



City Council Agenda 3/17/2020

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held March 17, 2020 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 March 18, 2020 as Texas Small Business Development Center Day

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 March 3, 2020 City Council regular meeting and special joint meeting with Planning Commission minutes (Julia Antilley)
- b. Consider authorizing the City Manager to purchase 0.034 acres out of Lots 20 and 21 and a portion of the adjacent abandoned alleyway, Block 15, Millspaugh Addition, from Bruce Johnson and Ila Johnson, for a public purpose, being a new railroad static display honoring our military, and execute all related documents as may be necessary or convenient to complete the purchase for consideration not to exceed \$3,500 (Cindy Preas)
- c. Consider approving a Task Order with Enprotec Hibbs and Todd, Inc (eHT) under RFQ ES-06-19, for professional services in the amount of \$127,500, budgeted for purchase in fiscal year 2020, for the design of the North Bentwood Lift Station project and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- d. Consider approving a Task Order with Enprotec Hibbs and Todd, Inc (eHT) under RFQ ES-06-19, for professional services in the amount of \$550,000 for the completion of the design for College Hills from Loop 306 to Ave. N and authorizing the City Manager to negotiate and execute all related documents (Kevin Pate)
- e. Consider approving a contract with ThyssenKrupp Elevator Corporation through TCPN# R150801 in an amount not to exceed \$102,264.48 for escalator repairs and authorizing the City Manager to negotiate and execute the contract and all related documents (Jeremy Valgardson)

- f. Consider a resolution for the release of a 20-ft wide sanitary sewer easement, being 0.164 acres within a Final Plat of Red Arroyo Hills Subdivision, Section One, located east of Southwest Blvd. between Sherwood Way and W. Houston Harte Expy. (Jon James)
- g. Consider approving an amendment to the agreement with Patterson & Associates for investment advisory services and authorizing the City Manager to negotiate and execute all related documents (Tina Dierschke)
- h. Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020 for capital items and projects (Tina Dierschke)
- i. First reading of an ordinance amending Chapter 10 "Traffic Control", Article 10.03 "Operation of Street Motor Vehicles", Division 4 "Specific Street Regulations", Section 10.03.095 "Oversize Loads" (Patrick Frerich)

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. Consider a resolution with respect to Republic Services, Inc. project and authorizing Mayor Gunter to execute certificates approving the resolution and public hearing (Presentation made by Solid Waste Contract Manager Jeremy Miller)

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. 551.071 - Consultation with Attorney regarding
 - 1. Ford Ranch
 - 2. West Texas Water Partnership
 - 3. Wardlaw et al. v. City of San Angelo and Lifepoint Church

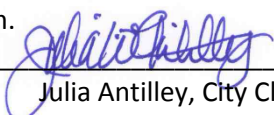
9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Discussion of proposed dates for Council Budget Workshops: July 14, 2020 (Enterprise Funds) and August 11, 2020 (General Fund)
- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 13th day of March 2020, at 11:57 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

The Texas Small Business Development Center Network has provided small business assistance starting and growing Texas's small businesses. The 2019 record year for Texas SBDC shows clients created 16,585 jobs, new tax revenue generated of \$147 million, with new sales of \$2.3 billion, and new financing and investments of \$8 billion.

The Angelo State University SBDC continues to demonstrate the hard work and commitment that has helped Texas become the nationwide leader in job creation and small business growth.

Therefore, I Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim March 18th as

TEXAS SMALL BUSINESS DEVELOPMENT CENTER DAY

in San Angelo, Texas and call this observance to the attention of all of our citizens.

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 March, 2020.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 3, 2020

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

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 8:30 a.m. on Tuesday, March 3, 2020, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer

San Angelo Police Department Chaplain Marcella Jenkins provided an invocation.

3. Pledges

MHMR cheerleaders and basketball players along with Klaridi and Khloe Odell (1st & 5th graders at Wall) led pledges.

4. Proclamations/Recognitions

March 2020 was proclaimed as Developmental Disabilities Awareness Month.

5. Special Announcement

This meeting will recess at 9:45 a.m. to hold a Special Joint Meeting with the Planning Commission. This meeting will reconvene at the conclusion of the Special Joint Meeting.

[Mayor Gunter announced the Special Joint Meeting for citizens in attendance without an Agenda.]

6. Public Comment

Neighborhood Services Director Bob Salas introduced Charlotte Anderson as the KSAB Director.

Health Director Sandra Villarreal gave an update on the coronavirus.

7. Consent Agenda

- a. Approval of the February 18, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to negotiate and execute a Lease Agreement with Shannon Medical Center for San Angelo Health Department Nursing Division office and clinic space at 2030 Pulliam St., Suite 8 for \$35,570.88 annually (Sandra Villarreal)
- c. Adoption of a resolution authorizing applicant, Golden Antlers Corporation, to hold a special event at Lake Nasworthy, "Live 80," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of ordinances (Carl White) (Pg. 147, 2020-028)
- d. Approval of items related to the May 2, 2020 General Election:
 1. Approval of the Certification of Unopposed Candidates
 2. Declaration of the unopposed Chief of Police candidate, Frank Carter, elected

3. Adoption of a resolution accepting an order declaring the election cancelled (Julia Antilley) (Pg. 151, 2020-029)

- e. Confirmation of appointments to MHMR Services for the Concho Valley Board of Trustees recommended by the Liaison Representative Committee (Julia Antilley)
- f. Authorization of the City Manager to negotiate and execute a license use agreement with Jason and Dana Calhoun to allow for parking within the S. Johnson St. public right-of-way adjacent to 2607-2635 S. Johnson St. (Jon James)
- g. Authorization of the City Manager to negotiate and execute a license use agreement with Amberly Watkins, representing Siber Investments II, LLC, to allow for an opaque privacy fence within the S. Park St. public right-of-way adjacent to 909 W. Beauregard Ave. (Jon James)
- h. Second reading of ordinances approving:
 - 1. Case CP20-01, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Transitional and Neighborhood Future Land Uses to the Neighborhood Center Future Land Use, being 32.4 acres located between Lutheran Way, Sunset Dr., W. Loop 306 Frontage Rd. and near Foster Rd. (Pg. 155, 2020-030)
 - 2. Case Z20-01, a rezoning from the Low-Rise Multi-Family zoning district to the Neighborhood Commercial zoning district, located at 3536 Lutheran Way (Jon James) (Pg. 158, 2020-031)

Motion: Council Member Carter made a motion, seconded by Council Member Thomas, to approve the Consent Agenda. The motion carried unanimously (6) ayes to (0) nays.

8. Regular Agenda

- a. Adoption of a resolution accepting the Tom Green County/City of San Angelo Hazard Mitigation Action Plan 2020 (Presentation made by Emergency Management Coordinator Jim Evans) (Pg. 161, 2020-032)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item as presented, with direction to create a policy or prepare a revision to this plan to ensure our partners (the county, hospitals, Goodfellow Air Force Base, Angelo State University, and the school district) know the City has a response plan for pandemics. The motion carried unanimously (6) ayes to (0) nays.

- b. Authorization of a cooperative purchase of High-Density Mineral Bond Surface Treatment (HA5) through an interlocal agreement with the City of Hurst, Texas in the amount of \$513,761.14 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Operations Assistant Director Patrick Frerich)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to move approval of the recommendation to purchase High-Density Mineral Bond treatment to Andale Construction in the sum of \$513,761.14 and authorize the City Manager to execute all related documents. The motion carried unanimously (6) ayes to (0) nays.

- c. Approval of allocating up to \$476,100 for equipment replacement, safety improvements, and visitor enhancement projects from the Texas Bank Sports Complex fund balance for facility improvements (Presentation made by Parks and Recreation Director Carl White)

Citizen Steve Hampton (SMD6) expressed concern.

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

- d. Authorization of the City Manager to negotiate and execute a Task Order with KSA Engineers, Inc. under RFQ AP-02-15, for professional services in the amount of \$169,541, for reconstruction of the entrance road to the San Angelo Regional Airport—Mathis Field; providing for amendment of FAA PFC Funding Application #11; and executing all related documents (Presentation made by Airport Director Jeremy Valgardson)

Citizen Steve Hampton (SMD6) expressed concern.

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the FAA PFC Funding Application #11 amendment today and to approve the Task Order (supporting option #4) funding contingent on a second reading of the Budget Amendment. The motion carried unanimously (6) ayes to (0) nays.

- e. Adoption of a resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation to provide funds for street improvement projects; and resolving other matters relating to the subject (Presentation made by Finance Director Tina Dierschke and Specialized Public Finance, Inc. representative Vince Viaille) (Pg. 163, 2020-033)

Citizen Steve Hampton (SMD6) expressed concern.

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

At 9:50 a.m. the Council recessed for a Special Joint Meeting with the Planning Commission.

At 11:10 a.m. The Council reconvened into Regular Session.

- f. Adoption of the following ordinances:
1. Adoption of an ordinance authorizing the issuance of City of San Angelo, Texas, General Obligation Refunding Bonds, Series 2020; establishing procedures and delegating authority for the sale and delivery of the bonds; levying an ad valorem tax; providing for the security and payment of said bonds; providing an effective date; and enacting other provisions relating to the subject (Pg. 166, 2020-034)
2. Adoption of an ordinance authorizing the issuance and sale of City of San Angelo, Texas Waterworks and Sewer System Revenue Refunding Bonds, Taxable Series 2020; establishing procedures for the sale and delivery of the Bonds; providing for the security for and payment of such Bonds; and authorizing and enacting other matters and provisions relating to the subject (Presentation made by Finance Director Tina Dierschke) (Pg. 195, 2020-035)

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

- g. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020, for capital items and projects (Presentation made by Finance Director Tina Dierschke)

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

New Quorum Present for remainder of meeting:

Mayor Brenda Gunter

Mayor Pro tem Harry Thomas, SMD 3

Council Member Tommy Hiebert, SMD 1

Council Member Lucy Gonzales, SMD 4

Council Member Lane Carter, SMD 5

9. Closed Session

The City Council of the City of San Angelo reserves the right to adjourn into Closed Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized under the following sections of the Texas Government Code:

- a. 551.072 - Deliberations about Real Property regarding
1. Angelo Heights Addition, Block 15
- b. 551.071 - Consultation with Attorney regarding
1. Ford Ranch
2. West Texas Water Partnership

10. Follow Up and Administrative Issues

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

No action taken on this item.

- b. Approval of various Board nominations
Civic Events Advisory Board: Clara Freeze (SMD6) to a first term ending December 2021
Economic Development Corporation: Edward Carrasco (SMD1) to a third term and William Dendle (SMD2) to a third term, both ending February 2022
Public Art Commission: Anne Shahan (SMD4) to an unexpired term ending April 2021

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (5) ayes to (0) nays.

- c. Announcements and consideration of Future Agenda Items

All citizens were encouraged to vote today.

11. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (5) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:31 a.m.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

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.)

City of San Angelo, Texas
Special Joint City Council/Planning Commission Meeting
Tuesday, March 3, 2020

Council Members 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

Planning Commission Members Present:

Conoly Brooks, III, Mayoral Representative
Teri Jackson, SMD 3 Representative
Luke Uherick, SMD 1 Representative
Joe Self, SMD 2 Representative
Ryan Smith, SMD 4 Representative
Travis Stribling, SMD 5 Representative

1. Call to Order

With a quorum of the City Council and Planning Commission present, Mayor Gunter called the special session to order at 9:58 a.m. on Tuesday, March 3, 2020, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Public Comment

None.

3. Consent Agenda

- a. Discussion of matters related to the priorities for the Planning Commission moving forward

No action taken on this item.

4. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (12) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:03 a.m.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

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: March 17, 2020

Item type: Consent Item

Caption:

Consider authorizing the City Manager to purchase 0.034 acres out of Lots 20 and 21 and a portion of the adjacent abandoned alleyway, Block 15, Millspaugh Addition, from Bruce Johnson and Ila Johnson, for a public purpose, being a new railroad static display honoring our military, and execute all related documents as may be necessary or convenient to complete the purchase for consideration not to exceed \$3,500 (Cindy Preas)

Summary/History:

Staff seeks Council approval to acquire 0.034 acres out of Lots 20 and 21 and a portion of the adjacent abandoned alleyway, Block 15, Millspaugh Addition from Bruce Johnson and Ila Johnson, for a public use, being a new railroad static display honoring our military, for consideration not to exceed \$3,500.

The new display will be located on the 0.034 acre tract and the recently abandoned Ave D right-of-way, which was retained by the City of San Angelo for a public purpose. Historic Orient Depot, Inc. will be responsible for construction and maintenance costs associated with the new display.

Financial Impact:

Consideration not to exceed \$3,500.

Other Information/Recommendation:

Staff recommends authorizing the City Manager to execute all documents necessary or convenient for the acquisition of 0.034 acres from Bruce Johnson and Ila Johnson for a public purpose, being a new railroad static display honoring our military.

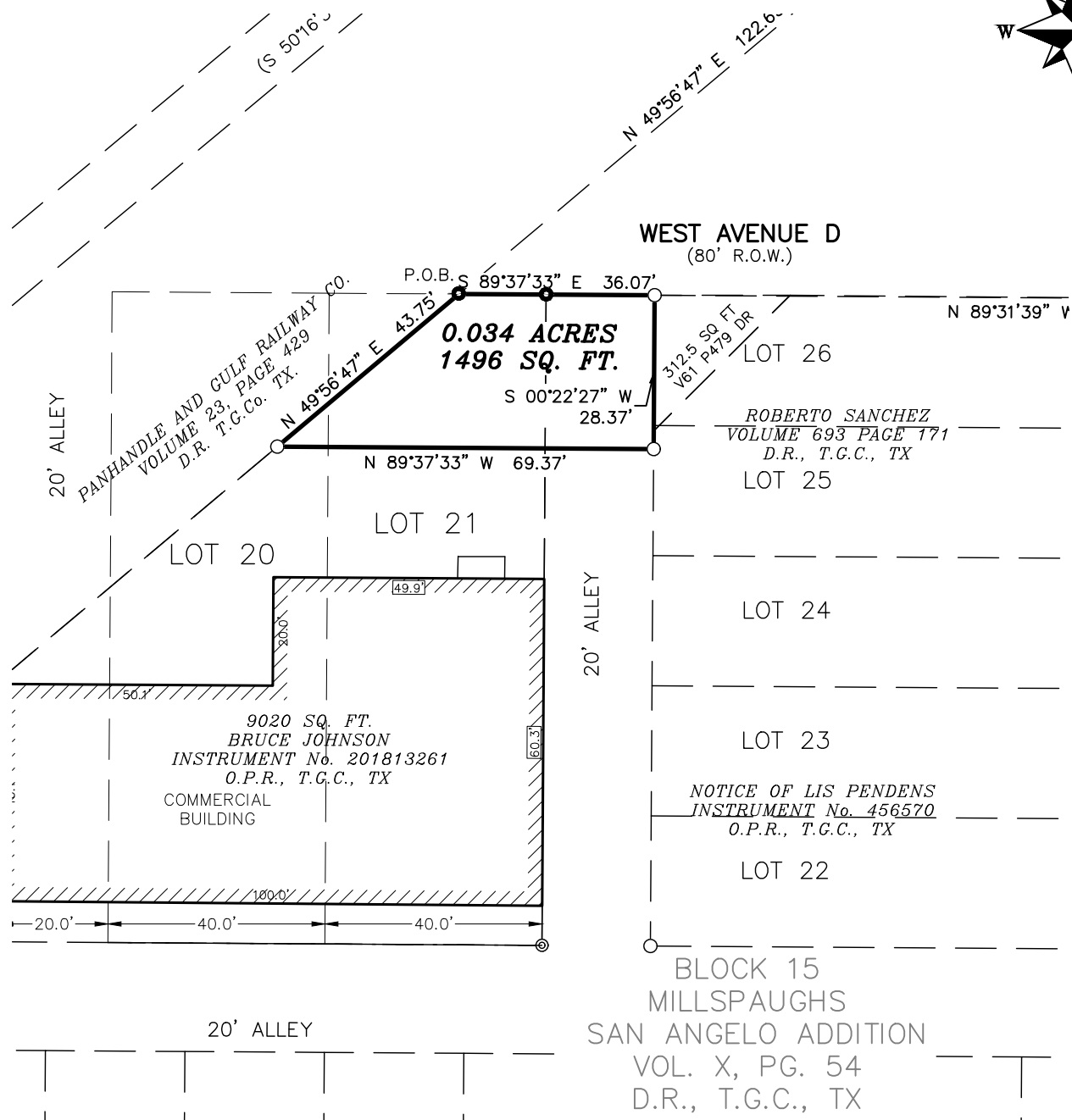
Attachments:

- | | | |
|----|----------|--------------|
| 1. | 0.034 AC | 0.034 AC.pdf |
|----|----------|--------------|

Presentation:

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



● FOUND 3/4" IRON PIPE
○ SET 1/2" IRON ROD CAPPED "MQI"
— SUBJECT PROPERTY BOUNDARY
— ADJACENT PROPERTY LINE
O.W. RIGHT-OF-WAY

1. FIELD NOTES TO ACCOMPANY THIS PLAT

BEARING BASIS HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCE FRAME NORTH AMERICAN DATUM 1983 (2011) (EPOCH 2010.0000), AS DETERMINED FROM GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SURVEY EQUIPMENT BY STATIC, VIRTUAL REFERENCE SYSTEM (VRS) NETWORK AND OR REAL TIME KINEMATIC (RTK). DISTANCES SHOWN HEREON ARE SHOWN AS GRID TEXAS STATE PLANE COORDINATE SYSTEM DISTANCES.

The seal is a circular emblem with a double-lined border. Inside the border, the words "STATE OF TEXAS" are curved along the top, and "REGISTERED" is curved along the bottom. A five-pointed star is positioned in the center. Below the star, the name "WESLEY RAY QUINN" is written in a straight line, followed by the number "6625". The words "PROFESSIONAL" and "LAND SURVEYOR" are curved along the left and right sides, respectively, flanking the central text.

Handwritten signature: *Handwritten signature*

0 30 60

A horizontal scale bar with alternating black and white segments. It is marked with '0' at the left end, '30' at the midpoint, and '60' at the right end. The bar is divided into four equal segments, each representing 15 feet.

MQI MCMILLAN AND QUINN INC.
LAND SURVEYING

FIRM NO. 10194241

P.O. BOX 3506 SAN ANGELO, TEXAS
PHONE: (325) 939-0043 EMAIL: info@mqjtx.com
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FIELD: Q
OFFICE: Q
JOB NO.: 20010009

COSA

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Water Utilities, 325-657-4201

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Consider approving a Task Order with Enprotec Hibbs and Todd, Inc (eHT) under RFQ ES-06-19, for professional services in the amount of \$127,500, budgeted for purchase in fiscal year 2020, for the design of the North Bentwood Lift Station project and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Summary/History:

The North Bentwood Lift Station has deteriorated to the point of needing major repairs. With the continued development in the sewer service area of the lift station, it also is at maximum pump capacity. In an agreement with three development entities with upcoming projects along with the condition of the existing system, the City is replacing and upgrading the sewer lift station and pumps to handle the increase loads.

General scope of the project includes:

- Preliminary and final design of a new lift station to replace the existing North Bentwood Lift Station, in accordance with City design standards and TCEQ regulations.
- Preliminary and final design of sewer lines to tie the new North Bentwood Lift Station into the existing City sewer system, in accordance with City design standards and TCEQ regulations.
- Assist the City with property acquisition for the proposed lift station in the general vicinity of the existing site.
- Assist the City with performing a geotechnical investigation of the proposed lift station site.

Financial Impact:

The total project cost estimate is \$1,447,500. Three development entities are contributing payments totaling \$247,500 in lieu of upgrading the pumps and electrical system; therefore, the funds can be put towards the overall project upgrades. The condition of this lift station is such that it would not be desirable to have new pumps installed in the current basin. The project balance will be paid from FY20 wastewater capital funds.

Other Information/Recommendation:

Staff recommends that the Task Order be awarded to Enprotec Hibbs & Todd, Inc. and the City Manager be authorized to execute any related documents.

Attachments:

- | | | |
|----|---|---|
| 1. | Exhibit A North Bentwood Lift Station Replacement_R1_3-6-2020 | Exhibit A North Bentwood Lift Station Replacement_R1_3-6-2020.pdf |
| 2. | Exhibit B North Bentwood Lift Station Replacement_R2_3-9-2020 | Exhibit B North Bentwood Lift Station Replacement_R2_3-9-2020.pdf |
| 3. | 2020 March 17 CC eHT 6.c | 2020 March 17 CC eHT 6.c.pdf |

Presentation:

Andy Vecellio

Approvals/Reviews:

Charles Michalewicz

Allison Strube

Theresa James

Nolan Sosa

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

EXHIBIT "A"

SCOPE OF SERVICES NORTH BENTWOOD LIFT STATION REPLACEMENT

Provider shall provide Basic and Additional Services associated with TASK ORDER NO. 2 between the CITY and PROVIDER for Professional Services dated _____, 2020 for the City of San Angelo North Bentwood Lift Station Replacement Project. General scope of the project to include:

- Design Wastewater Lift Station to replace the existing North Bentwood Lift Station, in accordance with City design standards and TCEQ regulations.
- Assist the City with property acquisition for the proposed lift station in the general vicinity of the existing site.
- Assist the City with performing a geotechnical investigation of the proposed lift station site.

I. Basic Services

A. Preliminary Design Phase

1. Under the Preliminary Design Phase, Provider shall perform the following tasks:

- a. Develop and review replacement lift station design criteria with the City and inspect the existing lift station site.
- b. Coordination of Design Survey information, including legal property boundaries, existing lift station improvements, upstream manhole and existing force main discharge manhole. City to locate and open existing manholes for survey.
- c. Coordinate collection of Geotechnical Samples at proposed lift station site.
- d. Advise City if additional reports, data, information, or services of the types not contained in this Agreement are necessary and assist City in obtaining such reports, data, information, or Services.
- e. Develop preliminary design drawings for the Bentwood Lift Station Improvements:
- f. Furnish the Preliminary Design Phase drawings to and review them with City.
- g. Based on the information contained in the Preliminary Design Phase drawings, submit an Opinion of Probable Construction Cost (OPCC) for construction of the proposed wastewater system improvements.
- h. Provider's Services under the Preliminary Design Phase will be considered complete when the Preliminary Design Phase documents required above have been delivered to the City, reviewed by the City and provided for public comment. Provider will assist City with presentation of the Preliminary Design Phase concept, if requested by the City.

B. Final Design Phase

1. Under the Final Design Phase, Provider shall perform the following tasks:

- a. Prepare final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor. Specifications will be prepared, where

appropriate, in general conformance with standard City specification format.

- b. Advise City of any adjustments to the OPCC and any adjustments to Total Project Costs known to Provider.
 - c. Furnish the Design Phase documents to and review them with City. Make any final modifications or changes as requested by the City.
 - d. Submit 2 copies and 1 pdf of the final Design Phase Documents and OPCC to City.
 - e. Provide project AutoCAD drawing files to the City for use in development of as-built drawings.
2. Provider's Services under the Final Design Phase will be considered complete on the date when the final copies of the Design Phase Documents required above have been delivered.

C. Bid Phase

1. After acceptance by City of the final Design Phase Documents and the most recent OPCC as determined in the Final Design Phase, Provider shall perform the following tasks:
 - a. Assist City in advertising for and obtaining proposals for the Work for the prime contract and, if applicable, attend a pre-Bid conference.
 - b. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
 - c. Consult with City as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Contractor for those portions of the Work as to which such acceptability is required by the Bidding Documents.
 - d. Assist City in evaluating bids or proposals.
 - e. City will deliver to Provider an electronic copy of the bid proposals and will review the qualifications of the low bidder along with the Provider. After review and discussion of low bidder qualifications between City and Provider, Provider will develop an Engineer's letter of recommendation of award.
2. The Bidding Phase will be considered complete upon commencement of the Construction Phase or upon cessation of negotiations with prospective Contractors.

II. Basic Services - Construction Phase

- A. *General Administration of Construction Contract* – The City will provide General Administration of the Construction Contract. Provider will assist as defined below and otherwise requested by City.
- B. With written notice to proceed, Provider shall provide the following services for the prime contract:
 1. *Pre-Construction Conference*. Attend and participate in a Pre-Construction Conference hosted by the City prior to commencement of Work at the Site.
 2. *Visits to Site and Observation of Construction*. In connection with observations of Contractor's work in progress while it is in progress:

- a. Perform site visits at critical stages of Work (start-up, final completion) and upon request by the City.
 - b. Make periodic visits to the Site at intervals appropriate to the various stages of construction, as Provider deems necessary, in order to observe as an experienced and qualified design professional the progress and quality of the Work. Such visits and observations by Provider, and the Project Inspector, if any, are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress or to involve detailed inspections of Contractor's work in progress beyond the responsibilities specifically assigned to Provider in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Provider's exercise of professional judgment as assisted by the Project Inspector, if any. Based on information obtained during such visits and such observations, Provider will determine in general if Contractor's work is proceeding in accordance with the Contract Documents, and Provider shall keep City informed of the progress of the Work.
 - c. The purpose of Provider's visits to, and representation by the Project Inspector, if any, at the Site, will be to enable Provider to better carry out the duties and responsibilities assigned to and undertaken by Provider during the Construction Phase, and, in addition, by the exercise of Provider's efforts as an experienced and qualified design professional, to provide for City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. Provider shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Provider have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, or for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Provider neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
 - d. The City will perform project inspection and construction oversight. Copies of inspection reports shall be provided by the City to the Provider.
4. *Defective Work.* Recommended to City that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Provider believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
 5. *Clarifications and Interpretations; Field Orders.* Issue necessary clarifications and interpretations of the Contract Documents to allow the orderly completion of the Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Provider may issue Field Orders through the City's representative, authorizing minor variations from the requirements of the Contract Documents.
 6. *Change Orders and Work Change Directives.* Recommend Change Orders and Work Change Directives to the City, as appropriate, and support the City in the preparation of Change Orders and Work Change Directives as required.
 7. *Shop Drawings and Samples.* Review and take appropriate action in respect to Shop Drawings and

Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto. Provider has an obligation to meet any Contractor's submittal schedule that has earlier been acceptable to Provider.

8. *Substitutes and "or-equal."* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor, but subject to a reasonable number of substitution requests.
 9. *Inspections and Tests.* Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Provider's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Provider shall be entitled to rely on the results of such tests.
 10. *Disagreements between City and Contractor.* Render formal written decisions on all claims of City and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of Contractor's work. In rendering such decisions, Provider shall be fair and not show partiality to City or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
 11. *Applications for Payment.* City will review and process applications for payment.
 12. *Contractor's Completion Documents.*
 - a. Receive and review maintenance and operating instructions, schedules, and guarantees.
 - b. Receive certificates of inspection, tests and approvals, Shop Drawings, samples and other data approved as specified, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. The extent of such Provider's review will be limited as stated.
 - c. Provider shall transmit these documents to City.
 13. *Substantial Completion.* Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with City and Contractor, conduct an inspection to determine if the Work is Substantially Complete.
 14. *Final Notice of Acceptability of the Work.* Conduct a final inspection to determine if the completed Work of Contractor is acceptable so that Provider may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Provider shall also provide a "Notice of Acceptability of Work" that the Work is acceptable to the best of Provider's knowledge, information, and belief and based on the extent of the services provided by Provider under this Agreement.
- C. *Duration of Construction Phase.* The Construction Phase will commence with the execution of the Construction Agreement and will terminate upon written recommendation by Provider for final payment to

Contractor.

- D. *Limitation of Responsibilities.* Provider shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing any of the Work. Provider shall not be responsible for failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.

III. *Post-Construction Phase*

- A. Under the Post-Construction Phase, Provider shall perform the following tasks:
1. Provide assistance in connection with the testing and adjusting of Project equipment or systems.
 2. Assist City in training City's staff to operate and maintain Project, equipment, and systems.
 3. Assist City in developing procedures for control of the operation and maintenance of, and record keeping for Project equipment and systems.
 4. Together with City, visit the Project to observe any apparent defects in the Work, assist City in consultations and discussions with Contractor concerning correction of any such defects, and make recommendations as to replacement or correction of Defective Work, if present.
 6. City will prepare Record Drawings using final design AutoCAD drawing files provided by eHT.
- B. The Post-Construction Phase services may commence during the Construction Phase and, if not otherwise modified in this Exhibit A, will terminate at the end of the Correction Period.

IV. *Additional Services – Having a Determined Scope and Requiring City's Authorization in Advance*

- A. With written notice to proceed, Provider shall provide the following additional services:
1. Provide coordination with Regulatory Agencies and required documents for Environmental clearance for the proposed Project after City approval of preliminary design.
 2. Provide Design Survey for wastewater collection system improvements, including preparation of legal description for property acquisition of lift station site.
 3. Provide and complete Geotechnical Investigations and Testing at the proposed lift station site after City approval of preliminary design.

V. *Additional Services- Not having a Determined Scope and Requiring City's Authorization in Advance*

- A. If authorized in writing by City, Provider shall furnish or obtain from others Additional Services of the types listed below. These services will be paid for by City.
1. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Provider or its design requirements including, but not limited to, changes in size, complexity, City's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date of this Agreement or are due to any other causes beyond Provider's control.

2. Furnishing services of Provider's Consultants for other than Basic Services, or authorized Additional Services.
3. Services attributable to multiple prime construction contracts, in excess of the one (1) contemplated under this Agreement.
4. Services during out-of-town travel required of Provider other than for visits to the Site or City's office, or the Texas Commission on Environmental Quality.
5. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by City; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.
6. Assistance in connection with Bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
7. Providing assistance in resolving any Hazardous Environmental Condition in compliance with current Laws and Regulations.
8. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other dispute resolution process related to the Project.
9. Other services performed or furnished by Provider not otherwise provided for in this Agreement.

EXHIBIT "B"

**COMPENSATION AND SCHEDULE
NORTH BENTWOOD LIFT STATION REPLACEMENT**

This EXHIBIT B, consisting of 3 pages, referred to in and part of TASK ORDER NO. 2 between CITY and PROVIDER for Professional Services dated _____, 2020 for the City of San Angelo North Bentwood Lift Station Replacement Project.

I. For Basic Services Having A Determined Scope – Lump Sum Method of Payment

A. CITY shall pay PROVIDER for Basic Services set forth in Exhibit A, as follows:

1. Lump Sum Amount of \$82,500.00 for basic services based on the following assumed distribution of compensation:

TASK I.A	Preliminary Design Phase	\$30,000
TASK I.B	Final Design Phase	\$45,000
TASK I.C	Bid Phase.....	\$7,500

2. PROVIDER may alter the distribution of compensation between individual tasks noted for basic services herein to be consistent with services actually rendered, but shall not exceed the total Lump Sum amounts unless approved in writing by the CITY.
3. The Lump Sum includes compensation for PROVIDER's services and services of PROVIDER's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Reimbursable Expenses.
4. The portion of the Lump Sum amount billed for PROVIDER's services will be based upon PROVIDER's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

II. For Basic Services Having a Determined Scope – Time & Expense Method of Payment

A. CITY shall pay Provider for Basic Services set forth in Exhibit A, as follows:

1. Time & Expense Amount of \$17,500.00 for basic services based upon the established Schedule of Charges. Estimated Not to Exceed (NTE) amount of compensation is as follows:

TASK II	Construction Phase	\$15,000
TASK III	Post Construction Phase.....	\$2,5000

B. Schedule of Charges is subject to an annual adjustment in January.

III. For Additional Services Having A Determined Scope – Time & Expense Method of Payment

A. CITY shall pay PROVIDER for Additional Services set forth in Exhibit A, as follows:

1. Time & Expense Amount of \$27,500.00 for additional services based upon the established Schedule of Charges for Additional Services. Estimated Not to Exceed (NTE) amounts of compensation are as

follows:

TASK IV.A.1	Environmental	\$10,000
TASK IV.A.2	Surveying.....	\$12,500
TASK IV.A.3	Geotechnical Investigation	\$5,000

B. Schedule of Charges is subject to an annual adjustment in January.

IV. Schedule of Services

A. Time of Completion for Design Phase Services of the project from written Notice to Proceed (NTP) are as follows:

TASK I.A	Preliminary Design Phase	60 days
TASK I.B	Final Design Phase	90 days

V. For Services Not Having A Determined Scope – Time and Expense Method of Payment

A. CITY shall pay PROVIDER for services not having a defined scope on a time and expense basis according to the following Schedule of Charges. Services not determined herein will not be performed unless authorized in writing by CITY.

B. Schedule of Charges

Charges include all salaries, salary expense, overhead, and profit.

Principal.....	\$ 210.00 per hour
Senior Project Manager	170.00 per hour
Project Manager	150.00 per hour
Senior Engineer / Geologist.....	140.00 per hour
Project Engineer / Geologist.....	125.00 per hour
Staff Engineer I / Geologist.....	115.00 per hour
Staff Engineer II / Geologist.....	95.00 per hour
RPLS I	145.00 per hour
RPLS II	95.00 per hour
Operations Specialist / Regulatory Compliance Specialist	135.00 per hour
Engineering Technician I	135.00 per hour
Engineering Technician II	110.00 per hour
Field Technician I	110.00 per hour
Field Technician II	85.00 per hour
CMT Tech I.....	70.00 per hour
CMT Tech II.....	65.00 per hour

Survey Tech I	80.00 per hour
Survey Tech II	60.00 per hour
CAD I	125.00 per hour
CAD II	105.00 per hour
CAD III	65.00 per hour
Administrative	65.00 per hour
Survey Party Conventional	190.00 per hour - 3 man
.....	155.00 per hour - 2 man
Robotic / GPS Survey Party	175.00 per hour

Expense Items

Consultants, Contractors & Supplies	Cost plus 10%
Travel (out of town only)	Current IRS rate per mile
Lodging and meals (out of town trips)	Actual cost

3/10/20

P:\ADMINISTRATIVE 1\HOURLY RATES\HRLY CHG - JANUARY 2020.DOC



City Council

March 17, 2020



Project Scope

- Replacement and upgrade of North Bentwood Lift Station
- Lift station is currently in a deteriorated condition and at maximum capacity
- Enprotec Hibbs and Todd (eHT) to provide design services in the amount of \$127,500



Project Financials

- Total estimated project cost of \$1,447,500
 - Developers' contribution of \$247,500
 - City contribution estimate of \$1,200,000
- The development entities have contributed \$247,500 in lieu of replacing pumps and electrical
- A project that replaces the lift station in its entirety is beneficial to both the City and developers

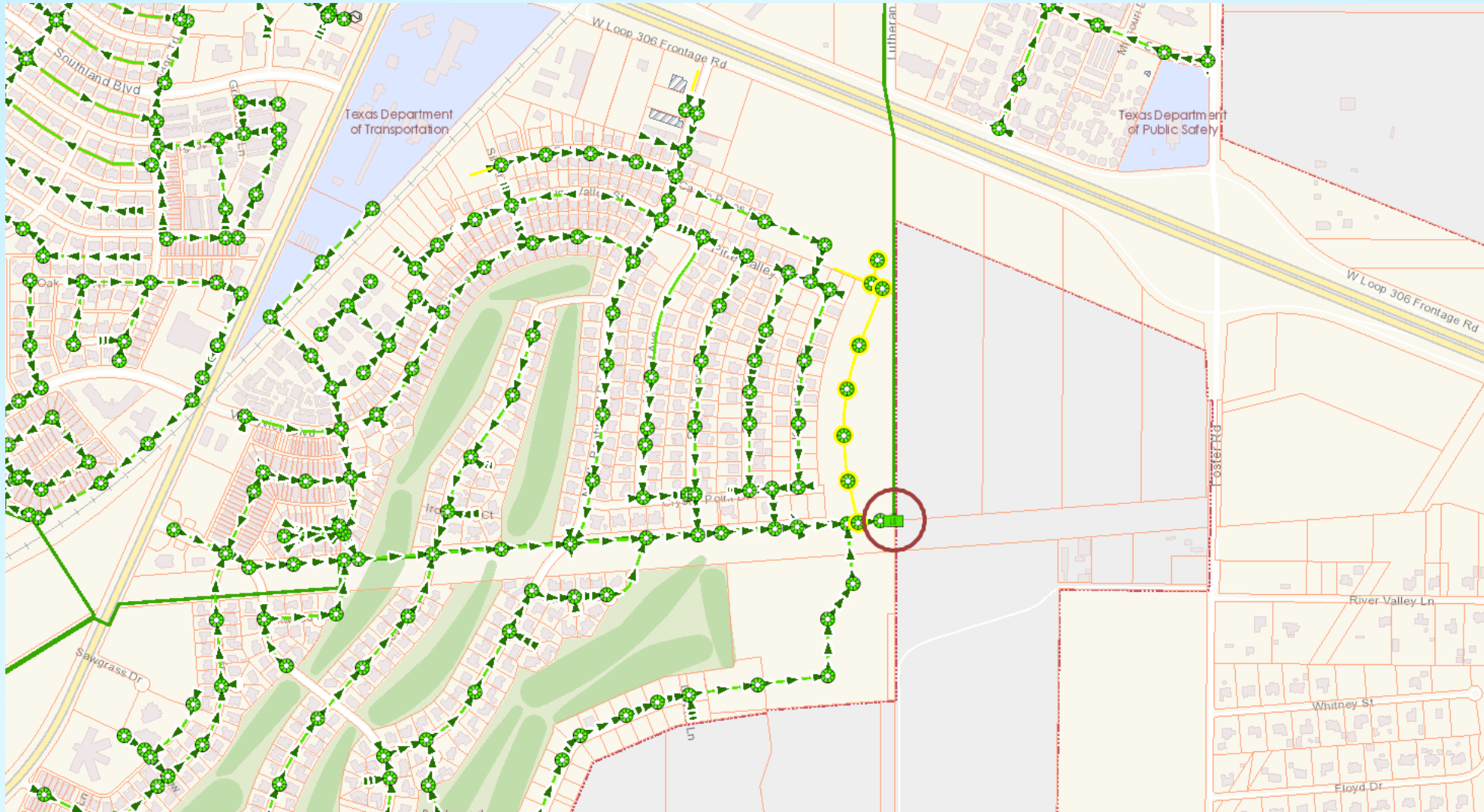


Project Design Services

- Preliminary design (including surveying)
- Final design
- Technical assistance for property acquisition
- Geotechnical investigation
- Environmental clearance
- Bid phase and construction phase services



Project Location – North Bentwood Lift Station



North Bentwood Lift Station – current condition



North Bentwood Lift Station – current condition





City Council

March 17, 2020



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Engineering Services, 325-657-4201

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Consider approving a Task Order with Enprotec Hibbs and Todd, Inc (eHT) under RFQ ES-06-19, for professional services in the amount of \$550,000 for the completion of the design for College Hills from Loop 306 to Ave. N and authorizing the City Manager to negotiate and execute all related documents (Kevin Pate)

Summary/History:

Project is currently at 60% design. After reviewing all options for drainage at the Red Arroyo, a revised scope has been determined, and a new task order requested to complete the design.

This is a reappropriation of the original approval under the old IDIQ.

During the application of the Build Grant and the initial evaluation of the Master drainage plan, the City suspended the design task awarded to eHT pending the direction and outcome of the study and grant.

Since the old engineering IDIQ contract is now expired, it is easier and more appropriate to assign a new task under the new IDIQ list to have this design completed through that mechanism.

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Charles Michalewicz
Lance Overstreet
Theresa James
Nolan Sosa
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeremy Valgardson, Airport Director, Airport, 325-659-6409

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Consider approving a contract with ThyssenKrupp Elevator Corporation through TCPN# R150801 in an amount not to exceed \$102,264.48 for escalator repairs and authorizing the City Manager to negotiate and execute the contract and all related documents (Jeremy Valgardson)

Summary/History:

The airport escalators failed their State inspection, and the State shut them down. ThyssenKrupp has been working on the escalators to get them fixed, but with the extensive write-ups, they require more action than just general maintenance.

Financial Impact:

The quoted price is \$102,264.48.

\$100,000 will come from the already budgeted airport RAMP grant.

The remaining \$2,264.48 will come from the airport operating fund.

Other Information/Recommendation:

Attachments:

- | | |
|--------------------------------|---------------------------------|
| 1. San Angelo Airport- Revised | San Angelo Airport- Revised.pdf |
|--------------------------------|---------------------------------|

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson	Created/Initiated
Jeremy Valgardson	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Repair Work Order



March 04, 2020

San Angelo Reg Airport Terminal Circle

Purchaser:	City Of San Angelo	Location:	San Angelo Reg Airport Terminal Circle
Address:	72 W College Ave San Angelo, TX 76903-5814	Address:	8618 Terminal Cir San Angelo, TX 76904-4096

Purchaser authorizes thyssenkrupp Elevator Corporation (referred to as "thyssenkrupp Elevator" hereafter) to perform the following work on the equipment and at the location described above, in exchange for the sum of **One Hundred Two Thousand Two Hundred Sixty Four Dollars and Forty Seven Cents (\$102,264.47)** inclusive of all applicable sales and use taxes pursuant to the terms and conditions contained in this Work Order (the "Work Order").

Summary:

Elevator	Description	Repair category
3	Escalator Repairs	Safety
2	Escalator Repairs	Safety

For further information, please see a detailed Scope of Work on the pages that follow.

In the event you have any questions regarding the content of this Work Order please contact me at +1 432 2122835 .

We appreciate your consideration.

Regards,

Shawn Riddle
thyssenkrupp Elevator Corporation
906 S Big Spring
Midland TX 79701
shawn.riddle@thyssenkrupp.com | +1 432 2122835

Notice:
No permits or inspections by others are included in this work, unless otherwise indicated herein.
Delivery and shipping is included. All work is to be performed during regular working days and hours as defined in this Work Order unless otherwise indicated herein.

Repair Work Order



Scope of Work

Pre-maintenance repairs for both escalators at the San Angelo Regional Airport as noted on most recent escalator inspection with QEI inspector. The union required expenses consist of hotel rooms and per diem that is required by the local having jurisdiction for this area. The shipping expense includes shipping for the escalator handrail contractors tools and travel plus living expenses.

Contract (TPCN/Omnia)- R150801

Scope of Work- Thyssenkrupp will provide the labor to replace and assist on replacing the handrails on both escalators. Thyssenkrupp will also replace the belts, the two different drive chains on both, the handrail drives, the right and left skirt seals, phenolic guides for steps, plastic step, edges handrail boots (right & left), and the demarcation lights.

Repair Work Order



Terms and Conditions

thyssenkrupp Elevator does not assume any responsibility for any part of the vertical transportation equipment other than the specific components that are described in this Work Order and then only to the extent thyssenkrupp Elevator has performed the work described above.

No work, service, examination or liability on the part of thyssenkrupp Elevator is intended, implied or included other than the work specifically described above. It is agreed that thyssenkrupp Elevator does not assume possession or control of any part of the vertical transportation equipment and that such remains Purchaser's exclusively as the owner, lessor, lessee, possessor, or manager thereof.

Unless otherwise stated herein, thyssenkrupp Elevator's performance of this Work Order is expressly contingent upon Purchaser securing permission or priority as required by all applicable governmental agencies and paying for any and all applicable permits or other similar documents.

It is agreed that thyssenkrupp Elevator's personnel shall be given a safe place in which to work. thyssenkrupp Elevator reserves the right to discontinue its work in the location above whenever, in its sole opinion, thyssenkrupp Elevator believes that any aspect of the location is in any way unsafe until such time as Purchaser has demonstrated, at its sole expense, that it has appropriately remedied the unsafe condition to thyssenkrupp Elevator's satisfaction. Unless otherwise agreed, it is understood that the work described above will be performed during regular working days and hours which are defined as Monday through Friday, 8:00 AM to 4:30 PM (except scheduled union holidays). If overtime is mutually agreed upon, an additional charge at thyssenkrupp Elevator's usual rates for such work shall be added to the price of this Work Order.

In consideration of thyssenkrupp Elevator performing the work described above Purchaser, to the fullest extent permitted by law, expressly agrees to indemnify, defend, save harmless, discharge, release and forever acquit thyssenkrupp Elevator, its employees, officers, agents, affiliates, and subsidiaries from and against any and all claims, demands, suits, and proceedings made or brought against thyssenkrupp Elevator, its employees, officers, agents, affiliates and subsidiaries for loss, property damage (including damage to the equipment which is the subject matter of this Work Order), personal injury or death that are alleged to have been caused by Purchaser or any others in connection with the presence, use, misuse, maintenance, installation, removal, manufacture, design, operation or condition of the vertical transportation equipment that is the subject of this Work Order, or the associated areas surrounding such equipment. Purchaser's duty to indemnify does not apply to the extent that the loss, property damage (including damage to the equipment which is the subject matter of this Work Order), personal injury or death is determined to be caused by or resulting from the negligence of thyssenkrupp Elevator and/or its employees. Purchaser recognizes, however, that its obligation to defend thyssenkrupp Elevator and its employees, officers, agents, affiliates and subsidiaries under this clause is broader and distinct from its duty to indemnify and specifically includes payment of all attorney's fees, court costs, interest and any other expenses of litigation arising out of such claims or lawsuits.

Purchaser expressly agrees to name thyssenkrupp Elevator along with its officers, agents, affiliates and subsidiaries as additional insureds in Purchaser's liability and any excess (umbrella) liability insurance policy(ies). Such insurance must insure thyssenkrupp Elevator, along with its officers, agents, affiliates and subsidiaries for those claims and/or losses referenced in the above paragraph, and for claims and/or losses arising from the negligence or legal responsibility of thyssenkrupp Elevator and/or its officers, agents, affiliates and subsidiaries. Such insurance must specify that its coverage is primary and non-contributory. Purchaser hereby waives the right of subrogation.

thyssenkrupp Elevator shall not be liable for any loss, damage or delay caused by acts of government, labor, troubles, strikes, lockouts, fire, explosions, theft, riot, civil commotion, war, malicious mischief, acts of God, or any cause beyond its control. thyssenkrupp Elevator Corporation shall automatically receive an extension of time commensurate with any delay regarding the work called for in this Work Order.

Should loss of or damage to thyssenkrupp Elevator's material, tools or work occur at the location that is the subject of this Work Order, Purchaser shall compensate thyssenkrupp Elevator therefor, unless such loss or damage results solely from thyssenkrupp Elevator's own acts or omissions.

If any drawings, illustrations or descriptive matter are furnished with this Work Order, they are approximate and are submitted only to show the general style and arrangement of equipment being offered. Work Order.

Purchaser shall bear all cost(s) for any reinspection of thyssenkrupp Elevator's work due to items outside the scope of this Work Order or for any inspection arising from the work of other trades requiring the assistance of thyssenkrupp Elevator.

Purchaser expressly agrees to waive any and all claims for consequential, special or indirect damages arising out of the performance of this Work Order and specifically releases thyssenkrupp Elevator from any and all such claims.

A service charge of 1.5% per month, or the highest legal rate, whichever is less, shall apply to delinquent accounts. In the event of any default of any of the payment provisions herein, Purchaser agrees to pay, in addition to any defaulted amount, any attorney fees, court costs and all other expenses, fees and costs incurred by thyssenkrupp Elevator in connection with the collection of that defaulted amount.

Purchaser agrees that this Work Order shall be construed and enforced in accordance with the laws of the state where the vertical transportation equipment that is the subject of this Work Order is located and consents to jurisdiction of the courts, both state and Federal, of that as to all matters and disputes arising out of this Work Order. Purchaser further agrees to waive trial by jury for all such matters and disputes.

The rights of thyssenkrupp Elevator under this Work Order shall be cumulative and the failure on the part of the thyssenkrupp Elevator to exercise any rights given hereunder shall not operate to forfeit or waive any of said rights and any extension, indulgence or change by thyssenkrupp Elevator in the method, mode or manner of payment or any of its other rights shall not be construed as a waiver of any of its rights under this Work Order.

In the event any portion of this Work Order is deemed invalid or unenforceable by a court of law, such finding shall not affect the validity or enforceability of any other portion of this Work Order.

This Work Order shall be considered as having been drafted jointly by Purchaser and thyssenkrupp Elevator and shall not be construed or interpreted against either Purchaser or thyssenkrupp Elevator by reason of either Purchaser or thyssenkrupp Elevator's role in drafting same.

In the event Purchaser's acceptance of the work called for in this Work Order is in the form of a purchase order or other kind of document, the provisions, terms and conditions of this Work Order shall exclusively govern the relationship between thyssenkrupp Elevator and Purchaser with respect to the work described herein.

Repair Work Order



Acceptance

This Work Order is submitted for acceptance within 30 days from the date executed by thyssenkrupp Elevator. Unless otherwise stated, the Purchaser agrees to pay as follows: 50% upon signed acceptance of this Work Order and \$51,132.24 upon completion of the work described in this Work Order.

Purchaser's acceptance of this Work Order will constitute exclusively and entirely the agreement for the work herein described. All prior representations or agreements regarding this work, whether written or verbal, will be deemed to be merged herein, and no other changes in or additions to this Work Order will be recognized unless made in writing and properly executed by both parties. No agent or employee of thyssenkrupp Elevator shall have the authority to waive or modify any of the terms of this Work Order without the written approval of an authorized thyssenkrupp Elevator manager.

This Work Order specifically contemplates work outside the scope of any other contract currently in effect between the parties; any such contract shall be unaffected by this Work Order.

To indicate acceptance of this work order, please sign and return one (1) original of this agreement to the address shown below. Upon receipt of your written authorization and required materials and/or supplies, we shall implement the work called for in this Work Order.

City Of San Angelo (Purchaser):	thyssenkrupp Elevator Corporation Management Approval
By: _____ (Signature of Authorized Individual) Jeremy Valgardson _____ (Print or Type Name)	By: _____ (Signature of Branch Representative) Rick Russell _____ Branch Manager (Print or Type Title)
_____ (Date of Acceptance)	_____ (Date of Execution)

Please contact _____ to schedule work at the following phone number _____

Attn: Jeremy Valgardson
City Of San Angelo
72 W College Ave
San Angelo TX, 76903-5814

Date	Terms	Reference ID	Customer Reference # / PO
March 04, 2020	Immediate	ACIA-10C42W6	
Total Contract Price:			\$102,264.47
Down Payment:			(50%) \$51,132.24

For inquiries regarding your contract or services provided by thyssenkrupp Elevator, please contact your local account manager at +1 432 2122835. To make a payment by phone, please call 770-261-0025 with the reference information provided below.

Current and former service customers can now pay online at:
<https://secure.billtrust.com/thyssenkruppelevator/ig/one-time-payment>

Thank you for choosing thyssenkrupp Elevator. We appreciate your business.

Please detach the below section and provide along with payment.

Customer Name:	City Of San Angelo	Remit To:
Location Name:	San Angelo Reg Airport Terminal Circle	thyssenkrupp Elevator Corporation
Customer Number:	64069	3100 Interstate North Cir SE
Quote Number:	2020-2-832628	Ste 500
Reference ID:	ACIA-10C42W6	Atlanta, GA 30339-2227
Remittance Amount:	\$51,132	

Repair Completion Notice

to be signed at job completion

Date: _____
Repair Job #: _____

Building Name: San Angelo Reg Airport Terminal Circle
Street Address: 8618 Terminal Cir
City State, Zip: San Angelo, TX 76904-4096

Dear Jeremy Valgardson,

Thank you for allowing us the opportunity to perform the repair job listed above. We have completed the work as outlined in job # _____ and the unit is now up and running. You will receive a final bill for this work shortly.

We hope your experience was exceptional and look forward to serving you in the future. If you have any questions about the repair work or your service agreement, please check one of the boxes under "Follow-Up Request" and the appropriate person will contact you soon.

Customer Representative

Customer Name: Jeremy Valgardson

Print or Type Name

Customer Signature: _____
Signature of Authorized Individual

Title: _____
Print or Type Title

Date: _____
Date of acceptance

Customer Email: jeremy.valgardson@cosatx.us

Customer Email

thyssenkrupp Representative

Name: Shawn Riddle

Print or Type Name

Signature: _____
Signature of Authorized Individual

Title: Account Manager

Print or Type Title

Date: _____

Follow Up Request

If you would like a manager or department representative to contact you, please check one of the following:

☐ Sales Department

☐ Service Department

☐ Branch Manager

☐ Repair Department

Phone Number

Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Consider a resolution for the release of a 20-ft wide sanitary sewer easement, being 0.164 acres within a Final Plat of Red Arroyo Hills Subdivision, Section One, located east of Southwest Blvd. between Sherwood Way and W. Houston Harte Expy. (Jon James)

Summary/History:

The applicant intends to release the 20-foot wide, 0.164-acre portion of a sanitary sewer easement to allow a sewer main to be relocated to facilitate future commercial development. The original easement runs in an east-west direction along the south property line of 2580 Southwest Boulevard, located within Section 1 of the Red Arroyo Hills Addition subdivision. The applicant has received approval by the Planning Commission for a separate subdivision application, Section 13, to combine this property with several adjacent properties into a single commercial lot. The portion of the existing easement is located in the middle of these properties and restricts future development, and therefore, this application has been made for its release.

Financial Impact:

N/A

Other Information/Recommendation:

On February 17, 2020, the Planning Commission unanimously recommended **APPROVAL by a vote of 4-0** on the proposed Easement Release subject to two conditions of approval as outlined in the Staff Report.

Attachments:

- | | |
|--|---|
| 1. Staff Report (Easement, Red Arroyo Hills Sec 1) | Staff Report (Easement, Red Arroyo Hills Sec 1).pdf |
| 2. Resolution (Easement, Red Arroyo Hills Sec 1) | Resolution (Easement, Red Arroyo Hills Sec 1).docx |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

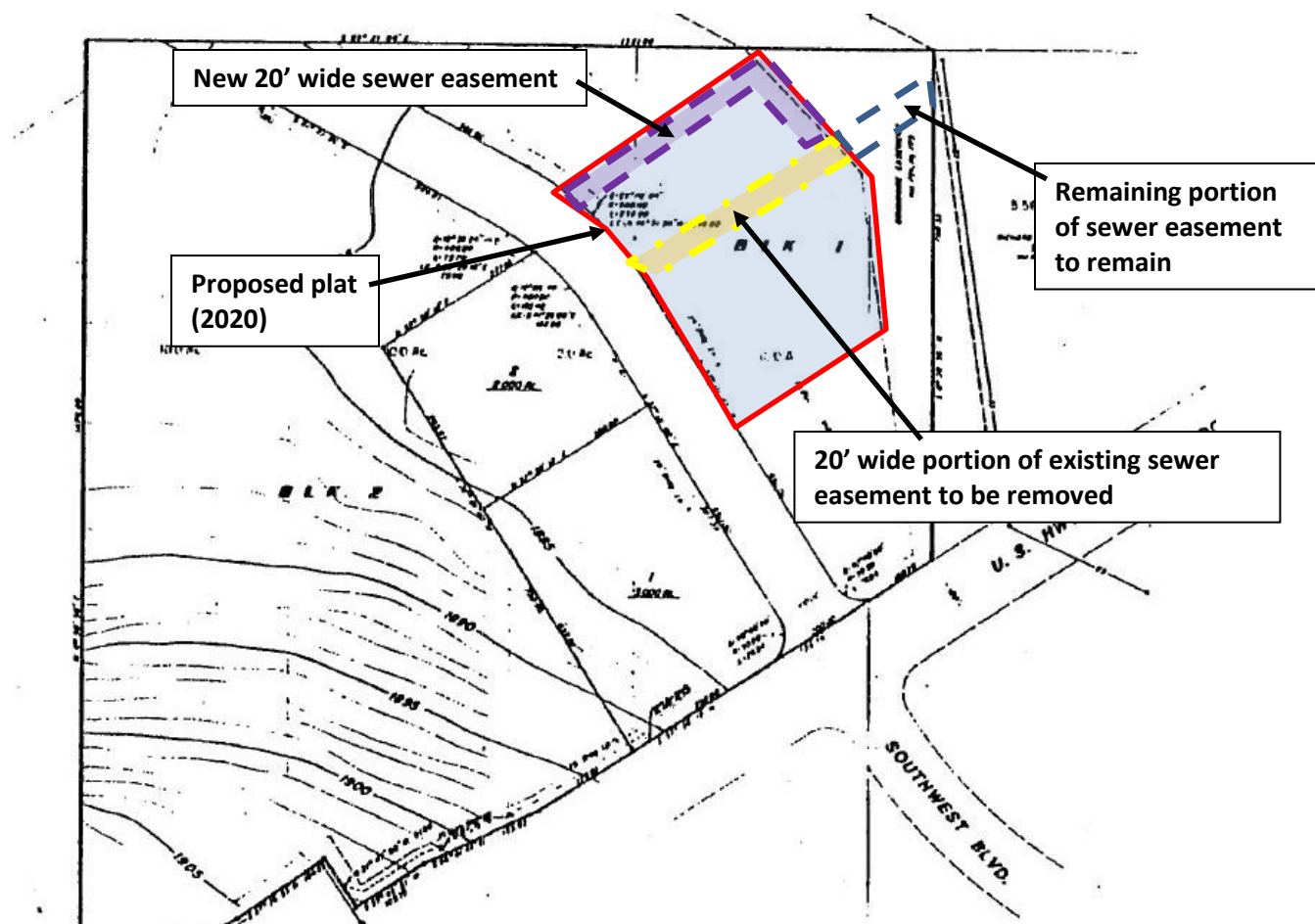
CITY COUNCIL – MARCH 17, 2020
STAFF REPORT



APPLICATION TYPE:	CASE:		
Easement Release	Easement Release (Red Arroyo Hills Addition, Section One)		
SYNOPSIS:			
The applicant intends to release a 20-foot wide, 0.164-acre portion of a sanitary sewer easement to allow a sewer main to be relocated to facilitate future commercial development. The original easement, and subsequent main, run in an east-west direction along the south property line of 2580 Southwest Boulevard, located within Section 1 of the Red Arroyo Hills Addition subdivision. The applicant has submitted a separate subdivision replat application, Section 13, to combine this property with several adjacent properties into a single commercial lot. The portion of the existing easement is located in the middle of these properties and restrict future development, and therefore, this application has been made for its release. A new easement as part of the replat will be established along the north property line and extending south 193.76 feet along the rear property line. The 10-foot utility easement running along the front of the property would remain unchanged.			
LOCATION:		LEGAL DESCRIPTION:	
2580, 2616, and 2634 Southwest Boulevard; located east of Southwest Boulevard between Sherwood Way and West Houston Harte Expressway		Being a portion of a 20-wide sanitary sewer easement in Red Arroyo Hills Addition, Section 1.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Billie DeWitt (SMD#6) Neighborhood: The Bluffs	CG	C – Commercial	0.164 acres
THOROUGHFARE PLAN:			
Southwest Boulevard – Urban Arterial Street Required: 80' right-of-way, 64' pavement Provided: 100' right-of-way, 64' pavement (5-foot sidewalk required for public safety at time of permitting)			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Easement Release of a 0.164-acre, 20-wide portion of an existing sanitary sewer easement in Red Arroyo Hills Addition, Section 1, subject to two Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner: 4 For Lee, LLC Agent: Mr. Russell Gully, SKG Engineering			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			



Proposed Easement Release and Relocation



Planning Commission Recommendation:

On February 17, 2020, the Planning Commission recommended unanimous **APPROVAL by a vote of 4-0** of the proposed Easement Release of a 0.164-acre, 20-wide portion of an existing sanitary sewer easement in Red Arroyo Hills Addition, Section 1, subject to two Conditions of Approval (see below). The following is the complete excerpt of the draft minutes from the February 17, 2020, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed Easement Release of a portion of a 20-foot wide sewer easement in Red Arroyo Hills Addition, Section One. He provided a diagram delineating the existing 20-foot sewer easement which is located in the plat that was just approved and which will be rerouted to the north and east of the property to allow future development. He noted that the released area is only the portion within the new subdivision plat for Section Thirteen.

Mr. Fisher outlined Staff's recommendation to approve the proposed easement release subject to the two conditions of approval as presented.

Chair Stribling opened public comment.

Mr. Russell Gully, SKG Engineering, representing the applicant, indicated that he requests that the case be approved as presented.

Chair Stribling closed public comment.

Vice-Chair Jackson made a motion to recommend APPROVAL of the release of a portion of a 20-foot wide sanitary sewer easement, being 0.164 acres within a Final Plat of Red Arroyo Hills Subdivision, Section One, subject to two conditions of approval as presented. Commissioner Self seconded the motion. The motion carried unanimously 4-0.

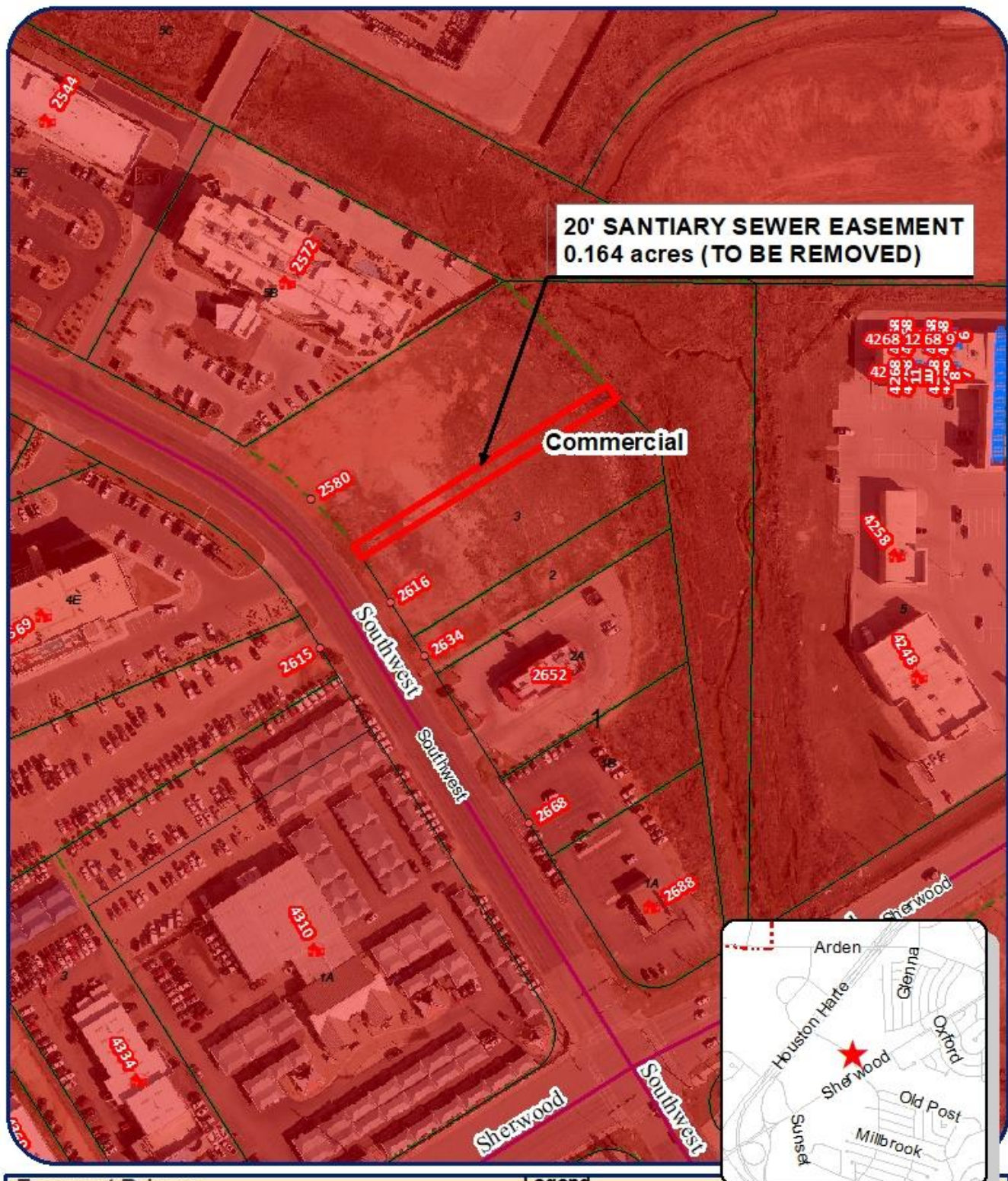
Recommendation: Staff recommend that City Council **APPROVE** the proposed Easement Release of a 0.164-acre, 20-wide portion of an existing sanitary sewer easement in Red Arroyo Hills Addition, Section 1, subject to **two Conditions of Approval:**

1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 4.I.F, release of the existing 20-foot sanitary sewer easement in the middle of the property shall require a resolution to be approved by City Council, and that this instrument be filed on record with the County Clerk's Office.
2. Prior to easement release, per Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications, prepare and submit plans for approval, illustrating the proposed rerouting of the existing sewer main and (if applicable) service connections, as per Land Development and Subdivision Ordinance, Chapter 12.I.B, and complete the installation of the rerouted main in accordance with the approved version of these plans.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application





Easement Release

2580 Southwest Boulevard

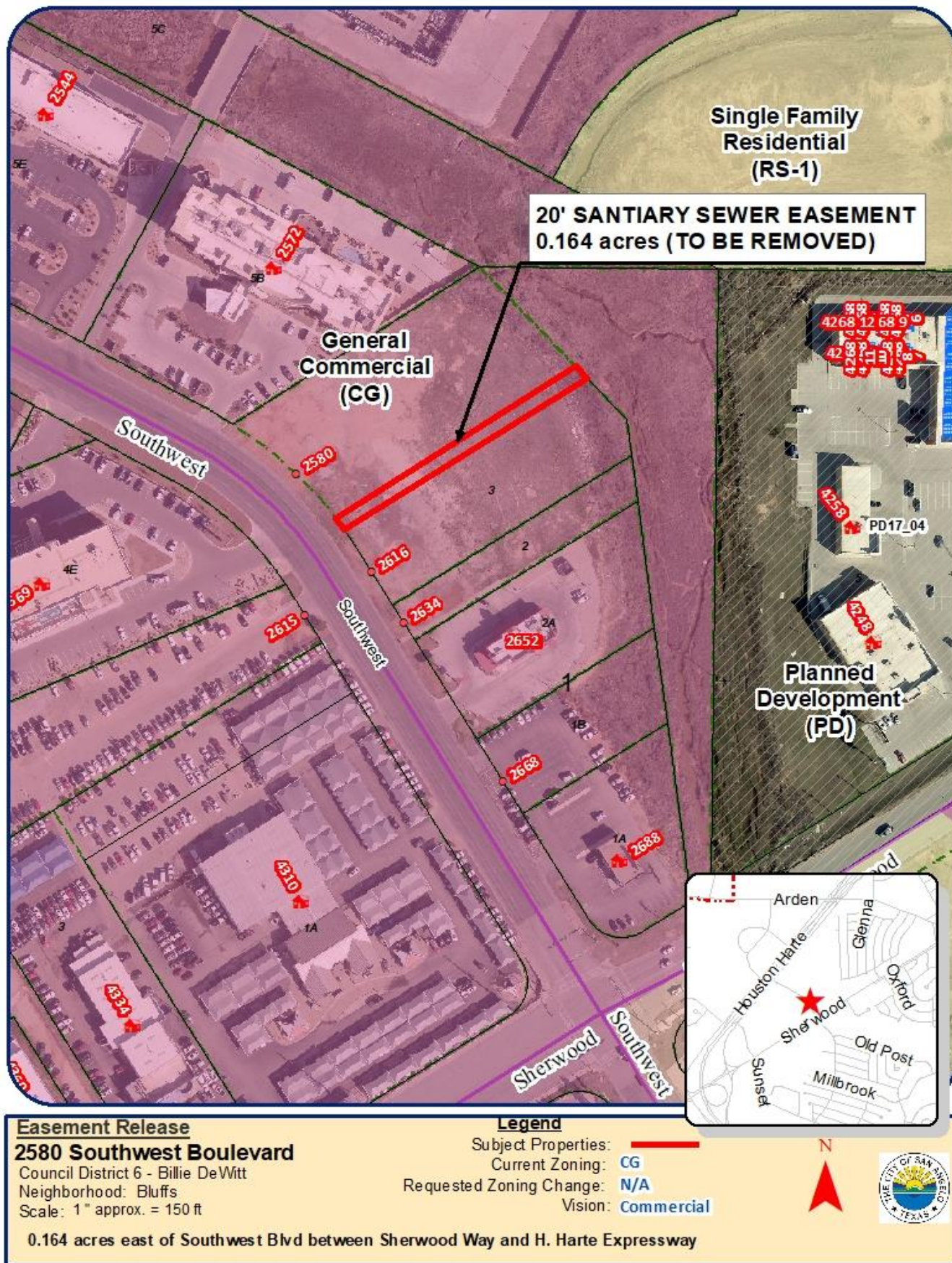
Council District 6 - Billie DeWitt
Neighborhood: Bluffs
Scale: 1" approx. = 150 ft

0.164 acres east of Southwest Blvd between Sherwood Way and H. Harte Expressway

Legend

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





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) *Sewer Easement*



Section 1: Basic Information

Name of Applicant(s): SKG ENGINEERING, LLC

☐ Owner ☒ Representative (Affidavit Required)

706 S. ABE ST. SAN ANGELO TX 76903
Mailing Address City State Zip Code

325-655-1288 RG@SKGE.COM
Contact Phone Number Contact E-mail Address

2616 SOUTHWEST BLVD. SAN ANGELO TX 76901
Subject Property Address City State Zip Code

LOT 3, BLOCK 1, SECTION 4, RED ARROYO HILLS ADDITION, CITY OF SAN ANGELO

Legal Description (can be found on property tax statement or at www.tamgreencad.com)

& 0.164 ACRES OUT OF A CERTAIN 20' SANITARY SEWER EASEMENT OF RED ARROYO HILLS SECTION 1

Lot Size: 0.94 ACRES Zoning: General Commercial

Section 2: Site Specific Details

Subdivision Name: RED ARROYO HILLS ADDITION

Lots and/or Blocks Affected*: LOT 3, BLOCK 1 SECTION 4 AND SECTION 1

General Description of Location*: ALONG THE NORTHWEST BOUNDARY OF LOT 3, BLOCK1

Reason for Abandonment*: RELOCATION

*Use attachment if necessary.

Easement Release in Red Arroyo Hills Addition, Section One
February 17, 2020

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

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application:

Non-Refundable Fee: \$

Receipt #:

Date paid:

Date of hearing by Planning Commission:

Date of hearing by City Council:

Reviewed/Accepted by:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS, ABANDONING, VACATING AND RELEASING A PORTION OF A 20-FOOT WIDE SANITARY SEWER EASEMENT TOTALING 0.164 ACRES, LOCATED IN RED ARROYO HILLS ADDITION, SECTION ONE; AUTHORIZING THE MAYOR TO EXECUTE A RELEASE OF EASEMENT AND RELATED DOCUMENTS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE; AND, AUTHORIZING RECORDING OF THE RELEASE.

WHEREAS, on November 4, 1987, a final plat of Red Arroyo Hills Addition, Section One, City of San Angelo, Tom Green County, Texas was recorded as Instrument No. 281040, Volume 55, Pages 678-9, Plat Records of Tom Green County, Texas (the "Plat"); and,

WHEREAS, said Plat created a 20 foot wide "Sanitary Sewer Easement"; and,

WHEREAS, 4 For Lee, LLC the owner of the property received approval by the Planning Commission on February 17, 2020, for a new subdivision, Red Arroyo Hills Addition, Section Thirteen, which removes a portion of the Sanitary Sewer Easement and establishes a new easement in a different location to allow future commercial development; and,

WHEREAS, 4 For Lee, LLC, has applied for official release by City Council of a portion of the Sanitary Sewer Easement as more particularly described and depicted on **Exhibit "A"**, attached to this Resolution; and,

WHEREAS, release of the same will allow the new subdivision, Red Arroyo Hills Addition, Section Thirteen to be recorded and the existing sewer main and any accessory sewer connections to be rerouted into the new easement; and,

WHEREAS, the City Council finds that the portion of the Sanitary Sewer Easement proposed to be released is no longer needed for any identifiable public purpose now or in the foreseeable future, and that it is in the public interest to abandon, vacate and release said portion of the Sanitary Sewer Easement;

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

- (a) The City Council of the City of San Angelo, Texas, hereby abandons, vacates and releases the portion of the Sanitary Sewer Easement, being 20 foot wide and containing 0.164 acres of land, as described and depicted on **Exhibit "A"**, attached hereto, existing within the bounds of Red Arroyo Hills Addition, Section One, recorded as Instrument No. 281040, Volume 55, Pages 678-9, Plat Records of Tom Green County, Texas.

- (b) The Mayor of the City of San Angelo is hereby authorized to execute and deliver a release of easement in a form approved by the City Attorney's Office officially abandoning, vacating and releasing the portion of the Sanitary Sewer Easement described and depicted on **Exhibit "A"**, insofar as the right, title and easement of the public are concerned.

PASSED, APPROVED AND ADOPTED on this the 17th day of March, 2020.

THE CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

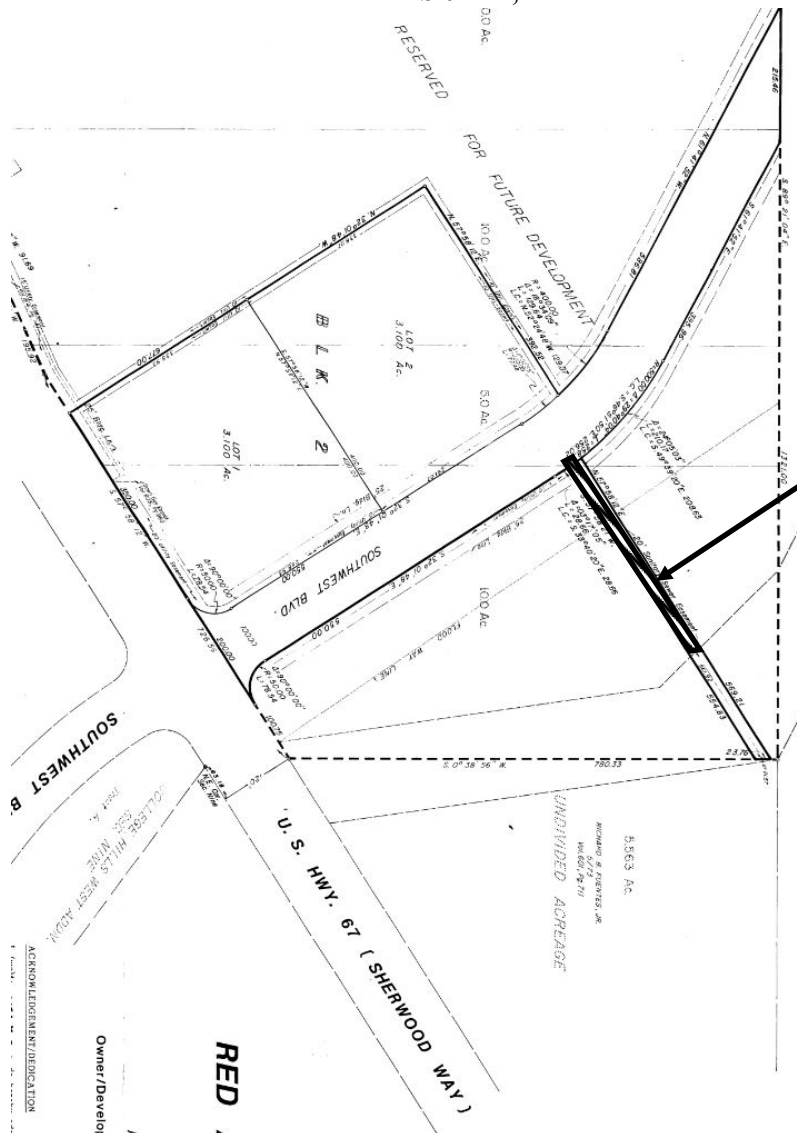
APPROVED AS TO CONTENT:

Jon James, AICP, Director of
Planning and Development Services

APPROVED AS TO FORM:

Theresa James,
City Attorney

Exhibit "A",



**20' WIDE
PORTION OF
SANITARY
SEWER
EASEMENT**

FINAL PLAT RED ARROYO HILLS ADDITION SECTION ONE

COMMERCIAL ACRES

An addition to : SAN ANGELO, TEXAS

Owner/Developer : WESTERN HILLS DEVELOPMENT CO., LTD.

Prepared by : S K ENGINEERING

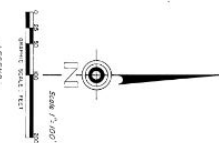
Date : MAY 20, 1987

ACKNOWLEDGMENT/JUDICATION

SURVEYORS CERTIFICATE



DESCRIPTION: Being a 3.523 Acre Tract
out of the west 35.00 acres of Plot 1000
in the Red Arroyo Hills Addition, Section One,
Tarrant County, Texas, as shown on the plat
of S. K. A. D. D. D. by Western Hills Development
dated December 31, 1985 and recorded in Vol. 244
of Pg. 247 of D.A.T. Co., out of A.E. White
County, Texas.



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Consider approving an amendment to the agreement with Patterson & Associates for investment advisory services and authorizing the City Manager to negotiate and execute all related documents (Tina Dierschke)

Summary/History:

Patterson & Associates (P & A) has been the City's investment advisor since 1999. During that time period, the fee has never increased. Staff recommends the following changes to the agreement with P & A:

- The fee will be increased from \$27,500 to \$37,500.
- Payment terms for the City will be net 30 in accordance with Purchasing standards.
- Payments will be due quarterly rather than monthly.
- Authorized representatives will be updated as appropriate in Exhibit D.

The renewal of this agreement comes with the support and consensus of the Investment Oversight Committee.

Financial Impact:

There is a proposed increase to the annual fee in the amount of \$10,000.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Tina Dierschke	Approved
Ryan Gaddy	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020 for capital items and projects (Tina Dierschke)

Summary/History:

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

- Reconstruction of Airport entrance road including lighting
- Keep San Angelo Beautiful contribution from Solid Waste

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | |
|----------------------------------|------------------------------------|
| 1. Ordinance 03.03.20 | Ordinance 03.03.20.docx |
| 2. BA Memo - ALL | BA Memo - ALL.pdf |
| 3. 03.03.20 FIN Budget Amendment | 03.03.20 FIN Budget Amendment.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 AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2019, AND ENDING SEPTEMBER 30, 2020, FOR CAPITAL
ITEMS AND PROJECTS.**

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2019-2020 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 3rd day of March, 2020, and APPROVED and ADOPTED on this 17th day of March.

ATTEST:

CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
Airport Passenger Facility Charges Fund	\$-	\$189,441	\$(189,441)
Keep San Angelo Beautiful Fund	\$50,000	\$50,000	\$-
	\$50,000	\$239,441	\$(189,441)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Design/engineering services for reconstruction of Airport entrance road	Airport Passenger Facility Charges Fund Balance	\$-	\$189,441	\$(189,441)
Budget for Hazardous Waste Disposal Project	Solid Waste	\$50,000	\$50,000	\$-
		\$50,000	\$239,441	\$(189,441)

Memo

To: Tina Dierschke, Finance Director

From: Robert Salas, Director of NFS

Date: 02/21/20

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget funds for the household hazardous waste disposal project.

Source of Funding:

Solid Waste fund

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

City council approved on 2/18/2020

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue		50,000	50,000
Expense		50,000	50,000
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Jeremy Valgardson, Airport Director

Date: 2/21/2020

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for engineering services/design related to the reconstruction of the airport entrance road and amendment to PFC Application #11.

Source of Funding:

PFC Fund Balance - this project has been approved by the FAA.

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
PFC Expense	0	189,441	189,441
			0
			0
			0
			0
			0

Additional Comments:



City Council

March 17, 2020



Budget Amendment

Keep San Angelo Beautiful Fund

Revenue

Expense

KSAB Revenue

\$50,000

KSAB Expense

\$50,000



Budget Amendment

Airport PFC Fund	Revenue	Expense
PFC Expense		\$189,441





City Council

March 17, 2020



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Frerich, Asst. Director of Operations, Operations, (325) 657-4206

Meeting Date: March 17, 2020

Item type: Consent Item

Caption:

First reading of an ordinance amending Chapter 10 "Traffic Control", Article 10.03 "Operation of Street Motor Vehicles", Division 4 "Specific Street Regulations", Section 10.03.095 "Oversize Loads" (Patrick Frerich)

Summary/History:

On November 7, 2017, City Council approved an ordinance restricting oversize loads meeting certain measurements from accessing the US 67 frontage road in front of Central High School.

This revision amends the ordinance as follows:

- 1) load width restrictions changed from 12-foot wide maximum to 13.6-feet wide maximum;
- 2) restricted times changed from 7:00 a.m. until 9:00 p.m. and 3:00 p.m. through 6:00 p.m. to 7:00 a.m. through 9:00 a.m. and 11:30 a.m. through 1:00 p.m. and 3:30 p.m. through 6:00 p.m.

These revisions were recommended by the Texas Department of Transportation as limitations that they could reasonably permit and that would alleviate disruption during the peak traffic hours along the frontage road and Bryant Blvd.

Second reading will include Public Hearing.

Financial Impact:

There is no fiscal impact to making these changes.

Other Information/Recommendation:

Staff recommends adopting the changes to Section 10.03.095 "Oversize Loads" of the Code of Ordinances as presented.

Attachments:

1. 1st Reading DRAFT Ordinance - 2020.03.17 1st Reading DRAFT Ordinance - 2020.03.17.docx

Presentation:

Approvals/Reviews:

Patrick Frerich
Shane Kelton
Theresa James
Nolan Sosa
Tina Dierschke

Created/Initiated
Approved
Approved
Approved
Approved

Theresa James
Julia Antilley

Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 10 “TRAFFIC CONTROL”, ARTICLE 10.03 “OPERATION OF MOTOR VEHICLES”, DIVISION 4 “SPECIFIC STREET REGULATIONS”, SECTION 10.03.095 “OVERSIZE LOADS” OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

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

SECTION 1. THAT Chapter 10 “Traffic Control”, Article 10.03 “Operation of Motor Vehicles”, Division 4 “Specific Street Regulations”, Section 10.03.095 “Oversize Loads” is hereby amended as set out below:

Sec. 10.03.095 Oversize Loads

Loads exceeding a 13.6-foot maximum width and/or a 95-foot maximum length shall be prohibited at the locations listed below at the times indicated:

- 1) From the junction of US 67 main lanes and frontage roads from Jefferson Street to Bryant Boulevard, Monday through Friday from 7 AM through 9 AM and 11:30 AM through 1 PM and 3:30 PM through 6 PM.”

SECTION 2. THAT any person, firm or corporation violating any provisions of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine as provided for in Section 1.01.009 of this Code. Each day of such violation shall constitute a separate offense.

SECTION 3. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

INTRODUCED on the 17th day of March, 2020 and finally PASSED, APPROVED AND ADOPTED with public hearing on this the 7th day of April, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeremy Miller, Solid Waste Contract Manager, Solid Waste, (325) 486-3798

Meeting Date: March 17, 2020

Item type: Regular Item

Caption:

Consider a resolution with respect to Republic Services, Inc. project and authorizing Mayor Gunter to execute certificates approving the resolution and public hearing (Presentation made by Solid Waste Contract Manager Jeremy Miller)

Summary/History:

Republic Services, Inc. ("Republic Services") has requested the MEDC issue \$86,000,000 of new bonds (the "New Money Bonds") in 2020 as part of a plan of finance to issue up to \$480,900,000 in bonds for capital improvements at twenty-nine (29) of their facilities in Texas over the next three years including their facility in the City of San Angelo. Republic Services has received \$86,000,000 in 2020 bond allocation from the Texas Bond Review Board.

The Resolution relates to approvals required for the proposed issuance by the MEDC of its Solid Waste Disposal Revenue Bonds (Republic Services, Inc. Project) and its Solid Waste Disposal Refunding Revenue Bonds (Republic Services, Inc. Project) (collectively, the "Bonds"). At the request of Republic Services, the MEDC proposes to issue Bonds and loan the proceeds thereof to Republic Services to provide funds to finance and/or refinance the costs of improvements to certain solid waste disposal facilities, including their facility located in San Angelo.

In order to permit Republic Services to use proceeds of tax-exempt Bonds for the solid waste disposal facilities located in San Angelo, approval of the City Council is required: (i) under Texas law (for the MEDC Issuer's Bonds) pursuant to the Development Corporation Act, Local Government Code, Chapter 501, as amended and (ii) under federal tax law a public hearing must be held pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.

Financial Impact:

Approval of this Resolution in no way imposes any payment or obligation on City of San Angelo in connection with the financing. Under no circumstances shall the City have any liability, financial obligation or responsibility of any kind with respect to the payment of the bonds issued for the local portion of the Project and it will not affect the City's bonding capacity.

Other Information/Recommendation:

Staff recommends approval of the proposed resolution.

Attachments:

- | | |
|---|---|
| 1. San Angelo (City) - Bond Counsel Letter | San Angelo (City) - Bond Counsel Letter.pdf |
| 2. DM-#6129017-v2-Certificate_and_Resolution_
_City_of_San_Angelo_(NM)_(Republic_2020) | DM-#6129017-v2-Certificate_and_Resolution_
_City_of_San_Angelo_(NM)_(Republic_2020).DOCX |
| 3. Republic Services - Std Times Proof | Republic Services - Std Times Proof.pdf |

Presentation:

Jeremy Miller

Approvals/Reviews:

Jeremy Miller

Theresa James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Final Approval

BRACEWELL

February 27, 2020

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

Re: Approval of Tax-Exempt Bonds To Be Issued on Behalf of Republic Services, Inc. — Proposed
Resolution for Adoption

Dear Mayor Gunter:

Enclosed is a proposed Resolution of the City Council of the City of San Angelo, Texas relating to the approval required in connection with the proposed issuance by the Mission Economic Development Corporation (the “Issuer”) of its Solid Waste Disposal Revenue Bonds (Republic Services, Inc. Project) Series 2020 (the “Bonds”).

At the request of Republic Services, Inc. (“Republic Services”), the Issuer proposes to issue the Bonds and loan the proceeds thereof to Republic Services to provide funds to finance the costs of improvements to certain solid waste disposal facilities, including certain facilities located in the City of San Angelo, as described in the proposed Resolution.

In order to permit Republic Services to use proceeds of tax-exempt Bonds for the solid waste disposal facilities located in your City, approval of the City Council of the City of San Angelo is required under Texas law pursuant to the Development Corporation Act, Local Government Code, Chapter 501, as amended, and approval of either the City Council or the Mayor is required under federal tax law pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.

As expressly stated in the Resolution, the approval of the City is not to be construed as a representation or warranty or other undertaking of any kind by the City with respect to the Bonds or the solid waste disposal facilities, and the City will not be obligated to pay the Bonds or otherwise incur any liability in respect thereof. Rather, the approval is to be granted solely for purposes of complying with Texas law and federal tax law.

Please let me know if you or any of the Councilmembers have any comments or questions regarding the proposed Resolution. I can be reached at (713) 221-1311 or paige.abernathy@bracewell.com. Thank you for your assistance.

Very truly yours



Paige Abernathy

Enclosures

T: 713.221.1311 F: 713.221.1212
711 Louisiana Street, Suite 2300, Houston, Texas 77002-2770

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
 §
CITY OF SAN ANGELO §

I, the undersigned City Clerk of the City of San Angelo, Texas, hereby certify as follows:

1. The City Council of the City of San Angelo, Texas, convened in regular meeting on March 17, 2020, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council and the City Clerk, to wit:

Brenda Gunter	Mayor
Tommy Hiebert	Councilmember
Tom Thompson	Councilmember
Harry Thomas	Councilmember
Lucy Gonzales	Councilmember
Lane Carter	Councilmember
Billie DeWitt	Councilmember

and all of said persons were present except for _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION WITH RESPECT TO REPUBLIC SERVICES, INC. PROJECT

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said order be adopted; and, after due discussion, said motion, carrying with it the adoption of said order, prevailed and carried by the following vote:

AYES: ____;

NOES: ____;

ABSTENTIONS: ____ .

2. A true, full and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; said order has been duly recorded in said City Council's minutes of said meeting; the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said order; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said order would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and said meeting was open to the public as required by law; and public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act.

SIGNED AND SEALED this _____, 2020.

City Clerk

(SEAL)

**RESOLUTION WITH RESPECT TO
REPUBLIC SERVICES, INC.
PROJECT**

WHEREAS, REPUBLIC SERVICES, INC. and its subsidiaries or affiliates (collectively, the “Company”) own and operate various solid waste disposal facilities throughout the State of Texas (collectively, the “Facilities”); and

WHEREAS, the Company has requested that Mission Economic Development Corporation (the “Issuer”) issue its Solid Waste Disposal Revenue Bonds (Republic Services, Inc. Project) Series 2020 or similarly captioned bonds in one or more series (the “Bonds”) to finance the costs of acquiring, constructing, equipping and improving the Facilities (collectively, the “Project”); and

WHEREAS, a portion of the Project consisting of the following site is located in the City of San Angelo, Texas (the “City”): 3002 Old Ballinger Hwy, San Angelo, Tom Green County, Texas 76905 (the “Local Portion of the Project”); and

WHEREAS, the aggregate maximum stated principal amount of the Bonds to be used to finance and refinance the Project is \$480,900,000, and the aggregate maximum stated principal amount of the Bonds to be used to finance the Local Portion of the Project is \$6,200,000; and

WHEREAS, in order for the Local Portion of the Project to be financed with the proceeds of the Bonds, the City Council (the “City Council”) of the City must request that the Issuer exercise its powers within the City for the purpose of issuing such Bonds to finance the Local Portion of the Project, such request being intended to satisfy the requirements of Section 501.159 of the Texas Development Corporation Act, Texas Local Government Code, Chapter 501, as amended (the “Act”); and

WHEREAS, the City Council desires hereby to make such request of the Issuer and to take other actions to enable the Issuer to issue the Bonds and the Company to use the proceeds thereof to finance the Local Portion of the Project; and

WHEREAS, approval of the City Council or the Mayor as the “applicable elected representative” is also required in connection with the issuance of the Bonds as tax-exempt bonds, in order to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) and the City Council desires hereby to give such approval.

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

Section 1. Third Party Financing. In order for the Local Portion of the Project to be financed as a part of the entire Project through the Issuer’s issuance of the Bonds, the Issuer is hereby requested to exercise its powers within the City for the purpose of issuing such Bonds in one or more series to finance the Local Portion of the Project over the next thirty-six months (the “Plan of Finance”). This request is intended to satisfy the requirements of Section 501.159 of the Act.

Section 2. Public Hearing to be Held and Approval for Federal Tax Purposes. In order to comply with Section 147(f) of the Code, a public hearing has been held by the City Council of the City, in which hearing members of the public were permitted to express their views with respect to the Project, the Plan of Finance and the issuance of the Bonds for such purpose. Notice of such hearing was published no

less than seven days prior to such hearing in a newspaper of general circulation in the City or electronically posted no less than seven days prior to such hearing on the City's website used to inform its residents about events affecting the residents of the City, and the affidavit of publication or Certificate of Approving Governmental Unit Regarding Posting of Notice of Public Hearing is attached hereto as **Exhibit A**. Based upon the results of such hearing, and for purposes of complying with Section 147(f) of the Code, the City Council hereby approves the Plan of Finance, the Bonds and the Local Portion of the Project to be financed by the Plan of Finance in the City.

SECTION 3. DISCLAIMER OF LIABILITY. THE CITY, THE CITY COUNCIL, THE MAYOR AND ALL OTHER CITY OFFICIALS MAKE NO REPRESENTATION OR WARRANTY OF ANY KIND WHATSOEVER WITH RESPECT TO THE PROJECT OR THE ISSUANCE, CREDITWORTHINESS OR REPAYMENT OF THE BONDS TO BE ISSUED BY THE ISSUER WITH RESPECT TO THE PROJECT. UNDER NO CIRCUMSTANCES SHALL THE CITY HAVE ANY LIABILITY, FINANCIAL OBLIGATION OR RESPONSIBILITY OF ANY KIND WITH RESPECT TO THE PAYMENT OF BONDS ISSUED FOR THE PROJECT OR FOR THE CONSTRUCTION, MAINTENANCE, OPERATION OR ANY OTHER ASPECT OF THE PROJECT.

PASSED AND APPROVED this 17th day of March, 2020.

EXHIBIT A

AFFIDAVIT OF PUBLICATION OF NOTICE OF PUBLIC HEARING

OR

**CERTIFICATE OF APPROVING GOVERNMENTAL UNIT REGARDING POSTING OF
NOTICE OF PUBLIC HEARING**

[Attached.]

Standard-Times

PART OF THE USA TODAY NETWORK

PROOF OF PUBLICATION

BRACEWELL LLP
711 LOUISIANA STREET, SUITE 2300

HOUSTON, TX 77002

State of Wisconsin, County of Brown

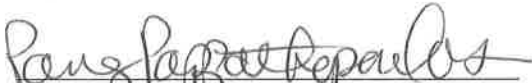
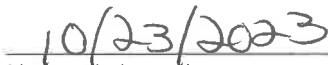
On **March 10, 2020**, personally appeared before me the undersigned, a Notary Public in and for said county and state, legal clerk of the **SAN ANGELO STANDARD-TIMES**, a daily newspaper published in San Angelo, County of TOM GREEN, State of Texas and of general circulation in the following counties: **Tom Green, Coke, Concho, Crockett, Irion, Kimble, Mason, McCulloch, Menard, Reagan, Runnels, Schleicher, Sterling, Sutton**. The attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in its issues thereof the following dates:

03/06/2020

Subscribed and sworn to before me on March 10, 2020



Legal Clerk


Notary Public, State of WI, County of Brown

My commission expires

PANG PAPPATHOPOULOS
Notary Public
State of Wisconsin

Publication Cost: \$511.35
Ad No: 0004096831
Customer No: 5124943636BRAC
PO #:
of Affidavits: 1

This is not an invoice

NOTICE OF PUBLIC
HEARING

MISSION ECONOMIC
DEVELOPMENT
CORPORATION
SOLID WASTE DISPOSAL
REVENUE BONDS
(REPUBLIC SERVICES,
INC. PROJECT)

Notice is hereby given of a public hearing to be held on behalf of the Mission Economic Development Corporation on March 17, 2020 at 8:30 a.m., in the South meeting room at McNease Convention Center, 501 Rio Concho Drive, San Angelo, TX 76903, with respect to a plan of finance including one or more series of bonds (the "Bonds") proposed to be issued in an aggregate maximum stated principal amount of \$480,900,000 by the Mission Economic Development Corporation (the "Issuer"). The proceeds of the Bonds will be loaned to Republic Services, Inc. and/or one or more subsidiaries or affiliates thereof (collectively, the "Borrower"), for the purpose of financing and/or refinancing certain infrastructure and capital improvements and equipment acquisitions related to their solid waste disposal facilities located throughout the State of Texas, including, for purposes of this hearing, those located at 3002 Old Ballinger Hwy, San Angelo, Tom Green County, Texas 76905, in the aggregate maximum stated principal amount of \$6,200,000 at such location (the "Project"). The initial legal owner and/or operator of the Project will be the Borrower.

The aforementioned public hearing will be conducted by Lee McCormick or his designee. All interested persons are invited to attend such public hearing and express their views with respect to the Project and the Bonds. Questions or requests for additional information may be directed to Mr. McCormick (telephone: (214) 256 3121). Any interested persons unable to attend the hearing may submit their views in writing to Mr. McCormick at 6988 Lebanon Rd., Ste. 103, Frisco, Texas 75034 prior to the date scheduled for the

hearing. Persons who intend to appear at the hearing and express their views are invited to contact Mr. McCormick at the address or telephone number set forth above.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986 regarding the public approval prerequisite to the exemption from federal income taxation of the interest on the Bonds.