



City Council Agenda 9/17/2019

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held September 17, 2019 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Chaplain Prayer

3. Pledges

4. Proclamations/Recognitions

- a. Proclamation of September 15 - October 15, 2019 as National Hispanic Heritage Month
- b. Proclamation of the City of Odessa as West Texas Strong

5. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District, and limit remarks to less than three minutes.

6. Consent Agenda

- a. Consider approving the September 4, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 120 days delinquent) on 2562 Sleepy Hollow, being Lot 25, Block 1, Fishermans Rd., Lake Nasworthy (\$882) (Cindy Preas)
- c. Consider awarding WU-11-19: Professional Services – America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan to CDM Smith in the amount of \$200,000, budgeted for purchase in fiscal year 2019, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- d. Consider awarding IT-02-19: IDIQ for Mobile Telecommunications Devices to West Central Wireless and authorizing the City Manager to negotiate and execute all related documents (Bucky Hasty)
- e. Consider awarding PK-02-19: Sulfur Springs Irrigation Project to Entrenos, Inc. dba Farmer's Daughter Landscape (San Angelo, TX) in the amount of \$158,500, budgeted for purchase in fiscal year 2019, and authorizing the City Manager to negotiate and execute all related documents (Roger Havlak/Allison Strube)
- f. Consider approving an agreement for uniform rentals with UniFirst Corporation through BuyBoard Contract # 587-19 and authorizing the City Manager to negotiate and execute all related documents (Nolan Sosa)

- g. Consider approving an interlocal agreement between San Angelo Police Department and the Tom Green County Sheriff's Department for Edward Byrne Memorial Justice Assistance Grants, allocating \$17,561 to the San Angelo Police Department and \$6,932 to the Tom Green County Sheriffs Department, and authorizing the City Manager to execute all related documents (Frank Carter)
- h. Consider approving an interlocal service agreement with Upper Colorado River Authority in the amount of \$7,725 monthly and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- i. Consider approving an interlocal agreement with Tom Green County for a joint election November 2019 and authorizing the City Manager to execute all related documents (Julia Antilley)
- j. Consider approving the following MHMR Concho Valley items:
 - a revised interlocal agreement authorizing the Mayor to execute all related documents in compliance with Senate Bill 632
 - reappointments to the Board of Trustees of the MHMR Services for a term of November 1, 2019 through October 31, 2021: Tim Davenport-Herbst, Jeff Gibson, Linda Kujawski, Dianna Spieker, and Pat Trevino (Julia Antilley)
- k. Consider reappointments to the Concho Valley Council of Government's Transit Board for a term of September 2019 to August 2021: Council Member Harry Thomas (Vice Chair), Council Member Lucy Gonzales, and Council Member Billie DeWitt (Julia Antilley)
- l. Second reading for:
 - 1. An amendment to the zoning ordinance creating a new Section 212 "River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone" and establishing standards for development within these zones; creating a new Section 309 "River Corridor District Overlay Zone", Section 310 "Downtown District Overlay Zone", and Section 311 "Cultural District Overlay Zone" and identifying their purpose, applicability and review procedures; rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; rezoning properties generally located north of Neff's Way, east of Randolph St., south of 3rd St., and west of N. Emerick St. to apply the Downtown Overlay Zoning District; and rezoning properties generally located north of Ave. A, east of Oakes St., south of the Concho River to apply the Cultural Overlay Zoning District
 - 2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, "River Corridor Development Ordinance"
 - 3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones (Jon James)

7. Regular Agenda

Comments regarding items on the Regular Agenda may be made by the public when each item is discussed as outlined above. Applicants, proponents, and appellants are excepted from the time limit above and instead must limit their remarks to less than five minutes.

- a. First reading and public hearing of an ordinance amending PD18-03, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District, with a principal use of Campground/Recreational Vehicle Park, being 40.58 acres located at 2680 and 2698 Camper Rd. (Presentation made by Planning & Development Services Director Jon James)
- b. Public hearing and consideration of a resolution approving a Special Use to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2); located at 810 & 811 Austin St. and 818 Kenwood Dr. (Presentation made by Planning & Development Services Director Jon James)
- c. First reading and public hearing of an ordinance approving the abandonment of approximately 105,000-sq ft of the E. Ave. D public right-of-way; generally located between S. Oakes St. and Rust St. in the Fort Concho Addition (Presentation made by Planning & Development Services Director Jon James)
- d. Consider ratifying COSADC's resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$70,000 to provide an Economic Development Incentive to Double Barrel Outfitters, LLC (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)
- e. Consider approving an agreement with Texas Commission on Environmental Quality for the participation in the Sanitary Sewer Overflow Initiative Program, adopting a Sanitary Sewer Overflow Initiative Plan and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Water Utilities Director Allison Strube)
- f. Second public hearing of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. This budget will raise more total property taxes than last year's budget by \$1,365,635 (3.58%), and of that amount, \$405,140 is tax revenue to be raised from new property added to the tax roll (Presentation made by Finance Director Tina Dierschke)
- g. Final public hearing of an ordinance levying property taxes for the City of San Angelo for the 2019 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2019-2020 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date (Presentation made by Finance Director Tina Dierschke)

- h. Update on Sales Tax revenue performance (Presentation made by Finance Director Tina Dierschke)
- i. Discussion and direction allocating funding for public safety and streets (Presentation made by Finance Director Tina Dierschke)
- j. Consider approving a fiscal year 2020 Fort Concho Building Repair Plan and provide direction for allocating funding methods (Presentation made by Fort Concho Manager Bob Bluthardt)
- k. Consider rejecting all bids for FC-02-19: Repairs to Fort Concho Post Hospital, Officers' Quarters 6 and 8, and roof vents (Presentation made by Fort Concho Manager Bob Bluthardt)
- l. Consider a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the 2020-2021 term (Presentation made by City Clerk Julia Antilley)

8. Closed Session

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

- a. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding lease of the Coliseum to the San Angelo Stock Show and Rodeo Association for their annual events
- b. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding Millspaugh Addition, Block 24

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Consideration of approving various Board nominations
Design & Historic Review Commission: Clay Engdahl (SMD1), James Thomas (SMD2), and Lisa Wallace (SMD5) to first full terms ending September 2021 and Henry Schmidt (SMD6) to a second term ending September 2021
- c. Discussion and consideration of November meeting schedule
 - regular meeting dates November 5 & 19
 - election day November 5
 - election results must be canvassed NLT Monday, November 18
- d. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 12th day of September 2019, at 10:02 a.m.



Julia Antilley, City Clerk

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

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

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Julia.Antilley@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

City Council regular meetings are broadcast on SATV Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day, beginning the evening of the meeting until the evening of the next meeting.

Proclamation

During National Hispanic Heritage Month, we recognize the important presence of Hispanic Americans and their contributions made to the United States and San Angelo, Texas. This is also a time to celebrate the Hispanic heritage and culture.

El Puente Foundation seeks to bridge culture through the arts and education.

The city was named after the patron saint Santa Angela in honor of the city founder's wife Carolina Angela de la Garza, who laid out the tract for the city in 1870.

45% of the City of San Angelo population is Hispanic, and has contributed to the community since its inception through Agriculture, the Arts, Business, Civil Service, Education, Military, Music, Ranching, and Religious efforts. We encourage our citizens to share in this tribute by learning and celebrating the generations of Hispanic Americans who have positively influenced and enriched our community and nation.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim September 15 through October 15 2019, as

NATIONAL HISPANIC HERITAGE MONTH

in San Angelo, Texas, and encourage our citizens to learn more about the history and rich contributions to our society by Hispanic and Latino Americans.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 17th day of September, 2019.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

The City of San Angelo is shocked and saddened by the events that occurred on the afternoon of Saturday, August 31, 2019 in Odessa, Texas. Seven victims were killed in this act of violence and more than 20 people were injured.

Our hearts go out to the families and friends of the victims of this horrific, violent attack.

We acknowledge the bravery and skill of the multiple agencies across West Texas, and those throughout the state, who responded and will continue to investigate this tragedy.

This senseless act of violence, the second such attack impacting Texas this August, will not weaken the resolve of West Texans to stand strong in the face of adversity and support each other in our quest to provide a safe and secure environment for all of us.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the City of Odessa as

#WEST TEXAS STRONG

in San Angelo, Texas and call on our citizens to lift up the people of Odessa and all of West Texas in their thoughts and prayers.

In Witness Whereof, I have set
my hand and have caused the
Official Seal of the City of San
Angelo to be affixed this 17th day
of September, 2019.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Wednesday, September 4, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:34 a.m. on Wednesday, September 4, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer

An invocation was provided by San Angelo Police Department Chaplain Marcella Jenkins. Following the prayer Mayor Gunter asked for a moment of silence for all victims of the Odessa shooting.

3. Pledges

Pledges were led by fourth grader Giuliana Johnson and third grader London Johnson, both of Santa Rita Elementary.

4. Proclamations/Recognitions

September 2019 was proclaimed Hunger Action Month

The Cowboy Gathering Festival was recognized for their 7th anniversary

5. Public Comment

Citizen Don Chavez spoke regarding Tom Green County and various intersections and signals.

Operations Director Shane Kelton gave an update on potholes and encouraged citizens to report new potholes online or at 657-4231. He also mentioned job applications for positions on his crews are available at City Hall.

Public Information Officer Brian Groves introduced Lorelei Day as the new Communications Coordinator.

Citizen Steve Hampton (SMD 6) expressed concern on items 6g and 6h.

6. Consent Agenda

- a. Approval of the August 20, 2019 City Council regular meeting minutes and August 27, 2019 budget workshop meeting minutes (Julia Antilley)
- b. Acceptance of the following lots from the Fort Concho Museum Board and Directors of the Museum Board of the City of San Angelo:
 1. Lots 1, 2, 3, 4, 5, 6, 10 and the South 62' of Lots 11 and 12, Block 58, Fort Concho Addition
 2. Lots 11 and 12, Block 60, Fort Concho Addition (Cindy Preas)
- c. Award of CFM-01-19 Electrical Maintenance and Repair Service to MC Electric and authorizing the City Manager to negotiate and execute all related documents (Ron Lewis)

- d. Approval of Buyboard Contract #521-16 for the purchase of one Ford F-550 from Grande Truck Center (San Antonio, TX), in the amount of \$66,754, budgeted in fiscal year 2019 (Ryan Kramer)
- e. Approval of a contract with King Consultants, DBA Construction Consulting 3, Inc., through TIPS #181101 in the amount of 192,661.20 and authorizing the City Manager to negotiate and execute all related documents for the asbestos abatement, demolition, and site restoration at Lot 1, Block 24, Millspaugh Addition (also known as 711, 713, 715, 717, and 721 S. Oakes St.) (Ron Lewis)
- f. Ratification of a resolution by COSADC authorizing the use of Sales and Use Tax funds in an amount not to exceed \$638,861, for Affordable Housing Assistance Program (AHAP) to assist low income qualifying homeowners in rehabilitation of residential structures damaged citywide by the E2 tornado occurring on May 18, 2019 (Bob Salas)
- g. Approval of a Charity Care Policy (Tina Dierschke/Brian Dunn)
- h. Approval of updates to the 2019 Water Conservation Plan as requested from Texas Water Development Board (Allison Strube)
- i. Second reading, public hearing, and adoption of an ordinance amending Chapter 2 "Administration and Personnel", Article 2.07 "Boards, Committees, and Commissions" (Julia Antilley)
- j. Second reading and adoption of an ordinance approving Z19-13, a rezoning from Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District on 0.482 acres located at 215, 217, and 219 S. Washington St. (Jon James)
- k. Second reading and adoption of an ordinance approving Z19-14, a rezoning from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Neighborhood Commercial (CN), Office Commercial (CO), and Low Rise Multi-Family Residential (RM-1) Zoning Districts to the Central Business District (CBD) Zoning District, on approximately 80 acres generally located north of the Concho River, south of W. Harris Ave., east of Santa Fe Park Dr., and west of S. Randolph St. (Jon James)
- l. Second reading and adoption of ordinances approving:
 - 1. PD19-07, a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan on 4.951 acres located at 4150 and 4238 Sunset Dr.
 - 2. Z19-10, a rezoning from the Ranch & Estate (R&E) Zoning District and General Commercial/Heavy Commercial (CG/CH) Zoning District to the General Commercial (CG) Zoning District on 0.484 acres located at 4744 N. Chadbourne St.
 - 3. Z19-11, a rezoning from the Ranch & Estate (R&E) Zoning District to the General Commercial (CG) Zoning District on 6.109 acres located at 5026 Link Rd.
 - 4. Z19-12, a rezoning from the Heavy Commercial (CH) Zoning District to the Light Industrial (ML) Zoning District on 5.95 acres located at 6993 and 7005 S. U.S. Highway 277 (Jon James)
- m. Second reading and adoption of an ordinance approving the abandonment and vacation of a 20-ft wide by 300-ft long, 0.1370 acres (6,000-sq ft) public alley; the north/south alley located south of W. Beauregard Ave., north of W. Colorado St. between S. Jefferson St. and S. Madison St. (Jon James)
- n. Second public hearing and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for reimbursed expenses and grants and updating the number of authorized full time equivalent positions (Tina Dierschke)

o. Approval of a resolution accepting the Donation of Funds for the purchase of firearms for the San Angelo Police Department (Frank Carter)

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve only items 6a, 6b, 6d, 6j, 6k, 6l, 6m, 6n, and 6o from the Consent Agenda. The motion carried unanimously (7) ayes to (0) nays.

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

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

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

Citizen Steve Hampton (SMD6) requested clarification on the program.

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

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

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 6i, as presented.

Motion: Council Member Hiebert amended the motion, the second was amended by Council Member Thompson, to approve item 6i, as presented, keeping Civic Events Board Meetings quarterly, with additional meetings called by the City Manager, if necessary. The motion carried unanimously (7) ayes to (0) nays.

Civic Events Advisory Board Chair Billy Najara proposed the board meet eight times per year and discussed attendance.

Citizen Steve Hampton (SMD 6) requested information regarding attendance.

Civic Events Advisory Board member Del Velasquez spoke in support of quarterly board meetings.

7. Regular Agenda

a. Public hearing and first reading for:

1. An amendment to the zoning ordinance creating a new Section 212 "River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone" and establishing standards for development within these zones; creating a new Section 309 "River Corridor District Overlay Zone", Section 310 "Downtown District Overlay Zone", and Section 311 "Cultural District Overlay Zone" and identifying their purpose, applicability and review procedures; rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; rezoning properties generally located north of Neff's Way, east of Randolph St., south of 3rd St., and west of N. Emerick St. to apply the Downtown Overlay Zoning District; and rezoning properties generally located North of Ave. A, east of Oakes St., south of the Concho River to apply the Cultural Overlay Zoning District
2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, "River Corridor Development Ordinance"

3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented, with direction to not charge a fee for an administratively approved change to the building color (within historic color palette); exempt single-family homes, except those adjacent to the river; and, remove permit fees for single-family homes adjacent to the river. The motion carried unanimously (7) ayes to (0) nays.

- b. Ratification of a resolution by COSADC authorizing the Board President to negotiate and execute a Memorandum of Understanding with the City of San Angelo providing funding not to exceed \$13,000 for a project for Air Service Marketing and Recruitment services (Presentation made by Airport Director Jeremy Valgardson)

[Council Member Hiebert recused himself from the discussion.]

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried with (6) ayes, (0) nays, and (1) abstention, with Council Member Hiebert abstaining from the vote.

- c. Discussion and consideration of body worn camera program for San Angelo Police Department (Presentation made by Police Chief Frank Carter and Sergeant Travis Griffith)

Support: Council was supportive of bringing forward the financial discussion related to a body worn camera program.

- d. Discussion and direction related to funding Public Safety equipment needs (Presentation made by Finance Director Tina Dierschke, IT Director Bucky Hasty, and Fire Chief Brian Dunn)

Direction: Council directed staff to bring these items back as an action item for the September 17, 2019 meeting (along with the use of Sales Tax surplus funds for streets) as carryover items for fiscal year 2020 budget.

- e. Approval of a financial incentive program to promote infill development in neighborhoods targeted for revitalization (Presentation made by Neighborhood & Family Services Director Bob Salas)

Citizen Steve Hampton (SMD 6) requested clarification.

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

- f. Discussion and consideration of matters related to the fiscal year 2019-2020 operating budget including:
 1. First public hearing and introduction of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. This budget will raise more total property taxes than last year's budget by \$1,365,635 (3.58%), and of that amount, \$405,140 is tax revenue to be raised from new property added to the tax roll.

Citizen Don Chavez requested clarification.

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

2. A separate record vote was taken to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for the September 17, 2019,

regular meeting of the City Council as an action item (Presentation made by Finance Director Tina Dierschke)

Citizen Don Chavez requested clarification.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 17, 2019 regular meeting of the City Council as an action item. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt, and Mayor Gunter) to (0) nays.

- g. Second public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2019 tax year:

Public hearing and first reading of an ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2019-2020 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to assess 0.7760 as the proposed property tax rate for fiscal year 2020. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt, and Mayor Gunter) to (0) nays.

8. Closed Session

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

- a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding: Levi Chaparro v. City of San Angelo; Christopher Herrington, Tanner Tumlinson, Abraham Flores, Chase Hill and Zac Villareal, Individually and in their official capacities as Peace/Police Officers for San Angelo Police Department
- b. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding the water utility property in the area of Hillside Dr. and Gun Club Rd.

9. Follow Up and Administrative Issues

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

No action taken on this item.

- b. Announcements and consideration of Future Agenda Items

No action taken on this item.

New Quorum Present:

Mayor Brenda Gunter

Mayor Pro tem Harry Thomas, SMD 3

Council Member Tommy Hiebert, SMD 1

Council Member Tom Thompson, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting was adjourned at 12:29 p.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 120 days delinquent) on 2562 Sleepy Hollow, being Lot 25, Block 1, Fishermans Rd., Lake Nasworthy (\$882) (Cindy Preas)

Summary/History:

Lessee is more than 120 days delinquent in paying annual Lake Nasworthy residential lot lease fees. All reasonable collection efforts made by the Real Estate Division have failed. It is the recommendation of the Real Estate Division that the City Attorney's Office terminate the Lake Nasworthy Residential Lot lease and begin the eviction process. Total amount due includes annual rent and delinquent fees.

February 6, 2007, City Council approved the Procedure for Lake Lease Delinquent Billing and Termination Notices. Staff has followed the established procedures, to include a 30-day notice to Lessee advising of the default, to date all collection efforts have failed.

Financial Impact:

Dwight Chalker, Lessee, has failed to pay annual rent and delinquent fees totaling \$882.

Other Information/Recommendation:

Staff recommends City Attorney's Office terminate the Lake Nasworthy Residential Lot Lease and begin the eviction process.

Attachments:

Presentation:

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved

Julia Antilley

Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider awarding WU-11-19: Professional Services – America’s Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan to CDM Smith in the amount of \$200,000, budgeted for purchase in fiscal year 2019, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

Summary/History:

The City of San Angelo (COSA) pursued request for qualifications and statement of qualifications from qualified engineering firms to conduct an assessment of the risks to and the resilience of COSA’s water system and for the preparation and implantation of an Emergency Response Plan (ERP) that incorporates the findings of the Assessment. The Assessment and the ERP must comply with the requirements of America’s Water Infrastructure Act (AWIA) of 2018, 42 U.S.C.A. §300i-2.

The intent of this project is to meet the requirements of the 2018 AWIA. The assessment will include a comprehensive review of COSA’s raw water system and treated water distribution system. The EPA will require certification of the completion of the Risk & Resilience Assessment by March 31, 2020 and of the Emergency Response Plan by September 30, 2020. The selected firm must be able to meet these deadlines.

2018 Water Infrastructure Act Requirements

Requirements for the 2018 AWIA are summarized below, and a fact sheet on the requirements is an attachment to this agenda item.

A. Risk and Resilience Assessment

Each community water system serving a population of greater than 3,300 persons shall assess the risks to, and resilience of, its system. Such an assessment shall include:

1. the risk to the system from malevolent acts and natural hazards;
2. the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. the monitoring practices of the system;
4. the financial infrastructure of the system;
5. the use, storage, or handling of various chemicals by the system; and
6. the operation and maintenance of the system.

The assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

B. Emergency Response Plan

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare or revise, where necessary, an emergency response plan that incorporates the findings of the assessment. The plan shall include:

1. strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. actions, procedures and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
4. strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Community water systems shall to the extent possible coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 when preparing or revising an assessment or emergency response plan under the AWIA. Further, systems must maintain a copy of the assessment and emergency response plan for five years after certifying the plan to the EPA.

Financial Impact:

Project costs of \$200,000 will be paid from capital funds from the water fund.

Other Information/Recommendation:

Each submission was evaluated based upon five criteria (100 total points):

1. Ability, capacity & skill of team (25 points)
2. Experience (20 points)
3. Client / Regulatory Interactions (15 points)
4. Scope of Services (30 points)
5. References (10 points)

One of the ten submissions received was disqualified for failing to provide all required documents. Following the review and scoring of the nine remaining submissions, CDM Smith was the top ranking firm to utilize for this project. The justification for this selection is a part of the attachments to this agenda item.

Attachments:

- | | | |
|----|--------------------------------|------------------------------------|
| 1. | AWIA FACTSHEET | AWIA FACTSHEET.pdf |
| 2. | RFQ WU-11-19 | RFQ WU-11-19.pdf |
| 3. | Acknowledgment WU-11-19 | Acknowledgment WU-11-19.pdf |
| 4. | Results WU-11-19 | Results WU-11-19.pdf |
| 5. | Written Justification WU-11-19 | Written Justification WU-11-19.pdf |

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Allison Strube	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

RISK AND RESILIENCE ASSESSMENTS AND EMERGENCY RESPONSE PLANS:



NEW REQUIREMENTS FOR DRINKING WATER UTILITIES

Section 2013 of America's Water Infrastructure Act of 2018 (AWIA) requires community water systems¹ that serve more than 3,300 people to complete a risk and resilience assessment and develop an emergency response plan.

RISK AND RESILIENCE ASSESSMENT

Your utility must conduct a risk and resilience assessment and submit certification of its completion to the U.S. EPA by the following dates:

- March 31, 2020 if serving $\geq 100,000$ people.
- December 31, 2020 if serving 50,000 to 99,999 people.
- June 30, 2021 if serving 3,301 to 49,999 people.

EMERGENCY RESPONSE PLAN

Your utility must develop or update an emergency response plan and certify completion to the U.S. EPA **no later than six months** after risk and resilience assessment certification. Each utility deadline is unique; however, the dates below are the due dates for utilities who submit a risk and resilience assessment certification by the final due date according to the population served.

- September 30, 2020 if serving $\geq 100,000$ people.
- June 30, 2021 if serving 50,000 to 99,999 people.
- December 30, 2021 if serving 3,301 to 49,999 people.

Important
Dates

Recertification

Every five years, your utility must review the risk and resilience assessment and submit a recertification to the U.S. EPA that the assessment has been reviewed and, if necessary, revised.

Visit the U.S. EPA website to find more information on guidance for developing a risk and resilience assessment at <https://www.epa.gov/waterriskassessment/conduct-drinking-water-or-wastewater-utility-risk-assessment>.

Within six months of submitting the recertification for the risk and resilience assessment, your utility must certify it has reviewed and, if necessary, revised, its emergency response plan.

Visit the U.S. EPA website for guidance on developing an Emergency Response Plan at <https://www.epa.gov/waterutilityresponse/develop-or-update-drinking-water-or-wastewater-utility-emergency-response-plan>.

TOOLS OR METHODS

AWIA does not require the use of any standards, methods or tools for the risk and resilience assessment or emergency response plan. Your utility is responsible for ensuring that the risk and resilience assessment and emergency response plan address all the criteria in AWIA Section 2013(a) and (b), respectively. The U.S. EPA recommends the use of standards, including AWWA J100-10 Risk and Resilience Management of Water and Wastewater Systems, along with tools from the U.S. EPA and other organizations, to facilitate sound risk and resilience assessments and emergency response plans.

¹ Section 2013 of AWIA applies to community water systems. Community water systems are drinking water utilities that consistently serve at least 25 people or 15 service connections year-round.

Still have questions about the new AWIA requirements?
Contact the U.S. Environmental Protection Agency (U.S. EPA) at dwresilience@epa.gov.

Office of Water (4608T)
EPA-817-F-19-004
May 2019



FREQUENTLY ASKED QUESTIONS

I need more information about risk and resilience assessments and emergency response plans:

Risk and resilience assessments evaluate the vulnerabilities, threats and consequences from potential hazards.

What does a risk and resilience assessment include?

- Natural hazards and malevolent acts (i.e., all hazards).
- Resilience of water facility infrastructure (including pipes, physical barriers, water sources and collection, treatment, storage and distribution, and electronic, computer and other automated systems).
- Monitoring practices.
- Financial systems (e.g., billing systems).
- Chemical storage and handling.
- Operation and maintenance.

Who should I work with when creating my emergency response plan?

- Utilities must coordinate the risk and resilience assessments, as well as the emergency response plans with local emergency planning committees.

For more information, see www.congress.gov/bill/115th-congress/senate-bill.

I need more information on the certification process:

What do I need to submit to the U.S. EPA?

- Each utility must submit a certification of your risk and resilience assessment and emergency response plan. Each submission must include: utility name, date and a statement that the utility has completed, reviewed or revised the assessment. The U.S. EPA has developed an optional certification template that can be used for email or mail certification. The optional certification form will be available in August 2019.

Who can certify my risk and resilience assessment and emergency response plan?

- Risk and resilience assessments and emergency response plans can be self-certified by the utility.

How do I submit my certification?

- Three options will be provided for submittal: regular mail, email and a user-friendly secure online portal. The online submission portal will provide drinking water systems with a receipt of submittal. The U.S. EPA recommends using this method. The certification system will be available in August 2019.

What does an emergency response plan include?

- Strategies and resources to improve resilience, including physical security and cybersecurity.
- Plans and procedures for responding to a natural hazard or malevolent act that threatens safe drinking water.
- Actions and equipment to lessen the impact of a malevolent act or natural hazard, including alternative water sources, relocating intakes and flood protection barriers.
- Strategies to detect malevolent acts or natural hazards that threaten the system.

When can I submit the initial certification?

- Utilities should wait to submit the initial certification to the U.S. EPA until the U.S. EPA publishes *Baseline Information on Malevolent Acts Relevant to Community Water Systems*, which is required under AWIA by August 2019.

Do I need to submit my certification to my state or local government?

- No. Section 2013 of AWIA does not require utilities to submit the certification to state or local governments.

How long do I need to keep a copy of my risk and resilience assessment and emergency response plan?

- Utilities need to keep a copy of both documents for five years after certification.

What if I do not have a copy of my most recent risk and resilience assessment?

- The U.S. EPA intends to destroy vulnerability assessments (VAs) submitted in response to the Bioterrorism Act of 2002, but if utilities would like to have their VA and certification documents mailed to them, contact WSD-Outreach@epa.gov, and on utility letterhead, include the utility name, PWSID, address and point of contact as an attachment to the email.

RESOURCES & TOOLS

Conducting a Risk and Resilience Assessment

- The U.S. EPA's Risk and Resilience Baseline Threat Document (available August 2019).
- The U.S. EPA's [Vulnerability Self-Assessment](#).

The U.S. EPA Website

- <https://www.epa.gov/waterresilience/americas-water-infrastructure-act-2018-risk-assessments-and-emergency-response-plans>.

Developing an Emergency Response Plan

- [Emergency Response Plan Guidance](#).
- The U.S. EPA's [Emergency Response Webpage](#).
- [Local Emergency Planning Committees](#).

Still have questions about the new AWIA requirements?
Contact the U.S. Environmental Protection Agency (U.S. EPA) at dwresilience@epa.gov.

Office of Water (4608T)
EPA-817-F-19-004
May 2019

CITY OF SAN ANGELO REQUEST FOR QUALIFICATIONS

Water Utilities Department

Professional Services – America’s Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan

RFQ No: WU-11-19



City of San Angelo
72 West College Avenue
San Angelo, Texas 76903

Submittal Deadline

AUGUST 27, 2019/2:00 PM, Local Time



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72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

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INVITATION

General

The City of San Angelo (COSA) is pursuing a request for qualifications (RFQ) and requesting statement of qualifications (SOQs) from qualified engineering firms (Respondent) to conduct an assessment of the risks to and the resilience of COSA's water system and for the preparation and implantation of an Emergency Response Plan (ERP) that incorporates the findings of the Assessment. The Assessment and the ERP must comply with the requirements of America's Water Infrastructure Act of 2018, 42 U.S.C.A. §300i-2.

The intent of this project is to meet the requirements of the 2018 America's Water Infrastructure Act. The assessment will include a comprehensive review of COSA's raw water system and treated water distribution system. **The EPA will require certification of the completion of the Risk & Resilience Assessment by March 31, 2020 and of the Emergency Response Plan by September 30, 2020. The selected firm must be able to meet these deadlines.**

2018 Water Infrastructure Act Requirements

Requirements for the 2018 America's Water Infrastructure Act are summarized below, but can be found at the following web address.

<https://www.epa.gov/waterresilience/americas-water-infrastructure-act-2018-risk-assessments-and-emergency-response-plans#RRA>

A. Risk and Resilience Assessment

Each community water system serving a population of greater than 3,300 persons shall assess the risks to, and resilience of, its system. Such an assessment shall include:

1. the risk to the system from malevolent acts and natural hazards;
2. the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. the monitoring practices of the system;
4. the financial infrastructure of the system;
5. the use, storage, or handling of various chemicals by the system; and
6. the operation and maintenance of the system.

The assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

B. Emergency Response Plan

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare or revise, where necessary, an emergency response plan that incorporates the findings of the assessment. The plan shall include:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and



4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Community water systems shall to the extent possible coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 when preparing or revising an assessment or emergency response plan under the AWIA. Further, systems must maintain a copy of the assessment and emergency response plan for five years after certifying the plan to the EPA.

Confidentiality

All proposals submitted shall remain confidential. After award, proposals will be made available for public inspection. The City shall not be responsible for the confidentiality of any trade secrets or other information contained or disclosed in the proposal unless clearly identified as such.

Document Availability

Proposal Documents are available in the Purchasing Division or may be downloaded from the City's website at www.cosatx.us. To locate the documents on the website, go to:

Bid Information > RFQ: WU-11-19/ Professional Services – America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan

Digital Format

If proposal specifications are obtained in digital format in order to prepare a response, the response must be submitted in hard copy according to the instructions contained in this proposal package. If, in its response, respondents make any changes whatsoever to the published proposal specifications, the proposal specification **as published** shall control. Furthermore, if an alteration of any kind to the proposal specification is discovered after the contract is executed and is or is not being performed; the contract is subject to immediate cancellation without recourse.

Insurance and Indemnification Requirements

Insurance and indemnification requirements applicable to this project are detailed within the special insurance rider and/or the draft project agreement included with this solicitation package. Please review the insurance and indemnification requirements with your insurance agent prior to submission.

Interpretations

All questions about the meaning or intent of the contract documents, including specifications shall be submitted to the Purchasing Division via email sapurch@cosatx.us or in writing. Please include the RFQ Number and Title in the subject line. Questions received after the deadline established for submitting questions/interpretations will not be answered.

Replies will be issued by addenda and posted on the City's website. Only questions answered by formal written addenda will be binding. Oral interpretations or clarifications will be without legal effect.

Required Response

The City requires a response to any Request for Proposal (RFQ) notifications mailed to potential vendors. Should a company choose not to participate, then in order to remain on the City of San Angelo's potential vendors list, a "No Bid Reply" form must be submitted.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Deadline and Delivery Location

Sealed RFQ submittals must be received no later than **August 27, 2019, 2:00 PM, Local Time**. The clock located in Purchasing will serve as the official record of time. Proposals received after the bidding deadline, regardless of the mode of delivery, will not be considered.

It is the sole responsibility of the vendor to ensure that the sealed RFQ submittal arrives in the Purchasing Office by the specified deadline, regardless of the method chosen by the firm for delivery.

Faxed or electronically submitted proposals will not be accepted.

Copies

Submit: One (1) unbound original (binder clips are acceptable), three (3) bound copies (binders, staples or binder clips are acceptable), and one (1) copy in PDF format on USB Flash Drive of all required RFQ forms.

Delivery Address

City of San Angelo
Purchasing Division, RFQ: WU-11-19
72 West College Avenue, Suite 310
San Angelo, Texas 76903

Mark Sealed Envelope: "RFQ: WU-11-19/ Professional Services – America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan"

Addenda

Should specifications be revised prior to the deadline for submittals, the City's Purchasing Division will issue addenda addressing the nature of the change and post them on the City's website. Respondents should **acknowledge any addenda and return the form with their proposal package**. Respondent is responsible for checking the City's website to determine if any addenda have been issued prior to submitting a proposal. Failure to consider all addenda will be at the respondent's risk.

Award of Contract

The City reserves the right to accept or reject any or all proposals, and to waive any informalities or irregularities in the RFQ process. The City is an equal opportunity employer.

The City will select the most highly qualified respondent(s) of the requested services based on all evaluation factors and then attempt to negotiate a contract.

Acceptance of Proposal Content

Before submitting a proposal, each respondent shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the performance of the contract and to verify any representations made by the City upon which the proposal will rely. If the respondent receives an offer because of its proposal, failure to have made such investigation and examinations will in no way relieve the respondent from its obligation to comply in every detail with all provisions and requirements.

Equal Employment Opportunity

Attention of respondents to the requirement for ensuring that employees and applicants for employment are not discriminated against because of their race, color religion, sex, national origin, age, or disability.



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Proposal Term

This proposal will be for two (2) years effective from the award date by the City Council. Two (2) additional one (1) year term extensions will be available subject to agreement by both parties.

The respondent must notify the City ninety (90) days prior to the end of each term as to their intention to terminate the contract. Terms will renew automatically unless ninety (90) days written notice is given for termination.

Points of Contact

Nolan Sosa, Manager
Purchasing Division
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903
sapurch@cosatx.us
(325) 657-4219

Allison Strube, Director
Water Utilities Department
City of San Angelo
301 W. Beauregard Ave.
San Angelo, Texas 76903



1. INSTRUCTIONS TO RESPONDENTS

1.1. Corrections, Additions, or Deletions

Corrections, additions, or deletions to any portion of the invitation will be in the form of written addenda.

1.2. Examinations of RFQ Documents

Respondents are expected to examine all specifications, drawings, standard provisions, and instructions. Failure to do so will be at the respondent's risk.

1.3. Taxes

All quotations are to be submitted less Federal Excise and State of Texas Sales Taxes. Tax exemption certificates will be provided upon request.

1.4. Authorized Signature

Proposals must show vendor name, address, and be manually signed. The person signing the proposal must have authority to bind their firm in a contract. Any erasures or other changes must be initialed by the person signing the proposal.

1.5. Modification or Withdrawal of Proposals

Proposals **CANNOT** be altered or amended after the closing time. Proposals may be modified or withdrawn prior to the closing hour and date by written notice to the Purchasing Division. A proposal may also be withdrawn in person by a respondent or their authorized agent, provided their identity is made known and they sign a receipt for the proposal. No proposal may be withdrawn after the closing time and date without acceptable reason in writing and with approval of the Purchasing Division.

1.6. Restrictions on Communication

Respondents shall not communicate with: 1) elected City officials and their staff regarding the RFQ or from the time the RFQ has been released until the contract is posted as a City Council agenda item; and 2) City employees from the time the RFQ has been released until the contract is awarded. These restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or proposal submitted by respondent. Violation of this provision by respondent and/or its agent may lead to disqualification of respondent's proposal from consideration.

Exceptions to the Restrictions on Communication with City employees include:

1. Private (non-business) contacts with the City by the respondent's employees acting in their personal capacity;
2. Casual social contacts that do not include mention of the RFQ;
3. Respondents may submit written questions concerning this RFQ to the email listed below up to a week prior to submission due date. Questions received after the stated deadline will not be answered.

It is required that all questions be sent by email to sapurch@cosatx.us. **Please ensure the RFQ Number and Title is in the Subject Line.** Questions submitted and the City's responses will be published in the form of addenda to the City's website at <https://www.cosatx.us>. Respondent is responsible for calling the City or reviewing the website to determine if any addenda have been issued prior to their submittal. Only questions answered by formal addenda will be binding;

4. Respondents may provide responses to questions asked of them after responses are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, respondents shall not bring lobbyists. All cost



CITY OF SAN ANGELO

PURCHASING DIVISION

72 West College Avenue, San Angelo, Texas 76903

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associated with interviews will be at the respondents' expense. The City reserves the right to exclude any persons from interviews as it deems in its best interests;

5. Upon completion of the evaluation process, respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than five (5) calendar days from the date the letter was sent. The letter will indicate the name and address for submission of requests for review.

City reserves the right to contact any respondent to negotiate if such is deemed desirable by City. Such negotiations initiated by City staff persons shall not be considered a violation by respondent of this section.

1.7. Disqualification

The respondent may be disqualified for any of the following reasons:

- A. The respondent is involved in any litigation against the City of San Angelo;
- B. The respondent is in arrears on any existing contract or has defaulted on a previous contract with the City;
- C. The respondent is debarred, suspended, terminated, or otherwise excluded from or ineligible covered transactions by any federal, state, or local government entity or agency;
- D. The proposal is not received by the proposal submittal deadline; or,
- E. The proposal is not executed by a person authorized to enter into a contract binding on the respondent.

1.8 Reservations

The City expressly reserves the right to accept, reject, or cancel all proposals AND:

- A. Waive any defect, irregularity, or informality in any proposal or bidding procedure;
- B. Extend the proposal closing time and date;
- C. Reissue a bid invitation or RFQ;
- D. Procure any item by other means; or,
- E. Increase or decrease the quantity specified, unless the vendor specifies otherwise.

1.9 Acceptance

Acceptance of respondent's offer will be in the form of a purchase order and contract. Notice for annual contract agreements will be a notice of award, purchase order, or contract.



2. SCOPE OF SERVICES REQUESTED

2.1. Background

COSA provides water and wastewater services to approximately 100,000 customers. COSA operates a surface water treatment facility and a groundwater treatment facility from a wellfield 62-miles southeast of San Angelo in McCullough, Concho, and Menard counties in the Hickory Aquifer formation. COSA is also responsible for the operations and maintenance of the Twin Buttes Reservoir and Lake Nasworthy.

The assessment will include, but not limited to, the following facilities:

1. Hickory Groundwater System: wellfield consisting of 15 wells, booster pump station, ground storage facility, raw water transmission, and treatment facility
2. Surface Water Treatment Facility
3. Concho River Raw Water Intake
4. COSA's Distribution System:
 - a. Lakeview Elevated Storage Facility
 - b. Bluffs Elevated Storage Facility
 - c. Loop Tank Elevated Storage Facility
 - d. Abilene Ground Storage Facility & Pump Station
 - e. Southwest Ground Storage Facility & Pump Station
 - f. Over 650 miles of water mains
5. COSA's SCADA system, AML system, & billing system

2.2. Scope of Work Objectives

As part of the professional services required to complete this project, the selected firm will generally perform the following work:

1. Conduct meetings with COSA staff and key stakeholders to document existing practices and procedures and obtain input from stakeholders.
2. Perform site visits and evaluate systems at existing facilities for risk and resiliency. This evaluation will also include monitoring practices, to include the use, storage, and handling of various chemicals used at each location.
3. Perform assessment of the field operations and maintenance facilities for COSA.
4. Perform assessment of the financial infrastructure for COSA.
5. Perform assessment to determine risk to SCADA systems from malicious acts and natural disasters.

A. Phase 1 – Risk & Resiliency Assessment

The EPA's Risk and Resilience Baseline Threat Document will be available in August 2019 and the assessment shall at minimum meet these requirements. Complete a Risk & Resiliency Report summarizing the findings and provide assistance with the certification letter. The Risk & Resiliency Assessment shall meet the AWWA J100-10 standard and should include the following requirements of AWWA J100-10:

1. Asset Characterization
2. Risk Assessment – Threat Characterization
3. Consequence Analysis
4. Threat Analysis
5. Vulnerability Analysis



6. Risk and Resilience Analysis
7. Risk and Resilience Management

The assessment may include an evaluation of capital and operational needs for the management of risk and resilience of the system. The selected respondent shall also provide training materials to COSA staff to review and revise the assessment in five (5) years.

The USEPA currently has guidance and information on Risk & Resiliency Assessments on its website. This information will include consideration of acts that may (1) substantially disrupt the ability of the system to provide a safe and reliable supply of drinking water; or (2) otherwise present significant public health or economic concerns to the community served by the water system. Certification that a Risk & Resiliency Assessment has been conducted must be submitted to the USEPA Administrator by March 31, 2020.

B. Phase 2 – Emergency Response Plan

Complete Emergency Response Plan by September 30, 2020 and provide assistance with the certification letter. The Emergency Response Plan shall meet the EPA 810-F-03-007 standard and should include the following components of EPA 810-F-03-007:

1. System Specific Information
2. Identification of Alternative Water Sources
3. Chain-of-Command Chart Developed in Coordination with Local Emergency Planning Committee
4. Communication Procedures: Who, What, When
5. Personnel Safety
6. Equipment
7. Property Protection
8. Training, Exercises, and Drills
9. Assessment



3. PROPOSAL FORMAT

Proposals shall be submitted in the following format with each element requested and/or form furnished as specified to facilitate evaluation of the proposals. The detailed requirements in this RFQ are mandatory. Respondents may consider combining or separating the items listed below for each auction type, if applicable.

FAILURE TO ADHERE TO THE REQUIRED FORMAT MAY BE CAUSE FOR REJECTION OF PROPOSAL.

To aid in the evaluation, all responses shall follow the same general format.

Submittals shall not exceed 15 pages (excluding City of San Angelo's required forms). A cover letter WILL be considered as one of the 15 pages. Submittals shall be complete and the following will be required for the evaluation process:

The statement of qualifications shall include, at a minimum, the following information:

1. Ability, Capacity & Skill of Team
 - a. Names, qualifications and office location of team projected to be involved
 - b. Previous collaborations between members of team and/or how the team plans to work together on this project
 - c. Project specific organization chart, with primary point of contact clearly labeled
 - d. Evidence of appropriate state registrations
2. Experience
 - a. Relevant projects and clients (include contact person and phone numbers) that may be contacted for references and verification of background
3. Client/Regulatory Interaction
 - b. Manner in which the consultant interacts with the various groups involved with the development of a project (such as regulatory agencies and City staff)
 - c. Provide description of how this team intends to work with the City of San Angelo on this project
4. Scope of Services
 - a. Convey perceptions of the scope, opportunities and constraints surrounding the project
 - b. Description of the team's Project Approach
 - c. Description of deliverables and anticipated schedule for project (Flexibility in reacting to customer requirements is important to this contract. COSA expects the consultant to be responsive to COSA requirements to meet our schedule needs, even if it means adding resources during the course of the project. The key milestone for this project is Certification that a Risk & Resiliency Assessment has been conducted must be submitted to the USEPA Administrator by March 31, 2020. Final Emergency Response Plans must be submitted by September 30, 2020.)
 - d. Information about any additional services, relevant to this project which could be provided by the consultant
5. References
 - a. References are a part of the City of San Angelo's required forms, and not needed to be duplicated in the 15-page maximum submittal.



4. SELECTION PROCESS

A selection committee will evaluate and rank the proposals in relation to the published selection criteria within 20 days after the opening.

The City reserves the right to negotiate the final fee schedule, prior to recommending any contract. The City also reserves the right to negotiate and execute agreements with multiple qualified vendors as described in the “General” information section of this solicitation document.

The City’s process is as follows:

1. The City will evaluate and rank the proposals in relation to the published selection criteria within twenty (20) days after the opening.
2. The City reserves the right to revise the proposal and then request “Best and Final Offers” from the top candidates following the initial evaluation.
3. The City then will select the proposal(s) that offers the best value based on the published selection criteria and its ranking evaluation.
4. Following the selection, the contract negotiation process begins, and the City will negotiate first with the highest ranked offer(s). At this stage, the City may discuss modifications to the proposed scope, time and price. Modifications are not required, and if they are discussed but not agreed to by the City and the respondent, a final contract may still be negotiated and agreed upon based on the original response to the RFQ. If the two parties are unable to reach a final agreement, the City will inform that respondent in writing that negotiations are ended.
5. The City may then negotiate with the next ranked respondent(s). This continues in the order of the selection ranking until the final execution of a contract (or multiple contracts) or the rejection of all proposals.

The proposals will be evaluated based on the criteria and weighting detailed below:

Item	Criteria	Points
1	Ability, capacity & skill of team	25
2	Experience	20
3	Client / Regulatory Interactions	15
4	Scope of Services	30
5	References	10
Total		100



5. NO BID REPLY

For RFQ: WU-11-19/ Professional Services – America’s Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan

If for any reason, you are not submitting a bid/proposal, please check one or more reasons below and return the form to us either by mail or by email to sapurch@cosatx.us in order to remain in our database for these types of products or services.

By providing us this information, we hope to improve future request packages that will elicit your participation.

===== # # # =====

PLEASE PRINT

We wish to: ☐ **Remain On**
☐ **Be Deleted From** the list of vendors for the City of San Angelo.

A. We hereby submit a "No Bid" because:

- ☐ 1. We are not interested in selling through the bid process.
- ☐ 2. We are unable to prepare the bid form in time to meet the due date.
- ☐ 3. We do not wish to bid under the terms and conditions of the Request for Bid/Proposal.
OBJECTIONS: _____

- ☐ 4. We do not feel we can be competitive.
- ☐ 5. We cannot submit a bid because of the marketing or franchising policies of the manufacturing company.
- ☐ 6. We do not wish to sell to the City of San Angelo. OBJECTIONS: _____

- ☐ 7. We do not sell the items or provide the services requested.
- ☐ 8. Other: _____

Firm _____

Signed _____

Date _____

Thank you for your assistance!



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Originals Forms Required

Submit: One (1) unbound original (binder clips are acceptable), three (3) bound copies (binders, staples or binder clips are acceptable), and one (1) copy in PDF format on USB Flash Drive of all required RFQ forms.

Please clearly indicate the original as such.

Please submit all forms in the following order:

- ☐ Response to RFQ: WU-11-19
- ☐ Contact Information Form (**IRS Form W-9**)
- ☐ Addenda Acknowledgment Form
- ☐ Disclosure of Certain Relationships Form
- ☐ Debarment and Suspension Certification
- ☐ Local Preference Consideration Application & Economic Impact Details
- ☐ Vendor Compliance with Reciprocity on Non-Resident Vendors
- ☐ List of References (Copied from Response to RFQ: WU-11-19)
- ☐ Special Insurance Rider
- ☐ Verification Relating to Prohibited Contracts – Israel
- ☐ Sample Contract Documents
- ☐ Survey

*At Council award, one original of the Texas Ethics Commission Interested Parties Disclosure Form 1295 completed online at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm will be required within thirty (30) days following the date of Council action. Failure to submit the Form 1295 within the prescribed time limit may result in loss of contract(s).

In submitting its proposal, respondent certifies that it has not lobbied the City or its officials, managers, employees, consultants, or contractors in such a manner as to influence or to attempt to influence the bidding process. In the event it reasonably appears that the respondent influenced or attempted to influence the bidding process, the City may, in its discretion, reject the proposal.

Submit all required forms beyond this point.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Contact Information Form

Vendor Name: _____

**Authorized
Signature:** _____

Print Name: _____

Date: _____

Title: _____

Email: _____

Primary Contact: _____

Title: _____

Email: _____

Telephone: _____

Fax: _____

Mailing Address: _____

City, State, Zip: _____

Physical

Address: _____

(Cannot be a PO Box)

City, State, Zip: _____

Attach IRS W-9



CITY OF SAN ANGELO
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Addenda Acknowledgement

Receipt is hereby acknowledged of the following addenda to the Contract documents.

Addendum No. 1 dated _____	Received _____
Addendum No. 2 dated _____	Received _____
Addendum No. 3 dated _____	Received _____

Please Print

Company Name

Signature

Printed Name

Title

Address

City, State Zip Code



CITY OF SAN ANGELO
PURCHASING DIVISION
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Disclosure of Certain Relationships

NOTICE TO VENDORS

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local governmental entity make certain disclosures concerning any affiliation or business relationship that might cause a conflict of interest with the local governmental entity. The provisions of Chapter 176 and the Form CIQ questionnaire that you must complete, if applicable, to comply with this new law, are available and explained in more detail at the Texas Ethics Commission website at https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

A current list of City of San Angelo and City of San Angelo Development Corporation officers is available in the office of the City of San Angelo City Clerk, Room 201 of City Hall or on the City's website at <http://cosatx.us>. If you are considering doing business with the City of San Angelo or the City of San Angelo Development Corporation and have an affiliation or business relationship that requires you to submit a completed Form CIQ, it must be filed with the records administrator (City Clerk) of the City of San Angelo not later than the 7th business day after the date you become aware of facts that require the form to be filed. See Section 176.006, Texas Local Government Code. It is a Class C misdemeanor to violate this provision.

By submitting a response to a City of San Angelo or City of San Angelo Development Corporation Request for Bid proposals, Request for Bids, or Request for Qualifications or by conducting business with either of those two entities, you are representing that you are in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

A handwritten signature in blue ink, reading "Nolan A. Sosa".

Nolan A. Sosa
Purchasing Manager



CITY OF SAN ANGELO
PURCHASING DIVISION
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LOCAL GOVERNMENT OFFICERS OF THE CITY OF SAN ANGELO
As defined by Chapter 176 of the Texas Local Government Code
(Revised 03/05/19)

For purposes of completion of the required Conflict of Interest Questionnaire for the City of San Angelo (required by all buyers who submit bids/proposals), Local Government Officers are:

City of San Angelo City Council:

Mayor: Brenda Gunter

Councilmembers:

Tommy Hiebert, SMD 1
Tom Thompson, SMD 2
Harry Thomas, SMD 3 (Mayor Pro Tempore)
Lucy Gonzales, SMD 4
Lane Carter, SMD5
Billie DeWitt, SMD 6

City Manager: Daniel Valenzuela

City of San Angelo – Development Corporation Officers:

Todd R. Kolls, President
Bill Dendle, First Vice President
David Cummings, Second Vice President
Edward Carrasco, Director
Garland Freeze, Director
Max Puello, Director

Executive Director: Guy Andrews



CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ **Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).**

7

Signature of vendor doing business with the governmental entity

Date



CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Debarment and Suspension Certification

- (1) The prospective primary vendor certifies to the best of its knowledge and belief that it and its principals:
- (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary vendor is unable to certify to any of the statements in this certification, such prospective primary vendor shall attach an explanation to this bid proposal.

Business Name _____

Date

By: _____
Name and Title of Authorized Representative

Signature of Authorized Representative



INSTRUCTIONS

1. By signing and submitting this proposal, the prospective vendor is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective vendor shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the determination whether to enter into this transaction. However, failure of the prospective vendors to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the City of San Angelo determined to enter into this transaction. If it is later determined that the prospective vendor knowingly rendered an erroneous certification, in addition to other remedies available, the City of San Angelo may terminate this transaction for cause.
4. The prospective vendor shall provide immediate written notice to the City of San Angelo to which this proposal is submitted if at any time the prospective vendor learns that its certification was erroneous when submitted or has become erroneous because of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "vendor," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549(13 CFR Part 145). You may contact the City of San Angelo for assistance in obtaining a copy of these regulations.
6. The prospective vendor agrees by submitting this proposal that, should the proposed transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the City of San Angelo.
7. The prospective vendor further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment and Suspension" provided by the City of San Angelo, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A vendor in a covered transaction may rely upon a certification of a prospective vendor in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A vendor may decide the method and frequency by which it determines the ineligibility of its principals. Each vendor may, but is not required to, check the Non-procurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a vendor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a vendor in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the City of San Angelo, the City of San Angelo may terminate this transaction for cause.



Local Preference Consideration

Section 271.9051 of the Texas Local Government Code “CONSIDERATION OF LOCATION OF RESPONDENTS PRINCIPAL PLACE OF BUSINESS”:

In accordance with Section 271.9051 of the Texas Local Government Code, if a local government receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five (5%) percent of the lowest bid price received from a bidder who is not a resident of the municipality, on contracts less than \$500,000 and three percent (3%) on contracts over \$500,000.00 the municipality may enter into a contract with (a) the lowest bidder or (b) the bidder whose principal place of business is in the municipality if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

Local Preference Consideration DOES NOT apply to Construction Projects over \$100,000 or Telecommunication and Information Technology Bids/Purchases.

If you DO NOT have your principal place of business located within the City of San Angelo city limits – stop – do not fill out this form.

This “Application for Local Preference Consideration” does not mean that the City of San Angelo is limiting responses to this request for bids/proposals to only those businesses located within the city limits. All bids/proposals are welcome.

Respondents who wish to qualify under the local preferences law must have their principal place of business located within the San Angelo city limits.

If your principal place of business is within the San Angelo city limits and you want to apply for local preference consideration, then you must:

1. Complete the **Local Preference Consideration Application**, and
2. **Describe in writing and attach supporting documentation**, the additional economic development opportunities for the City of San Angelo that will be created if you are awarded this contract. Include the number of City of San Angelo residents that you will employ to complete this contract and the increased tax revenues that will be generated for the City of San Angelo if you are awarded this contract.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Local Preference Consideration Application

Business Name: _____

Physical Address: _____

Mailing Address: _____

City, State, Zip Code: _____

Business Type:

- ☐ Corporation – Indicate state of incorporation _____
- ☐ Partnership – Indicate “general” or “limited” _____
- ☐ Sole proprietorship _____

Attachments: Describe in writing, and attach supporting documentation, the additional economic development opportunities for the City of San Angelo that will be created if you are awarded this contract. Include the number of City of San Angelo residents that you will employ to complete this contract and the increased tax revenues that will be generated for the City of San Angelo if you are awarded this contract.

CERTIFICATION: I hereby certify under penalty of perjury that the information which I have provided on this form is true and correct, that I am authorized to sign on behalf of the business set out above and if requested by the city will provide, within 10 days of notice, the necessary documents to substantiate the information provided.

(Please print)

Authorized Representative Signature

Printed Name

Title

Date

(Attach description and documentation of economic impact as outlined on previous page.)



Vendor Compliance with Reciprocity on Non-Resident Vendors

Texas Government Code 2252.002 provides that, in order to be awarded a contract as low vendor, a non-resident vendor must bid projects for construction, improvements, supplies or services in Texas at an amount lower than the lowest Texas resident vendor by the same amount that a Texas resident vendor would be required to underbid a non-resident vendor in order to obtain a comparable contract in the state in which the non-resident's principal place of business is located. A non-resident vendor is a contractor whose corporate offices or principal place of business is outside of the state of Texas. This requirement does not apply to a contract involving Federal funds. The appropriate blanks in Section A must be filled out by all out-of-state or non-resident vendors for your submission to meet specifications. The failure of out-of-state or non-resident contractors to do so will automatically disqualify that vendor. **Resident vendors must check the blank in Section B.**

- A. Non-resident Vendors in _____ (give state), our principal place of business, are required to be _____ percent lower than resident vendors by state law. A copy of the statute is attached.

Non-resident Vendors in _____ (give state), our principal place of business, are not required to underbid resident vendors.

- B. Our principal place of business or corporate offices are in the State of Texas: _____. (Mark a "check" in the blank if this applies.)

VENDOR:

(Please print)

Company Name

Signature

Printed Name

Title

Address

City, State Zip Code



List of References

List at least three (3) references of similar scope and size giving organization name, contact information, and term.

Reference One

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Two

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Three

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



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Reference Four

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Five

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



Special Insurance Rider

1. **TYPES AND AMOUNTS OF INSURANCE REQUIRED.** Provider shall obtain and continuously maintain in effect at all times during the term hereof, at Provider's sole expense, insurance coverage as follows with limits not less than those set forth below:

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

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

1.2 Business Automobile Liability. This policy shall be written in comprehensive form and shall protect Provider and the additional insureds against all claims for injuries to members of the public and damage to property of others arising from the use of motor vehicles and shall cover operation on and off the premises of all motor vehicles licensed for highway use, whether they are owned, non-owned or hired. Coverage shall be as follows:

\$ 1,000,000.00	Each Accident Limit
-----------------	---------------------



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

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

1.4 Professional Liability. This insurance shall include contractual liability in its coverage, and the coverage under this policy shall survive the term of this Agreement as long as any liability could be asserted. Limit of liability per claim shall not be less than:

\$2,000,000.00	Combined Single Limits
----------------	------------------------

1.4 Environmental Liability. This insurance shall include contractual liability in its coverage, and the coverage under this policy shall survive the term of this Agreement as long as any liability could be asserted. Limit of liability per claim shall not be less than:

\$2,000,000.00	Combined Single Limits
----------------	------------------------

Vendor agrees to comply with City of San Angelo Special Insurance Rider requirements.

Date

By: _____
Name and Title of Authorized Representative

Signature of Authorized Representative



Verification Relation to Prohibited Contracts – Israel

City of San Angelo, Texas, RFQ WU-11-19

My name is _____, “Declarant”:
(First) (Middle) (Last)

My date of birth is _____; and,

My address is _____, _____, _____
(Street) (City) (State)
_____, and _____
(Zip Code) (Country)

My position with _____, contracting company, is _____.
(contracting company) (office held)

(1) The foregoing named contracting Company does not now and will not during the term of this contract, have contracts with or provide supplies or services to, an entity or company known to have contracts with or to provide supplies or services to a foreign terroristic organization or with an entity or company identified as providing such on a list prepared and maintained by the Texas Comptroller pursuant to Subchapter “F”, Sections 2252.151 et. seq., Chapter 2252 “Contracts with Governmental Entity” of the Texas Government Code; neither is contracting Company identified as an entity providing such supplies or services on said list.

(2) The foregoing named contracting Company does not boycott Israel; and will not boycott Israel during the term of the contract with the City of San Angelo.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of
(County)

_____, 20 _____.
(Month)

Declarant



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Sample Contract Agreement(s)

Respondents shall submit copies of standard contract terms along with any and all terms and conditions applicable to the deliverance of goods/services resulting from this solicitation.

_____ I read and can comply with all contract terms. I am not returning the draft contract.

_____ I read the contract terms, revised those I cannot comply with, and included a copy with my submission



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Draft Contract Cover

Contract # _____

RFQ No. WU-11-19 (AWIA Risk & Resiliency Assessment and Emergency Response Plan)

In consideration of the mutual covenants and promises herein contained, City of San Angelo and the below named Contractor agree as follows:

CITY OF SAN ANGELO – WATER UTILITIES DEPARTMENT

Allison Strube, Director of Water Utilities

301 W. Beauregard Avenue

San Angelo, Texas, 76903

Telephone: 325-657-4209

EMAIL: allison.strube@cosatx.us

CONTRACTOR: _____

(If an entity other than individual, indicate whether Contractor is authorized by or registered as a foreign entity with the Texas Secretary of State to do business in Texas) **Yes** ☐ / **No** ☐

Authorizing Officer/Agent: _____

EMAIL: _____

Address: _____

Telephone: _____

General Description of Project & Scope of Work:

Effective Date: This contract shall be effective from and after the _____ day of _____, 2019.

Date of City Council Authorization _____, 2019

Contract Time: ☐ Contractor agrees to substantially complete Work within _____ consecutive days after the date Work commences as established by the Notice to Proceed, except upon Change Order authorized under this contract or written amendment executed by the authorized representatives of the parties pursuant to authority of their governing bodies; or

☒ The term of this contract shall be for a period of (2) Three years, commencing on the "Effective Date" and automatically expiring on _____, 2019, subject to extension as may be provided for in the contract documents.

☒ City shall have two(2) options to extend the term hereof for a period of one (1) year each, subject to availability and appropriation of funds. City must notify Provider of its desire to exercise the option to extend the term hereof in writing ninety (90) calendar days prior to the expiration of this Agreement



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Davis-Bacon Act or Texas Prevailing Wage Rate, Texas Gov. Code, Chap. 2258:

Davis-Bacon Act required payment of prevailing wages on federally funded or assisted construction projects

☐ **Applies** / ☒ **Does Not Apply** to this contract.

Texas Government Code Chapter 2258 Prevailing Wage Rates

☐ **Applies** / ☒ **Does Not Apply** to this contract.

Contract Price: Notwithstanding anything to the contrary in the contract documents, compensation due and payable by the City under this Contract shall not exceed;

☐ Base Price \$ _____,

☒ Schedule of Rates and Charges (Fee Schedule),

☐ plus Alternate 1 \$ _____,

☐ plus Alternate 2 \$ _____,

☐ plus Alternate 3 \$ _____

for a total sum of _____ AND NO/100 DOLLARS (\$ _____), except upon Change Order authorized under this contract or written amendment executed by the authorized representatives of the parties pursuant to authority of their governing bodies.

Contract Documents Adopted by Reference: The parties to this Contract adopt in their entirety by reference thereto each of the following contract documents indicated by checkmark, as if each document were set forth herein word for word and in its entirety:

☒ RFQ No. WU-11-19

☐ ADDENDUM 1 to bid dated _____, 20____

☐ ADDENDUM 2 to bid dated _____, 20____

☐ ADDENDUM 3 to bid dated _____, 20____

☐ City of San Angelo Standard Performance Contract Terms (effective April 16, 2018)*

☒ City of San Angelo Standard Professional Services Contract Terms (effective April 16, 2018)*

☐ City of San Angelo Special Contract Terms for Non-Professional Services Contracts (effective April 16, 2018)*

☐ City of San Angelo Owner's General Construction Conditions (effective April 16, 2018)*

☐ Plans: _____
(Include engineering entity, date, part/phase and other identifying information)



☐ Technical Specifications _____
(Include source, date, part/phase and other identifying information)

☒ Contractor's Response to RFQ No. WU-11-19

* The terms and conditions in these referenced contract documents apply to the Contract to the exclusion of any other terms that the Contractor seeks to impose or incorporate, or which are implied by trade, custom, practice or course of dealing.

Acknowledgement of Receipt of Contract Documents:

The foregoing identified Contract Documents excluding Contractor's Response to request for bid or proposal are posted on the City's website at <http://www.cosatx.us/departments-services/purchasing/bid-information>. Hard copies are available to the Contractor upon request addressed to the City of San Angelo, Purchasing Division, 72 W. College, San Angelo, Texas 76903; (325) 657-4219. BY THE EXECUTION HEREOF, CONTRACTOR REPRESENTS THAT CONTRACTOR HAS REVIEWED AND IS FAMILIAR WITH EACH OF THE CONTRACT DOCUMENTS, HAS SECURED HARD COPIES OF THE CONTRACT DOCUMENTS THAT CONTRACTOR DESIRES TO ACQUIRE, AND AGREES THAT IT IS THE INTENTION OF THE PARTIES THAT THE CONTRACT DOCUMENTS BE MADE A PART OF THIS AGREEMENT AS IF EACH WERE SET FORTH, VERBATIM IN THIS AGREEMENT.

The terms, provisions, specifications and conditions of RFQ No. WU-11-19 and any other documents, conditions, specifications, technical data, drawings, requirements and addenda comprising said RFQ shall prevail over any conflicting term, provision, specification or condition in Contractor's Response.

Separately Executed Contract Documents: The following contract documents indicated by checkmark below are separately required to be executed by the Contractor as conditions precedent to City's performance obligations under the contract:

☒ Authorized Signature/Contact Information (with W-9)

☒ Addenda Acknowledgement

☐ Bid Security (based on base bid price)

☐ Performance & Payment Bonds (if applicable)

☒ "Conflict of Interest Questionnaire" Chapter 176 of the Texas Local Government Code

☒ Debarment and Suspension Certification

☒ Local Preference Consideration Application & Economic Impact Details

☒ Vendor Compliance with Reciprocity on Non-Resident Vendors

☒ Verification Relating to Prohibited Contracts – Israel

☒ Certificate of Insurance

☒ Special Insurance Rider



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

X Original of the Texas Ethics Commission Interested Parties Disclosure Form 1295 completed online at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm, with original submitted to City of San Angelo Purchasing Division.

Contractor Representations and Warranty: Contractor represents and warrants to City that it has not employed or retained any person or company employed by City to solicit or secure this Agreement and that it has not offered to pay, paid, or agreed to pay any person any fee, percentage, brokerage fee, or gift of any kind contingent upon or in connection with the award of this Agreement.

Authority to Execute: Each of the below named persons executing this contract hereby warrant and represent that he or she is properly authorized to execute the contract for purposes of legally binding the party on whose behalf the contract is executed.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective duly authorized officials the day and year indicated below.

CONTRACTOR:

BY: _____
(Name and office held)

DATE: _____

EMAIL: _____

CITY OF SAN ANGELO:

By: _____
Daniel Valenzuela, City Manager

ATTEST:

Julia Antilley, City Clerk

DATE: _____
(SEAL)

City Official Approvals:

APPROVED AS TO CONTENT:

Nolan A. Sosa, Purchasing Manager

APPROVED AS TO CONTENT:

Allison Strube, Director of Water Utilities

APPROVED AS TO RISK:

Charles Hagen, Risk Manager

APPROVED AS TO FORM:

Dan T. Saluri, Deputy City Attorney



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
Telephone: (325) 657-4219

Survey

How did you hear about this request?

- ☐ Newspaper
- ☐ Email
- ☐ Letter
- ☐ City Website
- ☐ Person: _____
- ☐ Other: _____



CITY OF SAN ANGELO
PURCHASING DIVISION

RFQ Acknowledgment * WU-11-19 / Professional Services - America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan
August 27, 2019 at 2:00pm

	Proposals Received	City	State
1	Burns & McDonnell Engineering Company, Inc.	Fort Worth	TX
2	AARC Consultants, LLC	San Antonio	TX
3	CDM Smith	Austin	TX
4	Freese and Nichols	Lubbock	TX
5	Garver	Fort Worth	TX
6	Integrated Solutions Consulting Corporation	Prospect Heights	IL
7	Kimley Horn	Fort Worth	TX
8	Parkhill, Smith, & Cooper	Lubbock	TX
9	Plummer	Fort Worth	TX
10	Witt O' Brien's	Houston	TX

	Mailed to:	City	State
1	CDM Smith	Austin	TX
2	Enprotec, Hibbs, Todd	Abilene	TX
3	Freese and Nichols	Lubbock	TX
4	Garver	Fort Worth	TX
5	Jones Carter	San Antonio	TX
6	Kimley Horn	Fort Worth	TX
7	KSA Engineering	San Angelo	TX
8	Parkhill, Smith, & Cooper	Lubbock	TX
9	Plummer	Fort Worth	TX
10	SKG Engineering	San Angelo	TX



CITY OF SAN ANGELO

PURCHASING DIVISION

RFQ Acknowledgment * WU-11-19 / Professional Services - America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan

August 27, 2019 at 2:00pm

Committee Member:		Burns & McDonnell Engineering Company, Inc.	AARC Consultants, LLC	CDM Smith	Freese and Nichols	Garver	Integrated Solutions Consulting Corporation	Kimley Horn	Parkhill, Smith, & Cooper	Plummer	Witt O' Brien's
Category	Max Pts										
Submission Evaluation	100	0	91	96	95	94	74	93	91	96	77
Total Score	100	0.00	91.00	96.00	95.00	94.00	74.00	93.00	91.00	96.00	77.00

Committee Member:		Burns & McDonnell Engineering Company, Inc.	AARC Consultants, LLC	CDM Smith	Freese and Nichols	Garver	Integrated Solutions Consulting Corporation	Kimley Horn	Parkhill, Smith, & Cooper	Plummer	Witt O' Brien's
Category	Max Pts										
Submission Evaluation	100	0	85	93	90	88	71	85	74	92	83
Total Score	100	0.00	85.00	93.00	90.00	88.00	71.00	85.00	74.00	92.00	83.00

Committee Member:		Burns & McDonnell Engineering Company, Inc.	AARC Consultants, LLC	CDM Smith	Freese and Nichols	Garver	Integrated Solutions Consulting Corporation	Kimley Horn	Parkhill, Smith, & Cooper	Plummer	Witt O' Brien's
Category	Max Pts										
Submission Evaluation	100	0	86	95	95	92	75	88	78	95	77
Total Score	100	0.00	86.00	95.00	95.00	92.00	75.00	88.00	78.00	95.00	77.00

Committee Member Summary	Total Points	Burns & McDonnell Engineering Company, Inc.	AARC Consultants, LLC	CDM Smith	Freese and Nichols	Garver	Integrated Solutions Consulting Corporation	Kimley Horn	Parkhill, Smith, & Cooper	Plummer	Witt O' Brien's
Category											
Submission Evaluation	300	0.00	262.00	284.00	280.00	274.00	220.00	266.00	243.00	283.00	237.00
Total Score	300	0.00	262.00	284.00	280.00	274.00	220.00	266.00	243.00	283.00	237.00
Ranking		10	6	1	3	4	9	5	7	2	8

Memo

To: Nolan Sosa, Purchasing Manager

From: Allison Strube, Water Utilities Director

Date: September 9, 2019

Re: Professional Services: America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan – RFQ No. WU-11-19

Ten submissions were originally received for the subject RFQ. One of the ten submissions was disqualified for failing to provide all required documents. After reviewing the nine remaining submissions for the Professional Services: America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan, the three-member committee (consisting of myself, Andy Vecellio – Water Utilities Assistant Director, and Lance Overstreet – City Engineer) scored the submissions, and below walks through the top three ranking submissions.

1. **CDM Smith Inc., Austin, Texas** – 284 points. CDM Smith Inc. (CDM) presented a very detailed and thorough qualifications package that emphasized how they are exceedingly qualified to perform this assessment and Emergency Response Plan for the City of San Angelo (COSA). CDM is familiar with the City of San Angelo's system, as they have recently completed the City's Water Master Plan and Lake Nasworthy Sewer Evaluation. They are currently performing these same assessments for North Texas Municipal Water District, City of Fort Worth, and others across the nation. CDM has put together a robust and highly qualified team to meet the 2018 American Water Infrastructure Act requirements.
2. **Plummer Associates, Inc., Fort Worth, Texas** – 283 points. Plummer Associates, Inc. (Plummer) presented a qualified team and even brought additional consultants to assist with the work, Enprotec / Hibbs & Todd, Inc. and Raftelis. The qualifications package submitted highlighted the strength of the team and the previous work performed by all the consultants for COSA, but they ultimately fell one point short of the leading submission.
3. **Freese and Nichols, Inc., Fort Worth, Texas** – 280 points. Freese and Nichols, Inc. (FNI) has performed work for COSA in the past including the Water System Vulnerability Assessment (post 9/11 requirement) and Risk Management Plan to comply with the Clean Air Act. While FNI is a very qualified firm and they have historically performed work for COSA's water system, they have not had as much recent experience with COSA's system as the two higher ranking firms.

As a result of the rankings, the committee is recommending that CDM Smith of Austin, Texas, be approved for a contract for the Professional Services: America's Water Infrastructure Act Risk & Resiliency Assessment and Emergency Response Plan for the City of San Angelo.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bucky Hasty, IT Manager, Information Technology, 325-486-3767

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider awarding IT-02-19: IDIQ for Mobile Telecommunications Devices to West Central Wireless and authorizing the City Manager to negotiate and execute all related documents (Bucky Hasty)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|--------------------------|------------------------------|
| 1. | IT-02-19 Acknowledgement | IT-02-19 Acknowledgement.pdf |
|----|--------------------------|------------------------------|

Presentation:

Approvals/Reviews:

Bucky Hasty	Created/Initiated
Bucky Hasty	Approved
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval



CITY OF SAN ANGELO

RFQ Acknowledgment * IT-02-19 - IDIQ - Wireless Telecommunications Devices

July 17, 2019 2:00 PM

Proposals Received

1	West Central Wireless
2	Verizon
3	Sprint
4	
5	
6	
7	
8	
9	
10	

Mailed to:

1	Hawkins Group
2	West Central Wireless
3	Verizon
4	
5	
6	
7	
8	
9	
10	

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider awarding PK-02-19: Sulfur Springs Irrigation Project to Entrenos, Inc. dba Farmer's Daughter Landscape (San Angelo, TX) in the amount of \$158,500, budgeted for purchase in fiscal year 2019, and authorizing the City Manager to negotiate and execute all related documents (Roger Havlak/Allison Strube)

Summary/History:

Citizens who reside in the Santa Rita neighborhood have requested a new irrigation system for the Sulfur Springs Park area. Park's staff also feels that a new irrigation system would benefit the overall quality and sustainability of the turf and tree population.

Sulfur Springs Park (approximately 4 acres) is located between S. Washington Street and S. Madison Street. It is comprised of open space with several mature stands of trees and an old, labor-intensive quick-coupler irrigation system that has not been in use for over 10 years due to irreparable conditions. Recently, a new sewer piping system was installed throughout much of the park, resulting in additional damage to the existing irrigation system.

Savings from the Sulfur Draw Sewer Project, coupled with Council-approved funds for tree irrigation during extreme drought conditions (\$25,000) will be used to install a new irrigation system. The infrastructure will include tree drip lines (newly planted trees), tree bubblers (existing mature trees), strategically-placed quick couplers, and turf irrigation within all 5 sections of this park.

The "Request for Bid" process was utilized through the City Purchasing Department and the bid opening was completed on September 10, 2019. Two local vendors submitted bids with the lowest qualified bidder being Entrenos, Inc. dba Farmer's Daughter Landscape with a bid of \$158,500. If awarded, the contracted vendor will begin installation after October 1, 2019 with an estimated completion date of February 1, 2020. Park's staff will then re-seed the park with Bermuda grass and potentially plant additional trees in March/April 2020.

Financial Impact:

\$133,500 will be funded by the project savings of the Sulfur Draw Sewer Project that affected much of the area to be irrigated as a part of this project. The remaining \$25,000 will be funded with Council-approved funds for tree irrigation for the Sulfur Springs Park site during extreme drought conditions.

Other Information/Recommendation:

City staff recommends approval.

Attachments:

- | | |
|-------------------------------------|--------------------------------------|
| 1. PK-02-19 Request for Bids 090519 | PK-02-19 Request for Bids 090519.pdf |
| 2. PK-02-19 Addendum 1 | FS-10-19 Addendum 1.pdf |

- | | | |
|----|---|---|
| 3. | Final Drawings Sept 2019 PK0219ProposalPlan | Final Drawings Sept 2019 PK0219ProposalPlan.pdf |
| 4. | PK-02-19 Addendum 2 | FS-10-19 Addendum 2.pdf |
| 5. | PK-02-19 Bid Tab | PK-02-19 Bid Tab.pdf |

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Roger Havlak	Approved
Carl White	Approved
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY OF SAN ANGELO REQUEST FOR BIDS

Parks and Recreation Department

Sulfur Springs Irrigation Project

RFB No. PK-02-19



City of San Angelo
72 West College Avenue
San Angelo, Texas 76903

Submittal Deadline

September 10, 2019/3:00 PM, Local Time



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CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

INVITATION TO BID

General

The Parks and Recreation Department of the City of San Angelo is requesting bids for the installation of the Sulfur Springs Irrigation project.

Estimated Project Start Date: October 1, 2019

Estimated Length of Project: Two months. Completion by February 1, 2020.

Pre-Bid Conference

A mandatory pre-bid conference will be held on **September 4, 2019 at 3:30 P.M, Local Time** located at the Stormwater Office (1943 St. Ann Street, San Angelo, Texas 76905). Representatives of the City will discuss the project and answer questions regarding bid procedures.

Confidentiality

All bids/proposals submitted shall remain confidential. After award, proposals will be made available for public inspection. The City shall not be responsible for the confidentiality of any trade secrets or other information contained or disclosed in the proposal unless clearly identified as such.

Document Availability

Proposal Documents are available in the Purchasing Division or may be downloaded from the City's website at www.cosatx.us. To locate the documents on the website, go to:

Bid Information > RFB: PK-02-19/ SULFUR SPRINGS IRRIGATION PROJECT

Digital Format

If proposal specifications are obtained in digital format in order to prepare a response, the response must be submitted in hard copy according to the instructions contained in this proposal package. If, in its response, respondents make any changes whatsoever to the published proposal specifications, the proposal specification **as published** shall control. Furthermore, if an alteration of any kind to the proposal specification is discovered after the contract is executed and is or is not being performed; the contract is subject to immediate cancellation without recourse.

Insurance and Indemnification Requirements

Insurance and indemnification requirements applicable to this project are detailed within the special insurance rider and/or the draft project agreement included with this solicitation package. Please review the insurance and indemnification requirements with your insurance agent prior to submission.

Qualification Statement

Vendors should be advised that a qualification statement shall be provided to City upon request.

Interpretations

All questions about the meaning or intent of the contract documents, including specifications shall be submitted to the Purchasing Division via email sapurch@cosatx.us or in writing. Please include the RFB Number and Title in the subject line. Questions received after the deadline established for submitting questions/interpretations will not be answered.

Replies will be issued by addenda and posted on the City's website. Only questions answered by formal written addenda will be binding. Oral interpretations or clarifications will be without legal effect.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

Required Response

The City requires a response to any Request for Bid (RFB) notifications mailed to potential vendors. Should a company choose not to participate, then in order to remain on the City of San Angelo's potential vendors list, a "No Bid Reply" form must be submitted.

Deadline and Delivery Location

Sealed RFB submittals must be received no later than **September 10, 2019, 3:00 PM, Local Time**. The clock located in Purchasing will serve as the official record of time. Bids/proposals received after the bidding deadline, regardless of the mode of delivery, will not be considered.

It is the sole responsibility of the vendor to ensure that the sealed RFB submittal arrives in the Purchasing Office by the specified deadline, regardless of the method chosen by the firm for delivery.

Faxed or electronically submitted proposals will not be accepted.

Copies

Submit: One (1) unbound original (binder clips are acceptable), five (5) bound copies (binders, staples or binder clips are acceptable), and one (1) copy in PDF format on USB Flash Drive of all required RFB forms. **Please clearly indicate which is the original.**

Delivery Address

City of San Angelo
Purchasing Division, RFB: PK-02-19
72 West College Avenue, Suite 310
San Angelo, Texas 76903

Mark Sealed Envelope: "RFB: PK-02-19/ SULFUR SPRINGS IRRIGATION PROJECT"

Addenda

Should specifications be revised prior to the deadline for submittals, the City's Purchasing Division will issue addenda addressing the nature of the change and post them on the City's website. Respondents should **acknowledge any addenda and return the form with their proposal package**. Respondent is responsible for checking the City's website to determine if any addenda have been issued prior to submitting a proposal. Failure to consider all addenda will be at the respondent's risk.

Award of Contract

The City reserves the right to accept or reject any or all proposals, and to waive any informalities or irregularities in the RFB process. The City is an equal opportunity employer.

The City will select the most highly qualified respondent(s) of the requested services based on all evaluation factors and then attempt to negotiate a contract.

Acceptance of Proposal Content

Before submitting a proposal, each respondent shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the performance of the contract and to verify any representations made by the City upon which the proposal will rely. If the respondent receives an offer because of its proposal, failure to have made such investigation and examinations will in no way relieve the respondent from its obligation to comply in every detail with all provisions and requirements.

Equal Employment Opportunity

Attention of respondents to the requirement for ensuring that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, national origin, age, or disability.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

Points of Contact

During Request for Bids:

Jessica Pirkle, Specialist
Purchasing Division
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903
sapurch@cosatx.us
(325) 657-4219

Contract Manager After Award:

Roger Havlak, Senior Manager
Parks & Recreation
City of San Angelo
72 W. College Ave.
San Angelo, Texas 76903



1. INSTRUCTIONS TO RESPONDENTS

1.1. Interpretations

All questions about the meaning or intent of the contract documents, including specifications shall be submitted to the Purchasing Division via email sapurch@cosatx.us or in writing. Please include the RFB Number and Title in the subject line. Questions received after the deadline established for submitting questions/interpretations will not be answered.

Replies will be issued by addenda and posted on the City's website. Only questions answered by formal written addenda will be binding. Oral interpretations or clarifications will be without legal effect.

1.2. Corrections, Additions, or Deletions

Corrections, additions, or deletions to any portion of the invitation will be in the form of written addenda.

1.3. Examinations of RFB Documents

Respondents are expected to examine all specifications, drawings, standard provisions, and instructions. Failure to do so will be at the respondent's risk. Bids are to be submitted on each item and total extended.

1.4. Taxes

All quotations are to be submitted less Federal Excise and State of Texas Sales Taxes. Tax exemption certificates will be provided upon request.

1.5. Authorized Signature

Proposals must show vendor name, address, and be manually signed. The person signing the proposal must have authority to bind their firm in a contract. Any erasures or other changes must be initialed by the person signing the proposal.

1.6. Modification or Withdrawal of Proposals

Proposals **CANNOT** be altered or amended after the closing time. Proposals may be modified or withdrawn prior to the closing hour and date by written notice to the Purchasing Division. A proposal may also be withdrawn in person by a respondent or their authorized agent, provided their identity is made known and they sign a receipt for the proposal. No proposal may be withdrawn after the closing time and date without acceptable reason in writing and with approval of the Purchasing Division.

1.7. Prices

Bids must be firm, however if a vendor believes it necessary to base its price on price adjustment, such a bid may be considered, but only as an alternate bid. Pricing is to be submitted as quantity per unit specified with extended totals, however in the event of a discrepancy in extension, the unit prices shall govern. Pricing shall be entered on the Bid Sheet in ink or typewritten.

1.8. Restrictions on Communication

Respondents shall not communicate with: 1) elected City officials and their staff regarding the RFB or from the time the RFB has been released until the contract is posted as a City Council agenda item; and 2) City employees from the time the RFB has been released until the contract is awarded. These restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFB and/or proposal submitted by respondent. **Violation of this provision by respondent and/or its agent may lead to disqualification of respondent's proposal from consideration.**

Exceptions to the Restrictions on Communication with City employees include:

1. Private (non-business) contacts with the City by the respondent's employees acting in their personal capacity;
2. Casual social contacts that do not include mention of the RFB;



CITY OF SAN ANGELO

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3. Respondents may submit written questions concerning this RFB to the email listed below up to a week prior to submission due date. Questions received after the stated deadline will not be answered.

It is required that all questions be sent by email to sapurch@cosatx.us. **Please ensure the RFB Number and Title is in the Subject Line.** Questions submitted and the City's responses will be published in the form of addenda to the City's website at <https://www.cosatx.us>. Respondent is responsible for calling the City or reviewing the website to determine if any addenda have been issued prior to their submittal. Only questions answered by formal addenda will be binding;

4. Respondents may provide responses to questions asked of them after responses are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, respondents shall not bring lobbyists. All cost associated with interviews will be at the respondents' expense. The City reserves the right to exclude any persons from interviews as it deems in its best interests;
5. Upon completion of the evaluation process, respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than five (5) calendar days from the date the letter was sent. The letter will indicate the name and address for submission of requests for review.

City reserves the right to contact any respondent to negotiate if such is deemed desirable by City. Such negotiations initiated by City staff persons shall not be considered a violation by respondent of this section.

1.9. Evaluation Factors

It is not the policy of the City to purchase solely based on pricing. In evaluating bids, the following considerations shall be considered to determine the lowest responsible bidder – namely, the “best value” for the City:

- A. Price
- B. Record of federal, state or local governmental entity suspension, termination or debarment
- C. References
- D. Safety record
- E. The extent to which the goods/services meet (or exceed) the City's needs
- F. The vendor's past relationship with the City (if applicable)
- G. The impact on the ability of the City to comply with laws and regulations relation to Historically Underutilized Businesses (if applicable)
- H. The total long-term cost to the City to acquire the vendor's goods/services
- I. Vendor's ability to respond to multiple calls at the same time
- J. Any relevant criteria specifically listed in the RFB

1.10. Disqualification

The respondent may be disqualified for any of the following reasons:

- A. The respondent is involved in any litigation against the City of San Angelo;
- B. The respondent is in arrears on any existing contract or has defaulted on a previous contract with the City;
- C. The respondent is debarred, suspended, terminated, or otherwise excluded from or ineligible covered transactions by any federal, state, or local government entity or agency;
- D. The proposal is not received by the proposal submittal deadline; or,



- E. The proposal is not executed by a person authorized to enter into a contract binding on the respondent.

1.11. Reservations

The City expressly reserves the right to accept, reject, or cancel all proposals AND:

- A. Waive any defect, irregularity, or informality in any proposal or bidding procedure;
- B. Extend the proposal closing time and date;
- C. Reissue a bid invitation or RFB;
- D. Procure any item by other means; or,
- E. Increase or decrease the quantity specified, unless the vendor specifies otherwise.
- F. Extend any existing contract when most advantageous to the City
- G. Award multiple contracts based on the evaluation procedures highlighted herein for individual items or groups of similar items

1.12. Copies of Bid Tabulation Results

Bid tabulation results are available for download from the City's website www.cosatx.us > Bid Information > RFB: PK-02-19/ SULFUR SPRINGS IRRIGATION PROJECT.

1.13. Acceptance

Acceptance of respondent's offer will be in the form of a purchase order and contract. Notice for annual contract agreements will be a notice of award, purchase order, or contract.

1.14. Inspections

No work shall be ordered without a Purchase Order and all invoices must reflect the Purchase Order number. City's obligation is payable only and solely from funds available for the purpose of this purchase. Lack of funds shall render this contract null and void to the extent funds are not available and any delivered but unpaid for goods will be returned to vendor by City. Accepting orders without a Purchase Order number shall be at the risk of the vendor.

1.15. Invoices and Payment

Vendor shall submit separate invoices on each Purchase Order that indicate the Purchase Order number and supply agreement, if applicable. Invoices shall be itemized and include a copy of the bill of lading and the freight waybill, when applicable. Payment terms will be outlined in the attached draft contract.

Payment may be withheld by City, at the discretion of the City, to vendor until all required documents pertaining to the sale are received by the City.

1.16. Gratuities

The City may, by written notice to the vendor, cancel this contract without liability to vendor if it is determined by the City that gratuities were offered from an agent or representative of the vendor to any officer or employee of the City with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determinations in respect to the performing of such contract. In the event this contract is canceled by City, remedies to recover or withhold the amount of the cost shall be incurred by vendor in providing such gratuities.

1.17. Special Tools and Test Equipment

If the price stated on the face hereof includes the cost of any special tooling or special test equipment fabricated or required by Seller for the purpose of filling this order, such special tooling equipment and any drawings or related documents thereto shall become the property of the City and to the extent feasible shall be identified by the Seller as such.

1.18. Warranty-Price

The price to be paid by the City shall be that contained in vendor's bid which vendor warrants to be no higher than vendor's current prices on orders by others for products of the kind and specifications



covered by this agreement for similar quantities under similar or like conditions and methods of purchase. In the event vendor breaches this warranty, the prices of the items shall be reduced to the vendor's current prices on orders by others, or in the alternative, reduced to the vendor's current prices on orders by others, or in the alternative, City may cancel this contract without liability to vendor for breach or vendor's actual expense.

The vendor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for commission, percentage, brokerage, or contingent fee excepting bona fide employees of bona fide established commercial or selling agencies maintained by the vendor for the purpose of securing business. For breach or violation of the warranty, the City shall have the right in addition to any other right or rights to cancel this contract without liability and to deduct from the contract price, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

1.19. Warranty-Product

Vendor shall not limit or exclude any implied warranties and any attempt to do so shall render this contract voidable at the option of the City. Vendor warrants that the goods furnished will conform to the specifications, drawings, and descriptions. Any warranties take effect on the contract effective date.

1.20. Safety Warranty

Vendor warrants that the product sold to City shall conform to the standards promulgated by the U.S. Department of Labor under the Occupational Safety and Health Act (OSHA). In the event the product does not conform to OSHA standards, City may return the product for correction or replacement at the vendor's expense. In the event vendor fails to make the appropriate correction within a reasonable time, correction made by City will be at vendor's expense.

1.21. No Warranty by City against Infringements

As part of this contract for sale, vendor agrees to ascertain whether goods manufactured in accordance with the specifications attached to this agreement will give rise to the rightful claim of any third person by way of infringement or the like. City makes no warranty that the production of goods according to the specification will not give rise to such a claim, and in no event shall City be liable to vendor for indemnification in the event that vendor issued on the grounds of infringement or the like. If vendor is of the opinion that an infringement or the like will result, he will notify City to this effect in writing within two weeks after the signing of the agreement. If City does not receive notice and a claim of infringement is made, vendor will indemnify, defend, and hold harmless City, its Council members, officials, agents, consultants, and employees free and harmless from and against any and all claims, suits, judgments, costs, penalties, fines, damages, and attorneys' fees and expenses asserted by any person or persons. If vendor, in good faith, ascertains that production of the goods in accordance with the specifications will result in infringement or the like, this contract shall be void.

1.22. Right of Inspection

City shall have the right to inspect the goods at delivery before accepting them. Acceptance of the goods upon delivery shall in no way constitute a waiver of any right or privilege contained with this contract or under law.

1.23. Termination

Performance under this contract may be terminated in whole, or in part by the City in accordance with this provision. Termination performance hereunder shall be effected by the delivery to vendor of a "Notice of Termination" specifying the extent to which performance under this contract is terminated and the date upon which such termination becomes effective.

1.24. Force Majeure

Neither party shall be held responsible for losses resulting if the fulfillment of any terms or provisions of this contract is delayed or prevented by any cause not within the control of the party whose performance is interfered with, which by the exercise of reasonable diligence said party is unable to prevent.



1.25. Assignment-Delegation

No right or interest in the contract shall be assigned nor shall any delegation of any obligation made by vendor be valid without the written permission of the City. Any attempted assignment or delegation by vendor shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

1.26. Waiver

No claim or right arising out of a breach of this contract can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

1.27. Modifications

This contract can be modified or rescinded only in writing signed by both of the parties or their duly authorized agents.

1.28. Interpretation-Parol Evidence

This writing is intended by the parties as a final expression of their agreement and is intended as a complete agreement for dealings between the parties and no usage of the trade shall be relevant to supplement or explain any term used in this agreement. Acceptance or acquiescence in a course of performance rendered under this agreement shall not be relevant to determine the meaning of this agreement even though the accepting or acquiescing party has knowledge of the performance and opportunity for objection. Whenever a term defined by the Uniform Commercial Code is used in the agreement, the definition contained in the Code is to control.

1.29. Applicable Law

This agreement shall be governed by the Uniform Commercial Code. Whenever the term "Uniform Commercial Code" is used, it shall be construed as meaning the Uniform Commercial Code as adopted in the State of Texas as effective and in force on the date of this agreement.

1.30. Advertising

Vendor shall not advertise or publish, without City's prior consent, the fact that City has entered into this contract, except to the extent necessary to comply with proper requests for information from an authorized representative of the federal, state, or local government.

1.31. Right to Assurance

Whenever one party to this contract in good faith has reason to question the other party's intent to perform, they may demand that the other party give written assurance of its intent to perform. In the event that a demand is made, and no assurance is given within five (5) days, the demanding party may treat this failure as an anticipatory repudiation of the contract.

1.32. Equal Employment Opportunity

Vendor agrees that during the performance of its contract it will:

- Treat all applicants and employees without discrimination as to race, color, religion, sex, national origin, marital status, age, or handicap.

- Identify itself as an Equal Opportunity Employer in all help wanted advertising or request. The vendor shall be advised of any complaints filed with the City alleging that vendor is not an Equal Opportunity Employer. The City reserves the right to consider its reports from its human relations administrator in response to such complaints in determining whether or not to terminate any portion of this contract for which Purchase Orders or authorities to deliver have not been included; however, the vendor is specifically advised that no Equal Opportunity Employment complaint will be the basis for cancellation of this contract for which a Purchase Order has been issued or authority to deliver granted.



All vendors must be Equal Opportunity Employers. Disadvantaged and minority vendors are encouraged to participate.

1.33. Conflict of Interest

Vendor agrees to comply with the conflict of interest provisions of the City of San Angelo Charter and Code of Ordinances. Vendor agrees to maintain current, updated disclosure of information on file with the City Clerk throughout the term of the contract.

Chapter 176 of the Texas Local Government Code requires a vendor who enters or seeks to enter into a contract for the sale or purchase of real property, goods, or services with a local governmental entity or local government officer thereof to file a conflict of interests' disclosure questionnaire with the governmental entity prescribed.

A Conflict of Interest Questionnaire Form (CIQ) – included in the bid forms - must be submitted no later than the seventh (7th) business day after the date the vendor begins discussion, negotiation, applies or responds to a request for proposal or bids, or correspondence in writing related to a potential contract with the local governmental entity.

1.34. Certificate of Interested Parties (Form 1295)

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

Filing Process:

On January 1, 2016, the ethics commission made available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

Information regarding how to use the filing application and the application are both available at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. Instructional videos are available under the heading Instructional Videos for Business Entities.

The Form 1295 must be received, signed and original, within thirty (30) days of Council award or the contract may be voided.

1.35. Taxes and Permits

Attention is directed to the requirements of the General Conditions regarding payment of taxes and obtaining permits. All taxes that are lawfully assessed against the City or the selected vendor in connection with the work shall be paid by the vendor. The bid prices shall include all such taxes and the costs of all required permits. The City is exempt from State Sales Tax and Federal Excise Tax.

1.36. Examination of Contract Documents

Each vendor shall thoroughly examine and be familiar with this document, specifications, etc. The submission of a bid shall constitute an acknowledgment that the vendor has thoroughly examined and is familiar with the contract documents. The failure or neglect of a vendor to receive or examine any of the contract documents shall in no way relieve them from any obligations with respect to their bid or to the contract. No claim for extra or additional compensation will be allowed based upon a lack of knowledge of



any contract document, and the City will in no case be responsible for any loss or for unanticipated costs that may be suffered by the selected vendor as a result of conditions pertaining to the work.

1.37. Familiarization with the Type of Work

Before submitting a bid, each prospective vendor shall familiarize itself with the work, local labor conditions and all laws, regulations, and other factors affecting performance of the work. It shall carefully correlate its observations with requirements of this request and otherwise satisfy itself of the expense and difficulties attending performance of the work. The submission of a bid will constitute a representation of compliance by the vendor. There will be no subsequent financial adjustment for lack of such familiarization.

1.38. Subcontractors and Supplies

All bids must include a list of proposed subcontractors and suppliers on the form included in the bid forms section. **Vendors are strongly encouraged to explore utilizing area subcontractors and suppliers.**

When requested by the City, within twenty-four (24) hours of bid opening, the apparent low vendor, and any other vendor so requested, shall submit a list of all subcontractors they expect to use.

1.38.1. Subcontractor Qualification

Particular consideration will be given to the qualifications of each subcontractor proposed to perform more than 5 percent (5%) of the work.

The successful vendor will submit to the City for acceptance a list of the names of subcontractors and such other persons and organizations (including those who are to furnish materials or equipment fabricated to a special design) identifying that portion of the work to be performed by each subcontractor within fourteen (14) days of the issuance of Notice of Award.

The City will notify the successful vendor in writing if there is objection to any subcontractor, person, or organization on such list.

If the apparent low vendor declines to make any such substitution, the contract shall not be awarded to such vendor, but their declining to make any such substitution will not constitute grounds for sacrificing their bid security. Additional requirements for subcontractors are contained within the Owner's Construction General Conditions of this document.

The failure of the City to make any such objection prior to the execution and delivery of the agreement shall constitute an acceptance of such subcontractor, person, or organization. Such acceptance a subcontractor, person or organization shall not: (1) constitute a waiver of any right of the City to reject defective work, material, or equipment, or work, material, or equipment not in conformance with the requirements of the contract documents; or (2) constitute a waiver of vendor's complete and total liability for any defective work, material, or equipment, or work, material, or equipment not in conformance with the requirements of the contract documents whether or not provided by or performed by any such subcontractor.

If the City registers objection to and refuses to accept a subcontractor, person, or organization list the successful vendor may either (1) submit an acceptable substitute without an increase in their bid price or (2) withdraw their bid. If the City raises objection to a subcontractor, person, or organization after the execution and delivery of the agreement, the vendor will submit an acceptable substitute and the contract price shall be increased or decreased by the reasonable difference in cost occasioned by such substitution and an appropriate Change Order shall be issued. In the event that prior objection is raised as described above, but the vendor fails to submit an acceptable substitute prior to execution and delivery of the agreement, no increase in contract price shall be allowed.



1.38.2. Suppliers

The list of subcontractors shall also include the suppliers and manufacturers of the principal items of materials and equipment the vendor expects to use in the work.

1.39. Prevailing Wage and Hour Decision

Chapter 2258 of the Texas Government Code requires contractors and subcontractors performing work on public works contracts to pay wages at a rate consistent with the rate prevailing in the area. Under federal law, the United State Department of Labor is required to maintain a prevailing Wage and Hour Decision for each geographical area. Compliance with the published decision meets the requirements of the Texas Government Code.

Additionally, all contractors and subcontractors must pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area.

If the Wage Decision lists fringe benefits, you must either provide the benefits or pay the hourly equivalent in cash in addition to the predetermined wage.

Labor classifications not appearing on the Wage Decision will be deferred to the U.S. Department of Labor (DOL) for approval.

The selected vendor will be responsible for compliance with the applicable portion of Davis-Bacon and related acts and any such decision applicable at the time work is performed.

1.40. Legal Venue

Tom Green County, Texas

1.41. Funds - Price

The vendor submitting the lowest responsible bid will establish a price agreement with the City. The work will be selected based on the availability of funds. The City reserves the right to award the contract by base bid, alternates, or a combination thereof.

1.42. Claims for Overcharges

Vendor hereby assigns to City any and all claims for overcharges associated with this contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.

1.43. Time of Performance

The time of performance is outlined in the attached draft contract agreement.



2. GENERAL NOTES

The general notes listed herein are grouped by general category or work but are applicable to all items of work for the entire project. As referred to herein, the City refers to the City of San Angelo, the Engineer, and/or any of their designated representatives. The total bid submitted shall be the total compensation provided to the contractor for the work to be performed in this contract. Any work provided for herein and not paid for directly shall be considered subsidiary to the various bid items of the contract and no direct payment shall be made.

2.1. Delivery Lead Times

The contractor shall furnish an estimated delivery lead-time for any materials or supplies provided in conjunction with this contract.

2.2. Code Compliance

All work, including installation of equipment shall be performed in accordance with all applicable federal, state, and local codes. Contractor shall install UL approved materials, devices, and equipment at all times. All installed materials, equipment, appliances, fixtures, piping, etc. shall meet OSHA and/or City Code requirements. The City shall have the right to inspect all materials and equipment to be installed.

2.3. Background Investigations

Some work areas may be security sensitive. The City shall have the right to perform criminal background investigations on bidder and any employees of the bidder (including any and all sub-contractors) who may perform work in City facilities. Contractor, his employees and any subcontractors shall be responsible for the performance of all Work contemplated by this document. The failure of any one person or entity to acquire and maintain necessary clearance shall not excuse the performance of Work required by these specifications.

2.4. Permits and Inspections

Contractor will be responsible for obtaining all necessary permits, inspections, and payment of all fees.

2.5. Clean up

Contractor is responsible for securing work areas and cleaning up all trash and debris upon completions of work.

2.6. Complex Services

The City reserves the right to solicit quotes/bids from all selected vendors as may be dictated by the scope and complexity of the required services.

When a quote is requested, the hourly rate shall remain the contracted rate. However, the material profit and overhead may be adjusted – subject to approval of an authorized City Official.

All quote submissions shall be itemized in writing describing the scope of work to be performed.

2.7. Purchase Orders

Work requests placed by the City will be accompanied by a Purchase Order Number (PO). All invoices must reference the appropriate PO number, department name, job site, and the name of the City employee requesting the service. **No work shall commence on City property prior to the issuance of a Purchase Order signed by an authorized Procurement Official. Failure to obtain a Purchase Order prior to the commencement of any work shall be at the risk of the provider.**



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2.8. Invoicing

Invoices submitted shall be itemized, include labor and material with the Purchase Order clearly stated.

Invoices presented for payment that are not itemized will not be considered valid and will be rejected.

Invoices shall list and include the total hours worked by each provider, materials used, unit costs, and extended price. If requested, bidder shall provide a copy of paid invoices in order to verify any cost-plus mark-up.

2.9. Extra Work

At any time during the term of the Agreement, City may request that Provider perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of Services, but which the parties did not reasonably anticipate would be necessary at the execution of the Agreement. Provider shall not perform, nor be compensated for, Extra Work without prior written authorization of a duly authorized City Representative.



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3. ATTACHMENTS

- A.** City of San Angelo Owner's Construction General Conditions (effective April 16, 2018)
- B.** Drawings
- C.** Specifications



4. NO BID REPLY

For PK-02-19 / SULFUR SPRINGS IRRIGATION PROJECT

If for any reason, you are not submitting a bid/proposal, please check one or more reasons below and return the form by mail or email to sapurch@cosatx.us in order to remain in our database for these types of products or services.

By providing us this information, we hope to improve future request packages that will elicit your participation.

===== # # # =====

PLEASE PRINT

We wish to: ☐ **Remain On**

☐ **Be Deleted From** the list of vendors for the City of San Angelo.

A. We hereby submit a "No Bid" because:

☐ 1. We are not interested in selling through the bid process.

☐ 2. We are unable to prepare the bid form in time to meet the due date.

☐ 3. We do not wish to bid under the terms and conditions of the Request for Bid/Proposal.

OBJECTIONS: _____

☐ 4. We do not feel we can be competitive.

☐ 5. We cannot submit a bid because of the marketing or franchising policies of the manufacturing company.

☐ 6. We do not wish to sell to the City of San Angelo.

OBJECTIONS: _____

☐ 7. We do not sell the items or provide the services requested.

☐ 8. Other: _____

Firm _____

Signed _____

Date _____



5. SUBMISSION FORMS

Copies

Submit: One (1) unbound original (binder clips are acceptable), five (5) bound copies (binders, staples or binder clips are acceptable), and one (1) copy in PDF format on USB Flash Drive of all required RFB forms. **Please clearly indicate the original as such.**

Please submit all forms in the following order:

- ☐ Bid Sheet
- ☐ Authorized Signature/Contact Information Form (**IRS Form W-9**)
- ☐ Addenda Acknowledgment Form
- ☐ Disclosure of Certain Relationships Form
- ☐ Debarment and Suspension Certification
- ☐ Local Preference Consideration Application & Economic Impact Details
- ☐ Vendor Compliance with Reciprocity on Non-Resident Vendors
- ☐ City References List
- ☐ Local Area References List
- ☐ List of Proposed Subcontractors/Suppliers
- ☐ Vendor Safety Record
- ☐ Special Insurance Rider
- ☐ Verification Relating to Prohibited Contracts – Israel
- ☐ Draft Contract Cover
- ☐ Survey

*At Council award, one original of the Texas Ethics Commission Interested Parties Disclosure Form 1295 completed online at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm will be required within thirty (30) days following the date of Council action. **Failure to submit the Form 1295 within the prescribed time limit may result in loss of contract(s).**

In submitting its proposal, respondent certifies that it has not lobbied the City or its officials, managers, employees, consultants, or contractors in such a manner as to influence or to attempt to influence the bidding process. In the event it reasonably appears that the respondent influenced or attempted to influence the bidding process, the City may, in its discretion, reject the proposal.

Submit all forms beyond this point.



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Bid Sheet

Company Name

Base Bid Amount: \$ _____

Bid Amount (Alternate "A"): \$ _____

Bid Amount (Alternate "B"): \$ _____

Estimated Start Date: _____

Estimated Days of Completion (Excluding Alternates): _____

Estimated Days of Completion Including Alternate "A": _____

Estimated Days of Completion Including Alternate "B": _____



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Authorized Signature/Contact Information Form

Vendor Name: _____

Authorized Signature: _____

Print Name: _____ Date: _____

Title: _____ Email: _____

Primary Contact: _____

Title: _____ Email: _____

Telephone: _____ Fax: _____

Mailing Address: _____

City, State, Zip: _____

Physical Address: _____

(Cannot be a PO Box)

City, State, Zip: _____

Attach IRS W-9

Bids which are not signed and dated or bids which do not comply with all of bid requirements herein, may be considered non-responsive and may be rejected.

The signee agrees, if this bid is accepted, to furnish any and all goods or services upon which prices are offered, at the price and upon the terms and conditions contained in the Invitation for Bid, Conditions of Bidding, Terms of Contract, and Specifications and all other items made a part of the accepted contract.

The signee affirms that they are duly authorized to execute the contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other vendor, and that the contents of this bid as to prices and terms or conditions have not been communicated by the signee nor by any employee or agent to any other vendor or to any other person(s) engaged in this type of business prior to the official opening of this bid. And further, that neither the vendor nor their employees nor agents have been for the past six (6) months directly nor indirectly concerned in any pool or agreement or combination to control the price of goods or services, nor to influence any person to bid or not to bid thereon.



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Addenda Acknowledgement

Receipt is hereby acknowledged of the following addenda to the Contract documents.

Addendum No. 1 dated _____	Received _____
Addendum No. 2 dated _____	Received _____
Addendum No. 3 dated _____	Received _____

Please Print

Company Name

Signature

Printed Name

Title

Address

City, State Zip Code



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Disclosure of Certain Relationships

NOTICE TO VENDORS

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local governmental entity make certain disclosures concerning any affiliation or business relationship that might cause a conflict of interest with the local governmental entity. The provisions of Chapter 176 and the Form CIQ questionnaire that you must complete, if applicable, to comply with this new law, are available and explained in more detail at the Texas Ethics Commission website at https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

A current list of City of San Angelo and City of San Angelo Development Corporation officers is available in the office of the City of San Angelo City Clerk, Room 201 of City Hall or on the City's website at <http://cosatx.us>. If you are considering doing business with the City of San Angelo or the City of San Angelo Development Corporation and have an affiliation or business relationship that requires you to submit a completed Form CIQ, it must be filed with the records administrator (City Clerk) of the City of San Angelo not later than the 7th business day after the date you become aware of facts that require the form to be filed. See Section 176.006, Texas Local Government Code. It is a Class C misdemeanor to violate this provision.

By submitting a response to a City of San Angelo or City of San Angelo Development Corporation Request for Bid proposals, Request for Bids, or Request for Qualifications or by conducting business with either of those two entities, you are representing that you are in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

A handwritten signature in blue ink, reading "Nolan A. Sosa".

Nolan A. Sosa
Purchasing Manager



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LOCAL GOVERNMENT OFFICERS OF THE CITY OF SAN ANGELO
As defined by Chapter 176 of the Texas Local Government Code
(Revised 06/25/2019)

For purposes of completion of the required Conflict of Interest Questionnaire for the City of San Angelo (required by all buyers who submit bids/proposals), Local Government Officers are:

City of San Angelo City Council:

Mayor: Brenda Gunter

Councilmembers:

Tommy Hiebert, SMD 1
Tom Thompson, SMD 2
Harry Thomas, SMD 3 (Mayor Pro Tempore)
Lucy Gonzales, SMD 4
Lane Carter, SMD5
Billie DeWitt, SMD 6

City Manager: Daniel Valenzuela

City of San Angelo – Development Corporation Officers:

Todd R. Kolls, President
Bill Dendle, First Vice President
David Cummings, Second Vice President
Edward Carrasco, Director
Garland Freeze, Director
Max Puello, Director

Executive Director: Guy Andrews



CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date



CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.



Debarment and Suspension Certification

- (1) The prospective primary vendor certifies to the best of its knowledge and belief that it and its principals:
- (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary vendor is unable to certify to any of the statements in this certification, such prospective primary vendor shall attach an explanation to this bid proposal.

Business Name _____

Date

By: _____
Name and Title of Authorized Representative

Signature of Authorized Representative



CITY OF SAN ANGELO

PURCHASING DIVISION

72 West College Avenue, San Angelo, Texas 76903

(325) 657-4219

INSTRUCTIONS

1. By signing and submitting this proposal, the prospective vendor is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective vendor shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the determination whether to enter into this transaction. However, failure of the prospective vendors to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the City of San Angelo determined to enter into this transaction. If it is later determined that the prospective vendor knowingly rendered an erroneous certification, in addition to other remedies available, the City of San Angelo may terminate this transaction for cause.
4. The prospective vendor shall provide immediate written notice to the City of San Angelo to which this proposal is submitted if at any time the prospective vendor learns that its certification was erroneous when submitted or has become erroneous because of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "vendor," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549(13 CFR Part 145). You may contact the City of San Angelo for assistance in obtaining a copy of these regulations.
6. The prospective vendor agrees by submitting this proposal that, should the proposed transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the City of San Angelo.
7. The prospective vendor further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment and Suspension" provided by the City of San Angelo, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A vendor in a covered transaction may rely upon a certification of a prospective vendor in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A vendor may decide the method and frequency by which it determines the ineligibility of its principals. Each vendor may, but is not required to, check the Non-procurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a vendor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a vendor in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the City of San Angelo, the City of San Angelo may terminate this transaction for cause.



Local Preference Consideration

Section 271.9051 of the Texas Local Government Code “CONSIDERATION OF LOCATION OF RESPONDENTS PRINCIPAL PLACE OF BUSINESS”:

In accordance with Section 271.9051 of the Texas Local Government Code, if a local government receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five (5%) percent of the lowest bid price received from a bidder who is not a resident of the municipality, on contracts less than \$500,000 and three percent (3%) on contracts over \$500,000.00 the municipality may enter into a contract with (a) the lowest bidder or (b) the bidder whose principal place of business is in the municipality if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

Local Preference Consideration DOES NOT apply to Construction Projects over \$100,000 or Telecommunication and Information Technology Bids/Purchases.

If you DO NOT have your principal place of business located within the City of San Angelo city limits – stop – do not fill out this form.

This “Application for Local Preference Consideration” does not mean that the City of San Angelo is limiting responses to this request for bids/proposals to only those businesses located within the city limits. All bids/proposals are welcome.

Respondents who wish to qualify under the local preferences law must have their principal place of business located within the San Angelo city limits.

If your principal place of business is within the San Angelo city limits and you want to apply for local preference consideration, then you must:

1. Complete the **Local Preference Consideration Application**, and
2. **Describe in writing and attach supporting documentation**, the additional economic development opportunities for the City of San Angelo that will be created if you are awarded this contract. Include the number of City of San Angelo residents that you will employ to complete this contract and the increased tax revenues that will be generated for the City of San Angelo if you are awarded this contract.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

Local Preference Consideration Application

Business Name: _____

Physical Address: _____

Mailing Address: _____

City, State, Zip Code: _____

Business Type:

- ☐ Corporation – Indicate state of incorporation _____
- ☐ Partnership – Indicate “general” or “limited” _____
- ☐ Sole proprietorship _____

Attachments: Describe in writing, and attach supporting documentation, the additional economic development opportunities for the City of San Angelo that will be created if you are awarded this contract. Include the number of City of San Angelo residents that you will employ to complete this contract and the increased tax revenues that will be generated for the City of San Angelo if you are awarded this contract.

CERTIFICATION: I hereby certify under penalty of perjury that the information which I have provided on this form is true and correct, that I am authorized to sign on behalf of the business set out above and if requested by the city will provide, within 10 days of notice, the necessary documents to substantiate the information provided.

(Please print)

Authorized Representative Signature

Printed Name

Title

Date

(Attach description and documentation of economic impact as outlined on previous page.)



Vendor Compliance with Reciprocity on Non-Resident Vendors

Texas Government Code 2252.002 provides that, in order to be awarded a contract as low vendor, a non-resident vendor must bid projects for construction, improvements, supplies or services in Texas at an amount lower than the lowest Texas resident vendor by the same amount that a Texas resident vendor would be required to underbid a non-resident vendor in order to obtain a comparable contract in the state in which the non-resident's principal place of business is located. A non-resident vendor is a contractor whose corporate offices or principal place of business is outside of the state of Texas. This requirement does not apply to a contract involving Federal funds. The appropriate blanks in Section A must be filled out by all out-of-state or non-resident vendors for your submission to meet specifications. The failure of out-of-state or non-resident contractors to do so will automatically disqualify that vendor. **Resident vendors must check the blank in Section B.**

- A. Non-resident Vendors in _____ (give state), our principal place of business, are required to be _____ percent lower than resident vendors by state law. A copy of the statute is attached.

Non-resident Vendors in _____ (give state), our principal place of business, are not required to underbid resident vendors.

- B. Our principal place of business or corporate offices are in the State of Texas: _____. (Mark a "check" in the blank if this applies.)

VENDOR:

(Please print)

Company Name

Signature

Printed Name

Title

Address

City, State Zip Code



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

City References

Company Name

List five (5) similar projects that your company has completed for the City of San Angelo. All references shall be for work completed in the last five (5) years.

Reference One

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Two

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Three

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



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Reference Four

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Five

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



CITY OF SAN ANGELO
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Local Area References

Company Name

List five (5) similar projects that your company has completed **within 150 miles of the City** (but not in the **City of San Angelo**). References should be of similar size and scope of work to this proposal. All references shall be for work completed in the last five (5) years.

Reference One

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Two

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Three

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



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Reference Four

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____

Reference Five

Government/Company Name: _____

Location: _____

Contact Person and Title: _____

Telephone Number: _____

Scope of Work: _____

Contract Period: _____



List of Proposed Subcontractors and Suppliers

List any subcontractors and suppliers you intend to use on this project and the categories of work they will perform. **Vendors are strongly encouraged to explore utilizing area subcontractors and suppliers.** Make as many copies of this form as necessary to cover all categories of work.

Category of Work: GENERAL CONTRACTOR % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____



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Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Category of Work: _____ % of Proposed Contract Amount: _____

Business Name: _____

Contact Name: _____

Telephone: _____

Address, City, State, Zip: _____

Percentages should total to 100%



Vendor Safety Record

- I. List your organization's Workers Compensation Experience Modification Rate (EMR) for the last five years, as obtained from your insurance agent.

2018 _____

2017 _____

2016 _____

2015 _____

2014 _____

- II. Complete the matrix below for the last five years, as obtained from OSHA No. 200 Log:

	2018	2017	2016	2015	2014
Number of injuries & illnesses					
Number of lost time accidents					
Number of recordable cases					
Number of fatalities					
Number of employee direct hire fixed hours (round to 1,000's)					

- III. Please answer the following questions regarding your safety program

- a. Are regular project safety meetings held for Field Supervisor(s)? ☐ Yes ☐ No

If yes, frequency: ☐ Weekly ☐ Bi-Monthly ☐ Monthly ☐ As Needed

- b. Are project safety inspections conducted? ☐ Yes ☐ No

If yes, who performs inspections? _____

How often? _____

Who is required to attend? _____

- c. Does your organization have a written safety program? ☐ Yes ☐ No

If yes, provide a copy. It will become a compliance document upon contract award.

- d. Does your organization have a safety orientation program for new employees? ☐ Yes ☐ No

For employees promoted to Field Supervisor? ☐ Yes ☐ No

If yes, does your Supervisor Safety Program include instructions on the following:

Safety Work Practices ☐ Yes ☐ No

Toolbox Safety Meetings ☐ Yes ☐ No

First Aid Procedures ☐ Yes ☐ No

Accident Investigation ☐ Yes ☐ No

Fire Protection ☐ Yes ☐ No

New Worker's Orientation ☐ Yes ☐ No



Special Insurance Rider

1. **TYPES AND AMOUNTS OF INSURANCE REQUIRED.** Provider shall obtain and continuously maintain in effect at all times during the term hereof, at Provider's sole expense, insurance coverage as follows with limits not less than those set forth below:

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

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

1.2 Business Automobile Liability. This policy shall be written in comprehensive form and shall protect Provider and the additional insureds against all claims for injuries to members of the public and damage to property of others arising from the use of motor vehicles and shall cover operation on and off the premises of all motor vehicles licensed for highway use, whether they are owned, non-owned or hired. Coverage shall be as follows:

\$ 1,000,000.00	Each Accident Limit
-----------------	---------------------



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

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

Vendor agrees to comply with City of San Angelo Special Insurance Rider requirements.

Date

By: _____
Name and Title of Authorized Representative

Signature of Authorized Representative



Verification Relation to Prohibited Contracts – Israel

City of San Angelo, Texas, RFB PK-02-19/SULFUR SPRINGS IRRIGATION PROJECT

My name is _____, "Declarant":
(First) (Middle) (Last)

My date of birth is _____; and,

My address is _____, _____, _____
(Street) (City) (State)
_____, and _____
(Zip Code) (Country)

My position with _____, contracting company, is _____.
(contracting company) (office held)

(1) The foregoing named contracting Company does not now and will not during the term of this contract, have contracts with or provide supplies or services to, an entity or company known to have contracts with or to provide supplies or services to a foreign terroristic organization or with an entity or company identified as providing such on a list prepared and maintained by the Texas Comptroller pursuant to Subchapter "F", Sections 2252.151 et. seq., Chapter 2252 "Contracts with Governmental Entity" of the Texas Government Code; neither is contracting Company identified as an entity providing such supplies or services on said list.

(2) The foregoing named contracting Company does not boycott Israel; and will not boycott Israel during the term of the contract with the City of San Angelo.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of
(County)

_____, 20 _____.
(Month)

Declarant



CITY OF SAN ANGELO
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(325) 657-4219

Sample Contract Agreement(s)

Respondents shall submit copies of standard contract terms along with any and all terms and conditions applicable to the deliverance of goods/services resulting from this solicitation.

Please review the included draft contract, redline and make changes to any terms you cannot abide by, and return with your submission.

_____ I have read and can comply with all contract terms. I am not returning the draft contract.

_____ I have read the contract terms, revised those I cannot comply with, and have included a copy with my submission.



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Draft Contract Cover

Contract # _____

RFB No. PK-02-19 (Sulfur Springs Irrigation Project)

In consideration of the mutual covenants and promises herein contained, City of San Angelo and the below named Contractor agree as follows:

CITY OF SAN ANGELO – Parks & Recreation Department

Roger Havlak, Parks Senior Manager

72 W. College Avenue

San Angelo, Texas, 76903

Telephone: 325-245-1518

EMAIL: roger.havlak@cosatx.us

CONTRACTOR: _____

(If an entity other than individual, indicate whether Contractor is authorized by or registered as a foreign entity with the Texas Secretary of State to do business in Texas) **Yes** ☐ / **No** ☐

Authorizing Officer/Agent: _____

Email: _____

Address: _____

Telephone: _____

General Description of Project & Scope of Work:

General Description of Project & Scope of Work Here

Effective Date: This contract shall be effective from and after the _____ day of _____, 2019.

Date of City Council Authorization _____, 2019

Contract Time: ☐ Contractor agrees to substantially complete Work within _____ consecutive days after the date Work commences as established by the Notice to Proceed, except upon Change Order authorized under this contract or written amendment executed by the authorized representatives of the parties pursuant to authority of their governing bodies; or

☒ The term of this contract shall be for a period of (1) One year, commencing on the “Effective Date” and automatically expiring on _____, 2019, subject to extension as may be provided for in the contract documents.

☒ City shall have one (1) options to extend the term hereof for a period of one (1) year each, subject to availability and appropriation of funds. City must notify Provider of its desire to exercise the option to extend the term hereof in writing ninety (90) calendar days prior to the expiration of this Agreement



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Davis-Bacon Act or Texas Prevailing Wage Rate, Texas Gov. Code, Chap. 2258:

Davis-Bacon Act required payment of prevailing wages on federally funded or assisted construction projects

☐ **Applies** / ☒ **Does Not Apply** to this contract.

Texas Government Code Chapter 2258 Prevailing Wage Rates

☒ **Applies** / ☐ **Does Not Apply** to this contract.

Contract Price: Notwithstanding anything to the contrary in the contract documents, compensation due and payable by the City under this Contract shall not exceed;

☒ Base Price \$ _____,

☐ Schedule of Rates and Charges (Fee Schedule),

☐ plus Alternate 1 \$ _____,

☐ plus Alternate 2 \$ _____,

☐ plus Alternate 3 \$ _____

for a total sum of _____ AND NO/100 DOLLARS (\$ _____), except upon Change Order authorized under this contract or written amendment executed by the authorized representatives of the parties pursuant to authority of their governing bodies.

Contract Documents Adopted by Reference: The parties to this Contract adopt in their entirety by reference thereto each of the following contract documents indicated by checkmark, as if each document were set forth herein word for word and in its entirety:

☒ RFB: PK-02-19 / SULFUR SPRINGS IRRIGATION PROJECT

☐ ADDENDUM 1 to bid dated _____, 20____

☐ ADDENDUM 2 to bid dated _____, 20____

☐ ADDENDUM 3 to bid dated _____, 20____

☐ City of San Angelo Standard Performance Contract Terms (effective April 16, 2018)*

☐ City of San Angelo Standard Professional Services Contract Terms (effective April 16, 2018)*

☐ City of San Angelo Special Contract Terms for Non-Professional Services Contracts (effective April 16, 2018)*

☒ City of San Angelo Owner's General Construction Conditions (effective April 16, 2018) *

☒ Plans: Drawings – Incorporated as Attachment “B” to RFB PK-02-19
(Include engineering entity, date, part/phase and other identifying information)



☒ **Technical Specifications:** Incorporated as Attachment "C" to RFB PK-02-19
(Include source, date, part/phase and other identifying information)

☒ **Contractor's Response to RFB No. PK-02-19**

* The terms and conditions in these referenced contract documents apply to the Contract to the exclusion of any other terms that the Contractor seeks to impose or incorporate, or which are implied by trade, custom, practice or course of dealing.

Acknowledgement of Receipt of Contract Documents:

The foregoing identified Contract Documents excluding Contractor's Response to request for bid or proposal are posted on the City's website at <http://www.cosatx.us/departments-services/purchasing/bid-information>. Hard copies are available to the Contractor upon request addressed to the City of San Angelo, Purchasing Division, 72 W. College, San Angelo, Texas 76903; (325) 657-4219. BY THE EXECUTION HEREOF, CONTRACTOR REPRESENTS THAT CONTRACTOR HAS REVIEWED AND IS FAMILIAR WITH EACH OF THE CONTRACT DOCUMENTS, HAS SECURED HARD COPIES OF THE CONTRACT DOCUMENTS THAT CONTRACTOR DESIRES TO ACQUIRE, AND AGREES THAT IT IS THE INTENTION OF THE PARTIES THAT THE CONTRACT DOCUMENTS BE MADE A PART OF THIS AGREEMENT AS IF EACH WERE SET FORTH, VERBATIM IN THIS AGREEMENT.

The terms, provisions, specifications and conditions of RFB No. PK-02-19 and any other documents, conditions, specifications, technical data, drawings, requirements and addenda comprising said RFB shall prevail over any conflicting term, provision, specification or condition in Contractor's Response.

Separately Executed Contract Documents: The following contract documents indicated by checkmark below are separately required to be executed by the Contractor as conditions precedent to City's performance obligations under the contract:

☒ **Authorized Signature/Contact Information (with W-9)**

☒ **Addenda Acknowledgement**

☒ **Bid Security (based on base bid price)**

☒ **Performance & Payment Bonds (if applicable)**

☒ **"Conflict of Interest Questionnaire" Chapter 176 of the Texas Local Government Code**

☒ **Debarment and Suspension Certification**

☒ **Local Preference Consideration Application & Economic Impact Details**

☒ **Vendor Compliance with Reciprocity on Non-Resident Vendors**

☒ **Verification Relating to Prohibited Contracts – Israel**

☒ **Certificate of Insurance**



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

☒ Special Insurance Rider

☒ Original of the Texas Ethics Commission Interested Parties Disclosure Form 1295 completed online at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm, with original submitted to City of San Angelo Purchasing Division.

Contractor Representations and Warranty: Contractor represents and warrants to City that it has not employed or retained any person or company employed by City to solicit or secure this Agreement and that it has not offered to pay, paid, or agreed to pay any person any fee, percentage, brokerage fee, or gift of any kind contingent upon or in connection with the award of this Agreement.

Authority to Execute: Each of the below named persons executing this contract hereby warrant and represent that he or she is properly authorized to execute the contract for purposes of legally binding the party on whose behalf the contract is executed.



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective duly authorized officials the day and year indicated below.

CONTRACTOR:

BY: _____
(Name and office held)

DATE: _____

EMAIL: _____

CITY OF SAN ANGELO:

By: _____
Daniel Valenzuela, City Manager

ATTEST:

Julia Antilley, City Clerk

DATE: _____
(SEAL)

City Official Approvals:

APPROVED AS TO CONTENT:

Nolan A. Sosa, Purchasing Manager

APPROVED AS TO CONTENT:

Roger Havlak, Parks Senior Manager

APPROVED AS TO RISK:

Charles Hagen, Risk Manager

APPROVED AS TO FORM:

Dan T. Saluri, Deputy City Attorney



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

Survey

How did you hear about this RFB?

- ☐ Newspaper
- ☐ Email
- ☐ Letter
- ☐ City Website
- ☐ Person: _____
- ☐ Other: _____



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

ADDENDUM 1

Date: September 5, 2019

RFB No: PK-02-19 / Sulfur Springs Irrigation Project

Bid Date: September 10, 2019 / 3:00 PM Local Time

The following clarifications, changes, additions, and/or deletions are hereby made to the RFB:

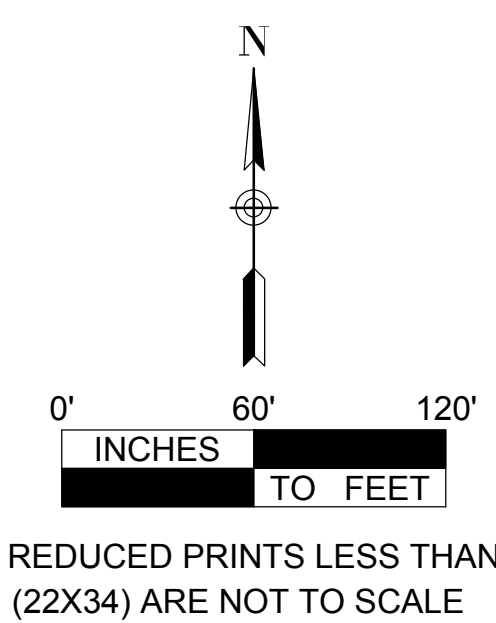
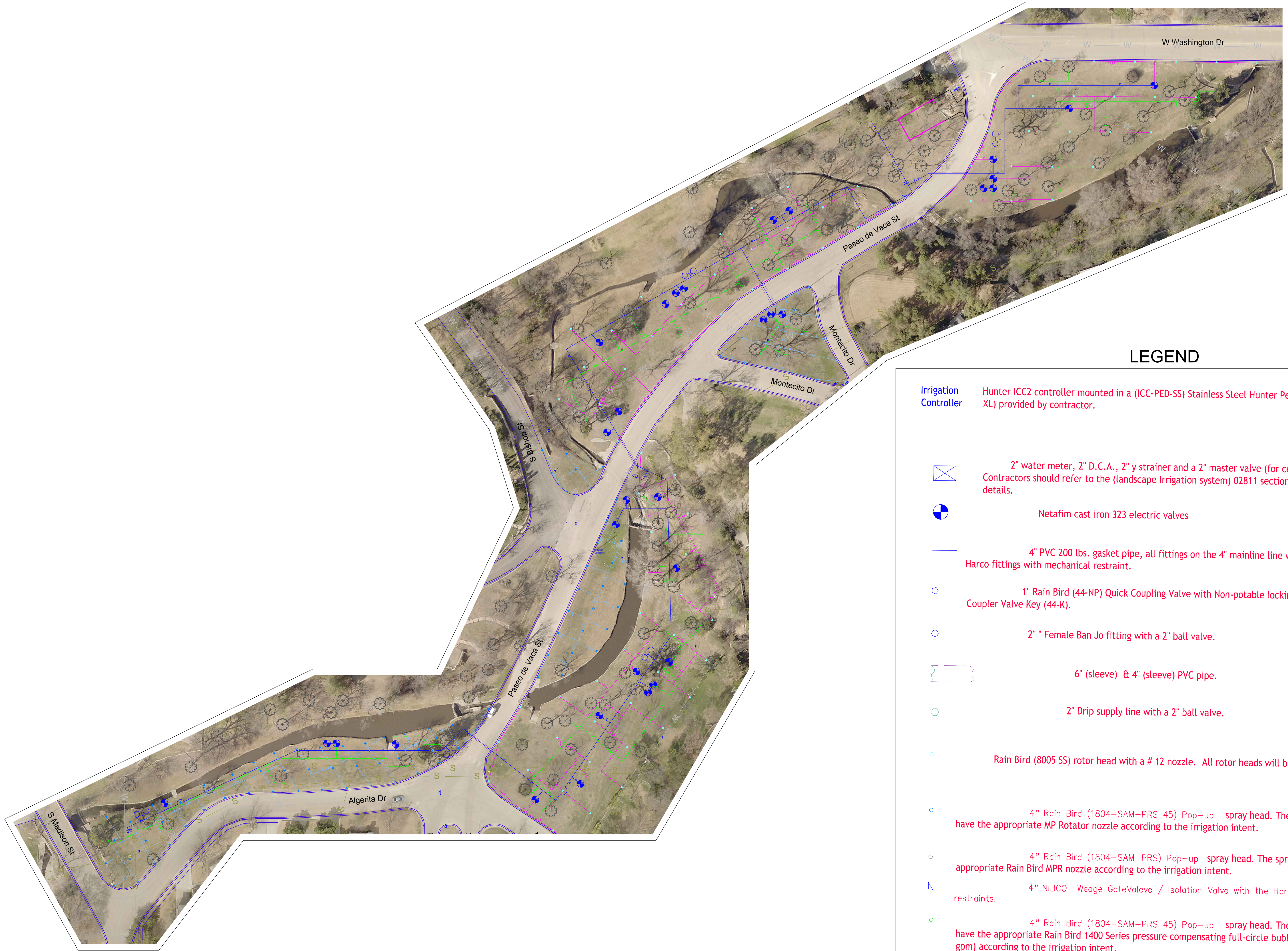
- **Alternate B has been added to the updated Specifications document (Page 3)**
- **The Bid Tabulation Form in the Request for Bids document has been updated to provide blanks for Alternate B (Page 21)**

For other questions or clarifications, please contact the Purchasing Division at SAPurch@cosatx.us.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Pirkle".

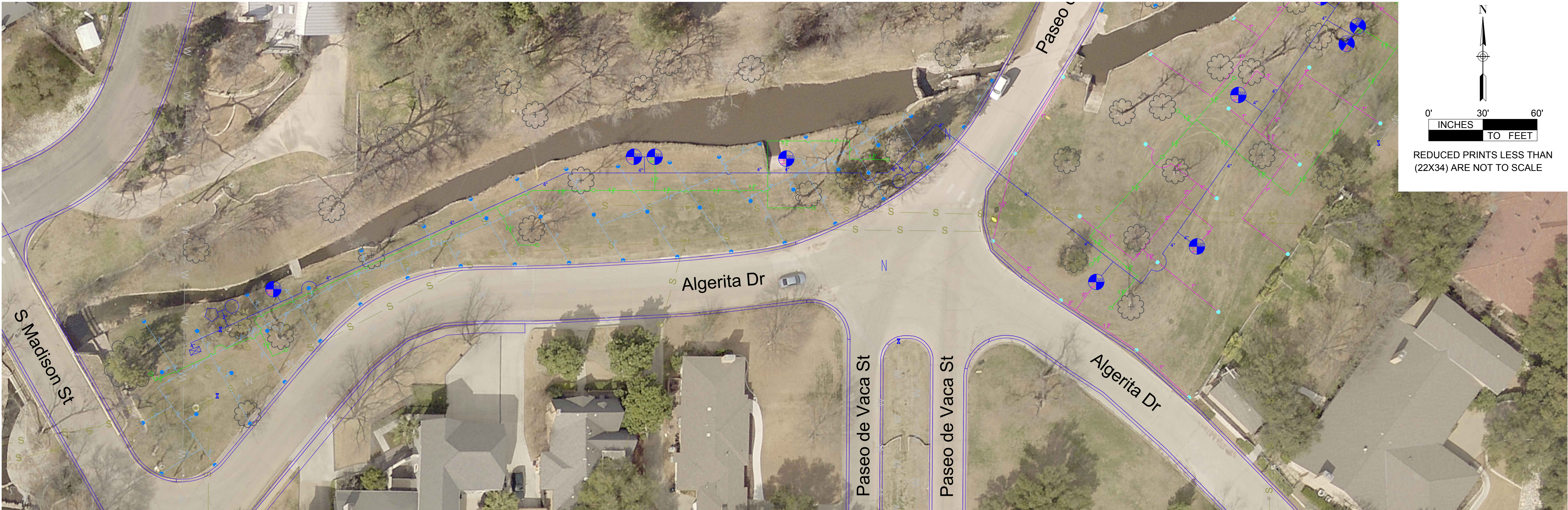
Jessica Pirkle
Purchasing Specialist

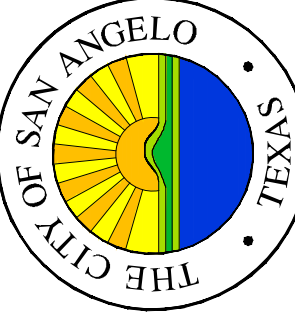


LEGEND

- Irrigation Controller

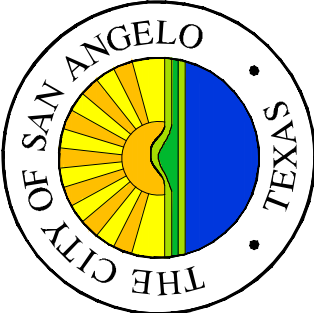
Hunter ICC2 controller mounted in a (ICC-PED-SS) Stainless Steel Hunter Pedestal, with remote (ROAM XL) provided by contractor.
- 2" water meter, 2" D.C.A., 2" y strainer and a 2" master valve (for central control). All Contractors should refer to the (landscape Irrigation system) 02811 section of the specifications for all details.
- Netafim cast iron 323 electric valves
- 4" PVC 200 lbs. gasket pipe, all fittings on the 4" mainline line will be cast iron with Harco fittings with mechanical restraint.
- 1" Rain Bird (44-NP) Quick Coupling Valve with Non-potable locking cover and Quick Coupler Valve Key (44-K).
- 2" " Female Ban Jo fitting with a 2" ball valve.
- 6" (sleeve) & 4" (sleeve) PVC pipe.
- 2" Drip supply line with a 2" ball valve.
- Rain Bird (8005 SS) rotor head with a # 12 nozzle. All rotor heads will be set level with the final grade.
- 4" Rain Bird (1804-SAM-PRS 45) Pop-up spray head. The spray head will have the appropriate MP Rotator nozzle according to the irrigation intent.
- 4" Rain Bird (1804-SAM-PRS) Pop-up spray head. The spray head will have the appropriate Rain Bird MPR nozzle according to the irrigation intent.
- 4" NIBCO Wedge GateVale / Isolation Valve with the Harco valve to pipe restraints.
- 4" Rain Bird (1804-SAM-PRS 45) Pop-up spray head. The spray head will have the appropriate Rain Bird 1400 Series pressure compensating full-circle bubbler nozzle (1404: 1.0 gpm) according to the irrigation intent.



SCALE: 1"=30'		ES-X-XX	
DATE: 8/22/19		SULPHUR SPRINGS PARK	
ARCHIVE NO: #####		IRRIGATION PROPOSAL PLAN	
SHEET NO. 1-2		FROM MADISON ST. TO MONTECITO DR.	
		PROJECT NO: XXXX-XX-XXX	DRAWN BY: INITIALS
		DESIGN BY: INITIALS	INITIALS
		DATE	
		DESCRIPTION	
		NO	
CITY OF SAN ANGELO ENGINEERING SERVICES  CITY HALL ANNEX 301 W. BEAUREGARD AVE. SAN ANGELO, TX. 76903 (325)657-4201 www.ccsa.tx.us			



CITY OF SAN ANGELO
ENGINEERING SERVICES
CITY HALL ANNEX
301 W. BEAUREGARD AVE.
SAN ANGELO, TX. 76903
(325)657-4201
www.ccsa.tx.us



NO	DESCRIPTION	DATE

ES-X-XX	SULPHUR SPRINGS PARK IRRIGATION PROPOSAL PLAN FROM BISHOP ST. TO WASHINGTON DR. PROJECT NO: XXXX-XX-XXX	DESIGN BY: INITIALS DRAWN BY: INITIALS
---------	--	---

SCALE: 1"=30'	DATE: 8/22/19	ARCHIVE NO: #####	SHEET NO. I-3
---------------	---------------	-------------------	---------------



CITY OF SAN ANGELO
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
(325) 657-4219

ADDENDUM 2

Date: September 9, 2019

RFB No: PK-02-19 / Sulfur Springs Irrigation Project

Bid Date: September 10, 2019 / 3:00 PM Local Time

The following clarifications, changes, additions, and/or deletions are hereby made to the RFB:

- According to the owner representative, The Netafim master valve with a pressure regulator and a flow meter all in one, (product number LHM ? FG1-PRMELNC) will not be required. The master valve shall not be included in the bid, even though it is specified in the specifications as well as on the irrigation intent.
- At any time, while the contractor is trenching, should any impenetrable terrain be exposed. The contractor shall contact the owner representative to determine alternate routing of piping and/or alternate depth of piping. Changes will be made at owner's discretion.

For other questions or clarifications, please contact the Purchasing Division at SAPurch@cosatx.us.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Pirkle".

Jessica Pirkle
Purchasing Specialist



CITY OF SAN ANGELO

RFB Bid Tabulation * PK-02-19/ Sulfur Springs Irrigation Project

09/10/2019 at 3:00 p.m.

	Entrenos, Inc. dba Farmer's Daughter Landscape	Sherz Landscape Co.
Base Bid Amount	\$ 150,000.00	\$ 183,413.18
Bid Amount (Alternate "A")	\$ 5,000.00	\$ 4,950.00
Bid Amount (Alternate "B")	\$ 3,500.00	\$ 6,266.89
Estimated Start Date	Nov. 1st	Late October
Estimated Days of Completion (Excluding Alternates)	60 Days	35-40 Working Days
Estimated Days of Completion Including Alternate "A"	60 Days	Additional 5 Days
Estimated Days of Completion Including Alternate "B"	60 Days	Additional 4 Days

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Nolan Sosa, Purchasing Manager, Purchasing, 325-657-4219

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider approving an agreement for uniform rentals with UniFirst Corporation through BuyBoard Contract # 587-19 and authorizing the City Manager to negotiate and execute all related documents (Nolan Sosa)

Summary/History:

The City of San Angelo provides uniforms for those departments with a propensity to damage personal clothing while performing their regular daily job functions. These departments elected to lease clothing to prevent the transfer of chemical, waste, or other contaminants to their personal clothing items.

Financial Impact:

The BuyBoard contract # 587-19 specifies an annual price increase up to (but not to exceed) two percent (2%). Each uniform-eligible department budgets annually to either lease or purchase uniform items. Any increase to the number of employees leasing uniforms will decrease the number of employees purchasing uniforms.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Approvals/Reviews:

Nolan Sosa	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: David Howard, Assistant Chief / Support Services, Police, (325) 659-8011

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider approving an interlocal agreement between San Angelo Police Department and the Tom Green County Sheriff's Department for Edward Byrne Memorial Justice Assistance Grants, allocating \$17,561 to the San Angelo Police Department and \$6,932 to the Tom Green County Sheriffs Department, and authorizing the City Manager to execute all related documents (Frank Carter)

Summary/History:

The State of Texas announced that federal funds are available under the Justice Assistance Grant Program (JAG) from the Office of the Governor. The San Angelo Police Department is asking for authorization to apply for and accept funds from this program for \$24,963. The grant is split between the San Angelo Police Department and the Tom Green County Sheriffs Department. \$17,561 would be awarded to the San Angelo Police Department and be used for the purchase of an Evidence Storage Refrigeration Unit to store biological evidence. These units lock in order to protect the evidence chain of custody. They are equipped with exterior thermometers that enable the monitoring of internal temperatures. They also have alarms that sound if loss of power or a failure of the cooling features occur. \$6,932 of the funds would be awarded to the Sheriffs Department and it would be used for the purchase of 3 Stalker Radar Units.

Financial Impact:

There is no financial impact to the San Angelo Police Department budget.

Other Information/Recommendation:

Attachments:

- | | |
|---|--|
| 1. Sheriff's Letter | Untitled.PDF |
| 2. Large Refrigerator Brochure | Large Refrigerator Brochure.pdf |
| 3. 17-809_PD Interlocal Agreement_JAG GRANT EQUIP IMPRVMNT PROG 9.10.19 | 17-809_PD Interlocal Agreement_JAG GRANT EQUIP IMPRVMNT PROG 9.10.19.doc |

Presentation:

Approvals/Reviews:

David Howard	Created/Initiated
Frank Carter	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved

Theresa James
Julia Antilley

Approved
Final Approval

Tom Green County Sheriff's Office



Phone 325-655-8111

FAX-325-655-5393

Sheriff David Jones

222 W. Harris

San Angelo, Texas 76903

Date: August 16, 2019

Gail Smith
San Angelo Police Department

The following information concerns the goals of the requested money from the Edward Byrne Memorial Justice Assistance Grant.

Purchase Goal - Tom Green County Sheriff's Office: The goal of the Edward Byrne Memorial Justice Assistance Grant for the Tom Green County Sheriff's Office is to obtain (3) Stalker II Moving Radar Units (MDR,s) from Applied Concepts, Inc. The total cost for the equipment will be \$6,931.98 of which 90% will be covered by the approved funding. The remaining 10% will come from the Sheriff's Office's regular operating budget. The equipment is necessary to assist with traffic enforcement and is also useful in criminal investigations.

At this time the Tom Green County Sheriff's Office does not have the extra funds in the regular budget to purchase these radar units that are needed and therefore JAG Grand Funds will be utilized to supplement the funds in the Sheriff's Office annual operating budget to purchase these needed items.

David Jones, Sheriff
Tom Green County Sheriff's Office

INFO SHEET

Spacesaver's RS24 Large Evidence Refrigerator

Designed and developed by Spacesaver for the needs of unattended refrigerated evidence drop off, the RS24 Large Evidence Refrigerator raises the benchmark in refrigerated evidence handling for today and into the future; Available for both the "Pass Thru" and "Non-Pass Thru" processes.

STANDARD FEATURES

- Modular construction, units shipped fully assembled and ready to use.
- Standard configurations measuring same as evidence lockers (82"H x 36"W x 24"D)
- Stainless steel interior and exterior
- Stainless steel handle on front and rear door
- Maintains preset controlled temperature of 38°F to 42°F (3°C to 5.5°C)
- "Power ON" digital temperature display
- Audible alarm preset at 36°F (Low) and 44°F (High)
- Keyless locking system prevents re-access by depositor to secure evidence
- Available in Pass-Thru and Non Pass-Thru models
- Nine (9) standard interior configurations allow 4 to 24 compartments
- Condensation free door jams
- Magnetic seal on main doors
- Defrost cycle (twice per day)
- 404A Refrigerant
- Separate cold pack compartment and lockable door for easy access and maintenance
- Powered by 115V / 15 amp
- CUL and UL certified
- Number tags installed on all front doors
- Adjustable floor levelers in base
- Sturdy main door hinges for longevity
- Wall trim packages included on Pass-thru models
- All installation hardware included



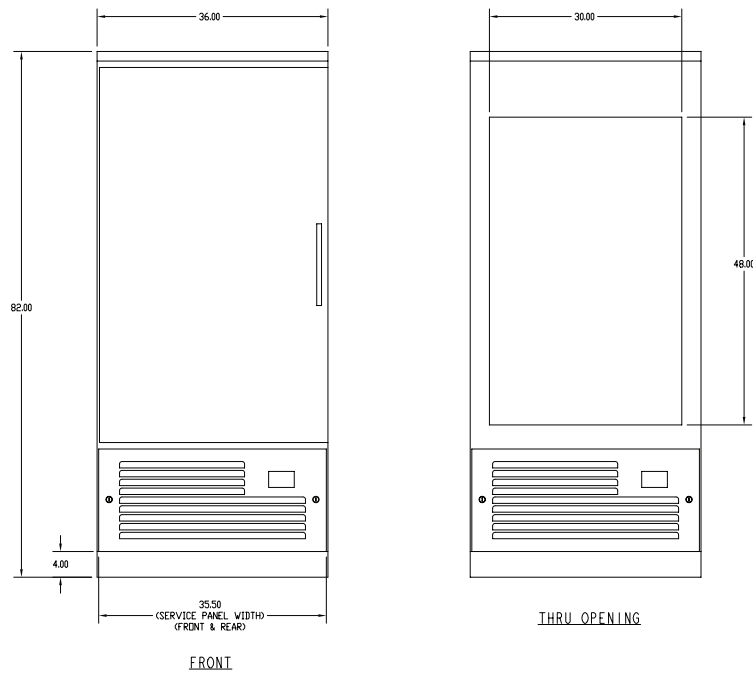
- Lifetime warranty on the structural frame
- One (1) year limited warranty on refrigeration units
- Two (2) year limited warranty on electrical components and wiring

OPTIONS

- Available compartments: 4, 6, 8, 9, 10, 12, 15, 18 or 24



BASIC DIMENSIONS



STANDARD INTERIOR DOOR CONFIGURATIONS

				<table><tr><th>MODEL # AND # OF OPENINGS</th><th>OPENING HEIGHT</th><th>H.S. WIDTH *</th><th>NON H.S. WIDTH **</th></tr><tr><td>RS24-4</td><td>22 3/8"</td><td>11 3/4"</td><td>12 3/8"</td></tr><tr><td>RS24-6</td><td>14 7/8"</td><td>11 3/4"</td><td>12 3/8"</td></tr><tr><td>RS24-8</td><td>11 1/8"</td><td>11 3/4"</td><td>12 3/8"</td></tr><tr><td>RS24-10</td><td>8 7/8"</td><td>11 3/4"</td><td>12 3/8"</td></tr><tr><td>RS24-12</td><td>7 3/8"</td><td>11 3/4"</td><td>12 3/8"</td></tr><tr><td>RS24-9</td><td>14 7/8"</td><td>6 7/8"</td><td>7 5/8"</td></tr><tr><td>RS24-15</td><td>8 7/8"</td><td>6 7/8"</td><td>7 5/8"</td></tr><tr><td>RS24-18</td><td>7 3/8"</td><td>6 7/8"</td><td>7 5/8"</td></tr><tr><td>RS24-24</td><td>5 1/2"</td><td>6 7/8"</td><td>7 5/8"</td></tr></table>	MODEL # AND # OF OPENINGS	OPENING HEIGHT	H.S. WIDTH *	NON H.S. WIDTH **	RS24-4	22 3/8"	11 3/4"	12 3/8"	RS24-6	14 7/8"	11 3/4"	12 3/8"	RS24-8	11 1/8"	11 3/4"	12 3/8"	RS24-10	8 7/8"	11 3/4"	12 3/8"	RS24-12	7 3/8"	11 3/4"	12 3/8"	RS24-9	14 7/8"	6 7/8"	7 5/8"	RS24-15	8 7/8"	6 7/8"	7 5/8"	RS24-18	7 3/8"	6 7/8"	7 5/8"	RS24-24	5 1/2"	6 7/8"	7 5/8"	Depth: All compartments 17 1/4" * H.S. Width Vertical compartments on hinge side of locker when front main door is open 180". Deduct 1" for 90° opening. ** Non H.S. Width Width of all other compartments. Add PT for Pass-thru
MODEL # AND # OF OPENINGS	OPENING HEIGHT	H.S. WIDTH *	NON H.S. WIDTH **																																										
RS24-4	22 3/8"	11 3/4"	12 3/8"																																										
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RS24-18	7 3/8"	6 7/8"	7 5/8"																																										
RS24-24	5 1/2"	6 7/8"	7 5/8"																																										
					All dimensions shown indicate maximum size of evidence container that can be put into compartment. Custom configurations available on request.																																								



Spacesaver Corporation
1450 Janesville Avenue
Fort Atkinson, WI 53538-2798
1-800-492-3434
www.spacesaver.com



KI
1330 Bellevue Street
P.O. Box 8100
Green Bay, WI 54302-8100
1-800-424-2432
www.ki.com

GMS APPLICATION NUMBER 2019-H3594-TX-DJ

**CITY SECRETARY
CONTRACT NO. _____**

THE STATE OF TEXAS

KNOW ALL BY THESE PRESENT

COUNTY OF TOM GREEN

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SAN ANGELO, TEXAS AND COUNTY OF TOM GREEN, TEXAS**

**2019 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
LOCAL SOLICITATION**

This Agreement is made and entered into this _____ day of September 2019, by and between The COUNTY of TOM GREEN, acting by and through its governing body, the Commissioners Court, hereinafter referred to as "COUNTY", and the CITY of SAN ANGELO, acting by and through its governing body, the City Council, hereinafter referred to as "CITY", both of TOM GREEN County, State of TEXAS, witnesseth:

WHEREAS, this Agreement is made under the authority of Chapter 791 of the Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, CITY agrees to provide COUNTY \$ 6,932.00 from the CITY's JAG award for the purchase of Stalker II Moving Radar Units from Applied Concepts, Inc; and

WHEREAS, CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, CITY and COUNTY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of \$6,932.00 of JAG funds.

Section 2.

COUNTY agrees to use \$6932.00 for the purchase of radar units as described above.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 5.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF SAN ANGELO, TEXAS

COUNTY OF TOM GREEN, TEXAS

City Manager
Daniel Valenzuela

County Judge
Steve Floyd

ATTEST:

APPROVED AS TO FORM:

City Clerk
Julia Antilley

County Attorney
Chris Taylor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

City Attorney
Theresa James

Police Chief
Frank Carter

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contracts or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider approving an interlocal service agreement with Upper Colorado River Authority in the amount of \$7,725 monthly and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

Summary/History:

As a part of the Concho River Project and the permit application process with the TPDES permit, sampling of the Concho River is necessary for water quality monitoring. Upper Colorado River Authority (UCRA) will perform sampling at three (3) designated locations. UCRA will be responsible for sample collection, preservation, shipping, data collection, and analytical results reporting. They will perform this work in accordance with the protocols in the most recent version of the TCEQ Surface Water Quality Monitoring Procedures, Vol. 1. The samples that are collected, preserved, and shipped will be sent to a NELAP certified laboratory for analysis.

Financial Impact:

Monthly costs of \$7,725 will be paid from water operating funds.

Other Information/Recommendation:

Staff recommends approving an interlocal service agreement with Upper Colorado River Authority for services in connection with the initial monitoring portion of the Concho River Project.

Attachments:

- | | |
|---------------------------------|----------------------------------|
| 1. UCRA Monthly Sampling Budget | UCRA Monthly Sampling Budget.pdf |
|---------------------------------|----------------------------------|

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

MONTHLY BUDGET

Personnel		Hourly	Estimated	Totals
		Rate	Hours	
	Chuck Brown	\$ 63	55	\$ 3,465
	Scott McWilliams	\$ 56	7	\$ 392
	Ellen Groth	\$ 54	7	\$ 378
				\$ 4,235
Lab Fees & Associated Costs	Sample Analysis			\$ 2,140
	Cost of Ship Samples			\$ 324
				\$ 2,464
Supplies & Travel	Ice to Preserve Samples			\$ 24
	Mileage to & from sites			\$ 300
				\$ 324
SUB-TOTAL				\$ 7,023
Contingency	10% of Sub-total			\$ 702
TOTAL COST				\$ 7,725

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider approving an interlocal agreement with Tom Green County for a joint election November 2019 and authorizing the City Manager to execute all related documents (Julia Antilley)

Summary/History:

The City of San Angelo, Tom Green County, and Water Valley ISD will be holding a joint agreement November 5, 2019.

Financial Impact:

Preliminary cost estimates anticipate the City's portion of the election to be \$13,723.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider approving the following MHMR Concho Valley items:

- a revised interlocal agreement authorizing the Mayor to execute all related documents in compliance with Senate Bill 632
- reappointments to the Board of Trustees of the MHMR Services for a term of November 1, 2019 through October 31, 2021: Tim Davenport-Herbst, Jeff Gibson, Linda Kujawski, Dianna Spieker, and Pat Trevino (Julia Antilley)

Summary/History:

Senate Bill 632 requires two ex-officio board members be appointed, both must represent the Tom Green County's Sheriff's office. The attached Interlocal Agreement outlines this change in the board's composition.

Additionally, it is time to reappoint board members.

Financial Impact:

No budgetary impact.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | MHMR Appointments | MHMR Appointments.doc |
| 2. | Revised Interlocal Agreement between Sponsoring Agencies 0919 | Revised Interlocal Agreement between Sponsoring Agencies 0919.pdf |

Presentation:

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



MHMR SERVICES FOR THE CONCHO VALLEY

"Working Together To Help People Help Themselves"

TO: **Appointing Agencies**
Angelo State University- President
City of San Angelo-City Council
San Angelo Independent School District-Board of Trustees
Tom Green County-Commissioners Court

FROM: **Appointing Agencies - Liaison Representatives**
Dr. Bradley Petty, Angelo State University
Ms. Lucy Gonzales, City of San Angelo
Mr. Sammy Farmer, Tom Green County
Mr. Art Hernandez, San Angelo Independent School District

SUBJECT: Appointments to the Board of Trustees of the MHMR Services for the Concho Valley

DATE: September 4, 2019

The Liaison Representatives nominates the following persons for re-appointment to the MHMR Services for the Concho Valley Board of Trustees for an unexpired term ending October 31, 2019:

Davenport-Herbst, Tim -November 1, 2019 through October 31, 2021 (re-appointment)
Gibson, Jeff–November 1, 2019 through October 31, 2021 (re-appointment)
Kujawski, Linda–November 1, 2019 through October 31, 2021 (re-appointment)
Spieker, Dianna–November 1, 2019 through October 31, 2021 (re-appointment)
Trevino, Pat–November 1, 2019 through October 31, 2021 (re-appointment)

The Liaison Representatives nominates the following Sheriff's or a representative to the MHMR Services for the Concho Valley Board of Trustees as Ex-Officio Non-voting Members:

Sheriff David Jones representing Tom Green County – November 1, 2019 through October 31, 2021 (new appointment)
Sheriff Jeff Garner representing Reagan County – November 1, 2019 through October 31, 2021 (new appointment)

Official appointment of these nominees is requested by the Liaison Representatives to provide a duly constituted Board of Trustees as required by the Texas Laws Relating Mental Health and Mental Retardation. Documentation (notarized meeting minutes where applicable) of the appointments should be sent to the Annette Hernandez, Board Liaison, MHMR Services for the Concho Valley, 1501 West Beauregard, San Angelo, Texas 76901.

If you have any questions, please feel free to contact Ms. Annette Hernandez at (325) 658-7750 ext. 346.

REVISED SEPTEMBER 4, 2019 INTERLOCAL AGREEMENT

In accordance with the "Texas Interlocal Cooperation Act" (Chapter 791, Texas Government Code) the undersigned representatives of the organizational combination of the Commissioner's Court of Tom Green County, the City Council of San Angelo, the Board of Trustees of the San Angelo Independent School District and the participation of Angelo State University, hereinwith referred to as the "Appointing Agencies", being responsible for appointing the Board of Trustees of the MHMR Services for the Concho Valley hereby formalize the appointment process to assure compliance with state law (Chapter 534, Subchapter A, Texas Health and Safety Code and **Senate Bill 632**).

The MHMR Services for the Concho Valley, under the guidance and control and with the professional and financial support of the Health and Human Services Commission (HHSC) and each of the appointing agencies, has from, its initial organization, continued to provide comprehensive mental health and mental retardation services at the community level to citizens in the Coke, Concho, Crockett, Irion, Reagan, Sterling, and Tom Green Counties.

I. Background

The MHMR Services for the Concho Valley, formerly known as the Concho Valley Center for Human Advancement, initially named the Mental Health Mental Retardation Center for Greater West Texas, was established pursuant to Texas Article 5547-203, V.A.C.S. in June, 1966 by joint agreement of Angelo State University, City of San Angelo, Lakeview Independent School District, San Angelo Independent School District, which the two school districts consolidated in 1967 and referred to the San Angelo Independent School District, and the Tom Green County.

II. Composition of the Board of Trustees

The Board of Trustees of MHMR Services for the Concho Valley shall consist of nine (9) members and **two (2) Ex-Officio non-voting members** appointed to assigned places by the appointing agencies. The Board of Trustees is responsible for the administration of the Center.

- A. First term: five (5) appointments for a two (2) year term commencing November 1 of the year appointed and terminating October 31, or until a successor is appointed.
- B. Second term: four (4) appointments for a two (2) year term commencing November 1 of the year appointed and terminating October 31, or until a successor is appointed.
- C. Any appointments made to fill unexpired terms shall be for the period of the unexpired term, or until a successor is appointed.

D. The Ex-Officio members will be the Sheriff, or a representative of the Sheriff, representing the Tom Green County and a Sheriff, or a representative of the Sheriff, from another county in the Center's service area. Both positions will be considered as nonvoting members. The term for the Sheriff representing the Tom Green County is indefinite, and the Sheriff's representing other counties in the service area will rotate every two years.

III. Appointment Criteria

In selecting an individual for appointment to a trustee position each appointing agency shall be encouraged to consult with each other as to the needs of the service area. Appointments to the Board of Trustees shall

- 1) Attempt to reflect the ethnic and geographic diversity of the region served by the center (required by 534.004(b)THSC);
- 2) Include one or more person otherwise qualified under this chapter who are consumers (or family members of consumers) of the types of services the center provides (required by 534.004(b)THSC);
- 3) Be made in accordance with the eligibility criteria and membership procedures set forth in Attachment A hereby incorporated herein.

IV. Effective Date

The parties have executed this interlocal agreement on the date set forth beside their signatures:

COMMISSIONERS COURT OF TOM GREEN COUNTY
AUTHORIZED REPRESENTATIVE

DATE EXECUTED

CITY COUNCIL OF SAN ANGELO
AUTHORIZED REPRESENTATIVE

DATE EXECUTED

BOARD OF TRUSTEES OF THE SAN ANGELO
INDEPENDENT SCHOOL DISTRICT
AUTHORIZED REPRESENTATIVE

DATE EXECUTED

ANGELO STATE UNIVERSITY
AUTHORIZED REPRESENTATIVE

DATE EXECUTED

MHMR SERVICES FOR THE CONCHO VALLEY
AUTHORIZED REPRESENTATIVE

DATE EXECUTED

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Consider reappointments to the Concho Valley Council of Government's Transit Board for a term of September 2019 to August 2021: Council Member Harry Thomas (Vice Chair), Council Member Lucy Gonzales, and Council Member Billie DeWitt (Julia Antilley)

Summary/History:

Following the May 2019 election for SMD's 1, 3, and 5 City Council designated Council Members DeWitt, Thomas, and Gonzales to continue serving in their roles on the Transit District through the term end (August 2019). This action will reappoint the Council Members to another two year term.

Financial Impact:

No fiscal impact to the budget.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | COSA Board Member Appointments for Concho Valley Transit 2019 | COSA Board Member Appointments for Concho Valley Transti 2019.pdf |
| 2. | COSA Board Member Designation Form | COSA Board Member Designation Form.pdf |
| 3. | CVTD Amended bylaws_Aproved_9_11_2013 | CVTD Amended bylaws_Aproved_9_11_2013 .pdf |

Presentation:

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval



Concho Valley Transit

510 N Chadbourne St. San Angelo, Texas 76903
(325) 947-8729
cvtd.org



September 9, 2019

City of San Angelo City Council
Attn: Julia Antilley, City Clerk
72 W. College Ave
San Angelo, TX 76903

Re: Concho Valley Transit District Board Representation

As of August 31, 2019, it will be time for reappointment or designation of CVT Board Members. The Bylaws of the Concho Valley Transit District (CVTD) provide that the board shall have a total of 15 members in accordance consisting of one (1) elected official from each of the counties in the district and (3) Elected Officials from the City of San Angelo. The board members shall serve a two (2) year term and may be re-approved by the component governmental unit they represent for additional two (2) year terms.

At this time, The Honorable Harry Thomas, The Honorable Lucy Gonzales, and The Honorable Billie DeWitt are the designated representatives for COSA. I am enclosing a designation form which you may use to inform us of the City Councils action regarding this matter.

If you have any questions or need additional information, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Tracy Ogle". The signature is written in a cursive style with a large, stylized "T" and "O".

Tracy Ogle
CVCOG Director of Administration

cc: member file

Enclosures



**DESIGNATION OF CONCHO VALLEY
TRANSIT DISTRICT COMMITTEE MEMBER
REPRESENTING MEMBER OF GOVERNMENTS FOR
THE CITY OF SAN ANGELO**

The San Angelo City Council for met on _____, 2019 and designated
_____, _____ and
_____ to be the members of the Concho Valley Transit District
Board representing member of governments for the City of San Angelo.

Mayor

Attest: _____
Name & Title

Please return to: Concho Valley COG, P.O. Box 60050, San Angelo, TX 76906

Please indicate below the mailing address and phone number where the members wish to receive CVCOG mail and telephone contacts.

email optional _____

email optional _____

email optional _____

CONCHO VALLEY TRANSIT DISTRICT

Article I - Name

The name of this organization shall be **Concho Valley Transit District (CVTD)** a local governmental body and political subdivision of the State of Texas established under Chapters 458 of the Transportation Code and 791 of the Government Code of the State of Texas.

Article II – Purpose

The purpose of the CVTD is to assist urban and rural areas within its service area by providing and coordinating public and specialized transportation services and related support services for residents and to be the administrative agency to supervise the performance of various inter-local agreements entered into pursuant to the provisions of Chapter 791 of the Texas Government Code. The service area of the CVTD shall be the counties of Coke, Concho, Crockett, Edwards, Irion, Kimble, Menard, McCulloch, Reagan, Schleicher, Sterling, Sutton and Tom Green including the City of San Angelo.

Any County adjacent to the CVTD is also eligible to join the CVTD following the provisions of Chapter 458.07 of the Transportation Code and an affirmative vote by the County Commissioners Court of the adjacent county and approval of the CVTD board.

Article III – Board of Directors

Section 1. Election of Board Members

A. The affairs of the CVTD shall be managed and administered by a Board of Directors, henceforth known as the “Board”. (Chapter 458.06) *"The number of members of the governing body of a multicounty district may not exceed 15, except that each member county is entitled to at least one representative on the governing body."*

The board shall have a total of 16 members in accordance consisting of one (1) Elected Official from each of the counties in the district and three (3) Elected Officials from the City of San Angelo. If an Official from the City of San Angelo is not able to attend, they may select a current and actively serving member of the City of San Angelo Council to sit as a *Designee*. This Designee would not have voting rights but would attend for quorum purposes only. The representatives will be selected in accordance with Chapter 458.06 (rural) and 458.09 (urban) of the Transportation Code of the State of Texas.

B. One non-voting members shall also serve on the Board, the Executive Director of the Concho Valley Council of Governments. The non-voting members may not hold any office on the Board. Additional non-voting members may be added by an absolute majority vote of the board as a whole.

C. The board members shall serve a two-year term. And may be re-approved by the component governmental unit they represent for additional two-year terms. A Board Members Term Begins upon appointment by the component government they represent.

D. Board members may be removed only by two thirds vote of the Board, which must determine that the member to be removed is no longer physically or mentally able to serve or that said member is engaged in activities

or actions detrimental to the goals of the board. Any member of the Board with three consecutive unexcused absences of a regular or special meeting of the Board may be removed at the discretion of the Chairman.

E. Board members will receive no compensation for their service but may be paid for any expenses directly related to performing duties of the CVTD.

F. Only persons who are elected officials in the area of the governing body of the component governmental unit they represent shall be eligible to serve as a CVTD Board Member.

G. If a board member, for any reason, no longer is an elected official that person shall forfeit the Board Member position, as only elected officials are eligible to serve as a CVTD Board Member.

H. Board Member shall serve at the pleasure of the governing bodies of the component governmental unit they represent.

Section 2. Powers and Duties of Board

A. The district business and affairs of CVTD, except as may otherwise be provided by law or the by-laws, shall be vested in and exercised controlled by the Board.

B. The Executive Director of the Concho Valley Council of Governments shall be the Executive Director of the CVTD. The Executive Director shall be the chief administrative officer of the CVTD and shall be responsible for providing all staff and consultant services to the CVTD; preparation of the CVTD's annual budget and work program; employing; retaining and removing all employees as he or she may deem necessary.

C. The Board shall have the authority and responsibility to establish policies, rules, and procedures for Board functions and to ensure compliance with such established policies.

D. The Board shall have the authority and responsibility for approval of all program plans, priorities, proposals, and budgets and the responsibility of monitoring and evaluating programs to ensure compliance with such plans, priorities, proposals, and budgets.

E. The Board shall have the authority to accept grants and contributions from and to contract with Federal, State, County and local entities, and receive and administer funds pursuant to the requirements of those entities, to delegate such contractual authority to the Executive Director subject to funding entities rules and regulations.

F. The Board shall have the final responsibility to assure and enforce compliance with all grant and contract conditions and requirements.

G. The Board shall have the authority and responsibility to establish and elect officers of the Board, select an Executive Committee and select members of the Executive Committee and delegate duties to such a committee if the Board so desires or the Board as a Whole may serve as the Executive Committee.

Section 3 Meetings

A. The annual meeting of the Board shall occur on a day as determined by the Board.

B. The Board shall meet at least four (4) times a calendar year, at least once each quarter or as often as the Board desires to conduct the business of the CVTD. The Board shall determine the time and place of such meetings.

C. The meetings of the CVTD shall be subject to the Open Meetings Act of 1967 as amended (Chapter 551 of the Texas Government Code). Additionally, any ad hoc or advisory committee formed under the auspices of these by-laws shall be subject to the same provisions.

D. Records of meetings of CVTD are subject to the provisions of the Open Records Act, Texas Government Code Chapter 552. The Board shall keep written minutes of each meeting, which shall include a record of members present and the votes on all motions.

E. A quorum shall consist of at least fifty percent +1 of the directors current and actively serving. A quorum must be present to hold a meeting.

F. By a simple majority vote of voting members present at a meeting in which a quorum is present, the Board may conduct business on behalf of CVTD and enter into inter-local agreements with other local governmental bodies to supervise the performance of such inter-local agreements and provide services consistent with these bylaws and transact such other business as may properly come before the Board (designees will be counted for quorum purpose only and will not have voting rights).

G. Special meetings of the Board for any purpose or purposes may be called by the Chair, Vice Chair or Secretary upon written or electronic request. The notice for a special meeting must state the purposes of the special meeting.

Article IV- CVTD–Executive Director

A. The Executive Director shall be responsible for the staff, management, operations and supervision of all employees including but not limited to drivers, mechanics, dispatchers and planners. The Executive Director will meet the normal accepted qualifications of a transit manager and shall serve at the direction and pleasure of the board.

B. The Executive Director shall serve on the board of directors as a non-voting member and cannot hold any office on the Board (amended due to CVTD staffing restructure in June 2013).

Article V-Officers

A. The Board shall select a Chair, Vice-Chair and Secretary from among its voting membership.

B. Officers of the Board shall perform the duties normally associated with such positions and the Board may delegate as to them.

C. All officers shall serve two-year terms and may succeed themselves by vote of the majority of the Board.

D. Officers of the Board may be removed and replacements selected at the discretion of the Board.

Article VI – Committees

A. The Board shall have the authority to establish standing or ad hoc committees as are deemed necessary to carry on the work of CVTD.

B. The members of such committees shall be appointed by the Board Chair and approved by the Board.

C. No Committee established under these bylaws or established in the future or other provisions contained in these bylaws shall have the authority to bind CVTD in any way or commit or obligate it in any way unless expressly approved by the Board.

Article VII – Indemnification
Of Officers and Members

A. No board member or officer is liable to the CVTD or any third party for monetary damages for any act or omission in such board member's or officer's capacity as such except to the extent otherwise provided by the law of the State of Texas. To the fullest extent possible by applicable law, the CVTD shall indemnify and hold harmless any such board member or officer who was, is, or is threatened to be made a defendant or respondent in litigation or other proceedings because the person is or was a board member, officer, or other person related to CVTD.

Without limiting the foregoing, the CVTD shall indemnify any board member, officer, or former board member or officer of the CVTD or any person who may have served at its request, against expenses actually and necessarily incurred by them and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil or criminal in nature, in which they are made a party by reason of being or having been such a board member, officer, or employee (whether or not a board member, officer or employee at the time such cost or expenses are incurred by or imposed upon them) except in relation to matters to which they shall be adjudged to such action suit or proceeding to be libel for gross negligence or willful misconduct in the performance of duty. The CVTD may also reimburse any board member, officer, or employee the reasonable cost of settlement of any such action, suit or proceeding, if it shall be found by a majority of the board members not involved in the matter in controversy, whether or not a quorum, that it was to the interests of CVTD that such settlement be made and that such board member, officer or employee was not guilty of gross negligence or willful misconduct.

Also, without limiting the foregoing, to the extent applicable the CVTD, its board members and officers shall have immunities identical to those provided by

Chapter 84 of the Civil Practice and Remedies Code. In addition, the CVTD is authorized to obtain such insurance to cover liability of board members, officers and others related to the CVTD as the CVTD may find available and practicable for time to time.

Article VIII – Use of Funds

A. No part of the income of the organization shall inure to the benefit of, or be distributable, its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of providing transportation services as set out in Chapter 458 of the state of Texas Transportation Code. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on by a sub-division of the State of Texas.

B. No part of the funds or earnings of CVTD may be used to support any other organization or entity other than those directly related to the fulfillment of CVTD's duties to function as a provider of transportation services.

Article IX – Dissolution of CVTD

A. Concho Valley Transit District can be dissolved by an absolute majority vote of the full Board.

B. Upon the dissolution of the organization, assets shall be distributed with the Approval of the Texas Department of Transportation Public Transit Division. Any assets not so disposed of shall be disposed by the Court of Common Pleas of the County in which the principal office of the District is then located, exclusively for such purpose or to such organizations, as said court shall determine, which are organized and operated for such purposes.

Article X – Amendments

The bylaws of CVTD may be amended at any regular or special meeting of the Board by the vote of two-thirds (2/3) of the total Board. Notice of such proposed amendments shall be given at least 15 days prior to such meetings.

Article XI – Rules of Order

Robert's Rules of Order, newly revised, except where such rules may be in conflict with the bylaws, shall govern the Board.

ARTICLE XIV - CONFLICT OF INTEREST

Should any voting board member or officer of CVTD have a substantial business interest or representational interest as defined by Chapter 171.002 of the Local Government Code, that voting board member or officer shall not vote on any proposal or request for funds in which that voting board member has such an interest. All declarations of conflict of interest and abstentions from voting will be recorded in the minutes of meetings of the Board of Directors.

Chair

Secretary

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Consent Item

Caption:

Second reading for:

1. An amendment to the zoning ordinance creating a new Section 212 "River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone" and establishing standards for development within these zones; creating a new Section 309 "River Corridor District Overlay Zone", Section 310 "Downtown District Overlay Zone", and Section 311 "Cultural District Overlay Zone" and identifying their purpose, applicability and review procedures; rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; rezoning properties generally located north of Neff's Way, east of Randolph St., south of 3rd St., and west of N. Emerick St. to apply the Downtown Overlay Zoning District; and rezoning properties generally located north of Ave. A, east of Oakes St., south of the Concho River to apply the Cultural Overlay Zoning District
2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, "River Corridor Development Ordinance"
3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones (Jon James)

Summary/History:

Update (2nd Reading): The attached documents have been modified based on the amendments approved on 1st Reading, including exempting single-family homes, except those on property adjacent to the river, and establishing that there will be no application fee for "like-for-like" replacement or changing paint colors approved administratively (i.e., on a historic color palette).

Update (1st Reading): The attached documents are largely the same as were presented in 2018. The biggest change is scaling back the boundaries to the current River Corridor boundary that exists today and leaving the discussion of boundary expansion to a later date. In addition, staff will be presenting options for possible changes based on the previous discussion from Council and input from the public hearing. Staff will then make changes based on Council discussion and direction and update the ordinances as necessary prior to Second Reading.

The Planning Division recently undertook a review of the City's River Corridor Development Ordinance, Historical Overlay standards in the Zoning Ordinance, as well as the boundaries of the River Corridor, downtown area, and historic overlay districts. This was to determine a) changes to the current development review process for River Corridor and Certificate of Appropriateness applications; and b) changes to the current boundaries of the River Corridor, downtown area, and historical areas. River Corridor Applications are currently required under Article 12.06 River Corridor Development of the City Code of Ordinances for any new construction, exterior remodeling of a structure, or moving a

structure onto a lot located within the current River Corridor boundary. "Construction" includes fences, signs, reroofing and remodeling. Construction under 1,200 square feet, fences, unlit signs no larger than 50 square feet, temporary structures and signs no longer than 10 days, and construction for safety and access may be approved administratively at the discretion of the Planning Manager or designated representative. All other construction must be approved by the Design and Historic Review Commission (DHRC). In addition, the current River Corridor boundary map also includes an additional 150-foot sign area located adjacent to certain streets. Signs located on properties outside the River Corridor, but adjacent within this 150-foot area would require DHRC or the Planning Manager's approval. Section 211 and 308 of the Zoning Ordinance require properties that are designated as historical landmarks or part of a larger historic district require a Certificate of Appropriateness (CA) approval from the DHRC. Similar to River Corridor reviews, CA review is also required for new exterior construction and reconstruction on historic landmarks or in historic districts.

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

Financial Impact:

N/A

Other Information/Recommendation:

On September 4, 2019, the City Council held a public hearing and voted to approve these amendments on 1st reading, with modifications.

On July 17, 2018, the City Council held a public hearing on these items and voted to postpone discussion for a future meeting.

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

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

At the same May 21st meeting, the Planning Commission unanimously recommended approval of three rezonings creating new boundary maps for the new River Corridor District Overlay Zone; Downtown District Overlay Zone; and Cultural District Overlay Zone. They voted to apply the River Corridor overlay zoning district to approximately 4,439 acres of property generally located along the Concho River from the eastern to the western City limits including

properties that directly adjoin or are a maximum of 2,275 feet from the river's edge, excluding the area south of Avenue L and east of Bell Street. They then voted to apply the Downtown Overlay Zoning District to only include the original area of "Downtown" on the current River Corridor map. Finally, the Commission voted to apply the Cultural Overlay Zoning District to only include the current Historic Overlay zones and City properties shown on the proposed Cultural Overlay map, and to include the Art Museum as part of the new Cultural Overlay District and removing it from the proposed River Corridor Overlay District.

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

The Design & Historic Review Commission reviewed these amendments at their November 2, 2017, and their January 11, February 15, and March 15, 2018, meetings. During their March 15th meeting, the Commission voted unanimously to approve the proposed text changes and create the three Overlay Districts.

Attachments:

- | | |
|---|---|
| 1. Staff Report | PL_Memo_District Overlays_CC 9-4-19.pdf |
| 2. Summary Table of Proposed Changes | Summary Table of Proposed Changes.pdf |
| 3. Proposed Text Amendments (Ord #2 & #3) | PL_FullText_District Overlays_CC 9-4-19.pdf |
| 4. Ordinance #1 | RIVER CORRIDOR ORDINANCE _1 (FINAL).docx |
| 5. Ordinance #2 | RIVER CORRIDOR ORDINANCE _2 (FINAL).docx |
| 6. Ordinance #3 | RIVER CORRIDOR ORDINANCE _3 (DRAFT).docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

MEMO

**Meeting**

Dates: September 4 & 18, 2019

To: City Council

From: Jon James, AICP
Director

Request: Public hearing and consideration of an amendment to the Zoning Ordinance for the following:

- 1) Establishing a new Section 212 with application process, construction standards, and boundary maps for development in the three new district overlay zones, the River Corridor, Downtown, and Cultural District Overlay Zones;

Creating a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay Zone, and Section 311 Cultural District Overlay Zone for the three new district overlay zones, identifying their purpose, applicability and review procedures;

- 2) Revising existing standards of Sections 211 and 308 relating to Certificates of Appropriateness for construction on historically designated properties;

An amendment to the Sign Ordinance, revising Section 12.04.017 River Corridor Area of the City Code of Ordinances, replacing "River Corridor" with the new River Corridor, Downtown and Cultural District Overlay Zones; and

Repeal of Article 12.06, River Corridor Development of the City Code of Ordinances.

- 3) Adding to Section 301 to the base zoning districts, the new River Corridor District Overlay Zone (RCO), Downtown District Overlay Zone (DO), and Cultural District Overlay Zone (CDO); and

Background:

The Planning Division undertook a review of the City's River Corridor Development Ordinance, Historical Overlay standards in the Zoning Ordinance, as well as the boundaries of the River Corridor, downtown area, and historic overlay districts to determine a) changes to the current development review process for River Corridor and Certificate of Appropriateness applications;

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

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

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

The Planning Division undertook a review of current map boundaries, and conducted site assessments of properties within the River Corridor, Downtown San Angelo, and the historic districts including the Old Town District, Fort Concho District, and the area surrounding the Museum of Fine Arts. Staff determined that the River Corridor Map included parts of downtown San Angelo and properties that did follow the river line. Staff also found that Downtown San Angelo and the area around the museum with a compilation of art galleries and historic properties should have their own unique overlay districts, as they are separate from the River Corridor. Therefore, Staff is proposing the creation of a revised River Corridor District that is more appropriate by following the river line itself; creation of a Downtown District Overlay Zone to encompass properties located within Downtown San Angelo in parts of the Central Business District (CBD) and surrounding urban areas where the City’s Comprehensive Plan recommends for future expansion of the CBD; and the creation of a new Cultural District Overlay Zone that incorporates the museum and a series of art studios and historical buildings into a single district to reflect current activity in this area. The proposed new boundary maps can be found attached to this Staff Report and delineate the current and revised boundaries. This research concluded with the proposed implementation of three new district overlay zones for each of the three areas – a new River Corridor District Overlay Zone, Downtown District

Overlay Zone, and Cultural District Overlay Zone which would be added to the Zoning Ordinance. As with other overlay zones, properties would still be subject to the underlying zoning that applies. However, the Planning Director or DHRC would now be able to review materials and colors on a building in an overlay district. These overlay zones will eventually have their own criteria and design standards, but at present, will continue to be subject to the *River Corridor Master Development Plan* guidelines until new design standards are implemented.

Changes to Application Process and Standards

After a review of current ordinances and policies, the Planning Division is recommending that the current River Corridor Development Ordinance be repealed and replaced with a more comprehensive set of standards in the Zoning Ordinance that a) establishes a clear approvals process for new applications; b) redefines construction to include exterior painting and certain landscaping; and c) applies to the three new district overlay zones. This includes repeals and amendments of other ordinances that are no longer applicable. Finally, the Planning Division found that Section 308 of the Zoning Ordinance repeats much of the same criteria for a Certificate of Appropriateness under Section 211. The proposed changes will consolidate and remove redundant portions of Section 308 into Section 211. Historical buildings and landmarks, and properties that are part of a historical district overlay zone would continue to require a Certificate of Appropriateness as per Section 211 of the Zoning Ordinance.

Summary of Hearings and Recommendations

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

April 16, 2018, Planning Commission:

The Planning Division **RECOMMENDED APPROVAL** of the following:

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

NOTE: This item was brought back to the May 21, 2018, Planning Commission Meeting and reviewed as separate items. The Overlay Districts were separated into three

distinct Zoning sections, and the three overlay maps had separate motions for each (see below).

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

2. Revising the application process and the creation of new development standards.

This section establishes a new Section 212 with application process, construction standards, and boundary maps for development in the three new district overlay zones, the River Corridor, Downtown, and Cultural District Overlay Zones.

3. Repeal of Article 12.06 “River Corridor Development” of the San Angelo City Code of Ordinances; and repeal of the “Old Town Historic District” (Z10-14). Article 12.06 is no longer required as it being replaced with the new overlay zoning districts in the Zoning Ordinance. The Old Town District is no longer required because properties within this area will become part of either the new Cultural District or River Corridor District.

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

Commissioner Brooks made a Motion to recommend APPROVAL of the proposed Text Amendment as presented. Commissioner Uherik seconded the Motion.

Commissioners Brooks III, Uherik, Jackson, Stribling, Spano, and Self voted in favor, and Commissioner Smith voted against. The Motion passed, 6-1.

May 21, 2018, Planning Commission:

The Planning Division **RECOMMENDED APPROVAL** of the following:

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

Commissioner Smith made a Motion to recommend APPROVAL of “Item 3A,” an amendment to the Zoning Ordinance, Article 3, creating a new River Corridor District Overlay, Downtown District Overlay, and Cultural District Overlay, identifying their

purpose, applicability, and review procedures, as presented. Commissioner Brooks seconded the motion. Commissioners Smith, Brooks III, Jackson, Uherik, Self, and Chair Stribling voted in favor, and Vice Chair Spano voted against. The motion for Item 3A passed 6-1.

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

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

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

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

River Corridor Overlay:

Commissioner Brooks made a Motion to recommend DENIAL of “Item 4A,” a rezoning to apply the River Corridor overlay zoning district to approximately 4,439 acres of property generally located along the Concho River from the eastern to the western City limits

including properties that directly adjoin or are a maximum of 2,275 feet from the river's edge. The motion was seconded by Commissioner Jackson. Commissioner Brooks RESCINDED his motion.

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

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

Downtown Overlay:

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

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

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

Cultural Overlay:

Commissioner Brooks made a Motion to recommend APPROVAL of "Item 4C," a rezoning to apply the Cultural overlay zoning district to approximately 64 acres of property generally located north of East Highland Boulevard, east of Rust Street, south

of Bakers Street, and west of Hill Street, MODIFYING the boundaries to only include the current historic overlay zones and city properties shown on the proposed cultural overlay map, and to direct City Council to include the Art Museum as part of the new Cultural Overlay District and removing it from the new River Corridor Overlay District. The motion was seconded by Commissioner Jackson. The motion for Item 4C passed unanimously 7-0.

June 18, 2018, Planning Commission:

The Planning Division RECOMMENDED APPROVAL of the following:

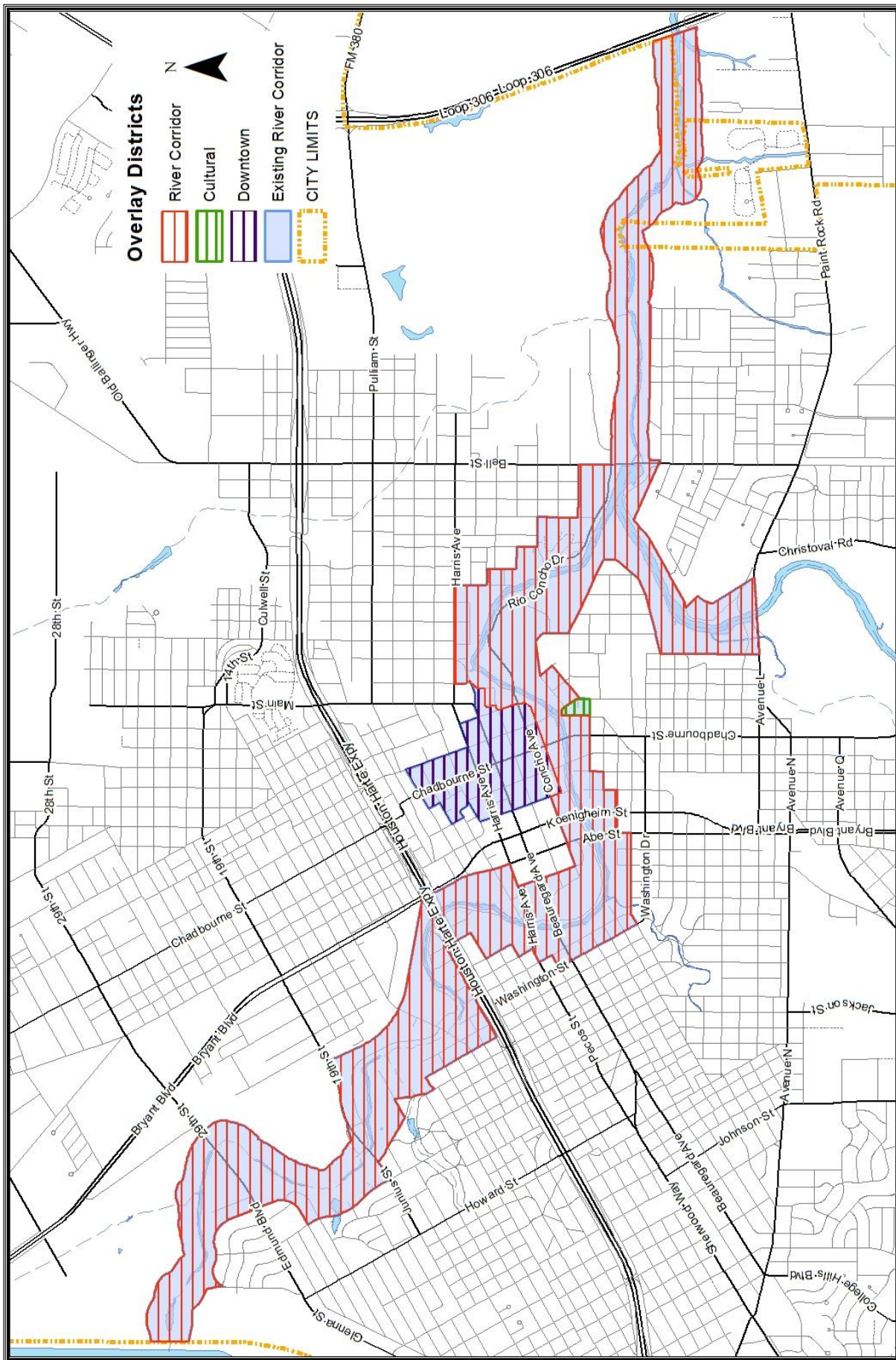
- 1. Renaming Article 12.04.017 of the Sign Ordinance, “River Corridor Area” which regulates signs in the River Corridor as “River Corridor District, Downtown District and Cultural District Overlays” to now regulation signage in all three new overlays.** This section which already applies to the current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

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

Attachments:

River Corridor/Cultural/Downtown Overlay Map
Downtown/Cultural Overlay Map

River Corridor/Cultural/Downtown Overlay Map



Overlay Districts

- River Corridor
- Cultural
- Downtown
- Existing River Corridor

Map labels include: Pope St, Harris Ave, Tanner St, Poe St, Emerick St, Main St, College Ave, Magdalen St, Koehn St, 1st St, 2nd St, 3rd St, 4th St, 5th St, 6th St, 7th St, 8th St, 9th St, 10th St, 11th St, 12th St, 13th St, 14th St, 15th St, 16th St, 17th St, 18th St, 19th St, 20th St, 21st St, 22nd St, 23rd St, 24th St, 25th St, 26th St, 27th St, 28th St, 29th St, 30th St, 31st St, 32nd St, 33rd St, 34th St, 35th St, 36th St, 37th St, 38th St, 39th St, 40th St, 41st St, 42nd St, 43rd St, 44th St, 45th St, 46th St, 47th St, 48th St, 49th St, 50th St, 51st St, 52nd St, 53rd St, 54th St, 55th St, 56th St, 57th St, 58th St, 59th St, 60th St, 61st St, 62nd St, 63rd St, 64th St, 65th St, 66th St, 67th St, 68th St, 69th St, 70th St, 71st St, 72nd St, 73rd St, 74th St, 75th St, 76th St, 77th St, 78th St, 79th St, 80th St, 81st St, 82nd St, 83rd St, 84th St, 85th St, 86th St, 87th St, 88th St, 89th St, 90th St, 91st St, 92nd St, 93rd St, 94th St, 95th St, 96th St, 97th St, 98th St, 99th St, 100th St.

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

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

Approval by DHRC required	Approvals by DHRC currently: • Construction 1,200 sq. ft. or greater • reroofing or remodeling that materially changes the appearance of a structure • moving an existing structure onto a lot	Approvals by DHRC now include: • All construction of any part of a structure, canopy, or awning visible from a public right-of-way • All signs 50 sq. ft. or greater • Fences or walls with signage, messaging, graphics, video or t.v. • telecommunication facilities 35 feet in height or greater • All food trucks without a temporary food permit • DHRC may approve, conditionally approve, or deny
Appeal Process	Only an applicant may file an appeal to the DHRC or City Council	Expanded definition of parties that can appeal a decision by the Planning Director or DHRC to City Council now include “an applicant, designated representative, aggrieved individual.” The Planning Director may now appeal DHRC decisions to City Council

Sec. 211. Historic Overlay Zone

- A. Purpose. The Historic Overlay Zone provides additional regulations that supplement the underlying base district regulations for the purpose of preserving historic landmarks and districts.
- B. Procedure for Designation of Landmark or District. Designation of historic landmarks or districts is accomplished by encompassing each such landmark or district within a Historic Overlay Zone by amendment to the Official Zoning Map for the City. Such an amendment must be approved by ordinance of City Council, following a public hearing and recommendation by the Design and Historic Review Commission, who shall act in this matter in place of the Planning Commission. The procedures of [Section 213](#) regarding amendments to the Official Zoning Map shall apply, with delegation of the Planning Commission's duties and responsibilities to the Design and Historic Review Commission, and using criteria set forth in subsections C and D below.
- C. Criteria for Designation of Historic Landmarks. A Historic Landmark may be designated through application of the Historic Overlay Zone if it:
1. possesses significance in history, architecture, archaeology, or culture;
 2. is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
 3. is associated with the lives of persons significant in our past;
 4. embodies the distinctive characteristics of a type, period, or method of construction;
 5. represents the work of a master designer, builder, or craftsman;
 6. represents an established and familiar visual feature of the city;
 7. possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 8. has yielded, or may be likely to yield, information important in prehistory or history.
- D. Criteria for Designation of Historic Districts. A Historic District may be designated through application of the Historic Overlay Zone if it:
1. Contains properties and an environmental setting that meet one or more of the criteria for designation of an historic landmark; and
 2. Constitutes a distinct section of the city.
- E. Certificate of Appropriateness Required for Alteration or New Construction. No person shall carry out any exterior new construction, reconstruction, alteration, restoration, any exterior new rehabilitation, [including any addition to or expansion of an existing building](#), or relocation of any historic landmark or on any property within a historic district without a Certificate of Appropriateness. Nor shall any person make any material change in the light fixtures, signs, sidewalks, fences, steps, paving, building exteriors or other exterior elements in a district or to a landmark, visible from a public right-of-way in that district or landmark, which affect the appearance and cohesiveness of any historic landmark or any property

within the historic district without obtaining a Certificate of Appropriateness from the Design and Historic Review Commission.

- F. Certificate of Appropriateness Required for Demolition. A permit for the demolition of a historic landmark or property within a historic district, including secondary buildings and landscape features, shall not be granted by the Building Official, without the review of a completed application for a Certificate of Appropriateness approved by the Design and Historic Review Commission, as provided for above.
- G. Certificate of Appropriateness Application Procedure
1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Planning Director or designee. The application shall contain:
 - a. Name, address, telephone number of applicant, detailed description of proposed work.
 - b. Location and current photograph of the property and adjacent properties and historical photographs, if available.
 - c. Elevation drawings of the proposed changes, if available.
 - d. Samples or description of materials to be used.
 - e. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property.
 - f. Any other information which the Planning Director or designee may deem necessary in order to visualize the proposed work.
 - g. Elevation drawings of the proposed changes.
 - h. Samples of materials to be used.
 2. No building permit shall be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design and Historic Review Commission. The Certificate of Appropriateness required by this section shall be in addition to, and not in lieu of, any permit for building or other construction-related activity that may be required by any other City ordinance.
 3. The Design and Historic Review Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the application is received, at which time an opportunity will be provided for the applicant to be heard. The Commission shall take one of the following actions on the permit: approve, approve with modifications, or deny the application. In the event the Commission does not act within ninety (90) days of the receipt of the application, the Certificate of Appropriateness shall be deemed to have been approved.
 4. All decisions of the Design and Historic Review Commission shall be in writing. The Commission's decision shall state its findings pertaining to the approval, denial, or

modification of the application. A copy shall be sent to the applicant. ~~Additional copies shall be filed as part of the public record on that property and dispersed to the Planning Division and the Permits Division.~~

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

1. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
2. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
10. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

I. Economic Hardship Application Procedure

1. After receiving written notification from the Design and Historic Review Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or, this process may be simultaneous with the original Certificate of Appropriateness application procedure. No building permit or demolition permit shall be issued, unless the Commission makes a finding that hardship exists.
2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:
 - a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.
3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.
4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the Planning Director ~~preservation officer~~. Following the hearing, the Commission has thirty (30) days in which to prepare a written recommendation to the building official. In the event that the Commission does not act within ninety (90) days of the receipt of the application, a permit may be granted.
5. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by mail and a copy filed with the Planning Department ~~Division and the Permits Division~~. The Commission's decision shall state the reasons for granting or denying the hardship application.

- J. Appeal. An applicant for a Certificate of Appropriateness dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after receipt of notification of

such action. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner and according to the same procedures as provided in Section 212 of Chapter 12, Exhibit A “Zoning Ordinance,” of the Code of Ordinances of the City of San Angelo, except that review and public hearing by the Planning Commission shall not be necessary.

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

Sec. 301. Establishment of Districts

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

A. Base Zoning Districts

DISTRICT

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

B. Special Zoning Districts

PD	Planned Development District
PIP	Planned Industrial Park District

C. Overlay Zones

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

Sec. 308. HO (Historic Overlay Zone)

- A. Purpose. The City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents that unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. This overlay zone is intended for the following purposes.
1. Protect and enhance the landmarks and districts which represent distinctive elements of San Angelo's historic, architectural, and cultural heritage.
 2. Foster civic pride in the accomplishments of the past.
 3. Protect and enhance San Angelo's attractiveness to visitors and the support and stimulus to the economy thereby provided.
 4. Insure the harmonious, orderly, and efficient growth and development of the city.
 5. Promote economic prosperity and welfare of the community by encouraging the use of such property within the city.
 6. Encourage stabilization, restoration, and improvements of such properties and their values.
- B. Establishment. Historic Overlay Zones may be established to preserve and encompass districts and landmarks. Historic Overlay Zones shall be applicable in all zoning districts, or portions thereof. Boundaries of the zone for individual sites or landmarks shall be aligned with recorded property lines, where feasible. Boundaries for districts shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Historic Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Designation of Historic Landmarks and Districts. Designation of overlay zones for historic landmarks and districts, and any activity thereon as defined in Section 211, shall follow the procedures set forth in Section 211.

~~D. Certificate of Appropriateness Required~~

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

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

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

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

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

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

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

E. Demolition by Neglect. No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Design and Historic Review Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration shall include the following.

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

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

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

WHEREAS, on the 4th day of September, 2019, City Council held a public hearing, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

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

A. Application.

1. Any person or entity before commencing work on private or public property within the River Corridor District Overlay Zone, Downtown District Overlay Zone, or Cultural District Overlay Zone, shall make an application to the Planning and Development Services Department for review and approval.
2. A property used exclusively for a single-family detached dwelling shall be exempt from this requirement, with the exception of a property adjacent to the Concho River.
3. An application shall be required, but no application fee shall be assessed, for work that is a like for like replacement or for painting that is administratively approved.

B. Definitions.

1. Construction. The word “construction” shall include:
 - a. Exterior improvements including new construction, alteration, restoration, rehabilitation, or reroofing of any structure or property;
 - b. Moving a structure onto a lot.
2. Structure. The word “structure” as used herein shall include buildings and structures of any type, including but not limited to: signs, fences, walls, and telecommunication towers and facilities.
3. Work. “Work” includes construction and any other work described at subparts “C” and “D” of this Section, requiring review and approval.

C. Review by Planning Director. The Planning Director, or designee, may:

1. Review and approve, conditionally approve or disapprove applications for the following work:
 - a. Signage:
 - i. All signs under 50 square feet;
 - ii. Replacement of an existing sign that is substantially similar.
 - b. Fences or walls that do not include any signage or message, nor contain any graphics, video, or television display;

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

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

Section 2. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is hereby amended by substituting a new Section 309 for the former Section 309 renumbered by separate ordinance, to read as follows:

Sec. 309. River Corridor District Overlay Zone

- A. Purpose. The purpose of the River Corridor District Overlay Zone is the protection, enhancement, and perpetuation of the district’s aesthetic, environmental, historical and cultural attributes necessary to promote the public interest in economic, cultural, and educational benefits of the district. The River Corridor District Overlay Zone will limit negative impacts that development might otherwise have on the aesthetics and related benefits of the district. Special consideration shall be given to the land along Concho River banks and adjacent properties. The River Corridor District Overlay will help to protect the City’s natural resources by application of heightened design standards and allowances associated with specific uses. The River Corridor District Overlay is intended to:
 - 1. Protect and enhance the properties within the district overlay zone that represent distinctive elements of San Angelo’s historic, architectural, and cultural heritage.
 - 2. Foster civic pride in the accomplishments of the past, present, and future.
 - 3. Protect and enhance San Angelo’s attractiveness to visitors and thereby provide stimulus to the economy.
 - 4. Encourage stabilization, restoration, and improvement of properties in the District and enhance their values.

- B. Establishment. The River Corridor District Overlay Zone shall be applicable in all base zoning districts within or partially within the overlay zone. The boundaries for the district shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the River Corridor Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Procedures for Review within the River Corridor District Overlay. Review of applications within the River Corridor District Overlay shall follow the procedures set forth in Section 212.

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

Sec. 310. Downtown District Overlay Zone

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

- C. Designation of Landmarks. Designation of Historic Landmarks and Districts. Review of applications within the Downtown District Overlay Zone shall follow the procedures set forth in Section 212. .

Section 4. That Chapter 12, Exhibit “A” “Zoning Ordinance,” Article 3 “Use Regulations” is amended by substituting a new Section 311 for the former Section 311 renumbered by separate ordinance, to read as follows:

Sec. 311. Cultural District Overlay Zone

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

Section 5. That the basic zoning ordinance and the zoning map for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000, and included within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same are hereby amended to designate the following described overlay zone districts as permanently zoned; and, the Director of Planning & Development Department is directed to correct zoning district maps in the office of the Planning & Development Department to implement the new River Corridor District Overlay Zone, Downtown District Overlay Zone and Cultural District Overlay Zone as shown on Exhibit “A”, River Corridor

District Overlay Zone, Exhibit “B” Downtown/Cultural District Overlay Zones, the boundaries of which are generally described as being within the following parameters:

River Corridor District Overlay Zone: Approximately 1,459 acres of property generally located along the Concho River from the eastern to the western City limits including properties that directly adjoin or are near the river and correspond to the boundaries of the current River Corridor.

Downtown District Overlay Zone: Approximately 152 acres of property generally located north of Neff’s Way, east of Randolph Street; south of 3rd Street, and west of Emerick Street.

Cultural District Overlay Zone: Approximately 6 acres of property generally located north of Avenue A, east of Chadbourne Street, south of the Concho River, and west of Oakes Street.

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

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

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

INTRODUCED on the 4th day of September, 2019, and finally PASSED, APPROVED AND ADOPTED on this the 17th day of September, 2019.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

by: _____
Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James,

City

Attorney

Exhibit “A” (River Corridor District Map)

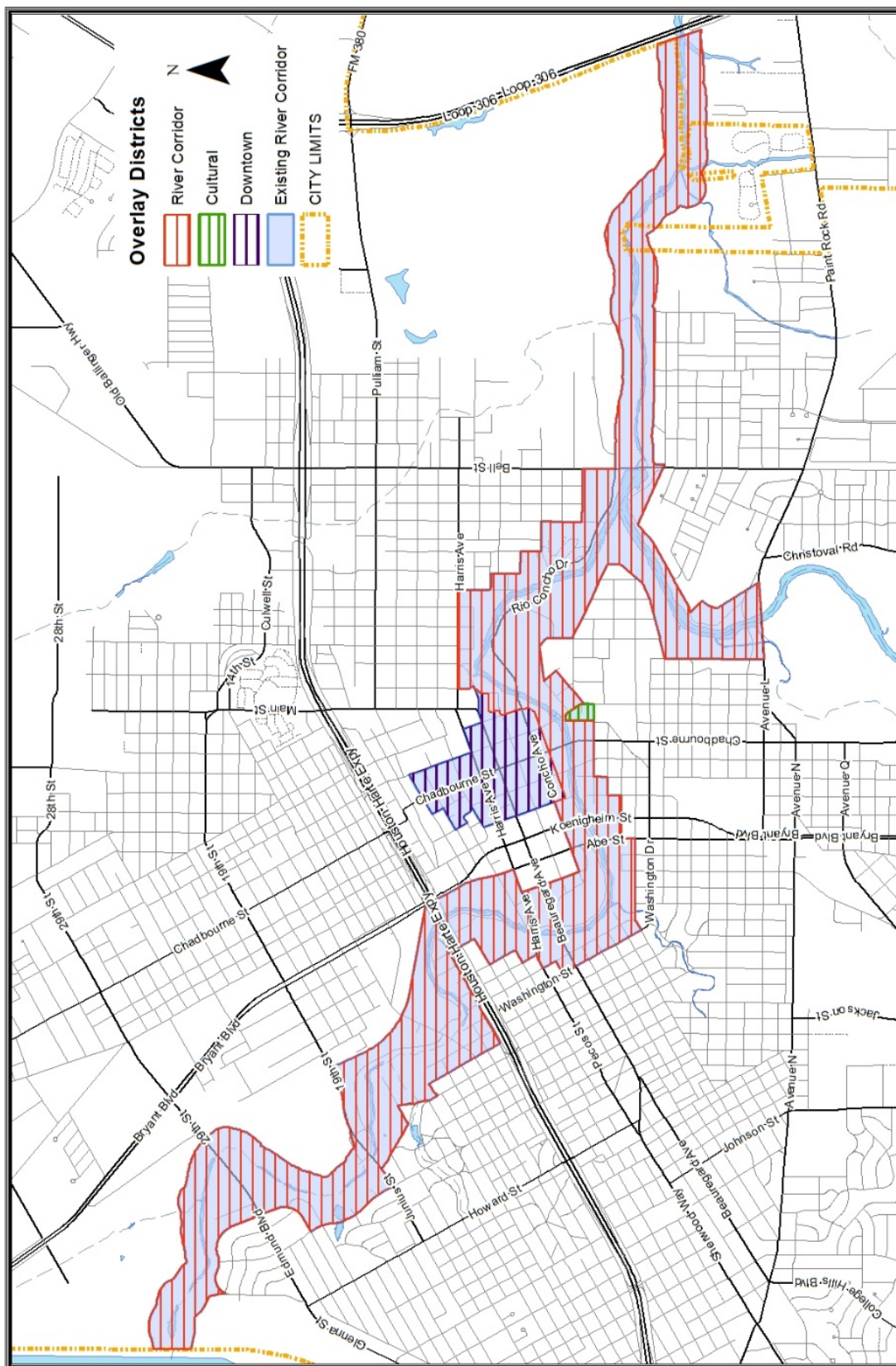
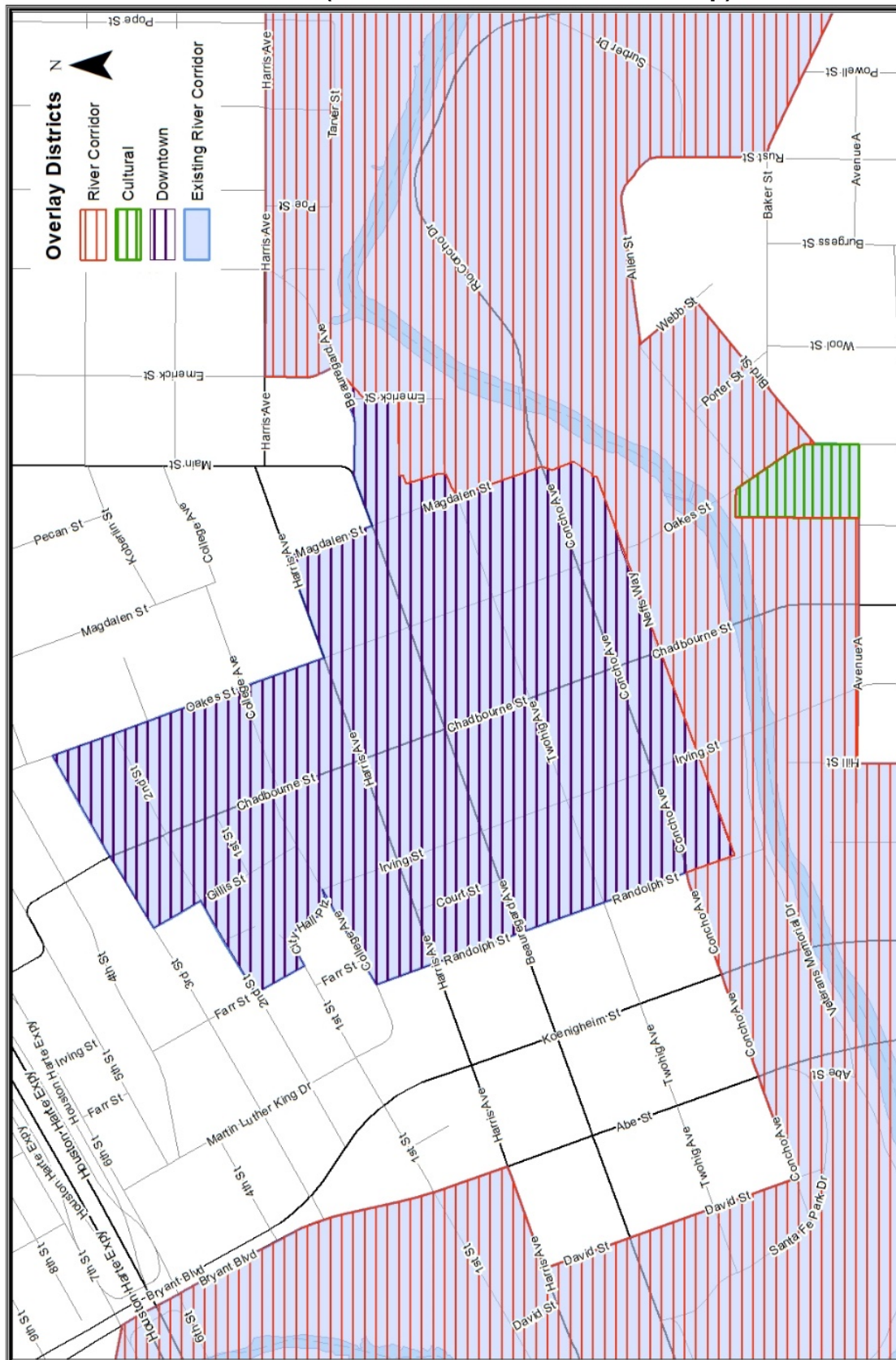


Exhibit “B” (Downtown/Cultural District Map)



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

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

WHEREAS, on the 4th day of September, 2019, City Council held a public hearing, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

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

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

"B. Procedure for Designation of Landmark or District. Designation of historic landmarks or districts is accomplished through encompassing each such landmark or district within a Historic Overlay Zone by amendment to the Official Zoning Map for the City. Such an amendment must be approved by ordinance of City Council,

following a public hearing and recommendation by the Design and Historic Review Commission, which shall act in place of the Planning Commission. The procedures of Section 213 regarding amendments to the Official Zoning Map shall apply, with delegation of the Planning Commission's duties and responsibilities to the Design and Historic Review Commission, and using criteria set forth in subsections C and D below.

- E. Certificate of Appropriateness Required. No person shall carryout any exterior new construction, reconstruction, alteration, restoration; any exterior rehabilitation, including any addition to or expansion of an existing building; or, relocation of any historic landmark, on any property within a historic district without first securing a Certificate of Appropriateness. Nor shall any person make any material change in the light fixtures, signage (other than content of message), sidewalks, fences, steps, paving, building exterior or other exterior elements in a historic district or to a landmark, visible from a public right-of-way in that district, which affect the appearance and design cohesiveness within the district of the historic building or landmark, without first obtaining a Certificate of Appropriateness from the Design and Historic Review Commission.
- G. Certificate of Appropriateness Application Procedure
1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Planning Director or designee. The application shall contain:
 - a. Name, address, telephone number of applicant, detailed description of proposed work.
 - b. Location and current photograph of the property and adjacent properties and historical photographs, if available.
 - c. Elevation drawings of the proposed changes.
 - d. Samples or description of materials to be used.
 - e. If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property.
 - f. Any other information which the Planning Director or designee may deem necessary in order to visualize the proposed work.
 - g. Samples of materials to be used.
 2. A building permit shall not be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design and Historic Review Commission. The Certificate of Appropriateness required by this section shall be in addition to, and not in lieu of, any permit for building or other construction-related activity that may be required by any other City ordinance.
 3. The Design and Historic Review Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the fully completed application and application fee is received. The commission may take

one of the following actions on the application for permit: approve, approve with modifications, or deny.

4. All decisions of the Design and Historic Review Commission shall be in writing, adopted by motion of the Commission. The written decision shall include a statement of relevant findings. The decision shall be filed in the office of the Planning Director, with a copy mailed to the applicant.

I. Economic Hardship Application Procedure

1. After receiving written notification from the Design and Historic Review Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or, this process may be simultaneous with the original Certificate of Appropriateness application procedure. No building permit or demolition permit shall be issued, unless the Commission makes a finding that hardship exists.
2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:
 - a. the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - b. the property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - c. efforts to find a purchaser interested in acquiring the property and preserving it have failed.
3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.
4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the Planning Director. Following the hearing, the Commission has thirty (30) days in which to prepare a written recommendation to the building official.
5. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by mail and a copy filed with the Planning Department. The Commission's decision shall state the reasons for granting or denying the hardship application.

- J. Appeal. An applicant for a Certificate of Appropriateness dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after the written decision of the Commission is filed in the Planning Director's office with a copy mailed to the applicant. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner and

according to the same procedures as provided in Section 213 of Chapter 12, Exhibit A “Zoning Ordinance,” of the Code of Ordinances of the City of San Angelo, except that review and public hearing by the Planning Commission shall not be necessary.”

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

- “A. Purpose. The City Council has declared that as a matter of public policy, the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that San Angelo represents a unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. This overlay zone is intended for the following purposes.
1. Protect and enhance the landmarks and districts which represent distinctive elements of San Angelo’s historic, architectural, and cultural heritage.
 2. Foster civic pride in the accomplishments of the past.
 3. Protect and enhance San Angelo’s attractiveness to visitors and the support and stimulus to the economy thereby provided.
 4. Insure the harmonious, orderly, and efficient growth and development of the city.
 5. Promote economic prosperity and welfare of the community by encouraging the use of such property within the city.
 6. Encourage stabilization, restoration, and improvements of such properties and their values.
- B. Establishment. Historic Overlay Zones may be established to encompass and preserve historic districts and landmarks. Historic Overlay Zones shall be applicable in all base zoning districts within or partially within the Historic Overlay Zone. Boundaries of the zone for individual sites or landmarks shall be aligned with recorded property lines, where feasible. Boundaries for districts shall be aligned with right-of-way lines, property lines, or other identifiable natural or man-made divisions. Allowed use of all property included in the Historic Overlay Zone shall continue to be governed by the base zoning district and all regulations pertaining thereto.
- C. Designation of Historic Landmarks and Districts. Designation of overlay zones for historic landmarks and districts, and any activity requiring a Certificate of Appropriateness, shall follow the procedures set forth in Sec. 211.”

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

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

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

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

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

Section 7. This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of San Angelo, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 8. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, or for any reason unenforceable, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation of this Ordinance.

Section 9. That this Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 4th day of September, 2019, and finally PASSED, APPROVED AND ADOPTED on this the 17th day of September, 2019.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

by: _____
Julia Antilley, City Clerk

APPROVED AS TO FORM

by: _____
Theresa James, City Attorney

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

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

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

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

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

“Sec. 301. Establishment of Districts

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

A. Base Zoning Districts

DISTRICT

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

- CG General Commercial District
- CH Heavy Commercial District
- CBD Central Business District
- OW Office-Warehouse District
- ML Light Manufacturing District
- MH Heavy Manufacturing District
- CG/CH General Commercial/Heavy Commercial District
- B. Special Zoning Districts
- PD Planned Development District
- PIP Planned Industrial Park District
- C. Overlay Zones
- HO Historic Overlay Zone
- OS Open Structure Overlay Zone
- RCO River Corridor Overlay Zone
- DO Downtown Overlay Zone
- CDO Cultural District Overlay Zone

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

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

INTRODUCED on the 4th day of September, 2019, and finally PASSED, APPROVED and ADOPTED on this the 17th day of September, 2019.

ATTEST:

CITY OF SAN ANGELO

Julia Antilley, City Clerk

BY: _____
Brenda Gunter, Mayor

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending PD18-03, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District, with a principal use of Campground/Recreational Vehicle Park, being 40.58 acres located at 2680 and 2698 Camper Rd. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied for a PD zoning amendment to allow a 24.18-acre PD expansion within Spring Creek Marina. City Council approved the original 16.4-acre PD zoning in December 2018 which legalized the existing campground RV park and commercial-related boat uses. The PD amendment would allow the same uses approved in the original PD within the existing and expanded boundary. On August 6, 2019, City Council authorized the City Manager to execute an amendment to the existing lease for the expanded area subject to this amendment being approved.

Financial Impact:

N/A

Other Information/Recommendation:

On August 19, 2019, the Planning Commission approved by a vote of 5-1.

The Commission approved with a condition of approval requiring a revised concept plan that removes the proposed caretaker's residence, has a designated natural buffer area in the finger of land north of Sleepy Hollow Drive, and removes the Sandy Beach area.

The Commission also approved an amendment that paving of the roads and parking shall not be required. Commissioner Jackson voted not to approve on the grounds that she wanted the roads to be paved, but was otherwise supportive of the rezoning.

Attachments:

- | | |
|-------------------------------------|--------------------------------------|
| 1. Staff Report (Amendment PD18-03) | Staff Report (Amendment PD18-03).pdf |
| 2. Ordinance (Amendment PD18-03) | Ordinance (Amendment PD18-03).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher

Created/Initiated

Hillary Bueker	Approved
Jon James	Approved
Theresa James	Approved
Brian Groves	Approved
Jon James	Approved
Brandon Dyson	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY COUNCIL – September 17 & October 1, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development Amendment (Rezoning)		Amendment to PD18-03: Golden Antlers Corp.	
SYNOPSIS:			
The applicant has applied for a PD zoning amendment to allow a 24.18-acre PD expansion within Spring Creek Marina. City Council approved the original 16.4-acre PD zoning in December 2018 which legalized the existing campground RV park and commercial-related boat uses. The PD amendment would allow the same uses approved in the original PD within the existing and expanded boundary. On August 6, 2019, City Council authorized the City Manager to execute an amendment to the existing lease for the expanded area subject to this amendment being approved (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
2680 and 2698 Camper Road; located approximately 1,400 feet north of the intersection of Spring Creek Drive and Fishermans Road		Being 17.97 acres in the P. Kurzenacker Survey No. 0647, Abstract No. 1566 and out of Tracts 18-20 west of Fishermans Road Addition; and 22.61 acres in the J.J. Schaffer Survey No. 0646, Abstract No. 1882.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Nasworthy Neighborhood	RS-1 and PD18-03	OS – Open Space	40.58 ac.
THOROUGHFARE PLAN:			
Camper Road – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: No right-of-way existing, 20' pavement (pre-existing street)			
NOTIFICATIONS:			
6 notifications mailed within 200-foot radius on August 8, 2019. None received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District with a principal use of Campground/Recreational Vehicle Park on the subject properties, subject to the regulations in the original PD18-03 ordinance and one new condition of approval.			
PROPERTY OWNER/PETITIONER:			
Owner: City of San Angelo (COSA) Applicant: Mr. Raymond Broadway, Golden Antlers Corp.			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The applicant has been managing the current marina and as part of the new lease would become the owner of Spring Creek Marina which includes both properties. The applicant's concept plan for the expanded area delineates an additional 22 RV spaces, a future expansion area for additional RVs, four boat and trailer storage buildings, a sewer lift station, pavilion, boat docks and outdoor trailer parking, a future small beach area, restrooms, a caretaker's residence, and a cantina building for a future restaurant with accessory alcoholic beverage sales.

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The subject properties are designated "Open Space" which intends to "provide a system of parks, open space, and recreational facilities in terms of function and location." The expanded PD boundary is consistent with these objectives, providing additional recreational opportunities for San Angelo residents and visitors. The RV campground, boat rentals, and a future restaurant and beach area can provide additional recreational opportunities for those renting campground/RV sites or visiting the Marina. The properties are also located in the "Zone 1: Action Sports Character Zone" in the Lake Nasworthy Master Plan which also intends this area to be for recreational uses including camping, biking, boating and trail running. The intended uses are consistent with this Plan.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed PD expansion will comply with the current PD development standards, many of which are outlined in Section 407 of the Zoning Ordinance for Campgrounds/RV Parks.

Density and Setbacks

Section 407 allows a maximum of 10 RV spaces per acre. The expansion area is 21.72 acres would allow up to 229 spaces and the applicant is only providing 22 new spaces at this time with a future area that would allow approximately 11 spaces, a total of 33 spaces, only 14% of the maximum allowed. Future structures would be subject to the minimum setbacks and separation standards in Section 407 which are the same as those for manufactured housing parks. All structures must be setback at least 20 feet from a park boundary, 10 feet between RVs and accessory structures, 15 feet between RVs and park buildings, and 10 feet from a building to curb or edge of pavement of a driveway providing common access. The concept plan provided was not to scale, but appears to show the RV spaces at least 10 feet from Camper Road. This setback can be achieved at time of permitting. The current PD Ordinance requires a minimum of 200 feet from the outer perimeter of the Campground/RV Park to any residential lot. While the PD and lease boundary is only 20 feet from a residential lot at 2690 Kings Road, the concept plan shows all proposed structures and outdoor use areas greater than 200 feet from this lot.

Parking, Internal Streets, and Screening

Section 407 of the Zoning Ordinance requires all internal streets within the facility to be paved, and each RV to have one paved parking space with connection to a street.

At the August 19, 2019 Planning Commission Meeting, the Planning Commission recommended approval exempting all new roads and parking from being paved. The Fire Marshal's Office indicated that the current road within the development can remain unimproved and used for access. Planning Staff believe that paved roads are appropriate to ensure improved traffic safety and circulation through the properties in accordance with City Staff. Staff do not believe that the applicant has provided justification for exemption from full paving under the Zoning Ordinance.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The proposed PD zoning will be consistent with the surrounding area. As indicated, the subject area is part of an Action Sports Zone in the Lake Nasworthy and the expanded campground/RV park will provide additional amenities for residents and visitors to San Angelo within the Marina.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* As indicated, City Council has authorized a revised lease to be executed to expand the PD boundary for additional campground/RV and boating-related facilities. The additional acreage requires the need for an amended PD boundary.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* There is no anticipated effect on the natural environment. In the August 6, 2019 Report to Council for the expanded lease request, it was indicated that the applicant has satisfied the Water Utility's Director respecting sewer system capacity limitations. They have agreed to provide grinders and staging tanks, and a sewer lift station is delineated on the concept plan.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believes there is a community need for more recreational opportunities including boating, camping, and RVs in this area given it front onto Lake Nasworthy within Spring Creek Marina, consistent with the Lake Nasworthy and the first phase of this development immediately adjacent.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The expanded PD will utilize the existing Camper Road which extends through the property and joins to Fisherman's Road which connects to Knickerbocker Road, a Major Arterial Road. The PD

expansion would be a logical extension of the existing PD along the same street frontage.

Planning Commission Recommendation:

On August 19, 2019, the Planning Commission recommended **APPROVAL by a 5-1 vote** of the Rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District with a principal use of Campground/Recreational Vehicle Park on the subject properties, **subject to the regulations in the original PD18-03 ordinance, and one new condition of approval as well as no paved roads or paved parking is required (see below).**

Jeff Fisher, Principal Planner, presented the proposed amendment to the existing PD which was approved last year for Spring Creek Marina. He explained that a new applicant is seeking to expand the existing PD for more RV spaces and various recreational uses, and an amended lease with the City is being prepared. He displayed a map that showed the current PD which is 16.36 acres and the expanded area which will be 24.27 acres. Mr. Fisher explained that the applicant will have to provide a paved secondary access to satisfy the Fire Code. Mr. Fisher displayed the site concept plan provided by the applicant which outlines all proposed uses. These included 22 new RV spaces; a future area for approximately an additional 11 RV spaces; boat parking and storage areas, and a future restaurant “cantina” building which could allow accessory alcohol sales. Mr. Fisher explained that the Parks and Recreation Director, Mr. Carl White is working on finalizing the new lease. He also indicated that the current PD zoning would allow all of the proposed uses and that this is just an expansion of the current boundary.

Chair Stribling asked if this secondary access has to be available at all times or was only an emergency access.

Mr. Fisher responded that he understood the road has to connect either to loop back or to connect to an existing street. He indicated that the Fire Prevention Administrator was in attendance to answer any further questions.

Mr. Fisher outlined Staff’s rationale to approve the rezoning on the grounds that the request is compatible with the Comprehensive Plan designation of Open Space which allows recreational uses and the Lake Nasworthy Master Plan’s Action Sports Zone; that the development is consistent with the Zoning Ordinance and that all future internal roads and parking areas will have to be paved; and that there is a need for more recreational opportunities by the Lake. Mr. Fisher explained that six notification letters were mailed out and there were no responses to date. He concluded his presentation by indicating the one condition requested by Staff which pertains to a revised site concept plan that delineates the RV park boundary is at least 200 feet from the nearest residential lot, that the buildings to the south are correctly labelled as boat storage, and that all references to Sandy Beach are removed as this is not part of the development at this time.

Chair Stribling asked if all of the proposed RV lots will have electric, water and sewer connections.

Mr. Fisher responded that the applicant will have to contact the Permits Division for required electric connection to the park.

Chair Stribling asked if secondary access was shown on the plan.

Mr. Fisher indicated this is not identified because this was only a concept plan.

Chair Stribling expressed concern that the final plan materially changes what is shown on the concept plan.

Hillary Bueker, Planning Manager, explained that minor changes could be approved by the Planning Director, and major changes would need to come back to the Planning Commission.

Commissioner Jackson asked if the future RV area shown on the plan would require a Planning Commission review.

Mr. Fisher responded this was correct.

Chair Stribling opened the meeting for public comment and asked the secondary access issue to be addressed.

Mr. Ross Coleman, Fire Prevention Administrator, indicated that the road within the development can remain unimproved and used for access.

Mr. David Poe, a resident of 2686 Sleepy Hollow Drive expressed concerns regarding the number of RV spaces and wanted a total number.

Mr. Raymond Broadway, the applicant, indicated that there will be approximately 100 RV spaces.

Mr. Poe indicated that there are 25 additional spots which would be 125 RV spaces. He expressed concerns about the proposed caretaker's residence being a mobile home in the "finger" of land located north of Sleepy Hollow Drive and wanted a buffer distance between this home and the existing residences. He also wanted clarification whether Sleepy Hollow would be opened up or used as an emergency access.

Chair Stribling asked Mr. Poe if he wanted Sleepy Hollow Drive to be opened.

Mr. Poe indicated that he did not want this street opened and vehicles from the park driving down his street.

Mr. Gary Pierce of 2682 Sleepy Hollow Drive also expressed concerns of opening Sleepy Hollow Drive and a mobile home in this area.

Mr. Fisher indicated that a maximum of 229 RV units is allowed by zoning, however, these could not be built without an amendment to the concept plan which requires Planning Commission approval.

Chair Stribling asked if the proposed PD was for all of the acreage.

Mr. Fisher responded this was correct, that while the concept plan was for the new expansion area only, the PD zoning would apply to all properties.

Ms. Judy May of 2678 Sleepy Hollow Drive, requested that the finger of land immediately north of Sleepy Hollow be a buffer zone of no development and no mobile home be allowed.

Mrs. Bueker indicated that the current Zoning Ordinance prohibits mobile homes in the underlying CG zoning which applies within the PD boundary.

Mr. Ross Copeland of 2690 Sleepy Hollow Drive, asked if a modular home was allowed and expressed concerns about property values.

Mrs. Bueker clarified that a modular home which is on a foundation and built off-site would be allowed, but a mobile home would not.

Mr. Copeland also raised concerns about Sleepy Hollow Drive being a secondary access road.

Mr. Broadway indicated that he met with residents in the area and has agreed to not place a caretaker's residence in the new phase of development.

Mr. Fisher indicated that the revised concept plan condition would include language to remove the caretaker's residence from the plan.

Commissioner Uherik asked how many RV lots were being added.

Chair Stribling responded that there would be 22 new spaces added as per the concept plan.

Mr. Lance Overstreet, City Engineer, explained that the expansion will be achieved with a septic system and grinder pump and this has already been reviewed by City Water Utilities.

Mr. Broadway requested a variance from the requirement to pave the roads due to the heat and recreational nature of the area.

Mrs. Bueker responded that there is no variance in this ordinance and an exemption to paved roads would have to be made in the PD itself. She indicated that the requirement to pave is in Section 407 of the Zoning Ordinance.

Mr. Fisher further explained that the current ordinance requires full paving of any new internal roads and parking.

Chair Stribling indicated that it would make sense to at least pave from the new boat storage to the future restaurant which is the extension of Camper Road, but that internal drives should not have to be paved.

Commissioner Brooks asked if the homeowners are now satisfied that a mobile home will not be built.

Mr. Poe explained that if the finger of land north of Sleep Hollow Drive was a buffer with no development at all, including no mobile home, he would be satisfied.

Mr. Jon James, Planning and Development Services Director, indicated that the secondary access would not have to be paved and only have to meet Fire access standards. He explained that it was up to the Commission whether to exempt paved roads, and if so, the secondary access would not have to be paved based on the current expansion proposal.

Chair Stribling closed public comment.

Commissioner Brooks made a Motion to recommend APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District, with a principal use of Campground/Recreational Vehicle Park, with one condition of approval requiring the approval of a revised concept plan by the Planning Director that removes the proposed caretaker's residence, has a designated natural buffer area in the finger of land north of Sleepy Hollow Drive, and removes the Sandy Beach area; and that no paved roads or paved parking are required. Vice Chair Spano seconded the motion. The Motion passed 5-1 with Commissioner Jackson voting against on the grounds that she wanted the roads to be paved.

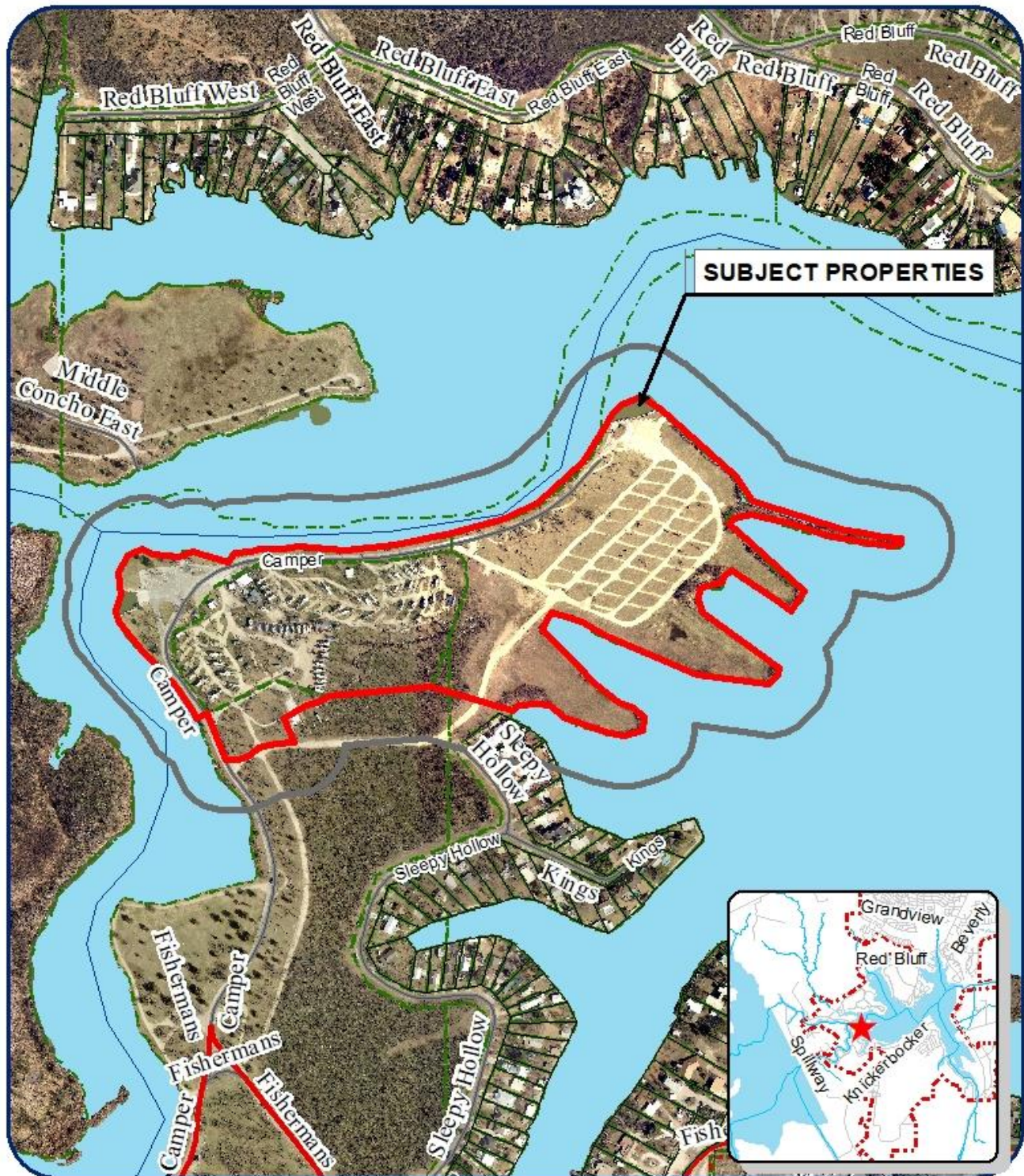
Recommendation:

Staff's recommendation is for City Council to **APPROVE** the rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD) Zoning District to expand the existing PD18-03 boundary to allow for uses permitted in the General Commercial (CG) Zoning District with a principal use of Campground/Recreational Vehicle Park on the subject properties, **subject to the regulations in the original PD18-03 ordinance and one new condition of approval:**

1. The applicant shall submit a revised concept plan to the Planning Director for approval that:
 - a. Removes the proposed caretaker's residence;
 - b. Has a designated natural buffer area in the finger of land north of Sleepy Hollow Drive; and
 - c. Removes the Sandy Beach area

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
New PD Boundary Map
New Expansion Area
Site Concept Plan – Expansion Area
Application



PD18-03 Amendment (Rezoning)

Golden Antlers Corp.

Council District: Tommy Hiebert - District 1
Neighborhood: Nasworthy
Scale: 1" approx. = 500 ft

2680 and 2698 Camper Road

Legend

Subject Properties: —
Current Zoning: **PD and RS-1**
Requested Zoning Change: **PD**
Vision: **Open Space**





PD18-03 Amendment (Rezoning)

Golden Antlers Corp.

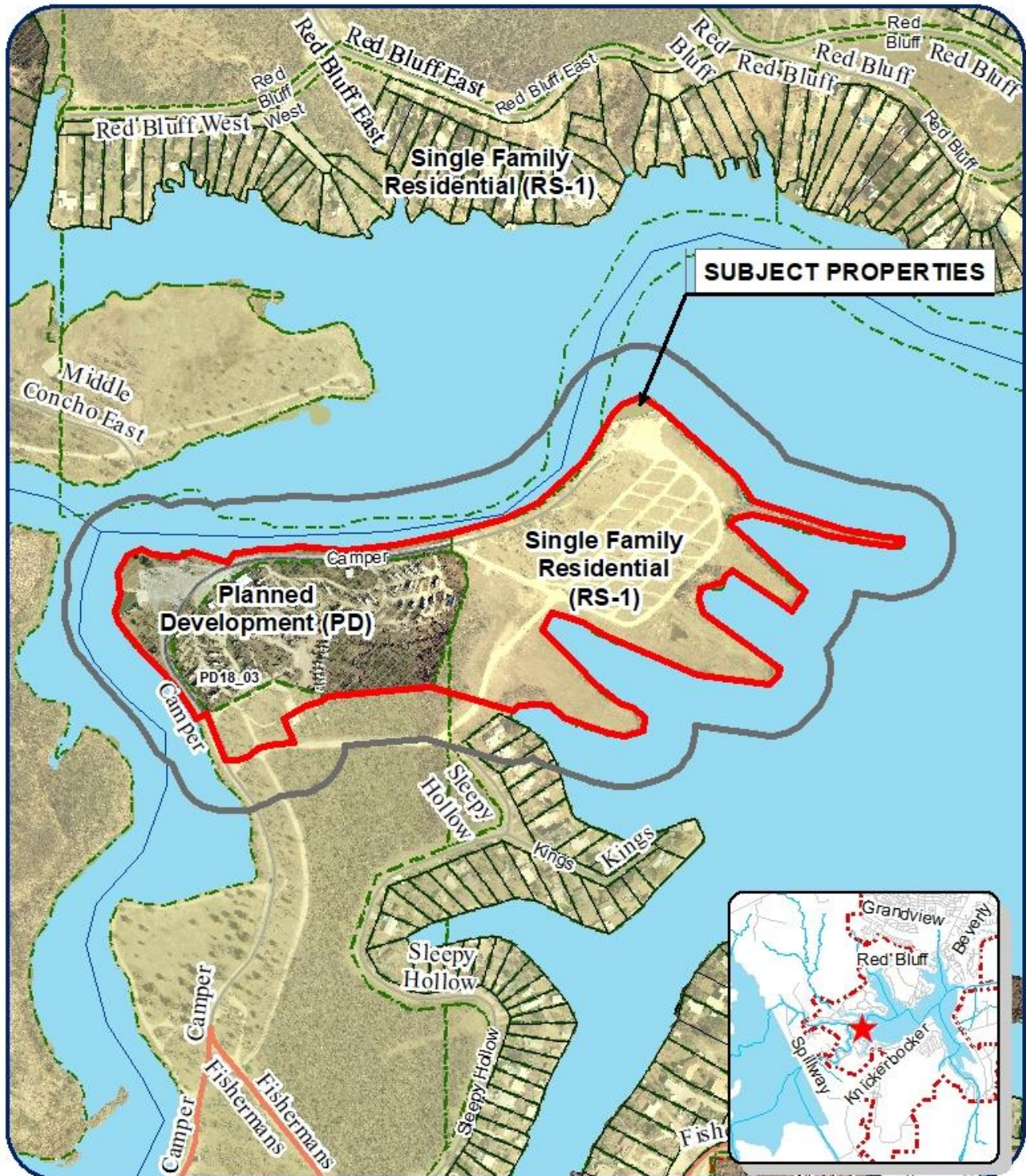
Council District: Tommy Hiebert - District 1
Neighborhood: Nasworthy
Scale: 1" approx. = 500 ft

2680 and 2698 Camper Road

Legend

Subject Properties: —
Current Zoning: **PD and RS-1**
Requested Zoning Change: **PD**
Vision: **Open Space**





PD18-03 Amendment (Rezoning)
Golden Antlers Corp.
Council District: Tommy Hiebert - District 1
Neighborhood: Nasworthy
Scale: 1" approx. = 500 ft
2680 and 2698 Camper Road

Legend
Subject Properties:
Current Zoning: **PD and RS-1**
Requested Zoning Change: **PD**
Vision: **Open Space**

N



Photos of Site and Surrounding Area

ENTRY TO EXISTING PD BOUNDARY



ENTRY TO EXISTING PD BOUNDARY



EXISTING PD18-03 (RV PARK)



EXISTING PD18-03 (RETAIL STORE)



EXISTING PD18-03 (BOAT AREA)



EXISTING PD18-03 (BOAT AREA)



Photos of Site and Surrounding Area

ENTRY TO EXPANDED PD BOUNDARY



PROPOSED EXPANSION AREA



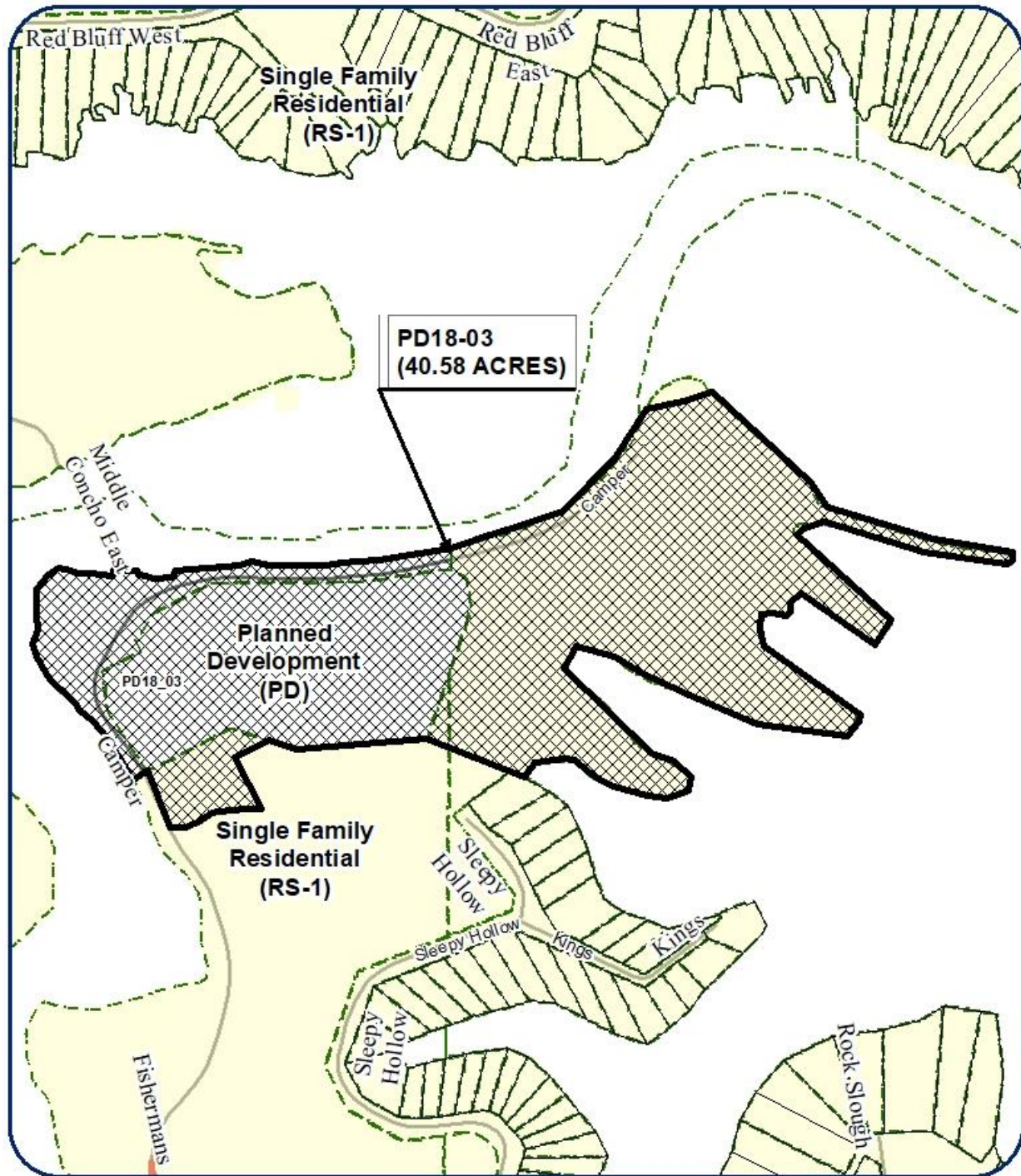
PROPOSED EXPANSION AREA



LOOKING NORTH AT LAKE NASWORTHY



New PD Boundary Map



PD18-03 Amendment (Rezoning)

Golden Antlers Corp.

Council District: Tommy Hiebert - District 1

Neighborhood: Nasworthy

Scale: 1" approx. = 400 ft

2680 and 2698 Camper Road

Legend

Subject Properties: —

Current Zoning: **RS-1 and PD**

Requested Zoning Change: **PD**

Vision: **Open Space**

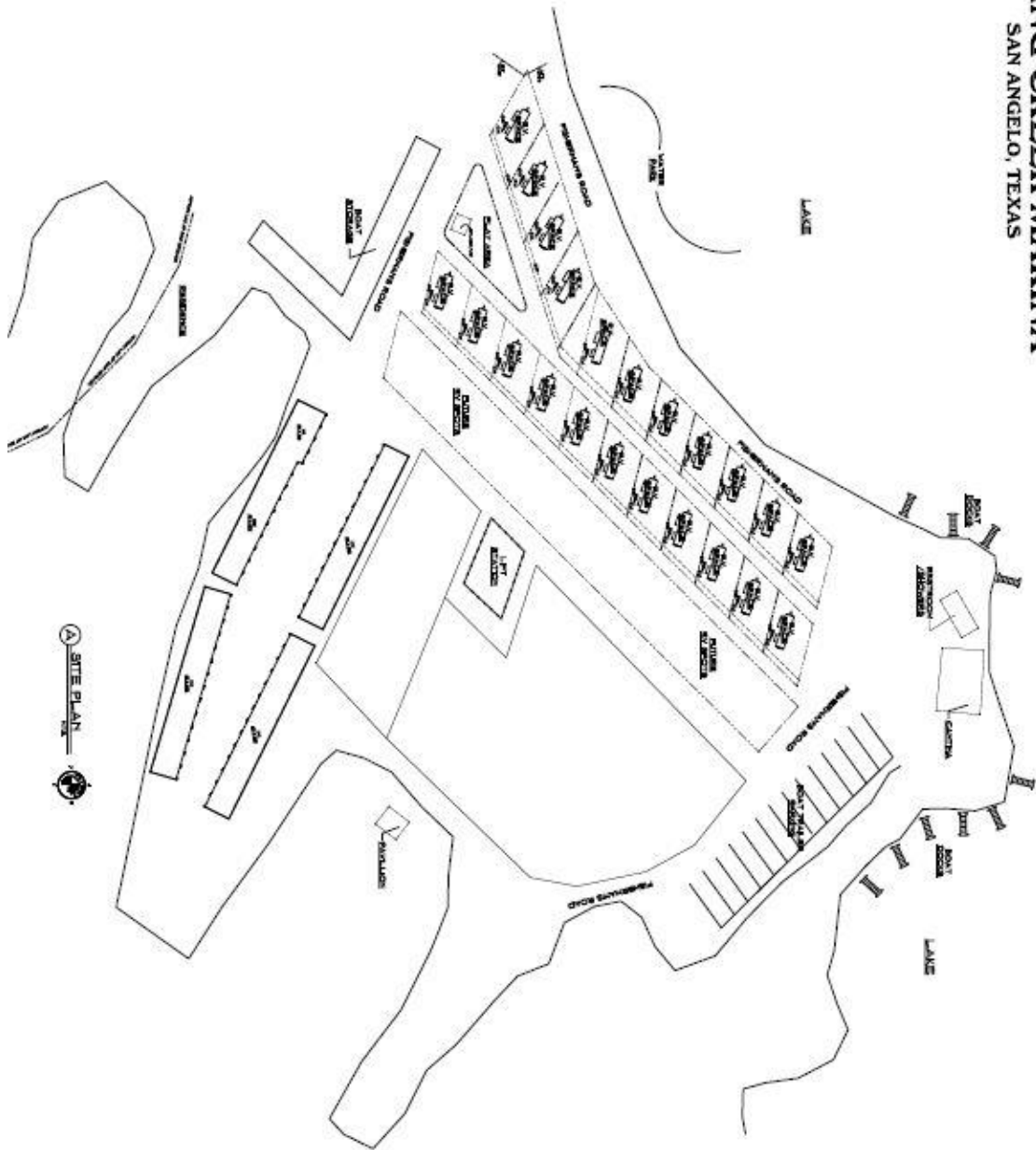


New Expansion Area



Site Concept Plan (Expansion Area)

PROPOSED RV SITES FOR:
SPRING CREEK MARINA
SAN ANGELO, TEXAS



Staff Report – Amendment to PD18-03: Golden Antlers Corp.
September 17 & October 1, 2019

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue

Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): Raymond Broadway (Golden Antlers Corp.)

☒ Owner ☐ Representative (Notarized Affidavit Required)

2680 Camper Rd San Angelo Texas 76904

Mailing Address City State Zip Code

775-455-5745 goldenantlers72@gmail.com

Contact Phone Number Contact E-mail Address

San Angelo Texas 76904

Subject Property Address City State Zip Code

Legal Description (can be found on property tax statement or at www.tamgreencaid.com)

R000072317 38-01882-0007-004-00

Existing Zoning: RES Proposed Zoning: PD Lot size: 22.9 ac

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

Section 2: Site Specific Details

Existing Use of Property: City owned, camping

Proposed Use of Property: To have the same zoning as current leased property at 2680 camper Rd

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement
(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.

☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.

☒ If approved, a zone change is applied to the property, not the property owner.

☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.

☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.

☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.

☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.

☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Hours of Operation: 8 AM -12 PM & 1PM – 5 PM 325-657-4210, #2 www.cosatx.us/planning

Staff Report – Amendment to PD18-03: Golden Antlers Corp.
September 17 & October 1, 2019

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Raymond Broadway

Golden Antlers Corp

Owner Name (Print)

Signature

Company/Organization (If Applicable)

Date

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 7, 22, 19

Case No.: 2-^{Amendment}PD18-03Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 625

Receipt #: 309671 Date paid: 7, 22, 19

Sign Deposit \$37.50

Receipt #: 309669 Date paid: 7, 22, 19

Affidavit attached?

☐ Yes☐ No☐ N/A

Applicant's signature on information sheet?

☐ Yes☐ No

Previous Zone Change Inquiry?

☐ Yes☐ No

If yes, ZCI case no.: --

River Corridor Commission?

☐ Yes☐ No

If yes, RCC meeting date: --/--/--

Planning Commission hearing date: 8, 19, 19

Date notifications due: 8, 2, 19

City Council hearing date: 9, 17, 19

Packets due date: 9, 9, 19

Publication date: 8, 20, 19

Reviewed/Accepted by: H. Buckner

Date: 7, 22, 19

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **UNADDRESSED TRACTS; LOCATED AT 2680 AND 2698 CAMPER ROAD, APPROXIMATELY 1,400 FEET NORTH OF THE INTERSECTION OF FISHERMANS ROAD AND CAMPER ROAD; BEING 24.18 ACRES** FROM THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR USES PERMITTED WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT WITH A PRINCIPAL USE OF CAMPGROUND/RECREATIONAL VEHICLE PARK; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD18-03 Amendment: Golden Antlers Corp.

WHEREAS, on the 11th day of December, 2018, City Council approved a rezoning from the General Commercial (CG) Zoning District and the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD18-03) Zoning District at 2680 Camper Road, being an unaddressed 16.4-acre tract in the P. Kurzenacker Survey No. 0647; and,

WHEREAS, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed expansion of the existing PD18-03 boundary by incorporating an additional area generally located at 2680 and 2698 Camper Road, being 24.18 acres depicted as the sum of three parcels on **Exhibit “A”** attached and made a part of this ordinance, allowing for uses permitted within the General Commercial (CG) Zoning District with a principal use of campground/recreational vehicle park; in conformance with a revised Concept Plan to be approved by the Planning Director; and in conformance with the regulations set forth in **Exhibit “A”** of this Ordinance; and,

WHEREAS, on the 17th day of September, 2019, City Council held a public hearing on an amendment to PD18-03 to expand the existing PD18-03 boundary to all of the subject properties, allowing for uses permitted within the General Commercial (CG) Zoning District with a principal use of campground/recreational vehicle park; in conformance with a revised Concept

Plan to be approved by the Planning Director; and in conformance with the regulations further depicted in **Exhibit “A”** of this Ordinance; and, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit “A” of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties incorporated into PD18-03, permanently zoned PLANNED DEVELOPMENT (PD) ZONING DISTRICT;

The real properties generally located approximately 1,400 feet north of the intersection of Fishermans Road and Camper Road; being 24.18 acres depicted as the sum of three parcels on Exhibit “A” , including: (1) a 1.57-acre portion of an unaddressed tract in the P. Kurzenacker Survey No. 0647; (2) a 2.89 acre portion of an unaddressed tract in the J. J. Schaefer Survey No. 0646; and, a 19.72-acre portion of an unaddressed tract in the J. J. Schaefer Survey No. 0646; comprising a total of 24.18 acres, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance, shall henceforth be permanently zoned as follows: Planned Development (PD) Zoning District to allow for campground, recreational vehicle park and accessory uses permitted as Special Use in the General Commercial (CG) Zoning District.

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

SECTION 3: In all other respects, the use of the hereinabove described properties shall be subject to all applicable regulations contained in **Exhibit “A”** of this Ordinance, approved by City Council

on October 1, 2019, and Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4: The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 5: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED with public hearing on the **17th day of September, 2019**, and finally PASSED on this **1st day of October, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit “A”
Applicable Regulations

1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the General Commercial (CG) Zoning District.
2. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.
3. Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final concept plan to the Planning Director for review and approval. The final concept plan shall be in accordance with the required revisions as approved by City Council on October 1, 2019.
4. The following allowed principal use of the described property shall be described as **Campground/Recreational Vehicle (RV) Park** which includes any combination of temporary living quarters such as recreational vehicles, cabins or similar structures, and tent campsites for overnight or single-day occupancy.
5. The following accessory uses, included but not limited to, shall be subordinate and to the aforementioned principal use and shall also be allowed within the Planned Development:
 - a. Areas for parking;
 - b. Retail sales and service uses;
 - c. Offices for park management and maintenance support;
 - d. Caretaker’s quarters;
 - e. Restroom, shower and laundry facilities;
 - f. Outdoor guest amenities;
 - g. Commercial recreational rentals, such as kayaks, paddleboards, and motorized personal watercraft;
 - h. Sanitary sewer stations;
 - i. Fuel Sales;
 - j. Outdoor enclosed waste and recycling collection station; and
 - k. Screened outdoor trailer storage area
6. No paved roads or paved parking areas shall be required, and an all-weather surface may be used subject to approval of the City Fire Marshal.

7. The outer perimeter of the Campground/RV Park shall be at least 200 feet from the property boundary line of any lot used for residential purposes.
8. Camper Road will be used for primary site access and shall be maintained by the City of San Angelo or as amended by the property lease agreement.
9. Existing improvements in current configuration, as show in Exhibit “A,” may be maintained in current condition. New improvements or adjustments to layout configuration must comply with ordinance development standards in place at the time of development.
10. Prior to issuance of a sign permit, each commercial vendor shall present a signage plan to be considered by the Planning Director for approval.
11. Maximum length of stay shall be Six (6) months within a twelve (12) month period, and;
 - a. No permanent living structures shall be allowed on the property, except for those of the park's on-site property manager(s).
 - b. 15% of the Recreational Vehicle spaces for patrons within the park shall be exempt from this time restraint requirement. When calculation of this 15% results in a fractional number, this fractional number shall be rounded down.
 - c. Relocating a unit from one space to another within the Park does not restart the six month term.
12. All provisions of the Zoning Ordinance Section 407 “Specific Use Standards, Campground/RV Parks” not in conflict with the foregoing Applicable Regulations shall remain in force and effect.
13. The provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended herein shall remain in full force and effect.

Exhibit "A" (PD Boundary Map)



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shelly Paschal, Planner, Planning and Development Services, 325-657-4210

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Public hearing and consideration of a resolution approving a Special Use to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2); located at 810 & 811 Austin St. and 818 Kenwood Dr. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant, representing the church at this property, has applied for a Special Use on the subject property to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2); located at 810 & 811 Austin Street and 818 Kenwood Drive. The church facilities are considered a lawful conditional use in the RS-1 and RS-2 districts, but the retail sales and service uses require a Special Use.

Financial Impact:

N/A

Other Information/Recommendation:

On September 16, 2019, the Planning Commission hear the case and make a recommendation. This recommendation will be presented at the City Council meeting on September 17, 2019.

Attachments:

- | | |
|-------------------------------------|--|
| 1. Staff Report (SU) | SU19-03_CC_report.pdf |
| 2. Resolution Lifepoint Church (SU) | SU19-03_Resolution Lifepoint Church.docx |

Presentation:

Jon James

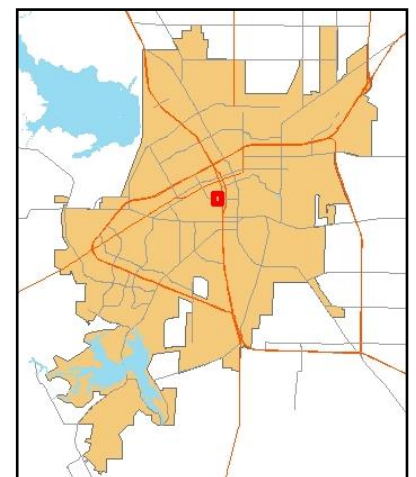
Approvals/Reviews:

Shelly Paschal	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Theresa James	Approved
Brian Groves	Approved
Jon James	Approved
Brandon Dyson	Approved
Theresa James	Approved
Julia Antilley	Final Approval

City Council – September 17, 2019
STAFF REPORT



APPLICATION TYPE:	CASE:		
Special Use	SU19-03: LifePoint Baptist Church		
SYNOPSIS:			
The applicant has applied for a Special Use on the subject property to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2); located at 810 & 811 Austin Street and 818 Kenwood Drive. The church facilities are considered a lawful conditional use in the RS-1 and RS-2 districts, but the retail sales and service uses require a Special Use.			
LOCATION:		LEGAL DESCRIPTION:	
810 & 811 Austin Street and 818 Kenwood Drive; generally located on the east side of Kenwood Drive between West Avenue D and West Washington Drive		Being Lots 1 thru 10, Block 14, and Lots 1 thru 5, Block 15, Park Heights Addition.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter Neighborhood – Santa Rita	RS-1 & RS-2	Neighborhood	2.7 acres
THOROUGHFARE PLAN:			
<u>Kenwood Drive</u> – Local Street, 50' ROW Required – 70' Provided, 40' Pavement Required – 36' Provided <u>Austin Street</u> – Local Street, 50' ROW Required – 70' Provided, 40' Pavement Required – 36' Provided <u>W Ave D</u> – Local Street, 50' ROW Required – 80' Provided, 40' Pavement Required – 36' Provided <u>W Washington Drive</u> – Major Collector, 80' ROW Required – 80' Provided, 64' Pavement Required – 45' Provided			
NOTIFICATIONS:			
24 notifications mailed within 200-foot radius on August 29, 2019. 1 received in favor.			
STAFF RECOMMENDATION:			
Staff recommendations APPROVAL of the Special Use to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2), subject to five Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
Property Owner: Lifepoint Baptist Church Applicant: Mr. Jay Clatworthy			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			



Additional Information: The church facilities on this property was constructed in 1939 and the property has operated as a church since. The church facilities are considered a lawful conditional use in the RS-1 and RS-2 districts, since this use was occupying this subject property before the 2000 adoption of the current Zoning Ordinance. The proposed additional uses are classified as Retail Sales and Service. The Special Use would allow for an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs on the subject property.

1. **Impacts Minimized. Whether and the extent to which the site plan minimizes adverse effects, including adverse visual impacts, on adjacent properties.** Planning Staff believes that impacts on nearby residences will be increased, but this increase could be minimal. The subject property is within a "Neighborhood" designation which may not necessarily be appropriate for retail sales and service and the impacts on adjacent single-family homes directly adjoining remains a concern. For this reason staff is recommending the special use be specific to the uses stated above and not allow all retail sale and service uses by right.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.** The subject property is located within the RS-1 and RS-2 zoning districts which currently per the Zoning Ordinance does not allow retail sales and service. A Special Use allows for review of uses that may be appropriate in designated area provided that consideration is given to conditions that will minimize any negative impacts of the use. The proposed uses will be occupying an existing building on the subject property and will not be increase the floor area of buildings on the property. As well, the church already has several large existing paving parking areas to accommodate the new proposed uses of the property.
3. **Compatible with Surrounding Area. Whether and the extent to which the proposed special use is compatible with existing and anticipated uses surrounding the subject land.** Planning Staff has concerns on the suitability of the proposed uses in a location zoned for single-family or two-family homes and adjacent to existing single-family residential uses. However, there is a lawful conditional use church facility on the subject property that already brings in people from other parts of the community that would not ordinarily travel in this area on a daily basis. For this reason, Planning Staff is satisfied that the proposed uses will be as compatible with the surrounding area as the existing church facility.
4. **Traffic Circulation. Whether and the extent to which the proposed special use is likely to result in extraordinarily prolonged or recurrent congestion of surrounding streets, especially minor residential streets.** The church and associated facilities for the religious institutions does create traffic flow into the area, but the proposed use will likely increase the traffic in this area. This could add to existing streets not built to handle the extra traffic although on adjacent street, West Washington Drive, is a major collector and designed to handle a heavier traffic compared to a local street.
5. **Effect on Natural Environment. Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not**

limited to water or air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Staff does not believe the proposed new uses this will create any negative environmental affects, since the new uses will occupy an existing building on the subject property.

6. **Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.** If approved, the Special Use would provide addition indoor recreational and related recreational activities, a daycare, community outreach, community services, and educational programs to San Angelo residents. Staff believes that a recreational facility, like the one proposed, fills a need within our community as there are not many other similar facilities in San Angelo, however this specific location may not be the best.
7. **Development Patterns. Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.** Current development patterns would not change. The new proposed uses will be occupying an existing church building that has been used for similar functions in the past. As indicated, access could be from West Washington Drive, which can accommodate large traffic volumes.

Planning Commission Recommendation:

The Planning Commission will make their recommendation at their meeting on September 16, 2019.

Recommendation:

Staff's recommendation is for the City Council to **APPROVE** the Special Use to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential (RS-1) and Two-Family Residential (RS-2) zoning districts, subject to **five Conditions of Approval**.

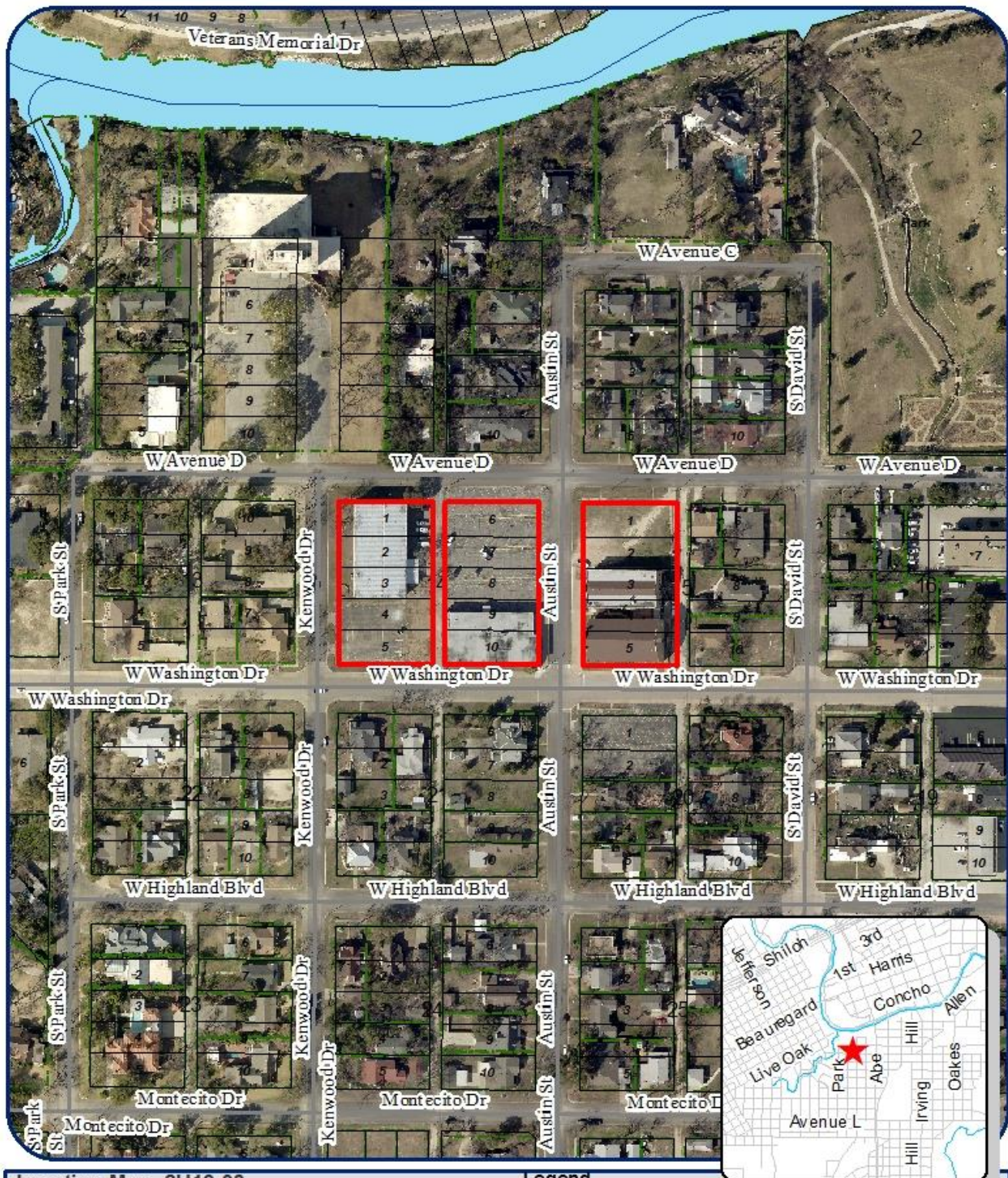
1. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands.
2. Hours of operation for all events shall be limited to between 6:00 a.m. and 11:00 p.m.
3. Any proposed illuminated signage shall be turned off between 11:00 p.m. and 6:00 a.m. Any new signage on the current gymnasium must receive approval thru the Design and Historic Review Commission and apply for any permits associated with the sign.
4. Any new sign must comply with nonresidential uses allowed within residential zoning districts standards within the Sign Ordinance (Section 12.604).
5. The City reserves the right to periodically inspect the property to verify compliance to terms and conditions of the Special Use or to investigate alleged public nuisances resulting from business-related activities. Any adverse findings by City Staff shall constitute sufficient grounds to seek a revocation of the Special Use approval.

Note:

Any time that a building permit is required for major alterations on the gymnasium, the existing parking in the right-of-way adjacent to West Avenue D must be removed and come into compliance with the current requirements regarding right-of-ways and parking lot standards.

Attachments:

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

**Location Map SU19-03****LifePoint Baptist Church**

Council District 5 - Lane Carter

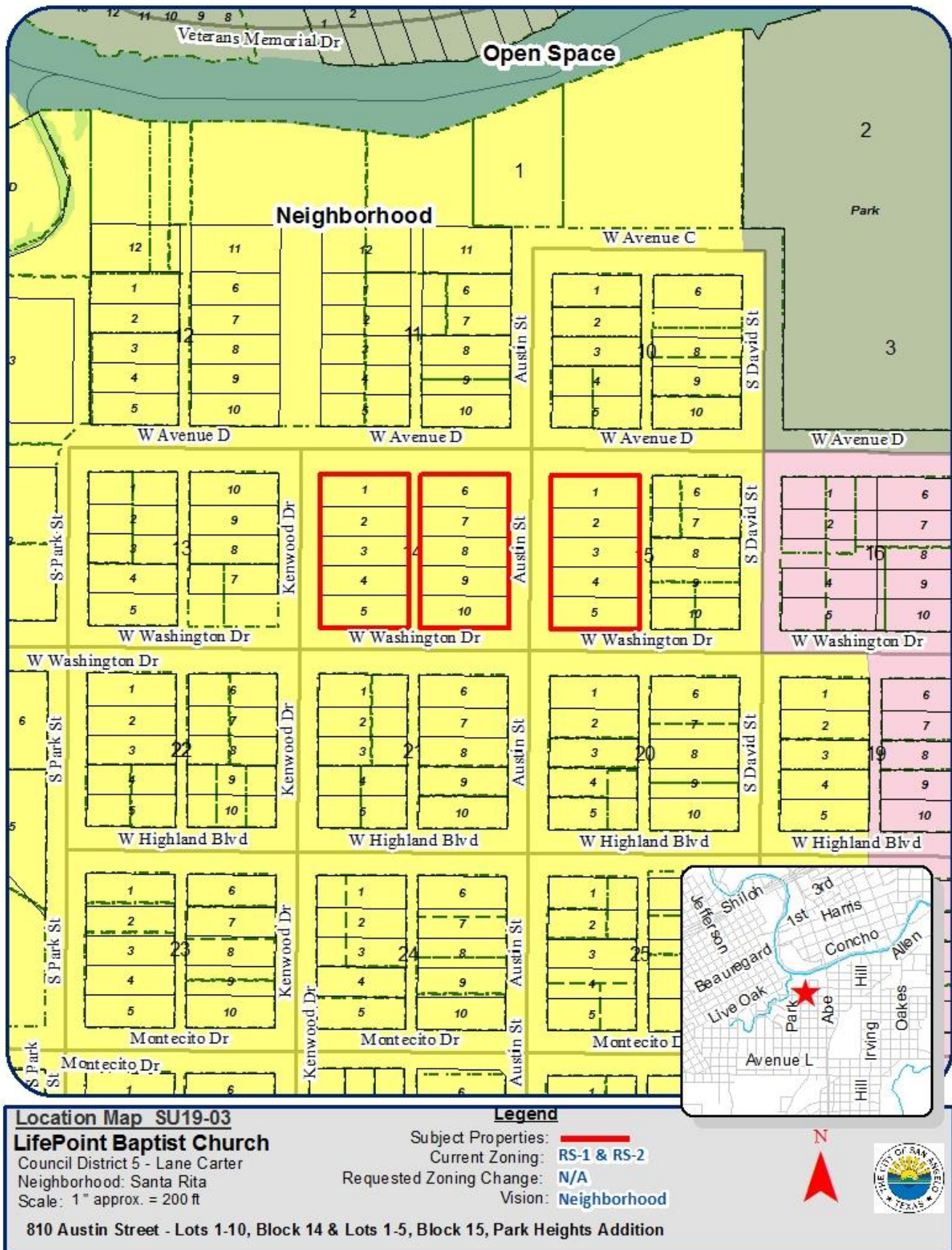
Neighborhood: Santa Rita

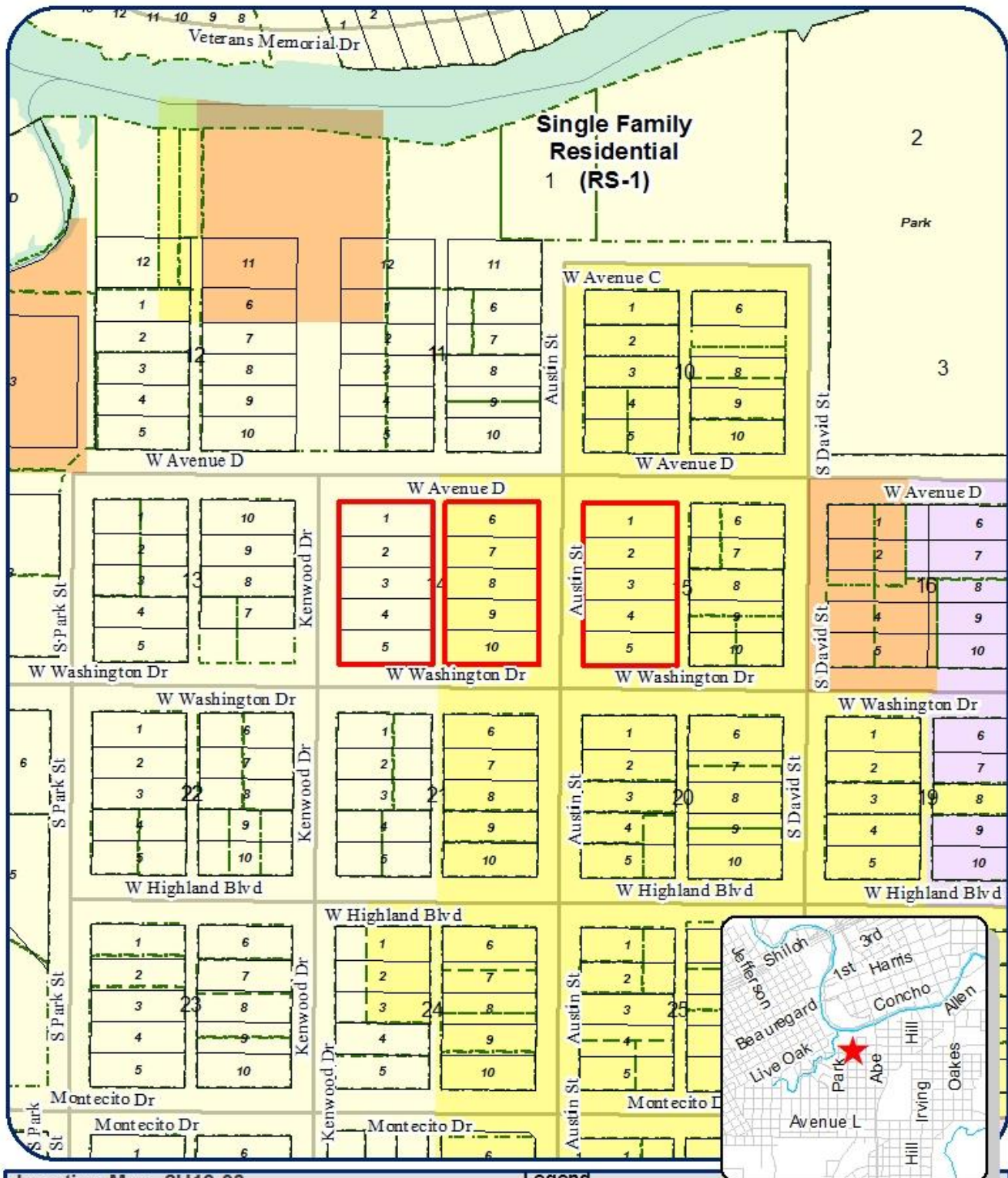
Scale: 1" approx. = 200 ft

LegendSubject Properties: Current Zoning: **RS-1 & RS-2**Requested Zoning Change: **N/A**Vision: **Neighborhood**

810 Austin Street - Lots 1-10, Block 14 & Lots 1-5, Block 15, Park Heights Addition





**Location Map SU19-03****LifePoint Baptist Church**

Council District 5 - Lane Carter

Neighborhood: Santa Rita

Scale: 1" approx. = 200 ft



Photos of Site and Surrounding Area

Worship Center



Fellowship Hall



Gymnasium



Residence north of subject property



Residence west of subject property



Residence east of subject property



Residence south of subject property



Residence west of subject property



River Terrace



Residence south of subject property



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(☒) IN FAVOR (☐) IN OPPOSITION

REASON(S) I have no objections RE the
granting of a special use permit (to
LifePoint Baptist church) for the
stated/ aforementioned purposes.

NAME: RICHARD B. VENABLE

ADDRESS: 612 W. WASHINGTON DR.
S.A. 76903-6716

SIGNATURE: Richard B. Venable

SU19-03: LifePoint Baptist Church

Property Owner Number: 22

If you have any questions about these proceedings, please call Mrs. Shelly Paschal, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at shelly.paschal@cosatx.us.

Effective January 3, 2017



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

**Section 1: Basic Information**Name of Applicant(s): LifePoint Baptist Church - Jay Clatworthy

☐ Owner ☒ Representative (Affidavit Required)
810 Austin St. San Angelo TX 76901
Mailing Address City State Zip Code

3252621244 Jay@lifepointbc.org
Contact Phone Number Contact E-mail Address

802 Kenwood / 810 & 811 Austin St. San Angelo TX 76901
Subject Property Address City State Zip Code

Lot Size: _____ Zoning: RS1 Future Land Use designation (Comprehensive Plan): Neighborhood

Section 2: Site Specific Details (Use attachment if necessary)Existing Use of Property: Religious /Gymnasium /Children's Ministry AreaProposed Use of Property: Athletic programs, Youth Programs, Daycare, Community Outreach, and Community Services and Educational

Proposed Special Use: We will lease this space out to a program that corresponds for Athletic programs,
Youth Programs, Daycare, Community Outreach, and Community Services and Educational.

There will also be an apartment maintained in the for the purposes of missionaries to the church.

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

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

Explanation: None

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

Explanation: None that I am aware of.

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

Explanation: This has been an established building in the area since the 1970s.

Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: None at this time.

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

Explanation: Would provide a place for athletic, and personal development to flourish in cooperation with the church.

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

Explanation: This building has been used for the purposes stated for many years, however not in connection to for profit organizations. This would not change development patterns.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

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

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

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

[Signature]
Signature of licensee or authorized representative

8/23/19
Date

Ray Chiswick
Printed name of licensee or authorized representative

LifePoint Baptist Church
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: SU 19 - 03

Date of application: 8, 23, 19

Planning Commission Date: 9, 16, 19 City Council Date: 9, 17, 19

Nonrefundable application fee: \$ 545.00 Receipt #: 346104 Date paid: 8, 26, 19

Reviewed/Accepted by: Shelly Paschal Date: 8, 26, 19

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SAN ANGELO TEXAS,
AUTHORIZING A SPECIAL USE ALLOWING AN INDOOR MULTI-USE
RECREATIONAL FACILITY AND RELATED RECREATIONAL
ACTIVITIES, DAYCARE, COMMUNITY OUTREACH, COMMUNITY
SERVICES, AND EDUCATIONAL PROGRAMS WITHIN SINGLE-
FAMILY (RS-1) AND TWO-FAMILY (RS-2) RESIDENTIAL DISTRICTS,
LOCATED AT 810 & 811 AUSTIN STREET AND 818 KENWOOD DRIVE**

WHEREAS, an application was submitted requesting special use authorization to operate an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs within single-family (RS-1) and two-family (RS-2) residential districts for the property located at 810 & 811 Austin Street and 818 Kenwood Drive, more particularly described as Lots 1-10, Block 14, & Lots 1-5, Block 15, Park Heights Addition, City of San Angelo, Texas, and further depicted in Exhibit "A" attached hereto (the "Property"); and,

WHEREAS, the Property is currently used to operate church facilities and such use is considered a lawful conditional use in the RS-1 and RS-2 districts pursuant to the Use Table in Section 310, Chapter 12, Exhibit A – Zoning Ordinance; and,

WHEREAS, the proposed uses are considered retail sales and service, which is not allowed by right within either an RS-1 or RS-2 district, but may be authorized by Special Use approval pursuant to Section 209, Chapter 12, Exhibit A – Zoning Ordinance; and,

WHEREAS, on September 16, 2019, the Planning Commission for the City of San Angelo, in compliance with the City Ordinances and state law regarding zoning regulations and zoning map, having afforded a full and fair hearing on the Special Use application, made its recommendation to City Council for approval subject to conditions stated herein; and,

WHEREAS, notice has been duly published of the time and place of a public hearing before the City Council regarding the subject Special Use, which public hearing was held on the 17th day of September, 2019; and,

WHEREAS, the City Council has determined that approval of the Special Use described herein is in the best interest of the health, safety and general welfare of the citizens of the City of San Angelo;

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

- (a) A permanent Special Use is approved for an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs on the property located at 810 & 811 Austin

Street and 818 Kenwood Drive, more particularly described as Lots 1-10, Block 14, & Lots 1-5, Block 15, Park Heights Addition, City of San Angelo, Texas, and further depicted in Exhibit "A" attached hereto.

- (b) The Director of the Planning and Development Services Department is hereby authorized and directed to correct Zoning Maps in the Office of the Director of the Planning and Development Services Department, to reflect the herein described Special Use approval.
- (c) In all other respects, the use of the Property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended. The Special Use, as hereby authorized, shall have no fundamental effect upon the subject property's underlying or base zoning classification.
- (d) The Special Use, as hereby authorized, shall be subject to the following Conditions:
 - 1) All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands.
 - 2) Hours of operation for all events shall be limited to between 6:00 a.m. and 11:00 p.m.
 - 3) Any proposed illuminated signage shall be turned off between 11:00 p.m. and 6:00 a.m.
 - 4) Any new signage on the current gymnasium must receive approval thru the Design and Historic Review Commission and apply for any permits associated with the sign.
 - 5) Any new sign must comply with nonresidential uses allowed within residential zoning districts standards within the Sign Ordinance (Section 12.604).
 - 6) The City reserves the right to periodically inspect the property to verify compliance to terms and conditions of the Special Use or to investigate alleged public nuisances resulting from business-related activities. Any adverse findings by City Staff shall constitute sufficient grounds to seek a revocation of the Special Use approval.

PASSED, APPROVED AND ADOPTED on this the 17th day of September, 2019.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

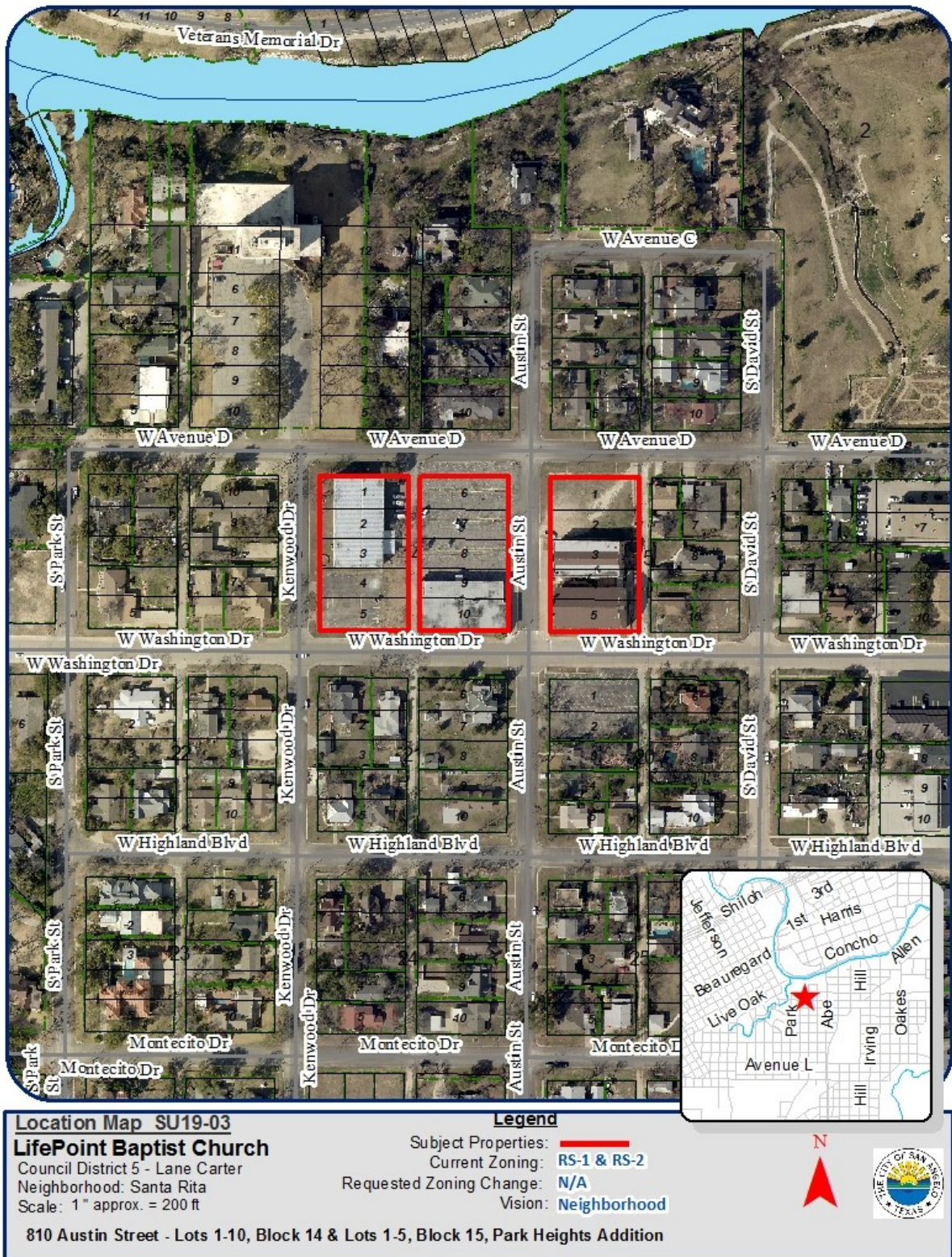
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shelly Paschal, Planner, Planning and Development Services, 325-657-4210

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving the abandonment of approximately 105,000-sq ft of the E. Ave. D public right-of-way; generally located between S. Oakes St. and Rust St. in the Fort Concho Addition (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has requested the abandonment of approximately 105,000 square feet of East Avenue D, extending between South Oakes Street to near Rust Street. The applicant's intent is to gate the area and remove the asphalt to provide extra security and safety for the historic site.

Financial Impact:

N/A

Other Information/Recommendation:

On August 19, 2019, the Planning Commission unanimously recommended APPROVAL of the street right-of-way abandonment. (6-0)

Attachments:

- | | |
|-----------------------------|--|
| 1. Ordinance (SA) | E Ave D_Ordinance.docx |
| 2. Staff Report (SA) | E Ave D_CC_report.pdf |
| 3. Traffic_Counts_Ft_Concho | 2019_0603_Traffic_Counts_Ft_Concho.pdf |

Presentation:

Jon James

Approvals/Reviews:

Shelly Paschal	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Theresa James	Approved
Brian Groves	Approved
Jon James	Approved
Brandon Dyson	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE PROVIDING FOR ABANDONMENT AND CLOSING OF A PORTION OF EAST AVENUE D, BETWEEN SOUTH OAKES STREET AND THE ALLEY WEST OF AND PARALLEL TO RUST STREET; CONSISTING OF 105,000 SQUARE FEET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, acting pursuant to law, is of the opinion that the portion of East Avenue D between South Oakes Street and the alley right-of-way west of and parallel with Rust Street, consisting of 105,000 square feet, is no longer needed for public use and therefore deems it advisable to abandon said portion of street and convey the underlying tract of land from the centerline of the abandoned right-of-way to owners of abutting property on either side; and,

WHEREAS, the City Council of the City of San Angelo is of the opinion that the best interest and welfare of the public will be served by vacating, closing and abandoning said portion of East Avenue D and conveying the underlying tract of land to the abutting property owner(s), subject to the conditions and restrictions contained herein;

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

SECTION 1: The public right-of-way and street located in the City of San Angelo, Tom Green County, Texas, generally described as a portion of East Avenue D, between South Oakes Street and the alley west of and parallel with Rust Street, more particularly described and depicted in **Exhibit "A,"** attached hereto and made a part hereof for all purposes, be and the same are hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned; subject however, to the conditions and restrictions hereinafter more fully set out.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

SECTION 3: The abandonment and conveyance provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to the interest which the governing body for the City of San Angelo may legally and lawfully abandon and vacate.

SECTION 4: As conditions of the abandonment and as part of the consideration for conveyance by quitclaim deed of the underlying tracts of land from the centerline of the abandoned street right-of-way to owners of abutting property on the north and south sides of the right-of-way, said property owners shall:

- a) Submit, obtain approval of, and official recording of a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance; and,
- b) Accept a quitclaim deed that reserves for the benefit of the City of San Angelo, an adequately sized perpetual utility easement over, on, under and across the subject property for any purpose consistent with the installation, operation, and maintenance of its water and sewer facilities.

SECTION 5: The terms and conditions contained in this Ordinance shall be binding upon Grantees and Grantees' heirs, successors and assigns.

SECTION 6: The Mayor of the City of San Angelo is hereby authorized to execute and, upon receipt of the consideration provided for at Section 4, deliver quit claim deeds conveying the subject tracts of land described and depicted in **Exhibit "A,"** to the abutting property owners as herein provided.

SECTION 7: The City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the 17th **day of September, 2019**, and finally PASSED, APPROVED AND ADOPTED on this the **1st day of October, 2019**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

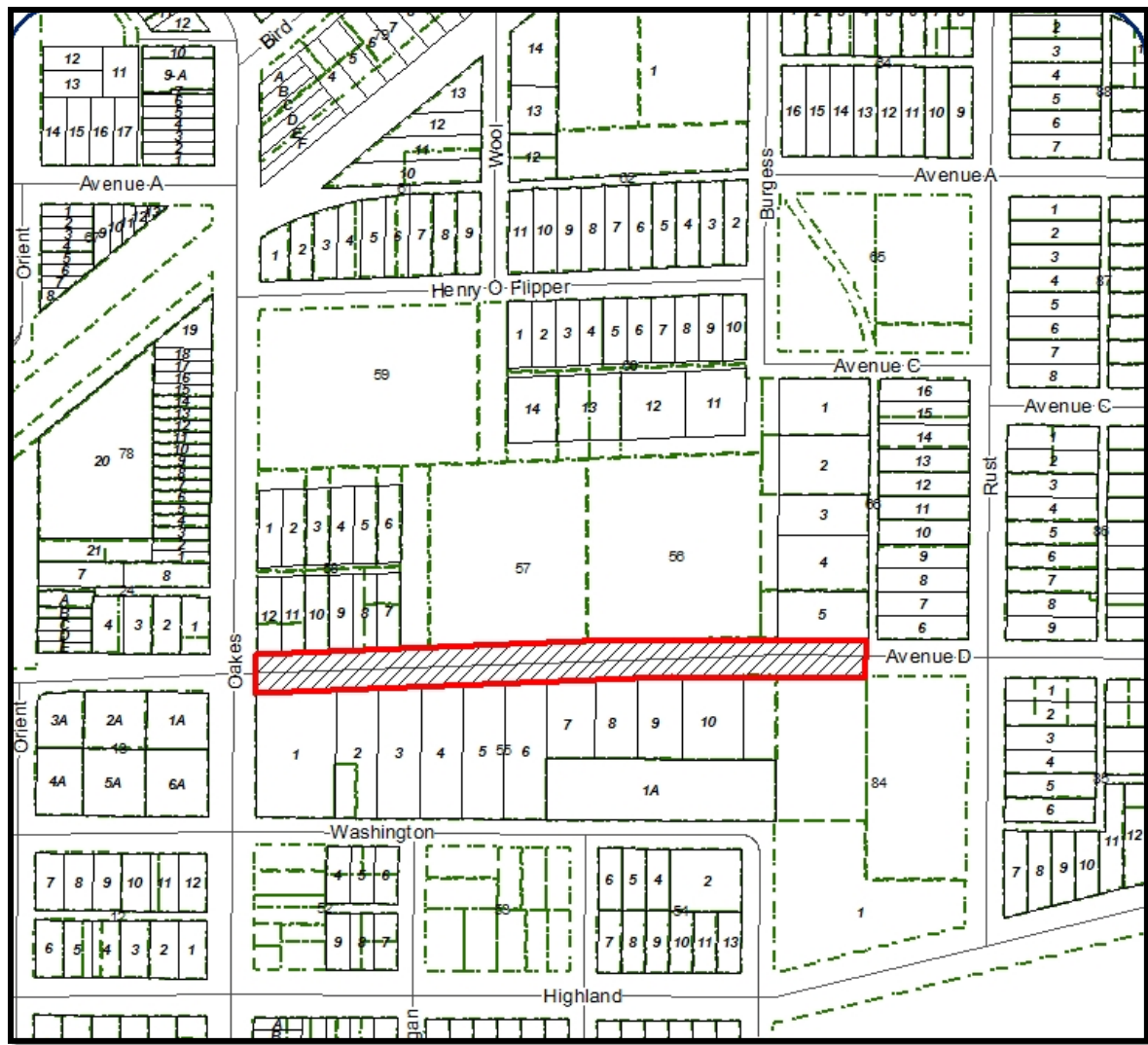
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

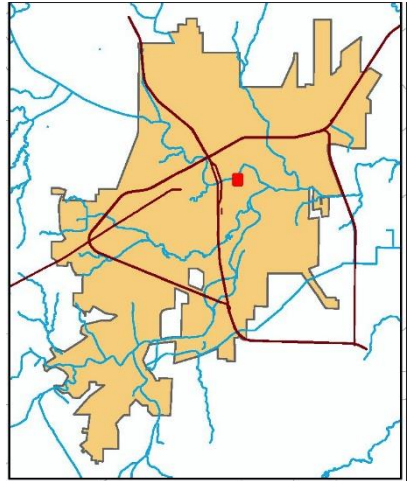
Theresa James, City Attorney

Exhibit "A"



City Council – September 17 & October 1, 2019
STAFF REPORT



APPLICATION TYPE:	CASE:		
Street Right-of-way Abandonment	East Ave D – Carl White		
SYNOPSIS:			
The applicant has requested the abandonment of approximately 105,000 square feet of East Avenue D, extending between South Oakes Street and near Rust Street. The applicant's intent is to gate the area and remove the asphalt to provide extra security and safety for the historic site.			
LOCATION:		LEGAL DESCRIPTION:	
East Avenue D from the intersection with South Oakes Street on the west and near Rust Street to the east.		Being the section of East Avenue D; the section of road that is directly south of Blocks 56, Block 57 and Block 58 and directly north of Block 55, all of the Fort Concho Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Neighborhood – Fort Concho	RM-1 – Low-Rise Multi-Family Residential	Campus/ Institutional	5.53 acres
THOROUGHFARE PLAN:			
East Avenue D – Local Street, 50' ROW Required – 80' Provided, 40' Pavement Required – 36' Provided			
NOTIFICATIONS:			
9 notifications mailed within 200-foot radius on August 5, 2019. 3 received in support and 0 in opposition. (3 opposition letters received from outside 200')			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment request, subject to two Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner:</i> City of San Angelo <i>Agent:</i> Carl White – Robert Bluthardt			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			

Additional Information:

Planning Staff circulated all relevant municipal departments, as well as public and private utility companies, and there were no responses in opposition to the request. Frontier stated that there are no lines in this right-of-way of East Avenue D. Altice (Suddenlink) stated that there are no lines in this right-of-way of East Avenue D.

The City of San Angelo Water Utilities will need an adequately sized utility easement to cover the water and sewer currently in the Avenue D right-of-way.

Staff comments include requiring submitting, obtaining approval, and officially recording a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance.

Analysis:

Planning Staff reviewed all relevant history, ordinances, policies, and had a staff discussion regarding the site on August 5, 2019 to determine the appropriateness of abandoning this public street right-of-way.

Planning Staff believes existing or anticipated traffic patterns would not be negatively affected if the subject portion of East Avenue D, between South Oakes Street and near Rust Street, is closed. At present, this portion of East Avenue D is adjacent and adjoining to property owned by the City of San Angelo, Fort Concho. For these reasons, Staff believe closing this portion of East Avenue D would not create any detrimental effects to this area. Staff believes this portion currently provides no public benefit, and closing it would provide more safety and security to visitors to the historic Fort Concho.

The proposed abandonment would not contradict any applicable City Ordinance. As conditions of approval, the applicant would be required to replat the abandonment area into the adjacent property.

Recommendation:

Staff's recommendation is for the City Council to **APPROVE** the proposed abandonment of a 105,000 square feet segment of the East Avenue D public right-of-way, **subject to Two Conditions of Approval:**

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance.
2. Accept a quitclaim deed that reserves for the benefit of the City of San Angelo, an adequately sized perpetual utility easement over, on, under and across the subject property for any purpose consistent with the installation, operation, and maintenance of its water and sewer facilities.

Note (this note can be addressed during the platting process):

- Applicant might have to submit a plan illustrating an approved fire apparatus access road meeting all associated requirements **[2015 International Fire Code, Sec. 503]** including the accessible route to the existing buildings, with the route's width, length, and required turnaround shown, and other required dimensions. **[2015 International Fire Code, Section 503, Appendix D].**

Planning Commission Recommendation:

On August 19, 2019, the Planning Commission recommended APPROVAL of a request for the abandonment of approximately 105,000 square feet of East Avenue D, extending between South Oakes Street and near Rust Street. The applicant's intent is to gate the area and remove the asphalt to provide extra security and safety for the historic site on the subject property. The following is the complete excerpt of the draft minutes from the August 19, 2019, meeting for this case:

Shelly Paschal, Planner, presented the proposed abandonment of a portion of East Avenue D within historic Fort Concho between Oakes Street and the alley before Rust Street. Mrs. Paschal outlined Staff's recommendation for approval on the grounds that there are no negative affects; that closing it would provide more safety and security to visitors to historic Fort Concho; and that Frontier and Suddenlink stated they do not have any lines within the proposed abandonment area. She indicated that the City of San Angelo Utilities Department will require an unobstructed easement.

Chair Stribling opened the meeting for public comment.

Mr. David Montes of 627 West Avenue D, asked why the road was being closed and expressed a concern about less access to his property. He also indicated he did not receive a notice letter.

Chair Stribling asked to see the notification area.

Ms. Paschal presented the notification area map confirming the applicant did not receive a letter because they were outside the 200 foot notification area.

Chair Stribling asked Staff why the road was being closed.

Mr. Carl White, Parks and Recreation Director, explained that the reason to close this portion of the street is to re-establish the entire boundary of Fort Concho.

Vice Chair Spano asked what the traffic pattern will be of this portion of West Avenue D is closed.

Mr. White explained that Highland Avenue would be the primary access and continue to provide access to the neighborhood.

Vice Chair Spano asked what will happen to the street once closed.

Mr. White explained that the street will be closed, the asphalt will be removed and reconstructed with the original company road.

Mr. Bob Bluthardt, Fort Concho Manager, explained this new road would become part of the Fort and similar construction to the north road in the Fort meeting the Fire Code. He explained there will be rear parking accessible by Washington Street.

Commissioner Jackson indicated that she rents officer building 8 and expressed concerns about parking.

Mr. Bluthardt indicated the Fort is working on an extension to the existing parking lot, and that there is more space between officer buildings 7 and 8. He said customers could pull up to the rear door.

Chair Stribling closed public comment.

Vice Chair Spano made a Motion to recommend APPROVAL of the abandonment of approximately 105,000 square feet of the East Avenue D public right-of-way, subject to the three conditions of approval as presented. Commissioner Uherik seconded the motion. The Motion passed unanimously 6-0.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Application
Letters of support
Resident emails
Photos



Location Map ROW Abandonment

Fort Concho

Council District 3 - Harry Thomas

Neighborhood: Fort Concho

Scale: 1" approx. = 300 ft

East Avenue D - between South Oakes and Rust Streets

Legend

Subject Properties:

RS-2 & RM-1

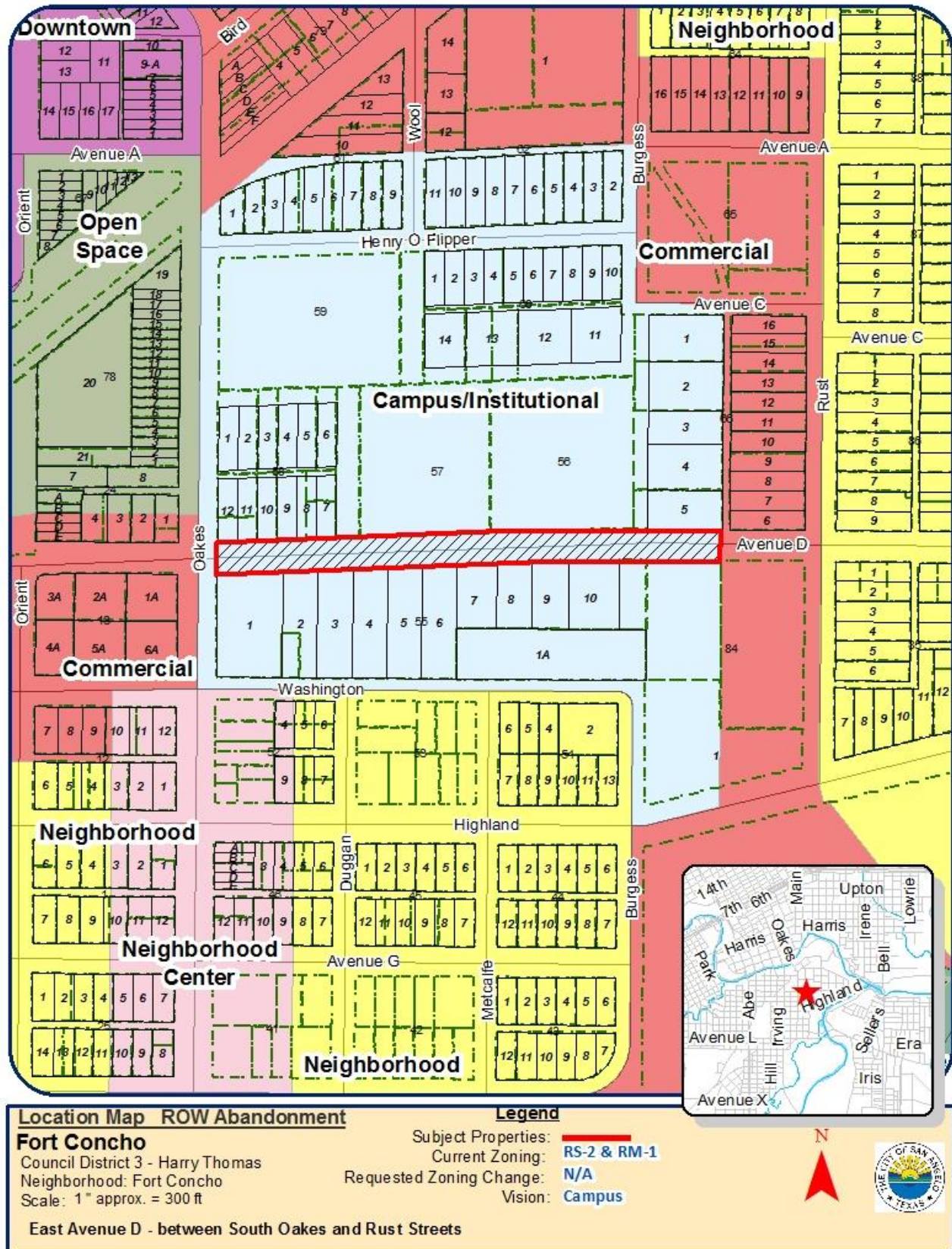
Current Zoning:

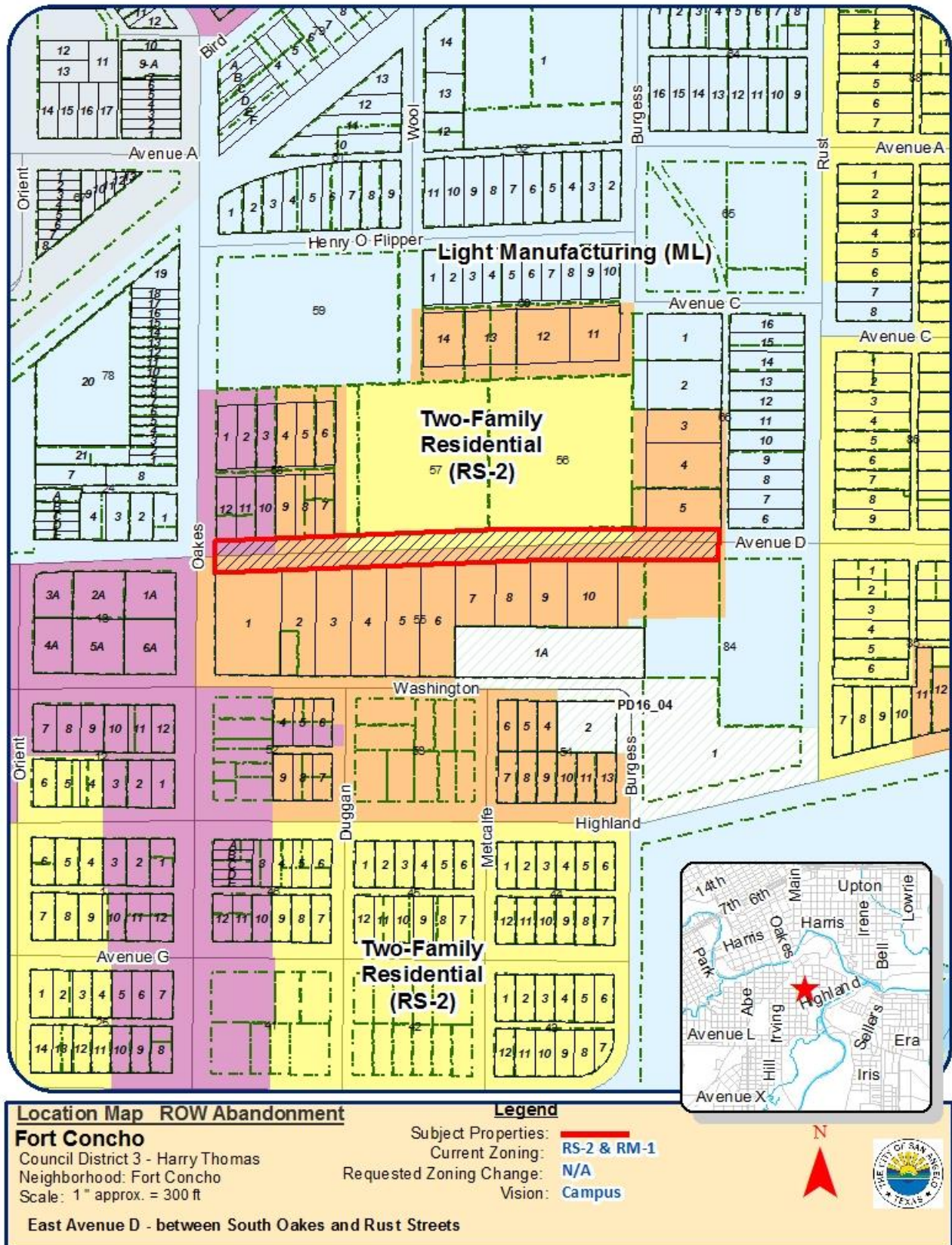
N/A

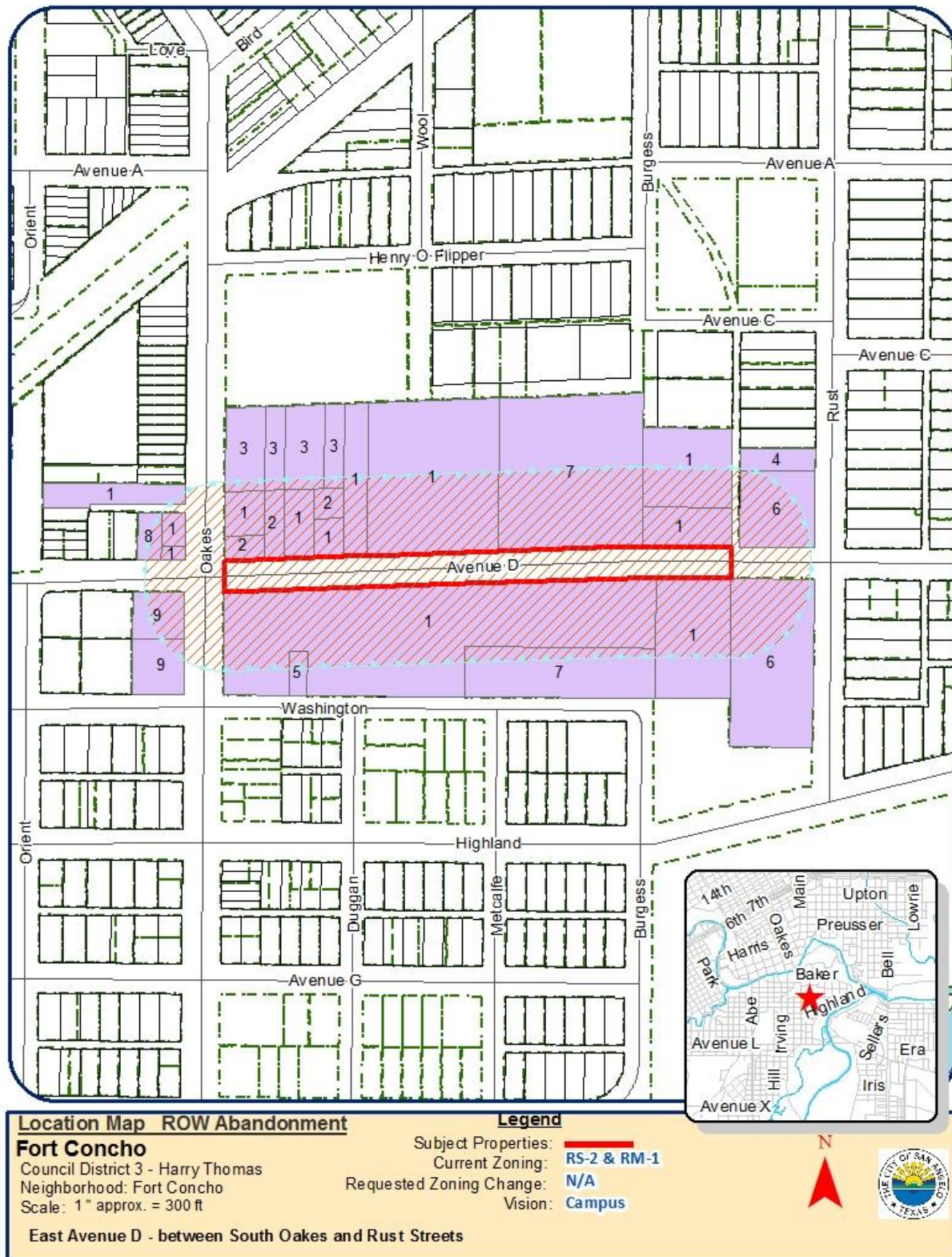
Requested Zoning Change:

Vision: Campus









Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
**Application to Abandon Right-of-way for
Street(s) and/or Alley(s)**



Section 1: Basic Information

Name of Applicant(s): Carl White

☐ Owner

☒ Representative (Affidavit Required)

City Hall 72 West College

San Angelo

Texas

76903

Mailing Address

City

State

Zip Code

(325) 657-4279

carl.white@cosatx.us

Contact Phone Number

Contact E-mail Address

0-499 East Avenue D

San Angelo

Texas

76903

Subject Property Address

City

State

Zip Code

Legal Description (can be found on property tax statement or at www.tomgreene.ca.gov)

Lot Size: _____ Zoning: Historic Preservation District

Section 2: Site Specific Details

Subdivision Name: Fort Concho Addition

Lots and/or Blocks Affected*: All of Blocks 55, 56, 57, 58; Block 66, Lots 5 & 6; Block 84

General Description of Location*: East Avenue D that runs from the intersection with South Oakes Street on the west and Rust Street to the east

Reason for Abandonment*: To complete the restoration of Fort Concho and restore the site's integrity, fulfilling its master plan and improving its programs and services to its guests and the community

*Use attachment if necessary.

* Map attached of street and area in question

* Letter of support attached from Fort Concho Museum Board

Effective January 3, 2017

Section 3: Applicant's acknowledgement

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

Signature of licensee or authorized representative
affirming the truth of the above statement.

Date

Carl White

Printed name of licensee or authorized representative

Parks & Recreation Director/City of San Angelo

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 7/25/19

Non-Refundable Fee: \$ 4500.00 575.00

Receipt #:

Date paid: ____/____/____

Date of hearing by Planning Commission: 8/19/19 Date of hearing by City Council: 9/17/19

Reviewed/Accepted by: Sholly Paschal

10/1/19



July 29, 2019

City of San Angelo
Planning Commission
City Hall
San Angelo, Texas

Please let this letter serve as my endorsement, support for the project proposed by Fort Concho NHL and the City of San Angelo to abandon East Avenue D that runs through the fort's south side, and eventually physically remove it. I also understand the long-term plan calls for the creation of a new pathway near the officers' quarters, a loading zone at the west end and an auto pick up/drop off oval at the east end.

My prime concern for the hundreds of school students and their parents/guardians is safety, and this plan effectively solves a growing concern of many cars on that street dropping off and picking up young children while traffic runs through it. As a member of the Fort Concho Board, I also know of the fort's concerns for its thousands of annual guests who cross that street during tours and events. Its removal combined with the proposed enhancements would eliminate these hazards to our students and the fort's guests.

In a larger view, I see this development as a natural outgrowth of a very positive relationship our campus has had with Fort Concho for nearly forty years. Our staff and students benefit every day from the programs, resources, buildings, and events the fort provides. We work extremely well with one another; we watch out and care for each other's properties; and we communicate almost daily on issues of mutual concern.

I appreciate the fort and city making this proposal and I look forward to the improved safety and security the street's removal will bring to our campus.

Sincerely,

Lori Barton
Principal

310 E. Washington Dr. | San Angelo, TX 76903 | (325) 659-3654 | (325) 657-4083 Fax | lori.barton@saisd.org | www.saisd.org

In Pursuit of Excellence

FORT CONCHO
NATIONAL HISTORIC LANDMARK
630 S. OAKES STREET
SAN ANGELO, TEXAS 76903-7013



Norma Preston HEADQUARTERS
RESTORATION, PRESERVATION AND MUSEUM

June 18, 2019

Dear Mayor and City Council Members:

The Fort Concho Museum Board wishes to express its full support for the abandonment of East Avenue D that has run through the historic site grounds. It also supports the creation of a new company road and associated short-term parking/loading ovals at the west and east end of the removed street.

The Fort Board is a Council-appointed body that works very closely with the professional staff and volunteers in the management, operations, and improvements of this national historic landmark. The Board has thoroughly discussed and reviewed this proposal over the past two years, and it is convinced that the abandonment of the street—the last remaining within the core site—will complete the Board's chartered goal of reestablishing the integrity of the core of Fort Concho's original and historic site.

Also, the removal of the street and creation of the company road will unite the Parade Ground to the fort's officers' row, providing additional and safely accessible space for the students as well as a better setting for our ever-increasing schedule of special events, living history, and public programs. Site security would be enhanced by limiting vehicular access and site revenue would improve as guests would be better directed to the visitor center where they should pay their admission fees and make gift shop purchases.

The new arrangement would alleviate the current flooding and drainage issues that have slowly undermined the foundations of our historic structures. Rainwater runoff would be directed onto the field preserving the grass and eliminating any needs for irrigation.

Proposed standing/loading zone ovals at either end of the new company road would serve our guests as well as school parents and students. With the grounds made whole, fort staff could implement a motorized cart program for guests with mobility issues who could transport themselves about the whole site. This service cannot be offered in a cost-efficient or safe manner under current site conditions.

Since 1930, the Fort Board has worked toward the total restoration of the site, making it authentic and whole, and serving the widest possible audience. We see this as the last, logical step toward that worthy goal and we submit this letter as a reflection of our commitment and approval. The board reviewed and unanimously approved this letter at its regular meeting today, June 18, 2019.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Keane".

Kathy Keane

President/Fort Concho Museum Board of Directors

Bluthardt, Robert

From: Dunn, Brian
Sent: Tuesday, April 30, 2019 11:49 AM
To: Bluthardt, Robert
Subject: RE: Avenue D

Closing down Ave D that runs in front of the Fort will in no way impede the operations of the San Angelo Fire Department. This street isn't used as a running lane and doesn't have occupied housing on it. SAFD doesn't use Oakes Street to cross the river because the bridge isn't rated to support our fire apparatus.

Brian Dunn, Fire Chief MBA CPM CFO
San Angelo Fire Department
306 W. 1st
San Angelo, TX 76903
Office: (325) 657-4355
Fax: (325) 655-1644
Email: firechief@safiredept.com

From: Bluthardt, Robert
Sent: Monday, April 29, 2019 4:49 PM
To: Dunn, Brian
Subject: Avenue D

Chief

It would appear that City Hall wishes to move ahead with our proposal to "abandon" and ultimately physically remove East Avenue D that runs through our site. The proposal will eventually reach the Planning Commission and City Council. It would remove the street from South Oakes on the west to Rust on the east.

You told me and our board that this action would not affect the response to the neighborhood; indeed, I recall your noting that the street itself was not a primary way (run route?) to the area.

Could you send me a one or two sentence statement to that effect that Carl White can summarize in his application/submission to the Planning Commission? Of course, phrase it in a way that you can defend in any public meeting

Many thanks

Bob

Bluthardt, Robert

From: Bryan Jarvis <bryanjarvis@johnsonstreetchurch.org>
Sent: Friday, August 31, 2018 9:48 AM
To: Harold Thomas; Bluthardt, Robert
Subject: Road closing

Harry,

I wanted you to know that I am in contact with Bob Bluthardt about the proposed removal of East Avenue D.

Rust Street Ministries fully supports the move and it will in no way hinder our service to our neighbors.

Blessings and looking forward to serving with the Elks!

Bryan

Paschal, Shelly

From: Lynne and Stan Joynton <lynnejoynton@suddenlink.net>
Sent: Tuesday, September 3, 2019 10:25 PM
To: Paschal, Shelly
Subject: Avenue D at Fort Concho

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Ms. Paschal,

I urge the City NOT to close Avenue D through Fort Concho. It will be a major inconvenience to parents and students and the school. The traffic on the street does not pose a public safety hazard. OK, so the street wasn't there when the Fort was active in the 1870s, but neither was the school—and I don't guess we're going to tear down the school for historical accuracy. Neither was electricity or hot water from a tap, both of which they have at the Fort.

Thank you for considering this viewpoint.

Stan Joynton
2802 Palo Duro Dr.
212,2013

Paschal, Shelly

From: Hope Stephens <Hope.Stephens@ssisd.org>
Sent: Wednesday, September 4, 2019 12:49 PM
To: Paschal, Shelly
Subject: The Closing of Avenue D

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Is there any way that you can reschedule the meeting after 5 p.m., so that the working people that live in the neighborhood will get a chance to attend the meeting? I feel that it would be better if you did this. I feel very strongly against closing the street, since it is the street that I've been using since I lived there since 1966. I don't think it's a good idea to limit our exits from that neighborhood, since Baker and Highland are the only other exits. Highland always floods, and that cuts back on our exits from our homes. It is not beneficial for Avenue D to close. I think they should just do like they have in the past, if there are any events at the Fort, just close it off for each event. Maybe build a bridge that you can walk over from the school to the Forts grounds, that would add a nice scenery to both the Fort and the School. Please let me know.

Thank you.

Paschal, Shelly

From: Jessica Hopkins <jessehrwrs4@gmail.com>
Sent: Friday, September 6, 2019 3:02 PM
To: Paschal, Shelly
Subject: Dont close avenue d

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

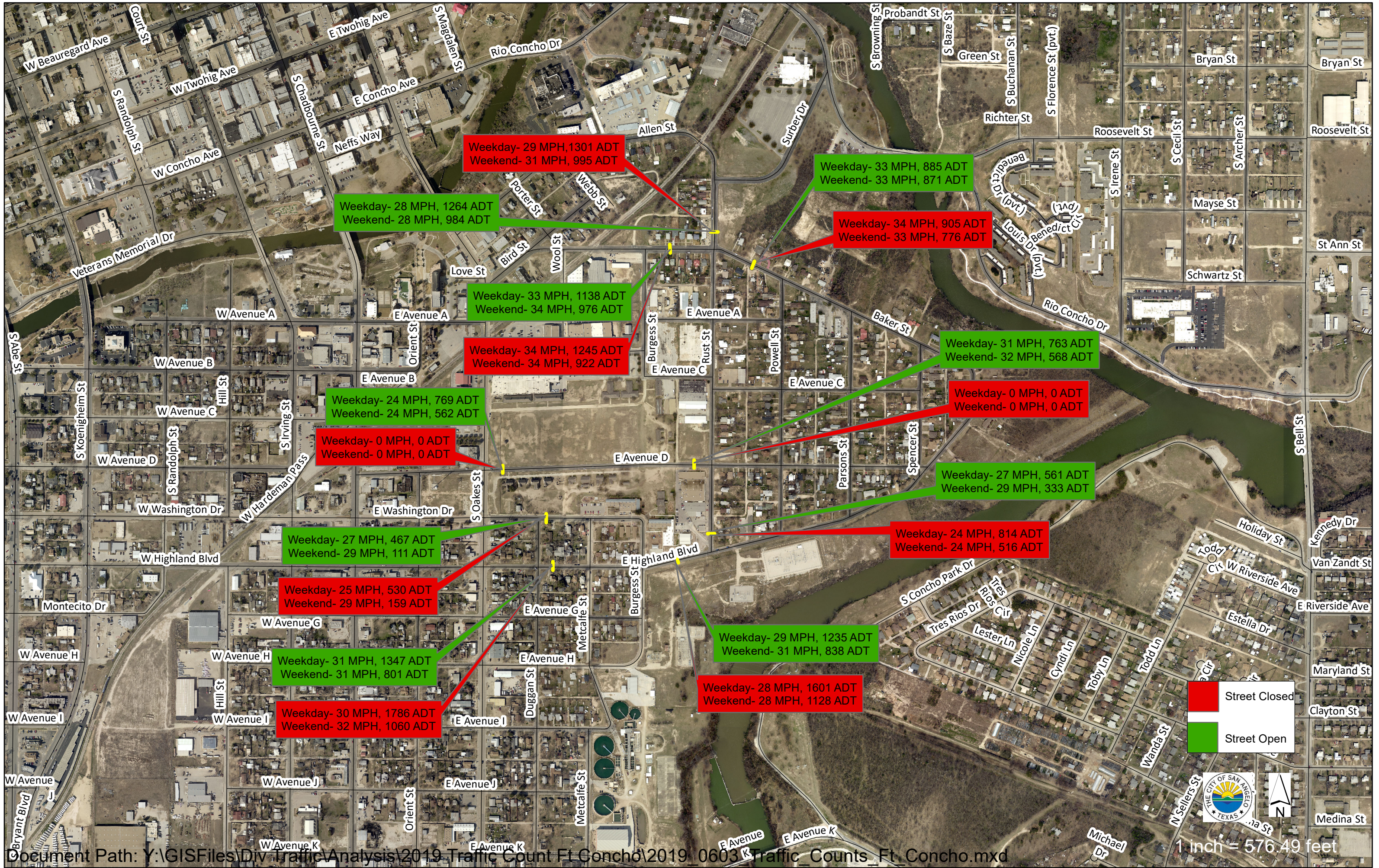
Im a mother of twin boys every single day i park my car on avenue d to walk my sons to their first grade class and to pick them up from school i take avenue d to get to my work every single day and so does my husband and my parents along with his parents avenue d is a road that is best routed to our every day lifes so if it was closed down it would make a lot od things harder on a lot of people excepially every single person who lives in the fort concho area so please do not close this road down

Looking East



Looking West





REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, Economic Development, 325.653.7197

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Consider ratifying COSADC's resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$70,000 to provide an Economic Development Incentive to Double Barrel Outfitters, LLC (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Summary/History:

Double Barrel Outfitters, LLC plans to expand their current operations to include a new, 7,500 sq. ft. building to be located at 4745 S. Chadbourne.

They currently have 13 employees and anticipate hiring at least 4, but up to 20 additional employees to assist with their expansion.

They plan on investing \$750,000 for the construction of the new building.

The Resolution was approved unanimously (6-0) at the Aug. 28th, 2019 COSADC Board meeting.

Financial Impact:

Proposed Incentives:

\$50,000 Capital Investment Grant once the \$750,000 investment has been made.

\$1,000 per FTE for up to 20 FTE's.

Total Incentive Package:
\$70,000

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------------------------------|---|
| 1. | 19-0547_COSADC_DOUBLE_BARREL_P_RESO | 19-0547_COSADC_DOUBLE_BARREL_P_RESO.pdf |
|----|-------------------------------------|---|

Presentation:

Approvals/Reviews:

Shannon Scott

Created/Initiated

Guy Andrews	Approved
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED \$70,000, TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO DOUBLE BARREL OUTFITTERS, LLC, FOR A BUSINESS RETENTION AND EXPANSION PROGRAM (BREP) PROJECT RELATED TO BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS, AS AUTHORIZED FOR A TYPE B CORPORATION UNDER LOCAL GOVERNMENT CODE CHAPTER 505 SUBCHAPTER D.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and

WHEREAS, DOUBLE BARREL OUTFITTERS, LLC (hereinafter DBO) specializes in the fabrication of hunting and outdoor products as well as metal fencing, gates and carports in San Angelo and has a business expansion plan for capital investment and job retention and creation; and,

WHEREAS, DBO would like to make a capital investment of at least \$750,000 for the construction of a new building in San Angelo as part of its business expansion plan; and,

WHEREAS, DBO intends to retain at San Angelo thirteen (13) existing full time primary jobs and would like to create as part of its business expansion plan a minimum of four (4), but not to exceed twenty (20) new Full Time Equivalent Primary Jobs (FTE's) for incentive grant purposes; and,

WHEREAS, DBO has applied with COSADC under the Business Retention and Expansion Program (BREP) as a qualified Project (the job retention and capital investment plan) for an incentive to assist in carrying out the business expansion plan; and,

WHEREAS, the Board hereby determines that the Project will promote or develop expansion of a business enterprise that creates or retains primary jobs; and,

WHEREAS, at least sixty (60) days prior to undertaking a project, a public notice of the specific project shall be published and at least one public hearing shall be held by the Development Corporation prior to expending funds on the Project in compliance with the requirements of the Development Corporation Act, Sections 505.159 and 505.160 of the Local Government Code and

WHEREAS, on September 25, 2019 the City of San Angelo Development Corporation shall hold a Public Hearing on the Project prior to expending authorized grant funds;

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

The City of San Angelo Development Corporation offers this Resolution authorizing the use of sales and use tax funds as an economic development grant incentive to DOUBLE BARREL OUTFITTERS, LLC, in an amount not to exceed \$70,000; authorizing the Director of Economic Development to prepare an economic development performance agreement with DOUBLE BARREL OUTFITTERS, LLC. in compliance with this resolution and with the Development Corporation Act, in a form approved by the City Attorney; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the Project grant incentive and approval of the economic development performance agreement.

ADOPTED THIS _____ DAY OF AUGUST, 2019

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

By: _____
Todd Kolls, President

Nora Nevarez, Corporate Secretary

RATIFIED by City Council this _____ day of _____, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

APPROVED AS TO FORM

Shannon Scott, Business Retention &
Expansion Coordinator

Dan T. Saluri, Deputy City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Consider approving an agreement with Texas Commission on Environmental Quality for the participation in the Sanitary Sewer Overflow Initiative Program, adopting a Sanitary Sewer Overflow Initiative Plan and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Water Utilities Director Allison Strube)

Summary/History:

In 2005, the Texas Commission on Environmental Quality (TCEQ) initiated a voluntary program to reduce the number of sanitary sewer overflows (SSO) from the sanitary sewer collection systems across the State. The Sanitary Sewer Overflow Initiative (SSOI) Program is intended to assist utilities in developing and implementing plans designed to reduce the number of SSOs, which may pose a risk to public health and the environment. A general information fact sheet regarding the SSOI is attached to this agenda item.

The City of San Angelo was previously a part of the SSOI program, and in August 2017 Water Utilities requested to participate in the program again. TCEQ provided confirmation that the City was a candidate for participation in April 2019. One of the main drivers behind Water Utilities requesting to enter into the program was that the system would not be subject to formal enforcement by TCEQ for most continuing SSO violations, as long as the SSOs are addressed by the SSO plan. Participation allows the municipality to direct resources toward corrective actions, as opposed to having to pay penalties associated with an enforcement order in addition to the corrective actions. Participation ensures that SSOs addressed by the SSO plan will not affect the system's compliance-history rating.

On June 2, 2019, the City's sewer system experienced a large SSO that required public notification and reporting to TCEQ. This event caused a raw wastewater discharge into the Concho River near the Wastewater Treatment Plant. The cause of the SSO was infiltration flow from an unusual rainfall event (over 6 inches) overwhelming the plant and the raw pumps at the plant could not keep up resulting in a hydraulic overload. A letter dated August 9, 2019 stated an alleged violation was issued to the City for this event. As necessary steps to correcting this violation the City is required to develop and submit an SSO plan by October 2, 2019. By adopting the SSO plan we will be meeting our requirements under the violation and participation in the SSOI.

Financial Impact:

The operational and maintenance activities in the plan such as the current actions (5.1), SCADA system upgrades (5.2A), line cleaning (5.2B), asset management and work order system (5.2C), and the implementation of a Fats, Oils, and Grease program (5.2E) will be funded through the Water Utilities Department – Wastewater Collection division and Water Quality division annual operating budgets.

The Water Utilities Department utilizes the Capital Improvement Plan (CIP) in preparation for annual expenditures and budgets. The line replacement and rehabilitation section (5.2D) of the plan will be incorporated into the CIP and funded through the capital budget.

Other Information/Recommendation:

It is recommended that the City Council authorize the City Manager to execute an agreement with the Texas Commission on Environmental Quality for participation in the Sanitary Sewer Overflow Initiative Program for the purpose of reducing the number of sanitary sewer overflows within San Angelo's sanitary sewer collection system.

Attachments:

- | | | |
|----|--|--|
| 1. | SSOI Information from TCEQ | SSOI Information from TCEQ.pdf |
| 2. | Sanitary Sewer Overflow Initiative - Council Draft | Sanitary Sewer Overflow Initiative - Council Draft.pdf |

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Allison Strube	Approved
Theresa James	Approved
Julia Antilley	Final Approval



Sanitary Sewer Overflow Initiative: Information for Prospective Participants

What is the SSO Initiative?

Sanitary sewer systems that are properly designed, operated, and maintained will collect and transport all of the sewage and industrial wastewater that flow into them to a wastewater treatment facility for appropriate treatment. However, if there is significant inflow or infiltration (I/I), the collection system is poorly operated and maintained, or the system lacks adequate capacity to collect, store, or treat flows for treatment, sanitary sewer overflows (SSOs) can occur. An SSO is an unauthorized discharge of untreated or partially treated wastewater from a collection system or its components (e.g., a manhole, lift station, or cleanout) before reaching a wastewater treatment facility.

Correcting the problems that cause SSOs is usually time-consuming and expensive for municipalities; thus, they may delay corrective actions until the system or a portion of the system fully fails to function or until the enforcement process requires them to act.

While the TCEQ recognizes that the total elimination of SSOs is unlikely, these discharges can be addressed before they affect the environment. The goals of the initiative are to reduce the number of SSOs that occur each year in Texas and to address SSOs before they harm human health, safety, or the environment and before they become enforcement issues.

Who can participate?

- publicly owned wastewater treatment facilities with sanitary sewer systems
- publicly owned subscribers (facilities consisting entirely of sanitary sewer systems)

The Field Operations regional staff may identify some facilities that are good candidates for participation during on-site compliance investigations or file-review investigations. This identification will be based on:

- Self-reported data indicating violations of permitted flow limitations and significant noncompliance with other permitted effluent limitations.
- SSO history (the number and volume of overflows).
- Previous notices of violation (NOVs) for SSOs.

- SSOs occurring in impaired watersheds.
- SSOs with the potential to harm human health, safety, or the environment.
- Repeated complaints regarding SSOs.
- Corrective action for SSOs that will require longer than six months to complete. A system currently under a compliance plan with the region for addressing SSOs can be included in the initiative if the current plan covers, or is revised to cover, all of the required elements.

Systems currently under formal enforcement action for SSOs are not eligible to participate in the initiative. Participation is not limited to systems identified by TCEQ personnel. Municipalities may also elect to participate, and, in those cases, should contact the local TCEQ regional office to discuss that option.

How will participation in the initiative benefit our system?

- A participating system will not be subject to formal enforcement by the TCEQ for most continuing SSO violations, as long as the SSOs are addressed by the SSO plan. *Note:* Participation in the TCEQ's SSO Initiative does not preclude enforcement action by the federal Environmental Protection Agency.
- Participation allows the municipality to direct resources toward corrective actions, as opposed to having to pay penalties associated with an enforcement order in addition to the corrective actions.
- Participation ensures that SSOs addressed by the SSO plan will not affect the system's compliance-history rating.

What can we expect if we agree (or elect) to participate?

Meeting with the regional staff

After a regional investigation or file review that has documented SSOs, the TCEQ will notify the municipality by letter of the opportunity to participate in the initiative. A meeting may be held within the next 30 days to further discuss the initiative, if requested by the potential participant. The investigator may also discuss the investigation findings and explain the initiative during the compliance investigation exit interview. In that case, a meeting may not be required. (*Note:* If a municipality has not been contacted by the regional staff but would like to discuss participation in the initiative, its representative may call the regional office to arrange a meeting.)

During the meeting, regional personnel will:

- Discuss the findings of the investigation, if applicable.
- Explain that, in order to participate in the initiative, the authorized representative of the system must sign a Notice of Intent to Participate in the SSO Initiative (NOI) (Form TCEQ-20630). In signing this form, the participant agrees to conduct a sanitary sewer system evaluation of the wastewater system in order to determine the scope of the problem and to develop a plan for improving, updating, and repairing the wastewater collection system. The plan must include a time line for completing each specific task and budgetary funding to support the proposed corrective actions.
- Discuss the required elements of the SSO plan.
- Explain that plans based solely on grants and loans will not be approved. Budgetary plans for funding must be included.
- Supply technical assistance materials from the Small Business and Environmental Assistance Division.

After the signed NOI form is received by the TCEQ, regional personnel will send a letter confirming the system's participation. The letter will:

- advise the participant of the findings of the SSO-related investigation;
- acknowledge the system's participation in the initiative;
- allow up to 180 days for the plan to be finalized; and
- explain the requirements for continued eligibility in the initiative.

If the system does not elect to participate in the initiative, the TCEQ will not afford it protection from formal enforcement for SSOs, and will follow standard investigation and enforcement protocol regarding any SSO violations noted during the investigation. (*Note: If a municipality contacted the region to request the meeting—i.e., an investigation was not conducted by the regional office—and the system decides not to participate in the initiative, the TCEQ will evaluate any SSO violations during the next compliance investigation.*)

Evaluation of the SSO Plan

After the participant has submitted its SSO plan to the TCEQ, regional personnel will review it and determine if additional information is needed. If so, the investigator will contact the participant; otherwise, the investigator will mail the participant a letter approving the plan. At that time, the regional office will forward a copy of the plan to the Enforcement Division for inclusion in the SSO agreement. Once the Enforcement Division receives the plan, it will assign an enforcement coordinator to draft the SSO agreement. The coordinator will also review the plan to determine if it is complete. If additional information is required, the coordinator will contact the participant.

What should the plan include?

The term of the SSO plan cannot exceed 10 years. The plan should include the following elements:

- A description of the cause of the SSOs and interim measures the system will take to mitigate the effects of continuing SSOs.
- A comprehensive evaluation of whatever portions of the collection system will be included in the SSO plan.
- A description of specific corrective measures, with milestones for addressing continuing SSOs.
- The time line for completing each corrective action.
- Provisions for the development and implementation, or the improvement, of an operations and maintenance program to ensure continued compliance.
- A description of all funding sources, including budget allocations. Plans that do not include budgeted funding will not be approved.
- A statement describing how the participant will evaluate the effectiveness of the improvements.

Note: For more information on specific elements that may be included in an SSO plan, please see Form TCEQ-20595, SSO Agreement Annual Progress Report.

Where can we get assistance with developing a plan to address SSOs?

The Small Business and Environmental Assistance Division will be available to assist municipalities in addressing their SSO problems by furnishing:

- information on funding sources;
- guidance on the development and implementation of a program to manage fats, oil, and grease; and
- guidance on the development and implementation of a Capacity, Management, Operation, and Maintenance program to improve compliance and reduce environmental impacts, costs, and risks.

For additional information, call the Small Business and Local Government Assistance Hotline at 800-447-2827, visit <www.TexasEnviroHelp.org> or send an e-mail to <sbap@tceq.texas.gov>.

Do we continue to report SSOs to the TCEQ if we participate in the initiative?

Yes, any noncompliance reporting requirements included in the permit provisions, the Texas Water Code, or both remain in effect. Site-specific notifications are still required.

What happens if additional SSOs occur while we are participating in the initiative?

Participation in the initiative excludes the system from formal enforcement for SSOs that are addressed by the SSO plan. The TCEQ does, however, still retain the right to take enforcement action under certain circumstances, which may include any of the following:

- SSOs that are intentional or result from negligence.
- Failure to respond appropriately to an SSO.
- Failure to report an SSO.
- SSOs that result in a documented impact, or have the potential for such an impact, on human health, safety, or the environment.
- Continued failure to meet the requirements of the SSO agreement.

TCEQ personnel will review each circumstance individually to determine if the agency should initiate a separate enforcement action to address a particular SSO according to current enforcement protocol.

What if our system chooses not to participate?

Participation is entirely voluntary. If TCEQ personnel document an SSO at a system not participating in the initiative, they will mail an NOV or a Notice of Enforcement (NOE), if appropriate, and monitor compliance under standard investigation and enforcement protocol. The TCEQ will not afford the system protection from formal enforcement for continuing SSO violations.

Is there anything that can cause our system to be dropped from the initiative?

Yes. The purpose of the initiative is to encourage facilities to be proactive in addressing SSOs and to offer some measure of protection from enforcement action for SSOs that occur while participating; however, under some circumstances it may be appropriate to rescind a system's eligibility. Eligibility may be rescinded in cases such as the following:

- Failure to supply the information needed by the region to approve the SSO plan within the set time frame.
- Failure to provide the information needed by the Enforcement Division to develop an SSO agreement.
- Failure to include budgetary allocations as a funding source.
- Continued failure to meet the requirements of an SSO agreement.
- SSOs due to negligence.
- Failure to respond appropriately to an SSO, or to report one.

- An SSO documented as having harmed, or as having the potential to harm, human health, safety, or the environment.

Other situations may also require a review to determine a system's eligibility for continued participation. Those will be evaluated case by case. If eligibility is rescinded, a representative from either the regional office or the Enforcement Division will notify the participant of the decision. SSO violations identified in previous investigations will then be addressed under standard enforcement protocol.

Since participation is, in part, based on reported SSOs, how will the TCEQ treat systems that do not report SSOs?

Systems that do not report SSOs will be advised of the reporting requirements. The TCEQ will supply the system's representatives with a copy of the noncompliance notification form and the regulatory guide *Unauthorized Discharges and Sanitary Sewer Overflows* (TCEQ publication no. RG-395), and will issue an NOV, or an NOE if appropriate, for failure to report the SSO (Texas Water Code 26.039) and for failure to prevent an unauthorized discharge (Texas Water Code 26.121). The system may not be eligible to participate in the initiative if it continues to neglect reporting SSOs.

City of San Angelo
Water Utilities Department



Sanitary Sewer Overflow Initiative Corrective Action Plan

TCEQ ID No.: WQ0010641003
Regulated Entity No.: RN102296654

September 10, 2019

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1.0 Background

The Texas Commission on Environmental Quality (TCEQ) has developed a Sanitary Sewer Overflow (SSO) Initiative as a voluntary program municipalities can enter into to help reduce the number of SSO releases into the environment. By jointly working with the TCEQ, the City of San Angelo will participate in this program for a period of ten (10) years to implement corrective measures and systems to help reduce the occurrence of SSO's from the municipal wastewater system. This will help protect the health and safety of the citizens and the environment.

2.0 Sanitary Sewer Overflow Initiative Agreement

The City of San Angelo submitted a "Notice of Intent to Participate" in the SSOI program to the San Angelo TCEQ Region 8 Office on August 3, 2017 (Appendix A). Approval to enter into the plan was received from the TCEQ on April 5, 2019 (Appendix B). An interim SSO Corrective Action Plan was emailed to the TCEQ Region 8 Office on May 1, 2019, outlining the initial contents of the plan (Appendix C). The TCEQ subsequently set October 2, 2019 as the deadline for submittal of the Finalized SSO Plan.

This SSO initiative addresses the TCEQ investigation #1554167 dated April 2, 2019 involving 49 self-reported SSO's from the collection system and treatment plant between December 31, 2014 and April 1, 2019.

3.0 City of San Angelo Sanitary Sewer System

The City of San Angelo's sanitary sewer system is managed by the Water Distribution and Collections Division (WDC) of the department of Water Utilities. The WDC is responsible for the collection of all wastewater from the City of San Angelo. This includes the operation and maintenance of all sewer lines and manholes connected to the sewer system. In addition, the Utility Maintenance Division (UM) of the department of Water Utilities performs operation and maintenance of all lift stations and grinder pumps in the system. The UM Division also performs maintenance at the Water Reclamation Facility. The Water Reclamation Facility is a 16 MGD conventional activated sludge treatment plant and is the final stage of the sanitary sewer system.

4.0 Description and Causes of SSO's

The City of San Angelo utilizes the TCEQ Form 00501 (Appendix D) to record and report SSO's and unauthorized discharges (UD's) to the TCEQ. In addition, all SSO's and UD's are entered into a Microsoft Access database for recordkeeping and reporting. Each month, a summary report (Appendix E) is submitted to the TCEQ Region 8 and Austin listing all SSO's and UD's under 1,000 gallons that did not impact any waterways. The majority of San Angelo's SSO's and UD's were a result of electrical failures at lift stations, grinder pump failure, sewer line collapse or deterioration, excessive storm water

infiltration, and grease/rag stoppages. SSO's and UD's over the past five (5) years are summarized in Appendix F.

5.0 Measures Taken to Mitigate SSO's

5.1 Current Actions Taken & Interim Measures to be Implemented

Currently, field crews first responding to SSO's work to stop the discharge as quickly as possible. This can be done utilizing a Vac-Con truck, sand bag and berm containment, utilization of emergency generators and/or pump systems, clean up of rags, and dispersal of a chlorine disinfectant on the affected area. The responding division will immediately notify the Water Quality Laboratory Division (WQL) of the Department of Water Utilities to determine if samples need to be collected and/or if a waterway may have been impacted. In instances when a waterway has been impacted, the WQL will implement a sampling and testing program to evaluate the effects on the aquatic ecosystem. We will continue to follow our SOP-WU1 Reporting Procedure for Unauthorized Discharges and Sanitary Sewer Overflows (Appendix G).

Until long-term measures can be implemented, the following Operations and Maintenance (O&M) Program will be performed to reduce and track SSO's.

1. Reduce grease entering the collection system through increased monitoring of known contributors, including stronger enforcement of the 90-day grease-trap pumping requirement in Sec. 11.02.133 of the City's Code of Ordinances and the Industrial Waste permits.
2. Prioritize pipeline and manhole rehabilitation projects to those areas known to cause SSO's.
3. Schedule increased routine cleaning of segments known to have multiple stops.
4. Conduct routine inspections of the City's sewer infrastructure in draws, floodways, arroyos, etc. Staff that inspects these areas will report results to their superior immediately for review and repair.
5. Train staff in proper completion of TCEQ Form 00501.
6. Incorporate a Sanitary Sewer Overflow Response Plan (SSORP) into SOP WU1 – Reporting Procedure for Unauthorized Discharges and Sanitary Sewer Overflows.

5.2 Future Commitments to Reduce SSO's

A. Infiltration and Inflow (I&I) Monitoring (SCADA System Upgrades):

The Utility Maintenance Division will perform the necessary work to upgrade all lift stations and trunk-main metering to be visible on the City's SCADA system. They will evaluate the efficiency of the control systems on lift stations and determine actions that can be taken to ensure rapid notification of alarm conditions. During storm events the Water Reclamation Facility and Utility Maintenance Division will also be able to monitor flow being sent through the

trunk-main system to assist in preparation for increased flow coming into the treatment system. This flow increase will also provide isolated areas of town to inspect for I&I. These upgrades will be installed within two (2) years of entering into the SSO Program with TCEQ.

B. Line Cleaning:

The City currently conducts collection system cleaning and video inspection. Approximately 240,000 feet of the collection system is cleaned and inspected annually. To proactively prevent SSO's the City will increase the annual cleaning and inspection by 15% throughout the ten (10) year SSO program period. The increased cleaning will be targeted to lines causing SSO's and with the implementation of item C below, these areas will be able to be mapped and work orders assigned on a routine basis to clean problem areas before they contribute to SSO's. As a part of the cleaning and inspection, sewer lines that are determined to be damaged will be replaced or rehabilitated.

C. Asset Management & Work Order System Improvements:

The City's Public Works department is working to implement an asset management and work order system. The City has contracted with VUEWorks for the system installation. This will centralize and give City staff the ability to quantify work being performed and track the areas of that work. The system will also be able to set up routine work orders on specific schedules to notify crews when work needs to be completed. SSO's will be able to be tracked in the City's GIS system to assist in determining problem areas in a map view. Areas demonstrating poor system performance will be prioritized for inclusion in item B line cleaning program. This software will be installed and fully integrated within two (2) years of entering into the SSO Program with TCEQ.

D. Line Replacements & Rehabilitation:

A Wastewater System Master Plan will be performed to determine capital improvements to the sewer system including I&I reduction, lift station upgrades, collection system sizing, etc. This plan will also provide an updated hydraulic wastewater model for determining replacement and rehabilitation projects, but also to develop population and future wastewater flow projections. Recently the City conducted an evaluation of the Lake Nasworthy and Airport area. This plan provided the City with recommendations to not only increase capacity of the system, but detailed potential upgrades to allow the current system to handle existing flows in a more efficient manner. The latest Wastewater System Master Plan for the City was conducted in 2009. A system-wide plan update will commence within two (2) years of entering into the SSO Program with TCEQ. The timeline for completion of the plan is contingent upon rainfall during the evaluation portion of the plan. The plan will be used to guide the Capital Improvement Plan for wastewater improvements.

E. Fats, Oils & Grease (FOG) Program:

An updated FOG Program will be implemented to help track and reduce the amount of material entering the sewer system. The program will detail the management structure, implementation, enforcement, and adoption within the

City's Code of Ordinances. A portion of the program will be dedicated to public education regarding grease management in the home and in commercial and industrial facilities. The City will develop and adopt its FOG ordinance within four (4) years of entering into the SSO Program with TCEQ.

6.0 Budget and Funding

The O&M activities detailed in 5.1, 5.2A, 5.2B, 5.2C, and 5.2E are or will be funded through the Water Utilities Department – Wastewater Collection Division and Water Quality Division annual operating budgets.

The Water Utilities Department also manages a Capital Improvement Program (CIP). The Water Utilities Department utilizes the CIP in preparation for annual expenditures and budgets. Item 5.2D and the results of this item will be incorporated into the CIP and funded through the capital budget.

7.0 Evaluating Effectiveness of Improvements

Effectiveness of SSO reduction activities and system improvements will be evaluated by cause, volume and trends in sanitary sewer overflows. The City will utilize the asset management and work order system tracking to assist in determining cause and quantity evaluation. An Annual Progress Report similar to Appendix H (TCEQ Form 20595) will be submitted on an annual basis.

Appendices

Appendix A

Notice of Intent to Participate (TCEQ Form 20630)



TCEQ Form

Field Operations Support Division

Notice of Intent to Participate in the Sanitary Sewer Overflow Initiative

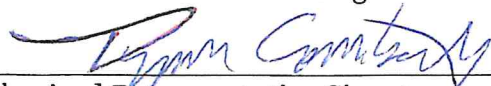
This notice confirms that City of San Angelo (Participant), Customer Number 600251615, Regulated Entity Number 101390243, intends to actively participate in the Sanitary Sewer Overflow Initiative (SSOI).

By participating in the SSOI, the Participant agrees to the following terms:

1. Submit a Sanitary Sewer Overflow (SSO) Plan within 180 days of receiving this Notice of Intent form. The plan must include, but may not be limited to, the following information:
 - a. A Description of the causes of the SSOs
 - b. A list of interim measures to reduce the effects of continuing SSOs
 - c. A timeline of action items and milestones (not to exceed 10 years)
 - d. A description of measurable corrective measures to be taken to reduce SSOs
 - e. A copy of development, implementation and updates to the Operations and Maintenance program to ensure compliance
 - f. A description of funding source(s), including budget allocations; and
 - g. A description of the means for evaluating the effectiveness of improvements.
2. Conduct a comprehensive evaluation of the wastewater collection system.
3. Submit reports and updates as required by the TCEQ.

In consideration of continued active participation, the TCEQ agrees to document any additional SSOs occurring in the areas covered by the SSO Agreement as an "Additional Issue," provided there is no significant impact to human health or the environment associated with the SSO(s).

Further, the Participant understands that the SSO Agreement between the Participant and the TCEQ does not preclude the Environmental Protection Agency from taking formal enforcement actions against the Participant for SSOs.



Authorized Representative Signature
Plant Operations Manager
City of San Angelo

8-3-17

Date



The City of San Angelo
Water Quality Department

1324 Metcalfe Street
San Angelo, Texas 76903
Phone: (325) 481.2722 · Fax: (325) 653.7278

3 August 2017

Mr. John Teutsch
Texas Commission on Environmental Quality
622 S. Oakes, Ste K
San Angelo, Texas 76903

RE: City of San Angelo request to enter the TCEQ SSO Initiative Program

Dear Mr. Teutsch,

Please see the attached TCEQ Form 20630 stating the City of San Angelo's request to participate in the Sanitary Sewer Overflow Initiative Program.

Thank you.

Respectfully submitted,

A handwritten signature in blue ink, reading "Tymn Combest".

Tymn Combest
Plant Operations Manager

cc: Mr. Eric Kuehn, TCEQ Region 8 Office
Mr. Bill Riley, Director of Water Utilities
Ms. Allison Strube, Assistant Director of Water Utilities
Mr. Abel Morales, WRF Superintendent

Appendix B

TCEQ approval letter to participate in the SSO initiative program

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*

COPY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 5, 2019

CERTIFIED MAIL 7018 1830 0001 4912 1855
RETURN RECEIPT REQUESTED

The Honorable Brenda Gunter, Mayor
City of San Angelo
72 West College Avenue
San Angelo, Texas 76903

Re: **Confirmation of Participation**
Sanitary Sewer Overflow Initiative
Wastewater Treatment Plt, San Angelo, Tom Green County, Texas
Regulated Entity No.: RN102296654; TCEQ ID No.: WQ0010641003

Dear Mayor Gunter:

On April 2, 2019, the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office identified the above-referenced system as a candidate for participating in the Sanitary Sewer Overflow (SSO) Initiative (SSOI). We are in receipt of your signed Notice of Intent to Participate in the SSOI form dated August 3, 2017 and understand that you are in agreement with its terms for developing the SSO Plan. Please submit to this office your finalized SSO Plan no later than October 2, 2019.

The TCEQ appreciates your participation in this initiative. Please note the following conditions may result in your eligibility to participate in the SSO Initiative being rescinded, in which case you would be subject to formal enforcement action, including penalties, related to the SSOs:

- Failure to submit your final SSO Plan;
- Failure to respond to any additional requests for information related to your SSO Plan within the requested time frames;
- Failure to comply with any time schedule (including progress reports) in the approved SSO Plan and resulting SSO Agreement; and
- Failure to prevent additional SSOs that result in a documented impact on human health, safety or the environment occur (evaluated on a case-by-case basis).

In addition, you should be aware that participation in the TCEQ's SSO Initiative does not preclude federal enforcement action taken by the Environmental Protection Agency.

The Honorable Brenda Gunter, Mayor
Page 2
April 5, 2019

Re: **Confirmation of Participation**
Sanitary Sewer Overflow Initiative
Wastewater Treatment Plt, San Angelo, Tom Green County, Texas
Regulated Entity No.: RN102296654; TCEQ ID No.: WQ0010641003

If you or members of your staff have any questions, please feel free to contact Mr. John Teutsch in the San Angelo Region Office at (325) 655-9479.

Sincerely,


for Christopher G. Mayben, P.G.
Air, Water and Waste Section Manager
San Angelo Region Office

CGM/jpt

Cc: Mr. Tymn Combest, Plant Operations Manager, 327 E. Ave. I, San Angelo, TX 76903
Ms. Allison Strube, Water Utilities Director, 301 W. Beauregard Ave., San Angelo, TX 76903
Mr. Lance Overstreet, Assistant WUD, 301 W. Beauregard Ave., San Angelo, TX 76903

Enclosures: Summary of Investigation Findings
SSO Initiative Information for Prospective Participants (GI-389)
TCEQ SSO Agreement Annual Progress Report (Form 20595)

Summary of Investigation Findings

WASTE WATER TREATMENT PLT

1898 CITY FARM RD
SAN ANGELO, TOM GREEN COUNTY, TX 76905

Investigation #

1554167
Investigation Date: 04/02/2019

Additional ID(s): WQ0010641003

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 710125 Compliance Due Date: 10/02/2019

2D TWC Chapter 26.121(a)(1)

PERMIT WQ0010641003, PP. V. 2. g.
PERMIT CONDITIONS

Alleged Violation:

Investigation: 1554167

Comment Date: 04/04/2019

Failure to prevent unauthorized discharges of wastewater.

Specifically, 49 self-reported unauthorized discharges (SSO) have occurred from the regulated entity's collection system and treatment plant between December 31, 2014 and April 1, 2019 with causes being attributed to such things including, but not limited to, breaks, clogs, and equipment failures. Forty (40) of the unauthorized discharges were sanitary sewer overflows (SSOs) from the collection system at various locations throughout the City. Nine (9) of the unauthorized discharges were identified as being from units at the treatment plant.

Recommended Corrective Action: Develop and submit an SSO Plan addressing collection system discharges to the TCEQ San Angelo Region that does not exceed 10 years. The plan should include the following elements:

- 1) A description of the cause of the SSOs and interim measures the system will take to mitigate the effects of continuing SSOs.
- 2) A comprehensive evaluation of whatever portions of the collection system will be included in the SSO plan.
- 3) A description of specific corrective measures, with milestones for addressing continuing SSOs.
- 4) The time line for completing each corrective action.
- 5) Provisions for the development and implementation, or the improvement, of an operations and maintenance program to ensure continued compliance.
- 6) A description of all funding sources, including budge allocations.
- 7) A statement describing how the participant will evaluate effectiveness of the improvements.

Appendix C

Interim SSO Corrective Action Plan

Combest, Tymn

From: Combest, Tymn
Sent: Wednesday, May 1, 2019 1:31 PM
To: 'John Teutsch'; 'Eric Kuehn'; 'Christopher Mayben'
Cc: Strube, Allison
Subject: SSO Initial Plan to TCEQ

May 1, 2019

Sanitary Sewage Overflow (SSO) Initiative Plan
Wastewater Treatment Plant, San Angelo, Tom Green County, Texas
Regulated Entity No.: RN102296654; TCEQ ID No.: WQ0010641003

Mr. John Teutsch,

On April 5, 2019, we received the Region 8 confirmation of participation letter inviting the City of San Angelo to enter into the TCEQ Sanitary Sewage Overflow (SSO) Initiative program. We are currently working to complete the final SSO plan, which is due to your office on October 2, 2019.

In the interim, I would like to provide you with an initial outline of our plan.

1. Evaluate and determine the causes of SSOs and interim measures that will be taken to mitigate effects of continuing SSO's
2. Conduct a comprehensive evaluation of the sanitary sewer system and scope of problem areas.
3. A description of corrective measures we have taken / and plan to take to address SSOs with milestones.
4. Develop a timeline for completing each milestone.
5. Evaluate and improve our O&M Program to ensure continued reduction of SSOs.
6. A description of sources for funding for the SSO initiative program and activities.
7. A description of provisions for evaluating effectiveness of improvements.

We greatly appreciate the opportunity your office has given us to participate in this plan. Thank you.

Respectively submitted,

Tymn Combest
Plant Operations Manager



City of San Angelo

Appendix D

SSO report form (TCEQ Form 00501)

Water Quality Noncompliance Notification

See back of Form for Guidance for Completion

☐ Unauthorized Discharge

☐ Reportable Effluent Violation

☐ Other

General Information

Entity Name:

Telephone No: () -

☐ Permittee

☐ Subscriber

TCEQ Region:

County:

*Permit Number:

Noncompliance Summary

Description of Noncompliance (include location, discharge route, and estimated volume of unauthorized discharge):

Cause of Noncompliance:

Duration:

Start Date and Time:

End Date and Time:

Or Date Expected to be Corrected:

Potential Danger to Human Health and Safety or the Environment:

Actions Taken

Monitoring Data: Data should be attached or submitted to TCEQ when available.

☐ Yes

☐ No

Field Measurements

☐ Yes

☐ No

Laboratory Samples

☐ Yes

☐ No

Fish Kill If yes, estimated number killed:

Actions Taken to Mitigate Adverse Effects:

Actions Taken to Correct the Problem and Prevent Recurrence:

Verification Information

Information Reported By (Name/Title): _____

Date Reported: _____ Signature: _____

Note: If this form is being used for a 5-day written report, a copy of the form should be sent to the TCEQ Region Office, and the original to: TCEQ, Compliance Monitoring Team (MC224), Enforcement Division, P.O. Box 13087, Austin, TX 78711-3087.

* If the noncompliance is an unauthorized discharge from a wastewater collection system, use the permit number of the treatment plant to which the collection system is tied. If you are uncertain of this permit number, you may call the TCEQ Regional Office for assistance.



Guidance - Water Quality Noncompliance Notification Form

When reporting an unauthorized discharge or sanitary sewer overflow (SSO), it is important to include all information that is requested on the notification form. If you have questions about the form, do not hesitate to call your TCEQ Regional Office and ask to speak to a wastewater investigator. All information should comply with reporting requirements noted in Texas Water Code Section 26.039, 30 Texas Administrative Code (TAC) Section 305.125(9), and, if applicable, 30 TAC Section 319.302(b).

This form may be used as the 24-hour notification to the Regional Office and may also be used as the 5-day written report. If the event was reported within 24 hours via phone, or an incomplete form was submitted as part of the 24-hour reporting requirement, you must fax or mail a completed, signed copy within 5 days to the Water Section Manager at your TCEQ Regional Office. The original, signed copy should be mailed to the address located at the bottom of the form.

Unauthorized Discharge - An unauthorized discharge is any discharge of wastewater into or adjacent to waters in the state at a location not permitted as an outfall. An SSO is any overflow, regardless of volume, from a sewer collection system (i.e., lift stations, manholes, force mains, cleanouts, service lines). An SSO is considered to be an **"unauthorized discharge."**

General Information

"Entity name" is your permitted name (owner name for subscriber systems). Designate with an "X" or "✓" to identify whether you are a permittee or subscriber.

Permit Number - Include your TCEQ WQ permit number (i.e., WQ0012345001). If you are a **subscriber**, use the permit number of the treatment plant to which the collection system is tied. If the WQ permit is unknown, please call the TCEQ Regional Office for assistance.

Noncompliance Summary

Description of Noncompliance:

- Location & collection system structure (i.e., Manhole at 650 Main St.)
- Route of discharge – Follow the discharge from its origin to where it was contained or entered a receiving waterway. If the receiving waterway is unnamed, provide the name of the nearest named adjoining

waterway. (Examples: soaked into ground; manhole → nearby storm ditch → unnamed tributary of Kings Creek)

- Estimated amount of the discharge (includes any recovered amount)

Cause of Noncompliance: Why did this incident occur? Was it caused by grease, blockage, infiltration or inflow, equipment failure, structural failure, power outage, vandalism, human error, contractor, unknown?

Duration: Include dates and times.

Potential Danger to Human Health & Safety or the Environment: Any danger to the aforementioned should be promptly discussed with the TCEQ Regional Office. Additional notifications may be necessary.

Actions Taken

Monitoring Data: Designate with an "X" or "✓."

Actions taken to Mitigate Adverse Effects:

Ask yourself, "How did we keep this from becoming an environmental or health problem?" Include information such as:

- amount recovered from the total estimated amount stated under the description above
- method used to recover the wastewater
- treatments used for disinfection or deodorizing
- activities to lessen impact to property, a waterway, or public health

Actions taken to correct the problem and prevent recurrence:

Ask yourself, "How did we address the direct cause of the overflow, and was there anything else we did to prevent this noncompliance from occurring again?" Include actions such as:

- jetting the main
- educating residents about proper grease disposal
- adding the location to your preventative maintenance list
- repairing equipment, circuits, or replacing lines, etc.

Verification Information

Information Reported By: Include both your name and title. Please sign and date the form.

Appendix E

Monthly summary report (example of modified TCEQ Form 20756)

Accidental Discharge or Spill Monthly Summary Form

General Information:

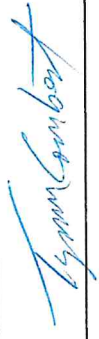
Permittee: [X] Subscriber: []
 Regulated Entity Name: City of San Angelo Water Utilities
 Regulated Entity No:
 Permit No: WQ0010641003

EPA ID No:
 TCEQ Region: Region 8 - San Angelo
 County: Tom Green

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
5/8/2019	9:00 AM	5/8/2019	10:00 AM	800	East end of Aeration Basin 2 at WRF	High inflow and AB inflow imbalance	N/A	East end of AB2 overflowed where the primary water comes in. Caused by high inflow and imbalance of aeration basin inflows.	Duration & Flow
5/12/2019	7:30 PM	5/12/2019	8:30 PM	600	ASU Lift Station 1925 Beatty Rd.	Electrical component failure	Not applicable	Lift station overflowed due to electrical failure causing breaker to trip. Release remained in vicinity and did not get into the lake.	Visual Estimate
5/18/2019	7:00 AM	5/18/2019	8:00 AM	800	506 Shiloh Lift Station	Thunderstorm caused power outage at lift station control panel.	Spread HTH on affected area and used standby pump until power was restored to area.	The manhole at the 506 Shiloh lift station overflowed approx. 800 gallons and flowed towards the east, not reaching the river.	Visual Estimate

Information Reported By: Tymn Combest, Plant Operations Manager

Date Reported: 8/1/2019

Signature: 

* For questions concerning this report, please contact Tymn Combest, tymn.combest@cosatx.us, 325.481.2722

Modified TCEQ-20756 (06-27-16) - A copy of this form should be sent to your TCEQ Regional Office no later than the 20th day of the following month and the original to the TCEQ Compliance Monitoring Team (MC224), Enforcement Division, P.O. Box 13087, Austin, TX 78711-3087.

cc: Allison Strube
 Andy Vecellio
 Elena Velez-Reyes
 Nathan Timm
 Paul Rodriguez
 Mary Urquidez
 Abel Morales
 Jerry Searcy

Appendix F

SSO and UD database report – past five years

SSO - Sanitary Sewer Overflows

Date Range Summary Report

General Information:

Permittee: [X] Subscriber: []
 Regulated Entity Name: City of San Angelo Water Utilities
 Regulated Entity No:
 Permit No: WQ0010641003

EPA ID No:
 TCEQ Region: Region 8 - San Angelo
 County: Tom Green

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
9/5/2014	5:00 AM	9/5/2014	7:00 AM		No	1212 hughes st E. san angelo draw	Sewer Stoppage	Cleaned area with Vac-Con	discharged to the s. of the manhole before the bar ditch	
9/17/2014	4:00 PM	9/18/2014	5:00 PM		No	800 baze st	Sewer Stoppage	Cleaned area with Vac-Con, Spread HTH on affected area	500 gals ran down storm drain into the draw	
10/16/2014	2:30 PM	10/16/2014	3:30 PM		No	at la cruz and avep	Sewer Stoppage	Cleaned area with Vac-Con, Spread HTH on affected area	traveled down ave p. to chadbourne about 1000 gal	
11/9/2014	2:45 PM	11/9/2014	6:30 PM		No	100 gal in ditch, near entry gate, on the side of the road at 2218 Red Bluff Rd.	Lift Station Malfunction, Pump Failure	Cleaned area with Vac-Con, Spread HTH on affected area	100 gal spilled out of lift station pump, which had stopped working	
9/11/2015	12:30 PM	9/11/2015	2:00 PM		No	23rd st and bryant blvd	Grease	Cleaned area with Vac-Con	flow going west of manhole about 1000 gal	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
9/12/2015	1:00 PM	9/12/2015	5:00 PM		Yes	3930 sunset dr	Sewer Stoppage	Cleaned area with Vac-Con	100 gal flow was to the east on sunset	Visual Estimate
9/12/2015	11:00 AM	9/12/2015	1:30 PM	1000.00	Yes	2045 beaty rd	Collapsed Main, Main Break	Cleaned area with Vac-Con	flow was going south towards lake nasworthy not entering lake	Visual Estimate
9/21/2015	11:45 AM	9/21/2015	2:30 PM	2000.00	No	821 N Jackson	Rags	Cleaned area with Vac-Con	2000 gal from customer clean out, flow was going North down Jackson and then turned to flow going East down Martin St, applied chlorine to the surface, cleaned main and disinfected the area with HTH.	Visual Estimate
12/22/2016		12/22/2016		3500.00	No	4100 block of ben ficklin	Sewer Stoppage	Cleaned area with Vac-Con	spill flow was south in storm drain & estimate volume of about 3500 gal	Visual Estimate
3/24/2017	11:00 AM	3/24/2017	11:30 AM	100.00	Yes	1608 S Concho Drive	Mechanical Malfunction	Spread HTH on affected area	man hole over flow from leak 100 gallons	Visual Estimate
5/4/2017	12:05 PM	5/4/2017	1:00 PM	1000.00	Yes	3501 executive dr, going east	Sewer Stoppage	Cleaned area with Vac-Con	water coming out of the top of MH running down along the draw besides the RR tracks going east about 1000 gal	Visual Estimate
7/16/2017	7:30 PM	7/16/2017	7:50 PM	45000	No	WRF CL2 basin	Pump Failure	Notified TCEQ, Spread HTH on affected area	Effluent from the CL2 basin. Estimated 30,000 to 45,000 gallons of treated effluent water overflowed into the grass and pavement.	Duration & Flow

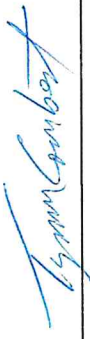
Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
8/19/2017		8/19/2017		1000	Yes	cattail lane	Main Break	Cleaned area with Vac-Con, Placed temporary berm to control flow	at end of st flowing east into lake	Visual Estimate
1/4/2018	7:00 PM	1/4/2018	10:00 PM	5000	No	304 W. Avenue A.	Sewer Stoppage	Cleaned area with Vac-Con	The location of discharge was at the address of 304 W Ave A. The discharge point was from the customer's clean out located on the east side of the property. The discharge was flowing north from the clean out towards the river. Estimated 5000 gals.	Visual Estimate
2/16/2018	5:00 PM	2/16/2018	6:00 PM	2000	No	4353 S Jackson from S. Jackson to Red Arroyo	Sewer Stoppage	Cleaned area with Vac-Con, Notified TCEQ	Manhole overflow due to sewer main stoppage	Visual Estimate
3/9/2018	11:15 AM	3/9/2018	11:45 AM	500	Yes	506 Shiloh	Pump Failure	Repaired Defective Equipment	Manhole overflow due to pump failure.	Visual Estimate
4/26/2018	12:00 PM	4/26/2018	12:10 PM	100	Yes	2041 Beaty Road	Grinder Malfuction	Repaired Defective Equipment	Grinder broke resulting in overflow.	Visual Estimate
4/27/2018	10:00 AM	4/27/2018	6:30 PM	1000	No	818 Baker St. in the back yard.	Main Break	Cleaned area with Vac-Con	Water was leaking from underneath the concrete casing at a bell connection on the 12" sewer main on a back yard slop which caused it to slowly run into the river.	Visual Estimate
5/15/2018	7:00 AM	5/15/2018	8:30 AM	200	Yes	5731 Columbine Ln. South Bentwood LS	Power Failure	Repaired Defective Equipment	Tripped Breaker on lift pumps due to storm.	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
7/1/2018	8:00 AM	7/1/2018	10:00 AM	8000	No	506 Shiloh St, spill into Concho River.	Lift Station Malfunction, Power Failure	Spread HTH on affected area	Power loss at lift station caused a manhole to overflow.	Duration & Flow
7/2/2018	8:00 PM	7/2/2018	9:00 PM	4000	No	506 Shiloh Lift Station	Lift Station Malfunction, Power Failure	Notified TCEQ, Repaired Defective Equipment, Spread HTH on affected area	Shiloh lift station overflow at manhole due to power outage from AEP transformer	Duration & Flow
7/13/2018	5:30 PM	7/13/2018	10:30 PM	350	No	W 11th and N Bryant, discharge route was west at manhole through storm drain under N Bryant, S towards 6thst and entered river.	Sewer Stoppage	Cleaned with Hydro Jet, Notified TCEQ, Spread HTH on affected area	A grease stop in collection line.	Visual Estimate
9/8/2018	11:00 AM	9/8/2018	2:30 PM	800	Yes	Santa Fe park, S side of river, Ave C and David.	Main Break	Spread HTH on affected area. Repaired damaged aerial line with repair clamp. Successful.	18" aerial line that runs through park was leaking, small section had rusted out and caused leak.	Visual Estimate
9/12/2018	12:30 PM	9/12/2018	2:30 PM	1000	Yes	Twin Mountain Drive	Collapsed Main	Cleaned area with Vac-Con. Replaced damaged 90 and 4" sewer pipe. Successful.	4" force main sewer broke.	Visual Estimate
10/1/2018	4:00 PM	10/2/2018	2:00 AM	900	Yes	1800 Blk W Loop 306, N Bentwood Lift Station	Main Break	Repaired Defective Equipment, Spread HTH on affected area	Contractor bored through 8" force main	Visual Estimate
10/8/2018	5:00 AM	10/8/2018	9:00 AM	500	Yes	2801 Valley View	Electrical / Controls Malfunction, Lift Station Malfunction	Repaired Defective Equipment. Cleaned area with HTC.	Lift station overflow at manhole due to transformer failure	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
10/17/2018	2:00 PM	10/17/2018	6:00 PM	700	Yes	1200 Block N Jefferson & Forest Park.	Tree rupturing pipe line.	Contained leak and cleaned area.	Tree rubbing against aerial sewer rubbed a hole in it resulting in a leak. Approx. 700 gallons sewage flowed west about 25 feet from break.	Visual Estimate
10/22/2018	6:00 PM	10/23/2018	6:00 AM	600	Yes	1800 W Loop 306 Frontage Rd.	Ground shift	Repaired break.	Sewer main broke due to ground shift.	Visual Estimate
11/16/2018	1:00 PM	11/16/2018	4:30 PM	2500	No	704 S David near Sunken Gardens at Concho River south side adjacent to west walk bridge	Contractor work on aerial sewer line resulted in corroded sections to leak.	Cleaned around the spill area.	18" aerial sewer main line being cleaned by contractor developed several holes that caused leaks. Water leaked into a draw which flowed into Concho River at Santa Fe Park.	Duration & Flow
11/27/2018	6:00 AM	11/27/2018	8:00 AM	800	No	New lift station at 965 Paseo de Vaca, Sulfur Draw Lift Station	Newly installed system controls failure.	Made repairs to electrical controls.	Newly installed lift station pumps, controls, and backup failed causing two manholes to overflow into Sulfur Draw which feeds the Concho River 600 yds to the north.	Duration & Flow
12/1/2018	7:00 AM	12/1/2018	8:00 AM	10	Yes	965 Paseo de Vaca at Sulfur Draw Lift Station	New motor control system failure.	Not enough volume released to warrant mitigation actions.	Sulfur Draw Lift Station controls failure cause list station pumps to cut off resulting in manhole overflow.	Visual Estimate
12/8/2018	12:00 PM	12/18/2018	4:30 PM	1000	No	W 10th at Wright St.	Unknown stoppage removed with Vac-Con	None	Sewer stoppage in line causing overflow at W 10th and Wright St. manhole. Flowed south 10' and went under N Bryant into stormwater drain. Headed north entering Concho at EW Thruway.	Visual Estimate
12/21/2018	10:15 AM	12/21/2018	10:20 PM	400	Yes	Forest Park and Howard	Rag and grease clog	N/A	Manhole backed up due to rags and grease stoppage. Flow was north on Howard.	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ Mr*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
1/6/2019	10:00 AM	1/6/2019	12:45 AM	500	No	600 W. Ave C at S. David	Clogged sewer line due to rags stoppage.	Cleaned main several times.	Discharge from manhole on Ave C. Ran 20'E to storm drain then north towards river in storm drain channel.	Duration & Flow
1/20/2019	10:05 AM	1/20/2019	10:20 AM	50	Yes	Water Reclamation Facility - NE Corner of Blower Building.	Broken underground pipe.	N/A	Discharge pipe from grinder pump to scum pit broke underground causing sewage to flow to surface.	Visual Estimate
1/24/2019	3:15 PM	1/24/2019	3:20 PM	400	Yes	Water Reclamation Facility - Bar screen area.	Excessive trash, grit, and grease overloaded the bar screen capacity. Emergency shut off failed.	None	Bar screen rake clogged. Emergency shut off system failed. 400 gal raw influent spilled into adjacent grass.	Visual Estimate
2/10/2019	8:00 PM	2/10/2019	10:00 PM	300	Yes	1429 N Harrison, flow to the east	Sewer clog	None	Sewer main stoppage due to material clog caused backup and flow from customer cleanout.	Visual Estimate
3/19/2019	5:00 PM	3/19/2019	8:30 PM	500	Yes	Avenue P and 1911 S. Bryant Blvd.	Sewer main clogged with solids.	N/A	backed up manhole on Ave P and 1911 S Bryant Blvd. Overflow ran down Ave. P east of Bryant from the Manhole.	Visual Estimate
3/29/2019	7:00 AM			500	Yes	Raw influent pit at WRF at wetwell location.	A leak from the inlet transmission line. We are currently determining the location and cause and preparing to repair.	The spill material will flow back into the low lift wet well. HTH was used to disinfect. Trenching and plastic used to minimize release. Reviewed with Eric Kuehn.	A small leak was discovered at raw influent valve pit at WRF, resulting in a small discharge into pit. Most of the water is directed back to the wet well. Some may be seeping into the ground.	Visual Estimate
4/9/2019	7:00 AM	4/9/2019	2:00 PM	900	Yes	Loop 306 & Ventures	Corrosion to sewer main	N/A	Break in 18" sewer main due to corrosion on top of pipe. Overflow of 900 gallons was contained in the excavation pit.	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
5/8/2019	9:00 AM	5/8/2019	10:00 AM	800	Yes	East end of Aeration Basin 2 at WRF	High inflow and AB inflow imbalance	N/A	East end of AB2 overflowed where the primary water comes in. Caused by high inflow and imbalance of aeration basin inflows.	Duration & Flow
5/12/2019	7:30 PM	5/12/2019	8:30 PM	600	Yes	ASU Lift Station 1925 Beatty Rd.	Electrical component failure	Not applicable	Lift station overflowed due to electrical failure causing breaker to trip. Release remained in vicinity and did not get into the lake.	Visual Estimate
5/18/2019	7:00 AM	5/18/2019	8:00 AM	800	Yes	506 Shiloh Lift Station	Thunderstorm caused power outage at lift station control panel.	Spread HTH on affected area and used standby pump until power was restored to area.	The manhole at the 506 Shiloh lift station overflowed approx. 800 gallons and flowed towards the east, not reaching the river.	Visual Estimate
6/1/2019	4:00 AM	6/1/2019	5:00 AM	7000	No	CL2 basin at the Water Reclamation Facility	Lost power to pump building 3 which powers the compressors that run the effluent pumps.	Spread HTH on affected area.	CL2 basin overflowed approx. 7000 gallons of treated effluent and flowed toward storm water catchment pond.	Duration & Flow
6/2/2019	12:45 PM	6/2/2019	6:00 PM	375450	No	WRF facility raw intake area and siphon 1 mile upstream of FM380 bridge.	An unusual rainfall event increased infiltration flow coming into the WRF. Over 6 inches of rain overwhelmed the plant. The raw pumps at the treatment plant were all	At the treatment plant, HTH was spread over all spilled areas including the unlined pond. The siphon spill was discovered after the fact, so there was no mitigation at the time.	It was estimated that approx. 355450 gal raw wastewater overflowed into the river from the WRF emergency overflow pond. To alleviate the emergency overflow pond, we utilized two 6" and one 3" pumps to pump out water from the lined pond into the adjacent unlined pond. Approx. 1066470 gals was transferred to the unlined pond. Simultaneously, approx. 315000 gallons raw wastewater overflowed from a siphon 1 mile upstream of FM380 bridge and also flowed into the river.	Duration & Flow
6/11/2019	7:00 AM	6/24/2019	3:30 PM	Unknown	No	Behind 2668 Vista del Arroyo.	Collapse of manhole	Directed flow thorough open line in trench until repair was complete.	Collapsed manhole in 21" main caused overflow	Visual Estimate

Start Date	Start Time	End Date	End Time	Estimated Volume (gallons)	TCEQ MR*	Location	Cause	Steps Taken to Reduce, Eliminate and Prevent Recurrence	Description / Content	Volume Estimation Method
* TCEQ MR (Monthly Report) - If "Y", this SSO will be sent to TCEQ by Monthly Summary Report. If "N", the SSO requires 24hr notice to TCEQ and will not be included on the Monthly Summary Report. Information Reported By: Tymn Combest, Plant Operations Manager Date Reported: 8/6/2019 Signature:  * For questions concerning this report, please contact Tymn Combest, tymn.combest@cosatx.us, 325.481.2722										

Appendix G

SOP-WU1 Reporting Procedure for UD's and SSO's

City of San Angelo

Department of Water Utilities

Standard Operating Procedure

Policy Title: Reporting Procedure for Unauthorized Discharges and Sanitary Sewer Overflows
Policy Number: SOP WU1
Effective Date: 01 August 2019
Revision Number: 080119

1.0 PURPOSE

To provide guidelines for reporting sewer overflows at the Water Reclamation Facility, Wastewater Collections Department, and Utility Maintenance Departments to the Texas Commission on Environmental Quality. Read and become familiar with Attachment 1 of this document.

2.0 SCOPE AND APPLICATION

This standard operating procedure applies to any overflows occurring at the Water Reclamation Facility or sewer collection system throughout the City of San Angelo.

3.0 DEFINITIONS

Permitted Facility – The holder of a water quality permit issued by TCEQ or EPA
SSO – Sanitary Sewer Overflow
Subscriber – Any municipality, business, or organization acting as a waste contributor or customer of a permitted facility.
TCEQ – Texas Commission on Environmental Quality
UD – Unauthorized Discharge of wastewater
WRF – Water Reclamation Facility

4.0 PROCEDURE

Completion of the Water Quality Noncompliance Notification

A Water Quality Noncompliance Notification (attachment 2) **MUST** be completed for all UD's and SSO's regardless of the volume or location. This form shall be completed within 24 hours of the incident. Each department (WRF, Utility Maintenance or Wastewater Collections) reporting the incident must complete this form, forward a copy (hand deliver, email or fax) to the Water Quality Department, and file the original in their office for permanent record. Copies can be delivered to

the Water Quality Department in bulk at the end of each month, but must be delivered by the 5th day of the following month. The Water Quality Department will be responsible for completing the Monthly Summary Notification Report for each department and submitting it to the TCEQ by the 20th of the following month.

Monthly Summary Notification Criteria – If the UD or SSO meets the following criteria, it may be reported to the TCEQ as a monthly summary instead of via a 24-hour or five-day written notification. The UD or SSO must:

- Occur at a wastewater treatment facility or collection system owned or operated by a local government;
- Be 1,000 gallons or less;
- Not be associated with another simultaneous UD or SSO;
- Be controlled or removed before entering water in the state or adversely affecting a public or private source of drinking water;
- Not endanger human health or safety, or the environment; and
- Not be otherwise subject to local regulatory control and reporting

If the spill does not meet the criteria listed above, each reporting department addressing the incident must follow the instructions below:

24 Hour Notification to TCEQ Regional Office

You must report the date, location, volume, and contents of the release to the TCEQ regional office as soon as possible and no later than 24 hours after becoming aware of the incident. This is the responsibility of the reporting department (WRF, Utility Maintenance, or Wastewater Collections). During normal business hours, the 24 hour notice must be given orally AND by fax to the local regional office. If the incident occurs after normal business hours, you must notify the local regional office by telephone recording, TCEQ San Angelo – 325.655.9479. FAX a copy of the completed Water Quality Noncompliance Notification (see Appendix 2), OR the 24 Hour notice form (see Appendix 4) to the Regional Office at 325.658.5431.

5 Day written notification to TCEQ Regional Office and TCEQ Enforcement Division in Austin

Within 5 days of becoming aware of the incident, you must submit a written report to the TCEQ Regional Office and the TCEQ Enforcement Division in Austin. Details of items needed in the written report are given in the Water Quality Noncompliance Notification. This is the responsibility of the reporting department (WRF, Utility Maintenance, or Wastewater Collections).

Mail to:

TCEQ
Compliance Monitoring Team (MC224)
Enforcement Division
PO Box 13087
Austin, Texas 78711-3087

TCEQ – Region 8
622 S. Oakes, Suite K
San Angelo, Texas 76903

24 Hour Public Notification

Under certain circumstances, you are also required to notify the public of an incident within 24 hours. See page 3 of attachment 1 for details. A public notification must have pre-approval by the Director of Water Utilities.

- Discharges that will adversely affect a public or private source of drinking water.
- Discharges over 50,000 gallons (see specific criteria in attachment 1).
- Discharges over 100,000 gallons.

5.0 ATTACHMENTS

1. RG-395 Unauthorized Discharges and Sanitary Sewer Overflows
2. TCEQ Form 00501, Rev 09-07-10 (UD and SSO report form)
3. TCEQ Form 20756, Rev 06-27-16 (monthly report submission)
4. 24 Hour Fax Notification
5. Sanitary Sewer Overflow Response Plan

6.0 REFERENCES

TCEQ Publication RG-395, Rev 9/2016
TCEQ Form 00501 – Water Quality Noncompliance Notification
TCEQ Form 20756 – Accidental Discharge or Spill Monthly Summary
TAC, Title 30, Section 327.32

Document End

Attachments

Attachment 1

TCEQ RG-395



TCEQ REGULATORY GUIDANCE

Office of Compliance and Enforcement

RG-395 • Revised September 2016

Unauthorized Discharges and Sanitary Sewer Overflows

What does this document cover?

The Texas Commission on Environmental Quality is responsible for protecting the state's waters. Part of that responsibility involves monitoring for unauthorized discharges of wastewater, including municipal, industrial, recreational, and other waterborne wastes as defined in Texas Water Code Subsection 26.001(6) and, when necessary, pursuing enforcement action for noncompliance. The purpose of this publication is to clarify the TCEQ's requirements for reporting unauthorized discharges and overflows from sanitary sewers. Do not use or interpret this document as a substitute for the complete, official version of any state or federal law, rule, or regulation.

Who should read this document?

Managers, professionals, and operating personnel from **permitted facilities** and **subscribers**.

A *permitted facility* is the holder of a water quality permit issued by the TCEQ or the U.S. Environmental Protection Agency (EPA). A permitted facility may be a municipality, municipal water district, private individual, or company. The TCEQ issues several types of water quality permits. The most relevant permits to this document are those that regulate collection and treatment of wastewater.

A *subscriber* is any municipality, business, or organization acting as a waste contributor or customer of a permitted facility. Subscribers are owners of components of satellite collection systems, such as pipes, conduits, lift stations, force mains, or other devices used to transport wastewater directly to a permitted facility or to the collection system of a permitted facility operated by a different municipality, business, or other organization. Examples of subscribers include:

- a city
- a stand-alone store that operates its own sewage lift station
- a school campus
- an apartment complex
- a shopping mall
- a mobile-home community

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY • PO BOX 13087 • AUSTIN, TX 78711-3087

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What is an unauthorized discharge? What is a sanitary sewer overflow?

An *unauthorized discharge* (UD) is any discharge of wastewater into or adjacent to any water in the state at a location not permitted as an outfall. [See Clean Water Act Subsection 301(a) or Texas Water Code Section 26.121. For ways to locate state laws and regulations, see “Where Can I Get More Information?” at the end of this document.] An unauthorized discharge may include a discharge of wastewater onto land (paved or otherwise) or a discharge into a pond, creek, canal, river, lake, wetland, or any other body of surface water or groundwater.

A *sanitary sewer overflow* (SSO) is a type of unauthorized discharge of untreated or partially treated wastewater from a collection system or its components (e.g., a manhole, lift station, or cleanout) before reaching a treatment facility. [See also Texas Water Code Paragraph 26.049(e)(4).]

Do I need to report a UD or an SSO?

Yes. A permitted facility’s water quality permit includes a requirement to notify the TCEQ of UD and SSOs. A subscriber is responsible for reporting unauthorized discharges from its collection system in accordance with Title 30, Texas Administrative Code (30 TAC), Section 327.32. In addition, you may be required to notify the public under certain criteria discussed later in this document.

Is there a minimum reportable volume?

No. Permitted facilities and subscribers must report all UD and SSOs to the TCEQ regardless of volume, as federal and state regulations do not have a specified **minimum reporting volume**. In addition, you may be required to notify the public under certain criteria discussed later in this document.

When do I have to report? And to whom?

24-Hour Notification to the TCEQ

Permitted facilities and subscribers are required to report the date, location, volume, and contents of the UD or SSO to their TCEQ regional office **as soon as possible but no later than 24 hours** after becoming aware of the event. During our normal business hours—Monday through Friday, 8 a.m. to 5 p.m.—the 24-hour notice must be given orally or by fax to your local regional office. If the UD or SSO occurs after normal business hours, your local regional office must be notified by telephone. (Be sure to note the date and time of your call in your records.) The recorded messages at each regional office explain how to notify the TCEQ after business hours.

To locate your TCEQ regional office, visit <www.tceq.texas.gov/goto/region>. The same listings are available in print in *TCEQ Areas, Regions, and Environmental Assistance*

Regional Staff (TCEQ publication GI-002). For ways to obtain publications and other information from the TCEQ, see “Where Can I Get More Information?” at the end of this document.

24-Hour Notification to the Public

For UD and SSOs that meet the criteria listed below and occur at facilities owned or operated by a local government, the responsible individual of the local governmental authority must notify the public via media **as soon as possible but no later than 24 hours** after becoming aware of the event. A responsible individual is someone who is designated by the owner of a permitted facility or subscriber system to report noncompliances. Criteria for public and media notification, as found in 30 TAC Section 319.302:

- a discharge that will adversely affect a public or private source of drinking water, or
- a discharge with a volume of 50,000 gallons or more where one or more of the following conditions also exists—
 - the spill occurs within ½ mile of a public or private source of drinking water;
 - the spill occurs within ½ mile of a private drinking-water well located within ½ mile of a well for public water supply;
 - the spill occurs within ½ mile up-gradient of a surface water intake of a public or private source of drinking water;
 - the spill occurs in an active groundwater-recharge area;
 - the spill occurs up-gradient and within ½ mile of a karst terrain or shallow alluvial well that is a source of drinking water; or
- a discharge of 100,000 gallons or more.

If a UD or SSO meeting the requirements for public notification occurs outside of normal business hours, then the responsible individual must also notify the TCEQ Emergency Response Hotline (800-832-8224). Within 48 hours after notifying the public, the responsible individual must report to the regional office that public notice has been given. Complete information regarding the public notification requirements can be found in 30 TAC Sections 319.301–03.

Five-Day Written Notification to the TCEQ

In addition to the 24-hour notice, permitted facilities and subscribers are required to submit a written report to the TCEQ **within five working days** after facility personnel become aware of the event. Subscribers must submit the written report to their TCEQ regional office. Permitted facilities must submit the written report to their TCEQ regional office and to the TCEQ’s Enforcement Division in Austin. The written report must include:

- the nature of the UD or SSO (source, location, route, volume) and its specific cause;

- the potential danger to human health or safety, or the environment (including monitoring data, if collected);
- the duration of the UD or SSO with exact dates and times;
- an estimate of how long the noncompliance is expected to continue (if the noncompliance has not been corrected at the time of reporting) actions taken to mitigate adverse effects; and
- steps taken to reduce, eliminate, and prevent recurrence of the noncompliance.

Monthly Written Notification to the TCEQ

UDs and SSOs that meet the following criteria may be reported to the TCEQ as a monthly summary instead of via a 24-hour or five-day written notification. The monthly summary must be submitted to your TCEQ regional office **by the 20th day of the following month**. The UD or SSO must:

- occur at a wastewater-treatment facility or collection system owned or operated by a local government;
- be 1,000 gallons or less;
- not be associated with another simultaneous UD or SSO;
- be controlled or removed before entering water in the state or adversely affecting a public or private source of drinking water;
- not endanger human health or safety, or the environment; and
- not be otherwise subject to local regulatory control and reporting requirements.

The monthly summary must include the following information about the UD or SSO:

- its location, volume and content;
- its description;
- its cause;
- the dates and duration; and
- steps taken to reduce or eliminate it and prevent its recurrence.

The responsible person must use one of the following methods for determining the volume of UD and SSOs that will be submitted on the monthly summary by using one of the following methods.

- *Visual method:* For small spills, use either a 55-gallon barrel or 5-gallon bucket for reference. Determine how many barrels or buckets would be used to contain the UD or SSO.
- *Measured volume:* Measure the length, width, and depth of the UD or SSO and then multiply by 7.5 (the conversion factor between cubic feet and gallons).
- *Duration and flow rate:* Multiply the duration by the flow rate.
- *Other methods* that are consistent with standard and accepted industry practices, as long as they include procedures to identify the duration, flow rate, depth, affected area, and total quantity of each spill.

Is there a form I can use to report a UD or SSO?

Yes. The TCEQ has a standardized form, Water Quality Noncompliance Notification (TCEQ-00501), that can be used for the 24-hour fax notice and the five-day written report; another standardized form, Accidental Discharge or Spill Monthly Summary Form (TCEQ-20756), can be used for the monthly summary report.

Alternatively, you may submit a written report in letter format. All noncompliance notifications must include the permit number of your wastewater-treatment facility. All noncompliance notifications from subscribers must include the Regulated Entity Number (RN) of the collection system.

You must keep a copy of any written report of UDs or SSOs at the facility site and the reports must be readily available for review by TCEQ representatives for three years.

After I've completed the notification requirements, then what do I do?

Each UD or SSO incident is unique and cleanup requirements should be based on individual circumstances. In preparation, each permitted facility or subscriber capable of experiencing a UD or SSO should have a contingency plan for spills and overflows. Your plan should:

- stop or mitigate the flow as soon as possible;
- contain the spill whenever possible;
- return as much of the spilled wastewater to the collection system or treatment facility as possible;
- remove and properly dispose of all solids;
- treat and disinfect the affected area as necessary (if using chemicals, be sure to follow the manufacturer's guidelines);
- act quickly to reduce any threat to human health and the environment; and
- assess any impact to the environment by taking laboratory samples.

After a UD or SSO, you should evaluate the causes of the incident and identify possible methods to prevent a recurrence. Remember to send your written report within five working days of becoming aware of the noncompliance unless you meet the criteria for the monthly summary.

What are the main causes of UDs and SSOs?

During **dry weather**, the most frequent causes of UDs and SSOs are reduced capacity, blockages, malfunctioning lift stations, and vandalism. Grease entering the collection

system is also a common contributor to dry-weather UD and SSOs. It is possible to minimize dry-weather UD and SSOs by implementing an aggressive preventive maintenance program coupled with public education. Local enforcement of grease-trap ordinances and pretreatment ordinances is also effective in reducing UD and SSOs.

For more information about grease traps, see *Waste from Grease Traps, Grit Traps, and Septic Tanks: Questions and Answers*, TCEQ publication RG-389.

During **wet weather**, the most frequent causes of UD and SSOs are *infiltration* and *inflow* (I/I) into the collection system due to aging and deteriorating infrastructure. *Infiltration* is groundwater that enters the collection system through leaky pipes, faulty pipe joints, or defective manholes. *Inflow* is surface runoff that enters the collection system through missing or defective manhole covers, uncovered or damaged cleanouts, illegal stormwater connections, or defective pipes and manholes in streambeds or roadside borrow ditches. I/I can be confirmed by physical inspection of collection lines and manholes, smoke testing, and inspecting collection lines with cameras. Once problem areas are identified, a plan can be formulated to reduce I/I using systematic repair and replacement.

What is the TCEQ SSO Initiative?

The goals of the SSO Initiative are to reduce the number of SSOs that occur each year in Texas and to address SSOs before they harm human health or safety, or the environment and before they become enforcement issues. Participation in the SSO Initiative is entirely voluntary and requires that the participant submit an SSO corrective action plan.

Participation excludes the collection system from formal enforcement for SSOs that are addressed by the SSO corrective-action plan. However, under certain circumstances, the TCEQ does retain the right to take enforcement action or rescind a permitted facility's or subscriber's participation.

Additional information, including who can participate, how participation in the SSO Initiative can benefit your facility, what to expect if you agree (or elect) to participate, and requirements for your SSO corrective action plan can be found in *Sanitary Sewer Overflow (SSO) Initiative: Information for Prospective Participants*, TCEQ publication GI-389.

Where can I get more information?

Your TCEQ regional office or the TCEQ's Small Business and Local Government Assistance Section (800-447-2827) can help. To obtain copies of TCEQ rules, publications, and forms:

- Visit <www.tceq.texas.gov> online; click on the link for "Rules," "Publications," or "Forms." Download and save a copy.
- Fax your order to 512-239-4488 or order by phone at 512-239-0028.
- Write to TCEQ Publications, MC 195, PO Box 13087, Austin, TX 78711-3087.

Try to give the rule, publication, or form number as well as the title. The numerical designation will help the TCEQ get the correct item to you as quickly as possible.

Attachment 2
TCEQ Form 00501

Water Quality Noncompliance Notification

See back of Form for Guidance for Completion

☐ Unauthorized Discharge

☐ Reportable Effluent Violation

☐ Other

General Information

Entity Name: City of San Angelo – Water Utilities

Telephone No: (325) 481-2722

☒ Permittee

☐ Subscriber

TCEQ Region: 6

County: Tom Green

*Permit Number: WQ0010641003

Noncompliance Summary

Description of Noncompliance (include location, discharge route, and estimated volume of unauthorized discharge):

Cause of Noncompliance:

Duration: Start Date and Time:
End Date and Time:

Or Date Expected to be Corrected:

Potential Danger to Human Health and Safety or the Environment:

Actions Taken

Monitoring Data: Data should be attached or submitted to TCEQ when available.

☐ Yes ☐ No Field Measurements

☐ Yes ☐ No Laboratory Samples

☐ Yes ☐ No Fish Kill If yes, estimated number killed:

Actions Taken to Mitigate Adverse Effects:

Actions Taken to Correct the Problem and Prevent Recurrence:

Verification Information

Information Reported By (Name/Title): _____

Date Reported: _____ Signature: _____

Note: If this form is being used for a 5-day written report, a copy of the form should be sent to the TCEQ Region Office, and the original to: TCEQ, Compliance Monitoring Team (MC224), Enforcement Division, P.O. Box 13087, Austin, TX 78711-3087.

* If the noncompliance is an unauthorized discharge from a wastewater collection system, use the permit number of the treatment plant to which the collection system is tied. If you are uncertain of this permit number, you may call the TCEQ Regional Office for assistance.



Guidance - Water Quality Noncompliance Notification Form

When reporting an unauthorized discharge or sanitary sewer overflow (SSO), it is important to include all information that is requested on the notification form. If you have questions about the form, do not hesitate to call your TCEQ Regional Office and ask to speak to a wastewater investigator. All information should comply with reporting requirements noted in Texas Water Code Section 26.039, 30 Texas Administrative Code (TAC) Section 305.125(9), and, if applicable, 30 TAC Section 319.302(b).

This form may be used as the 24-hour notification to the Regional Office and may also be used as the 5-day written report. If the event was reported within 24 hours via phone, or an incomplete form was submitted as part of the 24-hour reporting requirement, you must fax or mail a completed, signed copy within 5 days to the Water Section Manager at your TCEQ Regional Office. The original, signed copy should be mailed to the address located at the bottom of the form.

Unauthorized Discharge - An unauthorized discharge is any discharge of wastewater into or adjacent to waters in the state at a location not permitted as an outfall. An SSO is any overflow, regardless of volume, from a sewer collection system (i.e., lift stations, manholes, force mains, cleanouts, service lines). An SSO is considered to be an **"unauthorized discharge."**

General Information

"Entity name" is your permitted name (owner name for subscriber systems). Designate with an "X" or "✓" to identify whether you are a permittee or subscriber.

Permit Number - Include your TCEQ WQ permit number (i.e., WQ0012345001). If you are a **subscriber**, use the permit number of the treatment plant to which the collection system is tied. If the WQ permit is unknown, please call the TCEQ Regional Office for assistance.

Noncompliance Summary

Description of Noncompliance:

- Location & collection system structure (i.e., Manhole at 650 Main St.)
- Route of discharge – Follow the discharge from its origin to where it was contained or entered a receiving waterway. If the receiving waterway is unnamed, provide the name of the nearest named adjoining

waterway. (Examples: soaked into ground; manhole → nearby storm ditch → unnamed tributary of Kings Creek)

- Estimated amount of the discharge (includes any recovered amount)

Cause of Noncompliance: Why did this incident occur? Was it caused by grease, blockage, infiltration or inflow, equipment failure, structural failure, power outage, vandalism, human error, contractor, unknown?

Duration: Include dates and times.

Potential Danger to Human Health & Safety or the Environment: Any danger to the aforementioned should be promptly discussed with the TCEQ Regional Office. Additional notifications may be necessary.

Actions Taken

Monitoring Data: Designate with an "X" or "✓."

Actions taken to Mitigate Adverse Effects:

Ask yourself, "How did we keep this from becoming an environmental or health problem?" Include information such as:

- amount recovered from the total estimated amount stated under the description above
- method used to recover the wastewater
- treatments used for disinfection or deodorizing
- activities to lessen impact to property, a waterway, or public health

Actions taken to correct the problem and prevent recurrence:

Ask yourself, "How did we address the direct cause of the overflow, and was there anything else we did to prevent this noncompliance from occurring again?" Include actions such as:

- jetting the main
- educating residents about proper grease disposal
- adding the location to your preventative maintenance list
- repairing equipment, circuits, or replacing lines, etc.

Verification Information

Information Reported By: Include both your name and title. Please sign and date the form.

Attachment 3

TCEQ Form 20756



Accidental Discharge or Spill Monthly Summary Form

See back of form for guidance for completion

General Information:

Permittee: ☒

Subscriber: ☐

Regulated Entity Name: City of San Angelo Water Utilities

EPA ID No: Click here to enter text.

Regulated Entity No: Click here to enter text.

TCEQ Region: Region 8 - San Angelo

Permit No: WQ0010641003

County: Tom Green

Start Date Start Time	End Date End Time	Volume (gallons)	Location	Cause	Steps taken to reduce, eliminate, and prevent recurrence	Description/Content	Standard Method for Volume Calculation
Information Reported by (Name/Title) _____ Signature: _____							
Date Reported _____							

When reporting an accidental or unauthorized discharge or spill, it is important to include all information that is requested on the notification form. If you have questions about the form, do not hesitate to call your TCEQ Regional Office and ask to speak to a wastewater investigator. All information should comply with reporting requirements noted in Texas Water Code Section 26.039, 30 Texas Administrative Code (TAC) Section 305.132, and, if applicable, 30 TAC Section 327.32.

This form may be used in lieu of 24-hour notification to the Regional Office when the accidental or unauthorized discharge or spill meets the requirements in 30 TAC 305.132 and 30 TAC 327.32. You must fax or mail a completed, signed copy within 20 days of the following month to the Water Section Manager at your TCEQ Regional Office. The original, signed copy should be mailed to the address located at the bottom of the form.

General Information

Entity name - permitted name or owner name for subscriber systems.

Permit Number – Your TCEQ WQ permit number (i.e., WQ0012345001). If you are a subscriber, use the RN to which the collection system is associated. If the RN is unknown, please call the TCEQ Regional Office for assistance.

Noncompliance Summary

Volume – volume must be estimated by the one of the four methods outlined in 30 TAC

Location – include address or latitude and longitude coordinates

Cause - grease, blockage, infiltration or inflow, equipment failure, power outage, other?

Steps taken reduce, eliminate or prevent recurrence – List all steps taken to ensure no further reoccurrences

Description/content – a description of the events that lead to the spill including the contents of the spill and actions taken to clean

Standard Method – name the method you used to estimate the volume

Attachment 4
24 Hour Fax Notification



The City of San Angelo
Water Utilities Department

1324 Metcalfe Street
San Angelo, Texas 76903
Phone: (325) 481-2722 • Fax: (325) 653-7278

**Unauthorized Discharge and Sanitary Sewage Overflow
24 Hour Fax Notification**

City of San Angelo
Permit Number: WQ0010641003

Date of Incident: ____/____/____

Time of Incident: _____

Estimated Volume (gallons): _____ gallons

Location: _____

Contents: _____

Comments: _____

Faxed By: _____
Signature Date Time

TCEQ San Angelo Fax – 325.658.5431
Phone – 325.655-9479

Attachment 5

Sanitary Sewage Overflow Response Plan

City of San Angelo
Water Utilities Department



Sanitary Sewer Overflows Response Plan

TCEQ ID No.: WQ0010641003
Regulated Entity No.: RN102296654

Revision 1
August 10, 2019

The following steps should be followed in the event of a sanitary sewer overflow or unauthorized discharge.

1. If you receive a phone call reporting an SSO or UD, determine if you can make immediate decisions to stop the discharge. Notify your supervisor.
2. When you arrive at the scene of the SSO or UD, immediately initiate measures to stop the discharge. Notify your supervisor of all concerns.
3. Take steps to ensure the discharge does not spread, run down the road, or enter a waterway. This can entail the use of berms, sandbags, or vacuum trucks.
4. If possible, collect a 1 liter sample of the discharge for subsequent laboratory analyses.
5. Take notes and document all data needed to complete the TCEQ report form. Make an estimate of the cause and volume of the release.
6. If the release has entered a waterway, or has the potential to enter a waterway, immediately notify the Water Quality Department at 325.481.2722. Water Quality personnel will take necessary action to collect samples in the waterway and conduct analyses.
7. If emergency pumps or backup generators can be used to reduce the volume of the release, use them if possible.
8. Complete the TCEQ Form 00501. Ensure the form is complete and accurate. Refer to SOP WU1 for reporting procedures.

- Document End -

Appendix H

Annual Progress Report – TCEQ Example Form 20595

Texas Commission on Environmental Quality Sanitary Sewer Overflow (SSO) Agreement Annual Progress Report

INSTRUCTIONS

- This form is optional; however, it identifies the required and optional information to be included in the annual progress report for participants in the SSO Initiative. **Participants are highly encouraged to use the form.**
- You may attach to this form any additional information that demonstrates the progress made during the reporting period (such as graphs, photos, work order receipts, etc.)
- The **annual reporting period is located in your Agreement**. Typically, an initial progress report is due 90 days after the effective date of the Agreement, with progress reports due annually thereafter.
- This form may also serve as a template for developing your SSO plan.
- For each section that is completed, please reference the corresponding provision number from the Agreement.
- Participants are required to report the items marked with an asterisk (*) including all items in Section 1 through Section 4.

SECTION 1. PARTICIPANT INFORMATION

1.1	Participant Name*	
1.2	Case Number (located on the Agreement)*	
1.3	Regulated Entity Number*	
1.4	State Water Quality Permit Number (if applicable)*	
1.5	Representative Name & Title*	
1.6	Representative Phone Number*	
1.7	Annual Reporting Period (see instructions)*	

SECTION 2. EVALUATING THE EFFECTIVENESS OF THE PLAN

2.1	Provide the total number of SSOs (including the date, volume, and cause for each SSO) that occurred during the reporting period.*	
2.2	Provide a brief summary of how the corrective actions that were completed during this reporting period have already contributed to a reduction of SSOs in the system.*	
2.3	What actions are currently being taken or planned to ensure a reduction of SSOs will occur in the future?*	
2.4	Provide any additional information that demonstrates the success of your program (e.g. Compare the number of wet weather overflows with dry weather overflows to show inflow/infiltration (I/I) reduction).*	

SECTION 3. INTERIM MEASURES TO MITIGATE SSOs

3.1	Describe your SSO response plan.*	
3.2	What actions were taken during this reporting period to mitigate SSOs?*	
3.3	What improvements were made to your SSO response plan?*	

SECTION 4. SOURCES OF FUNDING

4.1	Provide a summary of the costs expended for completed projects during this reporting period.*	
4.2	Describe the anticipated and confirmed sources of funding for the next two years.*	

SECTION 5. OPERATIONS AND MAINTENANCE (O&M) PROGRAM

5.1	Briefly describe your O&M Program for the reporting period.*	
5.2	O&M Activities	Quantify the following components of your O&M activities for the reporting period. If you did not conduct an activity, please indicate with N/A.
5.2.1	Inspection frequency of the system (sewer pipes, lift stations, manholes, etc.) *	
5.2.2	Cleaning frequency of the system (sewer pipes, lift stations, manholes, etc.) *	
5.2.3	Total number of linear feet of sewer pipe in the system*	
5.2.4	Total number of linear feet of sewer pipe inspected*	
5.5.5	Total number of manholes in the system*	
5.2.6	Total number of manholes inspected*	
5.2.7	Total number of lift stations in the system*	
5.2.8	Total number of lift stations inspected*	
5.2.9	Total number of linear feet of sewer pipe cleaned*	

5.2.10	Describe the types of SSO-related employee training that was completed (e.g., Capacity, Management, Operations, & Maintenance; Fats, Oils, & Grease; etc.)*	
5.2.11	Other	

SECTION 6. SYSTEM EVALUATION & REHABILITATION

6.1	System Evaluation	Quantify or describe the following measures used to evaluate your system's capacity; inflow/infiltration (I/I) rate; etc. that were completed during the reporting period. If you did not conduct an activity, please indicate with N/A.
6.1.1	Flow Monitoring (e.g., wastewater treatment facility; lift stations; rainfall records, etc.)	
6.1.2	Dye Testing (e.g., to identify leaks, illegal connections, etc.)	
6.1.3	Smoke Testing (e.g., to identify illegal connections, exposed cleanouts, etc.)	
6.1.4	Evaluation to identify the location and condition of sewer pipes.	
6.1.5	Evaluation to identify the location and condition of manholes.	
6.1.6	Evaluation to identify the location and condition of lift stations.	
6.1.7	Closed Circuit Television	
6.1.8	System Mapping Updates	
6.1.9	Other	

6.2	Rehabilitation Projects	Quantify or describe the following rehabilitation projects that were completed during the reporting period. Please provide specific details, such as the number of linear feet, sizes of sewer pipes, number of manholes, etc. If you did not conduct an activity, please indicate with N/A.
6.2.1	Sewer Pipes Repaired/Rehabilitated*	
6.2.2	Sewer Pipes Replaced*	
6.2.3	Sewer Pipes Removed	
6.2.4	Sewer Pipes Added	
6.2.5	General Sewer Pipe Improvements	
6.2.6	Manholes Repaired/Rehabilitated*	
6.2.7	Manholes Replaced*	
6.2.8	Manholes Removed	
6.2.9	Manholes Added	
6.2.10	General Manhole Improvements (e.g., installing locks, replacing covers, etc.)	
6.2.11	Lift Stations Repaired/Rehabilitated*	
6.2.12	Lift Stations Replaced*	
6.2.13	Lift Stations Removed	
6.2.14	Lift Stations Added	
6.2.15	General Lift Station Improvements (e.g., electrical upgrades, installation of monitoring systems, etc.)	
6.2.16	Other	

SECTION 7. PUBLIC EDUCATION PROGRAMS

7.1	General SSO Education & Outreach	Quantify or describe the following measures completed under your SSO Education Program (if applicable) during the reporting period. Please provide specific details, such as number/frequency of brochures distributed, etc.
7.1.1	Educational Brochures (e.g., bill inserts, door knockers, etc.)	
7.1.2	Media Advertisements (e.g., television, radio, newspaper, etc.)	
7.1.3	Website Updates	
7.1.4	Educational/Training Opportunities (e.g., community events, school programs, etc.)	
7.1.5	City Ordinances	
7.1.6	Other	
7.2	Fats, Roots, Oil, & Grease (FROG) Program	Quantify or describe the following measures completed under your FROG Program (if applicable) during the reporting period. Please provide specific details, such as number/frequency of brochures distributed, etc.
7.2.1	Grease Trap/Interceptor Inspections*	
7.2.2	Grease Ordinance Updates	
7.2.3	Grease Ordinance Enforcement	
7.2.4	Grease Control Methods	
7.2.5	Food Service Establishment Training	
7.2.6	Root Control Methods	

SECTION 8. ADHERENCE TO MILESTONES

8.1	Discuss/describe all of the milestones that were completed in accordance with the requirements of the Agreement during the reporting period.*	
8.2	Discuss/describe all of the milestones that were NOT completed in accordance with the requirements of the Agreement during this reporting period. Include any changes you plan to make to ensure that milestones are completed for the next two years.*	
8.3	Provide a list of scheduled projects that are planned for the next two years.*	

SECTION 9. MISCELLANEOUS

Provide any additional information you feel necessary to demonstrate compliance under the terms of the SSO Initiative.	
--	--

SECTION 10. SIGNATURE

Signature

Date

Name (printed or typed)

Title

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Second public hearing of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. This budget will raise more total property taxes than last year's budget by \$1,365,635 (3.58%), and of that amount, \$405,140 is tax revenue to be raised from new property added to the tax roll (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This is the second public hearing and adoption of the budget ordinance for the fiscal year beginning October 1, 2019, and ending September 30, 2019. The ordinance appropriates funds for the 2019-2020 fiscal year (exhibit A) and approves the pay schedule for all City employees (exhibit B). It also determines and approves budget amendment authorizations.

The ordinance authorizes the city manager to apply for the routine, recurring grants listed in exhibit C and execute any documents related to these grants. Lastly, the staffing headcount is authorized in sections nine (for civil service) and ten (for civilians) with support in exhibit D.

The proposed 2019-2020 budget is balanced for all funds and meets all legal requirements.

Financial Impact:

Total operating budget of \$160,857,381. See attached budget ordinance for specific funds.

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | 2019 09-17 Budget Ordinance | 2019 09-17 Budget Ordinance.pdf |
| 2. | 2019 09-17 FY20 Budget - Final Version | 2019 09-17 FY20 Budget - Final Version.pdf |
| 3. | 2019 09-17 Budget Ordinance Second Hearing | 2019 09-17 Budget Ordinance Second Hearing.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; AUTHORIZING EMPLOYEE COMPENSATION SCHEDULES; PROVIDING FOR THE GENERAL APPROPRIATION OF FUNDS; PROVIDING FOR LAPSE OF ALL UNENCUMBERED OR UNOBLIGATED FUNDS FOR THE PRIOR FISCAL YEAR AND FOR CARRY OVER OF ALL APPROPRIATIONS OF ENCUMBERED, OBLIGATED OR RESTRICTED FUNDS; RESERVING UNTO THE CITY COUNCIL THE POWER, ONLY AS PERMITTED BY LAW, TO AMEND OR MAKE CHANGES IN THE BUDGET FOR MUNICIPAL PURPOSES; PROVIDING AUTHORITY FOR THE CITY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN ADJUSTMENTS FROM TIME TO TIME IN OR BETWEEN BUDGETED ALLOCATIONS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPLY FOR CERTAIN GRANTS AND EXECUTE ANY RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY INTERLOCAL AGREEMENT THAT DOES NOT REQUIRE THE EXPENDITURE OF CITY FUNDS; AND, PROVIDING FOR FILING OF THE BUDGET.

WHEREAS, a budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020, has been proposed and submitted by the City Manager to the City Council as required by law; and,

WHEREAS, the proposed budget has been filed with the City Clerk and has been posted on the website for the City of San Angelo, for inspection by any person for more than fifteen (15) days immediately prior to the public hearing upon said budget and more than thirty (30) days prior to a tax levy for the fiscal year; and,

WHEREAS, proper notice of public hearing upon this budget has been posted and published in accordance with applicable law; and,

WHEREAS, the City Council has conducted the necessary public hearings as required by law; and,

WHEREAS, after a full and final consideration of the financial condition and estimated revenues and proposed expenditures as set forth in the budget as filed and amended, it is the consensus of opinion of the Council that the budget as filed and amended should be approved.

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

SECTION 1 The facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

SECTION 2 The proposed budget as filed with the City Clerk and as amended by the City Council, for the fiscal year October 1, 2019, through September 30, 2020, (hereinafter the "Budget") is hereby approved and adopted. A copy of the Budget, as amended, approved, and adopted, is attached hereto as **Exhibit "A"** and made a part hereof for all purposes.

SECTION 3 The Competitive Pay Plan Grade and Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees set forth in the Budget are attached hereto as **Exhibit "B"** and made a part hereof for all purposes. Employee compensation schedules that are in accordance with the Competitive Pay Plan and Grade Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees as set forth are hereby authorized.

SECTION 4 By virtue of the adoption of the Budget, there are hereby appropriated out of available cash funds and out of the general and special revenues of the City that will be received in the treasury during the course of the 2019-2020 fiscal year, the amounts set forth in the Budget for the purposes therein stated.

SECTION 5. All unencumbered or unobligated funds for the prior fiscal year shall lapse at the end of the prior fiscal year. All appropriations for encumbered, obligated, or restricted funds shall carry over to the subsequent fiscal year and be considered committed in order to complete these transactions.

SECTION 6. The expenditures of the City shall be made in accordance with the financial summaries included within the Budget approved by this ordinance provided however:

1. The City Council may, from time to time and as permitted by law, amend this ordinance to authorize changes that increase or decrease the total appropriation of any fund or otherwise make changes in the budget for municipal purposes.
2. The City Manager or his designee is authorized to approve changes that move budgeted amounts between accounts within a fund.
3. The City Manager is authorized to approve budget amendments that reduce the total amount of budgeted revenues and expenditures in a fund. Under this authorization the reduction in budgeted expenditures must equal or exceed any reduction in budgeted revenues.

SECTION 7. Certain grants are identified in the Budget, as listed on **Exhibit "C"**, attached hereto and made a part hereof for all purposes. The City Manager or his designee is hereby authorized to apply for and accept those grants and execute any documents related thereto.

SECTION 8. The City Manager or his designee is hereby authorized to execute any documents necessary for the application for any grants in which the City expenditure of funds is less than \$50,000.

SECTION 9. The City Manager is authorized to execute any Interlocal Agreement formed under Chapter 791 of the Texas Government Code that does not require the expenditure of City funds.

SECTION 10. The Classification plan for authorized police and fire positions set out in Chapter 2, Article 2.1500, Section 2.1502, paragraph (b) of the City of San Angelo Code of Ordinances, as amended, are attached hereto as **Exhibit "D"** and are hereby authorized and made part hereof for all purposes.

SECTION 11. The total number of civilian employees in place as shown on **Exhibit "D"** is hereby authorized. The City Manager or his designee is authorized to adjust compensation and position titles for any non-civil service positions and hire all part time positions deemed necessary to retain

qualified individuals or for the efficient administration of the City.

SECTION 12. The Budget as amended and adopted shall be filed with the City Clerk and posted on the City's website. The City Clerk is hereby directed to provide a certified copy of this budget ordinance and the Budget as amended, approved and adopted to the County Clerk of Tom Green County for recording after final passage and adoption hereof.

SECTION 13. Should any section, provision, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

INTRODUCED on the 4th day of September, 2019, and finally PASSED, APPROVED and ADOPTED on this the 17th day of September, 2019

<u>YES</u>	<u>NO</u>	CITY OF SAN ANGELO, TEXAS
_____	_____	_____ Brenda Gunter, Mayor
_____	_____	_____ Tommy Hiebert, SMD #1
_____	_____	_____ Tom Thompson, SMD #2
_____	_____	_____ Harry Thomas, SMD #3
_____	_____	_____ Lucy Gonzales, SMD #4
_____	_____	_____ Lane Carter, SMD #5
_____	_____	_____ Billie DeWitt, SMD #6

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Consolidated Financial Schedule

Revenue and Expenditures, Fiscal Year Ending September 30, 2020

Fund No.	Fund Name	Beginning Balance	Operating Revenues	Transfers In	Amount Available	Operating Expenditures	Transfers Out	Total Expenditures	Rev Over/ (Under) Exp	Ending Balance
101	General	23,628,668	72,658,738	4,028,487	100,315,893	73,020,641	3,666,584	76,687,225	-	23,628,668
105	General Debt Service	1,528,369	4,711,165	2,909,822	9,149,356	7,620,987	-	7,620,987	-	1,528,369
501	Equipment Replacement	1,328,110	95,000	1,251,373	2,674,483	1,346,373	-	1,346,373	-	1,328,110
502	Capital Projects	5,746,365	-	558,029	6,304,394	558,029	-	558,029	-	5,746,365
103	Intergovernmental	782,586	2,231,565	334,644	3,348,795	2,467,669	98,540	2,566,209	-	782,586
106	TIRZ	599,548	1,076,115	-	1,675,663	1,076,115	-	1,076,115	-	599,548
453	Community Development Block Grant	-	704,764	-	704,764	704,764	-	704,764	-	-
483	HOME Grant	-	386,508	-	386,508	386,508	-	386,508	-	-
601	Designated Revenue	247,058	51,056	-	298,114	51,056	-	51,056	-	247,058
605	Hotel Occupancy Tax	1,353,335	2,298,769	-	3,652,104	1,175,258	1,108,050	2,283,308	15,461	1,368,796
640	Lake Nasworthy Trust	14,826,503	1,179,588	-	16,006,091	50,000	331,603	381,603	797,985	15,624,488
203	Texas Bank Sports Complex	511,676	203,874	745,243	1,460,793	949,117	-	949,117	-	511,676
410	Civic Events	1,117,209	638,040	1,008,050	2,763,299	1,382,158	130,432	1,512,590	133,500	1,250,709
420	Fort Concho	393,806	1,144,504	50,000	1,588,310	1,194,504	-	1,194,504	-	393,806
440	Fairmount Cemetery	6,264	367,600	86,250	460,114	453,850	-	453,850	-	6,264
201	State Office Building	389,657	1,326,088	-	1,715,745	1,307,215	18,873	1,326,088	-	389,657
220	Airport Operating	346,826	1,503,209	-	1,850,035	1,412,321	90,888	1,503,209	-	346,826
529	Airport PFC	1,019,379	266,433	-	1,285,812	-	266,433	266,433	-	1,019,379
230	Solid Waste Enterprise	4,446,639	2,131,579	-	6,578,218	1,598,229	533,350	2,131,579	-	4,446,639
240	Stormwater	3,793,026	2,920,056	95,000	6,808,082	2,629,662	385,394	3,015,056	-	3,793,026
260	Water Operating	11,865,996	31,275,532	1,942,050	45,083,578	30,051,200	3,166,382	33,217,582	-	11,865,996
261	Water Debt Service	57,350	2,325	11,280,549	11,340,224	11,282,874	-	11,282,874	-	57,350
512	Water / Supply Capital Projects	8,304,953	4,826,002	200,000	13,330,955	4,791,608	234,394	5,026,002	-	8,304,953
270	Water Reclamation Operating	12,575,521	15,763,507	-	28,339,028	9,784,182	5,979,325	15,763,507	-	12,575,521
271	Water Reclamation Debt Service	268,486	10,885	3,821,764	4,101,135	3,832,649	-	3,832,649	-	268,486
520	Water Reclamation Capital Projects	8,680,908	1,816,787	-	10,497,695	1,730,412	86,375	1,816,787	-	8,680,908
Operating Totals		\$ 103,818,238	\$ 149,589,689	\$ 28,311,261	\$ 281,719,188	\$ 160,857,381	\$ 16,096,623	\$ 176,954,004	\$ 946,946	\$ 104,765,184
301	Fleet Services	603,259	6,478,705	-	7,081,964	6,478,705	-	6,478,705	-	603,259
305	Communications	253,385	754,736	-	1,008,121	754,736	-	754,736	-	253,385
310	Health Insurance	456,183	9,207,731	-	9,663,914	9,207,731	-	9,207,731	-	456,183
320	Property/Casualty	979,087	1,217,355	-	2,196,442	1,217,355	-	1,217,355	-	979,087
330	Workers' Compensation	(76,835)	1,344,481	-	1,267,646	925,058	-	925,058	419,423	342,588
Total Internal Service Funds		\$ 2,215,079	\$ 19,003,008	\$ -	\$ 21,218,087	\$ 18,583,585	\$ -	\$ 18,583,585	\$ 419,423	\$ 2,634,502

Development Corporation: Economic Development Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Adopted Budget	Increase (Decrease) from FY19 Original
<u>700 REVENUES:</u>				
Sales Tax	2,516,743	2,581,684	2,609,674	27,990
Rent	28,678	11,591	20,950	9,359
Interest	404,905	100,000	225,000	125,000
Transfers In	46,729	44,303	46,729	2,426
Total Revenues	\$ 2,997,055	\$ 2,737,578	\$ 2,902,353	\$ 164,775
<u>700 EXPENSES:</u>				
Personnel *	260,244	248,905	394,597	145,692
Operations & Maintenance	1,951,011	770,137	906,267	136,130
Capital	15,210	1,718,536	1,601,489	(117,047)
Total Expenditures	\$ 2,226,465	\$ 2,737,578	\$ 2,902,353	\$ 164,775
Revenues Over/ (Under) Expenditures	770,590	-	-	-
Unreserved Beginning Fund Balance	9,133,876	9,904,466	9,904,466	-
Unreserved Ending Fund Balance	\$ 9,904,466	\$ 9,904,466	\$ 9,904,466	\$ -

* The increase in personnel is due to a reallocation of staff services expenses which were previously distributed between the Ballot and Economic Development Funds.

Development Corporation: Ballot

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Adopted Budget	Increase (Decrease) from FY19 Original
<u>711 REVENUES:</u>				
Sales and Use Tax	6,786,342	6,638,617	6,710,590	71,973
Interest	66,974	30,000	75,000	45,000
Other	53,983	-	-	-
Total Revenues	\$ 6,907,299	\$ 6,668,617	\$ 6,785,590	\$ 116,973
<u>711 EXPENSES:</u>				
Personnel *	140,755	152,326	-	(152,326)
Operations & Maintenance	5,769,886	5,788,552	5,987,250	198,698
Capital	-	727,739	798,340	70,601
Total Expenditures	\$ 5,910,641	\$ 6,668,617	\$ 6,785,590	\$ 116,973
Revenues Over/ (Under) Expenditures	996,658	-	-	-
Unreserved Beginning Fund Balance	409,438	1,406,096	1,406,096	-
Unreserved Ending Fund Balance	\$ 1,406,096	\$ 1,406,096	\$ 1,406,096	\$ -

* The decrease in personnel is due to a reallocation of staff services expenses which were previously distributed between the Ballot and Economic Development Funds.

City of San Angelo
Civil Service Pay Plan
Fire Department
Effective 10-1-19

			<u>Monthly</u>	<u>Annually</u>
GR 24F	Fire Recruit	\$	3,193	\$ 38,316
GR 26F	Probationary Firefighter	\$	3,278	\$ 39,334
GR 27F	Firefighter	\$	4,102	\$ 49,227
GR 28F	Fire Driver	\$	4,687	\$ 56,246
GR 29F	Fire Lieutenant	\$	5,390	\$ 64,683
GR 30F	Fire Captain	\$	6,199	\$ 74,386
GR 31F	Battalion Chief	\$	7,129	\$ 85,543

**City of San Angelo
Civil Service Grade and Step Plan
Police Department**

Effective 10/1/2019

			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
GR 23	Recruit	\$42,856						
GR 26	Probationary PO	\$45,500						
GR 27	Police Officer		\$48,500	\$50,500	\$52,500	\$54,500	\$56,500	\$62,500
GR 29	Sergeant		\$68,500	\$70,500				
GR 30	Lieutenant		\$78,500	\$83,000				

Salary Ranges
Effective 10-1-19

<u>Grade</u>		<u>Min</u>		<u>Mid</u>		<u>Max</u>
47	\$	133,583	\$	166,844	\$	200,105
43	\$	109,995	\$	137,359	\$	164,722
42	\$	104,784	\$	130,845	\$	156,905
40	\$	95,178	\$	118,815	\$	142,452
39	\$	90,645	\$	113,157	\$	135,669
38	\$	86,329	\$	107,769	\$	129,208
37	\$	82,218	\$	102,637	\$	123,056
36	\$	78,421	\$	97,891	\$	117,360
35	\$	74,624	\$	93,145	\$	111,665
34	\$	71,097	\$	88,736	\$	106,374
33	\$	67,754	\$	84,558	\$	101,361
32	\$	64,537	\$	80,536	\$	96,534
31	\$	61,516	\$	76,754	\$	91,991
30	\$	58,587	\$	73,099	\$	87,610
29	\$	55,823	\$	69,644	\$	83,464
28	\$	54,770	\$	68,327	\$	81,884
27	\$	52,818	\$	66,023	\$	79,228
26	\$	50,417	\$	63,022	\$	75,626
25	\$	48,016	\$	60,021	\$	72,025
24	\$	45,730	\$	57,162	\$	68,594
23	\$	43,552	\$	54,441	\$	65,329
22	\$	41,479	\$	51,848	\$	62,216
21	\$	39,502	\$	49,378	\$	59,253
20	\$	36,526	\$	45,658	\$	54,790
19	\$	35,864	\$	44,806	\$	53,747
18	\$	34,786	\$	43,484	\$	52,181
17	\$	31,868	\$	39,835	\$	47,801
16	\$	31,443	\$	39,304	\$	47,165
15	\$	30,363	\$	37,953	\$	45,542
14	\$	30,050	\$	37,563	\$	45,075
13	\$	27,719	\$	34,648	\$	41,577
12	\$	26,483	\$	33,103	\$	39,723
11	\$	22,075	\$	27,594	\$	33,113

Non-Civil Service Public Safety

<u>Grade</u>		<u>Min</u>		<u>Max</u>
GR 30M	\$	78,064	\$	87,759
GR 29M	\$	68,075	\$	77,281
GR 27M	\$	48,439	\$	66,100

City Council authorizes application for and acceptance of the following grants:

1115 Healthcare Transformation Waiver
Atmos Energy Grant
Bureau of Justice Assistance Edward Byrne Memorial Local Justice Assistance Grant
Community Development Block Grant
Emergency Food and Shelter Program Grant
Emergency Management Performance Grant
Environmental Health Service and Bureau of Regional Local Health Operations Grant
Federal Aviation Administration Grants - Entitlements and Discretionary
Gang Initiative Grant
HOME Grant
Office of Justice Programs Bulletproof Vest Partnership
Office of the Governor Criminal Justice Division Body-Worn Camera Program
Hazards Grant
Staffing for Adequate Fire & Emergency Response Grant
State and Federal Hazard Mitigation Grants
State and Federal Homeland Security Grants Programs
San Angelo Cultural Affairs Council Grant
State Events Trust Fund Grant
Texas Department of State Health Services Healthy Communities Grant
Texas Department of Transportation Routine Airport Maintenance Program
Texas Department of Transportation Click It or Ticket Grant
Title III C-1 Congregate Nutrition Services
Transit and Transportation Planning Grants - Federal and State
Women, Infant, and Children Grant

Fire Department – Civil Service

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	50
Fire Fighter	90
Total Fire Department – Civil Service	179

Police Department – Civil Service

Police Chief	1
Assistant Chief	2
Police Lieutenant	7
Police Sergeant	28
Police Officer	137
Total Police Department – Civil Service	175

All Others

Civilians	612
Total All Others	612
Grand Total Staffing Levels	966



City of San Angelo, Texas

Operating Budget Fiscal Year 2019-2020

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$1,365,635 (3.58%), AND OF THAT AMOUNT, \$405,140 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR

City Council Record Vote
****September 17, 2019****

The members of the governing body voted on the adoption of the budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Tax Rate	Proposed FY2019-20	Adopted FY2018-19
Property Tax Rate	0.7760 / \$100	0.7760 / \$100
Effective Tax Rate	0.7503/ \$100	0.7641/ \$100
Effective M&O Tax Rate	0.6587/ \$100	0.6707/ \$100
Rollback Tax Rate	0.8047 / \$100	0.8179 / \$100
Debt Tax Rate	0.0934 / \$100	0.0936/ \$100

The total amount of outstanding City debt obligations secured by property taxes is \$158,610,000. Of that amount, the total amount of outstanding debt obligations considered self-supporting is \$116,435,000. Self-supporting debt is currently secured by the 4B Sales Tax Corporation, Water/Sewer Funds, and State Office Building Lease Revenue. In the event such amounts are insufficient to pay debt service, the City will be required to assess an ad valorem tax to pay such obligations. Additionally, the City has one outstanding revenue bond in the amount of \$46,055,000 that supported by the Water Fund and not secured by the property tax.

Consolidated Financial Schedule

Revenue and Expenditures, Fiscal Year Ending September 30, 2020

Fund No.	Fund Name	Beginning Balance	Operating Revenues	Transfers In	Amount Available	Operating Expenditures	Transfers Out	Total Expenditures	Rev Over/ (Under) Exp	Ending Balance
101	General	23,628,668	72,658,738	4,028,487	100,315,893	73,020,641	3,666,584	76,687,225	-	23,628,668
105	General Debt Service	1,528,369	4,711,165	2,909,822	9,149,356	7,620,987	-	7,620,987	-	1,528,369
501	Equipment Replacement	1,328,110	95,000	1,251,373	2,674,483	1,346,373	-	1,346,373	-	1,328,110
502	Capital Projects	5,746,365	-	558,029	6,304,394	558,029	-	558,029	-	5,746,365
103	Intergovernmental	782,586	2,231,565	334,644	3,348,795	2,467,669	98,540	2,566,209	-	782,586
106	TIRZ	599,548	1,076,115	-	1,675,663	1,076,115	-	1,076,115	-	599,548
453	Community Development Block Grant	-	704,764	-	704,764	704,764	-	704,764	-	-
483	HOME Grant	-	386,508	-	386,508	386,508	-	386,508	-	-
601	Designated Revenue	247,058	51,056	-	298,114	51,056	-	51,056	-	247,058
605	Hotel Occupancy Tax	1,353,335	2,298,769	-	3,652,104	1,175,258	1,108,050	2,283,308	15,461	1,368,796
640	Lake Nasworthy Trust	14,826,503	1,179,588	-	16,006,091	50,000	331,603	381,603	797,985	15,624,488
203	Texas Bank Sports Complex	511,676	203,874	745,243	1,460,793	949,117	-	949,117	-	511,676
410	Civic Events	1,117,209	638,040	1,008,050	2,763,299	1,382,158	130,432	1,512,590	133,500	1,250,709
420	Fort Concho	393,806	1,144,504	50,000	1,588,310	1,194,504	-	1,194,504	-	393,806
440	Fairmount Cemetery	6,264	367,600	86,250	460,114	453,850	-	453,850	-	6,264
201	State Office Building	389,657	1,326,088	-	1,715,745	1,307,215	18,873	1,326,088	-	389,657
220	Airport Operating	346,826	1,503,209	-	1,850,035	1,412,321	90,888	1,503,209	-	346,826
529	Airport PFC	1,019,379	266,433	-	1,285,812	-	266,433	266,433	-	1,019,379
230	Solid Waste Enterprise	4,446,639	2,131,579	-	6,578,218	1,598,229	533,350	2,131,579	-	4,446,639
240	Stormwater	3,793,026	2,920,056	95,000	6,808,082	2,629,662	385,394	3,015,056	-	3,793,026
260	Water Operating	11,865,996	31,275,532	1,942,050	45,083,578	30,051,200	3,166,382	33,217,582	-	11,865,996
261	Water Debt Service	57,350	2,325	11,280,549	11,340,224	11,282,874	-	11,282,874	-	57,350
512	Water / Supply Capital Projects	8,304,953	4,826,002	200,000	13,330,955	4,791,608	234,394	5,026,002	-	8,304,953
270	Water Reclamation Operating	12,575,521	15,763,507	-	28,339,028	9,784,182	5,979,325	15,763,507	-	12,575,521
271	Water Reclamation Debt Service	268,486	10,885	3,821,764	4,101,135	3,832,649	-	3,832,649	-	268,486
520	Water Reclamation Capital Projects	8,680,908	1,816,787	-	10,497,695	1,730,412	86,375	1,816,787	-	8,680,908
Operating Totals		\$ 103,818,238	\$ 149,589,689	\$ 28,311,261	\$ 281,719,188	\$ 160,857,381	\$ 16,096,623	\$ 176,954,004	\$ 946,946	\$ 104,765,184
301	Fleet Services	603,259	6,478,705	-	7,081,964	6,478,705	-	6,478,705	-	603,259
305	Communications	253,385	754,736	-	1,008,121	754,736	-	754,736	-	253,385
310	Health Insurance	456,183	9,207,731	-	9,663,914	9,207,731	-	9,207,731	-	456,183
320	Property/Casualty	979,087	1,217,355	-	2,196,442	1,217,355	-	1,217,355	-	979,087
330	Workers' Compensation	(76,835)	1,344,481	-	1,267,646	925,058	-	925,058	419,423	342,588
Total Internal Service Funds		\$ 2,215,079	\$ 19,003,008	\$ -	\$ 21,218,087	\$ 18,583,585	\$ -	\$ 18,583,585	\$ 419,423	\$ 2,634,502

Budget Summary by Fund Type

FY 2019-20

	General Fund*	Special Revenue	Other Funds	Expendable Trust	Debt Service	Enterprise Funds	Internal Service	Grand Total
Funding Sources								
Property Taxes	35,557,578	1,060,870	-	-	4,806,769	-	-	41,425,217
Other Taxes	26,301,424	2,242,657	1,008,050	-	-	-	-	29,552,131
Development Services	808,678	-	-	-	-	-	-	808,678
Grants	-	3,042,345	-	-	-	-	-	3,042,345
Charges for Services	6,377,356	211,945	1,579,350	811,140	-	59,950,082	18,919,930	87,849,803
Fines & Forfeitures	2,832,188	-	-	-	-	-	-	2,832,188
Interest & Miscellaneous	876,514	190,960	278,623	368,448	75,178	1,879,111	83,078	3,751,912
Other Financing Sources	5,837,889	334,644	1,377,538	-	17,854,563	2,237,050	-	27,641,684
Total Revenues & Other Financing Sources	78,591,627	7,083,421	4,243,561	1,179,588	22,736,510	64,066,243	19,003,008	196,903,958
Beginning Fund Balances	30,703,143	2,982,527	2,028,955	14,826,503	1,528,369	51,748,741	2,215,079	106,033,317
Total Available Resources	\$ 109,294,770	\$ 10,065,948	\$ 6,272,516	\$ 16,006,091	\$ 24,264,879	\$ 115,814,984	\$ 21,218,087	\$ 302,937,275
Expenditures								
General Government	2,279,359	834,343	-	-	-	1,769,642	-	4,883,344
Administrative Svcs.	9,255,065	-	-	-	-	-	12,104,880	21,359,945
Community & Develop. Svcs	2,140,978	1,275,690	-	-	-	-	-	3,416,668
Neighborhood & Family Svcs.	1,618,666	1,889,977	-	-	-	-	-	3,508,643
Public Safety	42,445,313	-	-	-	-	-	-	42,445,313
Public Works	10,100,926	-	-	-	-	2,131,579	6,478,705	18,711,210
Public Services	4,712,131	275,610	4,110,061	-	-	1,154,157	-	10,251,959
Health Services	468,203	359,436	-	-	-	-	-	827,639
Water & Water Reclamation	-	-	-	381,603	-	55,823,878	-	56,205,481
Stormwater	-	-	-	-	-	3,015,056	-	3,015,056
Debt Service	-	-	-	-	22,736,510	153,058	-	22,889,568
Other	5,570,986	2,432,904	-	-	-	18,873	-	8,022,763
Total Expenditures	78,591,627	7,067,960	4,110,061	381,603	22,736,510	64,066,243	18,583,585	195,537,589
Ending Fund Balances	30,703,143	2,997,988	2,162,455	15,624,488	1,528,369	51,748,741	2,634,502	107,399,686
Total Fund Commitments & Fund Balances	\$ 187,886,397	\$ 17,133,908	\$ 10,382,577	\$ 16,387,694	\$ 47,001,389	\$ 179,881,227	\$ 39,801,672	\$ 498,474,864

*Note: includes General, Equipment Replacement, and Capital Project Funds

General Fund

Schedule of Revenues

Category	Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>101 REVENUES:</u>					
Taxes					
	Property Tax	33,822,932	34,356,663	35,557,578	1,200,915
	Sales Tax	18,606,171	18,440,602	18,640,527	199,925
	Alcohol Beverage Taxes	353,657	364,307	389,247	24,940
	Bingo Taxes	36,960	43,095	36,960	(6,135)
	Franchise Tax	6,914,164	7,117,195	7,234,690	117,495
	Total Taxes	59,733,884	60,321,862	61,859,002	1,537,140
Public Safety					
	Police	575,696	577,975	571,975	(6,000)
	Municipal Court	3,018,776	3,200,267	2,832,188	(368,079)
	Fire	3,932,122	3,650,000	3,989,205	339,205
	Fire Prevention	82,876	145,000	145,000	-
	Total Public Safety	7,609,470	7,573,242	7,538,368	(34,874)
Public Works					
	Engineering	1,540	7,575	7,575	-
	Traffic Control	46,285	166,000	166,000	-
	Street & Bridge	418,306	45,500	45,500	-
	Total Public Works	466,131	219,075	219,075	-
Public Services					
	Parks	45,446	32,000	34,500	2,500
	Recreation	298,741	338,100	344,970	6,870
	Swimming	144,474	183,500	183,500	-
	Nature Center	43,180	46,000	46,115	115
	Total Public Services	531,841	599,600	609,085	9,485

General Fund

Schedule of Revenues

Category	Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
Planning & Development Services					
	Development Services	2,900	7,200	7,500	300
	Planning	57,564	51,500	51,038	(462)
	Permits & Inspections	588,727	643,800	750,140	106,340
	Total Planning & Development Services	649,191	702,500	808,678	106,178
Neighborhood & Family Services					
	Code Compliance	228,464	253,437	309,734	56,297
	Animal Services	63,460	64,776	60,200	(4,576)
	Total Neighborhood & Family Services	291,924	318,213	369,934	51,721
Other Departmental Charges					
	Health Services ⁽¹⁾	-	-	113,900	113,900
	Legal & Real Estate	146,360	148,126	154,125	5,999
	Crossing Guards	132,017	131,333	131,469	136
	Other Departmental charges	69,088	61,027	73,588	12,561
	Other Departmental Charges	347,465	340,486	473,082	132,596
Other Revenue Sources					
	Interest	537,693	508,523	716,891	208,368
	Miscellaneous	50,777	67,719	64,623	(3,096)
	Transfers In	4,756,668	4,293,746	4,028,487	(265,259)
	Other Revenue Sources	5,345,138	4,869,988	4,810,001	(59,987)
Total General Fund Revenues		\$ 74,975,044	\$ 74,944,966	\$ 76,687,225	\$ 1,742,259

General Fund

Schedule of Expenditures

Category	Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
101 EXPENDITURES:					
Public Safety					
	Police	18,620,751	19,065,281	19,471,525	406,244
	Traffic Safety	412,455	247,878	247,878	-
	Municipal Court	2,437,833	2,641,999	2,506,435	(135,564)
	Public Safety Communications	1,438,103	1,580,305	1,586,167	5,862
	Fire	17,126,587	17,532,042	17,870,810	338,768
	Fire Prevention	748,571	796,644	762,498	(34,146)
	Total Public Safety	40,784,300	41,864,149	42,445,313	581,164
Public Works					
	Engineering	1,117,715	1,200,910	1,303,689	102,779
	Operations Admin	348,355	371,797	357,465	(14,332)
	Traffic/Signal Control	1,345,117	1,017,772	1,029,607	11,835
	Street and Bridge	2,513,126	6,300,200	6,291,336	(8,864)
	Street Lighting	1,053,453	1,118,829	1,118,829	-
	Total Public Works	6,377,766	10,009,508	10,100,926	91,418
Public Services					
	Parks	3,206,756	3,468,815	3,456,403	(12,412)
	Water Lily Garden	102,372	104,905	107,528	2,623
	Recreation	826,767	958,612	847,538	(111,074)
	Swimming Pool	155,352	184,038	182,798	(1,240)
	Nature Center ⁽²⁾	-	-	117,864	117,864
	Total Public Services	4,291,247	4,716,370	4,712,131	(4,239)
Planning & Development Services					
	Administration	446,804	466,461	575,966	109,505
	Planning	311,424	307,343	311,602	4,259
	GIS	286,239	305,003	343,892	38,889
	Permits & Inspections	878,527	920,062	909,518	(10,544)
	Total Planning & Development Services	1,922,994	1,998,869	2,140,978	142,109
Neighborhood & Family Services					
	Code Compliance	411,589	471,756	541,275	69,519
	Animal Services	909,684	939,480	983,646	44,166
	Social Services ⁽¹⁾	-	-	93,745	93,745
	Total Neighborhood & Family Services	1,321,273	1,411,236	1,618,666	207,430

General Fund

Schedule of Expenditures

Category	Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
Health Services					
	Nursing ⁽¹⁾	-	-	146,576	146,576
	Environmental Health ⁽¹⁾	-	-	83,306	83,306
	Administration	174,617	179,282	182,821	3,539
	MHMR Contribution	50,881	55,500	55,500	-
	Total Health Services	225,498	234,782	468,203	233,421
General Government					
	City Council	144,461	187,473	187,588	115
	City Manager	667,923	730,939	797,583	66,644
	Internal Auditor	74,811	78,346	79,625	1,279
	Public Information	733,860	458,600	431,337	(27,263)
	City Clerk	234,038	280,930	275,141	(5,789)
	Construction Management	133,869	115,618	113,488	(2,130)
	Development Corporation	465,772	444,003	394,597	(49,406)
	Total General Government	2,454,734	2,295,909	2,279,359	(16,550)
Administrative Services					
	City Attorney/Legal	654,599	679,291	704,609	25,318
	Real Estate	155,765	190,030	196,523	6,493
	Finance	1,700,838	1,745,804	1,788,332	42,528
	Billing & Collections	737,263	750,112	756,756	6,644
	Information Technology	636,789	653,282	709,241	55,959
	Purchasing	148,038	183,879	197,420	13,541
	Human Resources	2,734,006	2,435,977	2,569,992	134,015
	Crossing Guards	150,517	131,333	131,469	136
	Facilities Maintenance	657,882	692,062	694,531	2,469
	Non-Departmental ⁽³⁾	384,438	1,210,207	1,506,192	295,985
	Total Administrative Services	7,960,135	8,671,977	9,255,065	583,088
Transfers Out					
	Grants	387,600	394,772	334,644	(60,128)
	Capital	2,525,668	1,819,521	1,809,402	(10,119)
	Debt Service	200,000	200,000	200,000	-
	Other Funds	1,239,850	1,327,873	1,322,538	(5,335)
	Total Transfers Out	4,353,118	3,742,166	3,666,584	(75,582)
Total General Fund Expenditures		\$ 69,691,065	\$ 74,944,966	\$ 76,687,225	\$ 1,742,259
Increase/(Decrease) in Fund Balance		5,283,979	-	-	-
Beginning Fund Balance		18,344,689	23,628,668	23,628,668	-
Ending Fund Balance		\$ 23,628,668	\$ 23,628,668	\$ 23,628,668	\$ -

⁽¹⁾ Health Services (Nursing and Environmental Health) and Social Services were moved from Intergovernmental to General Fund in fiscal year 2020.

⁽²⁾ Nature Center is a new division created in FY20, those expenses were previously included in the recreation division.

⁽³⁾ Non-departmental includes tax rebates, Concho Valley Transit District, and Civil Service Leave Payoffs.

General Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>105 REVENUES:</u>				
Current Taxes	4,507,084	4,595,373	4,760,093	164,720
Delinquent Taxes	65,334	46,676	46,676	-
Transfers In	2,826,270	2,909,822	2,752,250	(157,572)
Interest	106,451	49,150	61,968	12,818
Total Revenues	\$ 7,505,139	\$ 7,601,021	\$ 7,620,987	\$ 19,966
<u>105 EXPENSES:</u>				
Principal on Debt	5,575,000	4,945,000	5,215,000	270,000
Interest on Debt	2,182,948	2,449,944	2,308,932	(141,012)
Issue Costs	(216)	206,077	97,055	(109,022)
Total Expenditures	\$ 7,757,732	\$ 7,601,021	\$ 7,620,987	\$ 19,966
Revenues Over/ (Under) Expenditures	(252,593)	-	-	-
Beginning Fund Balance	1,780,962	1,528,369	1,528,369	-
Ending Fund Balance	\$ 1,528,369	\$ 1,528,369	\$ 1,528,369	\$ -

General Equipment Replacement Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>501 REVENUES:</u>				
Transfers In *	2,281,373	1,572,373	1,251,373	(371,000)
Sale of Fixed Assets	155,472	55,000	55,000	-
Interest	4,895	-	-	-
Other	32,596	40,000	40,000	-
Total Revenue	\$ 2,474,336	\$ 1,667,373	\$ 1,346,373	\$ (371,000)
<u>501 EXPENDITURES:</u>				
Vehicles & Equipment	1,555,012	1,667,373	1,346,373	(321,000)
Total Expenditures	\$ 1,555,012	\$ 1,667,373	\$ 1,346,373	\$ (321,000)
Revenues Over/ (Under) Expenditures	919,324	-	-	-
Beginning Fund Balance	408,786	1,328,110	1,328,110	-
Ending Fund Balance	\$ 1,328,110	\$ 1,328,110	\$ 1,328,110	\$ -

* In FY18 a one time transfer of surplus sales tax revenue was used for equipment replacement.

General Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 * Revised Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>502 REVENUES:</u>				
Transfers In	244,295	2,623,377	558,029	2,852
Interest	49,915	2,852	-	(2,852)
Other	3,906,685	-	-	-
Total Revenue	\$ 4,200,895	\$ 2,626,229	\$ 558,029	\$ 308,029
<u>502 EXPENDITURES</u>				
Airport	60,829	-	-	-
Intergovernmental	-	23,181	-	-
Vehicle Maintenance	-	-	-	-
Facilities	11,252	467,754	-	-
City Hall Plaza Rehabilitation	1,534	1,018	-	-
Development Software	-	-	-	-
Transportation Enhancement	9,734	40,383	-	-
Street Improvements	49,356	1,500,000	-	-
Stormwater Improvements	805,246	1,259,427	-	-
River Bank Stabilization	-	120,300	308,029	308,029
Sunken Garden	-	74,974	-	-
Dog Park	7,551	-	-	-
Texas Bank Sports Complex	230,044	469,278	-	-
29th St Sports Complex	64,694	1,616,808	-	-
Fort Concho	140,968	736,468	-	-
Cemetery Improvements	2,846	-	-	-
Auditorium	1,041,699	1,000	-	-
Animal Control Improvements	-	200,000	-	-
Fire Station	8,000	117,139	-	-
Ambulance Replacement	62,926	1,452,723	250,000	-
Fire Mobile Data Terminals	-	-	-	-
Contingencies	-	-	-	-
Total Expenditures	\$ 2,496,679	\$ 8,080,453	\$ 558,029	\$ 308,029
Revenues Over/ (Under) Expenditures	1,704,216	(5,454,224)	-	-
Beginning Fund Balance	4,042,149		5,746,365	-
Ending Fund Balance	\$ 5,746,365		\$ 5,746,365	\$ -

* Reporting amended budget due to numerous multi-year projects.

TIRZ Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>106 REVENUES:</u>				
Downtown Property Tax	359,562	245,448	395,535	150,087
North Property Tax	551,196	539,548	665,335	125,787
Interest	19,092	10,634	15,245	4,611
Total Revenues	\$ 929,850	\$ 795,630	\$ 1,076,115	\$ 280,485
<u>106 EXPENSES:</u>				
Downtown Projects	155,273	245,780	396,043	150,263
North Projects	365,769	549,850	680,072	130,222
Total Expenditures	\$ 521,042	\$ 795,630	\$ 1,076,115	\$ 280,485
Revenues Over/ (Under) Expenditures	408,808	-	-	-
Beginning Fund Balance	190,740	599,548	599,548	-
Ending Fund Balance	\$ 599,548	\$ 599,548	\$ 599,548	\$ -

Water Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>260 REVENUES:</u>				
Water Sales	25,782,027	26,060,566	28,164,918	2,104,352
Lake Use Revenues	365,699	356,048	342,463	(13,585)
Billing and Collection	1,529,163	1,267,045	1,443,906	176,861
Taps and Connections	302,922	328,200	315,200	(13,000)
Transfers In	1,117,912	1,822,960	1,942,050	119,090
Interest	113,229	123,677	474,633	350,956
Other	724,629	462,550	534,412	71,862
Total Revenues	\$ 29,935,581	\$ 30,421,046	\$ 33,217,582	\$ 2,796,536
<u>260 EXPENSES:</u>				
Personnel	5,793,254	6,425,566	6,770,312	344,746
Operations & Maintenance	13,639,930	14,769,867	17,446,395	2,676,528
Capital	1,223,264	3,549,507	5,834,493	2,284,986
Transfers Out	3,536,513	3,493,134	3,166,382	(326,752)
Total Expenses	\$ 24,192,961	\$ 28,238,074	\$ 33,217,582	\$ 4,979,508
Revenues Over/ (Under) Expenditures *	5,742,620	2,182,972	-	(2,182,972)
Beginning Fund Balance	3,940,404	9,683,024	11,865,996	2,182,972
Ending Fund Balance	\$ 9,683,024	\$ 11,865,996	\$ 11,865,996	\$ -

* In prior fiscal years there was a contribution to fund balance as planned in the adopted water rate study to build an appropriate amount for 75 days of operating budget. Since this goal has been met, a balanced budget is proposed for fiscal year 2020.

Water Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>261 REVENUES:</u>				
Development Corporation	2,500,000	2,700,000	2,900,000	200,000
Transfers In	8,974,221	8,500,147	8,380,549	(119,598)
Interest	32,022	76,978	2,325	(74,653)
Total Revenues	\$ 11,506,243	\$ 11,277,125	\$ 11,282,874	\$ 5,749
<u>261 EXPENDITURES:</u>				
Debt Service	11,467,953	11,277,125	11,282,874	5,749
Total Expenses	\$ 11,467,953	\$ 11,277,125	\$ 11,282,874	\$ 5,749
Revenues Over/ (Under) Expenditures	38,290	-	-	-
Beginning Fund Balance	19,060	57,350	57,350	-
Ending Fund Balance	\$ 57,350	\$ 57,350	\$ 57,350	\$ -

Water Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>512 REVENUES:</u>				
Water Sales	5,008,566	4,687,870	4,687,870	-
Transfers In	57,923	200,000	200,000	-
Interest	159,449	83,299	138,132	54,833
Total Revenues	\$ 5,225,938	\$ 4,971,169	\$ 5,026,002	\$ 54,833
<u>512 EXPENDITURES:</u>				
Capital Improvements	2,733,577	2,966,402	4,591,608	1,625,206
Franchise Fee	250,428	234,394	234,394	-
Transfers Out *	1,570,373	1,570,373	-	(1,570,373)
Contract Services	191,631	200,000	200,000	-
Total Expenses	\$ 4,746,009	\$ 4,971,169	\$ 5,026,002	\$ 54,833
Revenues Over/ (Under) Expenditures	479,929	-	-	-
Beginning Fund Balance	7,825,024	8,304,953	8,304,953	-
Ending Fund Balance	\$ 8,304,953	\$ 8,304,953	\$ 8,304,953	\$ -

* Debt service payment in FY20 will be fully funded by the Water Enterprise Fund in order to free additional funds for capital improvements.

Lake Nasworthy Trust Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
640 REVENUES:				
Lot Sales	603,837	520,000	776,000	256,000
Lake Lease Income	37,355	36,000	35,140	(860)
Interest	213,745	195,000	368,448	173,448
Total Revenues	\$ 854,937	\$ 751,000	\$ 1,179,588	\$ 428,588
640 EXPENDITURES:				
Professional Services	17,450	50,000	50,000	-
Transfers Out *	192,371	175,500	331,603	156,103
Total Expenditures	\$ 209,821	\$ 225,500	\$ 381,603	\$ 156,103
Revenues Over/ (Under) Expenditures	645,116	525,500	797,985	272,485
Beginning Fund Balance	13,655,887	14,301,003	14,826,503	525,500
Ending Fund Balance	\$ 14,301,003	\$ 14,826,503	\$ 15,624,488	\$ 797,985

* 90% of interest is transferred to the Water Enterprise Fund to assist in operational activities.

Water Reclamation Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>270 REVENUES:</u>				
Water Reclamation Charges	13,999,047	13,767,649	15,086,996	1,319,347
Farm Use Revenues	228,740	218,591	193,945	(24,646)
Taps and Connections	22,260	30,000	20,250	(9,750)
Paving Cuts	72,100	45,000	45,000	-
Non-Refundable Aid	4,536	-	-	-
Interest	201,966	209,694	392,316	182,622
Other	57,630	25,000	25,000	-
Total Revenues	\$ 14,586,279	\$ 14,295,934	\$ 15,763,507	\$ 1,467,573
<u>270 EXPENSES:</u>				
Personnel	1,912,179	2,228,522	2,278,182	49,660
Operations & Maintenance	2,450,785	2,876,979	2,913,794	36,815
Capital	2,741,547	3,297,561	4,592,206	1,294,645
Transfers Out	5,168,398	5,410,106	5,979,325	569,219
Total Expenses	\$ 12,272,909	\$ 13,813,168	\$ 15,763,507	\$ 1,950,339
Revenues Over/ (Under) Expenditures	2,313,370	482,766	-	(482,766)
Beginning Fund Balance	9,779,385	12,092,755	12,575,521	482,766
Ending Fund Balance *	\$ 12,092,755	\$ 12,575,521	\$ 12,575,521	\$ -

* Due to a restructuring of debt service payments, a surplus occurred in the Water Reclamation Enterprise Fund. Those dollars are earmarked for a specific future capital project.

Water Reclamation Debt Service Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>271 REVENUES:</u>				
Transfers In	4,014,333	3,810,636	3,821,764	11,128
Interest	4,260	6,521	10,885	4,364
Total Revenues	\$ 4,018,593	\$ 3,817,157	\$ 3,832,649	\$ 15,492
<u>271 EXPENDITURES:</u>				
Debt Service	3,996,444	3,817,157	3,832,649	15,492
Total Expenses	\$ 3,996,444	\$ 3,817,157	\$ 3,832,649	\$ 15,492
Revenues Over/ (Under) Expenditures	22,149	-	-	-
Beginning Fund Balance	246,337	268,486	268,486	-
Ending Fund Balance	\$ 268,486	\$ 268,486	\$ 268,486	\$ -

Water Reclamation Capital Projects Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
520 REVENUES:				
Water Reclamation Charges	1,763,495	1,727,496	1,727,496	-
Interest	153,221	56,935	89,291	32,356
Total Revenues	\$ 1,916,716	\$ 1,784,431	\$ 1,816,787	\$ 32,356
520 EXPENDITURES:				
Capital Projects	198,176	1,324,522	1,730,412	405,890
Franchise Fee	88,175	86,375	86,375	-
Transfers Out *	373,534	373,534	-	(373,534)
Total Expenses	\$ 659,885	\$ 1,784,431	\$ 1,816,787	\$ 32,356
Revenues Over/ (Under) Expenditures	1,256,831	-	-	-
Beginning Fund Balance	7,424,077	8,680,908	8,680,908	-
Ending Fund Balance	\$ 8,680,908	\$ 8,680,908	\$ 8,680,908	\$ -

* Debt service payment in FY20 will be fully funded by the Water Enterprise Fund in order to free additional funds for capital improvements.

Solid Waste Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>230 REVENUES:</u>				
Landfill Fees	1,041,833	1,002,920	1,064,920	62,000
Leases	602,456	606,075	609,708	3,633
Interest	60,312	82,780	177,601	94,821
Other	3,461	268,650	279,350	10,700
Total Revenues	\$ 1,708,062	\$ 1,960,425	\$ 2,131,579	\$ 171,154
<u>230 EXPENDITURES:</u>				
Personnel	215,434	220,769	189,169	(31,600)
Operations & Maintenance	252,553	1,011,970	1,038,670	26,700
Capital	23,842	205,036	370,390	165,354
Transfers Out	255,000	522,650	533,350	10,700
Total Expenditures	\$ 746,829	\$ 1,960,425	\$ 2,131,579	\$ 171,154
Revenues Over/ (Under) Expenditures	961,233	-	-	-
Beginning Fund Balance	3,485,406	4,446,639	4,446,639	-
Ending Fund Balance *	\$ 4,446,639	\$ 4,446,639	\$ 4,446,639	\$ -

* There has previously been a planned contribution to fund balance in an effort to fully fund the future expenditures associated with operating the City's landfill. In recent fiscal year's, there has been no contribution to fund balance in order to begin funding engineering studies.

Stormwater Enterprise Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>240 REVENUES:</u>				
Stormwater Fee	2,744,728	2,786,000	2,786,000	-
Transfers In	95,000	95,000	95,000	-
Interest	64,143	52,399	74,056	21,657
Other	113,751	120,000	60,000	(60,000)
Total Revenues	\$ 3,017,622	\$ 3,053,399	\$ 3,015,056	\$ (38,343)
<u>240 EXPENSES:</u>				
Personnel	1,145,004	1,308,772	1,235,395	(73,377)
Operations & Maintenance	419,816	685,325	666,039	(19,286)
Capital	303,783	1,051,770	728,228	(323,542)
Transfers Out	482,609	344,523	385,394	40,871
Total Expenses	\$ 2,351,212	\$ 3,390,390	\$ 3,015,056	\$ (375,334)
Revenues Over/ (Under) Expenditures	666,410	(336,991)	-	336,991
Beginning Fund Balance	3,463,607	4,130,017	3,793,026	(336,991)
Ending Fund Balance	\$ 4,130,017	\$ 3,793,026	\$ 3,793,026	\$ -

* In FY19, there was a planned use of fund balance to replace capital equipment.

Airport Operating Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>220 REVENUES:</u>				
Leases/Rentals	1,069,524	1,027,913	991,173	(36,740)
Concessions	366,681	368,214	364,840	(3,374)
Landing Fees	55,689	61,523	65,433	3,910
Advertising	9,935	30,000	9,000	(21,000)
Transfers In	60,829	-	-	-
Interest	3,158	3,743	10,847	7,104
Other	26,645	62,911	61,916	(995)
Total Revenues	\$ 1,592,461	\$ 1,554,304	\$ 1,503,209	\$ (51,095)
<u>220 EXPENSES:</u>				
Personnel	723,115	787,791	789,053	1,262
Operations & Maintenance	581,061	683,835	623,268	(60,567)
Capital	-	-	-	-
Transfers Out	84,200	82,678	90,888	8,210
Total Expenses	\$ 1,388,376	\$ 1,554,304	\$ 1,503,209	\$ (51,095)
Revenues Over/ (Under) Expenditures	204,085	-	-	-
Beginning Fund Balance	142,741	346,826	346,826	-
Ending Fund Balance	\$ 346,826	\$ 346,826	\$ 346,826	\$ -

Airport Passenger Facility Charges (PFC) Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>529 REVENUES:</u>				
Passenger Facility Charges	232,017	256,500	236,250	(20,250)
Interest	23,913	29,354	30,183	829
Total Revenues	\$ 255,930	\$ 285,854	\$ 266,433	\$ (19,421)
<u>529 EXPENSES:</u>				
Transfer to Capital Fund	386,311	285,854	266,433	(19,421)
Miscellaneous	90,082	-	-	-
Total Expenses	\$ 476,393	\$ 285,854	\$ 266,433	\$ (19,421)
Revenues Over/ (Under) Expenditures	(220,463)	-	-	-
Beginning Fund Balance	1,239,842	1,019,379	1,019,379	-
Ending Fund Balance	\$ 1,019,379	\$ 1,019,379	\$ 1,019,379	\$ -

State Office Buildings Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>201 REVENUES:</u>				
Rental Income	1,240,282	1,250,300	1,260,302	10,002
Interest	4,436	4,501	15,786	11,285
Other	-	50,000	50,000	-
Total Revenues	\$ 1,244,718	\$ 1,304,801	\$ 1,326,088	\$ 21,287
<u>201 EXPENDITURES:</u>				
Personnel	142,278	125,362	123,499	(1,863)
Operations & Maintenance	671,074	956,826	980,658	23,832
Debt Service	171,573	152,723	153,058	335
Capital	-	50,088	50,000	(88)
Transfers Out	22,941	19,802	18,873	(929)
Total Expenditures	\$ 1,007,866	\$ 1,304,801	\$ 1,326,088	\$ 21,287
Revenues Over/ (Under) Expenditures	236,852	-	-	-
Beginning Fund Balance	152,805	389,657	389,657	-
Ending Fund Balance	\$ 389,657	\$ 389,657	\$ 389,657	\$ -

Texas Bank Sports Complex Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>203 REVENUES:</u>				
Program Fees	89,716	105,000	105,000	-
Transfers In	751,728	757,532	745,243	(12,289)
Interest	10,823	12,531	19,174	6,643
Other	51,656	74,700	79,700	5,000
Total Revenues	\$ 903,923	\$ 949,763	\$ 949,117	\$ (646)
<u>203 EXPENSES:</u>				
Personnel	347,750	399,677	398,339	(1,338)
Operations & Maintenance	294,555	550,086	550,778	692
Total Expenses	\$ 904,269	\$ 949,763	\$ 949,117	\$ (646)
Revenues Over/ (Under) Expenditures	(346)	-	-	-
Beginning Fund Balance	512,022	511,676	511,676	-
Ending Fund Balance	\$ 511,676	\$ 511,676	\$ 511,676	\$ -

Civic Events Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>410 REVENUES:</u>				
Hotel Occupancy Tax (Transfer In)	1,491,006	1,076,476	1,008,050	(68,426)
Coliseum Revenue	149,120	118,000	129,700	11,700
Auditorium Revenue	2,208	4,000	4,000	-
Convention Center Revenue	203,328	198,850	198,100	(750)
River Stage Revenue	13,714	13,500	18,500	5,000
Pavilion Revenue	9,823	11,200	11,200	-
Pecan Creek Revenue	5,525	5,000	5,000	-
Facility Use Fee	109,480	108,500	133,500	25,000
Interest	15,462	14,835	38,040	23,205
Other	73,336	76,000	100,000	24,000
Total Revenues	\$ 2,073,002	\$ 1,626,361	\$ 1,646,090	\$ 19,729
<u>410 EXPENDITURES:</u>				
Personnel	736,576	781,018	764,090	(16,928)
Operations & Maintenance	483,424	569,321	618,068	48,747
Transfers Out	99,232	130,432	130,432	-
Capital	361,044	145,590	-	(145,590)
Total Expenditures	\$ 1,680,276	\$ 1,626,361	\$ 1,512,590	\$ (113,771)
Revenues Over/ (Under) Expenditures	392,726	-	133,500	133,500
Beginning Fund Balance	724,483	1,117,209	1,117,209	-
Ending Fund Balance	\$ 1,117,209	\$ 1,117,209	\$ 1,250,709	\$ 133,500

Fort Concho Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>420 REVENUES:</u>				
Rent & Programs	624,175	644,750	661,750	17,000
General Fund Transfer In	356,388	432,230	446,045	13,815
HOT Transfers In	50,000	50,000	50,000	-
Interest	4,959	6,648	11,259	4,611
Other	16,814	24,450	25,450	1,000
Total Revenues	\$ 1,052,336	\$ 1,158,078	\$ 1,194,504	\$ 36,426
<u>420 EXPENDITURES:</u>				
Personnel	684,629	739,203	771,913	32,710
Operations & Maintenance	279,676	415,875	414,591	(1,284)
Capital	2,727	3,000	8,000	5,000
Total Expenditures	\$ 967,032	\$ 1,158,078	\$ 1,194,504	\$ 36,426
Revenues Over/ (Under) Expenditures	85,304	-	-	-
Beginning Fund Balance	308,502	393,806	393,806	-
Ending Fund Balance	\$ 393,806	\$ 393,806	\$ 393,806	\$ -

Fairmount Cemetery Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>440 REVENUES:</u>				
Charges for Service	345,666	317,300	312,600	(4,700)
Trust Income	43,435	50,000	50,000	-
Transfers In	86,734	93,111	86,250	(6,861)
Other	325	5,000	5,000	-
Total Revenues	\$ 476,160	\$ 465,411	\$ 453,850	\$ (11,561)
<u>440 EXPENDITURES:</u>				
Personnel	283,369	265,419	271,452	6,033
Operations & Maintenance	107,203	153,173	153,498	325
Capital	5,326	-	28,900	28,900
Total Expenditures	\$ 395,898	\$ 418,592	\$ 453,850	\$ 35,258
Revenues Over/ (Under) Expenditures	80,262	46,819	-	(46,819)
Beginning Fund Balance	(120,817)	(40,555)	6,264	46,819
Ending Fund Balance *	\$ (40,555)	\$ 6,264	\$ 6,264	\$ -

* Due to the negative fund balance, the fund was budgeted revenue over expenditure in FY18 and FY19.

Intergovernmental Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
103 REVENUES:				
Health Department Revenue *	125,336	113,600	-	(113,600)
Health Department Grants	426,798	432,229	359,436	(72,793)
WIC Grant	642,681	851,686	875,888	24,202
Transportation Grant	212,495	208,695	208,695	-
Streets	739,098	-	-	-
Airport	-	-	-	-
Nutrition Program Revenue	134,629	158,945	158,945	-
Police Grants	134,258	-	-	-
Parks Grants	-	-	-	-
Fire Grants	-	-	444,402	444,402
Emergency Management Grant	125,946	225,308	184,199	(41,109)
Transfers In	387,600	394,772	334,644	(60,128)
Interest	5,839	0	-	-
Other	-	-	-	-
Total Revenue	\$ 2,934,680	\$ 2,385,235	\$ 2,566,209	\$ 180,974
103 EXPENDITURES:				
Health Department Grants *	503,702	637,564	359,436	(278,128)
WIC Grant	777,342	782,763	798,705	15,942
Social Services *	117,900	122,574	-	(122,574)
Transportation Planning Grant	222,120	190,475	199,575	9,100
Streets Grant	751,830	-	-	-
Nutrition	234,399	272,429	275,610	3,181
Police Grants	125,438	-	-	-
Parks Grants	1,218	-	-	-
Emergency Management	178,484	282,257	241,807	(40,450)
Fire Grants	-	-	592,536	592,536
Transfers Out	71,550	97,173	98,540	1,367
Total Expenditures	\$ 2,983,983	\$ 2,385,235	\$ 2,566,209	\$ 180,974
Revenues Over/ (Under) Expenditures	(49,303)	-	-	-
Beginning Fund Balance	831,889	782,586	782,586	-
Ending Fund Balance	\$ 782,586	\$ 782,586	\$ 782,586	\$ -

* Non-grant revenues and expenses were moved to the General Fund in FY20.

Community Development Block Grant Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
453 REVENUES:				
Grant Income	609,331	699,822	674,764	(25,058)
Rehab Loans	(18,415)	32,000	30,000	(2,000)
Other	15,656	-	-	-
Total Revenues	\$ 606,572	\$ 731,822	\$ 704,764	\$ (27,058)
453 EXPENDITURES:				
Administration	236,615	271,364	263,628	(7,736)
Debt Service	146,047	144,154	141,960	(2,194)
Public Service Projects	167,519	100,304	110,982	10,678
Rehab Grants and Loans	84,980	178,000	150,194	(27,806)
Code Enforcement	38,000	38,000	38,000	-
Total Expenditures	\$ 673,161	\$ 731,822	\$ 704,764	\$ (27,058)
Revenues Over/ (Under) Expenditures	(66,589)	-	-	-
Beginning Fund Balance	66,589	-	-	-
Ending Fund Balance	\$ -	\$ -	\$ -	\$ -

HOME Program Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>483 REVENUES:</u>				
Grant Income	179,286	338,495	294,961	(43,534)
Loan Payments	2,594	23,000	23,000	-
Sale of Property	38,407	38,412	38,412	-
Other	71,272	30,135	30,135	-
Total Revenues	\$ 291,559	\$ 430,042	\$ 386,508	\$ (43,534)
<u>483 EXPENDITURES:</u>				
Administration	29,976	104,696	96,162	(8,534)
Galilee CDC	99,450	110,000	120,000	10,000
MHMR Contribution	1,343	80,000	35,000	(45,000)
Homebuyers Assistance	63,903	135,346	135,346	-
Total Expenditures	\$ 194,672	\$ 430,042	\$ 386,508	\$ (43,534)
Revenues Over/ (Under) Expenditures	96,887	-	-	-
Beginning Fund Balance	(96,887)	-	-	-
Ending Fund Balance	\$ -	\$ -	\$ -	\$ -

Designated Revenue Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
601 REVENUES:				
Donations	41,895	15,100	14,350	(750)
Riverfest	20,136	30,000	30,000	-
Auditorium	59,916	-	-	-
Interest	2,898	30	6,706	6,676
Total Revenue	\$ 124,845	\$ 45,130	\$ 51,056	\$ 5,926
601 EXPENDITURES				
Departmental Projects	53,383	15,130	21,056	5,926
Riverfest	34,867	30,000	30,000	-
Total Expenditures	\$ 88,250	\$ 45,130	\$ 51,056	\$ 5,926
Revenues Over/ (Under) Expenditures	36,595	-	-	-
Beginning Fund Balance	210,463	247,058	247,058	-
Ending Fund Balance	\$ 247,058	\$ 247,058	\$ 247,058	\$ -

Hotel Occupancy Tax Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
605 REVENUES:				
Hotel Occupancy Tax	2,493,761	2,242,657	2,242,657	-
Interest	30,245	29,050	56,112	27,062
Total Revenues	\$ 2,524,006	\$ 2,271,707	\$ 2,298,769	\$ 27,062
605 EXPENSES:				
San Angelo Performing Arts Center	50,000	50,000	50,000	-
Convention and Visitors Bureau	865,000	865,000	975,625	110,625
San Angelo Cultural Affairs Council	124,688	112,133	112,133	-
Downtown San Angelo	37,500	37,500	37,500	-
Transfer to Fort Concho	50,000	50,000	50,000	-
Transfer to Civic Events	1,491,006	1,076,476	1,008,050	(68,426)
Transfer to Sports Complex	50,000	50,000	50,000	-
Total Expenses	\$ 2,668,194	\$ 2,241,109	\$ 2,283,308	\$ 42,199
Revenues Over/ (Under) Expenditures	(144,188)	30,598	15,461	(15,137)
Beginning Fund Balance	1,466,925	1,322,737	1,353,335	30,598
Ending Fund Balance	\$ 1,322,737	\$ 1,353,335	\$ 1,368,796	\$ 15,461

Fleet Services Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual *	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>301 REVENUES:</u>				
Gas and Oil	1,865,172	3,761,301	3,772,861	11,560
Material	1,341,963	1,192,345	1,176,033	(16,312)
Labor	833,155	1,353,889	1,358,397	4,508
Rent	120,000	120,000	120,000	-
Interest	7,863	20,153	21,630	1,477
Other	15,742	30,781	29,784	(997)
Total Revenues	\$ 4,183,895	\$ 6,478,469	\$ 6,478,705	\$ 236
<u>301 EXPENSES:</u>				
Personnel	891,214	963,483	980,822	17,339
Operations & Maintenance	3,309,823	5,419,540	5,444,601	25,061
Capital	41,556	75,292	53,282	(22,010)
Total Expenses	\$ 4,242,593	\$ 6,458,315	\$ 6,478,705	\$ 20,390
Revenues Over/ (Under) Expenditures	(58,698)	20,154	-	(20,154)
Beginning Fund Balance	641,803	583,105	603,259	20,154
Ending Fund Balance	\$ 583,105	\$ 603,259	\$ 603,259	\$ -

* In years when gas and oil prices are low, the Fleet Services Fund realized savings in that area therefore the corresponding revenue is also down.

Communications Service Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
305 REVENUES:				
Radio	171,752	157,498	157,260	(238)
Voice Over IP	370,947	349,408	352,287	2,879
Cell Phones	235,435	258,788	235,195	(23,593)
Interest	3,640	4,805	9,994	5,189
Total Revenues	\$ 781,774	\$ 770,499	\$ 754,736	\$ (15,763)
305 EXPENSES:				
Radio	109,982	136,418	140,558	4,140
Voice Over IP	263,148	261,517	270,320	8,803
Cell Phones	230,797	259,391	235,648	(23,743)
Capital	111,662	113,173	108,210	(4,963)
Total Expenses	\$ 715,589	\$ 770,499	\$ 754,736	\$ (15,763)
Revenues Over/ (Under) Expenditures	66,185	-	-	-
Beginning Fund Balance	187,200	253,385	253,385	-
Ending Fund Balance	\$ 253,385	\$ 253,385	\$ 253,385	\$ -

Health Insurance Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>310 REVENUES:</u>				
Clinic Revenue	105,325	101,200	105,500	4,300
Self Insurance Revenue	8,457,131	8,901,365	9,083,875	182,510
Interest	-	-	18,356	18,356
Total Revenues	\$ 8,562,456	\$ 9,002,565	\$ 9,207,731	\$ 205,166
<u>310 EXPENSES:</u>				
Personnel	147,515	162,406	174,060	11,654
Operations & Maintenance	876,211	2,009,344	2,071,355	62,011
Self Insurance Claims Liability	7,051,438	6,830,815	6,960,816	130,001
Capital	-	-	1,500	1,500
Total Expenses	\$ 8,075,164	\$ 9,002,565	\$ 9,207,731	\$ 205,166
Revenues Over/ (Under) Expenditures	487,292	-	-	-
Beginning Fund Balance	(31,109)	456,183	456,183	-
Ending Fund Balance *	\$ 456,183	\$ 456,183	\$ 456,183	\$ -

* Due to negative claims experience, the fund balance became negative. The fund is budgeted revenue over expenditures to gradually increase the fund balance.

Property/Casualty Insurance Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>320 REVENUES:</u>				
Premium Contributions	450,827	778,025	778,026	1
Special Event Insurance	34,234	36,631	-	(36,631)
Insurance Proceeds	537,447	384,231	414,986	30,755
Interest	17,027	16,734	24,343	7,609
Total Revenues	\$ 1,039,535	\$ 1,215,621	\$ 1,217,355	\$ 1,734
<u>320 EXPENSES:</u>				
Personnel	154,253	136,636	161,491	24,855
Prior Year Indemnity	267,643	100,000	100,000	-
Claims	161,362	256,691	362,941	106,250
Insurance Premiums	83,117	508,907	468,017	(40,890)
Claims Management	43,220	204,533	113,817	(90,716)
Special Projects/Other	106,128	7,250	9,620	2,370
Capital	-	1,604	1,469	(135)
Total Expenses	\$ 815,723	\$ 1,215,621	\$ 1,217,355	\$ 1,734
Revenues Over/ (Under) Expenditures	223,812	-	-	-
Beginning Fund Balance	755,275	979,087	979,087	-
Ending Fund Balance	\$ 979,087	\$ 979,087	\$ 979,087	\$ -

Workers' Compensation Insurance Fund

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
<u>330 REVENUES:</u>				
Premium Contributions	1,369,861	1,201,602	1,327,155	125,553
Insurance Proceeds	355	10,714	8,571	(2,143)
Interest	1,098	9,755	8,755	(1,000)
Total Revenues	\$ 1,371,314	\$ 1,222,071	\$ 1,344,481	\$ 122,410
<u>330 EXPENSES:</u>				
Personnel	195,394	217,217	208,847	(8,370)
Operations & Maintenance	36,240	77,196	85,593	8,397
Claims	314,997	504,993	500,720	(4,273)
Insurance Premiums	45,348	129,898	129,898	-
Total Expenses	\$ 591,979	\$ 929,304	\$ 925,058	\$ (4,246)
Revenues Over/ (Under) Expenditures	779,335	292,767	419,423	126,656
Beginning Fund Balance	(1,148,937)	(369,602)	(76,835)	292,767
Ending Fund Balance *	\$ (369,602)	\$ (76,835)	\$ 342,588	\$ 419,423

* Due to negative claims experience, the fund balance became negative. The fund is budgeted revenue over expenditures to gradually increase the fund balance.

Keep San Angelo Beautiful

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Proposed Budget	Increase (Decrease) from FY19 Original
625 REVENUES:				
Grant	-	-	-	-
Interest	-	-	-	-
Donations/Transfers From	-	-	70,000	70,000
Total Revenues	\$ -	\$ -	\$ 70,000	\$ 70,000
625 EXPENSES:				
Personnel	-	-	63,942	63,942
Operations & Maintenance	-	-	1,702	1,702
Capital	-	-	4,356	4,356
Total Expenses	\$ -	\$ -	\$ 70,000	\$ 70,000
Revenues Over/ (Under) Expenditures	-	-	-	-
Beginning Fund Balance	-	-	-	-
Ending Fund Balance *	\$ -	\$ -	\$ -	\$ -

* This is a new fund created mid year in fiscal year 2019.

Development Corporation: Economic Development Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Adopted Budget	Increase (Decrease) from FY19 Original
<u>700 REVENUES:</u>				
Sales Tax	2,516,743	2,581,684	2,609,674	27,990
Rent	28,678	11,591	20,950	9,359
Interest	404,905	100,000	225,000	125,000
Transfers In	46,729	44,303	46,729	2,426
Total Revenues	\$ 2,997,055	\$ 2,737,578	\$ 2,902,353	\$ 164,775
<u>700 EXPENSES:</u>				
Personnel *	260,244	248,905	394,597	145,692
Operations & Maintenance	1,951,011	770,137	906,267	136,130
Capital	15,210	1,718,536	1,601,489	(117,047)
Total Expenditures	\$ 2,226,465	\$ 2,737,578	\$ 2,902,353	\$ 164,775
Revenues Over/ (Under) Expenditures	770,590	-	-	-
Unreserved Beginning Fund Balance	9,133,876	9,904,466	9,904,466	-
Unreserved Ending Fund Balance	\$ 9,904,466	\$ 9,904,466	\$ 9,904,466	\$ -

* The increase in personnel is due to a reallocation of staff services expenses which were previously distributed between the Ballot and Economic Development Funds.

Development Corporation: Ballot

Schedule of Revenues and Expenditures

Description	FY18 Actual	FY19 Original Budget	FY20 Adopted Budget	Increase (Decrease) from FY19 Original
<u>711 REVENUES:</u>				
Sales and Use Tax	6,786,342	6,638,617	6,710,590	71,973
Interest	66,974	30,000	75,000	45,000
Other	53,983	-	-	-
Total Revenues	\$ 6,907,299	\$ 6,668,617	\$ 6,785,590	\$ 116,973
<u>711 EXPENSES:</u>				
Personnel *	140,755	152,326	-	(152,326)
Operations & Maintenance	5,769,886	5,788,552	5,987,250	198,698
Capital	-	727,739	798,340	70,601
Total Expenditures	\$ 5,910,641	\$ 6,668,617	\$ 6,785,590	\$ 116,973
Revenues Over/ (Under) Expenditures	996,658	-	-	-
Unreserved Beginning Fund Balance	409,438	1,406,096	1,406,096	-
Unreserved Ending Fund Balance	\$ 1,406,096	\$ 1,406,096	\$ 1,406,096	\$ -

* The decrease in personnel is due to a reallocation of staff services expenses which were previously distributed between the Ballot and Economic Development Funds.



City Council

September 17, 2019



Budget Ordinance

- Second public hearing and introduction of an ordinance adopting the 2019-20 budget



Budget Ordinance

- Infill Development
- River Stabilization
- Development Services Software
- Salary Adjustments
- Health Insurance
- Police Body Cameras



Budget Ordinance

- The budget ordinance includes the following provisions:
- Authorizes employee compensation schedules;
- Provides for the general appropriation of funds;
- Reserves unto the City Council the authority to transfer appropriations budgeted, ratifying transfers of appropriations occurring in the 2019-2020 fiscal year and amending that budget ordinance accordingly;
- Provides for lapse of all unencumbered or unobligated funds for the prior fiscal year and for carryover of all appropriations of encumbered, obligated or restricted funds;



Budget Ordinance

- Reserves unto the City Council the power, only as permitted by law, to amend or make changes in the budget for municipal purposes;
- Provides authority for the city manager or his designee to make certain adjustments from time to time in or between budgeted allocations;
- Authorizes the city manager or his designee to apply for and accept certain grants and execute any related documents; and,
- Provides for filing of the budget.



Budget Ordinance

Conduct a separate record vote to:

“Ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 17, 2019 regular meeting of the City Council as an action item.”





City Council

September 17, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Final public hearing of an ordinance levying property taxes for the City of San Angelo for the 2019 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2019-2020 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This item is the third public hearing and adoption of the ordinance to levy property taxes for the tax year 2019. The ordinance sets the total tax rate of 0.7760 per \$100 valuation and establishes taxes are delinquent on February 1, 2020. No changes are proposed to the existing exemptions, including the continuation of the 20% homestead exemption available to property owners on their primary residence.

The overall tax rate is proposed to remain the same as the prior year's tax rate of 0.776 per \$100 valuation. The proposed tax rate will be applied as follows.

For the purposes of maintenance and operations in the General Fund: 0.6824

To pay annual interest and maturities and create debt service funding to discharge outstanding bonded indebtedness of the City of San Angelo: 0.0936

The total tax rate for the aforementioned purposes is: 0.7760

This year's proposed tax rate does exceed the lower of the effective tax rate or the rollback tax rate. The associated additional notices and actions are needed for this ordinance have been completed.

Financial Impact:

The proposed tax rate will generate property tax revenue as follows for the General Fund, the Debt Service Fund, and TIRZ, providing a 98% collection rate.

General Fund: \$34,703,930

Debt Service Fund: \$4,760,093

TIRZ (North & South): \$1,060,780

Total Property Tax Revenue: \$40,524,893

Other Information/Recommendation:

None at this time.

Attachments:

- | | | |
|----|--|---|
| 1. | 2019 09-17 Property Tax Levy Ordinance | 2019 09-17 Property Tax Levy Ordinance.docx |
| 2. | 2019 09-17 Property Tax Levy ppt | 2019 09-17 Property Tax Levy ppt.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval

AN ORDINANCE FIXING AND LEVYING AD VALOREM TAXES FOR THE CURRENT TAX YEAR FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF SAN ANGELO, TEXAS, FOR THE 2019-2020 BUDGET YEAR; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING WHEN THE TAX SHALL BECOME DUE; PROVIDING WHEN THE TAX SHALL BECOME DELINQUENT; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION ON THE CITY OPERATED WEB SITE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter for the City of San Angelo provides that the City Council at its first meeting in September of each year, or as soon thereafter as practicable, shall levy the annual tax for such year; and,

WHEREAS, Section 26.05 of the Texas Tax Code requires that the City of San Angelo, Texas, adopt a tax rate for the next fiscal year by September 30, 2019; and,

WHEREAS, the City Council finds that all public notices have been given and published as required by law for fixing and levying the ad valorem taxes; and,

WHEREAS, the City Council further finds that the taxes for the fiscal year beginning October 1, 2019, and ending September 30, 2020, hereinafter levied therefore are necessary to pay interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City; and,

WHEREAS, the City Council further finds that the tax for the fiscal year beginning October 1, 2019, and ending September 30, 2020, hereinafter levied for purposes of maintenance and operations must be levied to provide for the revenue requirements of the budget for the ensuing fiscal year:

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

Section One: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."

Section Two. The following taxes be and are hereby levied for the fiscal year 2019-2020, upon each One Hundred Dollar (\$100) valuation of property subject to taxation in the City of San Angelo for said year:

To pay annual interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City of San Angelo	\$0.0936
--	----------

For the purposes of maintenance and operations in the General Fund	<u>\$0.6824</u>
---	-----------------

The total tax rate for the aforementioned purposes is:	\$0.7760
--	----------

Section Three: The taxes levied herein shall be assessed and proper record made thereof, as required by law by the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office and said officers shall collect such taxes and remit the same required by law and this ordinance.

Section Four: All taxes levied and due under this ordinance, plus penalties and interest thereon, shall become a lien upon the property against which the tax is assessed, as provided by City Charter and State law, and the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office, or their designee, are hereby authorized and empowered to enforce the collection of such taxes, penalties and interest according to the Constitution and laws of the State of Texas and the Charter and Ordinances of the City of San Angelo. Penalties and interest collected shall be paid to and credited to the General Fund of the City of San Angelo.

Section Five: Taxes levied under this ordinance shall be due on October 1, 2019, and if not paid as provided by law, shall immediately become delinquent on February 1, 2020.

Section Six: The City hereby affirms the adoption of the following exemptions from taxation of real property:

An individual may claim an exemption from taxation equal to twenty percent (20%) of the appraised value of his/her residence homestead, but not less than five thousand dollars (\$5,000) or the value of the homestead if said value is less than \$5,000.

Section Seven: Should any part, portion, or section of this ordinance be declared invalid, inoperative, or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining parts, portions or sections of this ordinance, which provisions shall be, remain and continue in full force and effect.

Section Eight: The City Manager or his designee shall cause a copy of this Ordinance, in its entirety, as passed, to be published on the web site operated by the City of San Angelo

Section Nine: This ordinance shall become effective on the date Approved and Adopted.

INTRODUCED on the 4^h day of September, 2019, and APPROVED and ADOPTED on this the 17th day of September, 2019.

YES

NO

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

Tommy Hiebert, SMD #1

Tom Thompson, SMD #2

Harry Thomas, SMD #3

Lucy Gonzales, SMD #4

Lane Carter, SMD #5

Billie DeWitt, SMD #6

ATTEST:

Julia Antilley, City Clerk

Approved as to Content

Approved as to Form

Tina Dierschke, Finance Director

Theresa James, City Attorney



City Council

September 17, 2019



Property tax levy

- Final public hearing of an ordinance levying property taxes for the 2019 tax year
- Proposed rate is 0.776 / \$100 valuation



Property tax levy

Proposed property tax rate

Maintenance & operations	0.6824
Debt service	0.0936
Total proposed property tax rate	0.7760



Property tax levy

“I move that the property tax rate remain the same by the adoption of a tax rate of 0.7760 per \$100 valuation.”





City Council

September 17, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

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

Summary/History:

Sales Tax Revenue has performed as follows this fiscal year:

October - an increase of 1.98%
November - an increase of 13.63%
December - an increase of 21.88%
January - an increase of 4.94%
February - a decrease of 6.80%
March - an increase of 4.42%
April - an increase of 11.65%
May - an increase of 5.82%
June - an increase of 10.13%
July - an increase of 5.36%
August - an increase of 5.74%
September - an increase of 12.24%

Year to date, revenue is \$1,468,444 more than budgeted.

Financial Impact:

Sales Tax revenue for fiscal year 2019 is over year-to-date budget by 7.96% and \$1,468,444 after September 2019 receipts.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------------------------|------------------------------------|
| 1. | 12 September Sales Tax Report | 12 September Sales Tax Report.pdf |
| 2. | 12 September Sales Tax Update | 12 September Sales Tax Update.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke

Created/Initiated

Kimberly Holle
Tina Dierschke
Julia Antilley

Approved
Approved
Final Approval

MEMO TO CITY COUNCIL



To: Mayor and City Council Members
CC: Daniel Valenzuela, Michael Dane, Rick Weise, Tina Dierschke, Ryan Gaddy, Guy Andrews
From: Kimberly Holle, Budget Manager
Date: September 11, 2019
Re: Sales Tax Collections Summary for the month ended July 31, 2019

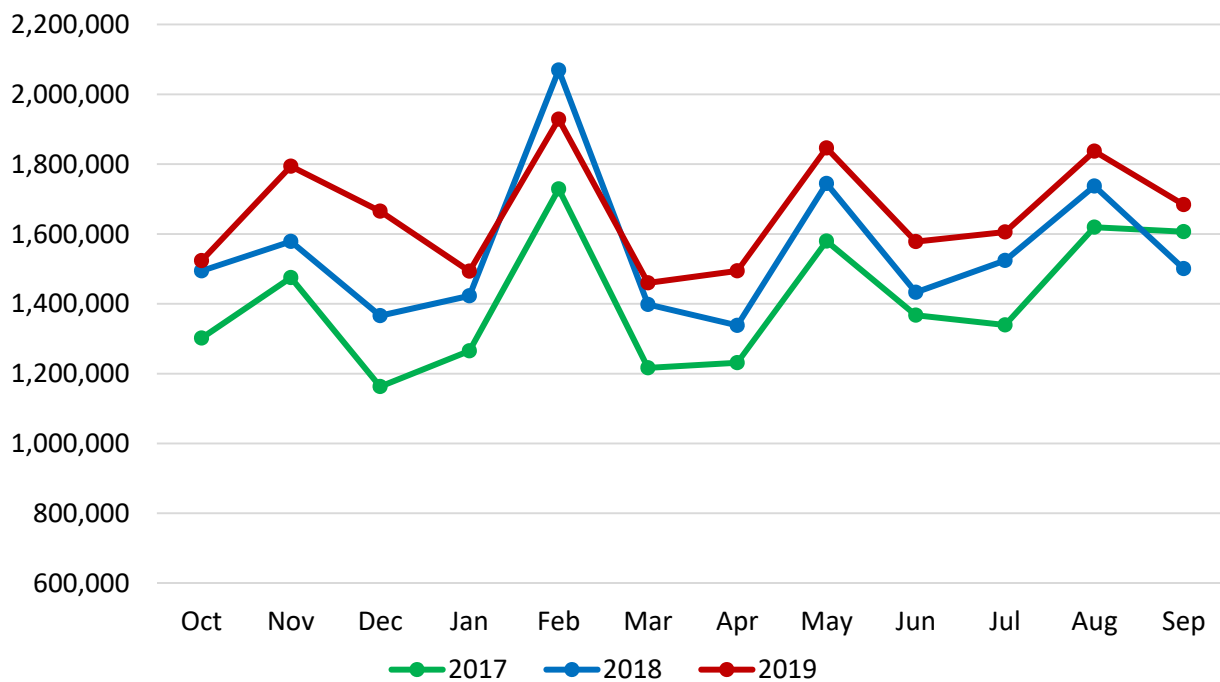
Overview: The City of San Angelo imposes a City sales tax on all retail sales, leases and rentals of most goods, as well as taxable services. The current City rate is 1.5%. The City's portion is 1% with the remaining 0.5% allotted to the City of San Angelo Development Corporation.

September 2019 Sales Tax Analysis

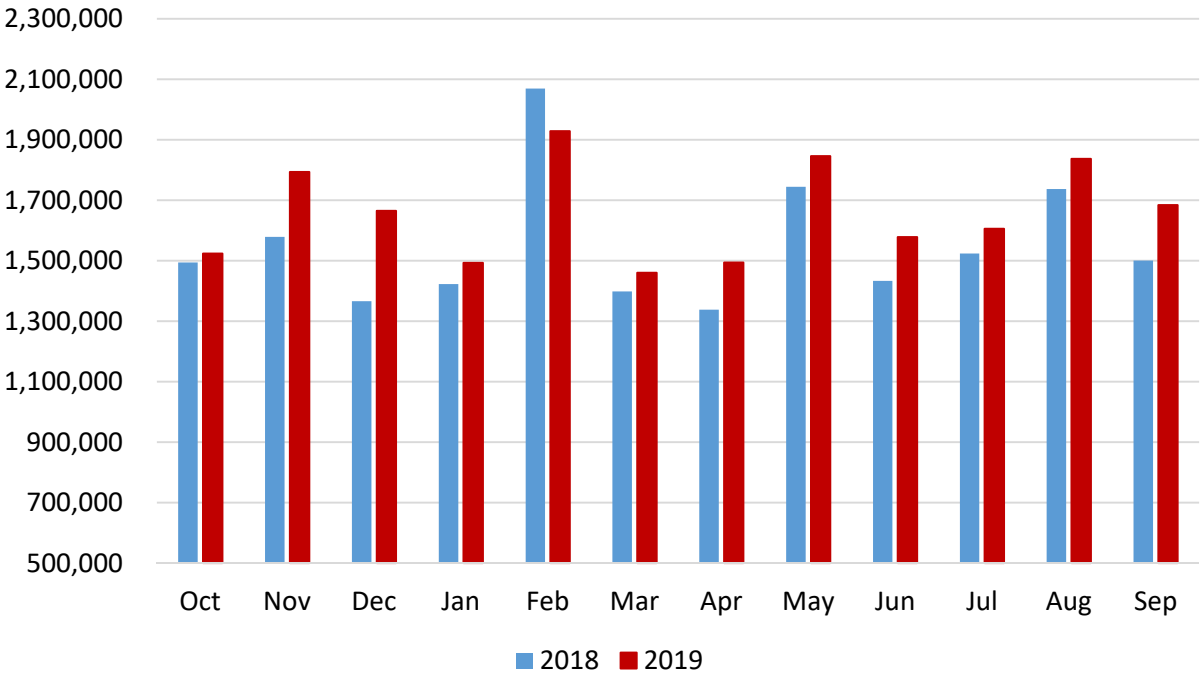
For the month, collections are up 12.24% relative to September 2018. Total collections for fiscal year 2018-19 are 7% over collections in fiscal year 2017-18.

Sales tax revenue for fiscal year 2018-19 is over budget by \$1,468,444. The graphs below show total collections for the fiscal year.

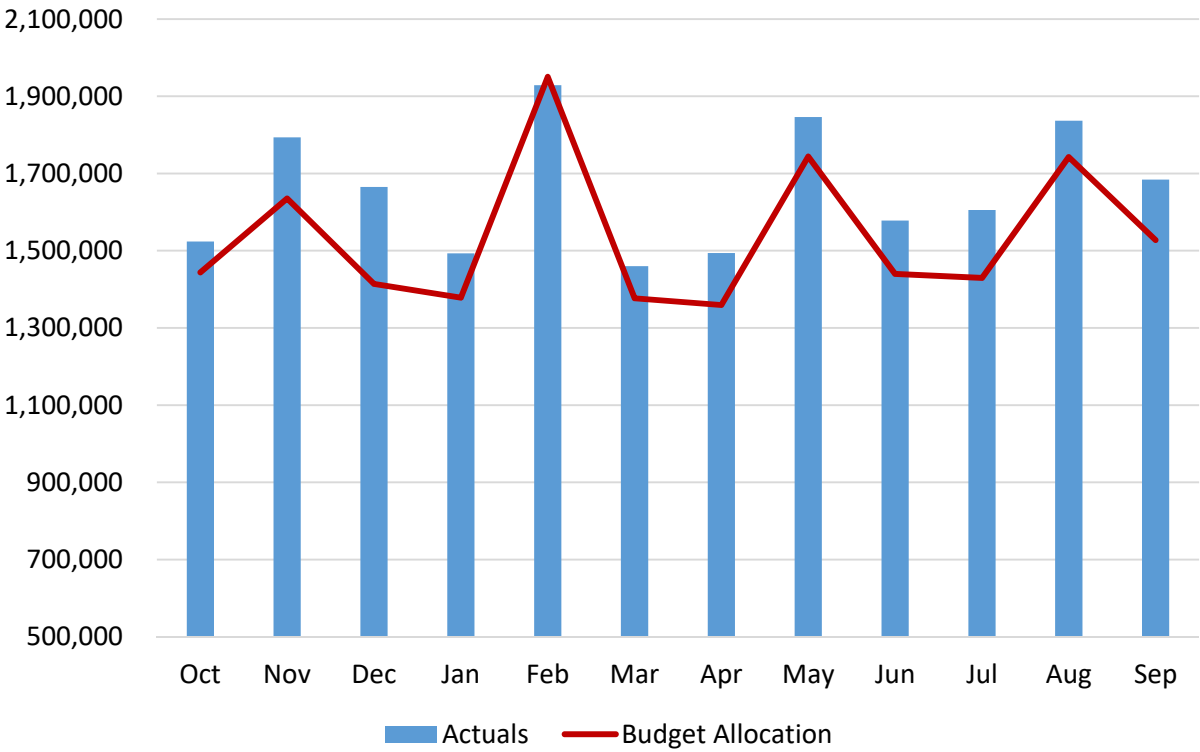
Sales Tax Trend



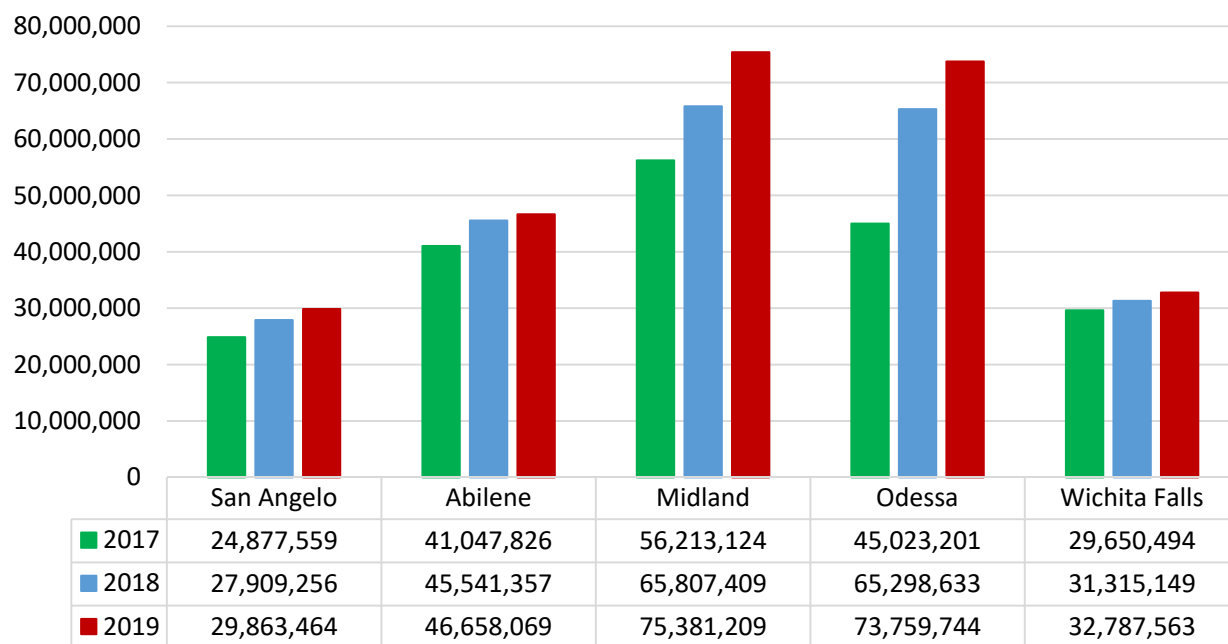
Sales Tax Current vs. Prior



Sales Tax Budget vs. Actual



Fiscal Year-to-date Collections



* This includes collections for the City of San Angelo and the San Angelo Development Corporation.

Performance for this month relative to September 2018:

San Angelo – up 12.24%

Abilene – up 10.99%

Midland – up 18.03%

Odessa – up 2.03%

Wichita Falls – up 11.77%



City Council

September 17, 2019

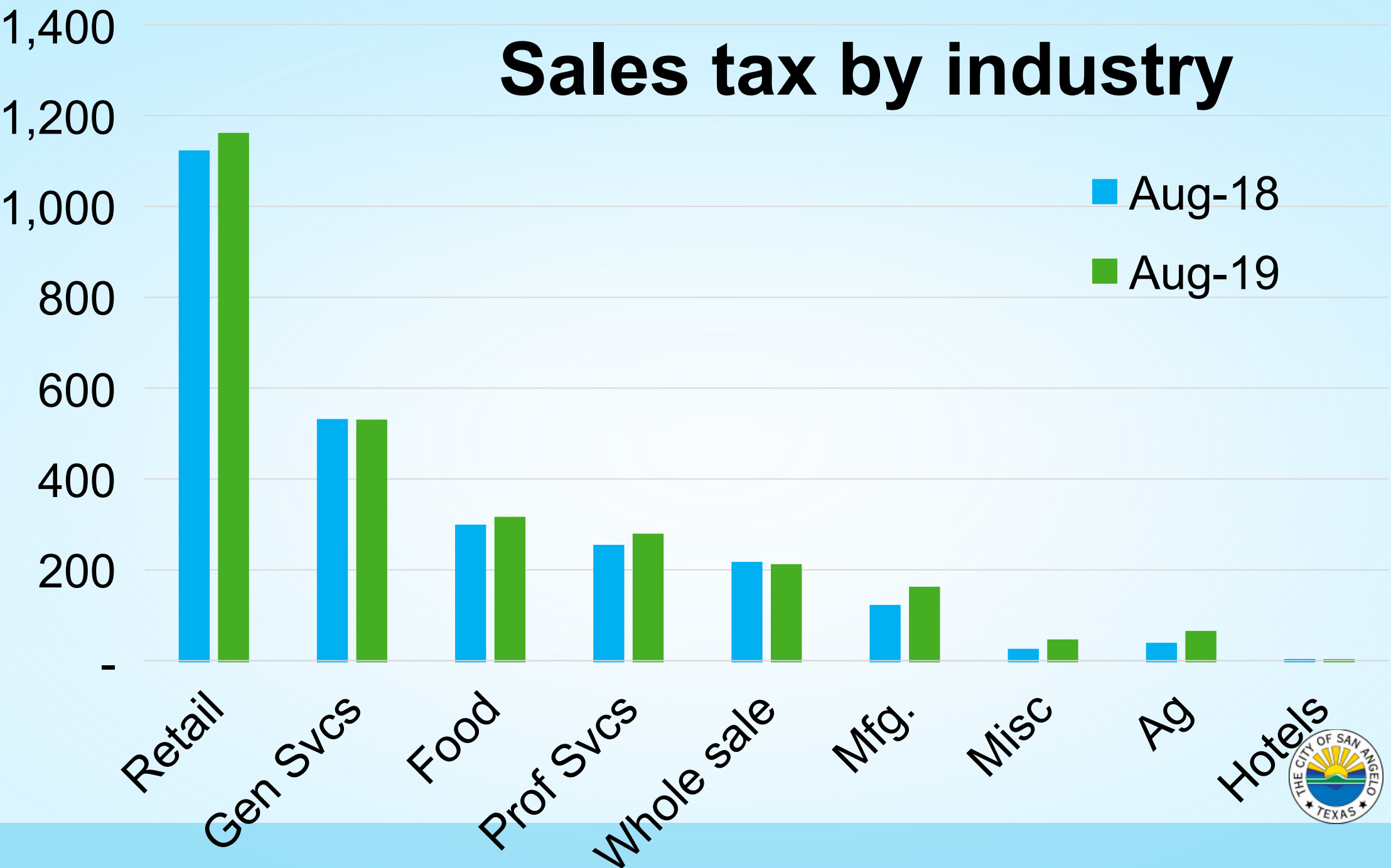


Sales tax revenue

- Up 12.24% in September compared with same month in prior year
- Over budget for revenue by \$1,468,444 year to date



Sales tax by industry





City Council

September 17, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Discussion and direction allocating funding for public safety and streets (Presentation made by Finance Director Tina Dierschke)

Summary/History:

Funding sources for various Public Safety equipment needs will be presented and discussed. Staff will seek direction for the allocation of the funding sources.

The sales tax revenue surplus amount will be discussed as well, and staff will seek City Council direction for the use of those funds.

Financial Impact:

Dependent upon City Council direction.

Other Information/Recommendation:

Attachments:

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Bluthardt, Fort Concho Manager, Fort Concho, 325-487-2730

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Consider approving a fiscal year 2020 Fort Concho Building Repair Plan and provide direction for allocating funding methods (Presentation made by Fort Concho Manager Bob Bluthardt)

Summary/History:

At its August 13 Budget Workshop, Council instructed staff to create an aggressive maintenance and repair plan for Fort Concho buildings, concentrating on windows, fascia/trim board, columns, and other exterior features. Staff has a proposed plan for FY 2020 that addresses these needs with both in-house work and contracted projects. Staff has a proposed funding model with this repair plan for Council's consideration.

Financial Impact:

\$500,000 is needed to fully fund the proposed Fort Concho maintenance and repair plan in FY 2020. This assumes all FY 2019 assigned funds are spent and that bids and in-house costs for FY 2020 are at higher, fiscally conservative levels. Proposed sources are: \$200,000 from the FY Capital Budget assigned to Fund 201 that serves both the State Buildings and the Fort; \$150,000 from Fund 201 (State Buildings Fund Balance); and \$150,000 from HOT (Hotel Occupancy Tax) Funds. The phased nature of the projects will allow staff to monitor costs and progress and adjust these needs throughout FY 2020.

Other Information/Recommendation:

Carl White Parks and Recreation Director and Al Torres, city construction manager, will also be in attendance and available to present this item and help answer questions.

Attachments:

- | | | |
|----|----------------------------|---------------------------------|
| 1. | 091719r FC Funding Sources | 091719r FC Funding Sources.pptx |
|----|----------------------------|---------------------------------|

Presentation:

Robert Bluthardt

Approvals/Reviews:

Robert Bluthardt	Created/Initiated
Carl White	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



City Council

September 17, 2019



Fort Concho Maintenance/Repair

- Nineteen buildings in need of maintenance/repairs
- Shortage of staffing, equipment, and funding
- Needs include maintenance/repairs of windows, columns, fascias, siding, trim, pointing, porches, cupolas



Fort Concho Maintenance/Repair

- Phase One – Chapel (completed) \$16,310
- Phase Two – Hospital, OQ6, OQ8, all cupolas \$117,520
- Phase Three – In house work. All columns except Headquarters, Barracks 1 & 2 \$157,200
- Phase Four – OQ2, OQ3, OQ4, OQ7, OQ9, HQ, QM, Comm, Barracks 5&6, MH 5&6, Barracks 1&2 \$398,790
- Contingency – 5% \$34,491



Potential Funding Sources

Total Cost	\$724,311
Existing Funds allocated	\$234,670
Shortage	-\$489,641

- State Office Fund Capital Account \$200,000
- State Office Fund Balance \$150,000
- HOT \$150,000





City Council

September 17, 2019



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Robert Bluthardt, Fort Concho Manager, Fort Concho, 325-487-2730

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Consider rejecting all bids for FC-02-19: Repairs to Fort Concho Post Hospital, Officers' Quarters 6 and 8, and roof vents (Presentation made by Fort Concho Manager Bob Bluthardt)

Summary/History:

Council assigned special and maintenance funding for repairs to various Fort Concho buildings in FY19. This project combined four smaller projects into one larger bid to attract more qualified bidders.

All bids were higher than available funding.

Financial Impact:

Funding will be carried over to FY20.

Other Information/Recommendation:

Staff recommends rejecting all bids and rebidding projects in different formats for FY20.

Attachments:

Presentation:

Robert Bluthardt

Approvals/Reviews:

Robert Bluthardt	Created/Initiated
Carl White	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 17, 2019

Item type: Regular Item

Caption:

Consider a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the 2020-2021 term (Presentation made by City Clerk Julia Antilley)

Summary/History:

The nomination and appointment process for the Board of Directors is set out in Section 6.03 of the Texas Property Tax Code. Appraisal district board members serve 2-year terms, with current terms expiring December 31, 2019.

The City Council may nominate one person for each of the five positions by resolution, no later than October 15, 2019.

All current members have expressed a willingness to serve another term if elected. Those currently serving are:

- John Begnaud (has served 4 terms/8 years)
- John Conn (has served 3 terms/6 years)
- Louis Gomez (has served 3 terms/6 years)
- Kandi Pool (has served 1 term/2 years)
- Bob Reeves (has served 3 terms/6 years)

Eligibility requirements for serving on the appraisal district board are outlined in Section 6.03(a), 6.035(a)(b), 6.036, and 6.05(f). All nominees must be a resident of the appraisal district and must have resided in the district for at least two years immediately preceding the date of taking office.

Once all entities have nominated board members, the chief appraiser will prepare a ballot. Council may distribute its 1,293 votes in any manner it desires. Historically, each Council Member has been allocated 184 votes (1/7 of the total 1,293 votes allocated to the City of San Angelo), and the remaining 5 votes have been decided by majority.

The Council may also choose to cast all its votes for one candidate or may distribute votes equally among any number of the candidates. There is no provision for write-in candidates.

Voting must take place prior to December 15, 2019 with the the five elected board members beginning a two year term of office on January 1, 2020.

Financial Impact:

There is no direct fiscal impact related to this item or costs directly associated with this decision.

However, the appraisal board oversees much of the process related to the property tax revenue.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------------|--|
| 1. | Letter from Bill Benson | Letter from Bill Benson.pdf |
| 2. | CC TGCAD Nominations Resolution | CC TGCAD Nominations Resolution (1).docx |
| 3. | CC TGCAD History | CC TGCAD History.docx |

Presentation:**Approvals/Reviews:**

Julia Antilley	Created/Initiated
Theresa James	Approved
Brian Groves	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Julia Antilley	Final Approval



TOM GREEN COUNTY APPRAISAL DISTRICT

2302 Pulliam • San Angelo, TX 76902
Office 325-658-5575 • Fax 325-657-8197



September 5, 2019

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

Re: Nomination of Candidates to Serve on the Board of Directors of the TOM GREEN COUNTY APPRAISAL DISTRICT for the 2020-2021 Term.

Dear City of San Angelo,

The process of nominating candidates to serve on the appraisal district board of directors, as provided for in Section 6.03 of the Texas Property Tax Code, has begun. The current two (2) year term of the five (5) member board of directors ends on December 31, 2019.

Chapter 6 of the Tax Code provides for the following steps to be taken:

- (1) The chief appraiser calculates the number of votes to which each taxing unit is entitled and delivers written notice of the voting entitlements before October 1, 2019.
- (2) Each eligible taxing unit may nominate by resolution adopted by its governing body one candidate for each of the five positions to be filled. The resolution must be adopted prior to October 15, 2019. The presiding officer of the governing body of the voting unit shall submit the names of its nominees to the chief appraiser prior to October 15, 2019.
- (3) The chief appraiser shall prepare a ballot, listing the candidates alphabetically and shall deliver the ballot to the presiding officer of each of the voting jurisdictions prior to October 31, 2019.
- (5) The governing body of each taxing unit shall determine its vote by resolution and submit it to the chief appraiser prior to December 15, 2019.
- (6) The chief appraiser shall count the votes, declare the five (5) candidates who receive the largest vote totals elected, and submit the results to the governing body of each unit and to the candidates prior to

December 31, 2019.

- (7) The elected directors begin their term of office January 1, 2020.

Eligibility requirements for serving on the appraisal district board of directors are outlined in Section 6.03(a), 6.035(a)(b), 6.036 and 6.05(f) and are briefly described as follows:

- (1) An individual must be a resident of the appraisal district and must have resided in the district for at least two (2) years immediately preceding the date of taking office (Section 6.03(a)). The appraisal district encompasses all of Tom Green County.
- (2) A member of the governing body of a taxing unit may serve (Section 6.03(a)).
- (3) An elected official is eligible to serve (Section 6.03(a)).
- (4) An employee of a taxing unit is not eligible to serve on the board unless the individual is also a member of a governing body or an elected official of a participating taxing unit (Section 6.03(a)).
- (5) An individual is ineligible to serve if the individual is related within the second degree by consanguinity or affinity to an individual who is engaged in the appraising of property for compensation for use in proceedings under this title in the appraisal district (Section 6.035)(2)(1) (2) or owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the individual knew or should have known of the delinquency unless:
 - (A) the delinquent taxes are being paid under an installment agreement or
 - (B) a suit to collect the delinquent taxes is deferred or abated under Section 33.06 or 33.065.
- (6) Section 6.036 bars certain contractors from serving on the board of directors. A person who contracts with the appraisal district for any purpose is barred. A person who contracts on a tax-related matter with a taxing unit served by the appraisal district is also barred. A person who has a substantial interest in a business that has either type contract is also barred.
- (7) The chief appraiser may not employ any individual related to

- (8) a member of the board of directors within the second degree by affinity or within the third degree of consanguinity (Section 6.05(f)).

The taxing units eligible to vote and currently participating in the appraisal district and their voting entitlement under Section 6.03(a), are as follows:

<u>ELIGIBLE TAXING UNIT NAME:</u>		<u>2018</u> <u>TOTAL</u> <u>TAX LEVY</u>	<u>2018</u> <u>PERCENT</u> <u>OF LEVY</u>	<u>2018</u> <u>ELIGIBLE</u> <u>VOTES</u>
1	Christoval I.S.D.	\$2,948,098.00	1.91500%	105
2	City of San Angelo	\$39,325,383.38	25.54460%	1,293
3	Grape Creek I.S.D.	\$4,129,311.40	2.68228%	118
4	Miles I.S.D.	\$570,600.45	0.37065%	16
5	San Angelo I.S.D.	\$61,436,818.46	39.90753%	2,097
6	Tom Green County	36,181,921.51	23.50270%	1,101
7	Veribest I.S.D.	\$1,687,621.92	1.09623%	55
8	Wall I.S.D.	\$5,773,585.47	3.75035%	156
9	Water Valley I.S.D.	\$1,894,612.35	1.23068%	59
Total Tax Ley, Levy Percent & Eligible Votes		\$153,947,952.94	100.00000%	5,000

The 2019 tax levies listed above are as of the published tax rolls of tax year 2019.

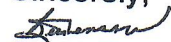
Current members of the Board of Directors are as follows:

John Begnaud
John Conn
Kandi Pool
Louis Gomez
Bob Reeves

All five of the current Directors have expressed their willingness to serve another term if elected.

Please notify me of any questions you may have or of any need for additional information.

Sincerely,



Bill H. Benson, Chief Appraiser
Tom Green County Appraisal District

**RESOLUTION THE CITY COUNCIL OF THE CITY OF SAN ANGELO,
TEXAS, NOMINATING CANDIDATE(S) ELIGIBLE FOR A POSITION ON
THE BOARD OF DIRECTORS OF THE TOM GREEN COUNTY
APPRAISAL DISTRICT FOR THE 2020 THROUGH 2021 TERM OF OFFICE**

WHEREAS, Section 6.03, Property Tax Code, State of Texas, allows a municipality that is a taxing unit in an appraisal district to nominate one candidate for each of the five positions to be filled on the board of directors of the Tom Green County Appraisal District; and

WHEREAS, the City of San Angelo is a taxing unit of the Tom Green County Appraisal District; and

WHEREAS, the City Council as governing body of the City of San Angelo desires to exercise its right to nominate one candidate for each of the five positions to be filled on the board of directors of the Tom Green County Appraisal District for the two year term of office commencing January 1, 2020, through December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Angelo, Texas:

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That the following eligible individuals be, and are hereby, nominated as candidate(s) for positions on the board of directors of the Tom Green County Appraisal District for a two year term of office commencing January 1, 2020 through December 31, 2021, to be filled by vote of the taxing units participating in the Tom Green County Appraisal District:

1. _____
2. _____
3. _____
4. _____
5. _____

Section 3. That the Mayor for the City of San Angelo, as presiding officer, be, and that she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Tom Green County Appraisal District on or before October 15, 2019.

Section 4. That this resolution shall take effect immediately from and after its passage, in accordance with the provisions of the State Statutes of the State of Texas.

Section 5. Open Meetings Act. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Motion made by _____, seconded by _____. Motion carried unanimously.

PASSED, APPROVED AND ADOPTED ON THE 17th DAY OF September, 2019.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

Received in the office of the Chief Appraiser, Tom Green County Appraisal District, on the _____ day of _____, 2019.

Bill H. Benson, Chief Appraiser

NOMINATION OF CANDIDATES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

The City Manager reviewed the background information. Councilwoman Tucker stated that the current directors have performed well.

Motion, to nominate Mr. Dick Burnett, Mr. A. H. "Chico" Denis, Mr. John Fuentes, Mr. Walter Pfluger, and Mr. John Phillips as candidates for the Board of Directors of Tom Green County Appraisal District for 1993-95, was made by Councilman Izzard and seconded by Councilman Hiebert. Motion carried unanimously.

ADOPTION OF RESOLUTION NOMINATING CANDIDATES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

The Council discussed the function of the board. The City Manager explained the process for selection of the board.

Motion, to adopt the resolution nominating Mr. Dick Burnett, Mr. A. H. "Chico" Denis, Mr. John Fuentes, Mr. Walter Pfluger, and Mr. John Phillips for the Board of Directors of the Tom Green County Appraisal District, was made by Councilmember Izzard and seconded by Councilmember Burrows. Motion carried unanimously.

Annex F, Page 168, "Resolution"

ADOPTION OF RESOLUTION SETTING NUMBER OF VOTES TO BE CAST FOR NOMINEES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT FOR 1998-2000 TERM

City Clerk Carol Rigby presented the results of each Councilmembers vote. Each Councilmember cast 232.5 votes (1/6 of the 1,395 total votes allocated to the City of San Angelo) among the 6 nominees. Councilmember Shrum cast his votes as follows: Mr. Pfluger - 132.5; Mr. Phillips - 100. Councilmember Burrows cast his votes as follows: Mr. Phillips - 232.5. Councilmember Holguin cast his votes as follows: Mr. Bastardo - 232.5. Councilmember Tucker cast her votes as follows: Mr. Burnett - 232.5. Councilmember Ryon cast her votes as follows: Mr. Bastardo - 46; Mr. Burnett - 46; Mr. Denis - 46; Mr. Pfluger - 46; Mr. Phillips - 48.5. Councilmember Mahon cast his votes as follows: Mr. Fuentes - 77.5; Mr. Pfluger - 77.5; Mr. Phillips - 77.5.

Motion, to adopt a resolution setting the number of votes to be cast for nominees for the Board of Directors of the Tom Green County Appraisal District for the 1998-2000 term as follows: Mr. Richard Bastardo - 278.5; Mr. Dick Burnett - 278.5; Mr. A.H. AChico@, III - 46; Mr. John Fuentes - 77.5; Mr. Walter Pfluger - 256; Mr. John Phillips - 458.5, was made by Councilmember Holguin and seconded by Councilmember Burrows. Motion carried unanimously.

ADOPTION OF RESOLUTION NOMINATING CANDIDATES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

City Clerk Kathy Keane presented background information, noting that the Appraisal Board has five members up for reappointment, and Council will need to nominate for these five positions. Ms. Keane further noted that everyone currently serving on the board is eligible for reappointment and willing to serve except Mr. John Fuentes.

City Manager Tom Adams noted that this is a two step process.

A discussion followed regarding the qualifications needed.

Responding to a question from Councilmember Holguin, Ms. Keane noted that Mr. Dean had indicated that Mr. Walter Pfluger and Mr. Louis Gomez had expressed interest in holding these positions.

Noting that Mr. Pfluger would be an asset, Councilmember Ryon explained that she had spoken with Mr. Pfluger and she would like to consider him for one of the positions.

Councilmembers Shrum and Holguin agreed.

Responding to a question from Councilmember Bastardo, Ms. Keane stated that she had not made contact with the Chief Appraiser, but had spoken with Mr. Rusty Dean, the attorney for the Appraisal District, who prepared the Resolution.

Noting a possible problem with a Councilmember serving on the Tax Appraisal Board, Councilmember Shrum stated that Louis Gomez was interested as well. Councilmember Shrum further suggested that Mr. Gomez and Mr. Pfluger be substituted for present members John Fuentes and Richard Bastardo.

Councilmember Mahon explained that there is a perceived problem with Mr. Bastardo being able to set the tax rate as a member on this board. While this is legally permissible, it is the perception which could be harmful.

Councilmember Ryon agreed that this is a problem and questioned if Council should make a rule that Councilmembers can not serve on other boards.

Councilmember Shrum noted that some boards have requested City Council representation, however, perception of is the matter of concern.

Mr. Adams noted that involvement in certain areas needs to be watched.

Councilmember Bastardo noted that it was this Council who voted him in as a member of the Tax Appraisal Board. Mr. Bastardo stated that all the present board members are good people, but explained that he has not been on the board for long and has the time to serve. Serving on the Tax

Appraisal Board does not hamper his agenda to stay open-minded and attend all the meetings.

Mayor Fender explained that when Council voted to have Mr. Bastardo serve, he was not on the Council at the time. Mayor Fender further explained that this is not a personal decision.

Councilmember Holguin nominated Councilmember Bastardo.

Council discussed how the vote would take place. Each Councilmember will get five votes.

An initial vote was taken. The nominees received the following number of votes:

Richard Bastardo: 4 votes; Councilmembers Burrows, Holguin, Bastardo and Ryon
Dick Burnett: 4 votes; Councilmembers Shrum, Burrows, Holguin and Mahon
Chico Dennis: 4 votes; Councilmembers Shrum, Burrows, Ryon and Mahon
John Phillips: 4 votes; Councilmembers Shrum, Burrows, Mahon and Mayor Fender
Walter Pfluger: 5 votes; Councilmembers Shrum, Burrows, Ryon, Mahon and Mayor Fender
Louis Gomez: 4 votes; Councilmembers Shrum, Burrows, Mahon and Mayor Fender

Mr. Walter Pfluger was nominated and the Council voted again on the remaining nominees with each Councilmember receiving four votes. The nominees received the following number of votes:

Richard Bastardo: 4 votes; Councilmembers Burrows, Holguin, Bastardo and Ryon
Dick Burnett: 5 votes; Councilmembers Shrum, Burrows, Holguin, Mahon and Mayor Fender
Chico Dennis: 4 votes; Councilmembers Shrum, Ryon, Mahon and Mayor Fender
John Phillips: 7 votes; Full Council
Louis Gomez: 7 votes; Full Council

At this point the following additional persons were nominated: Dick Burnett, John Phillips, and Louis Gomez. Because the number of votes received for Mr. Bastardo and Mr. Dennis were tied, another vote was taken.

Richard Bastardo: 3 votes; Councilmembers Burrows, Holguin, and Bastardo
Chico Dennis: 4 votes; Councilmembers Shrum, Ryon, Mahon, and Mayor Fender

Motion, to adopt a resolution nominating Walter Pfluger, Dick Burnett, John Phillips, Louis Gomez, and Chico Dennis for Board of Directors of the Tom Green County Appraisal District, was made by Councilmember Shrum and seconded by Councilmember Mahon. Aye: Shrum, Mahon, Fender, Burrows, Bastardo, and Ryon. Nay: Holguin. Motion carried 6-1.

Annex B, Page 619, AResolution@

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Minutes
October 2, 2001

ADOPTION OF A RESOLUTION NOMINATING CANDIDATES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

Responding to questions of Councilmembers Holguin and Wardlaw, City Manager Tom Adams informed that Directors did not have term limits but that the Council was free to nominate their own slate of nominees. He further agreed that future nominations could include information regarding the length of service for each nominee.

Motion, to adopt a Resolution nominating candidates for the Board of Directors of the Tom Green County Appraisal District, as presented, was made by Councilmember Mahon and seconded by Councilmember Darby. Motion carried unanimously.

Annex C, Page 425, AResolution@

Minutes
October 7, 2003

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ADOPTION OF A RESOLUTION NOMINATING CANDIDATES FOR THE TOM GREEN COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

City Manager Tom Adams presented background information.

Responding to the request of Councilmember Holguin to delay the nomination process, Councilmember Bates noted the Resolution nominating candidates was required to be submitted prior to October 15, 2003.

By consensus, the Council requested a letter be drafted for the Mayor's signature to the Tom Green County Appraisal District requesting the City receive this notice of nomination earlier, perhaps mid August, to ensure sufficient time to more fully consider the nominations to be forwarded to the Chief Appraiser.

Councilmember Holguin advised he had other individuals he would have preferred to bring forward.

Motion, to adopt a Resolution nominating the following individuals for the Tom Green County Appraisal District Board of Directors: Dick Burnett, A.H. "Chico" Denis III, Louis Gomez, Walter Pfluger and John Phillips, as presented, was made by Councilmember Mahon and seconded by Councilmember Rainey. Aye: Mahon, Rainey, Lown, Morrison, Reeves and Bates. Nay: Holguin. Motion carried 6-1.

Annex C, Page 453, "Resolution"

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Vol. 98

Minutes
December 13, 2005

APPROVAL OF A RESOLUTION SETTING OUT NUMBER OF VOTES TO BE CAST FOR NOMINEES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT FOR 2006-2007

NOTE: Nominations were not made in 2005

City Manager Harold Dominguez presented background information.

Councilmember Holguin commented on the nominations and repeated requests to facilitate the process. General discussion was held on the time provided to submit votes and required turnaround of the nomination process. Mayor Lown requested staff work with Tom Green County Appraisal

District on future nominations.

Motion, to divide votes equally among nominees, was made by Mayor Lown and seconded by Councilmember Rainey. AYE: Lown, Bates, Farmer, Morrison, and Rainey NAY: Holguin. Motion carried 5-1.

Annex J, Page 295, "Resolution"

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Vol. 99

Minutes
September 18, 2007

APPROVAL OF CANDIDATE NOMINATIONS TO SERVE ON THE BOARD OF DIRECTORS OF THE TOM GREEN COUNTY (TGC) APPRAISAL DISTRICT FOR THE 2008-2009 TERM

Mayor Lown suggested the Council consider reviewing the criteria and nominating individuals to serve on the TGC Appraisal District board. He commented the existing board consisted of the same members serving numerous terms. Finance Director Michael Dane stated the nomination process was time sensitive and noted the nomination should be finalized no later than October 15, 2007. Mayor Lown recommended Mr. Louis Hall.

Councilmember Perez-Jimenez requested the item be considered at the Visions meeting on September 27 and 28, 2007. Council concurred. Mayor Lown informed the TGC board meets approximately 7 times a year for 1 to 3 hours.

Mayor Lown recommended the nominees complete an application and forward such to City Clerk Alicia Ramirez.

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Minutes
October 2, 2007

ADOPTION OF A RESOLUTION NOMINATING LOUIS HALL AS A CANDIDATE FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

Motion, to adopt a Resolution nominating Louis Hall as a candidate for Board of Directors of Tom Green County Appraisal District, was made by Mayor Lown and seconded by Councilmember Perez-Jimenez. Motion carried unanimously.

Annex F, Page 25, "Resolution"

Minutes
November 6, 2007

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Vol. 100

ADOPTION OF A RESOLUTION SETTING OUT THE NUMBER OF VOTES TO BE CAST FOR NOMINEES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT

Councilmembers submitted their votes as follows: Councilmember Farmer, 199 for Louis Hall; Councilmember Hogg, 49.75 each for Dick Burnett, Louis Hall, Chico Denis, and Walter Pfluger;

Councilmember Perez-Jimenez, 199 for Louis Hall; Mayor Lown, 199 for Louis Hall; Councilmember Cárdenas, 199 for Louis Hall; Councilmember Morrison, 199 for John Phillips; and Councilmember Fields, 199 for Louis Hall.

Motion, to adopt a Resolution setting out 49.75 votes for Dick Burnett, 49.75 votes for A.H. “Chico” Denis, 0 votes for Louis P. Gomez, 1044.75 votes for Louis Hall, 49.75 votes for Walter W. Pfluger, and 199 votes for John D. Phillips to be cast for nominees for Board of Directors of Tom Green County Appraisal District, was made by Mayor Lown and seconded by Councilmember Farmer. Motion carried unanimously.

Annex G, Page 89, “Resolution”

Minutes
October 6, 2009

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Vol. 101

ADOPTION OF A RESOLUTION NOMINATING CANDIDATES EMILIO PEREZ-JIMENEZ, TIM EDWARDS, VICKIE BOULDEN, BOB REEVES, AND JOHN BEGNAUD AS CANDIDATES FOR THE BOARD OF DIRECTORS OF THE TOM GREEN COUNTY APPRAISAL DISTRICT FOR THE 2010-2012 TERM

City Clerk Alicia Ramirez presented background information. General discussion and nominations were made by the Councilmembers.

Motion, to close nominations, was made by Councilmember Farmer and seconded by Councilmember Silvas. Motion carried unanimously.

In conclusion, the following nominations were made.

Motion, to adopt a resolution nominating candidates Emilio Perez-Jimenez, Tim Edwards, Vickie Boulden, Bob Reeves, and John Begnaud as candidates for the Board of Directors of the Tom Green County Appraisal District for the 2010-2012 Term, was made by Mayor Pro Tempore Hogg and seconded by Councilmember Adams. Motion carried unanimously.

Annex A, Page, “Resolution”

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Vol. 103

Minutes
October 4, 2011

ADOPTION OF A RESOLUTION NOMINATING CANDIDATES FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT (ANNEX E, PAGE 71, RESOLUTION #2011-09-109R)

City Clerk Alicia Ramirez presented background information.

Motion, to adopt the Resolution, as presented, was made by Councilmember Morrison and seconded by Councilmember Adams. Motion carried unanimously.

Nominees: John Begnaud, John Conn, Russell DeVore, Louis Gomez, and Bob Reeves

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Minutes
September 17, 2013

ADOPTION OF A RESOLUTION NOMINATING CANDIDATE(S) FOR BOARD OF DIRECTORS OF TOM GREEN COUNTY APPRAISAL DISTRICT (ANNEX E, PAGE 71, RESOLUTION #2011-09-109R)

City Clerk Alicia Ramirez presented background information.

Mayor Morrison suggested nominating the existing members: John Begnaud, John Conn, Russell DeVore, Louis Gomez, and Bob Reeves. Council concurred.

Motion, to adopt the Resolution, as presented, was made by Councilmember Vardeman and seconded by Councilmember Farmer. Motion carried unanimously.

Minutes
October 6, 2015

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- d. Consider adopting a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the 2016-2017 Term (Pg. 833, #2015-10-285)

A presentation was made by City Clerk Bryan Kendrick. A copy of the report is part of the permanent supplemental record.

Motion: Council Member Silvas made a motion, seconded by Council Member Self, to nominate John Begnaud, John Conn, Russell DeVore, Louis Gomez, and Bob Reeves. The motion carried unanimously six (6) ayes to zero (0) nays.

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Minutes
November 12, 2015

- f. Consider adopting a resolution setting out number of votes to be cast for nominees for Board of Directors of Tom Green County Appraisal District (pg. 43, #2015-11-295)

A presentation was made by City Clerk Bryan Kendrick. A copy of the report is part of the permanent supplemental record.

Motion: Council Member Farmer made a motion, seconded by Council Member Silvas, to approve the resolution, splitting the Council's votes evenly among their nominees with the remaining votes going to John Begnaud. The motion carried unanimously six (6) ayes to zero (0) nays.

Nominee Name:	Number of Votes Cast
1. John Begnaud	<u>261</u>
2. John Conn	<u>258</u>
3. Mike Diaz	<u>0</u>
4. Louis P. Gomez	<u>258</u>
5. Louis Hall	<u>258</u>
6. Bob Reeves	<u>258</u>

- d. Consider adopting a resolution nominating candidates to serve on the Board of Directors of the Tom Green County Appraisal District for the 2018-2019 Term (A presentation was made by City Clerk Bryan Kendrick) **(Pg. 285, #2017-10-146)**

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to adopt a resolution nominating John Begnaud, John Conn, Louis Gomez, Kandi Pool, and David Nowlin. The motion carried unanimously (7) ayes to (0) nays.

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- j. Adoption of a resolution setting out number of votes to be cast for nominees for Board of Directors of Tom Green County Appraisal District (A presentation was made by City Clerk Bryan Kendrick) **(#2017-11-166)**

Motion: Mayor Gunter made a motion, seconded by Council Member Hiebert, to adopt the resolution allocating 1001 votes to Kandi Pool, and 292 votes to David Nowlin. The motion carried unanimously (7) ayes to (0) nays.