City of Saginaw

Meeting and/or Executive Session Agenda

Tuesday, September 19, 2023, 6:00 PM
Council Chamber
333 West McLeroy Boulevard
Saginaw, Texas 76179

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

1A. Call To Order -- Todd Flippo, Mayor

1B. Pledges--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"

1C. Invocation--Pastor Ronnie Mills, Kingdom Chapel

1D. Audience Participation--Anyone wishing to speak during the discussion of an item listed on the agenda must complete an audience participation form. These forms are located by the Police Chief. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is discussed. You will have three (3) minutes to make your comments.

2: Consent Agenda

All items listed 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.

2A. Action regarding Approval of Minutes, August 15, 2023--Janice England, City Secretary

2B. Action regarding Approval of Minutes, September 5, 2023--Janice England, City Secretary

2C. Action regarding increasing the General Fund emergency reserve balance by $485,000 and the Enterprise Fund emergency reserve balance by $310,000 to comply with Financial Management Policies--Kim Quin, Finance Director

2D. Action regarding Resolution No. 2023-19, Annual Approval of Investment Policy--Kim Quin, Finance Director

2E. Action regarding Approval of a Preliminary Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager

2F. Action regarding Approval of a Final Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager

3: Proclamations-Presentations

No Items

4: Public Hearings

4A. PUBLIC HEARING - Consideration and Action regarding Resolution No. 2023-20, Adoption of the Revised Budget for Fiscal Year 2022-2023--Kim Quin, Finance Director

5: Business

5A. City Ordinance Review -- Inspections & Code Compliance Staff

5B. Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

5C. PUBLIC HEARING--Consideration and Action regarding Ordinance No. 2023-25, a Change in Zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition, Lot 1, Block 4 (300 W. McLeroy Boulevard)--Susy Victor, Planning Manager

5D. Consideration and Action regarding Resolution No. 2023-21, an Ordinance Amending the Subdivision Ordinance for the Administrative Approval of all Plats --Bryn Meredith, City Attorney

5E. Consideration and Action regarding Ordinance No. 2023-26, multi-pet permit and fostering of dogs and cats--Lee Howell, Asst. City Manager

6: Executive Session

The City Council may take action on any Executive Session item posted.

6A. 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:

6B. Any Posted Item

7: Adjournment

7A. Adjournment--Todd Flippo, Mayor

Date Posted: September 14, 2023

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding Approval of Minutes, August 15, 2023--Janice England, City Secretary

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: A

Reference File

BACKGROUND/DISCUSSION:

The minutes of the August 15th City Council are presented for consideration.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Draft Minutes--8-15-2023.pdf

****The Following Document is a draft of the minutes and not the official approved minutes****

Minutes for the City Council meeting

333 West McLeroy Boulevard, Saginaw, Texas, 76179.

August 15, 2023, 6:02 PM - August 15, 2023, 9:43 PM

Roll Call: (The following members were in attendance)

Todd Flippo, Mayor
Cindy Bighorse, Place 5
Mary Copeland, Place 6
Randy Edwards, Place 4
Paul Felegy, Place 1
Valerie Junkersfeld, Mayor Pro Tem
Nick Lawson, Place 2

1. Call To Order

1A. Call To Order -- Todd Flippo, Mayor - 6:02 PM

Mayor Flippo called the meeting to order at 6:02 p.m.

Present:

City Attorney Bryn Meredith

City Engineer Trenton Tidwell, 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

Director of Community & Economic Development Keith Rinehart

Director of Human Resources Melanie McManus

Library Director Ellen Ritchie

Communications Manager Pedro Zambrano

IT Manager Greg Clayton

Absent:

None

Visitors:

Mark Towns

J.T. Manoushagian

Whitney Moore

Jose Wheeland

Michelle Emmett

Jennifer Wheeland

Robin Espinosa

John Peet

Brack St. Clair

Carmen Inglese

Corey Burnett

Bobby Oney

Dean Baumann

Austin Pittman

Joseph O'Connor

Tabitha O'Connor

Bryan Waugh
Kristi Haney
Taylor Guadian
Breanna Farley
Karen Saldana
Jill Smith
Jannet Garcia
Karen Cromwell
Dustin Mayhue
Tara Clontz
Homer Reyes
Beverly Brown

1B. Pledges--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" - 6:02 PM

1C. Invocation--Dr. Mark Towns, First Baptist Church - 6:03 PM

Dr. Mark Towns of the First Baptist Church gave the invocation.

1D. Audience Participation--Anyone wishing to speak during the discussion of an item listed on the agenda must complete an audience participation form. These forms are located by the Police Chief. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is discussed. You will have three (3) minutes to make your comments. - 6:03 PM

2. Consent Agenda

All items listed 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.

Valerie Junkersfeld made a motion to Approve that was seconded by Cindy Bighorse with a result of 7 - 0

2A. Action regarding Minutes, August 1, 2023--Janice England, City Secretary - 6:04 PM

The minutes of the City Council Meeting held on August 1, 2023 are presented for consideration.

2B. Action regarding Appointment of Crime Control and Prevention District (CCPD) Board of Directors for Members with Terms Expiring September 1, 2023--Janice England, City Secretary - 6:04 PM

The following CCPD Board of Directors Members have terms that expire on September 1, 2023: Valerie Junkersfeld, Paul Felegy, Nicky Lawson, and Randy Edwards. The Council must take action to reappoint these four members. Terms of office are two years. Staff recommends approval of the reappointments.

2C. Action regarding Ordinance No. 2023-24, 2023 Annual Service Plan Update and 2023 Assessment Roll for Public Improvements for the Beltmill Public Improvement District--Gabe Reaume, City Manager - 6:04 PM

This item is for action on the 2023 Annual Service Plan Update and 2023 Assessment Roll for public improvements for the Beltmill Public Improvement District. Ordinance No 2023-24 approves the annual service plan update and 2023 assessment roll for public improvements.

2D. Action regarding Resolution No. 2023-17, Approving a Negotiated Settlement Between The Atmos Cities Steering Committee ("ACSC") And Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2021 Rate Review Mechanism Filing--LeeHowell, Asst. City Manager - 6:06 PM

The City, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about March 31, 2023, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2022, entitled it to additional system-wide revenues of $165.9 million.

Application of the standards set forth in ACSC's RRM Tariff reduces the Company's request to $156.1 million, $113.8 million of which would be applicable to ACSC members. After reviewing the filing and conducting discovery, ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be $130.9 million instead of the claimed $156.1 million.

After several settlement meetings, the parties have agreed to settle the case for $142 million. This is a reduction of $23.9 million to the Company's initial request. This includes payment of ACSC's expenses. The settlement also includes an additional $19.5 million for the securitization regulatory asset expenses related to Winter Storm Uri. This was previously approved by the Texas Legislature and Railroad Commission. The Effective Date for new rates is October 1, 2023. ACSC members should take action approving the Resolution/Ordinance before September 30, 2023.

This item was removed from the Consent Agenda for discussion.

Motion was made by Councilmember Felegy with a second by Mayor Pro-Tem Junkersfeld to approve Item 2D as presented. Motion carried unanimously. 7-0-0-0

2E. Action regarding First Amendment to Fort Worth City Secretary Contract No. 49683, An Interlocal Agreement between City of Fort Worth and Saginaw for Participation in the Environmental Collection Center Household Hazardous Waste Program--Matt Regan, Environmental/Drainage Manager - 6:09 PM

This item is for approval of the First Amendment to Fort Worth City Secretary Contract No. 49683, an Interlocal Agreement between the City of Fort Worth and Saginaw for participation in the Environmental Collection Center Household Hazardous Waste Program. Saginaw has participated in this program for many years. The program allows Saginaw residents to visit the collection center on Bridge Street in Fort Worth or the mobile collection unit that will be in Saginaw (on a date to be announced later) at no cost to the resident. The amendment addresses an increase in the fee from $50 to $95 per household per visit effective October 1, 2023. The financial impact will be the increase in the fee from $50 to $95 per household per visit. As in past years, funds will be included in the 2023-2024 budget for this expense. Staff recommends approval.

This item was removed from the Consent Agenda for discussion.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to table Item 2E until the September 5, 2023 City Council Meeting. Motion carried unanimously. 7-0-0-0

2F. Action regarding Acceptance of the Right-of-Way Encroachment Agreement for the FM156 at Industrial Intersection Project (CSJ# 0718-02-076) from Fuel City Saginaw, LLC--Randy Newsom, Director of Public Works - 6:04 PM

The FM156 at Industrial Project is a Texas Department of Transportation Project and funded through the North Central Texas Council of Governments COVID-19 Infrastructure Project. The City of Saginaw has taken the lead as the Local Sponsor having primary responsibility for utility clearance and right-of-way for the project. The project will require a future Advance Funding Agreement to finalize costs of the construction phase. Fuel City Saginaw, LLC has requested a Right-of-Way Encroachment for their existing sign. The proposed right-of-way encroachment agreement will be for an initial term of thirty (30) years commencing on the date this Agreement is executed. In addition to the initial term, Licensee has the option to renew the initial term for a successive period of thirty (30) years. There will be an application fee of $325.00 due to the City to defray all costs of inspection and supervision during construction. Additionally, there will be a fee of $.56 per square/linear foot of the encroachment area and this fee will be paid annually thereafter. Staff recommends approval.

2G. Action regarding Acceptance of the Permanent Right -of-Way Easement for the FM156 at Industrial Intersection Project (CSJ# 0718-02-076) from Fuel City, LLC--Randy Newsom, Director of Public Works - 6:04 PM

The FM156 at Industrial Intersection Project is a Texas Department of Transportation Project and funded through the North Central Texas Council of Governments COVID-19 Infrastructure Project. The City of Saginaw has taken the lead as the Local Sponsor having primary responsibility for utility clearance and right-of-way for the project. The project will require a future Advanced Funding Agreement to finalize costs of the construction phase. On October 18, 2022, City Council authorized Task 2 amendment to a professional services contract with Cobb, Fendley & Associates, Inc. to manage and negotiate right-of-way required for the FM156 at Industrial Intersection Project (CSJ# 0718-02-076). Fuel City Saginaw, LLC has provided a Permanent Right-of-Way Easement to construct a turn lane along their frontage. The proposed right-of-way easement is approximately 0.0839 acres of land. A fee of ten

dollars ($10.00) is to be paid to Fuel City Saginaw, LLC (Grantor) by the City of Saginaw (Grantee) for the Permanent Right-of-Way Easement which allows access to Fuel City property for the construction of a turn lane. Funds for this expenditure will come from the Blue Mound/Industrial Improvements Account #06-1516-20-00. Staff recommends approval.

2H. Action Regarding Acceptance of Two (2) Fire Lane, Access, Utility and Drainage Easements from Bright Living Saginaw III, LLC--Randy Newsom, Director of Public Works - 6:04 PM

Bright Living Saginaw III, LLC (Grantor) is granting to the City of Saginaw (Grantee) two (2) Fire Lane, Access, Utility and Drainage Easements. One proposed easement is approximately 0.0049 acres of land and the second easement is approximately 0.0099 acres. A fee of $10.00 each is to be paid to Bright Living Saginaw III, LLC (Grantor) by the City of Saginaw (Grantee) for these two easements. Funds for this expenditure will come from the Public Services Capital Outlay Account 01-7000-06-00. Staff recommends approval.

3. Proclamations-Presentations

3A. Discussion and presentation of potential consolidated dispatch services with Lake Worth- Russell Ragsdale, Police Chief - 8:04 PM

The Police Department is presenting the idea of a consolidated dispatch center with the Lake Worth Police Department. Lake Worth Police Department is proposed to be the host of the consolidated dispatch center. Lake Worth Police Chief J.T. Manoushagian gave a presentation regarding the proposed consolidation. Also present was Whitney Moore, Communications Manager. Chief Manoushagian explained the purpose of tonight's presentation was to determine if there was interest in the proposed consolidation, and if so, more details including plans and costs will be determined and presented to the Council at a future meeting. The consensus of the Council was to move forward with gathering more information regarding the proposal.

4. Public Hearings

4A. PUBLIC HEARING - Continuation of Public Hearing on the Fiscal Year 2023/2024 Proposed Budget--Gabe Reaume, City Manager & Kim Quin, Finance Director - 6:33 PM

Public Hearing was opened at 6:33 PM and closed at 7:54 PM

A public hearing on the Fiscal Year 2023/2024 Proposed Budget was advertised and held at the City Council Meeting on August 8, 2023. The public hearing was tabled to be continued at the August 15, 2023 City Council Meeting. The public hearing is required to allow for public input on the Proposed Budget. The proposed budget is the financial plan for fiscal year 2023/2024.

Mayor Flippo declared the continuation of the public hearing opened at 6:33 p.m. There was a lengthy discussion regarding the proposed salary increase of 10% for all employees and an additional increase of 3% for public safety employees. The Council discussed giving employees a one-time retention payment in October. Various scenarios and amounts were discussed. The Council concurred to continue the discussion of a one-time retention payment for employees at the September 5th City Council Meeting.

Mayor Flippo called for public input. Mr. Austin Pittman representing the Saginaw Professional Firefighters Association expressed his support of the proposed salary increase for public safety employees. Mr. John Peet expressed his support of the increases for employees. Mr. Brack St. Clair also expressed his support of the salary increases and one-time retention payments for employees. Ms. Breanna Farley, Animal Services Officer, suggested that positions in the Animal Services Department also be included with public safety positions for the extra 3% increase if public works employees were going to be included. Mayor Flippo called for any additional public input. There was none. Mayor Flippo declared the public hearing closed at 7:54 p.m.

4B. PUBLIC HEARING - Public Hearing on the Proposed 2023 Property Tax Rate for Fiscal Year 2023/2024--Gabe Reaume, City Manager & Kim Quin, Finance Director - 7:54 PM

Public Hearing was opened at 7:54 PM and closed at 7:56 PM

Mayor Flippo declared the public hearing for the proposed 2023 property tax rate for Fiscal Year 2023/2024 opened at 7:54 p.m. Mayor Flippo called for any public input. There was none. Mayor Flippo declared the public hearing closed at 7:56 p.m.

4C. Consideration and Action regarding Resolution No. 2023-16, Adoption of the Fiscal Year 2023/2024 Budget--Gabe Reaume, City Manager & Kim Quin, Finance Director - 7:57 PM

Throughout the spring and summer, workshops have been held to discuss the proposed budget. Resolution No. 2023-16 will formally adopt the budget for Fiscal Year 2023/2024. The budget is the financial plan for the City.

Valerie Junkersfeld made a motion to Approve that was seconded by Nick Lawson with a result of 7 - 0
Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Lawson to approve Resolution No. 2023-16, adoption of the Fiscal Year 2023/2024 Budget. Motion carried unanimously. 7-0-0-0

4D. Consideration and Action to ratify the property tax rate increase reflected in the Fiscal Year 2023/2024 Budget--Gabe Reaume, City Manager & Kim Quin, Finance Director - 7:59 PM

This item is required by law since the fiscal year 2023/2024 budget includes a property tax increase.

Valerie Junkersfeld made a motion to Approve that was seconded by Paul Felegy with a result of 7 - 0
Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to ratify the property tax rate increase reflected in the Fiscal Year 2023/2024 Budget. Motion carried unanimously. 7-0-0-0

4E. Consideration and Action regarding Ordinance No. 2023-22, Adopting and Setting the Property Tax Rate for the 2023 Tax Year--Gabe Reaume, City Manager & Kim Quin, Finance Director - 8:01 PM

Ordinance No. 2023-22 sets the tax rate at 49.8769 cents (I&S at 23.4810 and M&O at 26.3959). This rate is reflected in the Fiscal Year 2023/2024 Proposed Budget. The required public hearing and notices have been published and held. Collection of property taxes at the adopted rate is a primary funding source for the General Fund and Debt Service Fund budgets. Staff Recommends adopting a property tax rate of 49.8769 cents to fund the Fiscal Year 2023/2024 Budget.

Cindy Bighorse made a motion to Approve that was seconded by Valerie Junkersfeld with a result of 7 - 0
Motion was made by Councilmember Bighorse with a second by Mayor Pro-Tem Junkersfeld that the property tax rate be increased by the adoption of a tax rate of 0.498769, which is effectively an 8.60 percent increase in the tax rate. Motion carried unanimously. 7-0-0-0

4F. Consideration and Action regarding Ordinance No. 2023-23, Water and Wastewater (Sewer) Service Rates--Gabe Reaume, City Manager & Kim Quin, Finance Director - 8:02 PM

The City of Saginaw contracts with the City of Fort Worth for the purchase of water and the treatment of wastewater. The City of Fort Worth bills the City of Saginaw for water based on volume, and wastewater treatment based on strength and volume that pass through the system. The City of Fort Worth has proposed a 4.99% decrease to water rates and a 14.82% increase to wastewater rates. The Fiscal Year 2023/2024 budget includes a water rate decrease of 5% and a wastewater rate increase of 15%. Ordinance No. 2023-23 addresses the water and wastewater (sewer) rate changes reflected in the budget.

Valerie Junkersfeld made a motion to Approve that was seconded by Randy Edwards with a result of 7 - 0
Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Edwards to approve Ordinance No. 2023-23 as presented. Motion carried unanimously. 7-0-0-0

5. Business

5A. Consideration and Action regarding City Employee Survey - Melanie McManus, Director of Human Resources -

The employee survey is part of the 2023 Work Plan Project list adopted by the City Council at the February 21, 2023 council meeting. During the council meeting on June 6, 2023, City Council approved the contract with OnPointe Insights to conduct the 2023 City Employee Survey.

This item was postponed until the September 5th City Council Meeting.

5B. Consideration and Action regarding a City-Wide Classification and Compensation Study - Melanie McManus, Director of Human Resources - 6:23 PM

The city last completed a comprehensive formal classification and compensation study in the fiscal year 2016/2017. Since that time, recruitment difficulties have been attributed to the tight labor market and increased competition to attract talent. As a general rule, most organizations conduct comprehensive classification and compensation studies every five years. A compensation study will help us understand what the market is demanding, ensuring the ability to hire and retain qualified employees and assist with keeping salaries competitive with the DFW region. A compensation study will give us an accurate and unemotional third-party perspective on our employee’s pay. The financial impact will be $33,800. Staff recommends approval for Baker Tilly to perform a city-wide classification and compensation study.

Nick Lawson made a motion to Approve that was seconded by Mary Copeland with a result of 6 - 1 Opposed by Randy Edwards
Motion was made by Councilmember Lawson with a second by Councilmember Copeland to approve a City-Wide Classification and Compensation Study as presented. Motion carried 6-1-0-0

5C. Consideration and Action regarding Resolution 2023-18 Compensation Philosophy - Melanie McManus, Director of Human Resources - 6:30 PM

Resolution No. 2023-18 adopts a compensation philosophy to identify tools to aid present and future city councils with compensation increase decisions; and provide an effective date. A compensation philosophy is simply a formal statement documenting the company's position about employee compensation. It explains the "why" behind employee pay and creates a framework for consistency. Employers use their compensation philosophy to attract, retain and motivate employees.

Nick Lawson made a motion to Approve that was seconded by Paul Felegy with a result of 7 - 0
Motion was made by Councilmember Lawson with a second by Councilmember Felegy to approve Resolution No. 2023-18 as presented. Motion carried unanimously. 7-0-0-0

5D. Consideration and Action regarding Ground Lease with Triton Saginaw, LLC for Property at 400 S. Saginaw Blvd. and 405 S. Belmont St.--Bryn Meredith, City Attorney - 9:41 PM

The proposed Ground Lease Agreement with Triton Saginaw, LLC addresses the lease of the approximate 0.25 acre parcel adjacent to the former fire station building located at 400 S. Saginaw Blvd. The required public hearings were held earlier this year and at the City Council Meeting held on February 21, 2023, the City Council adopted Resolution No. 2023-05, approving the non-park use of the property.

Cindy Bighorse made a motion to Table that was seconded by Nick Lawson with a result of 6 - 0
Motion was made by Councilmember Bighorse with a second by Councilmember Lawson to table Items 5D and 5E until the September 5th City Council Meeting. Motion carried 6-0-1-0. (Mayor Pro-Tem Junkersfeld abstained.)

5E. Consideration and Action regarding Chapter 380 Agreement with Triton Saginaw, LLC--Bryn Meredith, City Attorney - 9:42 PM

The proposed Chapter 380 Agreement with Triton Saginaw, LLC addresses the sale and development of the property at 400 S. Saginaw Blvd. and 405 S. Belmont St. This was approved at the October 18, 2022 City Council pending the property being vacated by the Fire Department. The Fire Department is now completely moved to their new location. The proposed agreement was drawn up by the City Attorney.

6. Executive Session

The City Council may take action on any Executive Session item posted.

6A. 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: - 9:15 PM

Mayor Flippo declared the meeting recessed into Executive Session at 9:15 p.m.

Mayor Flippo declared the meeting back in Regular Session at 9:41 p.m.

6B. Any Posted Item -

6C. 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: -

6D. 400 S. Saginaw Blvd. and 405 S. Belmont St. -

7. Adjournment

7A. Adjournment--Todd Flippo, Mayor - 9:42 PM

Mayor Flippo declared the meeting adjourned at 9:42 p.m.

Randy Edwards made a motion to Approve that was seconded by Cindy Bighorse with a result of 7 - 0

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding Approval of Minutes, September 5, 2023--Janice England, City Secretary

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: B

Reference File

BACKGROUND/DISCUSSION:

The minutes of the September 5th City Council Meeting are presented for consideration.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Draft Minutes--9-5-2023.pdf

****The Following Document is a draft of the minutes and not the official approved minutes****

Minutes for the City Council meeting

333 West McLeroy Boulevard, Saginaw, Texas, 76179.

September 5, 2023, 6:01 PM - September 5, 2023, 9:02 PM

Roll Call: (The following members were in attendance)

Todd Flippo, Mayor
Cindy Bighorse, Place 5
Mary Copeland, Place 6
Randy Edwards, Place 4
Paul Felegy, Place 1
Valerie Junkersfeld, Mayor Pro Tem
Nick Lawson, Place 2

1. Call To Order

1A. Call To Order -- Todd Flippo, Mayor - 6:01 PM

Mayor Flippo called the meeting to order at 6:01 p.m.

Present:

City Attorney Bryn Meredith

City Manager Gabe Reaume

Asst. City Manager Lee Howell

Finance Director Kim Quin

City Secretary Janice England

Police Chief Russell Ragsdale

Asst. Fire Chief Scott Craver

Director of Public Works Randy Newsom

Director of Human Resources Melanie McManus

Director of Community & Economic Development Keith Rinehart

Library Director Ellen Ritchie

Communications Manager Pedro Zambrano

Chief Building Official Larry Little

Environmental/Drainage Manager Matt Regan

Animal Service Manager Jose Wheeland

Police Officer Osteen

Absent:

City Engineer Trenton Tidwell, P.E.

Fire Chief Doug Spears

Visitors:

Linda Williams

Glenn Reeves

Breanna Farley

Brian Miller

Jennifer Calvert

Joe Stout

Ronnie Horton

Mark Towns

Angela Hines

Brack St. Clair

Kevin Martin

Megan Le

Doug Goff

Corey Burnett

1B. Pledges--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" - 6:01 PM

1C. Invocation--Pastor Joe Rangel, SOBA Church - 6:01 PM

In the absence of Pastor Rangel, Pastor Mark Towns of the First Baptist Church gave the invocation.

1D. Audience Participation--Anyone wishing to speak during the discussion of an item listed on the agenda must complete an audience participation form. These forms are located by the Police Chief. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is discussed. You will have three (3) minutes to make your comments. - 6:01 PM

2. Consent Agenda

All items listed 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.

Valerie Junkersfeld made a motion to Approve that was seconded by Paul Felegy with a result of 7 - 0

2A. Action regarding Minutes, August 8, 2023--Janice England, City Secretary - 6:03 PM

The minutes of the August 8th City Council are presented for consideration.

2B. Action regarding Interlocal Agreement with Fort Worth Transportation Authority ("Trinity Metro") for Tarrant County Transportation Services for the Elderly and Persons with Disabilities for the Period of October 1, 2023 through September 30, 2024--Keith Rinehart, Director of Community & Economic Development - 6:05 PM

The proposed Interlocal Agreement with the Fort Worth Transportation Authority ("Trinity Metro") for Tarrant County Transportation Services is for the period of October 1, 2023 through September 30, 2024. The agreement provides transportation one day per week which is Monday. Qualifying residents are entitled to a one-way trip fare of $2.50. The annual cost for the City's participation is $1,795. There is no additional cost because funding has been granted to Trinity Metro by the Federal Transit Administration under Section 5310 of Title 49 of the United States Code. The goal of the Section 5310 program is to provide transportation for elderly and disabled persons residing in cities that do not have public transportation available to them. Funds for this expenditure are budgeted in the Community Services Budget, Senior Center Programs, Account 01-5235-0800.

****THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA.**

Additional options for transportation were briefly discussed. The Council directed staff to obtain more information regarding potential options for additional services and costs for consideration at a future Council Meeting.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve the Interlocal Agreement with the Fort Worth Transportation Authority as presented. Motion carried unanimously. 7-0-0-0

2C. Action Regarding Renewal of an Interlocal Agreement to Provide Animal Control Services to the City of Blue Mound--Lee Howell, Asst. City Manager - 6:14 PM

Councilmember Copeland left the Council Chambers at this point in the meeting due to a conflict of interest. Beginning with FY2019-20, Saginaw has maintained an Interlocal Agreement with the City of Blue Mound to provide animal control services. The City of Blue Mound seeks to renew this contract and agrees to a 100% increase in the annual contract fee. Blue Mound has paid $1,500 annually since the initial agreement was approved. Blue Mound has agreed to increase the annual contract fee to $3,000 for FY2023-2024. In addition, Saginaw collects all adoption and associated fees from animals impounded or owner surrendered from Blue Mound. Adoption fee recovery ranges from $100 to $135, depending on the species and size of the animal, and typically cover the cost for: sterilization, adoption fees, microchip, heartworm testing, rabies vaccinations, dewormer, and booster shots. These fees total on average $3,000 in additional revenue annually.

**** Item was Removed from Consent**

Randy Edwards made a motion to Approve that was seconded by Paul Felegy with a result of 6 - 0

Motion was made by Councilmember Edwards with a second by Councilmember Felegy to approve the Interlocal Agreement to provide Animal Control Services to the City of Blue Mound. Motion carried. 6-0-1-0 (Councilmember Copeland abstained due to a conflict of interest.)

2D. Action regarding Service Vehicle Replacement for Building and Code Compliance Department--Doug Spears, Fire Chief - 6:03 PM

The 2023/24 adopted budget includes the purchase of a replacement vehicle for the Building and Code Enforcement Department. The current vehicle, a 2017 Ford Escape, has been removed from service due to air bag equipment failure rendering it unsafe for use. The cost for airbag system repair coupled with the considerable amount of repair costs and downtime this vehicle has historically required makes the case for not pursuing air bag system repair and replacing the vehicle now as opposed to waiting until after October 1st. This vehicle is primarily used by our Code Compliance Manager and undergoes a lot of daily use. Having the current vehicle removed from service has a significant impact on code compliance activities necessitating sooner rather than later replacement. Staff has located and acquired three quotes for like vehicles (Moritz Chevrolet - $33,888; Bruce Lowrie Chevrolet - $35,439; Five Star Chevrolet - $34,591). Staff recommends approval of the purchase of a Chevy Colorado, a mid-size vehicle, from Moritz Chevrolet. This will continue the intent of standardizing the fleet in the department with the same manufacturer and model vehicles. The Colorado is an economical vehicle that meets the needs of the department duties and activities. The total included in the 2023/24 budget for a replacement vehicle is $44,000. There will be some necessary upfitting of the vehicle including graphics, tool box, floor mats, etc. The overall price will remain well below the budgeted amount. The vehicle and upfitting will be purchased in the current fiscal year using Fund Balance. The 2023/24 budgeted funds will not be expended but will adjusted to reflect the vehicle purchase.

3. Proclamations-Presentations

3A. Proclamation for the Small Business Administration Recognizing their 70th Anniversary--Keith Rinehart, Director of Community & Economic Development - 6:22 PM

Mayor Flippo read a proclamation declaring September 5, 2023 to be Small Business Administration Day in the City of Saginaw. Ms. Linda Williams, Small Business Administration Economic Development Specialist, addressed the Council. She thanked the Council for their support and briefly explained the programs and services available through the Small Business Administration. Mayor Flippo presented the proclamation to Ms. Williams.

3B. Discussion of Safety Concerns regarding School Related Traffic--Russell Ragsdale, Police Chief - 6:28 PM

Police Chief Ragsdale updated the Council on school related traffic including the International Leadership of Texas, Wayside Middle School, Willow Creek Elementary, and Saginaw High School. Possible solutions to alleviate the traffic issues were discussed. City Attorney Meredith explained that the Texas Legislature took action in the spring that gives charter and private schools the same authority as the public school districts. Therefore the City has no authority over the schools. The City only has authority over traffic which presents an issue itself due to the current shortage of officers. Mr. Brian Miller and Mr. Kevin Martin, both residents of Saginaw, expressed their concern regarding the traffic and safety issues created by the school traffic. Police Chief Ragsdale stated that the Police Department will continue to work on these issues.

4. Public Hearings

No Items

5. Business

5A. Consideration and Action regarding Employee Survey--Melanie McManus, Director of Human Resources - 7:10 PM

An employee survey is one of the 2023 Work Plan Projects. On June 6, 2023 the City Council approved a contract with OnPointe Insights to conduct the survey. Mr. Ron Gailey of OnPointe Insights joined the meeting by video. He gave a brief overview of the proposed survey. There was discussion regarding ensuring that the responses are completely anonymous. It was agreed to remove the employee status question and also remove the department question. It was also agreed to add an optional comment box at the end of the survey. It was agreed that the survey results be released to the Mayor and Council first. Following the release, a workshop will be scheduled to review the results in open session. An incentive for departments having 90% participation was discussed. Staff is to recommend an appropriate incentive for consideration.

Valerie Junkersfeld made a motion to Approve that was seconded by Cindy Bighorse with a result of 6 - 1 Opposed by Randy Edwards

5B. Consideration and Action regarding First Amendment to Fort Worth City Secretary Contract No. 49683, An Interlocal Agreement between City of Fort Worth and Saginaw for Participation in the Environmental Collection

Center Household Hazardous Waste Program--Matt Regan, Environmental/Drainage Manager - 7:52 PM

This item was tabled at the August 15, 2023 City Council Meeting.

null made a motion to null that was seconded by null with a result of 7 - 0

Motion was made by Councilmember Lawson with a second by Councilmember Edwards to approve the First Amendment to Fort Worth City Secretary Contract No. 49683, an Interlocal Agreement between Fort Worth and Saginaw for participation in the Environmental Collection Center Household Hazardous Waste Program. Motion carried unanimously. 7-0-0-0

5C. Consideration and Action regarding requirement of Multi-pet permit, and permit for Fostering of dogs and cats--Joe Stout, Chairman of the Animal Shelter Advisory Committee - 7:53 PM

Mr. Joe Stout, Chairman of the Animal Shelter Advisory Committee, gave an overview of the recommended changes to existing ordinances. The changes are regarding the regulations and permitting of "multi-pet" ownership, and "fostering" of pets in the City. There was some discussion. The Council directed City Attorney Meredith to prepare an ordinance reflecting the recommended changes for action at the next City Council Meeting.

Paul Felegy made a motion to Approve that was seconded by Mary Copeland with a result of 7 - 0

5D. Consideration and Action regarding Ground Lease with Triton Saginaw, LLC for Property at 400 S. Saginaw Blvd. and 405 S. Belmont St.--Bryn Meredith, City Attorney - 8:39 PM

Mayor Pro-Tem Junkersfeld left the Council Chambers at this point in the meeting due to a conflict of interest.

Due to Items 5D and 5E being related, these items were discussed together. City Attorney Meredith gave an overview of the proposed Ground Lease and the proposed Chapter 380 Agreement with Triton Saginaw, LLC (Company) for the property at 400 S. Saginaw Blvd. and 405 S. Belmont St. They were as follows.

<u>Ground Lease</u>:

1/4 acre required to be leased due to this particular portion having been a park

39 year lease

$100 per year with an increase of $100 every five years

Leased premises can only be used for parking and landscaping

Triton Saginaw, LLC will be responsible for paying the ad valorem taxes annually on a timely basis

<u>Chapter 380 Agreement:</u>

The remainder of the property can be sold in order to develop the property. No record was found that indicated the land was ever a dedicated park.

Conveyance of the property will be no sooner than ninety (90) days from the execution of the Chapter 380 Agreement.

If Triton Saginaw, LLC wants title insurance, they will be responsible for securing it.

Conveyance of an older model fire truck no later than June 1, 2024. (Conservative estimate based on when Fire Department expects to accept delivery of a new truck.)

Company must build two of three restaurants in their group of restaurants. One restaurant is required to be Twisted Root.

Company must develop two restaurants, a beer garden and stage the sooner of 12 months following conveyance or December 31, 2024. Anticipated completion is December 31, 2024.

Company is required to make a capital investment on the property of no less than $2.5 million. They must secure their own lending.

Once substantial completion occurs, the company is entitled to receive a grant payment from the City for the costs of utility improvements in the amount of $150,000 if three restaurants are built or $100,000 if two restaurants are built.

City agrees to waive all building permit fees upfront for initial construction (not an ongoing indefinite waiver).

If substantial completion is not met by the deadline, there is no reverter for the title to the property if company fails to meet the guidelines. Reason for this is a reverter will prevent them from obtaining bank funding.

Protections for the City include (1) the approved Planned Development Zoning on the property and development plan which designates what is permissible to be placed on the property; and (2) a liquidated damages clause in the agreement that requires the company to pay the City $2,000,000 and all unpaid building permit fees plus interest if they don't meet the deadline of December 31, 2024.

City Attorney Meredith pointed out that Triton Saginaw, LLC is a limited liability company and their ability to pay liquidated damages will be affected by any liquidity issues and bankruptcy.

Mayor Flippo declared the meeting recessed into Executive Session at 8:15 p.m. pursuant to 551.087 Texas Government Code. Consultation with Attorney.

Mayor Flippo declared the meeting back in Regular Session at 8:39 p.m.

Paul Felegy made a motion to Approve that was seconded by Nick Lawson with a result of 6 - 0

Motion was made by Councilmember Felegy with a second by Councilmember Lawson to approve Item 5D, Ground Lease with Triton Saginaw , LLC, and Item 5E, Chapter 380 Agreement with Triton Saginaw, LLC for the property at 400 S. Saginaw Blvd. and 405 S. Belmont St. Motion carried. 6-0-1-0 (Mayor Pro-Tem Junkersfeld abstained due to a conflict of interest)

5E. Consideration and Action regarding Chapter 380 Agreement with Triton Saginaw, LLC--Bryn Meredith, City Attorney -

Consideration and action of this item was included with Item 5D.

5F. Consideration and Action regarding the use of Parks Donations Fund for 2023 Holiday Drone Show--Pedro Zambrano, Communications Manager - 8:41 PM

FlyLight Drone Shows provides municipalities with drone shows for events. Last year they were the vendor for the 2022 Holiday Parade and Christmas Tree Lighting Ceremony. The cost for drone show for the 2023 event will be $24,000 which includes 150 drones. The Advisory Recreation and Parks Board voted to have the 2023 Holiday Parade and Christmas Tree Lighting Ceremony on Saturday, December 2, 2023. The Board also voted unanimously to recommend the use of $24,000 from the Parks Donation Fund for the drone show.

null made a motion to null that was seconded by null with a result of 7 - 0

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve the use of $24,000 from the Parks Donation Fund for the 2023 Holiday drone show as proposed. Motion carried unanimously. 7-0-0-0

5G. Consideration and Action regarding an Employee Retention Incentive--Doug Spears, Fire Chief & Kim Quin, Finance Director - 8:50 PM

During budget discussions the City Council expressed an interest in granting one-time retention incentive payments to City employees with the intention of providing a meaningful impact to lower wage earners while recognizing all employees. The proposed plan calculates one-time payments based on salary ranges with the lowest salary ranges receiving the highest retention incentives. Full time employees will receive a one-time payment equal to 12.38% to 0.35% ($4,955 to $758) of their budgeted salary and part time employees will receive $2,000. All payments will be subject to payroll taxes, TMRS, and federal withholding deductions. The retention incentive payments will be paid to employees with one or more years of service in October. Employees with less than one year of service will be paid 50% at six months and 50% at one year of employment. The estimated cost of the retention incentive payments is $502,153.

Randy Edwards made a motion to Approve that was seconded by Paul Felegy with a result of 7 - 0

5H. Consideration and Action regarding Employee Incentive Program--Melanie McManus, Director of Human Resources - 8:55 PM

An Employee Incentive Program was considered. The program would encourage employees to submit cost saving suggestions and safety suggestions. Following a brief discussion, the Council directed staff to move forward with the program and bring back the final document and details to a future Council Meeting for action.

6. Executive Session

The City Council may take action on any Executive Session item posted.

6A. 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: -

6B. Any Posted Item -

6C. 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: - 8:15 PM

6D. 400 S. Saginaw Blvd. and 405 S. Belmont St. -

Motion was made by Councilmember Felegy with a second by Councilmember Edwards to adjourn the meeting.

Motion carried unanimously. 7-0-0-0

Mayor Flippo declared the meeting adjourned at 9:03 p.m.

7. Adjournment

No Items

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding increasing the General Fund emergency reserve balance by $485,000 and the Enterprise Fund emergency reserve balance by $310,000 to comply with Financial Management Policies--Kim Quin, Finance Director

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: D

Reference File

BACKGROUND/DISCUSSION:

The purpose of this item is to ensure that the emergency reserves of the General and Enterprise Funds comply with the Financial Management Policies adopted by the City Council on March 17, 2020. Both funds are required to reserve 25% of the operating budget for unexpected emergencies.

The current emergency reserve in the General Fund is $4,990,000; based on the FY2023-2024 adopted budget less capital and one-time items the emergency reserve should be $5,475,000. An additional $485,000 should be added to the emergency reserve balance in the General Fund.

The current emergency reserve in the Enterprise Fund is $2,450,000; based on the FY2023-2024 adopted budget less capital and one-time items the emergency reserve should be $2,760,000. An additional $310,000 should be added to the emergency reserve balance in the Enterprise Fund.

FINANCIAL IMPACT:

There is no impact as this is not an expenditure but a reclassification from unrestricted to restricted fund balance.

RECOMMENDATION:

Staff recommends increasing the General Fund Emergency Reserve by $485,000 and the Enterprise Fund Emergency Reserve by $310,000.

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding Resolution No. 2023-19, Annual Approval of Investment Policy--Kim Quin, Finance Director

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: E

Reference File

BACKGROUND/DISCUSSION:

Chapter 2256 of the Government Code, also known as the Public Funds Investment Act" requires the City to have a written investment policy that must be reviewed annually by the governing body. Attached is a copy of the City of Saginaw Investment Policy which was last revised September 20, 2022. The investment policy has been reviewed by the Investment Committee, which is comprised of the Mayor, City Manager, Finance Director, and Finance Manager. The committee has reviewed the policy and has no recommended changes.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

The Investment Committee recommends approval of the resolution approving the investment policy.

Attachments

Investment Policy 2023.pdf

IP Resolution 2023-19.pdf

CITY OF SAGINAW, TEXAS
INVESTMENT POLICY

City of Saginaw

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CITY OF SAGINAW RESOLUTION NO. 2023-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, ADOPTING AND APPROVING A REVISED CITY OF SAGINAW, TEXAS, INVESTMENT POLICY

WHEREAS, the City Staff has prepared revisions to the City of Saginaw, Texas Investment Policy as adopted on January 26, 1988, and as heretofore revised on September 6, 1988, February 6, 1990, March 5, 1996, September 18, 2001, December 7, 2010, October 3, 2017, September 3, 2019, September 7, 2021, and September 20, 2022 ;

WHEREAS, the Investment Committee has found that no revisions to the Investment Policy are necessary at this time; NOW, THEREFORE;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

1. That the City Council of the City of Saginaw, Texas, does hereby formally approve and adopt the CITY OF SAGINAW, TEXAS INVESTMENT POLICY, as a copy is attached to this Resolution on the 19^{h} day of September, 2023.

2. That henceforth the Investment Policy, last revised and amended on the 20th day of September, 2022, and hereby adopted shall be in full force and effect and shall supersede and amend any prior such policy and provisions thereof.

ADOPTED AND APPROVED this 19th day of September, 2023.

APPROVED:

_____
Todd Flippo, Mayor
of the City of Saginaw, Texas

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

INTRODUCTION

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Saginaw in order to achieve the goals of safety, liquidity, yield, and public trust for all investment activity. The policy and strategy shall be reviewed annually by the Investment Committee and any modifications must be approved by the Investment Committee and forwarded to the City Council for final approval. This Investment Policy, as approved, is in compliance with Chapter 2256 of the Government Code, also known as "The Public Funds Investment Act".

INVESTMENT STRATEGY

The City of Saginaw maintains portfolios which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios:

A. Investment strategies for operating funds and commingled pools containing operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure, which will experience minimal volatility during economic cycles. This may be accomplished by purchasing high quality, short- to medium-term securities, which will complement each other in laddered or barbell maturity structure. The dollar weighted average maturity of these funds will remain within the six to nine month range.

B. Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date that exceeds the debt service payment date.

C. Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from securities with a low degree of volatility. Securities should be of high quality and, except as may be required by the bond ordinance specific to an individual issue, of short to intermediate-term maturities. Such securities will tend to hold their value during economic cycles. The stated final maturity dates of securities held should not exceed two years.

D. Investment strategies for capital improvement projects or special purpose funds should allow for flexibility and unanticipated project outlays by having a portion of their investments in highly liquid securities. The stated final maturity dates of securities held should not exceed the estimated project completion date.

INVESTMENT POLICY

I. SCOPE

This investment policy applies to all financial assets of the City of Saginaw. These funds are accounted for in the City's Annual Comprehensive Financial Report (ACFR) and include:

* General Fund
* Special Revenue Funds
* Debt Service Funds
* Capital Projects Funds
* Enterprise Fund
* Trust and Agency Funds

These funds, as well as funds that may be created from time-to-time, shall be administered in accordance with the provisions of these policies. All funds will be pooled for investment purposes. The strategy developed for this pooled fund group will address the varying needs, goals, and objectives of each fund.

II. OBJECTIVES

The City of Saginaw shall manage and invest its cash with four objectives, listed in order of priority: safety, liquidity, yield, and public trust. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local law.

The city shall maintain a comprehensive cash management program, which includes collection of accounts receivable, vendor payment in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum yield on short-term investment of pooled idle cash.

Safety

The primary objective of the City's investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid capital losses.

Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

Yield

The City's cash management portfolio shall be designed with the objective of regularly exceeding the average rate of return on three-month U.S. Treasury Bills. The investment program shall seek to augment returns above this threshold consistent with risk limitations identified herein and prudent investment policies.

Public Trust

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction, which might impair public confidence in the City's ability to govern effectively.

III. RESPONSIBILITY AND CONTROL

Investment Committee

An Investment Committee, consisting of the Mayor, the City Manager, the Finance Director, and the Finance Manager shall meet as needed to determine operational strategies and to monitor results. The Investment Committee shall include in its deliberation such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, and the target rate of return on the investment portfolio. The Investment Committee shall be authorized to invite advisors to the meetings as needed including, but not limited to, the City Attorney, the City Council, or outside advisors. The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City.

Delegation of Authority and Training

Authority to manage the City's investment program is derived from a resolution of the City Council. The Finance Director is designated as investment officer of the City and is responsible for investment decisions and activities. The Finance Director shall establish written procedures for the operation of the investment program, consistent with this investment policy. The investment officer shall attend at least one training session containing at least ten hours of instruction relating to the officer's responsibility under the Act within twelve months after assuming duties and attend an investment training session not less than once in a two year period and receive not less than eight hours of instruction relating to the investment responsibilities. Approved independent training sources include the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, and the University of North Texas Center for Public Management.

Internal Controls

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. Accordingly, the Finance Director shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures.

Prudence

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule, which states: "Investments shall be made with judgment and care, under prevailing circumstances, which persons of prudence, discretion and intelligence would exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

A. The investment of all funds, or funds under the City's control, over which the officer has responsibility rather than a consideration as to the prudence of a single investment.

B. Whether the investment decision was consistent with the written investment policy of the City.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. Officers and employees shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City and they shall further disclose positions that could be related to the performance of the City's portfolio. Officers and employees shall subordinate their personal financial transactions to those of the City, particularly with regard to timing of purchases and sales.

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual

seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the City.

An officer or employee involved in the investment process has a personal business relationship with a business organization if:

A. The officer or employee owns ten percent or more of the voting stock or shares of the business organization or owns $5,000 or more of the fair market value of the business organization.

B. Funds received by the officer or employee from the business organization exceed ten percent of his/her gross income for the previous year; or

C. The officer or employee has acquired from the business organization during the previous year investments with a book value of $2,500 or more for his/her personal account.

IV. REPORTING

Quarterly Reporting

The Finance Director shall submit not less than quarterly a signed investment report that summarizes current market conditions economic developments and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics, and shall explain the total investment return for the quarter. The report shall be in compliance with the Public Fund Investment Act.

V. AUTHORIZED AND SUITABLE INVESTMENT SECURITIES

Active Portfolio Management

The City intends to pursue an active versus a passive portfolio management philosophy. That is, securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade.

Authorized Investments

Assets of the City of Saginaw may be invested in the following instruments; provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended.

A. Obligations issued, guaranteed, or insured by the United Stated or its agencies and instrumentalities.

B. Deposits in financial institutions with a main office or branch in Texas, guaranteed or insured by the Federal Deposit Insurance or its successor or collateralized as defined in the Safekeeping and Custody section of this Policy. In addition, Certificates of Deposit obtained through a depository institution that has its main office or a branch office in Texas and that contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 256.010(b) of the Act are authorized investments.

C. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its Agencies and Instrumentalities, pledged to the City, held in the City's name, and deposited with a third party, selected by the Finance Director, other than an agency for the pledgor. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a bank domiciled in Texas.

D. Local government investment pools organized in conformity with Chapter 2256 (Public Funds Investment Act) of the Government Code that:

1. Have a dollar-weighted average stated maturity of 90 days or fewer
2. Seek to maintain a stable net asset value of $1 per share
3. Are rated not less than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.
4. Have provided the City with an offering circular and other information required by the Public Funds Investment Act.

To become eligible, investment pools must meet all the requirements of state law as determined under Chapter 2256 of the Government Code, as amended; and be approved by a City Council action. Investments will be made in a local government pool only after a thorough investigation of the pool and approval by the Investment Committee which shall, at least annually, review, revise, and adopt a list of approved pools.

Holding Period

The City of Saginaw intends to match the holding periods of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year. The maximum final stated maturity of any investment shall not exceed two years.

Risk and Diversification

The City of Saginaw recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification which shall be achieved by the following general guidelines:

A. Risk of issuer default is controlled by limited investments to those instruments allowed by the Act, which are described herein.

B. Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity sector, limitation of average maturity of operating funds instruments to one year, and avoidance of over-concentration of assets in specific instruments other than U.S. Treasury Securities and Insured or Collateralized Certificates of Deposits.

C. Risk of illiquidity due to technical complications shall be controlled by the selection of securities as described herein.

VI. SELECTION OF BANKS AND DEALERS

Depository

Periodically, a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP). In selecting a depository, the credit worthiness of institutions shall be considered, and the Finance Director shall conduct a comprehensive review of prospective depositories credit characteristics and financial history.

Certificates of Deposit

Banks seeking to establish eligibility for the City's competitive certificate of deposit purchase program shall submit for review annual financial statements, evidence of federal insurance and other information as required by the Finance Director.

Securities Dealers

For brokers and dealers of government securities, the City shall select only those dealers reporting to the Market Reports Division of the Federal Reserve Board of New York, also known as the "Primary Government Security Dealer", unless a comprehensive credit and capitalization analysis reveals that other firms are adequately financed to conduct public business. Investment officials shall not knowingly conduct business with any firm with whom public entities have

sustained losses on investments. All securities dealers shall provide the City with references from public entities that they are currently serving.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following as appropriate:

- audited financial statements
- proof of National Association of Securities Dealers (NASD) certification
- proof of state registration
- completed broker/dealer questionnaire
- certification of having read the City's investment policy signed by a registered principal of the organization
- acknowledgment that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization.

An annual review of the financial condition and registration of qualified bidders will be conducted by the Finance Director.

VII. SAFEKEEPING AND CUSTODY

Insurance of Collateral

All deposits and investments of City funds other than direct purchases of U.S. Treasuries or Agencies shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC or FSLIC. Evidence of the pledged collateral shall be maintained by the Finance Director or a third party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement. Collateral shall be reviewed monthly to assure that the market value of the pledged securities is adequate.

Safekeeping Agreement

Collateral pledged to secure deposits of the City shall be held by a safekeeping institution in accordance with a Safekeeping Agreement which clearly defines the procedural steps for gaining access to the collateral should the City of Saginaw determine that the City's funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank or an institution not affiliated with the firm pledging the collateral. The safekeeping agreement shall include the signatures of authorized representatives of the City of Saginaw, the firm pledging the collateral, and the Trustee.

Collateral Defined

The City of Saginaw shall accept the following securities as collateral:

A. FDIC and FSLIC insurance coverage.

B. A bond, certificate of indebtedness, or Treasury Note of the United States, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States.

C. Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas.

D. A bond of the State of Texas or of a county, city, or other political subdivision of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent) by a nationally recognized rating agency.

Subject to Audit

All collateral shall be subject to inspection and audit by the Finance Director or the City's independent auditors.

Delivery vs. Payment

Treasury Bills, Notes, Bonds and Government Agencies' securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the Trustee. The security shall be held in the name of the City or held on behalf of the City. The Trustee's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

VIII. INVESTMENT POLICY ADOPTION

The City of Saginaw investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed for effectiveness on an annual basis by the Investment Committee and any modifications will be recommended for approval to the City Council.

INVESTMENT POLICY FOR THE
CITY OF SAGINAW, TEXAS

TEXAS PUBLIC FUNDS INVESTMENT ACT
DEALER CERTIFICATION

This certification is executed on behalf of the City of Saginaw (the Investor) and _____ (the Dealer) pursuant to the Public Funds Investment Act, Chapter 2256, Government Code, Texas Codes Annotated (the Act) in connection with investment transactions conducted between the Investor and Dealer.

The undersigned Qualified Representative of the Dealer hereby certifies on behalf of the Dealer that:

1. The Dealer Qualified Representative is duly authorized to execute this Certification on behalf of the Dealer, and

2. The Dealer Qualified Representative has received and reviewed the Investment Policy furnished by the Investor, and

3. The Dealer has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Dealer and the Investor that are not authorized by the entity's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the entity's entire portfolio or requires an interpretation of subjective investment standards.

Dealer Qualified Representative

_____
Signature

_____
Name (Printed)

_____
Title

_____
Date

GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BARBELL MATURITY STRATEGY: A maturity pattern within a portfolio in which maturities of the assets in the portfolio are concentrated in both the short and long ends of the maturity spectrum.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination (over $100,000) CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR): The official annual report for the City of Saginaw. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities

with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DERIVATIVES: (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns, to reduce risk inherent in particular securities.

FACE VALUE: The principal amount due and payable to a bondholder at maturity; par value. Also, the amount on which coupon interest is computed.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g. S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to $300,000 per depositor ($100,000 for non-interest bearing demand deposits, $100,000 for interest bearing demand, savings or time deposits and a separate $100,000 for interest and sinking funds)

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): Government sponsored wholesale banks (currently 12 regional banks) which lend funds and provide correspondent banking service to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related asset of its members who must purchase stock in their district Bank.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owner corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted.

FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market and as means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FMHM mortgages. The term "pass-throughs" is often used to describe Ginnie Maes.

INVESTMENT POOL: An entity created under the Government Code to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield.

LADDERED MATURITY STRATEGY: A maturity pattern within a portfolio in which maturities of the assets in the portfolio are equally spaced.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PREMIUM: The amount by which the price paid for a security exceeds its face value.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL: The face or par value of an instrument, exclusive of the accrued interest.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

QUALIFIED REPRESENTATIVE: A person who holds a position with and is authorized to act on behalf of a business organization (as defined by the Public Funds Investment Act)

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be amortized yield to maturity on a bond the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to

finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

STRUCTURED NOTES: Notes issued by government sponsored enterprises (FHLB, FNMA, SLMA, etc.) and corporations which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage.

a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security.
b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

CITY OF SAGINAW RESOLUTION NO. 2023-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, ADOPTING AND APPROVING A REVISED CITY OF SAGINAW, TEXAS, INVESTMENT POLICY

WHEREAS, the City Staff has prepared revisions to the City of Saginaw, Texas Investment Policy as adopted on January 26, 1988, and as heretofore revised on September 6, 1988, February 6, 1990, March 5, 1996, September 18, 2001, December 7, 2010, October 3, 2017, September 3, 2019, September 7, 2021, and September 20, 2022 ;

WHEREAS, the Investment Committee has found that no revisions to the Investment Policy are necessary at this time; NOW, THEREFORE;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

1. That the City Council of the City of Saginaw, Texas, does hereby formally approve and adopt the CITY OF SAGINAW, TEXAS INVESTMENT POLICY, as a copy is attached to this Resolution on the 19h day of September, 2023.

2. That henceforth the Investment Policy, last revised and amended on the 20th day of September, 2022, and hereby adopted shall be in full force and effect and shall supersede and amend any prior such policy and provisions thereof.

ADOPTED AND APPROVED this 19th day of September, 2023.

APPROVED:

_____
Todd Flippo, Mayor
of the City of Saginaw, Texas

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding Approval of a Preliminary Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: F

Reference File

BACKGROUND/DISCUSSION:

The City of Saginaw, Texas has received a formal preliminary plat submission for the 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Block 1, Lot 4 in the City of Saginaw, Tarrant County, Texas. This project is part of the overall The Square Planned Development and is referred to as the Alpine on the Square project.

The Development Review Committee has formally reviewed the attached preliminary plat for Alpine on the Square and have determined that the preliminary plat has met all city standards and requirements for approval.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Alpine at the Square P&Z Sheets (Preliminary Plat).pdf

City of
Saginaw
Planning and Zoning

Alpine on the Square Preliminary Plat

Date: September 12, 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 Preliminary Plat on the Approximate 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Bock 1, Lot 4 (Alpine Development)

Background/Discussion:
The City of Saginaw, Texas has received a formal preliminary plat submission for the 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Bock 1, Lot 4 in the City of Saginaw, Tarrant County, Texas. This project is part of the overall The Square Planned Development and is referred to as the Alpine on the Square project.

The Development Review Committee has formally reviewed the attached preliminary plat for Alpine on the Square and have determined that the preliminary plat has met all city standards and requirements for approval.

Staff Recommendation:
Staff recommends approval.

Attachments:
Preliminary Plat Application, Preliminary Plat

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CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
APPLICATION FOR CONSIDERATION OF A PLAT

CASE NUMBER: PZ 0923 - 01

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 Community Development Office by 12:00 noon on the 28th day (always a Tuesday) prior to the Planning and Zoning Commission meeting.

All applications must be accompanied by 6 prints, 1 submittal, 30 prints after staff approval, 22" X 34". These must be folded to 8½" x 11" so that the title block or other identifying information is shown on the front. Plats shall be drawn at a scale of 1" = 100' or larger. The original mylar shall also accompany copies of any final plat.

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. The application is not considered complete until all requirements are met.

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 be set after compliance by the applicant of all the requirements contained in the City of Saginaw's Zoning Ordinance and Sub Division Ordinance.

REQUEST FOR CONSIDERATION OF

PRELIMINARY PLAT (X) FINAL PLAT ( ) REPLAT ( ) AMENDED PLAT ( )

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

LOT: 4 BLOCK: 1 ADDITION: The Square

TRACT: ABSTRACT No. 1497 SURVEY: B. Thomas Survey

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

ADDRESS and/ or LOCATION OF PROPERTY:
At the southeast corner of the intersection of Saginaw Square Blvd and Old Decatur Rd

NAME OF PROPOSED DEVELOPMENT: Alpine on the Square

TOTAL ACREAGE OF PROPERTY: 9.569 Ac

(use additional sheets and attach if necessary)

I hereby certify that I will follow all Ordinances as set forth by the city of Saginaw with respect to my Development 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.

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OWNER'S SIGNATURE: Zach Gensior PHONE #: 408-391-2317

and/or OPTION HOLDER: _____ PHONE #: _____

OWNER'S NAME:(Please Print) ASD Saginaw MM LLC

OWNER'S ADDRESS: 4827 Memphis St. Dallas, TX 75207

APPLICANT'S SIGNATURE: Tyler Barnett PHONE # : 972-422-0077

APPLICANT'S NAME: Tyler Barnett, Spiars Engineering

APPLICANT'S ADDRESS: 3575 Lone Star Cir. Fort Worth, TX 76177

FOR CITY USE ONLY DO NOT WRITE BELOW THIS LINE

RECEIVED BY: _____ DATE: _____ TIME: _____

FEE FOR APPLICATION: _____ RECEIPT #: _____

SUBMITTED INFORMATION REVIEWED BY: S.V.

PLANNING AND ZONING COMMISSION MEETING DATE: 09/12/23

ACTION TAKEN: _____

CITY COUNCIL MEETING DATE: 09/19/23

ACTION TAKEN: _____

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09/12/2023 P&Z Packet Page #10

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF TARRANT §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Texas Essential Housing Public Facility Corporation, a Texas public facility corporation

By: _____
Justin Dunn, President/Chair

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____ known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2023.

_____
Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Saginaw, Texas.

Dated this the ____ day of _____, 2023.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

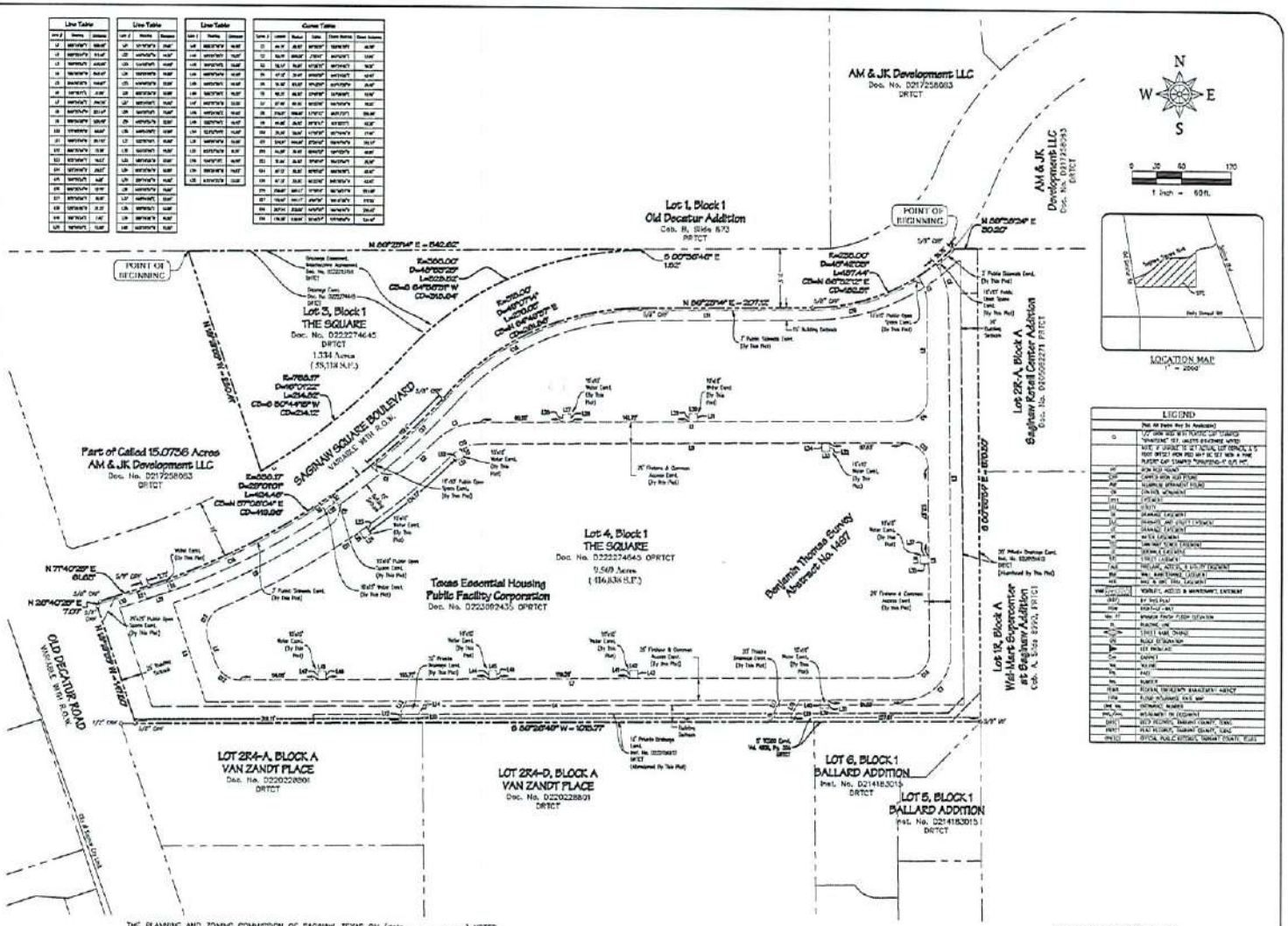
DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2023.

_____
Notary Public, State of Texas



Line Table		
Line #	Length	Direction
L1	50.00'	N 00°00'00" E
L2	50.00'	N 00°00'00" E
L3	50.00'	N 00°00'00" E
L4	50.00'	N 00°00'00" E
L5	50.00'	N 00°00'00" E
L6	50.00'	N 00°00'00" E
L7	50.00'	N 00°00'00" E
L8	50.00'	N 00°00'00" E
L9	50.00'	N 00°00'00" E
L10	50.00'	N 00°00'00" E
L11	50.00'	N 00°00'00" E
L12	50.00'	N 00°00'00" E
L13	50.00'	N 00°00'00" E
L14	50.00'	N 00°00'00" E
L15	50.00'	N 00°00'00" E
L16	50.00'	N 00°00'00" E
L17	50.00'	N 00°00'00" E
L18	50.00'	N 00°00'00" E
L19	50.00'	N 00°00'00" E
L20	50.00'	N 00°00'00" E

Line Table		
Line #	Length	Direction
L21	50.00'	N 00°00'00" E
L22	50.00'	N 00°00'00" E
L23	50.00'	N 00°00'00" E
L24	50.00'	N 00°00'00" E
L25	50.00'	N 00°00'00" E
L26	50.00'	N 00°00'00" E
L27	50.00'	N 00°00'00" E
L28	50.00'	N 00°00'00" E
L29	50.00'	N 00°00'00" E
L30	50.00'	N 00°00'00" E
L31	50.00'	N 00°00'00" E
L32	50.00'	N 00°00'00" E
L33	50.00'	N 00°00'00" E
L34	50.00'	N 00°00'00" E
L35	50.00'	N 00°00'00" E
L36	50.00'	N 00°00'00" E

Line Table		
Line #	Length	Direction
L37	50.00'	N 00°00'00" E
L38	50.00'	N 00°00'00" E
L39	50.00'	N 00°00'00" E
L40	50.00'	N 00°00'00" E
L41	50.00'	N 00°00'00" E
L42	50.00'	N 00°00'00" E
L43	50.00'	N 00°00'00" E
L44	50.00'	N 00°00'00" E
L45	50.00'	N 00°00'00" E
L46	50.00'	N 00°00'00" E
L47	50.00'	N 00°00'00" E
L48	50.00'	N 00°00'00" E
L49	50.00'	N 00°00'00" E
L50	50.00'	N 00°00'00" E

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	46.97'	30.00'	90°00'00"	S45°00'00" E	42.43'
C2	46.97'	30.00'	90°00'00"	N45°00'00" E	42.43'
C3	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C4	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C5	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C6	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C7	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C8	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C9	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C10	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C11	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C12	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C13	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C14	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C15	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C16	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C17	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C18	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C19	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C20	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C21	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C22	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C23	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C24	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C25	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C26	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C27	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C28	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C29	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C30	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C31	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C32	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C33	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'
C34	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C35	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C36	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C37	78.54'	50.00'	90°00'00"	N45°00'00" E	70.71'
C38	47.12'	30.00'	90°00'00"	N45°00'00" E	42.43'
C39	78.54'	50.00'	90°00'00"	S45°00'00" W	70.71'
C40	47.12'	30.00'	90°00'00"	S45°00'00" W	42.43'

THE PLANNING AND ZONING COMMISSION OF SAGINAW, TEXAS ON (date _____) VOTED AFFIRMATIVELY TO RECOMMEND CONDITIONAL APPROVAL OF THIS PRELIMINARY PLAT, SUBJECT TO CONDITIONS ENUMERATED IN MINUTES OF THIS DATE.

By: _____
CHAIRMAN

Attest: _____
CITY SECRETARY

THE CITY COUNCIL OF SAGINAW, TEXAS ON (date _____) VOTED AFFIRMATIVELY TO CONDITIONALLY APPROVE PREPARATION OF A FINAL PLAT SUBJECT TO CONDITIONS ENUMERATED IN MINUTES OF THIS DATE.

By: _____
MAYOR

Attest: _____
CITY SECRETARY

NOTES:

1. This plat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.
2. Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.
3. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.

LEGEND	
	(Not All Items May Be Applicable)
G	CUT CROSS SET WITHIN CONCRETE CURB MARKED "SPIARS" SET UNLESS OTHERWISE NOTED NOTE: IF CURBING IS SET ON FINAL LOT PERVIOUS, A 5" ROUT DETECT IRON ROD MAY BE SET NEAR A PINE PLASTIC CAP STAMPED "SPIARS-5" 0.5 INT.
IR	IRON ROD FOUND
CIR	CAPPED IRON ROD FOUND
AM	ALUMINUM MONUMENT FOUND
CM	CONCRETE MONUMENT
DH	DRILL HOLE
UTILITY	UTILITY
DE	DRAINAGE EASEMENT
PUE	PRIVATE UTILITY EASEMENT
DE	DRAINAGE EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
GE	GAS EASEMENT
ELE	ELECTRIC EASEMENT
TVE	TELEVISION, CABLE, & UTILITY EASEMENT
BLE	BALL, BASKETBALL EASEMENT
MLE	MAIL & UNIT MAIL EASEMENT
VME	VEHICLE, ACCESS & MAINTENANCE EASEMENT
(REF)	BY THIS PLAT
FCM	FOUND CUT X-NOTCH
No. 57	SPRINKLER FRONTS FLOOR ELEVATION
FL	FLOWLINE
ROW	STREET NAME CHANGE
CG	CURB DESCRIPTION
	SITE ENGINEER
	ENGINEER
	SURVEYOR
	PLANNER
	OWNER
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FIRM	FLOOD INSURANCE RATE MAP
INST. No.	INSTRUMENT NUMBER
INST./Vol.	INSTRUMENT OR DOCUMENT
(DRTC)	DEED RECORDS, TARRANT COUNTY, TEXAS
(PRTC)	PLAT RECORDS, TARRANT COUNTY, TEXAS
(OPRTC)	OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

PRELIMINARY PLAT

THE SQUARE

LOT 4, BLOCK 1
B.THOMAS SURVEY - ABSTRACT NO. 1497
CITY OF SAGINAW, TARRANT COUNTY, TEXAS

OWNER
Texas Essential Housing
Public Facility Corporation
5928 FM 973
Austin, Texas 78724
Telecopier:
Contact:

APPLICANT
Alpine Start Development
4827 Memphis St
Dallas, Texas 75207
Telephone: (408) 201-2317
Contact: Hansen Rahsur

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
705 Center Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0977
TBPELS No. F-2121 and No. F-10042100
Contact: Tyler Barnett

Scale: 1" = 60' July, 2023 SEI Job No. 22-252

09/12/2023 P&Z Packet Page #10

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Action regarding Approval of a Final Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Consent Agenda	Item: G

Reference File

BACKGROUND/DISCUSSION:

The City of Saginaw, Texas has received a formal final plat submission for the 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Block 1, Lot 4 in the City of Saginaw, Tarrant County, Texas. This project is part of the overall The Square Planned Development and is referred to as the Alpine on the Square project.

The Development Review Committee has formally reviewed the attached final plat for Alpine on the Square and have determined that the final plat has met all city standards and requirements for approval.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Alpine at the Square P&Z Sheets.pdf

City of
Saginaw
Planning and Zoning

Alpine on the Square Final Plat

Date: September 12, 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 Final Plat on the Approximate 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Bock 1, Lot 4 (Alpine Development)

Background/Discussion:
The City of Saginaw, Texas has received a formal final plat submission for the 9.569 acres out of Thomas B. Survey, Abstract No. 1497, The Square, Bock 1, Lot 4 in the City of Saginaw, Tarrant County, Texas. This project is part of the overall The Square Planned Development and is referred to as the Alpine on the Square project.

The Development Review Committee has formally reviewed the attached final plat for Alpine on the Square and have determined that the final plat has met all city standards and requirements for approval.

Staff Recommendation:
Staff recommends approval.

Attachments:
Final Plat Application, Final Plat

09/12/2023 P&Z Packet Page #11

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
APPLICATION FOR CONSIDERATION OF A PLAT

CASE NUMBER: PZ 0923-02

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 Community Development Office by 12:00 noon on the 28th day (always a Tuesday) prior to the Planning and Zoning Commission meeting.

All applications must be accompanied by 6 prints, 1 submittal, 30 prints after staff approval, 22" X 34". These must be folded to 8½" x 11" so that the title block or other identifying information is shown on the front. Plats shall be drawn at a scale of 1" = 100' or larger. The original mylar shall also accompany copies of any final plat.

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. The application is not considered complete until all requirements are met.

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 be set after compliance by the applicant of all the requirements contained in the City of Saginaw's Zoning Ordinance and Sub Division Ordinance.

REQUEST FOR CONSIDERATION OF

PRELIMINARY PLAT ( ) FINAL PLAT (x) REPLAT ( ) AMENDED PLAT ( )

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

LOT: 4 BLOCK: 1 ADDITION: The Square

TRACT: _____ ABSTRACT No. 1497 SURVEY: B. Thomas Survey

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

ADDRESS and/ or LOCATION OF PROPERTY:
At the southeast corner of the intersection of Saginaw Square Blvd and Old Decatur Rd

NAME OF PROPOSED DEVELOPMENT: Alpine on the Square

TOTAL ACREAGE OF PROPERTY: 9.569 Ac

(use additional sheets and attach if necessary)

I hereby certify that I will follow all Ordinances as set forth by the city of Saginaw with respect to my Development 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.

09/12/2023 P&Z Packet Page #12

OWNER'S SIGNATURE: Zach Gensior PHONE #: 408-391-2317

and/or OPTION HOLDER: PHONE #:

OWNER'S NAME:(Please Print) ASD Saginaw MM LLC

OWNER'S ADDRESS: 4827 Memphis St. Dallas, TX 75207

APPLICANT'S SIGNATURE: Tyler Barnett PHONE # : 972-422-0077

APPLICANT'S NAME: Tyler Barnett, Spiars Engineering

APPLICANT'S ADDRESS: 3575 Lone Star Cir. Fort Worth, TX 76177

FOR CITY USE ONLY DO NOT WRITE BELOW THIS LINE

RECEIVED BY: J. Love (SG) DATE: 02/27/23 TIME:

FEE FOR APPLICATION: $550 RECEIPT #: 189405

SUBMITTED INFORMATION REVIEWED BY: SG & SV

PLANNING AND ZONING COMMISSION MEETING DATE: 09/12/23

ACTION TAKEN:

CITY COUNCIL MEETING DATE: 09/19/23

ACTION TAKEN:

09/12/2023 P&Z Packet Page #13

09/12/2023 P&Z Packet Page #14

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF TARRANT §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Texas Essential Housing Public Facility Corporation, a Texas public facility corporation

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared ______, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of ____________, 2023.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

Dated this the ____ day of ____________, 2023.

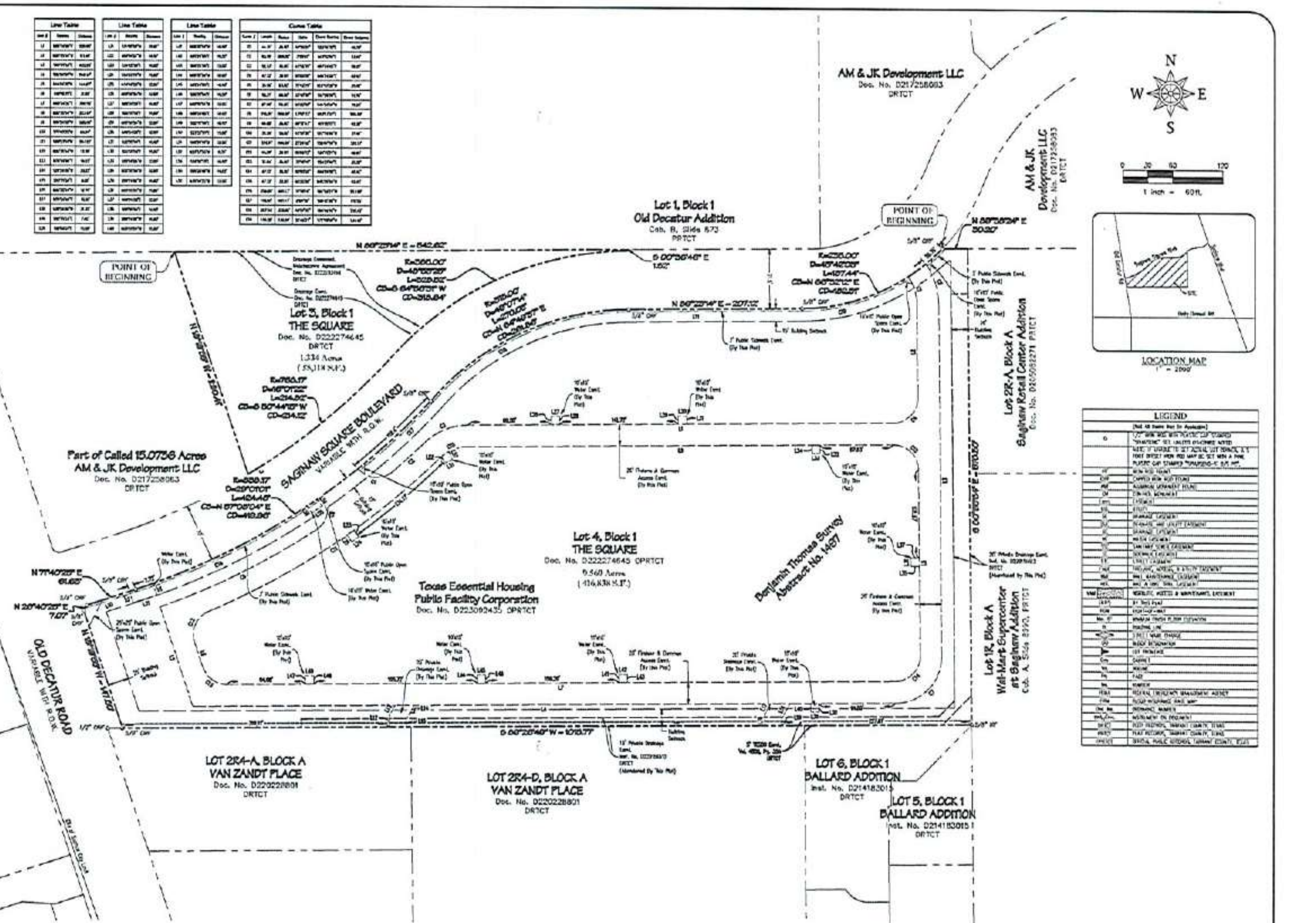
PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS §
COUNTY OF COLLIN §

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of ____________, 2023.

Notary Public, State of Texas



ON THE ________ DAY OF ____________, THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAGINAW, TEXAS THIS PLAT WAS DULY APPROVED BY

By: ____________________
CHAIRMAN

Attest: ____________________
CITY SECRETARY

THE CITY COUNCIL OF SAGINAW, TEXAS, ON, ________ VOTED AFFIRMATIVELY TO ADOPT THIS PLAT AND APPROVE IT FOR FILING OF RECORD.

By: ____________________
MAYOR

Attest: ____________________
CITY SECRETARY

NOTES

1. This plat was prepared without the benefit of a commitment for title insurance. No research was performed for any easements other than that shown on the record plat of this property. Therefore, easements, agreements, and other documents may exist that affect the subject property that are not shown on this replat.
2. Basis of bearing: Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
3. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.

FINAL PLAT

THE SQUARE

LOT 4, BLOCK 1
B.THOMAS SURVEY – ABSTRACT NO. 1497
CITY OF SAGINAW, TARRANT COUNTY, TEXAS

OWNER	APPLICANT	ENGINEER / SURVEYOR
Texas Essential Housing Public Facility Corporation 8103 FM 973 Austin, Texas 78724 Telephone: Contact:	Alpine Start Development 4827 Memphis St Dallas, Texas 75207 Telephone (408) 391-2317 Contact: Koyan Rahbar	Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBPELS No. F-2121 and No. F-10043100 Contact: Tyler Barnett

Scale: 1" = 60' July, 2023 SEI Job No. 22-252

09/12/2023 P&Z Packet Page #14

CITY OF SAGINAW
GENERAL FUNDS
SAGINAW, TEXAS

Date 02/27/23

Name Spiars Engineering

Address

~~CASH~~ ~~M.O.~~ CHECK # 14082

GSALE – Garage Sale Permit		
PDACC – Accident Report		
PDANI – Animal Control		
PERBL – Building Permit		
PEREL – Electrical, Mechanical, Plumbing Permit		
PERMI – Business or Contractor Registration		
PERMI –		
PLAT	550	00
TOTAL	550	00

Received By:

PAYEES RECEIPT 189405

09/12/2023 P&Z Packet Page #15

City of Saginaw

City Council Memorandum

Prepared By: Kim Quin

PUBLIC HEARING - Consideration and Action regarding Resolution No. 2023-20, Adoption of the Revised Budget for Fiscal Year 2022-2023--Kim Quin, Finance Director

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Public Hearings	Item: A

Reference File

BACKGROUND/DISCUSSION:

Budget adjustments are made at fiscal year end to more closely reflect actual revenues and expenditures for the year. The budget must be amended in the same manner in which it was adopted. A public hearing is necessary and has been advertised.

FINANCIAL IMPACT:

Line items have been adjusted to reflect year end financial activity. The attached memo and schedule describes the adjustments in detail.

RECOMMENDATION:

Staff recommends holding the public hearing and approving Resolution No. 2023-20.

Attachments

2023 year end budget amendment.pdf

2023 Resolution Revised Budget-Year End.pdf

M E M O R A N D U M

DATE: September 14, 2023

TO: Gabe Reaume, City Manager

FROM: Kim Quin, Finance Director

RE: 2022-2023 Year-end Budget Adjustments

The attached schedule shows recommended year-end budget adjustments. The changes are described below.

General Fund – Revenues – General Fund revenue sources are estimated to be $584,135 higher than budgeted. The largest increase is in Sales Tax collections. Sales tax remains strong but is increasing at a slower rate; with four of the last twelve months collections lower than the previous year. Building permits fees are lower than budgeted but other permits and fees are up. Rental inspections fees are up due to the increase in rental units within the City. Property tax is higher than budgeted due to favorable judgements by the Tarrant Appraisal District's Appraisal Review Board. Delinquent property tax collections and property tax penalties and interest revenue are also up. Utility franchise fees are up from the gas utility provider due to the colder weather this past winter. Overall recreation revenues continue to be down due to seasonal staffing shortages and limited space for programming due to the temporary Senior Center relocation to the Recreation Center. Court fines and fees remain down due to fewer citations being issued. The contribution from the City of Lake Worth is lower than budgeted due to the Emergency Manger positon being vacant for a portion of the year. The Tarrant County 911 radio assistance and public safety answering points (PSAP) grants were not funded. Recognition of American Rescue Plan Act (ARPA) funding is delayed due to delays in the Police Department roof repairs and the Recreation Center emergency generator. The original budget for ARPA is being re-allocated to the correct account code. Sale of vehicles and equipment collections are being recognized. Interest earnings are increased due to higher than budgeted interest rates. **Expenses –** Vacancy savings (salary and benefits) for General Fund departments are partially offset by overtime increases in Police, Fire, Public Services, and Animal Services. Staffing changes were made in Administration and Inspections/Code Enforcement. Health insurance savings are being transferred to the General Escrow Fund to mitigate anticipated health insurance increases in future years. Workers' Compensation expense was higher than budgeted with rates increasing for public safety. In Administration some line item overages are offset by savings in election expense and data processing expense. There were increases due to the webcast upgrades, legal advertising, and engineering fees not related to a capital project. Engineering fees not related to a specific capital project include work related to Council Meeting preparation, the CIP update, GIS mapping, subdivision ordinances and standards, and development review. The budget is increased for the employee assistance programs approved by the City Council on July 5, 2023. The meeting expense line item is increased for the expenses related to the All American Cities trip approved by the City Council on May 2, 2023. A portion of the classification and compensation study approved on August 15, 2023 is budgeted. Police Department vacancies have affected multiple line

items in that budget. The Maintenance and Repairs line item is increased for the water heater and HVAC system replacements approved on May 2, 2023 and July 5, 2023. In Public Services there are line item increases for the new planning software, building maintenance and repairs, signal light repairs, and mowing expense. These increases are partially offset by decreases in sprinkler repair and sidewalk replacement. Fewer sidewalks were replaced due to staffing shortages and the difficulty in obtaining small batches of concrete. There is savings in the Square developer's agreement, a final payment will be made when the terms of the agreement (eating establishments) are satisfied. Line item savings in Parks is due to staffing shortages. In the Recreation budget savings are due to the delay of the emergency generator and reduced recreation programming due to space constraints and seasonal staffing. There have been several Saginaw Home Improvement Program (SHIP) applications but there will be no payouts in this first year. The replacement code enforcement vehicle is budgeted based on City Council approval on September 5, 2023. The expense related to the animal shelter consultant was lower than budgeted. Estimated fuel savings will offset the increases for parts and the outside gradall repair. The unspent balances in Building Improvement Grants and Economic Development Incentives will be transferred to the General Escrow Fund to be used for incentives in future years. Line item budgets in Information Technology are being reallocated to better track expenses. There is savings in the server replacement line item due to only one server being replaced. In Communications there is an increase due to the new website conversion and the employee survey approved by the City Council on June 6, 2023. The General Fund balance is estimated to increase $1,604,565 more than budgeted decrease of $1,412,540. The net impact will be an estimated increase to fund balance of $192,025.

Debt Service Fund – Property tax revenue is more than budgeted due to favorable judgements of the Appraisal Review Board. Delinquent tax collections and interest earnings are up due to increased collections and higher interest rates. The 2023 bond sale resulted in $37,200 in accrued interest, an expense savings. The Debt Service Fund balance is estimated to increase by $275,720 more than the budgeted decrease of $59,305. The net impact will be an estimated increase of $216,415.

Enterprise Fund – Water sales and wastewater service are higher than budgeted due to higher than average use. Sewer surcharge increases are due to both strength and volume. Increased revenues for these services are partially offset by the corresponding increase in expense to the City of Fort Worth for water and wastewater. Tap fees are lower than budgeted due to some delays in planned developments. Penalty income is up due to change in calculation to 10%. Interest earnings are estimated to be higher due to higher interest rates. The original budget for ARPA is being re-allocated to the correct account code and reduced due to delays in the NW Booster Pump Station project. The transfer of impact fees from the Enterprise Escrow Fund is for the NW Booster Pump Station project. Vacancy savings is offset by an increase engineering fees not related to a capital project and the contract (ended in May 2023) for the services of the former Public Works Director. Engineering fees not related to a specific capital project include work related to Council Meeting preparation, the CIP update, GIS mapping, subdivision ordinances and standards, and development review. Health insurance savings are being transferred to the Enterprise Escrow Fund to mitigate anticipated health insurance increases future years. Line item savings are estimated for meter purchases due to the short supply. There are projected savings in utilities and power to the pumps expense. There have been several Saginaw Home Improvement Program (SHIP) applications but there will be no payouts in this first year. The Vac Truck has been ordered but is delayed due to a supply shortage. There is

savings in the Square developer's agreement, a final payment will be made when the terms of the agreement (eating establishments) are satisfied. The Triton developer's agreement will not be paid this year and will be carried forward to next fiscal year. The budget for the Fairmount Sewer Rehabilitation project is re-allocated to the correct account and reduced to reflect the estimated expenses in the current year. The NW Booster Pump will not be completed this fiscal year. Fund balance is expected to be $2,190,435 more than the budgeted decrease of $2,283,280 for a net decrease of $92,845. Adjustments will be made mid-year of Fiscal Year 2023/2024 to carryforward funding for these projects that are not already budgeted.

Capital Projects Fund – Budget adjustments in the Capital Projects Fund include the sale of general obligation bonds for construction of the Park Projects, and Knowles Phases 2 and 3 including the Knowles/McLeroy intersection. Interest earnings are increased due to increased interest rates. Budget adjustments to the capital projects are based on estimated expenses through September 30, 2023. Adjustments will be made mid-year of Fiscal Year 2023/2024 to carryforward funding for these projects that are not already budgeted. Fund balance will be increased to fund projects continuing in the coming fiscal year.

Crime Control and Prevention District Fund – Fund balance will be increased by an estimated $752,195 more than the budgeted decrease of $814,050 due to increased sales tax revenue, interest earnings, and the delay in purchasing three patrol vehicles and the Computer Aided Dispatch (CAD/RMS) conversion. The patrol vehicles budgeted to be replaced are on back order and funding will be carried forward to make payment when those vehicles are received next fiscal year. Funding for the CAD/RMS conversion will also be carried forward to next fiscal year.

Police Expendable Trust Fund – Fund balance will be increased by an estimated $1,075 due to forfeitures collected and no changes to expenditures in this fiscal year.

Drainage Utility Fund – Revenues are estimated to be higher than budgeted due to increased drainage fee collections and higher than budget interest earnings. The next phase of the East Cement Creek Drainage project will continue into next fiscal year.

Street Maintenance Fund – Revenues are increased due to higher than budgeted sales tax and increased interest earnings. Expenses are decreased due to the delay of maintenance projects because of City staffing shortages, limited availability of Tarrant County street repair crews and concrete shortages. Due to work completed by the Tarrant County street repair crews, the City completed the north Knowles and the Burlington Road projects. Fund balance is budgeted to increase by $1,374,660 over the budgeted decrease of $1,431,930 for a net decrease of $57,270.

Donations Fund – Revenue is increased based on the number of utility customers electing the voluntary monthly donations. The City began taking donations for community events in the current year and budgeting for those expenses. Parks donations were used for the Independence Day fireworks show and the Holiday drone show. The City Council approved and engineering contract for a pedestrian bridge at Highland Station Park on April 4, 2023. There was no public art expense in the current year. Donations Fund balance is estimated to increase by $18,335 over budget.

General Escrow Fund – Interest earnings are higher due to higher interest rates. Court Technology and Court safety fees are lower than budget due to fewer citations issued. Insurance claims revenue and expenses are higher than an average year due to wind storm damage and the Public Works facility flood damage. There is a budget adjustment for the

collection of the Opioid Abatement settlement. Transfers are increased to escrow health insurance savings to mitigate future health insurance increases. Unspent Economic Development Incentive funds and Building Improvement Grant balances are transferred from the General Fund to be used for future development incentives.

Enterprise Escrow Fund – Health insurance savings in the Enterprise Fund are being transferred to the Enterprise Escrow Fund to mitigate future health insurance increases. Interest earnings are increased due to higher that anticipated interest rates. Impact fee funding is budgeted for the Northwest Booster Pump project. Interest earnings are increased due to higher interest rates.

Beltmill PID Fund – Year-end budget adjustments reflect the second year of the Beltmill Public Improvement District collections and interest earnings. There is an anticipated addition to fund balance of $20,890.

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
General Fund					
Municipal Court Fines & Fees	01-3400-00-00		$ (135,000.00)		Decrease in citations issued
Recreation/Aquatic Membership	01-3501-00-00		$ 6,000.00		Adjustment to Recreation revenue estimates
Recreation Day Pass	01-3502-00-00		$ 11,600.00		Adjustment to Recreation revenue estimates
Recreation Programs & Classes	01-3503-00-00		$ (25,710.00)		Adjustment to Recreation revenue estimates
Recreation Athletic Leagues	01-3504-00-00		$ 500.00		Adjustment to Recreation revenue estimates
Summer Camp Fees	01-3505-00-00		$ (4,275.00)		Adjustment to Recreation revenue estimates
Facility Rental Fees	01-3506-00-00		$ 17,800.00		Adjustment to Recreation revenue estimates
Recreation/Aquatic misc	01-3507-00-00		$ (4,500.00)		Adjustment to Recreation revenue estimates
Aquatic Day Pass	01-3508-00-00		$ (12,715.00)		Adjustment to Recreation revenue estimates
Senior Center Membership	01-3509-00-00		$ 2,950.00		Adjustment to Recreation revenue estimates
Property Tax Delinquent	01-3610-00-00		$ 15,000.00		Delinquent collections higher than budgeted
Property Tax Current	01-3620-00-00		$ 30,000.00		Favorable judgements by ARB
Delinquent Tax Penalty & Interest	01-3676-00-00		$ 30,000.00		Delinquent collections higher than budgeted
State Sales Tax	01-3680-00-00		$ 667,825.00		Increased sales
Franchise Fees-Utilities	01-3682-00-00		$ 100,000.00		Utility FF weather dependent
Mixed Beverage Tax	01-3686-00-00		$ 6,000.00		Increased collections
Building Permits	01-3703-00-00		$ (280,000.00)		Building activity lower than estimated
Elect, Plumb, Mech Permits	01-3704-00-00		$ 45,000.00		Trades activity remains strong
Construction Inspection Fees	01-3705-00-00		$ 28,170.00		Non-recurring inspection fees
Rental Inspection Fees	01-3706-00-00		$ 42,000.00		Increased rental units
Development Fees	01-3708-00-00		$ 12,300.00		Estimated year end collections
Grant Assistance	01-3800-00-00		$ (16,485.00)		TC 911 assistance grants were not funded
Emergency Mgt Contribution	01-3515-00-00		$ (27,515.00)		Emergency Manager was vacant for part of the year
COVID-19	01-3840-00-00		$ (1,043,915.00)		Re-allocate budget to correct account
ARPA Revenue	01-3841-00-00		$ 1,043,915.00		Re-allocate budget to correct account
ARPA Revenue	01-3841-00-00		$ (481,745.00)		Delay in Rec Center generator and PD roof
Sale of Autos/Equipment	01-3915-00-00		$ 27,410.00		Equipment auction proceeds
Interest Earnings	01-3950-00-00		$ 521,000.00		Higher interest rates
Transfer from Capital Projects	01-9106-00-00		$ 4,225.00		Higher than budgeted BB Bridge savings
Transfer from Escrow Fund	01-9121-00-00		$ 4,300.00		Higher than budgeted bailiff cost
Transfer to Escrow Fund	01-9221-02-00			$ 248,635.00	Escrow health insurance savings for future rate increase
Salaries PT- Administration	01-4012-02-00	Admin		$ 12,660.00	Additional Intern added mid-year
Salaries Temporary PT - Admin	01-4013-02-00	Admin		$ 2,705.00	Summer Intern program
Social Security - Administration	01-4150-02-00	Admin		$ 1,175.00	SS for above
Health Insurance	01-4180-02-00	Admin		$ (2,215.00)	Escrow health insurance savings for future rate increase
Data Processing Expense	01-4300-02-00	Admin		$ (5,000.00)	Savings reallocated to line item overages
Office Supplies	01-4600-02-00	Admin		$ 7,900.00	Estimated line item increase
Postage Expense	01-4610-02-00	Admin		$ 1,780.00	Estimated line item increase
Council Supplies	01-4650-02-00	Admin		$ (2,000.00)	Estimated line item savings

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Election Expense	01-5000-02-00	Admin		$ (12,000.00)	Estimated election expense savings
Appraisal Expense	01-5045-02-00	Admin		$ 5,685.00	Increased cost of TAD services
Contract Services	01-5250-02-00	Admin		$ 7,010.00	Webcast upgrades
Employee Assistance	01-5665-02-00	Admin		$ 1,125.00	Employee Assistance Program
Program Assistance	01-5765-02-00	Admin		$ (10,000.00)	Savings in community revitilization expense
Legal Advertising	01-6010-02-00	Admin		$ 24,000.00	Estimated line item increase
Dues & Subscriptions	01-6100-02-00	Admin		$ 1,800.00	Estimated line item increase
Meeting Expense	01-6110-02-00	Admin		$ 14,000.00	All American City and MYAC meetings
Educational Travel/Training	01-6150-02-00	Admin		$ (4,000.00)	Estimated line item savings
Engineering Fees	01-6200-02-00	Admin		$ 47,550.00	Additional engineering services
Utilities	01-6300-02-00	Admin		$ 13,120.00	Estimated line item increase
Legal & Special Services	01-6650-02-00	Admin		$ 17,000.00	Estimated line item increase
Capital Outlay/Special Request	01-7500-02-00	Admin		$ 2,400.00	Classification and Compensation Study
Health Insurance	01-4180-03-00	Court		$ (1,290.00)	Escrow health insurance savings for future rate increase
Salaries - Fire	01-4010-04-00	Fire		$ (50,000.00)	Vacancy savings
Overtime - Fire	01-4015-04-00	Fire		$ 31,650.00	Overtime for minimum staffing requirements
Overtime - Fire Other	01-4016-04-00	Fire		$ 30,900.00	Overtime for minimum staffing requirements
Social Security - Fire	01-4150-04-00	Fire		$ 900.00	Benefits for above changes
TMRS - Fire	01-4160-04-00	Fire		$ 2,500.00	Benefits for above changes
Health Insurance	01-4180-04-00	Fire		$ (19,440.00)	Escrow health insurance savings for future rate increase
Insurance-Workers Comp	01-4190-04-00	Fire		$ 7,060.00	Worker's Compensation increase
Employee Programs	01-5665-04-00	Fire		$ 630.00	Public Safety Employee Assistance Program
Salaries - Police	01-4010-05-00	Police		$ (400,000.00)	Vacancy savings
Salaries - Police Temp PT	01-4013-05-00	Police		$ (24,000.00)	no longer provide crossing guard service
Overtime - Police	01-4015-05-00	Police		$ 145,000.00	Overtime for minimum staffing requirements
Social Security - Police	01-4150-05-00	Police		$ (21,000.00)	Vacancy savings
TMRS - Police	01-4160-05-00	Police		$ (60,000.00)	Vacancy savings
Health Insurance	01-4180-05-00	Police		$ (163,315.00)	Escrow health insurance savings for future rate increase
Insurance-Workers Comp	01-4190-05-00	Police		$ 7,580.00	Worker's Compensation increase
CID Analysis	01-4665-05-00	Police		$ (11,000.00)	fewer cases requiring lab analysis
Maintenance & Repairs	01-4900-05-00	Police		$ 77,110.00	Police Dept AC and water heater replacements
Employee Programs	01-5665-05-00	Police		$ 1,155.00	Public Safety Employee Assistance Program
Educational Travel/Training	01-6150-05-00	Police		$ (8,000.00)	vacancy rate impact on training time
Salaries - Public Services	01-4010-06-00	Public Serv		$ (13,000.00)	Vacancy savings
Salaries - Public Services Temp PT	01-4013-06-00	Public Serv		$ (2,000.00)	Summer Intern program
Overtime - Public Services	01-4015-06-00	Public Serv		$ 19,000.00	Overtime for minimum staffing requirements
Social Security - Public Services	01-4150-06-00	Public Serv		$ 250.00	Benefits for above changes
TMRS - Public Services	01-4160-06-00	Public Serv		$ 700.00	Benefits for above changes
Health Insurance	01-4180-06-00	Public Serv		$ (24,845.00)	Escrow health insurance savings for future rate increase
Insurance-Workers Comp	01-4190-06-00	Public Serv		$ 1,890.00	Worker's Compensation increase

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Data Processing Expense	01-4300-06-00	Public Serv		$ 5,000.00	Planning software
Building Maint & Repairs	01-4900-06-00	Public Serv		$ 12,850.00	Increased cost of city-wide building maintenance/repairs
Contract Maintenance & Repairs	01-4935-06-00	Public Serv		$ (3,000.00)	estimated cost of city-wide sprinkler repair
Sidewalk Replacement	01-4972-06-00	Public Serv		$ (25,000.00)	staffing shortages and access to cement
Signal Light Repairs	01-4985-06-00	Public Serv		$ 20,000.00	more than average repairs at signals
Contract Services - Mowing	01-5245-06-00	Public Serv		$ 27,100.00	New contractor with enhanced service
Contract Services	01-5250-06-00	Public Serv		$ (4,750.00)	Estimated year end savings
Capital Outlay/Special Request	01-7000-06-00	Public Serv		$ (415,000.00)	Delay in Square developers agreement
Health Insurance	01-4180-07-00	Parks		$ (1,710.00)	Escrow health insurance savings for future rate increase
Supplies	01-4970-07-00	Parks		$ (20,000.00)	staffing shortages
Contract Services - Mowing	01-5245-07-00	Parks		$ (6,000.00)	New contractor reallocated resources
Capital Outlay/Special Request	01-7600-07-00	Parks		$ 4,560.00	Plumbing for Highland Station Park restroom
Salaries - Recreation Regular PT	01-4012-08-00	Recreation		$ (33,000.00)	Vacancy savings
Salaries - Recreation Temp PT	01-4013-08-00	Recreation		$ (58,000.00)	Vacancy savings
Social Security - Recreation	01-4150-08-00	Recreation		$ (7,000.00)	Vacancy savings
TMRS - Recreation	01-4160-08-00	Recreation		$ (19,000.00)	Vacancy savings
Health Insurance	01-4180-08-00	Recreation		$ (2,545.00)	Escrow health insurance savings for future rate increase
Supplies	01-4750-08-00	Recreation		$ (11,000.00)	Savings from reduced programming
Contract Services	01-5245-08-00	Recreation		$ (40,760.00)	Reduced programming
Utilities	01-7000-08-00	Recreation		$ 12,200.00	Estimated expense through year end
Capital Outlay/Special Request	01-7000-08-00	Recreation		$ (205,000.00)	Emergency generator purchase delayed
Salaries - Library Regular PT	01-4012-09-00	Library		$ (15,000.00)	Vacancy Savings
Salaries - Library Temp PT	01-4013-09-00	Library		$ 4,000.00	Summer Intern program
Social Security - Library	01-4150-09-00	Library		$ (1,000.00)	Vacancy savings
TMRS - Library	01-4160-09-00	Library		$ (3,000.00)	Vacancy savings
Health Insurance	01-4180-09-00	Library		$ (6,280.00)	Escrow health insurance savings for future rate increase
Salaries - Inspections/Code	01-4010-10-00	Insp/Code		$ (13,000.00)	Eliminated Mgt Analyst converted PT permit tech to FT
Salaries - Inspections/Code Reg PT	01-4012-10-00	Insp/Code		$ (24,000.00)	Staffing changes
Social Security - Inspections/Code	01-4150-10-00	Insp/Code		$ (3,000.00)	Staffing changes
TMRS - Inspections/Code	01-4160-10-00	Insp/Code		$ (8,000.00)	Staffing changes
Health Insurance	01-4180-10-00	Insp/Code		$ 480.00	Insurance added for FT position
Capital Outlay/Special Request	01-7000-10-00	Insp/Code		$ (12,500.00)	no expenses for SHIP in 1st year
Capital Outlay/Special Request	01-7000-10-00	Insp/Code		$ 44,000.00	Code Enforcement vehicle replacement
Salaries - Animal Services	01-4010-11-00	Animal Serv		$ (30,000.00)	Vacancy Savings
Salaries - Animal Services Reg PT	01-4012-11-00	Animal Serv		$ 20,000.00	Increased PT hours
Salaries - Animal Services Temp PT	01-4013-11-00	Animal Serv		$ (6,700.00)	No intern for Animal Services
Overtime - Animal Services	01-4015-11-00	Animal Serv		$ 12,200.00	OT required due to vacancies
Social Security - Animal Services	01-4150-11-00	Animal Serv		$ (550.00)	Vacancy Savings
TMRS - Animal Services	01-4160-11-00	Animal Serv		$ (1,600.00)	Vacancy Savings
Health Insurance	01-4180-11-00	Animal Serv		$ (9,700.00)	Escrow health insurance savings for future rate increase

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Shelter Consultant Services	01-7600-11-00	Animal Serv		$ (30,000.00)	Savings in Animal Shelter consultant services
Salaries - Fleet Temp PT	01-4013-12-00	Fleet Maint		$ 3,000.00	Summer Intern program
Overtime - Fleet	01-4015-12-00	Fleet Maint		$ (2,200.00)	OT savings
Health Insurance	01-4180-12-00	Fleet Maint		$ (875.00)	Escrow health insurance savings for future rate increase
Gasoline	01-4850-12-00	Fleet Maint		$ (110,000.00)	Cost of fuel fluctuations
Parts	01-4930-12-00	Fleet Maint		$ 31,070.00	Increased cost of parts/fire truck repairs
Contract Repairs	01-4935-12-00	Fleet Maint		$ 30,700.00	Gradall Repair
Misc Expense	01-5232-13-00	Econ Dev		$ (8,000.00)	Aerial map update was not necessary
Building Improvement Grants	01-6142-13-00	Econ Dev		$ (16,500.00)	Lower than budgeted grant funding
Economic Dev Incentives	01-6141-13-00	Econ Dev		$ (45,000.00)	Transfer balance of Econ Dev incentives
Transfer to Escrow Fund	01-9221-13-00	Econ Dev		$ 45,000.00	Transfer balance of Econ Dev incentives
Transfer to Escrow Fund	01-9221-13-00	Econ Dev		$ 16,500.00	Transfer balance of BIG for future incentives
Salaries - Information Tech	01-4010-14-00	IT		$ 6,700.00	Mid year salary increase
Social Security - Information Tech	01-4150-14-00	IT		$ 500.00	Mid year salary increase
TMRS - Information Tech	01-4160-14-00	IT		$ 1,400.00	Mid year salary increase
Health Insurance	01-4180-14-00	IT		$ (1,130.00)	Escrow health insurance savings for future rate increase
Data Processing Expense	01-4300-14-00	IT		$ (27,640.00)	Reallocate budget for better expense tracking
Network/Email Security	01-4305-14-00	IT		$ 29,190.00	Reallocate budget for better expense tracking
Network/Email Security	01-4305-14-00	IT		$ 30,000.00	Enhanced network monitoring
Server Replacement	01-4951-14-00	IT		$ (7,400.00)	Only one server replaced
Utilities	01-6300-14-00	IT		$ 8,275.00	Reallocate budget for better expense tracking
Telephone Expense	01-6850-14-00	IT		$ (7,360.00)	Reallocate budget for better expense tracking
Remote Access Fees	01-4302-14-00	IT		$ 7,805.00	Reallocate budget for better expense tracking
Dues & Subscriptions	01-6100-14-00	IT		$ (2,870.00)	Projected savings - reallocation
Salaries - Emergency Mgt	01-4010-15-00	Emerg Mgt		$ (32,000.00)	Vacancy savings
Social Security - Emergency Mgt	01-4150-15-00	Emerg Mgt		$ (2,400.00)	Vacancy savings
TMRS - Emergency Mgt	01-4160-15-00	Emerg Mgt		$ (6,900.00)	Vacancy savings
Health Insurance	01-4180-15-00	Emerg Mgt		$ (10,160.00)	Escrow health insurance savings for future rate increase
Health Insurance	01-4180-16-00	Communications		$ (5,610.00)	Escrow health insurance savings for future rate increase
Community Website Maint	01-4620-16-00	Communications		$ 3,415.00	New website conversion
Capital Outlay/Special Request	01-7000-16-00	Communications		$ 4,000.00	Employee Survey
ADDITION TO FUND BALANCE				**$ 1,604,565.00**	
GENERAL FUND TOTAL			**$ 584,135.00**	**$ 584,135.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Debt Service Fund					
Property Tax Delinquent	04-3610-00-00		$ 9,000.00		Delinquent collections up
Property Tax Current	04-3620-00-00		$ 34,795.00		Favorable judgements by ARB
Interest Earnings	04-3950-00-00		$ 180,110.00		Higher interest rates
Bond Interest Payments	04-5475-00-00			$ (37,200.00)	2023 bond sale - accrued interest
Arbitrage Expense	04-5500-00-00			$ (10,000.00)	Not calculated this year
Paying Agent Fees	04-5635-00-00			$ (4,615.00)	Lower than budgeted
ADDITION TO FUND BALANCE				**$ 275,720.00**	
DEBT SERVICE FUND TOTAL			**$ 223,905.00**	**$ 223,905.00**	
Enterprise Fund					
Water Sales	05-3640-00-00		$ 1,500,000.00		Increased water sales
Wastewater Service	05-3642-00-00		$ 389,745.00		Increased wastewater service
Water Tap Fees	05-3646-00-00		$ (25,900.00)		Decreased water tap fees
Wastewater Tap Fees	05-3648-00-00		$ (5,950.00)		Decreased wastewater tap fees
Wastewater Surcharge	05-3650-00-00		$ 800,000.00		Increased surcharge
Penalties	05-3671-00-00		$ 112,560.00		Increased penalties
Grant Assistance	05-3800-00-00		$ (895,500.00)		Re-allocate budget to correct account
ARPA Grant Funding	05-3841-00-00		$ 895,500.00		Re-allocate budget to correct account
ARPA Grant Funding	05-3841-00-00		$ (565,000.00)		ARPA grant recognition for EF capital projects
Other Income	05-3910-00-00		$ 3,425.00		Higher than budgeted cut off fees
Interest Earnings	05-3950-00-00		$ 330,000.00		Higher than projected interest rate
Transfer from EF Escrow	05-9125-00-00		$ 255,000.00		impact fee funding for NW Booster Pump
Salaries - Water/Wastewater	05-4010-50-00	W/WW		$ (85,000.00)	Vacancy savings
Salaries - W/WW Temp PT	05-4013-50-00	W/WW		$ (8,955.00)	No summer interns
Overtime - W/WW	05-4015-50-00	W/WW		$ 5,000.00	OT required for minimum staffing and emergencies
Social Security	05-4150-50-00	W/WW		$ (7,300.00)	Vacancy savings
TMRS	05-4160-50-00	W/WW		$ (20,000.00)	Vacancy savings
Health Insurance	05-4180-50-00	W/WW		$ (45,625.00)	Escrow health insurance savings for future rate increase
Transfer to Escrow Fund	05-9225-00-00	W/WW		$ 45,625.00	Escrow health insurance savings for future rate increase
Water Meters & Supplies	05-4975-50-00	W/WW		$ (16,000.00)	meter supply shortage
Contract Services - Misc	05-5250-50-00	W/WW		$ 37,980.00	R. Trice contract through May 2023
Paying Agent Fees	05-6060-50-00	W/WW		$ (5,000.00)	No fees required this fiscal year
Engineering Fees	05-6200-50-00	W/WW		$ 49,000.00	Higher non-project engineering expense
Utilities	05-6300-50-00	W/WW		$ (7,500.00)	Lower than budgeted utility expense
Power to Pumps	05-6350-50-00	W/WW		$ (10,000.00)	Decreased electricity for pumps expense
Water - Fort Worth	05-6810-50-00	W/WW		$ 1,100,000.00	Increased water sales
Wastewater - Fort Worth	05-6820-50-00	W/WW		$ 896,000.00	Increased wastewater service

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Water Testing	05-6826-50-00	W/WW		$ (5,000.00)	Lower than budgeted testing expense
Capital Outlay/Special Request	05-7000-50-00	W/WW		$ (561,525.00)	Vac Truck purchase delayed
Capital Outlay/Special Request	05-7000-50-00	W/WW		$ (12,500.00)	no expenses for SHIP in 1st year
Capital Outlay/Special Request	05-7000-50-00	W/WW		$ (162,255.00)	Not all Square agreement paid this year
Capital Outlay/Special Request	05-7000-50-00	W/WW		$ (150,000.00)	Triton agreement won't be paid this year
Fairmount Sewer Rehab Ph1	05-7021-55-00	W/WW		$ (132,500.00)	Re-allocate budget to correct account
Fairmount Swere Rehab Ph2	05-7031-55-00	W/WW		$ 132,500.00	Re-allocate budget to correct account
Fairmount Swere Rehab Ph2	05-7031-55-00	W/WW		$ (73,500.00)	Year end estimate
NW Booster Pump Station	05-7027-55-00	W/WW		$ (360,000.00)	Year end estimate
ADDITION TO FUND BALANCE				**$ 2,190,435.00**	
ENTERPRISE FUND TOTAL			**$ 2,793,880.00**	**$ 2,793,880.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Capital Projects Fund					
Bond Proceeds	06-3600-00-00		$ (1,360,000.00)		Bond Proceeds reallocation - Premium not budgeted
Bond Premium	06-3601-00-00		$ 1,601,875.00		Bond Proceeds reallocation - Premium not budgeted
Interest Earnings	06-3950-00-00		$ 4,070.00		Higher than projected interest rate
Interest Earnings - CO's	06-6959-00-00		$ (42,000.00)		Budget to correct account
Interest - Tarrant County Part	06-3969-00-00		$ 30,000.00		Higher than projected interest rate
Interest - 2020 proceeds	06-3976-00-00		$ 187,700.00		Higher than projected interest rate
Interest - 2021 proceeds	06-3977-00-00		$ 173,000.00		Higher than projected interest rate
Interest - 2022 proceeds	06-3978-00-00		$ 997,000.00		Higher than projected interest rate
Interest - 2023 proceeds	06-3978-00-00		$ 389,000.00		Higher than projected interest rate
Transfer from GF Escrow	06-9121-00-00		$ (1,380,750.00)		Delay in Old Decatur Rd project
Old Decatur Rd	06-1502-20-00			$ (516,375.00)	Delay in Old Decatur Rd project
Knowles Drive	06-1507-20-00			$ (65,210.00)	Delay in next Phase of Knowles Dr
Street/Sidewalk improvements	06-1514-20-00			$ (402,990.00)	Savings in allocation for sidewalks
Blue Mound/Industrial Imprv	06-1516-20-00			$ (363,700.00)	Estimated work completed through year end
Senior Citizens Center	06-5006-21-00			$ (235,890.00)	Project delays
Library	06-6021-21-00			$ (512,980.00)	Project delays
Sr Citizens Center	06-5006-22-00			$ (6,415,000.00)	Project delays
Library	06-6021-22-00			$ (17,020,000.00)	Project delays
Knowles Drive	06-1507-23-00			$ (5,500,000.00)	Project delays
Bond Sales Expenses	06-5115-23-00			$ 241,875.00	2023 GO Bond Sale Expense
Park Master Plan Projects	06-7014-23-00			$ (421,000.00)	Project delays
Old Decatur Rd	06-1502-45-00			$ (1,380,750.00)	Delay in Old Decatur Rd project
W McLeroy	06-4021-45-00			$ (100,000.00)	Estimated work completed through year end
Transfer to General Fund	06-9021-45-00			$ 4,225.00	Higher than budgeted BB Bridge savings
ADDITION TO FUND BALANCE				**$ 33,287,680.00**	
CAPITAL PROJECTS FUND TOTAL			**$ 599,895.00**	**$ 599,885.00**	
CRIME CONTROL AND PREVENTION DISTRICT FUND					
State Sales Tax	11-3680-00-00		$ 130,700.00		Increased sales
Interest Earnings	11-3950-00-00		$ 41,510.00		Higher interest rates
Educational Training	11-6150-00-00			$ (10,000.00)	Estimated savings due to vacancies
Capital Outlay/Special Requests	11-7000-00-00			$ (194,985.00)	(3) Patrol vehicles on back order
Capital Outlay/Special Requests	11-7000-00-00			$ (375,000.00)	delay in CAD/RMS conversion
ADDITION TO FUND BALANCE				**$ 752,195.00**	
CCPD FUND TOTAL			**$ 172,210.00**	**$ 172,210.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Police Expendable Trust Fund					
Confiscated Property	12-3850-00-00		$ 500.00		Forfeitures collected
Asset Forfeitures	12-3880-00-00		$ 275.00		
Supplies	12-3950-00-00		$ 300.00		No expenses in current year
ADDITION TO FUND BALANCE				**$ 1,075.00**	
POLICE EXPENDABLE TRUST FUND TOTAL			**$ 1,075.00**	**$ 1,075.00**	
Drainage Utility Fund					
Drainage Utility Fees	14-3645-00-00		$ 21,700.00		Higher than budgeted drainage fees
Interest Earnings	14-3950-00-00		$ 113,400.00		Higher interest rates
ADDITION TO FUND BALANCE				**$ 135,100.00**	
DRAINAGE UTILITY FUND TOTAL			**$ 135,100.00**	**$ 135,100.00**	
Street Maintenance Fund					
State Sales Tax	16-3680-00-00		$ 54,220.00		Increased sales
Interest Earnings	16-3950-00-00		$ 76,440.00		Higher than projected interest rate
Industrial Streets	16-4001-00-00			$ (95,000.00)	Industrial repairs delayed
Residential Streets	16-4008-00-00			$ (59,000.00)	Repairs delayed
Contract Maint & Repairs	16-4935-00-00			$ (38,000.00)	Crack seal delayed
Sidewalk Replacement	16-4972-00-00			$ (67,000.00)	Sidewalk replacement delayed
Engineering Fees	16-6200-00-00			$ (85,000.00)	Pavement inventory not updated this year
Capital Outlay/Special Requests	16-7000-00-00			$ (900,000.00)	Savings in paving replacment projects
ADDITION TO FUND BALANCE				**$ 1,374,660.00**	
STREET MAINTENANCE FUND TOTAL			**$ 130,660.00**	**$ 130,660.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Donation Fund					
Donations Revenue	20-3940-00-00		$ 12,760.00		Increased voluntary donations
Interest Earnings	20-3950-00-00		$ 23,205.00		Higher than projected interest rate
Donations Revenue	20-3940-65-00	Police	$ 650.00		Police Donations
T Shirt Sales	20-3906-67-00	Train & Grain	$ 1,300.00		Estimated T Shirt sales
Activity Fee	20-3907-67-00	Train & Grain	$ 2,200.00		Estimated sale of T&G activity wrist bands
Donations Revenue	20-3940-69-00	Comm Events	$ 16,400.00		Estimated donations for Community Events
Supplies	20-4750-60-00	Animal Serv		$ (5,000.00)	Estimated savings
Supplies	20-4750-61-00	Parks		$ 1,070.00	Veteran Memorial pavers
Special Programs	20-5232-61-00	Parks		$ 22,000.00	July 4th celebration
Special Programs	20-5232-61-00	Parks		$ 24,000.00	Drone Holiday Show
Refunds	20-6503-61-00	Parks		$ 1,600.00	Picket Fence donation refunds
Special Requests	20-7000-61-00	Parks		$ 18,000.00	Engineering contract for HSP pedestrian bridge
Supplies	20-4750-63-00	Beautification		$ (9,000.00)	Beautification supplies savings
Capital Outlay/Special Requests	20-7000-63-00	Beautification		$ (25,000.00)	No public art this fiscal year
Supplies	20-4750-66-00	Fire		$ (6,000.00)	Fire program supply savings
Supplies	20-4750-69-00	Comm Events		$ 16,510.00	Supplies not budgeted for Community Events
ADDITION TO FUND BALANCE				**$ 18,335.00**	
DONATION FUND TOTAL			**$ 56,515.00**	**$ 56,515.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
General Escrow Fund					
Interest Earnings	21-3950-32-00		$ 9,500.00		Higher interest rates - Hot/Mot tax
Capital Outlay/Sp Request	21-7000-32-00			$ (9,000.00)	Reduced advertising
Court Technology Fees	21-3515-33-00		$ (5,000.00)		Fewer citations issued
Capital Outlay/Sp Request	21-7000-33-00			$ 845.00	Higher cost of ticket writers
Court Security Fees	21-3517-34-00		$ (5,400.00)		Fewer citations issued
Interest Earnings	21-3950-34-00		$ 5,600.00		Higher interest rates - Court Security
Transfer to General Fund	21-9201-34-00			$ 4,300.00	Higher than budgeted bailiff cost
Interest Earnings	21-3950-35-00		$ 3,850.00		Higher interest rates - Sag Spring Creek escrow
Interest Earnings	21-3950-41-00		$ 5,700.00		Higher interest rates - Econ Dev Incentive
Interest Earnings	21-3950-42-00		$ 3,600.00		Higher interest rates - FM287/McLeroy turn lane
Insurance Claims	21-3904-43-00		$ 125,000.00		Higher than average claims year
Interest Earnings	21-3950-43-00		$ 6,000.00		Higher interest rates - Insurance
Maintenance & Repairs	21-4900-43-00			$ 77,000.00	Higher than average claims year
Insurance Deductibles	21-6501-43-00			$ (5,000.00)	Not needed in 22/23
Interest Earnings	21-3950-45-00		$ 8,500.00		Higher interest rates - GF equipment repl
Interest Earnings	21-3950-48-00		$ 8,000.00		Higher interest rates - Industrial Blvd imprv
Other Income	21-3910-49-00		$ 16,190.00		Developer contributions for ODR improvements
Interest Earnings	21-3950-49-00		$ 47,660.00		Higher interest rates - ODR improvements
Transfer to Capital Projects Fund	21-9206-49-00			$ (1,380,750.00)	Delay in Old Decatur Rd project
Interest Earnings	21-3950-59-00		$ 10,500.00		Higher interest rates - insurance stabilization
Other Income	21-3910-72-00		$ 10,035.00		Opioid Abatement settlement
Transfer from General Fund	21-9101-00-00		$ 248,635.00		Escrow health insurance savings for future rate increase
Transfer from General Fund	21-9101-00-00		$ 45,000.00		Transfer balance of Econ Dev incentives
Transfer from General Fund	21-9101-00-00		$ 16,500.00		Transfer balance of Building Improvement Grants
ADDITION TO FUND BALANCE				**$ 1,872,475.00**	
GENERAL ESCROW FUND TOTAL			**$ 559,870.00**	**$ 559,870.00**	
Enterprise Escrow Fund					
Transfer from Enterprise Fund	25-9105-00-00		$ 45,625.00		Escrow health insurance savings for future rate increase
Interest Earnings	25-3950-51-00		$ 45,000.00		Interest earning on water impact fees
Interest Earnings	25-3950-56-00		$ 3,830.00		Interest earning on equipment repl escrow
Interest Earnings	25-3950-59-00		$ 2,600.00		Interest earning on insurance escrow
Transfer to W/WW Fund	25-9205-51-00			$ 255,000.00	impact fee funding for NW Booster Pump
USE OF FUND BALANCE			**$ 157,945.00**		
ENTERPRISE ESCROW FUND TOTAL			**$ 255,000.00**	**$ 255,000.00**	

YEAR END BUDGET ADJUSTMENTS
FY 2022-2023

ACCOUNT DESCRIPTION	ACCT NUMBER	DEPARTMENT	REVENUES	EXPENSES	COMMENTS
Beltmill PID 1					
PID Assessment commercial	31-3655-00-00		$ (98,990.00)		Assessment reallocation
PID Assessment MF residential	31-3656-00-00		$ 7,490.00		Delinquent penalty on assessment
PID Assessment SF residential	31-3657-00-00		$ 98,990.00		Assessment reallocation
Interest Earnings	31-3950-00-00		$ 13,400.00		Interest earning on PID assessments
ADDITION TO FUND BALANCE				**$ 20,890.00**	
BELTMILL PID FUND TOTAL			**$ 20,890.00**	**$ 20,890.00**	

CITY OF SAGINAW
RESOLUTION NO. 2023-20

BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS ADOPTING A REVISED BUDGET FOR THE CITY OF SAGINAW FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023

WHEREAS, in accordance with Chapter 102 of the Texas Local Government Code and Article XII of the City Charter, notice of a public hearing before the City Council was published in the official newspaper of the City to consider adoption of the revised budget for the City of Saginaw, Texas, for the fiscal year beginning October 1, 2022 and ending September 30, 2023; and

WHEREAS, the City Council has heretofore held the public hearing to receive public comment on the proposed revised budget; and

WHEREAS, the City Council is of the opinion and finds that the revised budget is in the best interest of the municipal taxpayers and that it should be adopted and approved as presented.

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

1. That the revised budget prepared by City Staff and filed with the City Secretary, with such modifications and amendments as have been made by the City Council, a copy of which revised budget with any and all such modifications and amendments is attached hereto and incorporated by reference as part of this Resolution, be and the same is hereby approved and adopted as the budget for the operation of the City of Saginaw, Texas, for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

2. That a copy of said budget as hereby adopted is hereby authorized to be filed with the City Secretary at all offices required by law.

ADOPTED AND APPROVED this the 19th day of September, 2023.

APPROVED:

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

City of Saginaw

City Council Memorandum

Prepared By: Janice England

City Ordinance Review -- Inspections & Code Compliance Staff

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Business	Item: A

Reference File

BACKGROUND/DISCUSSION:

Continuance of city ordinance review with City Council - Remainder of top ordinances that consumes the most staff time and effort or presents in violation most often.
Review objective is for education and recommendation of revision or non-revision (maintain as currently adopted).
Overview presentation of:
Residential Property Standards: Outside Storage
Property Maintenance
Overgrown Grass, Weeds & Brush
Off Street Parking: Blocking the Walkway
Inoperable Motor Vehicles

Finalized with staff recommendation(s)

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Business	Item: B

Reference File

BACKGROUND/DISCUSSION:

The proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property thus increasing property values and sales tax revenues.

This item was originally approved by the Saginaw City Council at the May 16, 2023 meeting for the amount of $25,000. However, it was not executed. This revised agreement sets forth the City's participation which is an amount not to exceed $42,000. The proposed revised agreement is set up with an incentive for two desirable food establishments and due to increased demolition costs.

FINANCIAL IMPACT:

The proposed revised agreement is set up as a reimbursement of up to Twenty-Five Thousand Dollars ($25,000.00) to the Developer for demolishing the current structure located on the Property. The remaining Seventeen Thousand Five Hundred Dollars ($17,500.00) will be upon the issuance of two certificates of occupancy for two (2) food establishments, that may not be either a chicken-based restaurant or donut-only shop. The financial impact is not to exceed a total of $42,000 and will be paid from account 01-6141-1300 (Economic Development Incentive).

RECOMMENDATION:

N/A

Attachments

091923 Blazing 380.pdf

380 Agreement.final.pdf

Council Minutes 05-16-2023.pdf

City of Saginaw

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

333 W. McLeroy Blvd., Saginaw, Texas 76179

Council Agenda Background

To: Gabe Reaume, City Manager

From: Keith C. Rinehart, Director of Community & Economic Development

Date: City Council Meeting – September 19, 2023

ITEM:

Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

PRESENTER:

Keith C. Rinehart, Director of Community & Economic Development

DISCUSSION:

The proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property thus increasing property values and sales tax revenues.

This item was originally approved by the Saginaw City Council at the May 16, 2023 meeting for the amount of $25,000. However, it was not executed. This revised agreement sets forth the City's participation which is an amount not to exceed $42,000. The proposed revised agreement is set up with an incentive for two desirable food establishments and due to increased demolition costs.

FINANCIAL IMPACT:

The proposed revised agreement is set up as a reimbursement of up to Twenty-Five Thousand Dollars ($25,000.00) to the Developer for demolishing the current structure located on the Property. The remaining Seventeen Thousand Five Hundred Dollars ($17,500.00) will be upon the

issuance of two certificates of occupancy for two (2) food establishments, that may not be either a chicken-based restaurant or donut-only shop. The financial impact is not to exceed a total of $42,000 and will be paid from account 01-6141-1300 (Economic Development Incentive).

RECOMMENDATION

Staff recommends approval of the revised 380 Economic Development Incentive Agreement with Blazing Hospitality (as originally approved at the May 16, 2023 City Council Meeting).

ATTACHMENTS:

- 380 Economic Development Incentive Agreement with Blazing Hospitality
- Copy of May 16, 2023 Agenda and Minutes (page 5 of 10)

If you have any questions, please contact me at 817-230-0331.

Thank you,

Keith C. Rinehart, Director of Community & Economic Development

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF SAGINAW, TEXAS AND SP SA DEVELOPMENT, LLC

This CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT ("Agreement") is made and entered into by and between the CITY OF SAGINAW, TEXAS, a Texas municipal corporation within Tarrant County, Texas ("City"), and SP SA DEVELOPMENT, LLC a Texas limited liability company ("Developer"), each of which may be singularly referred to as "Party" and jointly referred to as "Parties," acting by and through their respective authorized officers and representatives, for the purposes and considerations stated below:

WHEREAS, the City desires to provide, pursuant to Chapter 380 of the Texas Local Government Code ("Chapter 380"), an incentive to Developer to develop land wholly located within the City limits for two desirable food establishments; and

WHEREAS, Developer owns property located at 1005 N. Saginaw Blvd., Saginaw, Tarrant County, Texas, (the "Property") upon which is located a dilapidated structure; and

WHEREAS, to develop the Property, the existing structure must be demolished; and

WHEREAS, the Parties agree that the Development contemplated herein has been proposed by Developer and is being incentivized herein by the City because of the anticipated benefit to the general public by establishing a viable business on the Property; and

WHEREAS, the City has the discretionary authority under Article 52-a of the Texas Constitution and Chapter 380 to make loans or grants of public funds for the purposes of promoting local economic development and through which stimulates business and commercial activity within the City; and

WHEREAS, the City Council finds and determines that making economic development Grant Payment to Developer in accordance with this Agreement will further the objectives of the City, benefit the City and the City's inhabitants, and promote economic development and stimulate business and commercial activity in the City.

NOW THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1.
FINDINGS INCORPORATED

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the Parties.

SECTION 2.
PROGRAM AND TERM

2.1 Program. Pursuant to Section 380.001 of the Texas Local Government Code, a program is hereby established for the development of the Property to demolish substandard and outdated structures in the City for the reasons set forth in the recitals, and to encourage new, quality development. The terms of this Agreement shall implement the program.

2.2 Term. The term of this Agreement shall begin on the Effective Date and will continue until all obligations of each Party are completed.

SECTION 3.
DEFINITIONS

For purposes of this Agreement, the following words shall have the meanings ascribed:

BANKRUPTCY OR INSOLVENCY means the dissolution or termination (other than a dissolution or termination by reason of Developer merging with an affiliate) of Developer's existence as a going business, insolvency, appointment of receiver for any part of Developer's property and such appointment is not terminated within 60 days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Developer and such proceeding is not dismissed within 60 days after the filing thereof.

CERTIFICATE OF OCCUPANCY means a certificate issued by the City certifying a building's compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for human occupancy.

DEMOLITION means the demolition of the current structure located on the Property.

DEMOLITION GRANT PAYMENT means a payment of up to Twenty-Five Thousand Dollars ($25,000.00) to reimburse Developer for demolishing the current structure located on the Property.

DEVELOPMENT means the demolition of the structure located on the Property and the construction and occupancy of a new structure or structures to house two food establishments.

EFFECTIVE DATE means the date set forth in Section 9 of this Agreement.

FORCE MAJEURE means any contingency or cause beyond the reasonable control of a Party including, without limitation, acts of God or the public enemy, war, terrorist act, or threat thereof, riot, civil commotion, insurrection, government action or inaction (unless cause by the intentionally wrongful acts of omissions of the Party), pandemic, fires, earthquake, tornado, hurricane, explosions, floods, strikes, slowdowns or work stoppages.

GRANT PAYMENT means the Demolition Grant Payment and the Restaurant Grant Payment.

IMPOSITIONS mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and special, ordinary and extraordinary, foreseen and unforeseen, which are or may be assessed, charged, levied, or imposed by any public or governmental authority on Developer or any property or any business owned by Developer within the City.

PROPERTY 1005 N. Saginaw Blvd., Saginaw, Texas.

RESTAURANT GRANT PAYMENT means a payment of Seventeen Thousand Five Hundred Dollars ($17,500.00) upon the issuance of two certificates of occupancy for two (2) food establishments, that may not be either a chicken based restaurant or donut-only shop.

SECTION 4.
OBLIGATIONS OF DEVELOPER

The obligation of City to provide a Grant Payment shall be conditioned upon the compliance and satisfaction by Developer of the terms and conditions of the Agreement and each of the conditions set forth herein:

4.1 Conditions of Demolition Grant Payment. In consideration of City agreeing to pay Developer the Demolition Grant Payment in accordance with the terms, provisions and conditions of this Agreement, Developer agrees to the following, which are not obligations of Developer, but are conditions that must be fulfilled in order to receive the Demolition Grant Payment:

(A) Demolish the structure located on the Property no later than November 18, 2023.

(B) Provide documentation satisfactory to the City showing the cost of the Demolition.

4.2 Conditions of Restaurant Grant Payment. In consideration of City agreeing to pay Developer the Restaurant Grant Payment in accordance with the terms, provisions and conditions of this Agreement, Developer agrees to the following, which are not obligations of Developer, but are conditions that must be fulfilled in order to receive the Restaurant Grant Payment. No later than _____, Developer shall construct (or cause to be constructed) a structure or structures to house two food establishments that are neither a chicken restaurant or an establishment that sells only donuts, and receive a certificate of occupancy for each. (By way of example, if donuts are sold, other food must also be available as well.

4.3 Good Standing. Developer shall not have an uncured breach or default of this Agreement or any other agreement between the Parties concerning the Development and shall be solely responsible for the payment of all fees and for securing all permits necessary for construction of the Development. For all portions of the Property owned by Developer, all

ad valorem taxes owed to the City or other jurisdiction for the Property are to remain current.

4.4 Impositions. Developer shall remain current and paid on all Impositions, subject to appeal rights in accordance with law and subject to a right to cure any delinquency.

SECTION 5.
OBLIGATIONS OF CITY

5.1 Demolition Grant Payment. Provided Developer is in compliance with each material term of this Agreement and has provided documentation satisfactory to the City showing the cost of the Demolition, the City will make the Demolition Grant Payment in an amount not to exceed Twenty-Five Thousand Dollars ($25,000.00) to reimburse Developer for the cost of the Demolition, within thirty (30) days of compliance with this Section.

5.2 Restaurant Grant Payment. Provided Developer is in compliance with each material term of this Agreement and has provided documentation satisfactory to the City showing the receipt of two Certificate of Occupancies for food establishments in accordance with Section 4.2 of this Agreement, the City will make the Restaurant Grant Payment in the amount of Seventeen Thousand Five Hundred Dollars ($17,500.00) within thirty (30) days of compliance with this Section.

5.3 Default. Should Developer fail to demolish the structure by the date required in Section 4, this Agreement shall terminate and the City shall have no obligation to make the Grant Payment.

SECTION 6.
TERMINATION; OFFSET

6.1 Termination. This Agreement terminates at the end of the Term, and may, prior to the Expiration Date, be terminated upon any one or more of the following:

(A) by mutual written agreement of the Parties;

(B) upon written notice by either Party, if the other Party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof;

(C) should any written warranty, representation or statement made or furnished to City by Developer under this Agreement or any document(s) related hereto furnished to the City is/are false or misleading in any material respect, either now or at the time made or furnished, and the furnishing Party fails to cure same within thirty (30) days after written notice from the receiving Party describing the violation, or if such violation cannot be cured within such thirty (30) say period in the exercise of all due diligence;

(D) upon written notice by City, if any Impositions owed to City or the State of Texas by Developer shall have become delinquent (provided, however, Developer retains the right to timely and properly protest and contest any such taxes or Impositions);

(E) upon written notice by City, if Developer suffers an event of Bankruptcy or Insolvency; or

(F) upon written notice by either Party if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

6.2 Offsets. City may, at its option, offset any amounts due and payable to Developer under this Agreement against any debt (including taxes) lawfully due to City, from Developer, regardless of whether the amount due arises pursuant to the terms of this Agreement or otherwise, and regardless of whether or not the debt in question has been reduced to judgment by a court.

SECTION 7.
INDEMNIFICATION

7.1 **DEVELOPER EXPRESSLY AGREES TO FULLY AND COMPLETELY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS OFFICERS, AND EMPLOYEES AGAINST ANY AND ALL CLAIMS, LAWSUITS, LIABILITIES, JUDGMENTS, COSTS, AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM, DAMAGES OR LIABILITY FOR WHICH RECOVERY OF DAMAGES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY ANY NEGLIGENT, GROSSLY NEGLIGENT, WRONGFUL, OR STRICTLY LIABLE ACT OR OMISSION OF DEVELOPER OR ITS AGENTS OR EMPLOYEES, ARISING OUT OF DEVELOPER'S PERFORMANCE OF THIS AGREEMENT; PROVIDED, HOWEVER, IN NO EVENT WILL DEVELOPER HAVE ANY SUCH INDEMNIFICATION OBLIGATION FOR ANY CLAIMS, LAWSUITS, LIABILITIES, JUDGMENTS, COSTS AND EXPENSES ARISING OUT OF OR CAUSED BY THE SOLE NEGLIGENCE, SOLE GROSS NEGLIGENCE, WILLFUL MISCONDUCT, OR ANY OTHER SOLE ACT OR OMISSION OF THE CITY OR ITS OFFICERS OR EMPLOYEES. NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED AS WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER STATE LAW. IN THE EVENT OF JOINT OR CONCURRENT NEGLIGENCE OF BOTH THE CITY AND DEVELOPER, THE RESPONSIBILITY, IF ANY, OF DEVELOPER TO INDEMNIFY THE CITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.**

7.2 It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties. The City, their past, present and future officers, elected officials, directors, employees and agents of the City does not assume any responsibility to any third party in connection with Developer's construction of the Development.

SECTION 8.
MISCELLANEOUS PROVISIONS

The following miscellaneous provisions are a part of this Agreement:

8.1 Amendments. Any amendments to this Agreement must be in writing and signed by the appropriate authorities of all Parties.

8.2 Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Tarrant County, Texas. Exclusive venue for any action arising under this Agreement shall lie in the state district courts of Tarrant County, Texas.

8.3 Assignment; Conveyance of the Property. This Agreement may not be assigned without the express written consent of all of the other Parties.

8.4 Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto and upon any successor or approved assignee of Developer. City warrants and represents that the individual executing this Agreement on behalf of City has full authority to execute this Agreement and bind City to the same. Developer warrants and represents that the individual executing this Agreement on Developer's behalf has full authority to execute this Agreement and bind it to the same.

8.5 Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

8.6 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

8.7 Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties as to the matters set forth in this Agreement. No other understanding, oral or otherwise, in direct conflict with this Agreement shall be deemed to exist or to bind any of the Parties hereto. All prior written or oral offers, counteroffers, memoranda of understanding, proposals and the like are superseded by this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment. Neither Party is relying on any statement, representation, nor warranty of the other Party not expressly set out in this Agreement. Each of the undersigned authorized representatives of the Parties warrants and represents and does hereby state and represent that no promise or agreement which is not herein expressed has been made to him or her in executing this

Agreement, and that none of us is relying upon any statement or representation of any agent of the Parties. Each Party is relying on his or her own judgment and each Party has been represented by independent counsel of its choosing.

8.8 Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of Force Majeure, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or requirement shall be extended for a period of time equal to the period such Party was delayed.

8.9 Further Acts and Releases. The Parties agree to take such additional acts and execute such other documents as may be reasonable and necessary in the performance of their obligations hereunder.

8.10 Governmental Powers; Waiver of Immunity. By execution of this Agreement, the City does not waive or surrender any of its governmental powers, immunities or rights.

8.11 No Third Party Beneficiaries. The performance of the respective obligations of the Parties under this Agreement are not intended to benefit any party other than the City or Developer except as expressly provided otherwise herein. No person or entity not a signatory to this Agreement shall have any rights or causes of action against any Party to this Agreement as a result of that Party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

8.12 Notices. Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

If intended for City, to:

City of Saginaw
333 West McLeroy Blvd.
Saginaw, Texas 76179
Attn: City Manager

With a copy to:
Taylor, Olson, Adkins, Sralla & Elam, LLP
6000 Western Place, Suite 200
Fort Worth, Texas 76107
Attn: Bryn Meredith

If intended for Developer, to:

SP SA Development
4940 N. Tarrant Parkway
Fort Worth, Texas 76244
Attn: Smit Shaw

With a copy to:
_____
_____
_____
Attn: _____

8.13 Relationship of Parties. The Parties shall not be deemed in a relationship of partners or joint ventures by virtue of this Agreement, nor shall any Party be an agent, representative, trustee or fiduciary of the other. No Party shall have any authority to bind any other Party to any agreement.

8.14 Severability. The Parties declare that the provisions of this Agreement are severable. If it is determined by a court of competent jurisdiction that any term, condition or provision hereof is void, voidable, or unenforceable for any reason whatsoever, then such term, condition or provision shall be severed from this Agreement and the remainder of the Agreement enforced in accordance with its terms. The Parties explicitly agree that this Clause 8.14 does not apply if the unenforceability relieves one Party from substantially all of its duties and obligations under this Agreement.

8.15 Time is of the Essence. Subject to the terms contained herein, time is of the essence in the performance of this Agreement.

8.16 Compliance with Law. All aspects of the construction and development of the Development shall be in substantial conformance with applicable state, federal and local laws.

8.17 Inspection. The City shall have access at all times to inspect construction of the Development.

8.18 No Alteration of Development Regulations. This Agreement is not intended to and does not waive or alter any development requirement imposed by City ordinances, City development regulations or other law.

8.19 Undocumented Workers. As required by Subchapter B of Chapter 2264 of the Texas Government Code, Developer certifies that to Developer's knowledge it does not and will not knowingly employ an undocumented worker. If after receiving a Grant Payment set forth in this Agreement Developer is convicted under 8 USC Section 1324(a)(6), Developer shall repay the amount of the Grant Payment (or portion that he has received) plus 10% interest not later than the 120th day after the date the City notifies Developer of the violation. Developer is not liable for a violation of this Section by a subsidiary, affiliate, or franchisee of Developer or by a person with whom Developer contracts.

8.20 Rough Proportionality; Nexus. Developer acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation and dedication are related both in nature and extent to the impact of the Development. Developer waives and releases all claims against the City related to any and all rough proportionality and individual determination requirements mandated by Subchapter Z of Chapter 212, Texas Local Government Code, as well as other requirements of a nexus between development conditions and the projected impact of the Development.

8.21 Gift to Public Servant. Each Party hereto represents to the other that it has not offered, conferred, or agreed to confer and that it will not offer, confer or agree to confer in the future any benefit upon an employee or official of the other Party. For purposes of this Section, "benefit" means anything reasonably regarded as economic advantage, including benefit to any other person in whose welfare the beneficiary is interested, but does not

include a contribution or expenditure made and reported in accordance with law. Notwithstanding any other legal remedies, City may obtain reimbursement for any expenditures made to Developer as a result of the improper offer, agreement to confer, or conferring of a benefit to a City employee or official.

8.22 Interpretation. This Agreement shall not be construed against the drafting Party.

8.23 Limitation of Liability. In no event will either Party be liable to the other Party for any indirect, special, punitive, or exemplary damages.

8.24 Expedited Permit Review. The City agrees to expedite the review of any permits submitted by Developer related to the project that is the subject of this Agreement.

8.25 Anti-Boycott Verifications. Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and, to the extent this Agreement is a contract for goods or services, will not boycott Israel during the term of this Agreement. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, and to the extent such section does not contravene applicable Federal law. As used in the foregoing verification, 'boycott Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. For purposes of this paragraph, Developer understands 'affiliate' to mean an entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

8.26 Iran, Sudan and Foreign Terrorist Organizations. Developer represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website: https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf, https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or https://comptroller.texas.gov/purchasing/docs/fto-list.pdf. The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such section does not contravene applicable Federal law and excludes Developer and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. For purposes of this paragraph, Developer understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

8.27 Fossil Fuels Boycott Verification. As required by 2274.002, Texas Government Code (as added by Senate Bill 13, 87th Texas Legislature, Regular Session), as amended, Developer

hereby verifies that Developer, including any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, does not boycott energy companies, and will not boycott energy companies during the term of this Agreement. As used in the foregoing verification, "boycott energy companies" shall have the meaning assigned to the term "boycott energy company" in Section 809.001, Texas Government Code, as amended.

8.28 Firearms Discrimination Verification. As required by Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session, SB 19), as amended, Developer hereby verifies that Developer, including any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, (i) does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and (ii) will not discriminate against a firearm entity or firearm trade association during the term of this Agreement. As used in the foregoing verification, "discriminate against a firearm entity or trade association" shall have the meaning assigned to such term in Section 2274.001(3), Texas Government Code (as added by SB 19), as amended.

SECTION 9.
EFFECTIVE DATE.

This Agreement shall become effective upon the execution of the Agreement by all Parties.

Executed by the parties to be effective on the Effective Date.

CITY OF SAGINAW, TEXAS

_____
Todd Flippo, Mayor
Date: _____

STATE OF TEXAS §
§
COUNTY OF TARRANT §

This instrument was acknowledged before me on the ___ day of _____, 2023 by Todd Flippo, the Mayor of the City of Saginaw, Texas, on behalf of said City.

(SEAL)

_____
Notary Public, State of Texas

SP SA DEVELOPMENT, LLC

_____
Smit Shaw, Manager
Date: _____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ___ day of _____, 2023 by Smith Shaw, the manager of SP SA Development, LLC, a Texas limited liability company, on behalf of such entity.

(SEAL)

_____
Notary Public, State of Texas

City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, May 16, 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

(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 a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)--Keith Rinehart, Director of Community & Economic Development

(b) Action regarding Resolution No. 2023-11, City of Saginaw's Application to Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects--Trenton Tidwell, P.E.,

Kimley-Horn & Associates

(c) Action regarding Ordinance No. 2023-18, Authorizing the Mayor to Execute a Quitclaim Deed abandoning an Eight (8) Foot Utility Easement to Richard Linthicum, Owner of Lot 27, Block 1 of The Dominion Phase II--Salvador Gonzalez, Management Analyst

(5) Recognition of Members of Mayor's Youth Advisory Council--Salvador Gonzales, Management Analyst

(6) Consideration and Action regarding Resolution No. 2023-12, Canvassing Returns and Declaring Results of the General Election held on May 6, 2023--Janice England, City Secretary

(7) Consideration and Action regarding Resolution No. 2023-13, Canvassing Returns and Declaring Results of Special Election held on May 6, 2023 to determine whether the voters of the City of Saginaw desire to continue a Sales and Use Tax for Street Maintenance in the City--Janice England, City Secretary

(8) Presentation to Outgoing Councilmember Tucker--Todd Flippo, Mayor

(9) Recognition of Mayor Flippo's 15 Years of Service--Valerie Junkersfeld, Mayor Pro-Tem

(10) Oath of Office for Councilmember Place 6--Janice England, City Secretary

(11) Election of Mayor Pro-Tem--Todd Flippo, Mayor

(12) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding request to Amend the Zoning Ordinance of the City of Saginaw, regarding a Change in Zoning from Community Commercial (CC) to Heavy Industrial (HI) on approximately 12.85 acres of land out of the Bursey, John Survey, Abstract 122, Tract 2A1 & 6A1 & Part C1 Street more commonly known as 2301 Terminal Road, Saginaw, TX 76106 (per TAD) (Ordinance No. 2023-16)--Britton New

(13) PUBLIC HEARING--Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Amending Appendix A, "Zoning", Article 8, "Supplemental District Regulations, Section 8-9, Off-Street Parking and Loading Requirements" of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Non Residential Parking Standards (Ordinance No. 2023-17)--Larry Little, Chief Building Offiicial

(14) Consideration and Action regarding Award of Bid for Knowles Drive Phases 2 & 3 Project (Tabled at 5-2-2023 Meeting)--Randy Newsom, Director of

Public Works & Trenton Tidwell, Kimley-Horn & Associates

(15) Library Presentation--Ellen Ritchie, Library Director

(16) Animal Services Presentation--Jose Wheeland, Animal Services Manager

(17) 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

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--712 S. Saginaw Blvd.

(18) Adjournment--Todd Flippo, Mayor

Posted:	**Removed:**
Date: 5-12-2023	Date: 5-17-2023
Time: 10:30am	Time: 8:15am
By:	By:

CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
MAY 16, 2023

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Paul Felegy
Councilmember	Nicky Lawson
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Engineer	Trenton Tidwell, 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
Director of Comm. & Eco. Dev.	Keith Rinehart
Library Director	Ellen Ritchie
Environmental Manager	Matt Regan
Communications Manager	Pedro Zambrano
Chief Building Official	Larry Little
Animal Services Manager	Jose Wheeland
Management Analyst	Salvador Gonzalez
Police Officer	Aaron Callahan

Absent from the meeting:

Director of Human Resources	Melanie McManus

Visitors at the meeting:

Nika Davis	Jaime Morgan
Grace Sears	Michael Burch
Faith Sears	William Sears
Camryn Simon	Mia McGavley
Shriya Chapagai	Srijan Sharma
Dakota Waters	Yzurium Milton
Sparsha Acharya	Britton New
Kylie Ashcraft	Brittany Broskus

Reynold Broskus	Doug Crosthwait
Kristi Haney	Maria Guynes
Megan Guynes	Kelly Henderson
Ronnie Horton	Breanna Farley
Taylor Guadian	Linda Salinas
Jennifer Wheeland	Danny Copeland

(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

Mr. Doug Crosthwait of the First Baptist Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

Summary: The proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property. The agreement sets forth the City's participation which is an amount not to exceed $25,000. This item was originally approved by the City Council at the October 18, 2022 meeting. The proposed agreement was not available at the time the meeting packet was prepared last October. Therefore, we are bringing this back to the Council for official approval. In addition, this property finally sold to Blazing Hospitality Group on May 4, 2023. The financial impact is not to exceed $25,000 and will be paid from Account 01-6141-13 (Economic Development Incentive).

b. Action regarding Resolution No. 2023-11, City of Saginaw's Application to Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects

Summary: In January of 2023, a Preliminary TA (Transportation Alternative) Set-Aside Grant Application was submitted to TXDOT for McLeroy Blvd Phase 3 from Knowles Drive to Business 287. On March 14, 2023, the City was notified that the preliminary application was reviewed and deemed eligible – allowing the City to continue to the next step, submitting a Detailed Application. For the Detailed Application to be submitted, the City must adopt a resolution in support of the application. If the Detailed Application is accepted, TXDOT would require a 20% local match and Saginaw would be responsible for all overruns and all non-reimbursable costs. The local match and other costs would be paid for with the 2021 Bond Funds.

c. Action regarding Ordinance No. 2023-18, Authorizing the Mayor to Execute a Quitclaim Deed Abandoning an Eight (8) Foot Utility Easement to Richard Linthicum, Owner of Lot 27, Block 1 of The Dominion Phase II

Summary: City Staff was contacted by Mr. Richard Linthicum, owner of 1120 Little John Drive, regarding the intent to remove an unused eight (8) foot utility easement at the rear of the property. Staff reviewed letters from the utilities company as well as any potential City utilities in the easement, and found there to be no conflict. The neighboring property went through a similar process in 2018.

Mayor Flippo stated that he received a request to pull Item 4a from the Consent Agenda for discussion.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Items 4b and 4c 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

The Council considered Item 4a. Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

Motion was made by Councilmember Copeland with a second by Mayor Pro-Tem Junkersfeld to approve the Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality 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 Members of Mayor's Youth Advisory Council

Management Analyst Gonzalez gave a brief overview of the activities of the Mayors' Youth Advisory Council. The members of the Mayor's Youth Advisory Council were presented with certificates in recognition of their participation.

(6) Consideration and Action regarding Resolution No. 2023-12, Canvasing Returns and Declaring Results of the General Election held on May 6, 2023

City Secretary England stated that Resolution No. 2023-12 canvasses the May 6th General Election. The results were as follows.

Councilmember Place 4

Brack St. Clair	379 Votes
Randy L. Edwards	462 Votes

Councilmember Place 6

Mary Copeland	442 Votes
Rick Russell	428 Votes

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Resolution No. 2023-12, canvassing the returns and declaring the results of the General Election held on May 6, 2023. 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

(7) Consideration and Action regarding Resolution No. 2023-13, Canvassing Returns and Declaring Results of the Special Election held on May 6, 2023 to determine whether the voters of the City of Saginaw desire to continue a Sales and Use Tax for Street Maintenance in the City.

City Secretary England stated that Resolution No. 2023-13 canvasses the May 6th Special Election. The results were as follows.

Proposition A	
For	735
Against	169

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve Resolution No. 2023-13, canvassing the returns and declaring the results of the Special Election held on May 6, 2023. 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

(8) Presentation to Outgoing Councilmember Tucker

Mayor Flippo and the Council recognized outgoing Councilmember Tucker with an award for his years of service on the City Council as well as his years of service on the Advisory Recreation and Parks Board. Mayor Flippo also presented him with a City Service pin in recognition of his completion of five (5) years of service on the City Council.

Note: Outgoing Councilmember Tucker left the meeting at this point.

(9) Recognition of Mayor Flippo's 15 Years of Service

Mayor Pro-Tem Junkersfeld presented Mayor Flippo with a City Service pin in recognition of his completion of fifteen (15) years of service on the City Council.

(10) Oath of Office for Councilmember Place 6

City Secretary England administered the Oath of Office for Councilmember Place 6, Mary Copeland. She explained that incoming Councilmember Edwards is out of town tonight. He will be given the Oath of Office at the next City Council Meeting.

(11) Election of Mayor Pro-Tem

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to table this item until the next City Council Meeting. Motion carried unanimously. 6-0-0-0

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

Against: None

Abstain: None

Absent: None

(12) PUBLIC HEARING—Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding request to Amend the Zoning Ordinance of the City of Saginaw, regarding a change in Zoning from Community Commercial (CC) to Heavy Industrial (HI) on approximately 12.85 acres of land out of the Bursey, John Survey, Abstract 122, Tract 2A1 & 6A1 & Part C1 Street more commonly known as 2301 Terminal Road (Ordinance No. 2023-16)

Mayor Flippo declared the public hearing for this item opened at 6:24 p.m. Mr. Britton New explained his request for rezoning the property at 2301 Terminal Road from Community Commercial (CC) to Heavy Industrial (HI). Mayor Flippo read a note from Ms. Suzanne Boyce, President of Attebury Grain, LLC in support of the request. The Planning and Zoning Commission voted to recommend approval to the City Council. Mayor Flippo called for any public input. There was none. Mayor Flippo declared the public hearing closed at 6:29 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve Ordinance No. 2023-16, zoning change from Community Commercial (CC) to Heavy Industrial (HI) on property at 2301 Terminal Road as presented, and recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-0

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

Against: None

Abstain: None

Absent: None

(13) PUBLIC HEARING—Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Amending Appendix A, "Zoning", Article 8, "Supplemental District Regulations, Section 8-9, Off-Street Parking and Loading Requirements" of the Saginaw City Code by updating On Premise Parking Requirements and Residential and Non Residential Parking Standards (Ordinance No. 2023-17)

Mayor Flippo declared the public hearing for this item opened at 6:29 p.m. Chief Building Official Little gave a presentation explaining the proposed ordinance. The Planning and Zoning Commission voted to recommend approval to the City Council. Mayor Flippo called for public input. There was none. Mayor Flippo declared the public hearing closed at 6:54 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve Ordinance 2023-17, amending the Zoning Ordinance, On Premise Parking Requirements as presented, and recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-0

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

Against: None

Abstain: None

Absent: None

(14) Consideration and Action regarding Award of Bid for Knowles Drive Phases 2 & 3 Project (Tabled at 5-2-2023 Meeting)

Motion was made by Councilmember Lawson with a second by Mayor Pro-Tem Junkersfeld to approve the award of the bid for Knowles Drive Phases 2 & 3 Project to DDM Construction Corporation. Motion carried unanimously. 6-0-0-0

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

Against: None

Abstain: None

Absent: None

(15) Library Presentation

Library Director Ellen Ritchie gave a presentation regarding the Library's budget, duties, and staff. Adult Services Librarians Ronnie Horton and Megan Guynes gave an overview of the programs and services offered at the Library for adults. Children Services Librarian Kristi Haney gave an overview of the programs and services offered for children.

(16) Animal Services Presentation

Animal Services Manager Jose Wheeland gave a presentation regarding the current staffing and duties of Animal Services as well as their achievements and long term objectives.

(17) 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

1 § 55`.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—712 S. Saginaw Blvd.

Mayor Flippo declared the meeting recessed into Executive Session at 8:21 p.m.

Mayor Flippo declared the meeting back in Regular Session at 8:34 p.m.

(18) Adjournment

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to adjourn the meeting. Motion carried unanimously. 6-0-0-0

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

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of May 16, 2023 adjourned at 8:34 p.m.

ATTEST: APPROVED:

City Secretary Janice England Mayor Todd Flippo

CITY OF SAGINAW TEXAS CORPORATE SEAL

City of Saginaw

City Council Memorandum

Prepared By: Janice England

PUBLIC HEARING--Consideration and Action regarding Ordinance No. 2023-25, a Change in Zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition, Lot 1, Block 4 (300 W. McLeroy Boulevard)--Susy Victor, Planning Manager

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Business	Item: C

Reference File

BACKGROUND/DISCUSSION:

The City of Saginaw submitted a rezoning application for the property located at 300 W. McLeroy Blvd., Saginaw, Texas 76179. The City of Saginaw intends to have the property rezoned from Neighborhood Commercial (NC) to Community Facility (CF). The intent of the requested zoning change is to allow the applicant to construct a library (community facility) on the property.

The proposed rezoning would align with the surrounding area and would align with the comprehensive plan.

Thus, the proposed item is requesting consideration and action regarding approval of an ordinance amending the zoning ordinance of the city of Saginaw, Texas, regarding a change in zoning Neighborhood Commercial (NC) to Community Facility (CF) on the approximate 0.436 acres out of the Worthy Addition Lot 1, Block 4, more commonly known as 300 W. McLeroy Boulevard Saginaw, Texas 76179.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Rezoning 300 W. McLeroy Blvd. P&Z Sheets.pdf

City of Saginaw
Planning and Zoning

City Initiated Rezoning for 300 W. McLeroy Blvd

Date: September 12, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding a Change in Zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition Lot 1, Block 4 (300 W. McLeroy Boulevard).

Background/Discussion:
The City of Saginaw submitted a rezoning application for the property located at 300 W. McLeroy Blvd., Saginaw, Texas 76179. The City of Saginaw intends to have the property rezoned from Neighborhood Commercial (NC) to Community Facility (CF). The intent of the requested zoning change is to allow the applicant to construct a library (community facility) on the property.

The proposed rezoning would align with the surrounding area and would align with the comprehensive plan.

Thus, the proposed item is requesting consideration and action regarding approval of an ordinance amending the zoning ordinance of the city of Saginaw, Texas, regarding a change in zoning Neighborhood Commercial (NC) to Community Facility (CF) on the approximate 0.436 acres out of the Worthy Addition Lot 1, Block 4, more commonly known as 300 W. McLeroy Boulevard Saginaw, Texas 76179.

Staff Recommendation:
Staff recommends approval.

Attachments:
Zoning Application, Zoning Exhibit, Newspaper and 200 ft. Notices

09/12/2023 P&Z Packet Page #16

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

CASE NUMBER: PZ 0923-03

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: NC PROPOSED ZONING: CF

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

LOT: 1 BLOCK: 4 ADDITION: Worthy

TRACT: ABSTRACT: SURVEY:

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

ADDRESS and/ or LOCATION OF PROPERTY: 300 W. McLeroy Blvd.

NAME OF PROPOSED DEVELOPMENT: City of Saginaw Library / Senior Center

TOTAL ACREAGE OF PROPERTY: 0.436

REASON FOR ZONING REQUEST: (please be specific)

City of Saginaw has the desire to construct a new site for the library and senior center.

(Use additional sheets and attach if necessary)

CURRENT ZONING: NC

REQUESTED ZONING: CF

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: City of Saginaw PHONE #: 817-230-0324

and/or OPTION HOLDER: PHONE #:

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

OWNER'S ADDRESS: 333 W. McLeroy Blvd.

APPLICANT'S SIGNATURE: Victor-Trevino PHONE #: 817-230-0440

APPLICANT'S NAME: Susy Victor-Trevino (Planning Manager)

APPLICANT'S ADDRESS: 333 W. McLeroy Blvd.

FOR CITY USE ONLY DO NOT WRITE BELOW THIS LINE

RECEIVED BY: MH DATE: 09/07/23 TIME:

FEE FOR APPLICATION: Waived RECEIPT #:

SUBMITTED INFORMATION REVIEWED BY: MH / SV

PLANNING AND ZONING COMMISSION MEETING DATE: 09/12/23

ACTION TAKEN:

CITY COUNCIL MEETING DATE: 09/19/23

ACTION TAKEN:

Legals

Devon Self Storage: PUBLIC AUCTION NOTICE

Notice is hereby given that public auctions will be held and managed by Devon Self Storage. The address for each public auction, the tenant name, and property description are itemized by location below. The property contained in the units will be sold to satisfy the landlord's lien for rent and other charges in accordance with Chapter 59 of the Texas Property Code. Property contained in the units will be sold to the highest bidder via an online auction at www.storagetreasures.com. Online bidding will begin at 10:00am on 09/4/23 and will continue until 10:00am on 09/18/23 at which time a high bidder will be determined. Devon Self Storage reserves the right to set minimum bids and to refuse bids. Please refer to www.storagetreasures.com for all other terms and conditions governing the bidding and auction process.

Public Sale 1: 7400 Blue Mound Rd, Fort Worth, TX 76131: Valencia Snell: Furniture, Totes, picture frames, Boxes, Décor, Chairs; **Erlo Lewis:** Tables, chair, totes, refrigerator, wall decor, mattress, ice maker, electronics, booths, fish tank, box, couch

Public Sale 2: 6465 E Rosedale St, Fort Worth, TX 76112 Furnia Nealy: dresser, couch, loveseat, truck rail tailgate, table, foot stool, wall art, box, bag, moving blankets, wooden toy box, mirror; **Gerald Darr:** totes, boxes, chairs, VHS tapes, trash can, furniture, lamps, blankets, motorcycle, stand up toolbox, suitcases, backpacks, office furniture, water dispenser, mini refrigerator, toys, pots and pans, clothes; **Margaret Mcconnell:** washer, dryer, refrigerator, box, sticks

Public Sale 3: 6471 Camp Bowie Blvd, Fort Worth, TX 76116: Azaria Hill-Benjamin: Toy car, boxes, couch, tote, dresser, clothes, sofa; **Tanimy Flores:** pet carrier, bags, chairs, vacuum steam cleaner, luggage, microwave, table, boxes, nightstand; **DaVante Owens:** televisions, totes, kids toys, chair

IPL0136490
Aug 25,Sep 1 2023

NTTA
RFB 05829-NTT-00-GS-MA
Roadway Light Fixtures

Project Description: Purchase and delivery only of roadway and building light fixtures, on an as-needed basis, for the term of two years. The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 9/28/2023 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 9/28/2023 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 9/14/2023 at 1:00 p.m. CT. See RFB documents for meeting details.

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

IPL0136920
Aug 25,Sep 1 2023

NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR THE CITY OF ROANOKE, TEXAS

The City Council of the City of Roanoke, Texas, shall convene a meeting at 7:00 P.M. on October 24, 2023, at its regular meeting place at 500 South Oak Street, Roanoke, Texas 76262 and during such meeting, the City Council will consider the passage of an ordinance or ordinances authorizing the issuance of one or more series of interest bearing certificates of obligation in the principal amount not to exceed $32,700,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with the following public projects: (1) constructing and improving streets and roads including related drainage, landscaping, signalization, lighting, pedestrian improvements and signage related thereto; (2) constructing a new police and courts facility and related parking for such facility and (3) paying fees for legal, fiscal, engineering, architectural and other professional services in connection with these projects. Such certificates are to be made payable from ad valorem taxes and a lien on and pledge of surplus revenues of the City's waterworks and sewer system. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C.

The following information is provided to comply with Tex. H.B. 477, 86 Leg., R.S. (2019). The current principal of all outstanding debt obligations of the City is $30,320,730.00. The current combined principal and interest on all outstanding debt obligations of the City, paid on time and in full, is $36,038,843. The maximum principal amount of the certificates to be authorized is $32,700,000 and the estimated combined principal and interest required to pay the certificates to be authorized on time and in full is $53,337,675. The maximum interest rate for the certificates may not exceed the maximum legal interest rate. The maximum maturity date of the certificates to be authorized is August 15, 2048. The above information excludes $8,689,270 in principal amount of the outstanding debt obligations the City

Find your next job here!

NTTA
North Texas Tollway Authority
RFB 05814-CTP-00-CN-TM
Chisolm Trail Pkwy Wrong Way Driving System Construction

Project Description: This project will procure and install the Wrong Way Driving prevention system which includes thermal cameras, back-lit signs, Rectangular Rapid Flashing Beacons (RRFB) and related ITS infrastructure (active and passive devices) as shown on the plans. The proposed Wrong Way Driving prevention system will be installed along the Chisholm Trail Parkway (CTP) corridor.

NTTA is accepting bids until 9/29/2023 at 10:00 a.m. CT.

Vendors can register, download full project details and documents, submit questions and upload bids to NTTA's Marketplace (https://www.nttamarketplace.org).

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

IPL0137604
Sep 1,8 2023

NTTA
North Texas Tollway Authority
RFB 05931-NTT-00-GS-MA
Silicone Joint Sealant

Project Description: The NTTA is soliciting sealed bids to award a fixed price contract for annual purchases, on an as-needed basis, for various Silicone Joint Sealants. The NTTA will only accept DOW 890-SL and DOW 888 or Pecora 301NS brand Silicone Joint Sealants for the purposes of this contract. NTTA Roadway testing has deemed DOW 890-SL and DOW888 or Pecora 301NS to be the best products available that meet the current needs. Product must be sold in 20 oz. tubes.

NTTA is accepting bids until 9/15/2023 at 11:00 a.m. CT.

Vendors can register, download full project details and documents, submit questions and upload bids to NTTA's Marketplace (https://www.nttamarketplace.org).

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

IPL0137775
Sep 1,8 2023

NTTA
North Texas Tollway Authority
RFB 05813-DNT-00-CN-TM
Dallas North Tollway Wrong Way Driving System Prevention

Project Description: This project will procure and install the Wrong Way Driving prevention system which includes thermal cameras, back-lit signs, Rectangular Rapid Flashing Beacons (RRFB) and related ITS infrastructure (active and passive devices) as shown on the plans. The proposed Wrong Way Driving prevention system will be installed along the Dallas North Tollway (DNT) corridor from Downtown Dallas to US 380 in Frisco.

NTTA is accepting bids until 9/29/2023 at 10:00 a.m. CT.

Vendors can register, download full project details and documents, submit questions and upload bids to NTTA's Marketplace (https://www.nttamarketplace.org).

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

IPL0137794

NOTICE OF PUBLIC HEARING ON BUDGET

THE CITY COUNCIL FOR THE CITY OF KENNEDALE, TEXAS, WILL HOLD A PUBLIC HEARING ON THE FISCAL YEAR (FY) 2023-2024 PROPOSED BUDGET ON SEPTEMBER 19, 2023, AT 5:30 PM IN THE COUNCIL CHAMBERS OF CITY HALL LOCATED AT 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060. THE MEETING WILL BE HELD FOR THE PURPOSE OF RECEIVING COMMUNITY INPUT ON THE BUDGET. THE PROPOSED FY2023-2024 BUDGET CAN BE FOUND ON THE CITY'S WEBSITE (WWW.CITYOFKENNEDALE.COM/BUDGET) OR IN HARDCOPY AT THE CITY SECRETARY'S OFFICE IN CITY HALL. ALL INTERESTED CITIZENS ARE ENCOURAGED TO ATTEND AND EXPRESS THEIR VIEWS. THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY $1,126,122.28 OR 15.8 PERCENT AND, OF THAT AMOUNT, $167,076.48 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

IPL0137961
Sep 1 2023

Ordinance No. 23-044

An ordinance amending the "Administration" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article III, Boards, Commissions and Departments, by the amendment of Section 3.01, General, by the addition of Subsection (D); by the repeal of Section 3.04, Special Transportation Advisory Board, Section 3.07, Citizens Environmental Committee, and Section 3.08, Community Relations Commission; by the amendment of Section 3.09, Unity Council; Subsection (A); relative to the membership of the Unity Council; and Section 3.10, Additional Boards and Commissions; relative to the removal and revision of content for certain boards and commissions established outside of this Chapter; and Article XII, Code of Ethics, Section 12.07, Ethics Review Commission; Section 12.08, Disposition of Alleged Violations; Hearings, relative to the removal of the Ethics Review Commission as a standing board and establishing an ad hoc Ethics Committee to dispose of formally lodged ethics complaints; and Section 12.09, Definitions, relative to the amendment of the definition of "City official" to remove references to removed boards and commissions; and providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective ten days after publication.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

/n/ Jim R. Ross
JIM R. ROSS, Mayor
ATTEST:
/n/ Alex Busken
ALEX BUSKEN, City Secretary
To be published 09-01-2023 and 09-05-2023
Bill to REF 19-0213
IPL0137916
Sep 1,5 2023

CITY OF SAGINAW
PUBLIC NOTICE

The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on September 12, 2023 to consider a change in zoning on approximately 0.436 acres of the Worthy Addition Lot 1, Block 4 (300 W. McLeroy Blvd.) from Neighborhood Commercial (NC) to a Community Facility (CF). The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on September 19, 2023 to consider the above-mentioned request for a zoning change, contingent upon the receipt of a report regarding the zoning change from the Planning and Zoning Commission. Both meetings will be at the City of Saginaw City Hall located at 333 W. McLeroy Boulevard, Saginaw, Texas, 76179.

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

Please direct any question regarding this matter to Susy Victor, Planning Manager, 817-230-0440.

IPL0136002
Sep 1 2023

Ordinance No. 23-041

An ordinance amending the "Plumbing" Chapter of the Code of the City of Arlington, Texas, 1987, through

---

CITY OF KELLER
PUBLIC HEARING

A public hearing will be held by the City of Keller City Council at 7:00 P.M. on Tuesday, September 19, 2023, at Keller Town Hall, 1100 Bear Creek Parkway, to consider an ordinance approving a Planned Development (PD) amendment and rezoning a portion (11.94 acres) to Single Family Residential-36,000 square-foot lots, for The Birch Raquet and Lawn Club, on the property legally described as Block A, Lot 1 AG of The Birch Addition, being 28.99 acres, approximately 340 feet northwest from the Intersection of Keller Smithfield Road and Johnson Road, zoned Planned Development 1822-Single Family Residential-36,000 square-foot minimum lots (PD 1822-SF-36), and addressed as 660 Keller Smithfield Road. Taylor Dent, The Birch Raquet and Lawn Club, Applicant/Owner. (Z-23-0005)

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.

IPL0137618
Sep 1 2023

Ordinance No. 23-038

An ordinance amending the "Construction" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article II, Building Code Board of Appeals, Section 2.01, Appointment, relative to the authority of the Building Code Board of Appeals; and Article IV, Registration, Permits and Inspections, Section 4.16, Historical Review of Permits for Demolition or Relocation, Subsection (A)(7), relative to the stay period for a permit to demolish or relocate a building or structure; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

/n/ Jim R. Ross
JIM R. ROSS, Mayor
ATTEST:
/n/ Alex Busken
ALEX BUSKEN, City Secretary
To be published 09-01-2023 and 09-05-2023
Bill to REF 19-0213
IPL0137902
Sep 1,5 2023

Star-Telegram
STAR-TELEGRAM.COM

CITY OF MANSFIELD

NOTICE OF PUBLIC HEARING

The City Council of the City of Mansfield will hold two public hearings on the adoption of the proposed FY Year 2023-2024 Annual Budget at regular council meetings on August 28, 2023 at 7:00 p.m., and again on September 11, 2023, at 7:00 p.m., in Council Chambers at City Hall, located at 1200 E. Broad Street, Mansfield, TX 76063. The adoption of the ordinance approving the budget will occur following the 2nd public hearing. The public is invited to review and make comments on the proposed budget. Comments may be presented in writing or in person at the public hearing. THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF $7,196,660 WHICH IS A 13.44% INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS $4,230,642.

IPL0137690
Sep 1 2023

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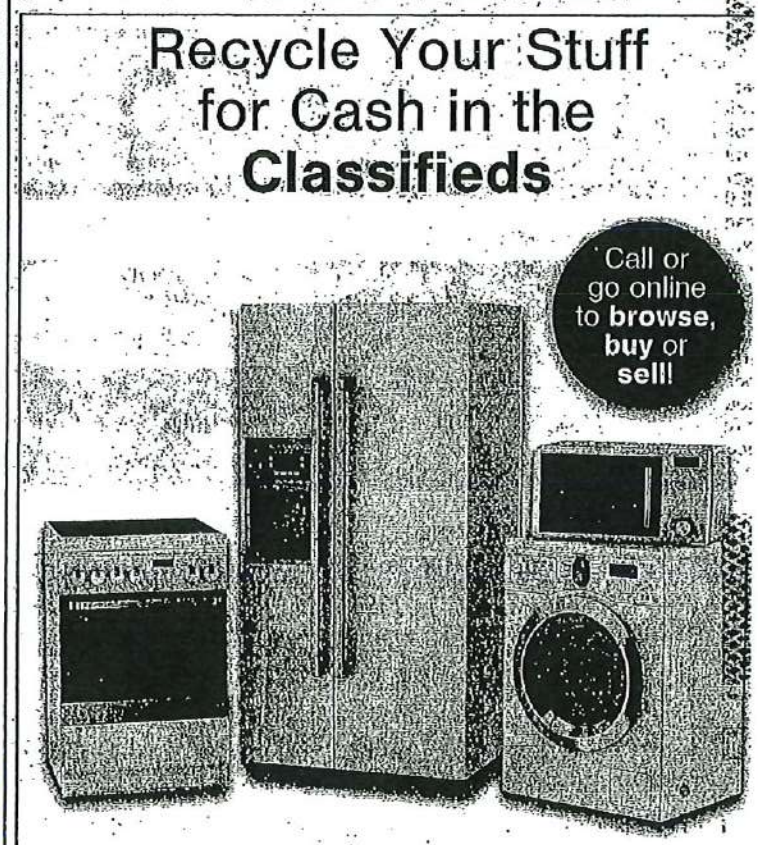

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Fort Worth Star-Telegram
What does local mean to you?

City of Saginaw
Planning and Zoning

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

August 31, 2023

NOTICE OF PUBLIC HEARING

THIS IS A REQUESTED CHANGE IN PROPERTY ZONING

RE: Planning & Zoning Commission Meeting 09/12/23; Consideration of a Request for a Change in Zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition Lot 1, Block 4 (300 W. McLeroy Boulevard).

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 12th day of September, 2023 at 6:00 p.m. and the City Council of the City of Saginaw, Texas, will hold a Public Hearing on the 19th day of September, 2023 at 6:00 p.m. for the purpose of considering a request from the City of Saginaw to change the zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition Lot 1, Block 4, also known as 300 W. McLeroy Boulevard. 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.

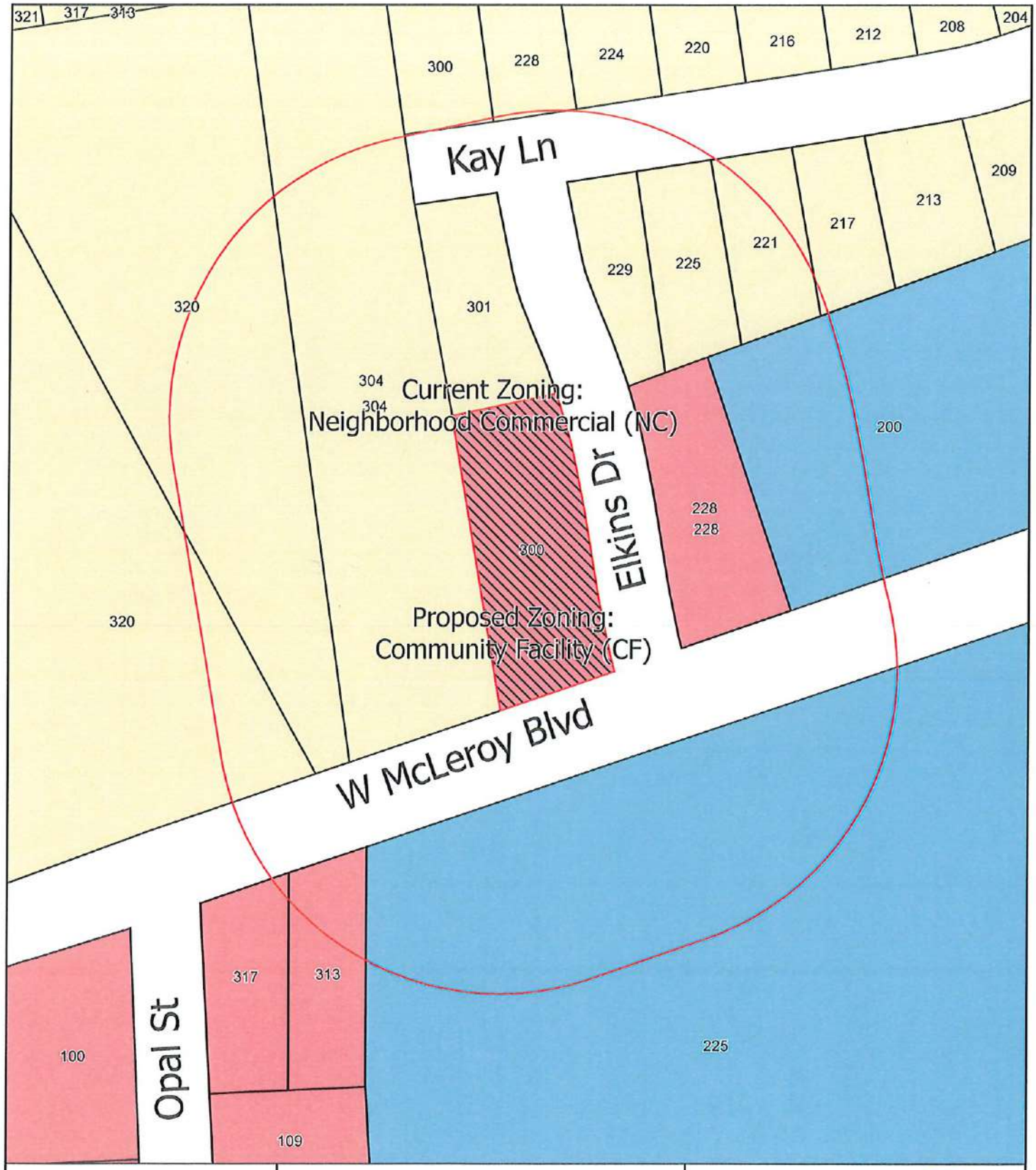
If you have any questions you may call me at 817-230-0400 or e-mail me at svictor@saginawtx.org.

Sincerely,

Susy Victor-Trevino
Planning Manager

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

09/12/2023 P&Z Packet Page #20



Legend

- 200ft Buffer
- Property of Interest
- City Limits

300 W. McLeroy Blvd.
200 ft Property Owner Notification

City of Saginaw

75 0 75
Feet

09/12/2023 P&Z Packet Page #21

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 this request, please call the Planning Manager, Susy Victor-Trevino at 817-230-0440.

The Planning & Zoning Commission Meeting will meet on 09/12/23 at 6:00 p.m. and the City Council Meeting on 09/19/23 at 6:00 p.m. is in regards to a request for a zoning change from Neighborhood Commercial (NC) to Community Facility (CF) for the property located at 300 W. McLeroy Boulevard, Saginaw Texas 76179.

Name:_____

Address:_____

Phone Number:_____

( ) In Favor

( ) Opposed

Reasons and/or Comments

_____

_____

_____

_____

_____

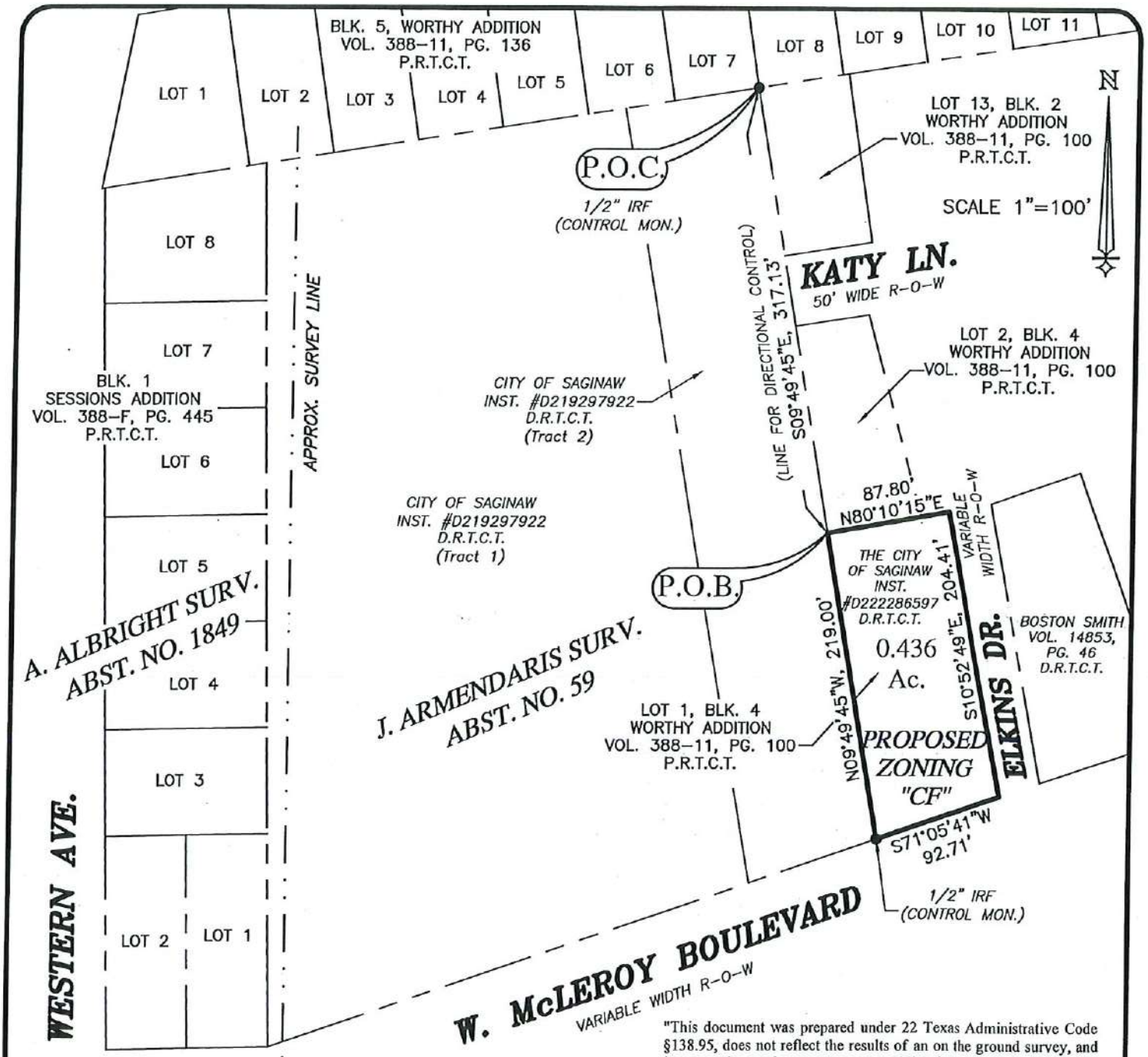
_____

_____

_____

_____

09/12/2023 P&Z Packet Page #22



"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."

ZONING EXHIBIT
Change From "NC" to "CF"
0.436 ACRES OF LAND

Situated in the J. Armendaris Survey, Abstract No. 59, City of Saginaw, Tarrant County, Texas, and being all of Lot 1, Block 4, Worthy Addition, an addition to the City of Saginaw, Tarrant County, Texas, as filed in Volume 388-11, Page 100, Plat Records of Tarrant County, Texas

THERON W. SIMS, R.P.L.S.
TEXAS REGISTRATION NO. 5887

Date: August 25, 2023

Surveyed on the ground in the month of November, 2021

STATE OF TEXAS
REGISTERED
THERON W. SIMS
5887
PROFESSIONAL LAND SURVEYOR

teague nall & perkins
5237 N. Riverside Drive, Suite 100
Fort Worth, Texas 76137
817.336.5773 ph 817.332.7756 fx
www.tnpinc.com / TBPELS Registration No. 100116-00

EXHIBIT "A"

"Zoning Change from NC to CF"

BEING 0.436 of an acre of land, situated in the J. Armendaris Survey, Abstract No. 59, City of Saginaw, Tarrant County, Texas, and being all of Lot 1, Block 4, Worthy Addition, an addition to the City of Saginaw, Tarrant County, Texas, as filed in Volume 388-11, Page 100, Plat Records of Tarrant County, Texas (P.R.T.C.T.), also being all of that certain tract of land described in the deed to The City of Saginaw, as filed in Instrument #D222286597, Deed Records of Tarrant County, Texas (D.R.T.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the northwest corner of Lot 13, Block 2, of said Worthy Addition (Vol. 388-11, Pg. 100), also being the southeast corner of Lot 7, and the southwest corner of Lot 8, of Block 5, Worthy Addition, an addition to the City of Saginaw, Tarrant County, Texas, as filed in Volume 388-11, Page 136, P.R.T.C.T., and also being the northeast corner of a tract of land described in the deed as Tract 1, in the deed to the City of Saginaw, as filed in Instrument #D219297922, D.R.T.C.T.;

THENCE S 09°49'45" E, along the east line of said City of Saginaw, Tract 2, and along the west line of said Lot 13, also passing along the west Right-of-Way (R-O-W) line of Katy Lane (50' in width), and continuing along the west line of Lot 2, of said Worthy Addition (Vol. 388-11, Pg. 100), a distance of 317.13 feet to the southwest corner of said Lot 2, also being the northwest corner of said Lot 1 and the **POINT OF BEGINNING** of the hereinafter described tract of land;

THENCE N 80°10'15" E, along the south line of said Lot 2, and along the north line of said Lot 1, also passing along the westerly R-O-W line of Elkins Drive (variable width), a distance of 87.80 feet to the northeast corner of said Lot 1, also being in the west R-O-W line of said Elkins Drive;

THENCE S 10°52'49" E, along the east line of said Lot 1, and along the west R-O-W line of said Elkins Drive, a distance of 204.41 feet to the southeast corner of said Lot 1, also being the intersection of the west R-O-W of said Elkins Drive, with the north R-O-W line of W. McLeroy Boulevard (variable width);

THENCE S 71°05'41" W, along the south line of said Lot 1, and along the north R-O-W line of said W. McLeroy Boulevard, a distance of 92.71 feet to a 1/2 inch iron rod found at the southwest corner of said Lot 1, also being the southeast corner of said Tract 2;

09/12/2023 P&Z Packet Page #24

THENCE N 09°49'45" W, along the west line of said Lot 1, and along the east line of said Tract 2, a distance of 219.00 feet to the **POINT OF BEGINNING** and containing 0.436 of an acre of land.

August 25, 2023
Theron W. Sims, R.P.L.S.
Texas Registration No. 5887

Surveyed on the ground in the month of November, 2021

"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."

09/12/2023 P&Z Packet Page #25

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Consideration and Action regarding Resolution No. 2023-21, an Ordinance Amending the Subdivision Ordinance for the Administrative Approval of all Plats --Bryn Meredith, City Attorney

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Business	Item: D

Reference File

BACKGROUND/DISCUSSION:

The City of Saginaw Planning and Zoning Division is formally requesting the opportunity to administratively approve all plats.

Currently, all plats with the exclusion of minor plats and replats, have to go before the Planning and Zoning Commission and City Council for final approval; however, neither the Planning and Zoning Commission and City Council have the authority to deny any plat that has met all city standards and requirements for approval. All plat submissions go through an extensive review process managed by city staff to ensure all city standards and requirements are met prior to committee approval.

During the last Texas Legislative session, a new bill proposed that Texas Municipalities could be administered the authority to approve all plats internally. Prior to this legislative update, municipalities were limited to administratively approving only minor plats and some replats, forcing city staff and applicants to have to delay plat submission approvals until the next scheduled Planning and Zoning Commission and City Council meetings. In addition to the fact that many development projects have sensitive timelines that cannot always be accommodated with the current approval process, city staff and applicants are confined to a 30-day shot-clock rule. This rule forces a plat decision to be made 30 days after the submission is accepted. If city staff nor the applicant acts on a denial or extension status within the 30-day period the plat is forcibly approved by Texas law. Thus, allowing city staff the authority to administratively approve all plats would not only benefit city staff but also the applicant by alleviating time-restrictive constrictions.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

Attachments

Plat Administrative Approval Request P&Z Sheets.pdf

Res. 2023-21--Plat Approval Delegation.pdf

City of
Saginaw
Planning and Zoning

Administrative Approval of all Plats

Date: September 12, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding Approval to Consider an Ordinance Amending the Subdivision Ordinance of the City of Saginaw, Texas, Regarding the Administrative Approval of all Plats

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Background/Discussion:
The City of Saginaw Planning and Zoning Division is formally requesting the opportunity to administratively approve all plats.

Currently all plats, with the exclusion of minor plats and replats, have to go before the Planning and Zoning Commission and City Council for final approval; however, neither the Planning and Zoning Commission and City Council have the authority to deny any plat that has met all city standards and requirements for approval. All plat submissions go through an extensive review process managed by city staff to ensure all city standards and requirements are met prior to committee approval.

During the last Texas Legislative session, a new bill proposed that Texas Municipalities could be administered the authority to approve all plats internally. Prior to this legislative update, municipalities were limited to administratively approving only minor plats and some replats, forcing city staff and applicants to have to delay plat submission approvals until the next scheduled Planning and Zoning Commission and City Council meetings. In addition to the fact that many development projects have sensitive timelines that cannot always be accommodated with the current approval process, city staff and applicants are confined to a 30-day shot-clock rule. This rule forces a plat decision to be made 30 days after the submission is accepted. If city staff nor the applicant acts on a denial or extension status within the 30-day period the plat is forcibly approved by Texas law. Thus, allowing city staff the authority to administratively approve all plats would not only benefit city staff but also the applicant by alleviating time restrictive constrictions.

Staff Recommendation:
Staff recommends approval.

Attachments:

09/12/2023 P&Z Packet Page #26

RESOLUTION NO. ___

A RESOLUTION OF THE CITY OF SAGINAW, TEXAS, DELEGATING PLAT APPROVAL AUTHORITY AND EXTENSION APPROVAL AUTHORITY PURSUANT TO HB 3699; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule municipality 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 88th Regular Session of the Texas Legislature enacted House Bill 3699 (codified in Chapter 212 of the Texas Local Government Code), granting municipalities the authority to delegate the approval, approval with conditions, or disapproval of plats to designated officers or employees; and

WHEREAS, the City desires to streamline the administrative process while maintaining prudent oversight of plat approvals; and

WHEREAS, under the provisions of House Bill 3699, the governing body of a municipality is authorized to extend the 30-day period for plat approval by up to 30 days, subject to specific conditions.

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

SECTION 1

The City Council hereby delegates to the Planning Manager, or designee, the authority to approve, approve with conditions, or disapprove plats (as that term is defined in Chapter 212 of the Texas Local Government Code) within the jurisdiction of the City of Saginaw, in accordance with the provisions outlined in House Bill 3699. The Planning Manager shall exercise this authority consistent with all applicable laws, regulations, and ordinances.

SECTION 2

The City Council further authorizes the Planning Manager, or designee, to approve requests for extensions of the 30-day period described by the relevant subsections, as outlined in House Bill 3699, for one or more periods, each not to exceed 30 days, provided that the following conditions are met:

1. The applicant submits a written request for an extension of the plat approval period to the municipal authority responsible for plat approval or the governing body of the municipality, as applicable.

2. The Planning Manager, or designee, approves the extension request.

SECTION 3

This Resolution shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, BY A VOTE OF ___ TO ___, ON THIS ___ DAY OF SEPTEMBER, 2023.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY SECRETARY

City of Saginaw

City Council Memorandum

Prepared By: Janice England

Consideration and Action regarding Ordinance No. 2023-26, multi-pet permit and fostering of dogs and cats--Lee Howell, Asst. City Manager

Meeting	Agenda Group	
Tuesday, September 19, 2023, 6:00 PM	Business	Item: E

Reference File

BACKGROUND/DISCUSSION:

The proposed changes to existing ordinances regarding the regulations and permitting of multi-pet ownership and fostering of pets in the City were discussed at the September 5th City Council Meeting. The City Council voted to direct City Attorney Meredith to prepare an ordinance reflecting the changes. Ordinance No. 2023-26 reflects the changes.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

Attachments

Ord 2023-26.pdf

ORDINANCE NO. 2023-___

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING CHAPTER 6, ARTICLE II OF THE SAGINAW CITY CODE; PROVIDING DEFINITIONS AND REGULATIONS GOVERNING ANIMAL RESCUE, FOSTERING, AND SERVICE ANIMALS IN THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR 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 ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article Xl, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City has previously adopted Ordinance No. 2004-02, and codified as Chapter 6 of the Saginaw City Code, "Animals," which regulates the care and keeping of animals within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to provide for comprehensive regulations governing the care, custody, and control of all domestic animals within the City; and

WHEREAS, for purposes of promoting the public health, safety and general welfare, the City Council desires to adopt regulations governing animal rescue organizations and animal foster homes; and

WHEREAS, the City Council desires to adopt provisions governing the care of service animals within the City.

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

SECTION 1.

Section 6-32, "Definitions" of Article II "Animal Control," of Chapter 6 "Animals" of the Saginaw City Code is hereby amended to add new definitions to read as follows:

"Sec. 6-32. Definitions.

Animal control authority means the animal control department of the City.

Animal control officer means any employee or agent of the City assigned to the animal control authority or whose responsibilities include animal control.

Animal Foster Home means any residence that is registered with a 501c3 non-profit animal rescue or animal rescue organization for the purpose of temporarily housing domestic animals in need of adoption into a permanent household. The foster home must be inspected and approved by the rescue group and may be subject to inspection by Animal Services Center staff at any time.

Animal Foster Home Caregiver means a person who harbors fostered animals through an animal services-approved rescue group.

Approved Rescue Group or Animal Rescue Organization means any animal rescue group or animal rescue organization that has filed their 501C3 with the Saginaw Animal Services Adoption and Rescue Coordinator and is currently in compliance with Saginaw Animal Services standards of care, which include but are not limited to sterilization, vaccinations, or medical care, etc.

Service Animal means a dog trained to perform a task directly related to a person's disability. This definition does not include emotional support animals. Emotional support animals are not recognized by the Americans with Disabilities Act ("ADA") because providing emotional support or comfort is not a task related to a person's disability."

SECTION 2.

Chapter 6 "Animals," Article II "Animal Control," of the Saginaw City Code is hereby amended by adding a new section to read as follows:

"Sec. 6-39. Multi-Pet Household Permits.

(a) *Number of Dogs and Cats Allowed*. Except as provided by this Section, no residence within the City shall harbor more than five (5) adult dogs, five (5) adult cats, or five (5) adult dogs and cats in any combination (for example, 4 dogs and 1 cat or 4 cats and 1 dog). No residence within the City shall harbor more than one litter of puppies or one litter of kittens over 4 months of age at any given time.

(b) *Multi-Pet Permit*. Any person desiring to keep more than five (5) adult dogs and/or cats or more than one litter of puppies or kittens at a residence may apply with the animal control authority for a multi-pet permit allowing them to keep two (2) additional dogs or cats ("service animals" as defined in Sec. 6-32 will be counted in this number and are not exempt from registration). The applicant shall pay an application fee at the time of filing. The animal control authority is authorized to issue such a permit if the following conditions are met:

1. An applicant provides the animal control authority with information concerning the maximum number of animals to be kept at any one time at such premises and a

record search indicates that there have been no enforcement actions for violations of this Section within the preceding twelve (12) months.

2. The applicant shall be the owner of the property. If the applicant is a renter/tenant of the property, they must provide a notarized letter from the property owner stating permission for the pets on the premises. This permission must be written, notarized, and must be provided annually or upon request of the animal services manager or their designee.

3. The animal control authority inspects the property and deems it appropriate for housing multiple pets based on criteria including, but not limited to:

    i. Facilities shall be of sufficient size as to allow each animal to move about freely. Size of the facility shall be in proportion to the size of the individual animal's height and weight.
    ii. Adequate food and water must be provided so that each and all animals kept shall be maintained in good health and free of malnutrition and/or dehydration.
    iii. The said premises shall be kept in a sanitary condition and reasonably free of animal waste, parasites, insects, and flies that could be harmful to the animal's health and/or to the health of the general public.
    iv. The animals and the facility must be kept free of odor or stench which is offensive to a person of ordinary sensibilities.
    v. The animals must be maintained in a manner which does not pose a danger to the health of the animals themselves or adjacent animals.
    vi. The animals must not cause noise which is offensive or disturbing to a person of ordinary sensibilities on adjoining or adjacent premises.
    vii. All animals must be vaccinated and must wear current rabies tags at all times in accordance with this Section.
    viii. All animals at the residence must be sterilized.
    ix. All animals at the residence must be microchipped, and proof of registration with a national database will be required at the time of application.

(c) Fees for the issuance of a multi-pet permit shall be set by City Council.

(d) Such permit may be revoked by the animal control authority for cause, including but not limited to, violations of the provisions of this Section or the inability of the permit holder to keep the animals in a healthy or sanitary environment.

(e) Multi-pet permits must be renewed annually and each renewal will require inspection and approval by the animal control authority or its designee.

(f) Any person either denied a multi-pet permit, or who has had their permit revoked, may file an appeal with the city manager or their designee. Such appeal must be made in writing within ten (10) days of receiving written notice from the animal control authority of the permit denial or revocation. If no appeal request is filed within the 10-day period, the denial or revocation of the permit becomes final. Upon receiving an appeal, the City Manager or their designee shall hold a hearing at a time and place of their designation. Based upon the recorded evidence of such hearing, the City Manager or their designee shall make a final finding.

(g) *Changes in residence or ownership*. Multi-pet permits are issued for specific owners of a specific property. Application for a new multi-pet permit will be required if:

1. The original permit holder moves to a new residence within the city limits and wishes to keep more than five (5) adult dogs/cats or more than one litter of puppies/kittens on the new property, or if

2. Ownership of the property for which a permit was originally issued changes and the new owners/tenants desire to keep more than five (5) adult dogs/cats or more than one litter of puppies/kittens.

(h) *Complaints*. A person may file a complaint for violations of this Section with the animal control authority of the City. The report must be in writing and made under oath (notarized), and the report must include the following:

1. Name, address, and telephone number of complainant and other witnesses, if any;
2. Date, time, and location of the incident forming the basis of the report;
3. Description of the violation;
4. Name, address, and telephone number of the animal owner, if known;
5. A statement of facts upon which such report or application is based;
6. Any other relevant facts or circumstances; and
7. A Texas state notary stamp and signature.

The animal control authority, upon receipt of a report filed under this Section or upon learning of a violation, shall investigate the complaint and may issue sworn reports based on the animal control authority's investigation or observation.

(i) *Filing of False Claims and Reports*. A person commits an offense if he knowingly initiates, communicates or circulates a claim of ownership for an animal with the Animal Services Manager or their designee that he knows is false or baseless. A person commits an offense if they knowingly initiate, communicate or circulate a report of a violation of City ordinance or State law with the Animal Services Manager or their designee that they know is false or baseless.

(j) *Revocation of Permit*. The Animal Services Manager or their designee may revoke any multi-pet permit after a hearing for any one or more of the following reasons:

1. Impoundment of a cat or dog by the City more than three times during a twelve-month period.
2. More than two (2) final convictions of a person for violating this Section.
3. Any combination of (1) and (2) totaling two (2) incidents.
4. Upon a determination that the cat or dog is a "dangerous animal" or "dangerous dog" as defined in this Section.

Upon revoking the multi-pet permit, the Animal Services Manager or their designee shall notify the applicant of said action in writing. Written notification shall be deemed made when a certified letter, return receipt requested, addressed to the last known mailing address of applicant is deposited in the U.S. mail.

Upon the expiration of ten (10) days after written notification of revocation is deposited in the U.S. Mail, as provided above, applicant will need to remove all excess animals over the limit allowed by ordinance (5 dogs or 5 cats, or any combination totaling 5) for a period of 12 months.

If found in violation for exceeding the limit, citations may be issued at the Animal Services Manager's or their designee's discretion. Every day a violation exists constitutes a new and separate violation."

SECTION 3.

Chapter 6 "Animals," Article II "Animal Control," of the Saginaw City Code is hereby amended by adding a new section to read as follows:

"Sec. 6-42. Animal Foster Home Requirements.

(a) Fostered animals are to be provided with adequate food, water, shelter, and shade at all times.

(b) The foster home must provide an area in which to segregate newly fostered animals until those animals can be socialized with other animals living in the foster home.

(c) The number of animals allowed to be fostered at a location shall be based on adequate housing space as determined by the size of animals being housed, and should not be more than two (2) adult animals (dogs or cats), or no more than two litters (dogs or cats).

(d) All cats and kittens over the age of sixteen (16) weeks who are fostered animals must be vaccinated against rabies.

(e) All dogs and puppies over the age of sixteen (16) weeks who are fostered animals must be vaccinated against rabies.

(f) Foster caregivers shall obtain a City license for any animal remaining in the home for more than ten (10) days. A fostered animal remaining in the home for more than one hundred twenty (120) days will no longer be considered a foster animal; such animals will be considered owned animals and owners will be required to meet all obligations of ownership. Rescue groups may apply to the Animal Services Manager or their designee for an extension of up to sixty (60) days. A second extension of up to (60) days may be granted at the discretion of the animal services manager.

(g) The foster home shall keep records for each fostered animal, including a rabies certificate and documentation for the length of time the animal has been in the foster home. These records will be provided to the Animal Services Manager or their designee upon request.

(h) The foster caregiver shall be the owner of the property where the foster home is located or have notarized written permission of the owner of the property in order to participate as a foster home. If the foster caregiver is a tenant and not the owner of the property, written, notarized permission from the property owner or management company must be provided annually or upon request of the Animal Services Manager or their designee.

(i) The foster caregiver shall provide a letter from the rescue group stating they are an approved foster for the rescue group and provide proof of 501c3 status to the Animal Services Manager or their designee. This letter will also include the number(s), species, age, color and sex of the animal(s), sterilization proof (if completed, or estimated date of sterilization), and microchip number that is implanted in the animal.

(j) *Foster Permit Fees*. Fees for the issuance of a foster permit shall be set by the City Council.

(k) *Foster Home Complaints*. A person may file a complaint for violations of this Section with the animal control authority of the City. The report must be in writing and made under oath (notarized), and the report must include the following:

1. Name, address, and telephone number of complainant and other witnesses, if any;
2. Date, time, and location of the incident forming the basis of the report;
3. Description of the violation;
4. Name, address, and telephone number of the animal owner, if known;
5. A statement of facts upon which such report or application is based;
6. Any other relevant facts or circumstances; and
7. A Texas state notary stamp and signature.

The animal control authority, upon receipt of a report filed under this Section or upon learning of a violation, shall investigate the complaint and may issue sworn reports based on the animal control authority's investigation or observation.

Foster homes shall consent to inspection of the premises by the Animal Services Manager or their designee during regular business hours in response to a complaint. The animal services officer who responds to a complaint at a registered foster home will inform the foster home of the nature of the complaint. Failure to rectify any violations within the period granted by the animal services officer will result in the suspension of a foster home's designation until the violations are corrected. The rescue group under which the foster home operates will be notified of any complaint and findings. The rescue group will remove the foster home from their approved foster home list if any violations are not remedied to the satisfaction of the Animal Services Manager or their designee.

(i) *Filing of False Claims and Reports*. A person commits an offense if he/she knowingly initiates, communicates or circulates a claim of ownership for an animal with the Animal Services Manager or their designee that he/she knows is false or baseless. A person commits an offense if they knowingly initiate, communicate or circulate a report of a violation of City ordinance or State law with the Animal Services Manager or their designee that they know is false or baseless.

(j) *Revocation of Permit*. The Animal Services Manager or their designee may revoke any multi-pet permit after a hearing for any one or more of the following reasons:

1. Impoundment of a cat or dog by the City more than three (3) times during a twelve-month period.
2. More than two (2) final convictions of a person for violating this Section.
3. Any combination of (1) and (2) totaling two (2) incidents.
4. Upon a determination that the cat or dog is a "dangerous animal" or "dangerous dog" as defined in this Section.

Upon revoking the multi-pet permit, the Animal Services Manager or their designee shall notify the applicant of said action in writing. Written notification shall be deemed made when a certified letter, return receipt requested, addressed to the last known mailing address of applicant is deposited in the U.S. mail.

Upon the expiration of ten (10) days after written notification of revocation is deposited in the U.S. Mail, as provided above, applicant will need to remove all excess animals over the limit allowed by ordinance (five dogs or five cats, or any combination totaling five) for a period of twelve months.

If found in violation of the limit, citations may be issued at the Animal Services Manager's or their designee's discretion. Every day the violation exists constitutes a new and separate violation.

(k) Nothing in this Section shall be construed as excusing an animal foster home or an animal foster home caregiver from all other pertinent laws, including those prohibiting nuisances or disturbances.

(l) A foster home will not be eligible for a foster permit if they currently have a multi-pet permit."

SECTION 4.

This Ordinance shall be cumulative of all other ordinances of the City 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 5.

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 6.

All rights or remedies of the City are expressly saved as to any and all violations of the City Code; 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 7.

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the City Council of the City 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 Saginaw City Code. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 8.

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

SECTION 9.

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