70,154						64,325	53,315	15 Pd holidays, 3 wk vac, 96 sick, 16 hr personal leave
	Max								87,385	66,668	
	Steps										
	Min Diff		21%						35%	29%	
	Max Diff								6%	2%	
Mansfield POP:75848	Start	68,000	73,000						70,000	55,000	Lat upto 93160
	Max		93,160						87,500	76,599	
	Steps										
	Min Diff	65%	26%						47%	33%	
	Max Diff		27%						45%	47%	
Murphy POP:21673	Start		59,500								Lat- Up to 3yr=62,475 Up to 6yr=65,599
	Max		75,939								
	Steps		6								
	Min Diff		2%								
	Max Diff		3%								
Roanoke POP:10405	Start	63,376	71,125						59,831	53,062	Lat- upto 93885 dry cleaning for uniforms
	Max		93,885						86,581	70,042	
	Steps										
	Min Diff	54%	23%						25%	29%	
	Max Diff		28%						43%	34%	
Fort Worth POP:954457	Start	40,044	66,601	89,336	100,963	116,854	134,779	152,234	79,921	47,898	
	Max		98,633	108,867	119,974	132,267	222,385	251,186	127,873	83,366	
	Steps		10	6	5	3					
	Min Diff	-3%	15%	40%	36%	50%	50%	39%	67%	16%	
	Max Diff		34%	34%	28%	34%	95%	81%	111%	60%	
QT gas Stations	Start		73,444								
	Diff +/-		27%								
Grayed out areas were not provided, or the positions did not exist within the responding agency											

Avg Min	59,309	65,764	70,015	85,208	98,644	108,790	117,023	61,220	50,351
Avg Max		83,161	90,283	100,555	106,681	144,231	174,021	82,970	67,468
These average exclude (FT Worth, Arlington, Garland, and Grand Prairie)									
Saginaw difference	44%	13%	9%	15%	27%	21%	7%	28%	22%
		13%	11%	7%	8%	26%	25%	37%	29%

Police Department's Step Plan Adjustments and Salary Comparison



Step Plan Adjustments

Nine step scale system – Starting salary then progress through 8 steps yearly.

Current Recommended Adjustments -

- 11 sworn officers – Totaling \$31,106.27 plus benefits
- 2 civilian employees – Totaling \$5,828.30 plus benefits
- Total current fiscal year - \$36,934.57 plus benefits

Salary Comparison

- Compared 24 agencies ranging in size from Lake Worth (pop. 4737) to Fort Worth (pop. 954,457).

13 agencies had a population of 35,000 or less

7 agencies had a population of 35,000-80,000

4 agencies had a population of 100,000 or more

- The agencies above 100k were not utilized for average calculations when comparing salaries.

Salary Comparison

Recruit Pay – 44% behind on average. Average starting salary is \$59,309

Officer Pay – 13% behind on both starting and top out pay

Dispatcher Pay – 18% behind on starting / 39% behind on top out pay

Dispatch Supervisor – 22% behind on starting / 42% behind on top out

Incentives

- Saginaw –

- TCOLE Certificate Pay
- Bi-Lingual Incentive Pay
- Longevity Incentive Pay

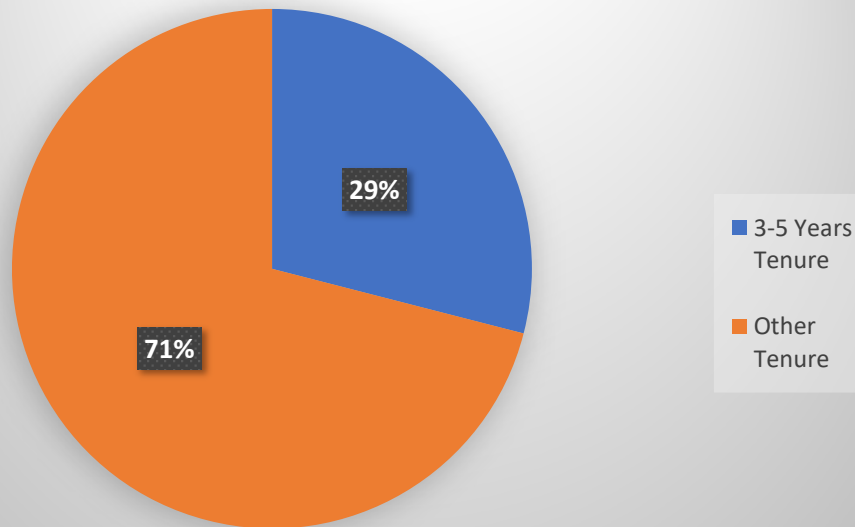
- Other Agencies –

- Lateral Pay – Step Increase
- Education Incentive Pay
- Fitness Incentive Pay
- Dry Cleaning Provided
- Gym Memberships Provided
- Defender Outdoor Memberships
- Sign On Bonus
- Relocation Bonus
- Take Home Police Units

Conclusion

- Saginaw's Average Tenure – Patrol Division
 - 5.67 years
 - 29% have between 3-5 years of tenure
 - 54% have between 2-5 years of tenure

3-5 Years Tenure



2-5 Years Tenure

