



City Council Agenda 5/17/2022

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held May 17, 2022 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 & Pledges

3. Proclamations/Recognitions

- a. Proclamation of May 2022 as Older Americans Month
- b. Proclamation of May 2022 as Mental Health Awareness Month
- c. Proclamation of May 16 to June 16, 2022 as the San Angelo Area Foundation Building a Legacy of Philanthropy Month

4. 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 number, and limit their remarks to less than three minutes.

5. Consent Agenda

- a. Consider approving the May 3, 2022 City Council regular meeting minutes (Julia Antilley)
- b. Consider authorizing the Assistant City Manager to negotiate and execute an amended contract and all related documents with the Railway Museum of San Angelo in order to allow the City to participate in funding strategies for capital improvements to the property (Michael Dane)
- c. Consider awarding Task Order #6 under ES-06-19 Professional Services RFQ to Freese & Nichols, Inc. in the amount of \$162,175, for engineering services supporting the Texas Department of Parks and Wildlife Boating Access Grant for three boat ramp locations on Lake Nasworthy (Knickerbocker Rd., Beaty Rd., and S. Concho Dr.) for developing design and environmental documents, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- d. Consider a resolution allowing the Fire Department to accept a donation of various workout equipment with an estimated value of \$2,000 from Academy Sports & Outdoors (Cory Sanders)
- e. Second reading of an ordinance amending the budget for fiscal year October 1, 2021 and ending September 30, 2022 for a one-time transfer of \$480,000 from the Worker's Compensation Fund to the Property Casualty Fund (Charles Hagen)
- f. Second reading of an ordinance readopting Chapter 8 "Offenses and Nuisances," Article 8.07 "Minors," Division 2 "Curfew" of the Code of Ordinances of the City of San Angelo (Tracy Fincher)

- g. Second reading of an ordinance amending Chapter 2 "Administration and Personnel," Article 2.07 "Boards, Committees, and Commissions," regarding:
 - 1. Section 2.07.001 "Organization and Procedure" clarifying the Conflict of Interest provision
 - 2. Section 2.07.061 "Creation; members" clarifying the recent change to dividing the River Corridor into three areas (Julia Antilley)

6. 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 exempt from the time limit above and instead must limit their remarks to less than five minutes.

- a. Consider approving an agreement under BuyBoard Contract #635-21 with Insituform Technologies, LLC for the A&M Waterline Pipe Bursting Project in the amount of \$4,787,318.50 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Water Utilities Assistant Director Andy Vecellio)
- b. First reading and public hearing of an amendment to Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance," creating a new Section 205 "Site Plan Review," which codifies the site plan review process to ensure compliance with recent changes in state law (Presentation made by Planning & Development Services Director Jon James)
- c. First reading and public hearing of ordinances on the following cases for property being 0.322 acres located at 3202 and 3206 Abilene St.:
 - 1. CP22-03, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood Center to Residential
 - 2. Z22-09, a request for approval of a rezoning from the General Commercial to the Single-Family Residential zoning district (Presentation made by Planning & Development Services Director Jon James)

7. 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:

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session, if needed
- b. Consideration of approving various Board nominations:
 - Concho River Watermaster Advisory Committee:** Council Members Tom Thompson and Tommy Hiebert, Mayor Brenda Gunter, Daniel Valenzuela (City Manager), Allison Strube (Water Utilities Director), and Scott McWilliams (Upper Colorado River Authority) all to terms ending August 2024
 - Construction Board of Adjustments and Appeals:** Laura Beth Calvert (Mayor) to a first term ending February 2024
 - Design & Historic Review Commission:** Stacie Elkins (SMD3) to an unexpired term ending September 2022
 - Economic Development Corporation:** Farrah Gomez (SMD6) to an unexpired term ending February 2023

c. Announcements and consideration of Future Agenda Items

9. 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 11th day of May 2022, at 4:52 p.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 Concho Valley includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community.

Communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported.

The Concho Valley Council of Governments recognizes our need to create a community that provides the services and support older Americans need to thrive and live independently for as long as possible.

The Concho Valley can work to build an even better community for our older residents by planning programs that encourage independence, ensuring activities are responsive to individual needs and preferences, and increasing access to services that support aging in place.

Now, therefore, I, Brenda Gunter, Mayor of the City of San Angelo, do hereby proclaim May 2022 to be

OLDER AMERICANS MONTH

We urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.

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 May 2022.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

Mental health is essential to everyone's overall health and well-being.

All Americans experience times of difficulty and stress in their lives. Prevention is an effective way to reduce the burden of mental health conditions.

There is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being.

Mental health conditions are real and prevalent in our nation. With early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives.

Each business, school, government agency, healthcare provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council do hereby proclaim May 2022

MENTAL HEALTH AWARENESS MONTH

and call upon City of San Angelo residents to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

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 May 2022.

Brenda Gunter

Mayor of the City of San Angelo

Proclamation

The San Angelo Area Foundation enters its 20th year of working side by side with compassionate donors, serving as a community convener, assisting nonprofits and community partners to inspire ideas and ignite action.

An initial grant from the San Angelo Health Foundation and a collaborative vision of community leaders, the San Angelo Area Foundation has positively affected our community. Engaging donors and working toward a thriving community, the San Angelo Area Foundation manages over 400 funds, has received over \$240 million in contributions, and has granted more than \$130 million to many great philanthropies in the Concho Valley.

Through the vision of passionate donors and organizations, the San Angelo Area Foundation is investing in youth education through scholarships, recognizing students for their academic accomplishments. More than \$13.5 million has been awarded to over 5,000 area students through the San Angelo Area Foundation's scholarship program, helping to create a brighter future for area youth.

The San Angelo Area Foundation is the power behind San Angelo Gives. Donors from all corners of the region have generously given, pumping over \$18 million of charitable dollars into our community to support local charities responding to critical needs and providing needed services. San Angelo Gives enters our neighbors' hearts, unites donors, and empowers these local organizations to continue doing work that helps our community thrive.

The San Angelo Area Foundation is deeply rooted in the Concho Valley and continues to work with donors from all walks of life, representing diverse interests, passions, and reasons for giving.

Now, Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim May 16th through June 16th, 2022 as

SAN ANGEL AREA FOUNDATION'S BUILDING A LEGACY OF PHILANTHROPY MONTH

As the San Angelo Area Foundation celebrate its 20th year, the City of San Angelo is thankful for the positive impact created by donor's charitable visions and the continued commitment of the San Angelo Area Foundation to improve the quality of life in our community. We hope you will continue to work with the San Angelo Area Foundation in building a legacy of philanthropy.

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 May 2022.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, May 3, 2022

Present:

Mayor Brenda Gunter
Council Member Tommy Hiebert, SMD 1
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzalez, SMD 4
Council Member Karen Hesse Smith, SMD 5
Council Member Larry Miller, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, May 3, 2022, at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided by San Angelo Police Department Chaplain Gary Jenkins. Pledges were led by San Angelo Police Department Chaplain Marcella Jenkins.

3. Proclamations/Recognitions

May 6, 2022 was recognized as SAISD Difference Maker Day.

May 2022 was proclaimed Motorcycle Safety Awareness Month.

May 2022 was proclaimed Historic Preservation Month.

4. Public Comment

Vice President of San Angelo Destination Marketing Organization Diann Bayes announced this is National Travel & Tourism Week and Small Business Week. Ms. Bayes will be speaking Tuesday at Fort Concho on the future of travel (at the Chamber of Commerce Luncheon).

5. Consent Agenda

- a. Approval of the April 18, 2022 special meeting minutes (Julia Antilley)
- b. Authorization of the purchase of Hot-Applied Crack Seal Material from Crafcro, Inc. via Sourcewell Contract #080521-CFC in the amount of \$200,000, budgeted per fiscal year, and authorizing the City Manager to execute all related documents (Patrick Frerich)
- c. Consideration of a resolution authorizing the removal of the "Ran" sculpture at Civic League Park (Carl White) [DENIED]
- d. Adoption of a resolution authorizing the Solid Waste Department to provide funding to Keep San Angelo Beautiful in the amount of \$50,000 for a hazardous household waste collection event (Jeremy Miller) (Pg. 142, 2022-036)
- e. Ratification of an agreement between the City of San Angelo Development Corporation and Taurus Technologies, Inc. in the amount of \$48,200 via TIPS Contract # 210101 for technology upgrades in the Business Resource Center Training Room and Conference Room, and authorizing the Board President or their designee to execute all related documents (Guy Andrews)
- f. Acceptance of an annexation petition for 37.98 acres of land, being 36.60 acres and a 1.38-acre access easement, in the M. Mayer Survey No. 169, Abstract No. 1647, and part of Block 9, Upton

and Collins Subdivision, Tom Green County, Texas, located southeast of Country Club Rd. and S. Ratliff Rd., and setting a public hearing on the annexation for the June 7, 2022 City Council meeting (Jon James)

- g. Approval of abandoning, vacating, and releasing a 3,990-sq ft portion of a 20-ft wide utility easement in order to relocate a fire hydrant, located northeast of Pulliam St. and Smith Blvd., within Tract 4 of Block 1 of the Anne Gregory Addition, Section 2; and authorizing the City Manager to execute a release of easement for recording with the County Clerk and other related documents (Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the Consent Agenda as presented, with the exception of item 5c. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to deny the resolution, as presented by Parks & Recreation Director Carl White. The motion carried (5) ayes to (1) nay, with Council Member Thomas casting the dissenting vote. There was no public comment.

6. Regular Agenda

- a. Acceptance of the City's fiscal year 2021 Annual Comprehensive Financial Report and Single Audit (Presentation made by Armstrong, Backus & Company, LLC Partner Gayla Thornton)
[Finance Director Tina Dierschke responded to questions from City Council.]

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, with no public comment.

- b. San Angelo Chamber of Commerce Economic Development - 2021 Report (Presentation made by Chamber Vice President of Economic Development Michael Looney and Economic Development Manager Mike Berry)

No Action Taken on this Item.

- c. Discussion and consideration of the following items related to the Property Casualty Fund:
 - 1. Discussion on the impact of the Recent Claims History and the related increase in the premium contribution to the Texas Municipal League Intergovernmental Risk Pool
 - 2. First public hearing and introduction of an ordinance amending the budget for fiscal year October 1, 2021 and ending September 30, 2022 for a one-time transfer of \$480,000 from the Worker's Compensation Fund to the Property Casualty Fund (Presentation made by Risk Manager Charles Hagen, Human Resources and Risk Management Director Bryan Kendrick, and Finance Director Tina Dierschke)

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Hiebert, to approve item 6c2, as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- d. First reading and public hearing of an ordinance readopting Chapter 8 "Offenses and Nuisances," Article 8.07 "Minors," Division 2 "Curfew" of the Code of Ordinances of the City of San Angelo (Presentation made by Assistant Police Chief Tracy Fincher)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- e. First reading and public hearing of an ordinance amending Chapter 2 "Administration and Personnel," Article 2.07 "Boards, Committees, and Commissions," regarding:
 - 1. Section 2.07.001 "Organization and Procedure" clarifying the Conflict of Interest provision
 - 2. Section 2.07.061 "Creation; members" clarifying the recent change to dividing the River Corridor into three areas (Presentation made by City Clerk Julia Antilley)

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

7. Closed Session

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

- a. Section 551.072 - Deliberations about real property regarding 316.879 acres, Sarah R. Robertson S-0178, A-8474

8. Follow Up and Administrative Issues

- a. Consideration of items discussed in Closed Session, if needed

No Action take on this Item.

- b. Approval of various Board nominations:
Public Housing Authority: Troyce Wilcox to a sixth term, Monette Molinar and Becky Frazier both to a fourth term, all ending April 2024

Motion: Council Member Gonzales made a motion, seconded by Council Member Miller, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- c. Announcements and consideration of Future Agenda Items:

No Action Taken on this Item.

9. Adjournment

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

There being no further business, the meeting adjourned at 10:57 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Manager's Office, 325-657-4405

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Consider authorizing the Assistant City Manager to negotiate and execute an amended contract and all related documents with the Railway Museum of San Angelo in order to allow the City to participate in funding strategies for capital improvements to the property (Michael Dane)

Staff Recommendation:

Approve

Summary/History:

The Railway Museum Board recently became aware that the elevator in the City-owned facility that they occupy needs significant updating. The initial estimates for the capital expenditure exceed fifty thousand dollars.

The Board is interested in pursuing grants to fund the necessary improvements.

While the Council may determine that it is in the City's interest to support these improvements, the current contract does not allow the City to participate financially.

The objective of the amendment is to allow the City Council to consider providing funds as "local match" for grants that the museum board is offered. If the museum board receives such an offer, City participation would require a separate Council action based on the terms of the proposal.

Funding Source(s):

Financial Impact:

No financial impact at this time.

Other Information/Recommendation:

N/A

Attachments:

Presentation:

Michael Dane

Approvals/Reviews:

Julia Antilley	Created/Initiated
Michael Dane	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Operations, 325-657-4201

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Consider awarding Task Order #6 under ES-06-19 Professional Services RFQ to Freese & Nichols, Inc. in the amount of \$162,175, for engineering services supporting the Texas Department of Parks and Wildlife Boating Access Grant for three boat ramp locations on Lake Nasworthy (Knickerbocker Rd., Beaty Rd., and S. Concho Dr.) for developing design and environmental documents, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

The Lake Nasworthy Boat Ramp replacement project was part of the Lake Nasworthy Improvements approved by the voters in November of 2019. The City of San Angelo applied for, and was awarded, a Boating Access Grant from the Texas Parks and Wildlife Department (TPWD) through the US Fish and Wildlife Service Wildlife & Sport Fish Restoration (WSFR) Program. The Boat Ramp Improvement project included the replacement of three (3) Lake Nasworthy boat ramps and associated site improvements at Knickerbocker Road, Beaty Road, and South Concho Drive.

The restorations will include new boat ramps at each location as well as new courtesy docks, signage, and other amenities. Freese and Nichols developed the conceptual layouts and estimated costs of construction for the grant application. This task order will take the original concepts and detail them out into construction documents for bidding and construction. All work will be in compliance with the grant requirements.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Lake Nasworthy Trust	53206408000730	LK0001	\$162,175

Financial Impact:

Funding is budgeted in the current fiscal year from the Texas Parks and Wildlife Recreation Grant and Lake Nasworthy Trust Fund as approved by the voters in the November 2019 ballot.

Other Information/Recommendation:

Staff recommends awarding Task Order #6 in the amount of \$162,175 to Freese and Nichols, Inc.

Attachments:

1. 22-0229_TPWD - BOATING ACCESS GRANT
2. Task Order #6 Proposal

22-0229_TPWD - BOATING ACCESS GRANT.pdf
Task Order #6 Proposal.pdf

Presentation:

Patrick Frerich

Approvals/Reviews:

Charles Michalewicz
Shane Kelton
Theresa James
Jeffrey Tomlinson
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval

TEXAS PARKS AND WILDLIFE

Recreation Grant Agreement Federal Planning Sub-Award

TPWD P.O. Number: CA-0002392

Project Number: FD-TX F315-B-1

Sponsor Name: City of San Angelo

Project Name: Beaty Road, Knickerbocker Road and South Concho Boat Ramp Improvements

Federal Award Identification Number (FAIN): F21AF03576

Sponsor Unique Entity Identifier: 078547502

Assistance Listings (Formerly CFDA): 15.605

Agreement Term / Period of Performance: 08/05/2021 - 08/31/2022

Federal Share: \$187,500.00

Sponsor Share: \$62,500.00

Total Project Cost: \$250,000.00

SECTION 1 - PROJECT DESCRIPTION AND LOCATION

This subaward agreement (Grant Agreement) is entered into by the Texas Parks and Wildlife Department (Department), and the City of San Angelo (Sponsor). This sub-award is funded through Sport Fish Restoration (Freshwater) Grant Program issued to the Department on 08/11/2021.

The scope of this Grant Agreement includes professional services needed to assess the feasibility of constructing the Beaty Road, Knickerbocker Road and South Concho Boat Ramp Improvements. This includes design, engineering, and other pre-construction expenses related to state/federal environmental and cultural/historical requirements associated with the Beaty Road, Knickerbocker Road and South Concho Boat Ramp Improvements located at Intersection of Beaty Road and Knickerbocker, San Angelo, Tom Green County, Texas, 76904. GPS Coordinates: 31° 23.859'N / 100° 29.048'W

This sub-award is not for research and development.

SECTION 2 - SPECIAL CONDITIONS APPLICABLE TO THIS AGREEMENT

Subject to 2 Code of Federal Regulations 200.315, at closing of the Planning Grant, Sponsor shall be the sole owner of the deliverables. Sponsor reserves the discretion to use the deliverables for the purpose of finally designing and constructing a boating access facility whether it proceeds to enter into a construction grant agreement with the Department. The agreement is contingent upon fund availability

SECTION 3 - PRE-AWARD INCURRENCE OF COSTS

N/A

SECTION 4 - APPROVED INDIRECT COST RATE

N/A

SECTION 5 - KEY OFFICIALS

Key officials are essential to ensure maximum coordination and communications between the parties and the work being performed. They are:

FOR TEXAS PARKS AND WILDLIFE DEPARTMENT:

Dana Lagarde
Director of Recreation Grants
4200 Smith School Road
Austin, Texas 78744
(512)389-8224
Dana.Lagarde@tpwd.texas.gov

Grant Manager:

Dana Lagarde
Recreation Grants Branch
4200 Smith School Road
Austin, Texas 78744
(512) 389-8224
dana.lagarde@tpwd.texas.gov

Grant Coordinator:

Renan Zambrano
Recreation Grants Branch
4200 Smith School Road
Austin, Texas 78744
(512) 389-8224
renan.zambrano@tpwd.texas.gov

FOR PROJECT SPONSOR:

Official Point of Contact

Carl White
parks and recreation director
City of San Angelo, Parks and Recreation
Attn: Carl White
702 S. Chadbourne
San Angelo, Texas, 76903
(325) 234-1724
carl.white@cosatx.us

Project Coordinator

Donald Casey
recreation manager
72 W. College
San Angelo, Texas, 76903
(325) 234-1724
brent.casey@cosatx.us

Fiscal Contact

Heather Keister
project manager
72 W. College
San Angelo, Texas, 76903
(325) 234-1724

heather.keister@freese.com

SECTION 6 - AWARD AND PAYMENT

- A. The Department will provide funding to the Sponsor in an amount not to exceed \$187,500.00 for the project described under Project Description and Location above and in accordance with the Department-approved budget summary attached.
- B. The Sponsor shall obtain prior approval from the Department for budget and program revisions, and shall request reimbursement via payment in accordance with the most current version of the Instructions for Approved Projects Recreation Grant Programs on form PWD BK P4000-1146.
- C. In order to receive a financial assistance award and to ensure proper payment, it is required that Sponsor maintain their registration with the System for Award Management (SAM), accessed at <http://www.sam.gov>. Failure to maintain registration can impact obligations and payments under this Grant Agreement and/or any other financial assistance or procurement documents the Sponsor may have with the Federal government.
- D. Expenses charged against awards under the Grant Agreement may not be incurred prior to the beginning of the Grant Agreement, unless approved in Section 3, and may be incurred only as necessary to carry out the approved objectives, scope of work and budget with prior approval from the Department Key Officials. The Sponsor shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award.
- E. Indirect costs will not be allowable charges against the award unless specifically included as a line item in the approved budget incorporated into the award.
- F. The Sponsor must meet their cost share commitment over the life of the award, as specified in section 2 of this agreement. Non-federal cost-share is required for costs incurred under this Grant Agreement.

SECTION 7 - MODIFICATION, REMEDIES FOR NON-COMPLIANCE TERMINATION

- A. This Grant Agreement may be modified only by a written instrument executed by the parties. Modifications will be in writing and approved by the Department and the authorized representative of Sponsor.
- B. Additional conditions may be imposed by the Department if it is determined that the Sponsor is non-compliant with the terms and conditions of this agreement.
- C. The Department may suspend program assistance under the project pending corrective action by the Sponsor or pending a decision to terminate the grant by the Department.
- D. The Sponsor may unilaterally terminate the project prior to the first payment on the project or within 90 days of the TPWD Approval Date, whichever occurs earlier. After the initial payment, the project may be terminated, modified, or amended by the Sponsor only by agreement with the Department.
- E. The Department may terminate the project in whole, or in part, at any time before the date of completion, whenever it is determined that the Sponsor has failed to comply with the conditions of the grant. The Department will promptly notify the Sponsor in writing of the determination and the reasons for termination, together with the effective date. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.
- F. The Department or Sponsor may terminate grants in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portions to be terminated. The Sponsor shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible. The Department may allow full credit to the Sponsor for the State/Federal share of the non-cancelable obligations, property

incurred by the Sponsor, pending written receipt of the determination and the reasons for termination, together with the effective date. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.

- G. Termination either for cause or for convenience requires that all funds provided by the Department be returned.
- H. If the Sponsor does not comply with provisions as set forth in the grant agreement and the Recreation Grants Manual regarding both active project compliance and compliance at previously assisted grant sites, the following actions may be taken:
 1. The Department may withhold payment to the Sponsor;
 2. The Department may withhold action on pending projects proposed by the Sponsor

SECTION 8 - CLOSEOUT

Sponsor will follow closeout procedures in the Instructions for Approved Projects Recreation Grant Programs.

SECTION 9 - TERMS OF ACCEPTANCE

By accepting funds under this grant, the Sponsor agrees to comply with the terms and conditions of this Grant Agreement, and the terms and conditions of all attachments that are applicable to the Sponsor. Sponsor also agrees to comply with assurances and certifications made in its approved grant application submitted via Recreation Grants Online, and applicable federal statutes, regulations and guidelines. Sponsor agrees to fulfill the grant in accordance with the approved grant application, budgets, supporting documents, and all other representations made in support of the approved grant application.

Signature Authority

The person or persons signing this Grant Agreement on behalf of the Sponsor hereby warrant and guarantee that they are duly authorized by the Sponsor to execute this Grant Agreement on behalf of the Sponsor and to validly and legally bind the Sponsor to all the terms of this agreement.

Entire Agreement; Modifications Must Be in Writing

This Grant Agreement and each of its provisions will be binding upon the parties and may not be waived, modified, amended or altered unless with prior written approval by both parties.

Venue; Governing Law

This Grant Agreement shall be governed by the laws of the State of Texas. The proper place of venue for suit on or in respect of the Agreement shall be Travis County.

SECTION 10 – ATTACHMENTS INCORPORATED BY REFERENCE

The Federal regulations titled “2 CFR, Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” are incorporated by reference into this Agreement (full text can be found at <http://www.ecfr.gov>)

The following completed documents are attached to and made part of this Agreement:

- Budget Summary
- Certification Regarding Lobbying (Required Signature)
- Texas Assurances for Federal Sub Awards
- Federal Grant Notice of Award
- Instructions for Approved Projects
- Assurances for Non-Construction Projects (Required Signature)

SECTION 11 – SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) set forth below.

TEXAS PARKS AND WILDLIFE DEPARTMENT

Signature: Dana Lagarde

Date: 02/01/2022

SAM Date/Initials: 01/29/2022 / R.Z.

Federal Aid Date/Initials: 01/31/2022 / B.C.

City of San Angelo

Name: Daniel Valenzuela

Title: City Manager

Signature: Daniel Valenzuela

Date: April 6, 2022

APPROVED AS TO FORM:

Theresa James

Theresa James, City Attorney

APPROVED AS TO CONTENT:

Charles Michalewicz

Charles Michalewicz, Public Works Administrator



MASTER PROFESSIONAL SERVICES AGREEMENT
TASK AUTHORIZATION #06

City of San Angelo
301 W. Beauregard Avenue
San Angelo, Texas 76903

FNI PROJECT NO. TBD
CLIENT CONTRACT REFERENCE: ES-06-19
DATE: October 29, 2021

Project Name: Lake Nasworthy Boating Access Grant 2021 Design

Description of Services: Freese and Nichols, Inc. (FNI) will perform professional engineering services in support of the project, which consists of development of design and environmental documents for the Texas Department of Parks and Wildlife Boating Access Grant for three boat ramp locations on Lake Nasworthy (Knickerbocker Road, Beaty Road, and South Concho). See attached detailed Scope of Services.

Deliverables: See attached detailed Scope of Services

Schedule: The above described services to be completed within 365 days of receipt of notice to proceed.

Compensation shall be as follows: Basic Services shall be a not to exceed amount of Ninety-three Thousand, Seven Hundred Sixty Dollars and No Cents (\$93,760.00). Special Services shall be a not to exceed fee of Sixty-eight Thousand, Four Hundred Fifteen Dollars and No Cents (\$68,415.00).

Task Authorization Amount: \$162,175

The above described services shall proceed upon execution of this amendment. All other provisions, terms and conditions of the Master Professional Services Agreement which are not expressly amended shall remain in full force and effect.

FREESE AND NICHOLS, INC.

CITY OF SAN ANGELO

BY: 

Print Name

BY: _____

Print Name

TITLE: VICE PRESIDENT

TITLE: _____

DATE: 11/1/2021

DATE: _____

SCOPE OF SERVICES

Freese and Nichols, Inc. (FNI) shall render the following professional services in connection with the development of the Project:

General Overview: The City has applied for a Boating Access grant from the Texas Parks and Wildlife Department (TPWD) for replacement of three (3) Lake Nasworthy boat ramps and associated site improvements through the US Fish and Wildlife Service (USFWS) Wildlife & Sport Fish Restoration (WSFR) Program. The three boat ramp locations are Knickerbocker Road, Beaty Road, and South Concho. FNI will develop design and environmental documents in compliance with the grant requirements. Site civil design will include demolition, boat ramps, courtesy docks, parking lots, sidewalks, and signage.

FNI will provide environmental services in accordance with the grant requirements and will prepare a Categorical Exclusion (Cat Ex) document or an Environmental Assessment (EA) document, as directed by TPWD.

The scope assumes the following:

- A. Providing no services for ROW acquisition.
- B. Providing no drainage design
- C. Providing no lighting design

ARTICLE I

BASIC SERVICES: FNI shall render the following professional services in connection with the Project:

1) PROJECT MANAGEMENT

- (1) Attend a kickoff meeting with the Owner to discuss the various aspects of the project including planning and design criteria, work program and schedule, procedures of communication, and assignments of personnel.
- (2) Obtain from the Owner all available record drawings, planning reports, zoning ordinances, and other data that may be pertinent in considering the development of the design of the proposed improvements.
- (3) Determine from a field reconnaissance of the project area the general layout of the land for the improvements including location of existing above ground utilities and drainage structures.
- (4) Facilitate, attend, and document monthly status meetings (10 months).

2) CONCEPTUAL DESIGN

- (1) After the field data collection is completed, FNI will incorporate previous conceptual concepts and tie them to field survey data and produce 30% plans. 30% Plans will include:

- (a) Removal Plan
- (b) Existing Utility Plan
- (c) Site Improvement Plan

(2) FNI will meet with the Owner to review and discuss the 30% submittal.

3) PRELIMINARY DESIGN

After the Owner approves the conceptual design, FNI will proceed with preparing 60% design.

(1) Prepare 60% design plans consisting of the following sheets:

- (a) Title Sheet
- (b) General Notes
- (c) Project Layout and Survey Control
- (d) Removal Plan
- (e) Paving Plan and Profile
- (f) Paving Details
- (g) Existing Utility Plan
- (h) Pavement Marking and Signing Plan
- (i) Erosion Control Plan
- (j) Construction Details

(2) Prepare draft front-end documents and project specifications.

(3) Prepare an updated Opinion of Probable Construction Cost.

(4) Meet with the Owner to review and discuss the preliminary design in person at City offices.

(5) Conduct initial Utility Coordination Meeting

4) FINAL DESIGN

1. Incorporate the Owner's comments on the 60% submittal and prepare 90% plans and specifications.
2. Provide an updated Opinion of Probable Construction Cost.
3. Conduct one franchise utility coordination meeting with utilities that may be affected. Submit a copy of the 90% plans to franchise utility companies that may be affected by the Project.
4. Meet with the Owner to review and discuss the final design in person at City offices.
5. Coordinate with TDLR for plan review of proposed accessible improvements.
6. Incorporate the Owner's comments on the 90% submittal and prepare signed and sealed plans and specifications ready for advertisement.
7. The final plan submittal shall include:
 - a. Final Opinion of Probable Construction Cost
 - b. Plans and specifications in PDF format

5) UTILITY COORDINATION:

1. After the 30%, 60%, and 90% design submittal FNI will submit a copy of the plans to franchise utility companies that may be affected by the Project for review and comment and record any responses. FNI will conduct a total of two in person franchise utility coordination meetings with utilities following the 60% and 90% submittals. FNI will submit a copy of the plans to franchise utility companies that may be affected by the Project prior the meeting. FNI is not responsible for slow or non-responsive franchise utility coordinators.
2. Continued coordination regarding relocation locations, schedules, etc throughout design.

ARTICLE II

SPECIAL SERVICES: FNI shall render the following professional services in connection with the Project:

6) TOPOGRAPHIC SURVEY

1. Topographic survey scope is in accordance with attached document.

7) ENVIRONMENTAL DOCUMENTATION

1. The City of San Angelo (City), Tom Green County, Texas has applied for a matching funds grant from the Texas Parks and Wildlife Department (TPWD) to replace three Lake Nasworthy boat ramps and associated structures through the U.S. Fish and Wildlife's (USFWS's) Wildlife & Sport Fish Restoration (WSFR) Program. The USFWS grant funds application represents a federal nexus; therefore, National Environmental Policy Act (NEPA) criteria apply and the drafting of either a Categorical Exclusion (Cat Ex) document or an Environmental Assessment (EA) document will be required. If an EA is required, a Finding of No Significant Impacts (FONSI) would be required for the release of project funds. FNI will conduct the following, based on TPWD's decision (Cat Ex or EA):
2. Categorical Exclusion (Cat Ex)
 - a. If TPWD determines that a Cat Ex is sufficient documentation for the NEPA process, FNI will conduct the following, as required by the WSRF Program:
 - b. Task 1 – Jurisdictional Determination (Wetland Delineation) Site Visit
 - c. Task 2 – Categorical Exclusion Document
 - d. Task 3 – Texas Historical Commission (THC) Coordination
 - e. Task 4 – Endangered Species Act (ESA) Section 7 Compliance (Intra-Service Section 7 Biological Evaluation Form)
 - f. Task 5 – U.S. Army Corps of Engineers Notification (Nationwide Permit Preconstruction Notification or Regional General Permit submittal)
3. Environmental Assessment (EA)
 - a. If TPWD determines that an EA is required, FNI will conduct the following, as required by the WSRF Program:
 - b. Task 1 - Jurisdictional Determination (Wetland Delineation) Site Visit
 - c. Task 2 – Prepare EA
 - d. Task 3 – THC Coordination
 - e. Task 4 – Endangered Species Act (ESA) Section 7 Compliance (Intra-Service Section 7 Biological Evaluation Form)
 - f. Task 5 – U.S. Army Corps of Engineers Notification (Nationwide Permit Preconstruction

Notification or Regional General Permit submittal)
g. Task 6 – Public Hearing

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by Owner, which are not included in the above described basic services, are described as follows:

- A. Construction Phase services.
- B. Field layouts or the furnishing of construction line and grade surveys.
- C. Global Stability analysis and retaining wall design.
- D. Providing services to investigate existing conditions or facilities, or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by Owner.
- E. Providing renderings, model, and mock-ups requested by the Owner.
- F. Making revisions to drawings, specifications or other documents when such revisions are 1) not consistent with approvals or instructions previously given by Owner or 2) due to other causes not solely within the control of FNI.
- G. Providing consultation concerning the replacement of any Work damaged by fire or other cause during the construction, and providing services as may be required in connection with the replacement of such Work.
- H. Investigations involving consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, and material audits or inventories required for certification of force account construction performed by Owner.
- I. Preparing data and reports for assistance to Owner in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.
- J. Assisting Owner in preparing for, or appearing at litigation, mediation, arbitration, dispute review boards, or other legal and/or administrative proceedings in the defense or prosecution of claims disputes with Contractor(s).
- K. Assisting Owner in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this AGREEMENT. Such services, if any, shall be furnished by FNI on a fee basis negotiated by the respective parties outside of and in addition to this AGREEMENT.
- L. Providing additional environmental support services including: Environmental Impact Statement, Clean Water Act Section 404 Individual Permit, Listed Species Presence/Absence Survey, Formal Section 7 Consultation, Biological Opinion or Biological Assessment, Freshwater Mussel Survey, List Species Recovery/Relocation, Cultural Resources or Archeological Survey, Phase I or Phase II Site Assessments.
- M. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this agreement.

- N. Services required to resolve bid protests or to rebid the projects for any reason.
- O. Visits to the site in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.
- P. Any services required as a result of default of the contractor(s) or the failure, for any reason, of the contractor(s) to complete the work within the contract time.
- Q. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the Owner.
- R. Providing services made necessary because of unforeseen, concealed, or differing site conditions or due to the presence of hazardous substances in any form.

ARTICLE III

TIME OF COMPLETION: FNI is authorized to commence work on the Project upon execution of this AGREEMENT and agrees to complete the services in accordance with the following schedule:

- 30% Submittal – 90 calendar days from date of signed contract by Owner.
- 60% Submittal – 90 calendar days from receipt of 30% comments from Owner
- 90% Submittal – 90 calendar days from receipt of 60% comments from Owner
- 100% Submittal – 30 calendar days from receipt of 90% comments from Owner

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Owner or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Attachment CO.

ARTICLE IV

RESPONSIBILITIES OF OWNER: Owner shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Owner recognizes and expects that certain Change Orders may be required. Unless noted otherwise, the Owner shall budget a minimum of 5% for new construction and a minimum of 10% for construction that includes refurbishing existing structures.

Further, Owner recognizes and expects that certain Change Orders may be required to be issued as the result in whole or part of imprecision, incompleteness, errors, omission, ambiguities, or inconsistencies in the Drawings, Specifications, and other design documentation furnished by Engineer or in the other professional services performed or furnished by Engineer under this Agreement ("Covered Change Orders"). Accordingly, Owner agrees to pay for Change Orders and otherwise to make no claim directly or indirectly against Engineer on the basis of professional negligence, breach of contract, or otherwise with respect to the costs of approved

Covered Change Orders unless the aggregate costs of all such approved Covered Change Orders exceed 2% for new construction and 4% for reconstruction. Any responsibility of Engineer for the costs of Covered Change Orders in excess of such percentage will be determined on the basis of applicable contractual obligations and professional liability standards. For purposes of this paragraph, the cost of Covered Change Orders will not include:

- any costs that Owner would have incurred if the Covered Change Order work had been included originally in the Contract Documents and without any other error or omission of Engineer related thereto,
- Any costs that are due to unforeseen site conditions, or
- Any costs that are due to changes made by the Owner.
- Any costs that are due to the Contractor

Nothing in this provision creates a presumption that, or changes the professional liability standard for determining if, Engineer is liable for the cost of Covered Change Orders in excess of the percent of Construction Cost stated above or for any other Change Order. Wherever used in this document, the term Engineer includes Engineer's officers, directors, partners, employees, agents, and Engineers Consultants.

- B. Designate in writing a person to act as Owner's representative with respect to the services to be rendered under this AGREEMENT. Such person shall have contract authority to transmit instructions, receive information, interpret and define Owner's policies and decisions with respect to FNI's services for the Project.
- C. Provide all criteria and full information as to Owner's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which Owner will require to be included in the drawings and specifications.
- D. Assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports, plans, specifications, and electronic data and any other data relative to design or construction of the Project.
- E. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this AGREEMENT.
- F. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as Owner deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of FNI.
- G. Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- H. Owner shall make or arrange to have made all subsurface investigations, including but not limited to borings, test pits, soil resistivity surveys, and other subsurface explorations. Owner shall also make or arrange to have made the interpretations of data and reports resulting from such investigations. All costs associated with such investigations shall be paid by Owner.
- I. Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as Owner may require or FNI may reasonably

request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as Owner may require to ascertain how or for what purpose any Contractor has used the moneys paid under the construction contract, and such inspection services as Owner may require to ascertain that Contractor(s) are complying with any law, rule, regulation, ordinance, code or order applicable to their furnishing and performing the work.

- J. Owner shall determine, prior to receipt of construction bid, if FNI is to furnish Resident Project Representative service so the Bidders can be informed.
- K. If Owner designates a person to serve in the capacity of Resident Project Representative who is not FNI or FNI's agent or employee, the duties, responsibilities and limitations of authority of such Resident Project Representative(s) will be set forth in an Attachment attached to and made a part of this AGREEMENT before the Construction Phase of the Project begins. Said attachment shall also set forth appropriate modifications of the Construction Phase services as defined in Attachment SC, Article I, C, together with such adjustment of compensation as appropriate.
- L. Issue Notice to Bidders to prospective contractors, vendors, and plan rooms. Publish appropriate legal notice. Maintain information on entities that have been issued a set of bid documents. Distribute information on plan holders to interested contractors and vendors on request.
- M. Conduct the opening, tabulating, and analyzing of bids received. Review qualification information provided by the apparent low bidder to determine if, based on the information available, they appear to be qualified to construct the project. Recommend award of contracts or other actions.
- N. Prepare and distribute Construction Contract Documents for construction contracts.
- O. Attend the pre-bid conference, bid opening, preconstruction conferences, construction progress and other job-related meetings and substantial completion inspections and final payment inspections.
- P. Give prompt written notice to FNI whenever Owner observes or otherwise becomes aware of any development that affects the scope or timing of FNI's services, or any defect or nonconformance of the work of any Contractor.
- Q. Furnish, or direct FNI to provide, Additional Services as stipulated in Attachment SC, Article II of this AGREEMENT or other services as required.
- R. Bear all costs incident to compliance with the requirements of this Article IV.

ARTICLE V

DESIGNATED REPRESENTATIVES: FNI and Owner designate the following additional representatives:

Owner's Accounting Representative – Charles Michalewicz, 301 W Beauregard Ave, San Angelo, Texas, 76903, (325) 657-4206

FNI's Project Manager – Kevin Morris, P.E., 1500 Broadway Street, Suite 1150, Lubbock, Texas, 79401; (806) 686-2704, email kevin.morris@freese.com

FNI's Accounting Representative – Stephanie Kirchstein, 2711 North Haskell Ave., Suite 3300, Dallas, Texas, 75204, (214) 217-2212, stephanie.kirchstein@freese.com

COMPENSATION

ATTACHMENT CO

Compensation to FNI for Basic Services in Attachment SC shall be the lump sum of Ninety Three Thousand Seven Hundred Sixty Dollars (\$93,760).

Compensation to FNI for Special Services in Attachment SC shall be computed on the basis of the following Schedule of Charges, but shall not exceed Sixty Eight Thousand Four Hundred Fifteen Dollars (\$68,415).

If FNI sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER's approval before proceeding. Additional Services shall be computed based on the following Schedule of Charges.

<u>Position</u>	<u>Hourly Rate</u>
Professional 1	107
Professional 2	130
Professional 3	146
Professional 4	169
Professional 5	197
Professional 6	225
Construction Manager 1	85
Construction Manager 2	111
Construction Manager 3	131
Construction Manager 4	164
CAD Technician/Designer 1	91
CAD Technician/Designer 2	117
CAD Technician/Designer 3	145
Corporate Project Support 1	87
Corporate Project Support 2	105
Corporate Project Support 3	139
Intern / Coop	53
Senior Advisor	175

Rates for In-House Services and Equipment

<u>Mileage</u>	<u>Bulk Printing and Reproduction</u>		<u>Equipment</u>	
Standard IRS Rates		<u>B&W</u>	<u>Color</u>	Valve Crew Vehicle (hour) \$75
	Small Format (per copy)	\$0.10	\$0.25	Pressure Data Logger (each) \$200
	Large Format (per sq. ft.)			Water Quality Meter (per day) \$100
<u>Technology Charge</u>	Bond	\$0.25	\$0.75	Microscope (each) \$150
\$8.50 per hour	Glossy / Mylar	\$0.75	\$1.25	Pressure Recorder (per day) \$100
	Vinyl / Adhesive	\$1.50	\$2.00	Ultrasonic Thickness Gauge (per day) \$275
				Coating Inspection Kit (per day) \$275
	Mounting (per sq. ft.)	\$2.00		Flushing / Cfactor (each) \$500
	Binding (per binding)	\$0.25		Backpack Electrofisher (each) \$1,000
				<u>Survey Grade</u> <u>Standard</u>
				Drone (per day) \$200 \$100
				GPS (per day) \$150 \$50

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office. For other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members, these services will be billed at a cost times a multiplier of 1.15. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These ranges and/or rates will be adjusted annually in February. Last updated 2021.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Brody, Assistant Fire Chief, Fire Department, 325-657-4355 ext 300

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Consider a resolution allowing the Fire Department to accept a donation of various workout equipment with an estimated value of \$2,000 from Academy Sports & Outdoors (Cory Sanders)

Staff Recommendation:

Approve

Summary/History:

This donation is in observation of International Fire Fighters day courtesy of Academy Sports & Outdoors.

Funding Source(s):

Financial Impact:

There is no fiscal impact to the budget. Donated items.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|--|
| 1. | Resolution accepting exercise equipment | Resolution accepting exercise equipment.docx |
|----|---|--|

Presentation:

Cory Sanders

Approvals/Reviews:

Patrick Brody
Patrick Brody
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL ACCEPTING A DONATION OF \$2,000 IN EXERCISE EQUIPMENT FOR THE SAN ANGELO FIRE DEPARTMENT

WHEREAS, Section 51.076(a) of the Texas Local Government Code provides that a municipality may hold property that it receives by gift, deed, devise, or other manner; and

WHEREAS, Academy Sports and Outdoors would like to donate \$2,000 in exercise equipment (weight bench and free weights) to the San Angelo Fire Department in honor of International Firefighter's Day; and

WHEREAS, the San Angelo Fire Department agrees that the donation of the equipment will be beneficial to the health and wellbeing of San Angelo fire fighters.

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

Part 1: That the City of San Angelo hereby accepts the donation of \$2,000 in exercise equipment from Academy Sports and Outdoors.

Part 2: That the donation shall be used for the benefit of the City of San Angelo Fire Department.

PASSED and APPROVED THIS 17th Day of May, 2022.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, Director of Human Resources/Risk Management, Human Resources/Risk Management, 325-657-4221

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Second reading of an ordinance amending the budget for fiscal year October 1, 2021 and ending September 30, 2022 for a one-time transfer of \$480,000 from the Worker's Compensation Fund to the Property Casualty Fund (Charles Hagen)

Staff Recommendation:

Adopt

Summary/History:

Within the Property Casualty Fund (Fund 320) this year, there has been a confluence of events that have depleted the fund balance and staff is recommending a transfer from the Worker's Compensation Fund.

Below is a brief list of items that have impacted the fund:

- The re-rating of the premium contribution to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) resulted in an annual increase of \$137,403. This is primarily due to the catastrophic weather events over the last several years that have impacted much of the vehicle fleet as well as many of the buildings that are self-insured. Though everything but the deductible on these catastrophic events is covered by TMLIRP, just like with any insurance premium, high activity eventually brings an increase to the premiums.
- Automobile Accidents both internally with City Staff and externally with City Infrastructure (e.g. Traffic Lights) along with other covered property damage. Though we try to recover actual costs (particularly on traffic signals), the liability limits on policies often keep our recovery at less than the costs to the city. Excess costs for Traffic Signal Costs in the last year alone were \$137,543.
- Law Enforcement Liability Lawsuits are estimated at over \$300k in current liability (e.g. Miller, Strack, and Chaparro)

NOTE: The Budget Amendment is not intended to fund all of these items, but it will allow the fund to remain solvent through the end of the fiscal year.

During the budget season, staff will be bringing a different approach to Fund 320 by reworking the transfers from departments based on a methodology that employs charges based on activity as well as covered buildings/equipment. In the past, all charges were based on buildings only.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
-------	----------	-----------------	------------------

320 Property Casualty	\$480,000
330 Worker's Compensation	-\$480,000

Financial Impact:

The related Budget Amendment is to transfer \$480,000 from the Worker's Compensation Fund to the Property Casualty Fund.

Other Information/Recommendation:

Staff Recommends approving the related Budget Amendment to transfer funding.

Attachments:

- | | | |
|----|---|---|
| 1. | Budget Amendment - Memo - Budget Amendment - Memo | Budget Amendment - Memo - Budget Amendment - Memo.pdf |
| 2. | 2022 05.03 Ordinance | 2022 05.03 Ordinance.docx |

Presentation:

Charles Hagen

Approvals/Reviews:

Bryan Kendrick	Created/Initiated
Theresa James	Approved
Jeffrey Tomlinson	Approved
Kimberly Holle	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Memo

To: Tina Dierschke, Finance Director
From: Charles Hagen, Risk Manager
Date: 05/03/2022
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

The Property Casualty fund has been impacted by contribution increases, traffic light replacements, law enforcement liability lawsuits, etc.

Source of Funding:

A one time transfer from the Workers Compensation Fund to the Property Casualty Fund

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

Discussions have been ongoing with the City Manager though no formal approval

Project/Budget to be amended	Revenue	Expense
Works Compensation Fund		480,000
Property Casualty Fund	480,000	480,000

Additional Comments:

Within the Property Casualty Fund this year, there has been a confluence of events that have depleted the fund balance and staff is recommending a transfer from the Worker's Compensation Fund.

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, FOR UNPLANNED EXPENDITURES.

WHEREAS, the City of San Angelo has determined that certain budgeted amounts should be amended due to purchases, and

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2021-2022 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 5th day of May 2022, and finally PASSED on this 15th day of May 2022.

ATTEST:

THE 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

Exhibit A

**City of San Angelo
Proposed Budget Amendment**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
Property Casualty Fund		960,000	(960,000)
Workers Compensation Fund	480,000		480,000
	\$480,000	\$960,000	\$(480,000)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Impacts to the Property Casualty Fund	Workers Compensation Fund	480,000	960,000	(480,000)
		\$480,000	\$960,000	\$(480,000)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Second reading of an ordinance readopting Chapter 8 "Offenses and Nuisances," Article 8.07 "Minors," Division 2 "Curfew" of the Code of Ordinances of the City of San Angelo (Tracy Fincher)

Staff Recommendation:

Adopt

Summary/History:

The City of San Angelo initially adopted a curfew for minors in 1996. As provided for in the ordinance, every third year, the ordinance shall be reviewed for re-adoption, abolishment, and/or modification.

A current review of relevant statistics maintained by the police department indicates that the curfew for minors is a relevant and useful ordinance to assist the police department in fulfilling its duties and responsibilities to uphold public peace and order.

Staff recommends re-adoption of the curfew ordinance with no modification or change.

Funding Source(s):

Financial Impact:

None

Other Information/Recommendation:

Attachments:

- | | |
|--|--------------------------------|
| 1. Ordinance - 2022 Readoption of Curfew | 2022 Readoption of curfew.docx |
|--|--------------------------------|

Presentation:

Tracy Fincher

Approvals/Reviews:

David Howard
Frank Carter
Theresa James

Created/Initiated
Approved
Approved

Theresa James
Julia Antilley

Approved
Final Approval

AN ORDINANCE READOPTING CHAPTER 8, "OFFENSES AND NUISANCES," ARTICLE 8.07, "MINORS", DIVISION 2 "CURFEW" OF THE CITY OF SAN ANGELO; DEFINING TERMS; CREATING OFFENSES FOR MINORS, PARENTS AND GUARDIANS OF MINORS AND BUSINESS ESTABLISHMENTS VIOLATING CURFEW REGULATIONS; PROVIDING DEFENSES; PROVIDING FOR ENFORCEMENT BY THE POLICE DEPARTMENT; PROVIDING FOR REVIEW OF THIS ORDINANCE WITHIN THREE (3) YEARS AFTER THE DATE OF ADOPTION; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of San Angelo has conducted public hearings and heard a presentation by the San Angelo Police Department confirming the effectiveness of the juvenile nighttime curfew; and

WHEREAS, based on this information, the City Council has determined to readopt said curfew ordinance;

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

1) THAT, Chapter 8, Article 8.07, Division 2 of the Code of Ordinances of the City of San Angelo, Texas is hereby continued to read as follows:

"DIVISION 2. CURFEW

Sec. 8.07.031 Definitions

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment. Any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian.

- (1) A person who, under court order, is the guardian of the person of a minor; or
- (2) A public or private agency with whom a minor has been placed by a court.

Minor. Any person under 17 years of age.

Operator. Any individual, firm, association, partnership, or corporation, operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent. A person who is:

- (1) A natural parent, adoptive parent, or stepparent of another person; or
- (2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place. Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain. To:

- (1) Linger or stay; or
- (2) Fail to leave premises when requested to do so by a peace officer or the owners, operator, or other person in control of the premises.

Serious bodily injury. Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Sec. 8.07.032 Offenses

- (a) It shall be unlawful for any minor to knowingly remain, walk, run, stand, drive or ride about, in or upon any public place in the city between the hours of:
 - (1) 11:00 p.m. Sunday evening and 6:00 a.m. Monday morning;
 - (2) 11:00 p.m. Monday evening and 6:00 a.m. Tuesday morning;
 - (3) 11:00 p.m. Tuesday evening and 6:00 a.m. Wednesday morning;
 - (4) 11:00 p.m. Wednesday evening and 6:00 a.m. Thursday morning;
 - (5) 11:00 p.m. Thursday evening and 6:00 a.m. Friday morning;
 - (6) 12:01 a.m. Saturday morning and 6:00 a.m. Saturday morning; and
 - (7) 12:01 a.m. Sunday morning and 6:00 a.m. Sunday morning.
- (b) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.
- (c) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

Sec. 8.07.033 Defenses

- (a) It is a defense to prosecution under section 8.07.032 that the minor was:
 - (1) Accompanied by the minor's parent or guardian;
 - (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (3) In a motor vehicle involved in interstate travel;
 - (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

- (5) Involved in an emergency;
 - (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
 - (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
 - (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly;
 - (9) Married or had been married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code; or
- (b) It is a defense to prosecution under section 8.07.032(c) that the owner, operator, or employee of an establishment promptly notified the police department or a peace officer, that a minor was present on the premises of the establishment during curfew hours and refused to leave.

Sec. 8.07.034 Enforcement

Before taking any enforcement action under this article, a peace officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this article unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in section 8.07.033 is present

Sec. 8.07.035 Children taken into custody for violation of juvenile curfew

As provided by state law:

- (1) A peace officer taking a minor into custody for violation of this article shall, without unnecessary delay:
 - (A) Release the minor to the minor's parent, guardian, or custodian;
 - (B) Take the minor before a municipal or justice court to answer the charge; or
 - (C) Take the minor to a place designated as a juvenile curfew processing office by the chief of police.
- (2) The juvenile curfew processing office shall observe the following procedures:
 - (A) The office shall be an unlocked, multipurpose area that is not designated, set aside, or used as a secure detention area or part of a secure detention area;
 - (B) The minor will not be secured physically to a cuffing rail, chair, desk or stationary object;

- (C) The minor will not be held longer than necessary to accomplish the purposes of identification, investigation, processing, release to parents, guardians, or custodians, and arrangement of transportation to school or court;
- (D) A juvenile curfew processing office will not be designated or intended for residential purposes;
- (E) The minor shall be under continuous visual supervision by a peace officer or other person during the time the minor is in the juvenile curfew processing office; and
- (F) A minor will not be held in a juvenile curfew processing office for more than six hours.

Sec. 8.07.036 Penalty

A person who violates a provision of this division is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine in accordance with the general penalty provision found in section 1.01.009.

Sec. 8.07.037 Review

Within three years of the date of adoption of this division, and every third year thereafter, the city council shall:

- (1) Review the division's effects on the community and on problems which the division was intended to remedy;
- (2) Conduct public hearings on the need to continue the division; and
- (3) Abolish, continue or modify the division."

2) THAT, the following severability clause is adopted with this ordinance:

SEVERABILITY:

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

3) THAT, this Ordinance shall be effective on, from and after the date of its adoption.

INTRODUCED with public hearing on the 3rd day of May, 2022 and finally
PASSED, APPROVED and ADOPTED on this the 17th day of May, 2022.

CITY OF SAN ANGELO

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Heather Stastny, Deputy City Clerk, City Clerk, 325-657-4405

Meeting Date: May 17, 2022

Item type: Consent Item

Caption:

Second reading of an ordinance amending Chapter 2 "Administration and Personnel," Article 2.07 "Boards, Committees, and Commissions," regarding:

1. Section 2.07.001 "Organization and Procedure" clarifying the Conflict of Interest provision
2. Section 2.07.061 "Creation; members" clarifying the recent change to dividing the River Corridor into three areas (Julia Antilley)

Staff Recommendation:

Adopt

Summary/History:

First reading passed unanimously at the May 3, 2022 meeting.

1. In 2020 the City Council modified the General provisions for boards to include a Conflict of Interest provision that disallows members of organizations that receive city funding from serving on COSADC. There are multiple entities that currently accept funding from the Development Corporation/City of San Angelo while members of their staff/board serve on the Economic Development Board. Updating this provision will only disallow organizations from accepting city funds if there is a "board member" conflict, not just a "member" of an organization.
2. Several years ago the River Corridor was split into the River Corridor, Downtown District, and Cultural District areas. The board provisions assigning the makeup of the board was never updated to reflect these three areas that were once the River Corridor. This change will allow the code to reflect the three areas that were once the River Corridor.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

N/A

Attachments:

1. 2022-05-17 (#x) Ordinance #2022-0xx Chapter 2 Board Provisions 2022-05-17 (#x) Ordinance #2022-0xx Chapter 2 Board Provisions.docx

Presentation:

Julia Antilley

Approvals/Reviews:

Heather Stastny

Theresa James

Julia Antilley

Created/Initiated

Approved

Final Approval

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF SAN ANGELO, TEXAS BY AMENDING CHAPTER 2 “ADMINISTRATION AND PERSONNEL”, ARTICLE 2.07 “BOARDS, COMMITTEES, AND COMMISSIONS” DIVISION 1 “GENERALLY”, SECTION 2.07.001“ORGANIZATION AND PROCEDURE”, SUBSECTION 5 “CONFLICT OF INTEREST”; DIVISION 5 “DESIGN AND HISTORIC REVIEW COMMISSION”, SECTION 2.07.061 “CREATION; MEMBERS”; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

- 1) THAT**, Chapter 2, Article 2.07, Division 1, Section 2.07.001(5) “Conflict of interest” is hereby amended to read as follows:

“(5) Conflict of interest.

- (A) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of "substantial" interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in chapter 171 of the Texas Local Government Code, as amended.
- (B) No member of the city council, or person related to a councilmember within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.
- (C) None of the following persons or entities shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter, nor shall they have received a grant or assistance in the six months prior to their tenure.
 - 1) The member of the board;
 - 2) A person related to a board member within the second degree by consanguinity or affinity;
 - 3) A legal entity owned by or under the control of the board member or for which the board member serves as an **officer or director**;
 - 4) A legal entity owned by or under the control of a person related to the board member within the second degree by consanguinity or affinity or for which such person serves as an **officer or director**.
- (D) For a period equal to a term on the board, after accepting funds for an approved project, the following persons are ineligible to serve on any board/commission:
 - 1) A person that has accepted funds for an approved project;
 - 2) A person related within the second degree by consanguinity or affinity to a person that has accepted funds for an approved project;
 - 3) A person who is an **officer or director** or in control of a legal entity that has accepted funds for an approved project;
 - 4) A person who is related within the second degree by consanguinity or affinity to an **officer, director, or party** in control of a legal entity that has accepted funds for an approved project.

- (E) No employee of the department associated with the board, or person related to an employee or supervisor of this department within the second degree by consanguinity or affinity, shall be eligible for assistance from the board during his/her employment or for six months thereafter
- (F) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting."

2) THAT, Chapter 2, Article 2.07, Division 5, Section 2.07.061 "Creation; members" subdivision (c)(3) is hereby amended to read as follows:

"(3) At least one member shall be an owner of real property within the river corridor, downtown district, or cultural district;"

3) THAT, all remaining provisions not amended by this ordinance remain in full force and effect.

4) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

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

5) THAT, this Ordinance shall be effective on, from, and after the date of its passage and publication as required by law.

INTRODUCED on the 3rd day of May, 2022, and finally **PASSED, APPROVED** and **ADOPTED** on this the 17th day of May, 2022.

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

Meeting Date: May 17, 2022

Item type: Regular Item

Caption:

Consider approving an agreement under BuyBoard Contract #635-21 with Insituform Technologies, LLC for the A&M Waterline Pipe Bursting Project in the amount of \$4,787,318.50 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Water Utilities Assistant Director Andy Vecellio)

Staff Recommendation:

Approve

Summary/History:

The South A&M Avenue waterline from Avenue N to Johnson Street consists of existing 6-inch to 12-inch cast iron waterlines that have reached their life expectancy and have had continuous breaks and maintenance issues. This project proposes to replace the cast iron lines by means of pipe bursting with DR18 DIPS Fusible PVC pipe designed to be fully structural pipe meeting all external loading and internal pressure requirements.

Pipe bursting was considered as an alternative to traditional dig-lay-bury installation to reduce the project duration and impact on the citizens. In a price comparison to recently procured projects by the City, it has also been shown for pipe bursting installation to be more cost effective as compared to traditional installation methods. Temporary services will be provided for each connection prior to flow isolation and will be maintained throughout the installation process until new connections can be completed.

Insituform Technologies, LLC will work with the City of San Angelo staff to make all practical attempts to notify the affected residents or businesses with information regarding expectations, possible inconveniences, and project schedule.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Water Fund	26044008000730		\$4,787,318.50

Financial Impact:

Funding for this project is from fiscal year 2022 water capital funds.

Other Information/Recommendation:

Staff recommends the contract be awarded to Insituform Technologies, LLC and the City Manager be authorized to execute any related documents.

Attachments:

- 1. Insituform BuyBoard Proposal - South Insituform Buyboard Proposal - City of San Angelo - South A&M Ave. Waterline Replacement Ave. Waterline Replacement by Means of Pipebursting.pdf

Presentation:

Andy Vecellio

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Kevin Pate	Approved
Allison Strube	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



17988 Edison Avenue
Chesterfield, MO 63005
www.insituform.com

Timothy N. Naylor
3413 Hunter Rd., San Marcos, Tx 78666
Phone: 512-677-8732
tnaylor@aegion.com

May 10, 2022

AAJA-ZVBJXX

Buyboard Proposal

Ms. Allison Strube, P.E.
Director of Water Utilities
City of San Angelo
Water Utilities Department
301 W. Beauregard Ave.
San Angelo, Tx 76903

Project Name: South A&M Ave. Waterline Replacement by Means of Pipebursting

Insituform Technologies, LLC. (Insituform) herein proposes to furnish all labor, materials, equipment, and services for accomplishing the referenced task (as described in the project location maps presented by the City of San Angelo) utilizing The Local Government Purchasing Cooperative Contract #635-21 administered through the BuyBoard.

ASSUMPTIONS AND QUALIFICATIONS

We have based this proposal on 6 thru 12-inch DR18 DIPS Fusible PVC pipe as shown on the price sheet. This is based on the best available information at the time of this proposal. The system is designed to be a fully structural pipe for all external loading and internal pressure loading.

Unless directed otherwise, all water service connections to the main will be reconnected after installation with the appropriate size copper tubing or other City of San Angelo approved material to include new angle stop and brass fittings. Temporary service will be provided to each connection prior to flow isolation and will be maintained throughout the installation process until new connections can be completed.

Insituform Technologies, LLC will work with the City of San Angelo to make all practical attempts to notify the affected residents or businesses with information regarding expectations, possible inconveniences, and project schedule.

Insituform will supply the City of San Angelo, Payment, and Performance Bonds and Certificate of Insurance as per the pay item following acceptance of this proposal.

The pricing in this proposal assumes that all Technical Specifications set forth by the BuyBoard will be strictly adhered to.

City of San Angelo will supply the following:

- Nearby staging area for pipe offloading and fusion (i.e., abandoned soccer field).
- Permits and Tax-Exempt Certificate.
- Exact limits of the project prior to start of work.
- Assistance with residents / effected businesses notification and coordination.
- Bac-T testing as required for temporary water service lines and post installation of the designated main line.

Insituform will supply the following:

- Fusing of C900 DR18 PVC pipe above ground prior to installation.
- Temporary bypass of existing water main while continuing water service to residents, other than for brief switchovers.
- Pipebursting of existing lines via OSHA secured excavated access pits, after services are exposed.
- Reassembly of new system.
- Pressure testing of mainlines prior to reconnections.
- Complete all restoration necessary after installing pipe. In accordance with City specifications.

Proposal Terms and Conditions

Terms and Conditions from the Texas Cooperative Purchasing Contract are available upon request from the BuyBoard. Any changes to these conditions must be noted and agreed upon by both parties.

(Schedule of values on the following page)

Proposal Pricing

San Angelo South A M Ave		Unit of	Per Bid		
Bid Item per Docs	Description	Measure	Quantity	Bid Price	Total
1	Mobilization	EA	1	\$ 7,500.00	\$ 7,500.00
2	Temporary Bypass	LF	11,000	\$ 9.75	\$ 107,250.00
3	Install 12" SDR 18 Fusible PVC by Pipebursting (0' - 8')	LF	9,000	\$ 285.00	\$ 2,565,000.00
4	Install 10" SDR 18 Fusible PVC C900 by Pipebursting or Open Cut (0' - 8')	LF	146	\$ 203.00	\$ 29,638.00
5	Install 8" SDR 18 Fusible PVC C900 by Pipebursting or Open Cut (0' - 8')	LF	1,094	\$ 152.00	\$ 166,288.00
6	Install 6" SDR 18 Fusible PVC C900 by Pipebursting or Open Cut (0' - 8')	LF	155	\$ 131.50	\$ 20,382.50
7	Access Pits (0' - 8')	EA	27	\$ 2,500.00	\$ 67,500.00
8	Install Proposed 12" Inserted valve @ S A&M Ave/Ave N	EA	1	\$ 25,500.00	\$ 25,500.00
9	Install Proposed 10" Inserted valve @ S A&M Ave/St Johnson	EA	1	\$ 12,500.00	\$ 12,500.00
10	Install Proposed 20" x 12" TS&V @ S A&M Ave/Ave N	EA	1	\$ 27,800.00	\$ 27,800.00
11	Install Proposed 12" x 10" TS&V @ S A&M Ave/Johnson includes reducer	EA	1	\$ 15,500.00	\$ 15,500.00
12	Remove/Replace 12" Valve (RSCV) w/ valve box	EA	18	\$ 5,500.00	\$ 99,000.00
13	Remove/Replace 10" Valve (RSCV) w/ valve box	EA	2	\$ 4,975.00	\$ 9,950.00
14	Remove/Replace 8" Valve (RSCV) w/ valve box	EA	15	\$ 3,250.00	\$ 48,750.00
15	Remove/Replace 12" x 8" Cross Tee (12"x12"x8"x8") w/ thrust block	EA	3	\$ 2,725.00	\$ 8,175.00
16	Remove/Replace 12" x 10" Tee w/ thrust block	EA	2	\$ 2,275.00	\$ 4,550.00
17	Remove/Replace 12" x 8" Tee w/ thrust block	EA	9	\$ 2,250.00	\$ 20,250.00
18	Install Proposed 8" x 6" reducer	EA	8	\$ 525.00	\$ 4,200.00
19	Install 8" Bends w/ thrust block	EA	28	\$ 450.00	\$ 12,600.00
20	Install 10" Bends w/ thrust block	EA	4	\$ 510.00	\$ 2,040.00
21	Install 1" Service line (short side) Single Meter connection (existing meter & box)	EA	34	\$ 1,275.00	\$ 43,350.00
22	Install 1" Service line (long side) Single Meter connection (existing meter & box)	EA	21	\$ 2,100.00	\$ 44,100.00
23	Install 2" Service line (short side) w/ Bullnose 1" double meter connection (existing meter & box)	EA	27	\$ 2,100.00	\$ 56,700.00
24	Install 2" Service line (long side) w/ Bullnose 1" double meter connection (existing meter & box)	EA	31	\$ 2,450.00	\$ 75,950.00
25	Install 2" Service line (short side) w/ 2" meter connection (existing meter & box)	EA	1	\$ 3,100.00	\$ 3,100.00
26	Install 2" Service line (long side) w/ 2" meter connection (existing meter & box)	EA	1	\$ 3,700.00	\$ 3,700.00
27	Install New fire Hydrant w/ 6" valve, box, tee, concrete pad	EA	12	\$ 9,260.00	\$ 111,120.00
28	Remove, dispose existing Fire Hydrant and abandon location	EA	9	\$ 500.00	\$ 4,500.00
29	Install 12" (Utility Crossing) Water line Over sewer (Detail 1-2)	EA	6	\$ 6,200.00	\$ 37,200.00
30	Install 12" (Utility Crossing) Water line Under sewer (Detail 3)	EA	1	\$ 9,275.00	\$ 9,275.00
31	Install 8" (Utility Crossing) Water line Over sewer (Detail 1-2)	EA	6	\$ 6,700.00	\$ 40,200.00
32	Install 8" (Utility Crossing) Water line Under sewer (Detail 3)	EA	1	\$ 8,250.00	\$ 8,250.00
33	Install Temp testing, sampling, flushing connection	EA	16	\$ 1,550.00	\$ 24,800.00
34	Pressure test, chlorination and sampling	LF	11,000	\$ 9.00	\$ 99,000.00
35	Wet connection 12" - includes fittings and excavation	EA	2	\$ 11,725.00	\$ 23,450.00
36	Wet connection 10" - includes fittings and excavation	EA	2	\$ 9,300.00	\$ 18,600.00
37	Wet connection 8" - includes fittings and excavation	EA	6	\$ 5,450.00	\$ 32,700.00
38	Wet connection 6" - includes fittings and excavation	EA	8	\$ 4,125.00	\$ 33,000.00
39	Potholing (0' - 8')	EA	10	\$ 1,500.00	\$ 15,000.00
40	Trench safety (areas >5' deep)	LF	600	\$ 6.50	\$ 3,900.00
41	Extra hand excavation	CY	100	\$ 75.00	\$ 7,500.00
42	Install 6" concrete cap over pipe bedding (trenches <36" deep)	LF	800	\$ 10.75	\$ 8,600.00
43	Granular bedding backfill (#57 rock)	Ton	420	\$ 65.00	\$ 27,300.00
44	Select Backfill (cement stabilized sand or # 57 rock)	Ton	700	\$ 65.00	\$ 45,500.00
45	Remove/replace 2" asphalt	SY	1,100	\$ 85.00	\$ 93,500.00
46	Remove/replace 8" Flex base	SY	800	\$ 60.00	\$ 48,000.00
47	Remove/replace 8" concrete	SY	120	\$ 210.00	\$ 25,200.00
48	Remove/replace 6" concrete driveway	SF	800	\$ 13.00	\$ 10,400.00
49	Remove/replace 4" concrete sidewalk	SF	2,000	\$ 9.00	\$ 18,000.00
50	Remove/replace concrete curb	LF	250	\$ 50.00	\$ 12,500.00
51	Sod	SY	250	\$ 20.00	\$ 5,000.00
52	Traffic control	Day	160	\$ 300.00	\$ 48,000.00
53	SWPPP	LS	1	\$ 19,500.00	\$ 19,500.00
54	Arrow Board (Per each)	Day	60	\$ 100.00	\$ 6,000.00
55	Traffic control Plan	EA	2	\$ 3,000.00	\$ 6,000.00
56	Flagman	HR	200	\$ 75.00	\$ 15,000.00
57	Install 12" Ductile Iron Pipe by HDD and Open cut combination	LF	200	\$ 285.00	\$ 57,000.00
58	Flow Fill	CY	50	\$ 175.00	\$ 8,750.00
59	Mobilization - FPVC Fusion Crew	EA	4	\$ 5,500.00	\$ 22,000.00
60	Fusion Services for 4"-12" Fusible PVC®	Day	20	\$ 2,750.00	\$ 55,000.00
61	Bond	LS	1	\$ 76,300.00	\$ 76,300.00
62	Owner Contingency Allowance (As Directed by Owner)	AL	1	\$ 230,000.00	\$ 230,000.00
					\$ 4,787,318.50

OFFERED BY:

ACCEPTED BY:

INSITUFORM TECHNOLOGIES, LLC.

CITY OF SAN ANGELO, TX



TIMOTHY NAYLOR
512-677-8732

SIGNATURE

DATE

NAME

TITLE

ORGANIZATION

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Aaron Vannoy, Assistant Director, Planning and Development Services, 325-657-4210 Ext. 15

Meeting Date: May 17, 2022

Item type: Regular Item

Caption:

First reading and public hearing of an amendment to Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance," creating a new Section 205 "Site Plan Review," which codifies the site plan review process to ensure compliance with recent changes in state law (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

This amendment codifies the existing site plan review process, which is the process by which new non-residential and multi-family developments are reviewed for compliance with ordinance requirements prior to issuance of building permits. In the past, the site plan review process was part of the building permit application. However, recently this has been split into two processes to allow more flexibility for the developer. This process has always functioned as an ad-hoc process that was not well defined in the ordinance, which this amendment remedies. This amendment also includes provisions that ensure that we are compliant with recent changes to state law. Finally, it also distinguishes between "minor site plans" and "major site plans" which clarifies the triggers and requirements for each.

These changes have been reviewed and discussed with the Development Task Force, a voluntary bi-monthly meeting with the development community, and staff modified the recommendation based on input from that group and staff has not received any negative comments on the ordinance from the group. As noted below, this amendment was also recommended by the Planning Commission.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their March 21, 2022 regular meeting, the Planning Commission recommended approval of this amendment by a unanimous vote of 7-0.

Attachments:

1. Enacting Ordinance Language Enacting Ordinance Language.docx

- | | | |
|----|--------------------------------|------------------------------------|
| 2. | Ordinance Exhibit A | .docx |
| 3. | Site Plan Review | Site Plan Review.pdf |
| 4. | Commercial Site Plan Checklist | Commercial Site Plan Checklist.pdf |
| 5. | Site Plan Only Application | Site Plan Only Application.pdf |

Presentation:

Jon James

Approvals/Reviews:

Aaron Vannoy	Created/Initiated
Zachary Rainbow	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

ORDINANCE 2022-____

AN ORDINANCE OF THE CITY OF SAN ANGELO TEXAS, AMENDING CHAPTER 12 "PLANNING AND DEVELOPMENT," EXHIBIT "A" "ZONING ORDINANCE," ARTICLE 2 "DEVELOPMENT REVIEW," RELATING TO THE SITE PLAN REVIEW PROCESS BY REPLACING: SECTION 205 "RESERVED" WITH SECTION 205 "SITE PLAN REVIEW," PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing a process for the adoption of zoning district boundaries and regulations; and,

WHEREAS, a site plan review process is necessary to ensure that development projects comply with City ordinance, including zoning and subdivision regulations; and,

WHEREAS, after having held a public hearing, considered public comment, and considered recommendations from City staff and Planning Commission, City Council desires to amend the Zoning Ordinance to provide for a site plan review process.

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

Section 1. CHAPTER 12 "PLANNING AND DEVELOPMENT," EXHIBIT "A" "Zoning Ordinance," Section 205 "Reserved" of the City of San Angelo Code of Ordinances is hereby amended as shown on Exhibit A.

Section 2. The terms and provisions of this ordinance shall be deemed to be severable in that if any portion of this ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this ordinance.

Section 3. This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED with public hearing the 17th day of May, 2022, and finally PASSED this 7th day of June, 2022.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

Jon James, Director of Planning and
Development Services

APPROVED AS TO FORM:

Theresa James, City Attorney

Amendments to Chapter 12. Planning and Development, Exhibit A. Zoning Ordinance Section 205

Replace Chapter 12. Planning and Development, Exhibit A. Zoning Ordinance Section 205 “Reserved” with the following:

Section 205. Site Plan Review

- A. Purpose. The purpose of a Site Plan is to ensure that a development project is in compliance with all applicable City ordinances and requirements, including the requirement of this Zoning Ordinance and of the City's Land Development and Subdivision Ordinance, prior to commencement of construction. The purpose of this Section is not to create new substantive development requirements, but to establish a process to ensure that existing ordinance requirements are met.
- B. Applicability. This Section outlines when new development or an expansion to an existing, developed property is required to submit a site plan for review.
1. No permit for construction or expansion of a building or other structure shall be issued until a site plan, if required, including any required engineering or construction plans, has been submitted and approved in accordance with this Section.
 2. No certificate of occupancy, or other final approvals, shall be issued for such buildings or structures until all site improvements, as shown on the approved site plan or established in conditions of approval for the site plan, have been completed or otherwise guaranteed, as approved by the Planning Director.
 3. Unless otherwise excepted herein, nothing in this Section shall preclude a new development occurring on previously undeveloped property from having to comply with any applicable requirements within the Zoning Ordinance, Land Development and Subdivision Ordinance, or any other City code, ordinance, or construction standard.
 4. Triggers. New construction or expansions to an existing property that meet any of the following criteria shall trigger the requirement for a site plan and all of the improvements outlined in this Section, unless otherwise specified:
 - a. Construction of a new principal structure;
 - b. The conversion of a residential use or structure to a nonresidential use.
 - c. Expansion of an existing principal structure or expansion in land area of a use.
 - d. Any other development where the City's Zoning Ordinance or Land Development and Subdivision Ordinance specifically require site plan approval.
 5. Exceptions. A major site plan shall not be required for Single-family or two-family residential construction, including associated accessory structures. However, proposed non-residential structures, such as a clubhouse, private recreation facility, gated entrance or guardhouse, etc. will require site plan review and approval for those facilities if triggered above.
 6. Required Improvements. Any development that triggers a Major Site plan must comply with all relevant city ordinance, standards, and specifications, where required by ordinance,

except as modified below for a Minor Site Plan. This includes, but is not limited to, a review of the following in a Major Site Plan:

- a. Drive approaches, curb cuts, and driveway spacing
- b. Parking, including layout, striping, and surfacing requirements
- c. Curb and gutter
- d. Sidewalks and related pedestrian amenities
- e. Fire code requirements, including fire hydrants
- f. Screening, buffering, landscaping, and tree preservation
- g. Designated outdoor storage and outdoor display areas
- h. Fencing
- i. Lighting
- j. Location of freestanding signs
- k. Stormwater Management
- l. Flood Plain Management

7. Minor Site Plan.

a. A site plan is minor if it meets one of the following:

- i. Accessory use which is incidental to an established commercial development and which results in:
 - 1. No change in use, and
 - 2. No increased traffic or business activity or is only used for storage and/or warehousing, and
 - 3. No violation of height and placement standards contained within the Zoning Ordinance, and
 - 4. The gross floor area of a proposed structure or structures must be less than fifty (50) percent of the gross floor area of existing structures, and
 - 5. Which meets the current stormwater ordinance.
- ii. Construction of covered parking where parking already exists on an impervious surface. Said construction must result in no violation of height and placement standards contained in the Zoning Ordinance.

b. Minor site plans will be subject to review by the city staff but will be exempt from any requirement to bring unassociated site elements into conformance with current standards. Specific items from which the minor site plan will be exempted shall include:

- i. Construction of curb and gutter along an existing street.
 - ii. Modification of existing driveways or access unless additional access is proposed.
 - iii. Additional parking as long as the proposed improvement does not result in a shortage of required parking.
- C. Application. A complete application, fees, and any other required information for site plan review shall be submitted to the Planning Director or designee.
 1. Area to be included on a site plan. When the overall development project is to be developed in phases, the site plan area shall include only the portion of the overall property that is to be developed/constructed. However, any excluded area must be separately developable as a stand-alone site in the future. This provision shall not be interpreted to allow portions of a property to be excluded so as to avoid development standards, other requirements, or otherwise required improvements to the site.
 2. Submittal and Timing. A Site Plan shall be submitted prior to or in conjunction with a building permit application.
 3. Submission and Contents. The purpose of site plan review is to ensure compliance with all relevant city ordinance, codes, and other requirements. To ensure the submission of adequate information, the Planning Director shall maintain and distribute a checklist of specific requirements for Site Plan review applications. All applications and related contents shall be submitted consistent with these requirements. The authorized reviewer may request additional information to complete the application for review to meet the site plan requirements.
- D. Review Criteria. The Planning Director, in consultation with relevant City staff in other City departments, shall review the Site Plan for compliance with all applicable City ordinances including the site plan's compliance with all provisions of the City's development ordinances, including this Zoning Ordinance, the Land Development and Subdivision Ordinance, Sign Ordinance, and other applicable City ordinances.
- E. Review and Approval.
 1. The Planning Director or designee shall be the responsible official for reviewing Site Plan applications. The Planning Director shall consult with relevant staff from City departments, the Development Review Committee, for review and comments on a proposed Site Plan. Based on the review from all relevant departments, the Planning Director shall make the final decision on Site Plan approval.
 2. The Planning Director, or designee, based on input from the Development Review Committee, may reject review of a Site Plan until adequate information for its review is provided by the applicant. Resubmission of a Site Plan, in this instance, shall not require an additional application fee.

3. After completing the review of a Site Plan, the Planning Director, or designee, may take one of the following actions:
 - a. Approve the site plan;
 - b. Approve with conditions – in which case the site plan, along with a written list of conditions, together shall be considered the approved site plan;
 - c. Disapprove the site plan
 - i. If resubmitted with revisions within 60 days, no additional application or fee will be required for review,
 - ii. If resubmitted with revisions at 60 days to 180 days, a reduced fee of 50% of the normal site plan application fee shall be required,
 - iii. If resubmitted beyond 180 days, then a new application with standard fees shall be required.
4. The Planning Director, or designee, may approve issuance of permits following conditional Site Plan approval when it is deemed that the required corrections to the Site Plan are minor in nature. However, no Certificate of Occupancy shall be issued until an amended site plan meeting all conditions has been submitted and approved.
5. Prior to the issuance of a Certificate of Occupancy the Planning Director, or designee, shall inspect the site to ensure compliance with the Site Plan and any conditions imposed with the approval.

F. Revisions to an approved Site Plan.

1. Minor Revisions/Amendments: It is recognized that final architectural and engineering design may necessitate minor changes in the approved Site Plan. In such cases, the Planning Director, or designee, shall have the authority to approve minor revisions to an approved Site Plan. Such minor modifications shall be shown on an “amended Site Plan.” If revisions are such that the Planning Director decides that the revisions should be reviewed by the Development Review Committee, a new Site Plan application and review shall be required. For a revision/amendment to be considered minor, the changes shall not cause any of the following circumstances to occur:
 - a. An increase in the building footprint of any building(s) by more than 10%;
 - b. A reduction in the originally approved separations between buildings by more than 10%;
 - c. A reduction in the originally approved setbacks from property lines by more than 10%;
 - d. A reduction in the ratio of off-street parking and loading space to gross floor area in the structures;
 - e. A change that would result in a violation of a building code or city ordinance.

2. Major Revisions/Amendments: In the event of revisions that do not constitute minor revisions as set out in subsection (F)(1), a new Site Plan application must be submitted, reviewed, and approved.

G. Expiration and Extension.

1. An approved Site Plan shall be valid for a period of 18 months. An application for a building permit for the site, consistent with the site plan, will extend the validity of the site plan for 18 months from the date of the approved permit.
2. Prior to the lapse of approval for a Site Plan, the applicant may petition the Planning Director (in writing) for an extension of up to one year. If no petition for extension of Site Plan approval is submitted and granted, then the Site Plan shall be deemed to have expired and shall become null and void. Any new request for Site Plan approval shall be submitted with a new application form, with a new filing fee, and with new plans and materials in accordance with the procedures set forth in this Section.

H. Compliance & Responsibilities.

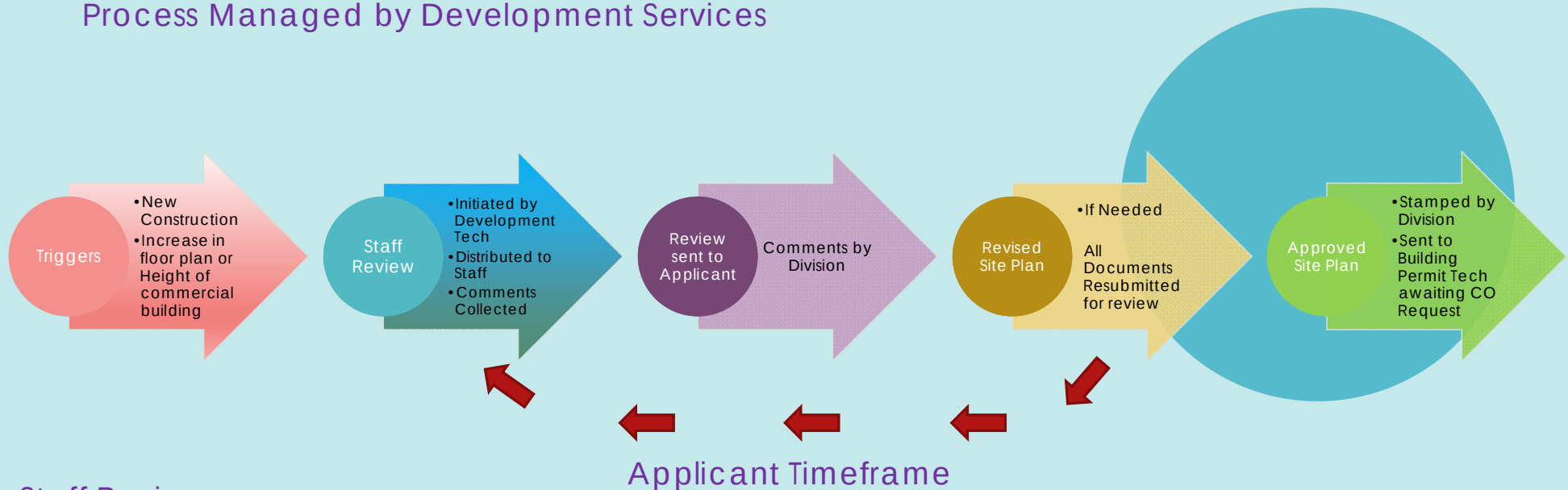
1. Duties and Responsible Parties.

- a. It shall be incumbent upon the Building Official, or designees, to make all inspections and certifications necessary to ensure that a structure is built in accordance with the approved Site Plan.
- b. In the event that the Building Official, or designees, finds that a condition or modification of the approved Site Plan or a provision of City Codes and Ordinances has not been met, they may issue a stop work order.
 - i. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume.
 - ii. In the event that the structure has been completed, a Certificate of Occupancy shall not be issued by the Building Official until the conditions of the Site Plan or City Codes and Ordinances, as applicable, have been substantially fulfilled.
 - iii. All action required in order to bring a structure into compliance with the approved Site Plan shall be the responsibility of the property owner.
- c. Following issuance of the Certificate of Occupancy, it shall be the continuing duty of the owner and occupant of the site, or their successors in interest, to maintain compliance with the approved Site Plan and amendments thereto. Failure to maintain compliance shall constitute a violation of this Zoning Ordinance and may result in revocation of the Certificate of Occupancy.
- d. Site may not become less conforming. Any site that is not subject to an approved site plan, or is governed by a pre-existing site plan that does not conform to the

current standards of this Chapter, must maintain compliance with the standards within this Chapter to the extent that the site currently complies with those standards.

Site Plan Review – 7 days

Process Managed by Development Services



Staff Review:

Planning

Water Utilities

Building Permits and Inspections

Fire Marshal's Office

Engineering

Streets

Applicant Timeframe

July 2018

COMMERCIAL SITE PLAN CHECKLIST

N/A

The site plan must include:

- ☐ North arrow & page numbering (ex: 1 of 5) on each page.
- ☐ Plans are to be drawn to a standard architect or engineer scale. Text must be at least 3/32 in height or larger for clarity. Scale must be included on the plan.
- ☐ One digital copy by disk, thumb drive or direct load to software site.
- ☐ ☐ All existing & proposed buildings on the same site with their uses, & square footage clearly articulated. Also, include distances between buildings, & between buildings & property lines. If the site is a campus, contact Development.services@cosatx.us
- ☐ All property lines & platted building setback lines &/or setback lines prescribed by the zoning district.ⁱ
- ☐ ☐ Location of all refuse collection facilities. (N/A only if there are no such facilities)
- ☐ ☐ All existing public & private easements, & any proposed easements, with dimensions.
- ☐ ☐ Driveway approaches & parking (both existing & proposed) & drive lanes, all with dimensions. Also include a parking requirements table, including spaces for ADA requirements.ⁱⁱ If shared parking arrangement is desired, include shared parking analysis.ⁱⁱⁱ
- ☐ Fire lanes/access^{iv}, & hose lays^v, with dimensions, the location of the two nearest fire hydrants & fire department connection locations, as well as remote secondary connection.
- ☐ ☐ Show names of streets adjacent to property, as well as adjacent street & alley widths (both pavement & right-of-way width). Also include location & width of all existing & proposed sidewalks.
- ☐ ☐ Show 30' vision clearance triangle^{vi} at corners of intersections, as well as any obstructions within that area. (N/A only if site is not at an intersection)
- ☐ ☐ Show location, height, & type of existing & proposed fencing. (N/A only if no existing or proposed)
- ☐ ☐ Show height & location of freestanding signs, existing & proposed. (N/A only if no existing or proposed)
- ☐ ☐ Show legal description & building(s) address(es), & indication of the entrance for each building. If part of a shopping center or complex, include a location map of where the subject project is located within it.
- ☐ ☐ Indication of landscaping, to include all planting strips, trees, retaining walls & other improvements or alterations to the land that are proposed. (N/A only if none of these are proposed)
- ☐ ☐ Show flood plain boundaries and flood plain designations. (N/A if none exist on site)
- ☐ ☐ Label pavement types^{vii} of both existing & proposed pavement.

N/A

The utility plan must include:

- ☐ All existing public & private easements, & any proposed easements, with dimensions.
- ☐ The size & location of any existing public & private utility lines & facilities.
- ☐ The size & location of any proposed utility lines, with dimensions.
- ☐ Any existing & proposed water meters (with sizes), existing & proposed water/sewer mains (with sizes), fire hydrants, valves, manholes (with sizes), cleanouts, existing utility poles, gas meters, pad mounted transformers, power pedestals, curb inlets (with sizes), dumpster pads, & light poles.

The floor plan must include:

- ☐ ☐ Proposed building use(s).
- ☐ ☐ Floor area devoted to each use. Include aisles, offices, restrooms, etc. If storage is included, the height of storage.
- ☐ ☐ Seating diagrams, for assembly occupancies^{viii} only. (N/A only if occupancy is not an assembly.)
- ☐ ☐ Emergency & exit lighting. (N/A only if no interior work is being performed/proposed.)
- ☐ ☐ Fire extinguisher location(s) and type(s).

i City of San Angelo [Zoning Ordinance](#), Ch. 12, Exhibit "A", [Sec. 501.A](#) & [Sec. 502.B](#)

ii City of San Angelo Zoning Ordinance, Ch. 12, Exhibit "A", [Sec. 511](#); ADA parking requirements are located in [Table 1106.1](#) of the [2015 International Building Code](#) and are based upon the number of total parking provided.

iii Zoning Ordinance, Art. 5, [Sec. 511.E](#).

iv Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. At a minimum, roads shall be designed with improved two-course penetration or reinforced concrete. Other special surfaces may be accepted upon approval of the fire code official, the fire chief or his designee and are based on existing fire department access conditions, fire protection systems in buildings being served, manageable topography and use of the building being proposed. Any request for a special surface must be submitted in writing with a specified reason for the alternative surface, engineering specifications and maintenance plan for continued all weather driving capabilities.

v Any building or portion of a building shall be no more than 400 feet (122m) from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building. Additional distances may be accepted upon approval of the fire code official, the fire chief or his designee and will be based on the fire protection features of the building. Specifically the presence of automatic sprinkler systems and available water sources other than fire hydrants. Any request for additional distances beyond the minimum requirements must be submitted in writing detailing the reason for the request and how the existing distances meet the intent of the code.

vi City of San Angelo Zoning Ordinance, Ch. 12, Exhibit "A", [Sec. 510](#)

vii City of San Angelo Zoning Ordinance, Ch. 12, Exhibit "A", [Sec. 804](#), "Paved Surface or Paving"

viii Assembly occupancies include those for viewing of performing arts/motion pictures, food/drink consumption, worship, recreation, entertainment, spectator seating, and viewing of outdoor activities. Full descriptions outlined in [Section 303](#) of the 2015 International Building Code.



City of San Angelo, Texas – Development Services

Site Plan Development Application



NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. Use "N/A" where an item is not applicable.

Section 1: Basic Information

Address or proposed	Business Name or proposed		
Current Legal Description (<i>can be found on property tax statement or at www.tomgreencad.com</i>)			
Has a DRC/Consultation been done for this project? ☐ Yes ☐ No Valuation of Project: \$			
One Authorized Representative <u>must</u> be selected below as primary; however communication will be with all parties listed below. Communications regarding this application will be conducted primarily via email.			
Authorized Representative: ☐ Tenant ☐ Property Owner ☐ Contractor ☐ Architect/Engineer/Design Professional			
Tenant:			
Name	Phone Number	Email Address	
Property Owner:			
Name	Phone Number	Email Address	
Contractor:			
Name/Company/Contractor #	Phone Number	Email Address	
Architect/Engineer/Design Professional:			
Name and Company Name		Phone Number	Email Address

Section 2: Utility, Drainage & Easement Information

Water:	☐ City - requesting new services	Proposed size?
	☐ City - utilizing existing services	Existing size?
	☐ Other	Please specify:
Sewer:	☐ City - requesting new services	Proposed size?
	☐ City - utilizing existing services	Existing size?
	☐ Other	Please specify:
	☐ Septic System	Lot size?

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-658-1024)

Drainage: Is the total development/subdivision greater than one acre? ☐ Yes ☐ No

Will the impervious* surface increase equal to or greater than 5%? ☐ Yes ☐ No

If both of the above conditions are "Yes," a drainage study will be required.

If one or both of the conditions above are "No," then a drainage study will be required at the discretion of Engineering Services based potential detrimental impacts to the drainage system and/or adjacent properties.

Note: *Impervious: A term applied to a material through which water cannot pass, or through which water passes with great difficulty.

Are any off-site drainage, access or other types of easements necessary for this subdivision? ☐ Yes ☐ No

If yes, briefly describe each, including the use and size:

Section 3: Property Characteristics

Lot Size (Square Feet)

Lot Size (Acreage)

Street Name 1 Right-of-Way Width Paving Width

Street Name 2 Right-of-Way Width Paving Width

Street Name 3 Right-of-Way Width Paving Width

Street Name 4 Right-of-Way Width Paving Width

Existing Zoning:

☐ RS-1 ☐ RS-2 ☐ RS-3 ☐ RM-1 ☐ RM-2 ☐ PD (include case number: _____) ☐ R&E ☐ CN ☐ CO ☐ CG ☐ CG/CH
☐ CBD ☐ OW ☐ ML ☐ MH

Is there currently an open application to rezone? ☐ Yes ☐ No

Is the property located, in whole or in part, within the designated *any* Districts (River Corridor, Cultural, or Downtown)? (map available at www.cosatx.us/RCmap)

☐ Yes ☐ No

If yes, has the project been approved? ☐ Yes (attach a copy of the official letter of approval) ☐ No

Is the property located, in whole or in part, within a designated Historic District or overlaid with the local Historic Overlay (HO) designation? (map available at www.cosatx.us/HDmap)

☐ Yes ☐ No

If yes, has the project been approved? ☐ Yes (attach a copy of the official letter of approval) ☐ No

Is the proposed project any of the following?

- ☐ Construction of a building comprising at least 25,000 square feet of gross floor area?
- ☐ Construction of a building comprising at least 10,000 square feet of gross floor area and which is located on the same lot as an existing building comprising at least 25,000 square feet of gross floor area?
- ☐ Construction of more than one principal building for multi-family residential use on a single lot or tract of land?
- ☐ Construction of more than one principal building for single-family or two-family residential use on a single lot or tract of land?

Section 4: Land Use / Occupancy

Existing Use or Most Recent Use of Land: _____

Proposed Use of Land: _____

Does the Proposed Use Require a Conditional Use or Special Use? ☐ Yes ☐ No
(For assistance, please consult [the Use Table](#) or contact the Planning Division at 657-4210, #2)

Existing Use or Most Recent Use of All Building(s) (if they exist): _____

Proposed Use of All Building(s): _____

Are there existing deed restrictions? ☐ Yes ☐ No

If yes, provide deed reference information: _____

The undersigned certifies that the above information is correct to the best of my knowledge and that I have read, fully understand and agree to abide by all applicable city ordinances and specifications. Additionally, I understand that there is a Site Plan Review fee as shown by the fee schedule and this fee is due at the time of submission.

Authorized Representative Signature _____ Digital _____

Date _____

FOR OFFICE USE ONLY:

Submitted to front desk: _____ Deemed preliminary complete: _____
Date Date Time Initials

Received by Development Services Technician for completeness review: _____
Date Time Initials

Completeness review passed? ☐ Yes _____ ☐ No _____
De Date

If yes, when was application scheduled for staff review, if applicable? _____
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? _____
Date Initials

Resubmittal received by Development Services Technician for completeness review: _____
Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

☐ Yes _____ ☐ No _____
Date Date

Approvals required for this application:

	Approval Date	Case Number	Notes
Zoning Board of Adjustment	_____	_____	_____
Planning Commission	_____	_____	_____
Design & Historic Review Comm.	_____	_____	_____
Urban Design Review	_____	_____	_____
Construction Board of Adj & Appeals	_____	_____	_____
City Council	_____	_____	_____

	Approval Date	Case Number	Notes
Staff approvals required for this application:			
Planning Division	_____	_____	_____
Engineering Services - Streets	_____	_____	_____
Engineering Services - Utilities	_____	_____	_____
Fire Prevention	_____	_____	_____
Stormwater	_____	_____	_____
Plan Reviewer	_____	_____	_____

Permit Issued on: _____ Date of Expiration: _____

Notes, Additional Comments, etc.: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325-657-4210

Meeting Date: May 17, 2022

Item type: Regular Item

Caption:

First reading and public hearing of ordinances on the following cases for property being 0.322 acres located at 3202 and 3206 Abilene St.:

1. CP22-03, a request for approval of an amendment to the Comprehensive Plan, changing the Future Land Use from Neighborhood Center to Residential
2. Z22-09, a request for approval of a rezoning from the General Commercial to the Single-Family Residential zoning district (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant intends to build single-family homes on the lots and requires the Comprehensive Plan Amendment and associated rezoning to achieve this. The lots will comply with all required standards for the intended Single-Family Residential (RS-1) zoning. The lots are surrounded by other single-family homes to the west and north in the same block which are already zoned RS-1. Staff supports both requests.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

On April 18, 2022, the Planning Commission voted unanimously 5-0 to approve both requests.

Attachments:

- | | |
|------------------------------|-------------------------------|
| 1. Ordinance (CP22-03) | Ordinance (CP22-03).docx |
| 2. Ordinance (Z22-09) | Ordinance (Z22-09).docx |
| 3. CP22-03 & Z22-09 - REPORT | CP22-03 & Z22-09 - REPORT.pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher
Zachary Rainbow
Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS LOCATED AT 3202 AND 3206 ABILENE STREET, BEING A TOTAL OF 0.322 ACRES AT THE NORTHWEST CORNER OF ABILENE STREET AND ALEXANDER STREET; FROM "NEIGHBORHOOD CENTER" TO NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-22-03

WHEREAS, the City Council for the City of San Angelo, Texas, in accordance with the City Charter and Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan (Vision Plan and Future Land Use Map within the San Angelo Strategic Plan adopted by City Council as updated on October 20, 2009) to guide the long-range development of the City, manage the future growth of the City and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, inconsistencies have developed between current long standing land use and development patterns and development envisioned by the Future Land Use Map, which inconsistencies call for compatible revisions to the Future Land Use Map; and

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map changes should be made as set out herein;

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

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to

change the Future Land Use designation of the following described parcel as outlined below:

The real properties located at 3202 and 3206 Abilene Street, further described as Lots 15 and 16, Block 47 in the Hatcher Addition, being a total of 0.322 acres at the northwest corner of Abilene Street and Alexander Street, San Angelo, Tom Green County, Texas; from “Neighborhood Center” to “Neighborhood”.

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to amend the Future Land Use Planning Map maintained in the Office of the Director to incorporate the foregoing amendments, as further depicted on **Exhibit “A”** of this Ordinance.

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

SECTION 4: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **17th day of May, 2022**, and finally ADOPTED on this the **7th day of June, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



CP22-03: Comprehensive Plan Amendment

3202 & 3206 Abilene St.

Council District 2 - Tom Thompson

Neighborhood: Bluffs

Scale: 1" approx. = 167 ft

Legend

Subject Properties: 
 Current Zone District: CG
 Requested Zone District: RS-1
 Vision Plan: Neighborhood Center
 Requested Vision Plan: Neighborhood



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES: **3202 AND 3206 ABILENE STREET, BEING A TOTAL OF 0.322 ACRES AT THE NORTHWEST CORNER OF ABILENE STREET AND ALEXANDER STREET**; FROM THE GENERAL COMMERCIAL (CG) TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z22-09: 3202 and 3206 Abilene Street

WHEREAS, on the 18th day of April, 2022, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family Residential (RS-1) Zoning District; and,

WHEREAS, on the 17th day of May, 2022, City Council held a public hearing on Z21-09, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties permanently zoned SINGLE-FAMILY RESIDENTIAL (RS-1) Zoning District:

The real properties located at 3202 and 3206 Abilene Street, further described as Lots 15 and 16, Block 47 in the Hatcher Addition, being a total of 0.322 acres at the northwest corner of Abilene Street and Alexander Street, San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning

& Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED with public hearing on the **17th day of May, 2022**, and finally PASSED, on this the **7th day of June, 2022**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Z22-09: Zone Change
3202 & 3206 Abilene St.

Council District 2 - Tom Thompson
Neighborhood: Bluffs
Scale: 1" approx. = 167 ft

Legend

Subject Properties: 
Current Zone District: CG
Requested Zone District: RS-1
Vision Plan: Neighborhood Center
Requested Vision Plan: Neighborhood





STAFF REPORT

Planning Commission: April 18th, 2022

City Council: 1st reading May 17th

2nd reading June 7th

APPLICATION TYPE:		CASE:	
Zone Change		CP22-03 & Z22-09: 3202 & 3206 Abilene St.	
SUMMARY:			
a) A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood Center to the Residential Future Land Use, for the property located at 3202 & 3206 Abilene Street, lots 15 & 16 totaling to 0.322 acres. b) A request for approval of a zone change from the General Commercial (CG) to the Single-Family Residential (RS-1) zoning district, for a property located at 3202 & 3206 Abilene Street, being 0.322 acres.			
LOCATION:		LEGAL DESCRIPTION:	
1. 3202 Abilene St, San Angelo, TX, 76901, USA 2. 3202 Abilene St, San Angelo, TX, 76901, USA		1. Lot: 15, Blk: 47, Subd: HATCHER ADDITION 2. Lot: 16, Blk: 47, Subd: HATCHER ADDITION	
SM DISTRICT / NEIGHBORHOOD:	ZONE DISTRICT:	VISION PLAN:	SIZE:
District 2 - <i>Tom Thompson Neighborhood – The Bluffs</i>	CG	Neighborhood Center	0.322 acres
NOTIFICATIONS:			
22 notification letters were mailed out to the relevant property owners of land within a 200-foot buffer.			
THOROUGHFARE PLAN			
Abilene Street: Local Road 50' ROW required (60' Existing), 40' pavement required (29' Existing) Alexander Street: Local Road, 50' ROW required (60' Existing), 40' pavement required (28' Existing)			
STAFF RECOMMENDATION:			
Staff recommends <u>approval</u> of CP22-03 & Z22-09: 3202 & 3206 Abilene St., being 0.322 acres.			
PROPERTY OWNER/PETITIONER:			
Property Owner: <i>Czech Homes, LLC</i>			
STAFF CONTACT:			
Rafael Alvarado Planner (325) 657-4210, Extension 1533 rafael.alvarado@cosatx.us			

Comprehensive Plan Amendments and Zone Changes:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider at minimum seven (7) factors in determining the appropriateness of any rezoning request, as outlined in num. 1-7 below.

- 1) **Compatible with Plans and Policies:** Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.
 - a) The application received was for a comprehensive plan amendment and zone change to make changes to how the land is designated for current and future use. The proposal is a rational and practical adjustment to the existing designations for the subject property. The changes to the zoning and vision plan that occurred to these properties in the early 2000's has left the property vacant ever since. The applicant intends to create detached dwelling units for residential use, which would match the existing surrounding land uses.
- 2) **Consistent with Zoning Ordinance:** Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.
 - a) The proposal would also require a comprehensive plan amendment, in addition to a zone change, in order to be consistent with the designation for future use. These two processes are set to be carried out in conjunction to become consistent with the zoning ordinance.
- 3) **Compatible with Surrounding Area:** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
 - a) The surrounding area has been build up primarily as a single family residential (RS-1) neighborhood. There is a row of properties directly across the street to the North from the subject property that are being used as storage facilities, and have the requisite approvals to do so. Nevertheless, the majority of the surrounding land uses are residential and the position of this neighborhood with respect to the access from Houston Harte highway would make this a suitable and favorable place for residential development.
- 4) **Changed Conditions:** Whether and the extent to which there are changed conditions that require an amendment.
 - a) There was a zone change for these properties that abut the highway, about 20 years ago, that changed the zone district from RS-1 to CG (general commercial). The change in zoning could have been a major deterrent from development; and today we have received interest to develop residential, and not commercial as it currently stands.
- 5) **Effect on Natural Environment:** Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.
 - a) The proposal to construct residential development instead of commercial will significantly decrease the environmental impact that this area will receive. The establishment of these residences will fortify the neighborhood and add value to all its residents.
- 6) **Community Need:** Whether and the extent to which the proposed amendment addresses a demonstrated community need.

- a) The application for a zone change and comprehensive plan amendment that we received were with the intentions to construct single family detached dwelling units. The surrounding development would indicate the need to construct residential structures. The subject has sat vacant for 20 years with a commercial designation, so the community need points away from commercial development.
- 7) **Development Patterns:** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.
- a) There are no major intersections near the subject property, but there sufficient throughput from local roads and collectors. Yet there is high traffic due to its proximity to the Houston Harte Highway, the surrounding development is already primarily residential in nature, and thus extending residential uses would fortify this entire area along the highway corridor.

Recommendation:

Staff's recommendation is for the Planning Commission to **recommend approval** the proposed zone change and comprehensive plan amendment CP22-03/Z22-09: A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood Center to the Residential Future Land Use, and a request for approval of a zone change from the General Commercial (CG) to the Single-Family Residential (RS-1) zoning district, for a property located at 3202 & 3206 Abilene Street, being 0.322 acres

Attachments:

Staellite, Zone, Vision, and Notification Maps



CP22-03: Satellite Imagery

3202 & 3206 Abilene St.

Council District 2 - Tom Thompson

Neighborhood: Bluffs

Scale: 1" approx. = 208 ft

Legend

Subject Properties: 

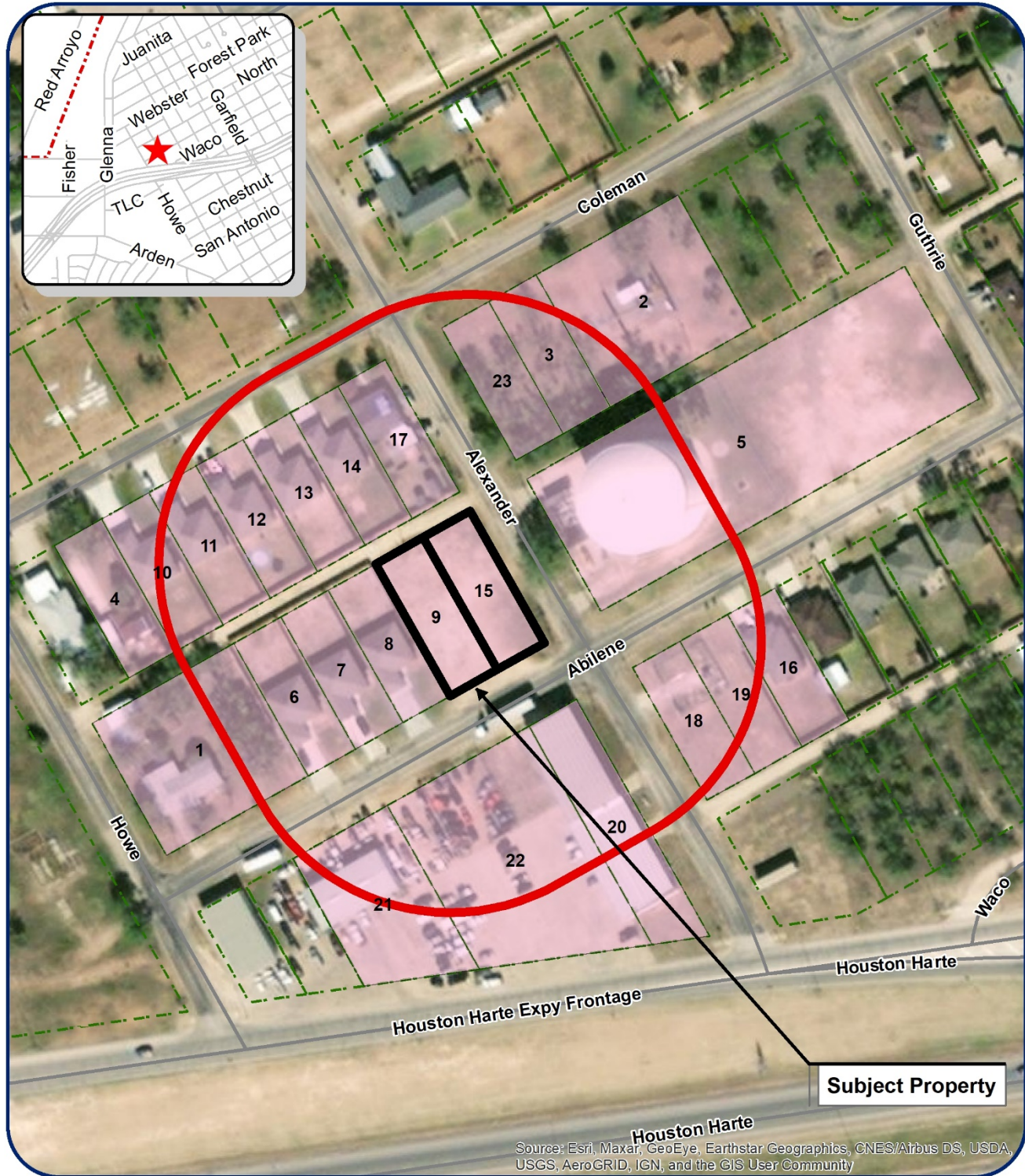
Current Zone District: CG

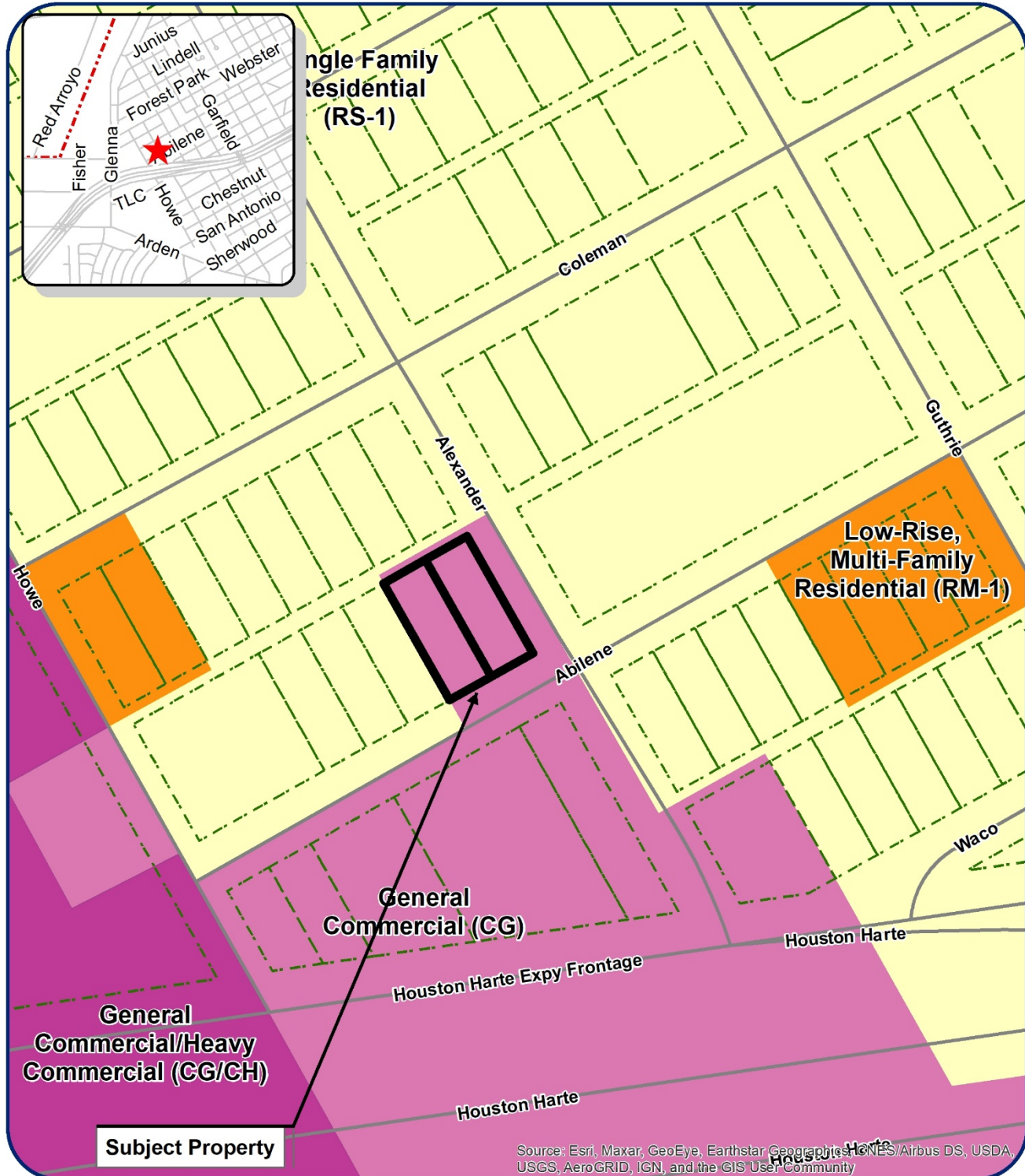
Requested Zone District: RS-1

Vision Plan: Neighborhood Center

Requested Vision Plan: Residential







CP22-03: Zone Districts

3202 & 3206 Abilene St.

Council District 2 - Tom Thompson

Neighborhood: Bluffs

Scale: 1" approx. = 133 ft

Legend

Subject Properties: —

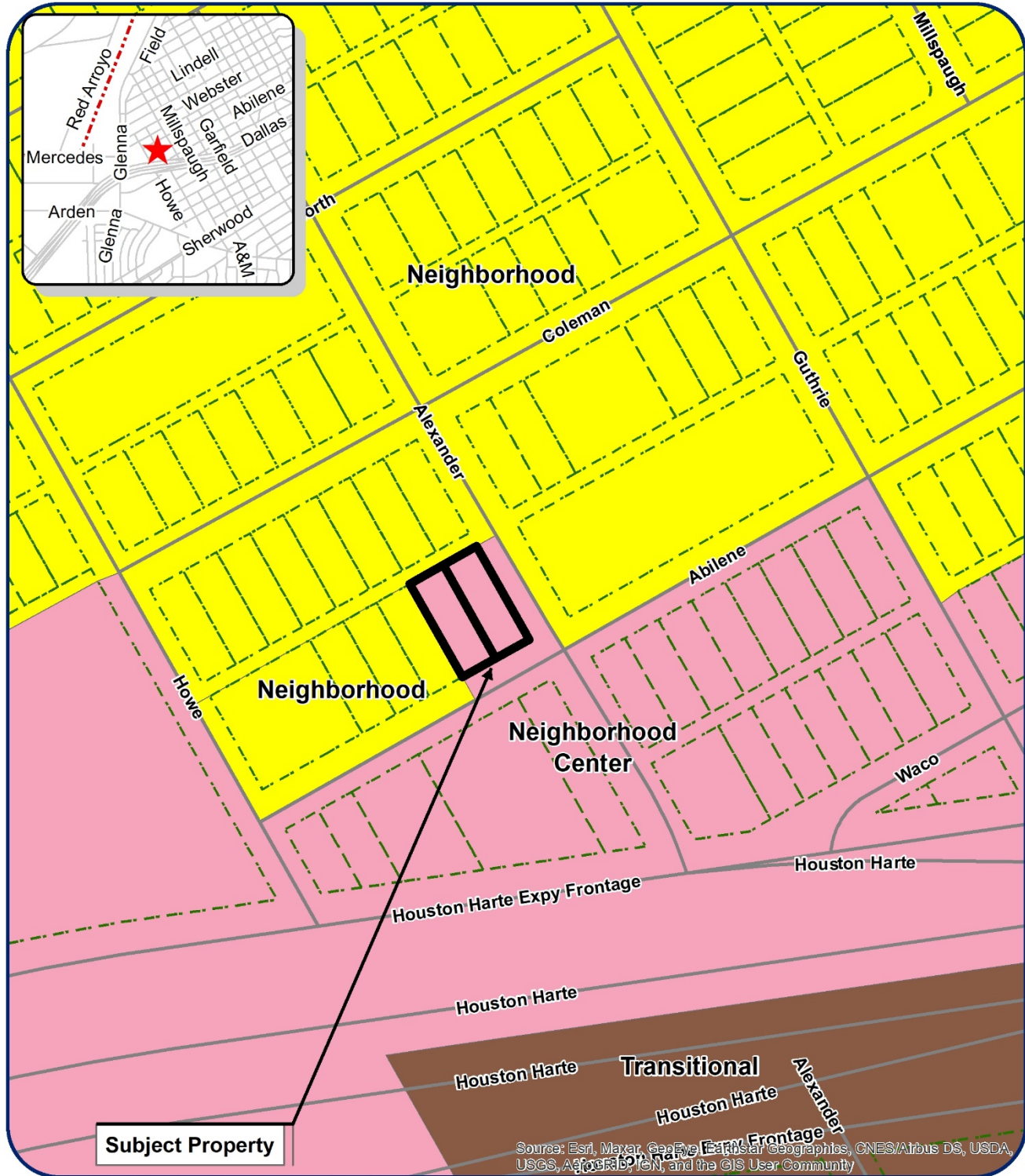
Current Zone District: CG

Requested Zone District: RS-1

Vision Plan: Neighborhood Center

Requested Vision Plan: Residential





CP22-03: Vision Plan

3202 & 3206 Abilene St.

Council District 2 - Tom Thompson

Neighborhood: Bluffs

Scale: 1" approx. = 167 ft

Legend

Subject Properties: —

Current Zone District: CG

Requested Zone District: RS-1

Vision Plan: Neighborhood Center

Requested Vision Plan: Residential



NOTE: This application is a public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: Laura Beth Calvert
Address: [REDACTED]
ZIP code: 76904
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 2002
City Council Single-Member 5
District in which you reside:
Registered San Angelo voter? (yes or no) Yes
Occupation/business affiliation: Realtor, NextHome Legends Realtor
Occupation/business address: 303 W Harris 76903
Title/position: Realtor
Email: [REDACTED]

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

1/4/2022

4. Applying for:

(o) Construction Board of Adjustments and Appeals

5. Recommended by:

(Name): Tom Thompson, Councilperson

6. Based on your board selection, do you meet the membership criteria outlined on the [PDF version](#) of the application/Board Ordinance on our [website](#)?

(o) Yes

7. If no, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

B.A., M.Ed., Vanderbilt University
Licensed Texas Realtor #689974
Graduate, Realtor Institute
Accredited Buyer Representative
Military Relocation Professional
Educational Diagnostician Certificate, State of Texas

Current municipal and civic organization memberships (positions and dates):

N/A

Previous municipal experience (positions, dates, where):

N/A

What personal qualifications can you bring to the board?

Passionate about neighborhoods retaining their value for the benefit and safety of citizens
Real estate investor and landlord
Home remodelers/flipper
A listener
Someone who is interested in hearing all sides of an issue

What is your personal vision for the City?

A beautiful and safe place of which we can all be proud that will serve current and future citizens well.

Why do you want to serve on this board?

I have been blessed to have had a banner, post pandemic year in real estate. I would like to give back to the community in sharing my knowledge about real estate.

Is there anything else you would like to share about yourself?

I do not prepossess any agenda except to follow the guidelines set forth by the City while respecting the rights of the property owner to seek a solution via collaboration.

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at [325-657-4405](tel:325-657-4405).

Thank you,
City of San Angelo, TX

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NOTE: This application is a public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name:	Stacie Elkins
Address:	[REDACTED]
ZIP code:	76902
Home/mobile phone:	[REDACTED]
Office/mobile phone:	[REDACTED]
Resident of San Angelo since (year):	1972
City Council Single-Member District in which you reside:	1
Registered San Angelo voter? (yes or no)	yes
Occupation/business affiliation:	Hubbub Promos
Occupation/business address:	410 W. Concho Ave
Title/position:	owner

Email:

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

04/20/2022

4. Applying for:

(o) Design and Historic Review Commission

5. Recommended by:

(Name): Del Velásquez

6. Based on your board selection, do you meet the membership criteria outlined on the [PDF version](#) of the application/Board Ordinance on our [website](#)?

(o) Yes

7. If no, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

Owner, Hubbub Promos - 2018-present
Bookkeeper, Elkins Ranch LLC – 2014-present
Bookkeeper, Santa Rosa Fresh Water LLC – 2012-present
Bookkeeper, Universal Surface Restoration, LLC – 2016-present
Manager, American Classifieds – 1998-2017
Teacher, Cornerstone Christian School – 1996-1998
Manicurist, Self Employed – 1990-present

Henderson State University, Arkansas, Bachelor of Science in Education
Graduated December 1994

Current municipal and civic organization memberships (positions and dates):

Downtown San Angelo Board Member 2019-present, Kids Que Chair
San Angelo Schools Foundation Board Member 2021-present, President Elect 2022-2023
First United Methodist Church SPRC 2020-present
First United Methodist Church Journey Class Bookkeeper, 2021-present
San Angelo Chamber Diversity Committee 2020-present
Country Club Acres Home Owner's Association Bookkeeper, 2019-present

Previous municipal experience (positions, dates, where):

March of Dimes, Girl's Home of San Angelo, West Texas Rehabilitation Center, United Way and Ethicon Golf Classic, San Angelo Stock Show and Rodeo, Goodfellow Appreciation Day, Ella Saves The Oceans Project, Walk To Emmaus
San Angelo Chamber Board Member 2007-2010, Chairman of the Board 2009
Leadership San Angelo Alumni Association Board Member, President 2006-2007
San Angelo Advertising Federation Board Member 2002-2006, President 2005
San Angelo Country Club Board Member 2012-2021, Membership/By-Laws Chair

What personal qualifications can you bring to the board?

I have lived in San Angelo almost all my life (college out of state). I have seen it grown and evolve into what it is today. I have a feel for what the citizens of San Angelo like and how they want to see San Angelo progress but keep that small town feel. I care about our downtown revitalization, and want to continue on that success while keeping our historic esthetic heritage.

What is your personal vision for the City?

I see San Angelo continuing in its steady growth while still maintaining its small/hometown feel. I think the continued revitalization of downtown is a big part of that vision. That is one reason I joined the Downtown San Angelo Board. I want to promote the downtown area, while keeping the historical elements of it in check.

Why do you want to serve on this board?

I am interested in the historical history of our town and want to be a part of the decision making process when it comes to historic preservation design downtown.

Is there anything else you would like to share about yourself?

no

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NOTE: This application is a public record.

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1. Personal information

Name:	Farrah
Address:	[REDACTED]
ZIP code:	76904
Home/mobile phone:	[REDACTED]
Office/mobile phone:	[REDACTED]
Resident of San Angelo since: (year)	2009
City Council Single-member District in which you reside:	1
Registered San Angelo voter? (yes or no)	yes
Occupation/business affiliation:	School Administrator
Occupation/business address:	San Angelo ISD 1621 University Avenue 76904
Title/position:	Assistant Superintendent Human Resources and Professional Learning

Email:

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

4/28/2022

4. Applying for:

(o) Economic Development Corporation

5. Recommended by:

(Name): Larry Miller

6. Based on your board selection, do you meet the membership criteria outlined on the [PDF version](#) of the application/Board Ordinance on our [website](#)?

(o) Yes

7. If no, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

Highest Education Degree

Doctor of Education May 2019

Educational Leadership Texas Tech University

Certifications

Superintendent, Principal Elementary Self-Contained, Elementary Life-Earth Science, Early Childhood Education

Current municipal and civic organization memberships (positions and dates):

Ballet San Angelo Board of Directors-2019 through present

YMCA Board of Directors-2015 through 2022

Previous municipal experience (positions, dates, where):

San Angelo Performing Arts Center-2016 through 2018

What personal qualifications can you bring to the board?

As an experienced educational leader with an extensive background in public education, human resources, and administrative programs, I can use my skills to support the goals of promoting and developing business enterprises that create and retain primary jobs. As a leader in one of the major employers in the city, I have a vested interest, for future and current employees and residents, that San Angelo is a community where people want to live and conduct their business. In my role, I speak to current and prospective employees and get frequent feedback on how our community compares to others. I would share this knowledge to help the board grow forward in future endeavors as board members continue to work with economic development partners to both recruit new businesses and retain current businesses.

What is your personal vision for the City?

San Angelo has multiple opportunities for further growth. One of the strengths of the city is our strong partnerships. We saw these come together during COVID. Now it's time we use these to "grow forward" from COVID. Life most likely will never be quite the same, but we must capitalize on these strong partnerships to propel forward and communicate with the citizens of San Angelo in a way in which they understand and support the the work.

Why do you want to serve on this board?

As a San Angeloan, the development of the city is important to me. I moved away in the early years of my career and chose to come back to San Angelo, so my two daughters could graduate from San Angelo ISD. So often I hear others not from San Angelo talk about what they love and I light up with pride. I want to see the city make improvements for the betterment of the community as a whole. Having family, friends, students, and employees in the community, greatly motivates me to serve to help for the good of all.

Is there anything else you would like to share about yourself?

As a wife, mother of two, and public school administrator, it is important to me to serve and give back to the community. I have an interest on both a personal and professional level to see the city value our history and transform our future.

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