



City Council Agenda 8/15/2023

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held August 15, 2023 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 August 28, 2023 as the 60th Anniversary of the March on Washington

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 August 3, 2023 City Council meeting minutes (Heather Stastny)
- b. Consider a lease extension to Concho Valley Workforce Development Board for property at 202 Henry O'Flipper St. and authorizing City Manager to negotiate and execute all related documents (Robert Bluthardt)
- c. Consider awarding Task Order #8 under IDIQ contract ES-06-19 Engineering Services for Modifications to the Bill Aylor Sr. Riverstage to Entropec/Hibbs & Todd in the amount of \$186,984.39 for Civil, Mechanical, Plumbing, and Electrical Engineering design documents, utilizing the Civic Events fund balance and authorizing the City Manager to negotiate and execute all related documents (Alfonso Torres)
- d. Consider awarding RFB OP-03-23 Ready Mix Concrete to Ingram Concrete and JL Ready Mix Concrete in the aggregate amount of \$200,000, budgeted annually, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- e. Consider approving the purchase of three Gridsmart traffic detection cameras from Cubic ITS, Inc. in the amount of \$60,438 through Buy Board contract #703-23, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- f. Consider approving the purchase of playground equipment for Bell Park from Cunningham Recreation in the amount of \$67,179.24 and for Mountainview Park from Exerplay, Inc. in the amount of \$66,744.75, through a BuyBoard contract #679-22 for both companies (total amount \$133,923.99), and authorizing the City Manager to negotiate and execute all related documents (Roger Havlak)
- g. Consider an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) services with associated costs not to exceed \$22,921 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)

- h. Consider an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) services with associated costs not to exceed \$145,626 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)
- i. Consider accepting an annexation petition for 28.860 acres of land, being C.Berberich Survey No. 177, Abstract No. 52, located west of Foster Rd. and south of West Loop 306, and setting a public hearing for September 19, 2023 (Jon James)
- j. Consider accepting an annexation petition for 31.356 acres of land, being A.B. & M Survey No. 3, Abstract No. 24 and B.S & F Survey No. 5, Abstract No. 101, Tom Green County, located northwest of the intersection of Arden Rd. and FM 2288 (Arden Heights), and setting a public hearing for September 19, 2023 (Jon James)

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 a request for an appeal of the Planning Commission's approval of Conditional Use 23-19, for a Short-Term Rental located at 635 S. Jefferson St. (Presentation made by Planning & Development Services Director Jon James)
- b. Consider a request for a Certificate of Appropriateness for exterior work on a historic building located at 215 W. Twohig (Presentation made by Planning & Development Services Director Jon James)
- c. First reading and public hearing of an ordinance for Z23-07 to rezone property from the Heavy Commercial zoning district to the Neighborhood Commercial zoning district, being 2.473 acres, located at 1261 and 1349 Glenna St. (Presentation made by Planning & Development Services Director Jon James)
- d. First reading and public hearing of an ordinance amending Planned Development PD05-03 to extend uses currently allowed in specific areas on the lot (Civic, Institutional, Religious, Educational, Athletic and Neighborhood Commercial) to be allowed throughout the entire property located at 5687 Melrose Ave. (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. Consider approving various Board nominations
Economic Development Corporation: Carlos Rodriguez (SMD4) to a first term ending February 2025
- 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 9th day of August 2023, at 5:57 p.m.


Heather Stastny, 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 ADA Coordinator at 325-657-4407 for request, or by completing a request form online at cosatx.us/ada.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Heather.Stastny@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

Nearly 60 years ago, on Aug. 28, 1963, more than 250,000 people walked down Constitution and Independence Avenues to gather at the Lincoln Memorial where they heard speakers, songs, and prayers to push America to change.

The event was the “March on Washington for Jobs and Freedom,” in which a litany of Civil Rights and labor leaders demanded voting rights, fair wages, economic justice, educational equity and advancements, and a true end to segregation.

In the months after the March, ongoing demonstrations and violence continued to pressure political leaders to act. The passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 were turning points in the struggle for civil rights. Together, the two bills outlawed segregated public facilities and prohibited discriminatory practices in employment and voting.

The success of the March reverberated throughout society and provided a model for social change. The power of mass nonviolent demonstrations inspired Americans fighting for equal rights and access to opportunities regardless of race, gender, ethnicity, religion, age, sexual orientation, or disabilities.

It is not enough to reflect with pride on the victories of the movement. In honor of every man, woman, and child who left footprints on the March, we must make progress in our time.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim August 28, 2023 as the

60th Anniversary of the March on Washington

in San Angelo, Texas, and urge all citizens to reflect and recommit to those goals from the March on Washington.

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 15th day of August 2023.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
City Council Meeting
Thursday, August 3, 2023

Present:

Mayor Brenda Gunter
Mayor Pro tem Lucy Gonzales, SMD 4
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
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 Thursday, August 3, 2023 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided, and pledges were led, by San Angelo Police Department Chaplain Ralph Dawkins.

3. Proclamations/Recognitions

No proclamations/recognitions.

4. Public Comment

Citizens Jason Davis (SMD5) and Cecile Goodman (SMD5) spoke against the closing of the San Angelo Nature Center.

5. Consent Agenda

- a. Approval of the July 18, 2023 City Council meeting minutes (Heather Stastny)
- b. Approval of the purchase of 10-MSA G1 Self Contained Breathing Apparatus (SCBA) from Casco Industries through Buyboard Contract 629-23, in the amount of \$88,300 budgeted for purchase in fiscal year 2023, and authorizing the City Manager to execute all related documents (Patrick Brody)
- c. Approval of an interlocal agreement between the City of San Angelo and Tom Green County for the joint operation of the San Angelo/Tom Green County Office of Emergency Management (Patrick Brody)
- d. Approved amendment to the Street Light Policy for the inclusion of LED lighting standards (Patrick Frerich)
- e. Second reading and adoption of an ordinance to abandon the approximately 20' x 105' of unimproved alley running north/south parallel to N. Main St., and located half a block west of N. Main St. and south of E. 14th St. (Jon James) (Pg. 389, 2023-078)
- f. Second reading and adoption of an ordinance for Z23-05 to rezone property from the Single-Family Residential zoning district to the Neighborhood Commercial zoning district, located at 1065 N. Main St. (Jon James) (Pg. 392, 2023-079)

Motion: Council Member Hesse-Smith made a motion, seconded by Council Member Thomas, to approve the Consent Agenda as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

6. Regular Agenda

- a. Award of FS-10-23 Fleet Vehicles to multiple vendors in the amount of \$2,942,000 for the purchase of pickups, police vehicles, and cars, amending the fiscal year 2022-23 budget for the corresponding expenses and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Senior Fleet Manager Ryan Kramer)

Motion: Council Member Hiebert made a motion, seconded by Council Member Miller, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

- b. Consideration of Tax Increment Reinvestment Zone (TIRZ) incentive funding for three private projects and amending the fiscal year 2022-23 budget for the corresponding expenses (Presentation made by Planning & Development Services Director Jon James)
- i. In the North TIRZ area, the property located at 1718 N. Chadbourne, totaling \$68,800
- ii. In the South TIRZ area, for the property located at 1 W. Concho, totaling \$72,294
- iii. In the South TIRZ area, for the property located at 213 N. Chadbourne, totaling \$72,294

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented with the exception of the \$5,766 budget amendment for the South TIRZ projects. The motion carried unanimously (7) 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:

8. Follow Up and Administrative Issues

- a. Consideration of items discussed in Closed Session, if needed
- b. Approval of various Board nominations:
Construction Board of Adjustment & Appeals: Jordan Sefcik (SMD5) to a first term ending February 2025
Tax Increment Reinvestment Zone Board: Trey Holmes (SMD3) to a first term ending July 2025

Motion: Council Member Hesse-Smith made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

- c. Announcements and consideration of Future Agenda Items
-Budget Workshop-Enterprise Funds – proposed date Friday, August 11
-Budget Workshop-General Fund – proposed date Tuesday, August 29
-Consider moving the September 5 meeting to Thursday, September 7

Consensus: Budget Workshop – Enterprise Funds was scheduled for Monday, August 14. All other dates were approved as proposed.

9. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays.

There being no further business, the meeting adjourned at 9:16 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Angela Bloss, Deputy 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: Robert Bluthardt, Fort Concho Manager, Fort Concho

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider a lease extension to Concho Valley Workforce Development Board for property at 202 Henry O'Flipper St. and authorizing City Manager to negotiate and execute all related documents (Robert Bluthardt)

Staff Recommendation:

Approve

Summary/History:

The Concho Valley Workforce Development Board (CVWDB) occupies 19120 square feet of office space in a city-owned structure managed by Fort Concho at 202 Henry O. Flipper Street. The current lease expires at the end of August 2023 and the CVWDB seeks a five-year extension with an option for another five years. Lease payments fund the operations, cleaning, and maintenance of the building. Staff recommends approval of this lease extension.

Funding Source(s):

Financial Impact:

The lease payments will fund the operations of the building including all staff, cleaning, and capital needs for the next five years within Fund 201, a non-General Revenue Fund.

Other Information/Recommendation:

Staff recommend approval of this lease extension as proposed

Attachments:

Presentation:

Robert Bluthardt

Approvals/Reviews:

Robert Bluthardt
Carlton White

Created/Initiated
Approved

Theresa James
Jeffrey Tomlinson
Tina Dierschke
Theresa James
Heather Stastny

Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Alfonso Torres, Construction Manager, Construction Management

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider awarding Task Order #8 under IDIQ contract ES-06-19 Engineering Services for Modifications to the Bill Aylor Sr. Riverstage to Entropac/Hibbs & Todd in the amount of \$186,984.39 for Civil, Mechanical, Plumbing, and Electrical Engineering design documents, utilizing the Civic Events fund balance and authorizing the City Manager to negotiate and execute all related documents (Alfonso Torres)

Staff Recommendation:

Approve

Summary/History:

This proposal is for Engineering services for the design of improvements to the Bill Aylor Sr. Memorial Riverstage. The services include Phase One renovations only and include the following:

- Storage and Dressing Room addition (west side of stage)
- Expanded Green Room
- Addition of Production Office
- New loading dock with canopy (east side of stage)
- Box office and Concession Building addition
- Entry Canopy at Box Office area
- Additional Hillside seating
- ADA modifications to restrooms, walkways, etc., including new ramps to stage area
- Relocate fencing to allow for ADA accessible route from stage level to Box Office level
- Paving improvements

This proposal does NOT include Engineering services for Phase Two improvements which include a new restroom/concession facility, a new lift station to serve both the Riverstage and the Municipal Pool, a new shade structure over the existing concrete slab in front of the stage, and a new entry off Avenue A with a new box office, arbor walkway, and stairs/ramps to access the main level.

Architectural design and Construction Documents will be completed in house.

The Riverstage facility is in dire need of upgrades. The facility is extremely popular but planned modifications will make the facility more attractive to both patrons and visiting artists. Proposed costs for the Phase One portion of the work is \$1,066,100.

Staff recommends approving this Task Order for Engineering Services.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
Civic Events Fund	410-6605-490.03-30		\$186,985

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|--|
| 1. | Task Order No. 8 with Exhibits (signed by eHT) | Task Order No. 8 with Exhibits (signed by eHT).pdf |
| 2. | BA Memo - River stage | BA Memo - River stage.pdf |

Presentation:

Alfonso Torres

Approvals/Reviews:

Alfonso Torres	Created/Initiated
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval



TASK ORDER No. 8

Effective Date:

RFQ: ES-06-19 Professional Services – Engineering Services

Contractor: Enprotec / Hibbs & Todd

402 Cedar St., Abilene, TX 79601

325-998-6137

jake.gravell@e-ht.com

sage.diller@e-ht.com

joe.mangrem@e-ht.com

Approving Director: Carl White – Parks and Recreation Director

Effective Date of Master Contract: December 1, 2019

Task Order Scope of Work (*Include references to attachments*): Provide prime contracting engineering services associated with Phase One (1) for the River Stage Facility Improvements including Preliminary Design, Design Development, Construction Documents, and Construction Phase Services. The Scope of Services is more fully detailed on the attached Exhibit "A".

Time of Completion: Work on this Task Order shall be substantially completed within 280 days from when City issues Contractor a written Notice to Proceed. Approval for beginning Work on the project will not be given and that Work will not start until all required bonds and insurance certificates specified in the contract documents have been received and approved by City. Contractor agrees that any extension of the Contract Time stated herein shall not be effective or of any force or effect until and unless in writing, signed by the above-named Approving Director, or designee.

Task Order Contract Price: ONE HUNDRED EIGHTY SIX THOUSAND NINE HUNDRED AND EIGHTY FOUR AND 39/100 DOLLARS (\$186,984.39)

Council Authorization Date (Task Orders of \$50,000 or more): August 15, 2023

Documents Incorporated Into and Made a Part of This Task Order (Attached):

- Exhibit A "Scope of Services"
- Exhibit B "Compensation and Schedule"
- Exhibit C "Opinion of Probable Project Cost (OPPC)"

Reaffirmation of Master Contract: This Task Order is an addendum to the Master Contract, and all contract provisions shall apply unless specifically exempted. The price and time designated in this Task Order are the maximums agreed to by City and Contractor. This Task Order and any attached Exhibits and contract documents referred to herein are the entire agreement between Owner and Contractor with respect to this Task Order.

Notwithstanding anything to the contrary herein, the cost of the change indicated on the face of this Task Order is the entire amount of the change, and no backup documentation attached hereto may reserve the Contractor's right to increase the contract time or the cost of this change for extended overhead or general conditions or any other reason.

At time of execution of this Task Order, Contractor shall execute and provide to City/Owner the verified certification in a form provided by City in compliance with Chapter 2270 of the Texas Government Code and Subchapter "F" of Chapter 2252 of the Texas Government Code.

Signature page to follow

CONTRACTOR: Enprotec / Hibbs & Todd

BY: 
Sage Diller P.E., Associate Vice President

CITY OF SAN ANGELO, TEXAS

Daniel Valenzuela, City Manager

ATTEST:

Heather Stastney, City Clerk

APPROVED AS TO PURCHASING:

Jeffrey Tomlinson, Purchasing Manager

APPROVED AS TO RISK:

Shandi McWright, Risk Manager

APPROVED AS TO CONTENT:

Carl White, Parks and Recreation Director

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT "A"

SCOPE OF SERVICES RIVER STAGE FACILITY IMPROVEMENTS PHASE ONE

Provider shall provide Basic and Additional Services associated with TASK ORDER NO.8 between the CITY and PROVIDER for Professional Services dated _____, 2023 for the City of San Angelo River Stage Facility Improvements Project. General scope of the project to includes:

- Provider shall perform basic engineering services associated with prime engineering contractor roles including coordination of Civil, Architectural, Structural, and MEP Engineering design documents for the construction of the proposed Phase 1 River Stage Facility Improvements.
- Architectural Design Documents for the project shall be provided by the City.
- Provider will follow the general engineering design process through submittals of Preliminary Design, Design Development, Construction Documents, Plans and Specifications, Construction Administration, and Project Management.
- Provider shall include a topographic survey in phase one of the project. The topographic survey will provide information about the existing conditions on the project site necessary for the basis of design. The City shall coordinate with the Provider to locate existing utilities on the ground prior to conducting the topographic survey.
- Provider shall include a geotechnical investigation with recommendations as necessary for structural, paving, grading, and drainage improvements.
- Provider shall include the following design documents in phase one submittals:
 1. Box Office and Concession Addition
 2. Entry Canopy
 3. ADA Accessible Sidewalk Pavement (east side)
 4. Relocate Fencing (east side)
 5. Loading Dock Addition (east side)
 6. Remodel Existing Restrooms (ADA Improvements)
 7. Storage and Dressing Room Addition (west side)
 8. Production Office Addition
 9. Hillside Seating Expansion
 10. Bar Structure Additions (2)
 11. Paving Improvements (east side performer entry to stage)
 12. Miscellaneous Paving, Grading, and Drainage Improvements

I. Basic Services

A. Preliminary Design Phase

1. Once authorized by the City, the Provider shall:

- a. Conduct a Predevelopment Meeting. The meeting shall include key members of Engineer's Project Team and the City Departments involved in the project including engineering, planning and development, and utility departments. The meeting shall focus on the scope of work, design submittal requirements, and deliverables required by the city.
- b. Coordinate collection of topographic survey information as required for the basis of design.
- c. Develop Preliminary Design Phase exhibit drawings and topographic survey showing the extent and limit of the proposed improvements.
- d. Furnish the Preliminary Design Phase exhibit drawings to and review them with City.
- e. Based on the information contained in the Preliminary Design Phase exhibit drawings, submit an Opinion of Probable Construction Cost (OPCC) for construction of the proposed improvements.
- f. Advise City if additional reports, data, information, or services of the types not contained in this Agreement are necessary and assist City in obtaining such reports, data, information, or Services.
- g. Provider's Services under the Preliminary Design Phase will be considered complete when the Preliminary Design Phase documents required above have been delivered to the City.

B. Design Development Phase

- 1. Once Preliminary Design Documents are reviewed and approved by the City, the Provider shall:
 - a. Coordinate between the disciplines to develop design sheets necessary for the design documents.
 - b. Coordinate geotechnical investigations at up to five (5) boring locations as approved by the City.
 - c. Deliver the results of the geotechnical investigation in the form of a geotechnical report with recommendations to the disciplines and to the City for reference.
 - d. Implement City design standards into the site design.
 - e. Prepare Design Development Phase Drawings in a 50% submittal package furnished to the disciplines for review and comment. Coordination between the disciplines shall be required to address comments.
 - f. Prepare Design Phase Drawings in a 100% submittal package furnished to the City for review and comment.

- g. Providers services under the Design Development Phase will be considered complete when the Design Development Phase Documents required above have been delivered to the City.

C. Construction Document Phase

1. Once Design Development Documents are reviewed and approved by the City, the Provider shall:
 - a. Prepare Construction Document Phase Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor. Specifications will be prepared, where appropriate, in general conformance with standard City specification format. Construction Document Phase Drawings shall be prepared in a 50% CD submittal package furnished to the disciplines for review and comment and a 95% CD submittal package furnished to the disciplines for review and comment. Coordination between the disciplines shall be required to address comments.
 - b. Coordinate collection of additional Design Survey information as required for Final Submission.
 - c. Advise City of any adjustments to the OPCC and any adjustments to Total Project Costs known to Provider.
 - d. Prepare Construction Document Phase Drawings in a 100% CD submittal Package furnished to the city for review and comment. Make any final modifications or changes as requested by the City.
 - e. Submit 2 copies and 1 pdf of the Construction Document Phase Drawings and OPCC to City.
 - f. Provide project AutoCAD drawing files to the City for use in development of as-built drawings.
 - g. Providers services under the Construction Document Phase will be considered complete when the Construction Documents required above have been delivered to the City.

D. Final Submission Phase

1. After acceptance by City of the Construction Documents and the most recent OPCC as determined in the Construction Document Phase, Provider shall prepare final Plans and Specifications in accordance with City design standards.
2. Disciplines shall provide specifications as necessary to provider for preparation of Final Submission.
3. Prepare Final Plans and Specifications in a submittal package furnished to the City for approval.

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

E. Construction Phase

1. *General Administration of Construction Contract* – The City will provide General Administration of the Construction Contract. Provider will assist as defined below and otherwise requested by City.
2. With written notice to proceed, Provider shall provide the following services for the prime contract:
3. *Pre-Construction Conference*. Attend and participate in a Pre-Construction Conference hosted by the City prior to commencement of Work at the Site.
4. *Visits to Site and Observation of Construction*. In connection with observations of Contractor's work in progress while it is in progress:
 - a. Perform site visits at critical stages of Work (start-up, final completion) and upon request by the City.
 - b. Make periodic visits to the Site at intervals appropriate to the various stages of construction, as Provider deems necessary, in order to observe as an experienced and qualified design professional the progress and quality of the Work. Such visits and observations by Provider, and the Project Inspector, if any, are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress or to involve detailed inspections of Contractor's work in progress beyond the responsibilities specifically assigned to Provider in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Provider's exercise of professional judgment as assisted by the Project Inspector, if any. Based on information obtained during such visits

and such observations, Provider will determine in general if Contractor's work is proceeding in accordance with the Contract Documents, and Provider shall keep City informed of the progress of the Work.

- c. The purpose of Provider's visits to, and representation by the Project Inspector, if any, at the Site, will be to enable Provider to better carry out the duties and responsibilities assigned to and undertaken by Provider during the Construction Phase, and, in addition, by the exercise of Provider's efforts as an experienced and qualified design professional, to provide for City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. Provider shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Provider have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, or for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Provider neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
 - d. The City will perform project inspection and construction oversight. Copies of inspection reports will be provided by City as requested by Provider.
- 5. *Defective Work.* Recommended to City that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Provider believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
 - 6. *Clarifications and Interpretations; Field Orders.* Issue necessary clarifications and interpretations of the Contract Documents to allow the orderly completion of the Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Provider may issue Field Orders through the City's representative, authorizing minor variations from the requirements of the Contract Documents.
 - 7. *Change Orders and Work Change Directives.* Recommend Change Orders and Work Change Directives to the City, as appropriate, and support the City in the preparation of Change Orders and Work Change Directives as required.
 - 8. *Shop Drawings and Samples.* Review and take appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident

thereto. Provider has an obligation to meet any Contractor's submittal schedule that has earlier been acceptable to Provider.

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

F. *Duration of Construction Phase.* The Construction Phase will commence with the execution of the Construction Agreement and will terminate upon written recommendation by Provider for final payment to Contractor.

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

H. *Post-Construction Phase*

1. Under the Post-Construction Phase, Provider shall perform the following tasks:

- a. Assist City in developing procedures for control of the operation and maintenance of, and record keeping for Project equipment and systems.
- b. Together with City, visit the Project to observe any apparent defects in the Work, assist City in consultations and discussions with Contractor concerning correction of any such defects, and make recommendations as to replacement or correction of Defective Work, if present.
- c. City will prepare Record Drawings using final design AutoCAD drawing files provided by Provider.

2. The Post-Construction Phase services may commence during the Construction Phase and, if not otherwise modified in this Exhibit A, will terminate at the end of the Correction Period.

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

A. If authorized in writing by City, Provider shall furnish or obtain from others Additional Services of the types listed below. These services will be paid for by City.

1. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Provider or its design requirements including, but not limited to, changes in size, complexity, City's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date of this Agreement or are due to any other causes beyond Provider's control.
2. Furnishing services of Provider's Consultants for other than Basic Services, or authorized Additional Services.
3. Services attributable to multiple prime construction contracts, in excess of the one (1) contemplated under this Agreement.
4. Services during out-of-town travel required of Provider other than for visits to the Site or City's office, or the Texas Commission on Environmental Quality.

5. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by City; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.
6. Assistance in connection with Bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
7. Providing assistance in resolving any Hazardous Environmental Condition in compliance with current Laws and Regulations.
8. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other dispute resolution process related to the Project.
9. Other services performed or furnished by Provider not otherwise provided for in this Agreement.

III. Excluded Services

- A. Provider shall not be responsible for architectural design services. Architectural services shall be provided by the City.

EXHIBIT "B"

**COMPENSATION AND SCHEDULE
RIVER STAGE FACILITY IMPROVEMENTS PHASE ONE**

This EXHIBIT B, consisting of 3 pages, referred to in and part of TASK ORDER NO. 8 between CITY and PROVIDER for Professional Services dated _____, 2023 for the City of San Angelo River Stage Facility Improvements Project. Total compensation City shall pay Provider for basic and additional services shall be \$187,500.00 as outlined in this Exhibit B.

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

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

1. Lump Sum Amount of \$112,000.00 for Basic Services based on the following assumed distribution of compensation:

TASK I.A	Preliminary Design Phase	\$27,000.00
TASK I.B	Design Development Phase	\$20,000.00
TASK I.C	Construction Document Phase	\$30,000.00
TASK I.D	Final Submission Phase	\$15,000.00
TASK I.E	Construction Phase	\$20,000.00

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

II. For Additional Services Having a Determined Scope – Lump Sum Method of Payment

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

1. Lump Sum Amount of \$75,500.00 for Basic Services based on the following assumed distribution of compensation:

TASK II.A Surveying \$18,000.00

TASK II.B Environmental..... \$30,000.00

TASK II.C Geotechnical Investigation \$12,500.00

TASK II.D Construction Materials Testing..... \$15,000.00

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

III. For Services Not Having a Determined Scope – Time and Expense Method of Payment

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

Enprotec / Hibbs & Todd, Inc.
CURRENT HOURLY CHARGES FOR PROFESSIONAL SERVICES
Charges include all salaries, salary expenses, overhead, and profit.

Principal	\$ 240.00 per hour
Senior Project Manager	200.00 per hour
Project Manager	175.00 per hour
Senior Engineer / Geologist.....	160.00 per hour
Project Engineer / Geologist.....	140.00 per hour
Staff Engineer I / Geologist I.....	120.00 per hour
Staff Engineer II / Geologist II	115.00 per hour
RPLS I	160.00 per hour
Operations Specialist / Regulatory Compliance Specialist	155.00 per hour
Contract Operator (Certified Class A/B Operator).....	120.00 per hour
Contract Operator (Certified Class C/D Water Operator)	100.00 per hour
Engineering / Field Technician I	140.00 per hour
Engineering / Field Technician II	115.00 per hour
Engineering / Field Technician III.....	90.00 per hour
Survey Tech I	90.00 per hour
Survey Tech II	70.00 per hour
CAD I	135.00 per hour
CAD II	105.00 per hour
CAD III	70.00 per hour
Administrative	75.00 per hour
Survey Party	235.00 per hour - 3 man
.....	210.00 per hour - 2 man
.....	185.00 per hour - 1 man

Expense Items

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

Exhibit "C"

City of San Angelo Phase 1 River Stage Facility Improvements Opinion of Probable Project Cost

ITEM #	QUANTITY	UNIT	BID DESCRIPTION	UNIT COST	TOTAL
Phase 1 River Stage Improvements					
1	1	LS	Mobilization, Bonding & Insurance (not to exceed 5% of total Bid)	\$ 46,925.00	\$ 46,925.00
2	1	LS	Box Office and Concession Addition	\$ 65,000.00	\$ 65,000.00
3	1	LS	Entry Canopy	\$ 25,000.00	\$ 25,000.00
4	1	LS	ADA Accessible Sidewalk Pavement (east side)	\$ 62,500.00	\$ 62,500.00
5	1	LS	Relocate Fencing (east side)	\$ 25,000.00	\$ 25,000.00
6	1	LS	Loading Dock Addition (east side)	\$ 40,000.00	\$ 40,000.00
7	1	LS	Remodel Existing Restrooms (ADA Improvements)	\$ 16,000.00	\$ 16,000.00
8	1	LS	Storage and Dressing Room Addition (west side)	\$ 210,000.00	\$ 210,000.00
9	1	LS	Production Office Addition	\$ 170,000.00	\$ 170,000.00
10	1	LS	Hillside Seating Expansion	\$ 50,000.00	\$ 50,000.00
11	2	LS	Bar Structure Addition (2 Additions)	\$ 45,000.00	\$ 90,000.00
12	1	LS	Paving Improvements (east side performer entry to stage)	\$ 120,000.00	\$ 120,000.00
13	1	LS	Grading and Drainage Improvements	\$ 40,000.00	\$ 40,000.00
14	1	LS	Miscellaneous Improvements	\$ 25,000.00	\$ 25,000.00
SUBTOTAL CONSTRUCTION				\$ 985,425.00	\$ 985,425.00
15% CONSTRUCTION FACTOR				\$ 147,814.00	\$ 147,814.00
SUBTOTAL PHASE 1				\$ 1,133,239.00	\$ 1,133,239.00
SUBTOTAL CONSTRUCTION COST ESTIMATE				\$ 1,133,239.00	\$ 1,133,239.00
10% CONTINGENCY				\$ 113,324.00	\$ 113,324.00
TOTAL PROBABLE CONSTRUCTION COST ESTIMATE				\$ 1,246,563.00	\$ 1,246,563.00
PROFESSIONAL SERVICES					
1	1	LS	Design, Bidding, Construction Phase Services	\$ 187,500.00	\$ 187,500.00
SUBTOTAL OF PROFESSIONAL SERVICES				\$ 187,500.00	\$ 187,500.00
TOTAL PROJECT COST ESTIMATE				\$ 1,434,063.00	\$ 1,434,063.00

DISCLAIMER: This OPPC is released under the authority of Timothy S. Diller, Texas PE License Number 96645, on August 1, 2023, and represents the design professional's best judgment. Enprotec / Hibbs & Todd, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market and industry conditions. Accordingly, Enprotec / Hibbs & Todd, Inc. cannot and does not guarantee that bids will not vary from this cost estimate.

DOCUMENT FOR INTERIM REVIEW. NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMITTING PURPOSES

Memo

To: Tina Dierschke, Finance Director
From: Sidney Walker, Civic Events Manager
Date: 08/15/2023
Re: Budget Amendment Request

Purpose of Budget Amendment Request:
Fund Phase 1 of River Stage renovations

Source of Funding:
Civic Events fund balance.

Funding previously approved? If so, by City Manager or City Council and when?
No

Project/Budget to be amended	Revenue	Expense
Riverstage phase 1 design		186,985

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Frerich, Director of Operations, Operations

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider awarding RFB OP-03-23 Ready Mix Concrete to Ingram Concrete and JL Ready Mix Concrete in the aggregate amount of \$200,000, budgeted annually, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

The City of San Angelo solicited bids for the purchase of ready mix concrete to be used for curb and gutter, valley gutters and fillets, alley paving, sidewalks, street paving, curb ramps, medians, drainage improvements, water utility projects, parks projects, and similar City projects on an as-needed basis. Bids were solicited from area providers and two bids were received.

The City requests awarding a contract to both Respondents under this RFB. Awarding to multiple vendors will give the City flexibility in scheduling and availability to ensure any time-sensitive projects can be completed effectively.

Funding Source(s):

Financial Impact:

Purchases under this RFB will be made from annually-budgeted expense accounts across various Funds.

Other Information/Recommendation:

Staff recommends awarding RFB OP-03-23 to Ingram Concrete and JL Ready Mix Concrete.

Attachments:

- | | | |
|----|-------------------------|-----------------------------|
| 1. | OP-03-23 Bid Tabulation | OP-03-23 Bid Tabulation.pdf |
|----|-------------------------|-----------------------------|

Presentation:

Patrick Frerich

Approvals/Reviews:

Patrick Frerich	Created/Initiated
Pete Madrid Jr.	Approved
Patrick Frerich	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

**RFB Bid Tabulation**

OP-03-23 Rebid 2 • Ready Mix Concrete

Tuesday, August 1, 2023 2:00 p.m.

				Ingram Concrete			JL Ready Mix Concrete		
#	Items	Quantity Required	Unit	Unit Price	Comments	Total Cost	Unit Price	Comments	Total Cost
1									
#1-1	Class A- Concrete	1	Cubic Yard	\$150	n/a	\$150	\$151	per yard	\$151
#1-2	Class B- Concrete	1	Cubic Yard	\$145	n/a	\$145	\$148.50	per yard	\$148.50
#1-3	Class C- Concrete	1	Cubic Yard	\$158	n/a	\$158	\$146	per yard	\$145.50
#1-4	Class D- Concrete	1	Cubic Yard	\$142	n/a	\$142	\$155.50	per yard	\$155.50
#1-5	Class E- Concrete	1	Cubic Yard	\$158	n/a	\$158	\$158	per yard	\$158
#1-6	Class S- Concrete	1	Cubic Yard	\$163	n/a	\$163	\$155.50	per yard	\$155.50
#1-7	Class P- Concrete	1	Cubic Yard	\$154	n/a	\$154	\$149	per yard	\$148.50
#1-8	Class DC- Concrete	1	Cubic Yard	No Bid	Not Available	No Bid	\$150.50	per yard	\$150.50
#1-9	Class CO- Concrete	1	Cubic Yard	No Bid	Not Available	No Bid	\$153	per yard	\$153.00
#1-10	Retarding Admixture	1	Cubic Yard	\$3	Level 1 Set Control	\$3	\$5.50	per yard	\$5.50
#1-11	High Yield/ Accelerating Admixture	1	Cubic Yard	\$4	Level 1 Accelerator	\$3.50	\$9	per yard	\$8.50
#1-12	Steel Fibermesh	1	Cubic Yard	\$28	24# per cy dosage	\$28	\$35.50	per yard	\$35.50
#1-13	Delivery	1	Per Truck or cubic Yard	\$0	No mileage charge within a 20 mi radius, there after it will be \$5.00/mile	\$0	\$0	N/A	\$0
#1-14	Small Load Fee	1	Short Load Maximum	\$150	Short load fee on any loads less than 4 cy.	\$150	\$0.00	N/A	\$0
#1-15	Annual Escalation Amount	1	Dollar per Annum	\$6	\$6 escalator after first 6 months.	\$6	\$8	per year (approx)	\$8
#1-16	Other Standard Fees/Charges	1	Fee Amount	\$50	Fuel/Environmental Fee	\$50	\$0.00	N/A	\$0

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Dusty Hohensee, Traffic Operations Superintendent, Traffic Operations

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider approving the purchase of three Gridsmart traffic detection cameras from Cubic ITS, Inc. in the amount of \$60,438 through Buy Board contract #703-23, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

Staff Recommendation:

Approve

Summary/History:

The City of San Angelo solicited Buyboard quotes for the purchase of Gridsmart Detection Cameras. This purchase will continue the City's conversion to Gridsmart Cameras for its traffic signal detection. Approval will allow three intersections to be converted as the existing system is antiquated. This purchase is budgeted in FY'23.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
101	101-3102-432-0435		\$60,438

Financial Impact:

Funds for this purchase are budgeted in the current fiscal year.

Other Information/Recommendation:

Staff recommends approving the purchase under Buyboard Contract #703-23 to Cubic ITS, Inc.

Attachments:

- | | |
|--|---|
| 1. San Angelo 3 Gridsmart Systems with Performance Module BuyBoard | San Angelo 3 Gridsmart Systems with Performance Module BuyBoard.pdf |
|--|---|

Presentation:

Patrick Frerich

Approvals/Reviews:

Dusty Hohensee
Pete Madrid Jr.
Patrick Frerich
Shane Kelton
Theresa James
Jeffrey Tomlinson
Tina Dierschke
Heather Stastny

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Approved
Final Approval



Cubic ITS, Inc.
10545 Hardin Valley Road
Knoxville, TN 37932
USA

Description BuyBoard 703-23
Highway Safety and Traffic Control Products
3 GRIDSMART Systems with Performance
Module

Expiration Date 11/2/2023
Quote Date 8/2/2023
Quote Number 00021481
Payment Terms Net 30

Prepared By Jason Ore
Email jason.ore@cubic.com

Bill To Name San Angelo, TX
Bill To 52 W. College Ave.
San Angelo, Texas 76903
United States

Ship To Name San Angelo, TX
Ship To 52 W. College Ave
San Angelo, Texas 76903
United States

Product Code	Product	Sales Price	Quantity	Total Price Amount
GS-3-CBL	84" Cable Bracket	USD 171.00	3.00	USD 513.00
GS-3-SMK	Bell Camera Kit	USD 3,808.00	3.00	USD 11,424.00
GS3-SYS	GS3 System	USD 12,495.00	3.00	USD 37,485.00
GS-3-PFM	Performance Module	USD 3,295.00	3.00	USD 9,885.00
GS-3-TS2	TS2 Cable	USD 182.00	3.00	USD 546.00
GS3-TS2-OPT	TS2 Module GS3	USD 195.00	3.00	USD 585.00

Total Price USD 60,438.00
Shipping and
Handling USD 0.00
Tax USD 0.00
Grand Total USD 60,438.00

Cubic Transportation Systems will charge a 25% restocking fee on all physical goods and 10% on all software licenses.

I agree to the above pricing and terms and would like to place the above product on order.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Roger Havlak, Senior Parks Manager, Parks and Recreation

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider approving the purchase of playground equipment for Bell Park from Cunningham Recreation in the amount of \$67,179.24 and for Mountainview Park from Exerplay, Inc. in the amount of \$66,744.75, through a BuyBoard contract #679-22 for both companies (total amount \$133,923.99), and authorizing the City Manager to negotiate and execute all related documents (Roger Havlak)

Staff Recommendation:

Approve

Summary/History:

On July 18, 2023, City Council approved the MOU with the Alcohol & Drug Awareness Center for the Concho Valley (ADACCV) to accept the pass through funds (\$188,000) they are to receive from a grant from the Texas Health and Human Services (TX HHSC) to implement community-wide projects that promote behavioral health and wellness. These funds were made available through US HR 33 COVID-19.

ADACCV will provide \$94,000 for the current fiscal year and the remaining \$94,000 for fiscal year 2023-2024.

The City's responsibility, as part of the MOU, would be to replace the playgrounds at Mountainview and Bell Parks, based on the allocations stated above. The Bell Park playground would need to be installed and open to the public by March of 2024 and the Mountainview Park playground by October of 2024. The funds will be used for playground equipment, fall zone material, concrete work, benches, and other associated construction costs. Park's staff will keep ADACCV informed of the progress of each project.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
	601 6003 800 07 30		\$133,923.99

Financial Impact:

Park's staff anticipates an increase in expenses of \$2,000 per year for repairs and fall zone materials for both playgrounds.

The remainder of the funds allocated to these playground projects (\$54,076) will be used for the required fall zone material, retaining curbs, forming materials for the retaining curbs, benches, walkways connecting to the playgrounds, and drainage needs.

Other Information/Recommendation:

Park's staff recommends approval of purchasing both sets of playground equipment for Bell and Mountainview Parks.

Attachments:

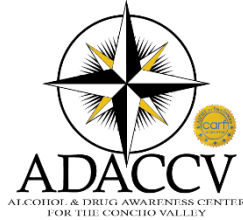
- | | | |
|----|--|--|
| 1. | MOU with ADACVV for funding for playgrounds executed July 2023 | MOU with ADACVV for funding for playgrounds executed July 2023.pdf |
| 2. | Cunningham Recreation Playground for Bell Park 166484-01-01 City of San Angelo (Opt.1)-Quote | Cunningham Recreation Playground for Bell Park 166484-01-01 City of San Angelo (Opt.1)-Quote.pdf |
| 3. | Exerplay playground quote for Mountainview Park August 2023 | Exerplay playground quote for Mountainview Park August 2023.pdf |

Presentation:

Roger Havlak

Approvals/Reviews:

Roger Havlak	Created/Initiated
Carlton White	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval



Memorandum of Understanding

Effective June 1, 2023 to October, 2024

This Memorandum of Understanding (MOU) is designed to clarify the roles and responsibilities of the Alcohol & Drug Awareness Center for the Concho Valley (ADACCV) and The City of San Angelo.

The Alcohol & Drug Awareness Center for the Concho Valley will provide:

A. Funding

1. ADACCV will pass through funds to the City of San Angelo that were received from a grant from the Texas Health and Human Services (TX HHSC). The funds have been awarded to ADACCV for the specific purpose of reducing anxiety and stressors in our community caused from and continuing due to COVID-19. These funds that are funneled through ADACCV should be used to implement community-wide activities and projects that reduce stress, address trauma, and/or promote behavioral health and wellness. Funds were made available through H.R. 33 COVID-19 funds.
2. ADACCV will pass through \$94,000 of the above mentioned TX HHSC funding for FY23.
3. Contingent upon approval and availability from TX HHSC, ADACCV will also pass through \$94,000 of the above mentioned funds in FY24.

City of San Angelo Responsibilities:

- 1) Will plan and execute park playground renovations at Mountainview Park and Bell Park
- 2) City of San Angelo will provide sustainability for the parks by maintaining them after the project is completed
- 3) Unless otherwise agreed in writing, the projects shall be completed as follows: first playground by March of 2024 and second playground by October 2024.
- 4) City of San Angelo must invoice ADACCV for the first playground by 8/1/23.
- 5) City of San Angelo must invoice ADACCV for the second playground by 8/1/24
- 6) Provide a status update when each project begins.

CITY OF SAN ANGELO:

Daniel Valenzuela
Daniel Valenzuela, City Manager

Date: 7/26/2023 | 11:09 AM

ADACCV:

Eric Sanchez
Eric Sanchez, CEO ADACCV

Date: 7/25/2023 | 5:00 PM

Attest:

Heather Stastny
Heather Stastny, City Clerk

Approved as to Form:

Theresa James
Theresa James, City Attorney

Approved as to Content:

Carl White
Carl White, Parks & Rec Director



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

07/19/2023
Quote #
166484-01-01

City of San Angelo Playground- Option 1

City of San Angelo
Attn: Marcus Hinojosa
1022 Veterans Memorial Drive
San Angelo, TX 76903
Phone: 325-277-3319
marcus.hinojosa@cosatx.us

Ship to Zip 76903

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - Primetime Modular 5-12 Structure [Basic: _____] [Accent: _____] [Deck:Pvc: _____] [RotoPlastic: _____] [Tube: _____] [Fabric1: _____] [HDPE: _____]	\$61,687.00	\$61,687.00
		(1) 4956 -- Answer Wheel		
		(1) 4958 -- Hypno Wheel		
		(3) 12023 -- 3 1/2" Uprt Ass'Y Alum 8'		
		(4) 12025 -- 3 1/2" Uprt Ass'Y Alum 10'		
		(4) 12027 -- 3 1/2" Uprt Ass'Y Alum 12'		
		(2) 12068 -- 3 1/2"Uprt Ass'Y Alum 13'		
		(1) 12215 -- Crunch Bar Prime Time		
		(3) 18200 -- 36" Sq Punched Deck P/T 1.3125		
		(1) 18201 -- 36" Tri Punched Deck P/T		
		(1) 18337 -- 36" Tri Transfer Platform		
		(1) 18679 -- Bongos		
		(1) 18692 -- Single Thunder Ring		
		(1) 18766 -- Fun Seat 36"		
		(1) 18787 -- Umbrella Canopy		
		(2) 19002 -- Single Gizmo Panel		
		(1) 19005 -- Transfer System W/Barrier (2' Rise)		
		(1) 19269 -- Double Ridge Climber		
		(1) 19303 -- Ergo Climber 4' & 4'6"		
		(1) 19363 -- 3'-6"/4'-0" Zip Swerve Slide Right		
		(2) 19385 -- Straight Section Wilderslide li		
		(1) 19386 -- Left Curve Section Wilderslide li		
		(4) 19387 -- Right Curve Section Wilderslide li		
		(2) 19391 -- Support Wilderslide li		
		(1) 19416 -- Crawl-In Double Fun-L Up		
		(1) 19420 -- Fun-L Crawl Tube (Link)		
		(2) 19424 -- Long Exit (Use On 7' & 8' Slides)		



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

07/19/2023
Quote #
166484-01-01

City of San Angelo Playground- Option 1

Quantity	Part #	Description	Unit Price	Amount
		(1) 19464 -- Double Entrance		
		(1) 19685 -- Pine Climber 6'		
		(1) 26058 -- 3 Way X-Pod Step		
		(1) 26078 -- Arched Loop Ladder Overhead		
		(4) 26094 -- Triangular Shroud		
		(1) 26144 -- Ashiko & Djembe		
		(1) 26146 -- Cruise Rails		
		(1) 26155 -- Primetime Cross Beam(Join Pt & Xscape)		
		(2) G12069 -- 3 1/2"Uppt Ass'Y Galv 14'		
		(1) H12077 -- 15' Heavy Wall Upright		
1	178749	GameTime - Owner's Kit	\$84.00	\$84.00
1	5052	GameTime - Discover Cave W/Primary Grips [Roto Plastic:_____] [Uni Plastic:_____]	\$5,773.00	\$5,773.00
1	6064	GameTime - Jumbo Flyer [Roto Plastic:_____]	\$1,399.00	\$1,399.00
1	8658	GameTime - Gt Stockcar [Roto Plastic:_____]	\$1,863.00	\$1,863.00
1	RDU	GameTime - 2-Bay Powerscape Swings (1) Solo Bay with Tot Seat, (1) Two Place with Belt Seats [Basic:_____]	\$5,597.00	\$5,597.00
		(1) 5150 -- Ps Swing Aab 5" X 8'		
		(1) 8914 -- Encl Tot Seat 5"Od(8914)		
		(2) 8918 -- Belt Seat Pkg 5"Od(8918)		
		(1) 81598 -- Powerscape Swing 5" X 8'		
Contract: Buy Board Contract #679-22			Sub Total	\$76,403.00
			Discount	(\$16,217.66)
			Estimated Freight	\$6,993.90
			Total	\$67,179.24

Comments

* **MATERIALS ONLY:** Quotation does not include any site work, off-loading, storage, safety surfacing, or installation.



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

07/19/2023
Quote #
166484-01-01

City of San Angelo Playground- Option 1

TERMS & CONDITIONS:

- **PRICING:** Due to volatile economic demand, pricing is valid for 30 days. Pricing is subject to change. Request updated pricing when purchasing from quotes more than 30 days old.
- **PAYMENT TERMS:** Net 30 days subject to approval by Credit Manager. A signed P.O. made out to Cunningham Recreation or this signed quotation is required for all orders unless otherwise noted. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Checks should be made payable to Cunningham Recreation unless otherwise directed.
- **FINANCE CHARGE:** A 1.5% monthly finance charge (or as permitted by law) will be added to invoices over 30 days past due.
- **TAXES:** Taxes will be shown as a separate line item when included. Any applicable taxes not shown will be added to final invoice. A copy of your tax exemption certificate must be submitted at time of order or taxes will be added to your invoice.
- **SHIPMENT:** Multiple shipments may be required based on point of origin. Above costs assume one shipment for each vendor quoted.
- **LEAD TIME:** Standard orders ship **12-14 weeks** after receipt of order and acceptance of your purchase order, color selections, approved submittals (if required) unless otherwise noted. Custom equipment and shades may require a longer lead times. Surfacing lead time is approximately 2 weeks after scheduling request.
- **DELIVERY:** It is the responsibility of the owner to offload and inventory equipment, unless other arrangements have been made. Missing or damaged equipment must be reported within 60 days of acceptance of delivery.

SUPPLY ONLY:

- All items are quoted supply only.
- Installation services are not included.
- Customer is responsible for coordinating delivery, receipt, unloading, and inventory equipment.
- Missing or damaged equipment must be reported within 60 days of delivery.

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _____ Title: _____

Telephone: _____ Fax: _____

P.O. Number: _____ Date: _____

Purchase Amount: **\$67,179.24**

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesperson's Signature

Customer Signature



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

07/19/2023
Quote #
166484-01-01

City of San Angelo Playground- Option 1

BILLING INFORMATION:

Bill to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____

SHIPPING INFORMATION:

Ship to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____

PO Box 1160
Cedar Crest, NM 87008-1160
Fax 505.281.0155
Toll Free 800.457-5444
www.exerplay.com



DATE NUMBER
8/3/2023 MM080323-10

QUOTATION

Quote Prepared for:

City of San Angelo
Bell Park

Purchase Order to be Issued To:

Exerplay, Inc
PO Box 1160
Cedar Crest, NM 87008
Fax copy of PO to 505-281-0155

SHIPPED VIA	REP	FOB	EST. SHIP DATE	
Common Carrier	JT	San Angelo		
ITEM	DESCRIPTION	QTY	COST	TOTAL

Bell Park
San Angelo, TX

LANDSCAPE STRUCTURES

PlayBooster	Per Drawing #23389C	1	57,535.00	57,535.00
247179A	Curva® Spinner (DB Only)	1	2,395.00	2,395.00
164075B	Bobble Rider™, Double Direct Bury	1	2,645.00	2,645.00
177332A	Single Post Swing Frame 8' Beam Height Only	1	1,630.00	1,630.00
177337A	Toddler Swing Add-On Beam	1	640.00	640.00
174018A	Belt Seat w/Chains ProGuard Chains for 8' Beam Height	2	160.00	320.00
176038G	Full Bucket Seat w/Chains ProGuard Chains for Toddler	1	440.00	440.00
	Swing			
182503C	Welcome Sign, 5-12 Yrs, DB	1	0.00	0.00
	Subtotal			65,605.00
BuyBoard	Contract #679-22		-5.00%	-3,280.25
Freight	Freight/Shipping Charges (150-23-1128)		4,420.00	4,420.00

Notes Pricing is for the above listed equipment only and does not include installation, off loading of equipment at time of delivery, storage, security, site preparation, security fencing, or any applicable taxes, bonds or permits. 0.00

There will be a 3.5% fee added to your invoice if you choose to pay by credit card.

PO Box 1160
Cedar Crest, NM 87008-1160
Fax 505.281.0155
Toll Free 800.457-5444
www.exerplay.com



DATE NUMBER
8/3/2023 MM080323-10

QUOTATION

Quote Prepared for:

City of San Angelo
Bell Park

Purchase Order to be Issued To:

Exerplay, Inc
PO Box 1160
Cedar Crest, NM 87008
Fax copy of PO to 505-281-0155

SHIPPED VIA	REP	FOB	EST. SHIP DATE
Common Carrier	JT	San Angelo	

ITEM	DESCRIPTION	QTY	COST	TOTAL
------	-------------	-----	------	-------

Terms	Billing and Payment Terms:		0.00	0.00
-------	----------------------------	--	------	------

Unless otherwise negotiated and agreed upon, ExerPlay's billing terms are Net 30 from the date of the invoice, with approved credit. ExerPlay's process is to bill the customer when their equipment ships. Installation is billed upon completion. Bonds are billed when ordered.

*New Customers are required to pay a deposit on equipment at time of order. Deposit amount to be determined, based on credit. The remainder of that equipment, including freight, will be billed when it ships. Installation is billed upon completion. Bonds are billed when ordered.

If paying by credit card, there will be a 3.5% fee added to the invoice.

JT	For more information please contact Jeff Talley at (806) 670-4006, or jeff@exerplay.com			0.00
----	---	--	--	------

- PRICING IS GOOD FOR 14 DAYS. -

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Gail Smith, Budget Analyst, Police

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) services with associated costs not to exceed \$22,921 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)

Staff Recommendation:

Approve

Summary/History:

During budget preparation for the current fiscal year, staff included a line item for disbursements to Tom Green County for Crisis Intervention Unit Services. The Crisis Intervention Unit responds to crisis calls involving crime victims. They provide crisis counseling, assessment of needs, information and referrals, emergency transportation, and assist with emergency protective orders for victims of family violence. This agreement details services which are provided to the City by the Crisis Intervention Unit.

Funding Source(s):

Financial Impact:

This item is a budgeted item paid from account 101-8000-421.03-30 (Contract Services).

Other Information/Recommendation:

Attachments:

- | | | |
|----|------------------------|----------------------------|
| 1. | FY24 Interlocal GC CIU | FY24 Interlocal GC CIU.pdf |
|----|------------------------|----------------------------|

Presentation:

David Howard

Approvals/Reviews:

Gail Smith
Frank Carter

Created/Initiated
Approved

Theresa James
Tina Dierschke
Theresa James
Heather Stastny

Approved
Approved
Approved
Final Approval

**INTERLOCAL AGREEMENT BETWEEN
CITY OF SAN ANGELO AND TOM GREEN COUNTY
FOR SERVICES FROM THE COUNTY CRISIS INTERVENTION UNIT**

This Interlocal Agreement (hereinafter "this Agreement") is entered into, pursuant to the Interlocal Cooperation Act, Texas Government Code Section 791.000 et. seq., by and between Tom Green County, (hereinafter "County") and the City of San Angelo, Texas, a Texas home rule municipal corporation situated in Tom Green County, Texas, (hereinafter "City"). City and County may be referred to as "Party" or "Parties" herein.

WITNESSETH

WHEREAS, the Crisis Intervention Unit (CIU) is a public service that assists victims of crime; and,

WHEREAS, CIU staff provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assistance with emergency protective orders and respond to death scenes when requested; and,

WHEREAS, the services of the CIU have been jointly supported through interlocal agreement between the City of San Angelo and Tom Green County ; and,

WHEREAS, the services of the CIU provide a health and safety benefit for the citizens of the City and County;

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND BENEFITS SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE.

The purpose of this Agreement is to set forth the terms and conditions agreed upon by the Parties in order for City to participate in the costs and secure the benefits associated with the County CIU.

ARTICLE 2: TERM.

This Agreement shall be effective from and after October 1, 2023 (the Effective Date) subject to approval of the governing bodies of each of the parties; and shall terminate on September 30, 2024, unless earlier terminated as herein provided.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

1. Pay to Tom Green County for CIU services the sum of Twenty-two Thousand Nine Hundred Twenty-one Dollars and no cents (\$22,921) upon execution of this Agreement.

2. Should County discontinue the provision of CIU services during the term of this agreement, County shall reimburse City a pro-rata share of sum paid by City for such services, based upon the period of time remaining under the Agreement in which CIU services are discontinued.

ARTICLE 4: OBLIGATIONS OF COUNTY.

County agrees to provide CIU services through the Tom Green County Sheriff's Department. The CIU services shall:

1. Include provision for sufficient staff and trained civilian volunteers.
2. Provide the CIU services three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving crime victims in City and County.
4. Provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assist with emergency protective orders for victims of family violence and stalking and respond to death scenes when requested.
5. Utilize the funds provided by City pursuant to this Agreement toward support in providing the CIU services, to include a portion of the salary, benefits and cell phone expenses of the CIU coordinator.

ARTICLE 5: NO JOINT VENTURE.

This Agreement is not intended to create a joint venture between the parties.

ARTICLE 6: STATUS OF EMPLOYEES.

Each Party shall retain supervision and control of its employees at all times while performing services pursuant to this Agreement. No employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other purpose. City agrees that all persons employed by it, although not required to furnish services hereunder, are at all times employees, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services as required hereunder are at all times employees, agents or representatives of County and not of City. At no time shall such employees, agents or representatives of a Party be entitled to benefits conferred on the other entity's employees, agents or representatives.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties, subject to approval of their governing bodies.

ARTICLE 8: EXECUTION.

This Agreement shall not become effective until approved by the governing body of each of the Parties.

ARTICLE 9: ENTIRE AGREEMENT.

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall require approval of the governing body of each Party.

ARTICLE 11: SEVERABILITY.

In the event that any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE 12: FORCE MAJEURE.

In the event that either Party shall be prevented from performing its duties under this Agreement by an act of nature, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control or reasonable anticipation with the exercise of due diligence of a party hereto, the same shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

This Agreement is non-exclusive and nothing herein shall in any way limit the right of the Parties to enter into agreements with other individuals or entities to provide the same or similar service.

ARTICLE 14: NOTICE.

Any notice to be given hereunder by either Party to the other shall be in writing and sent by First Class U.S. Mail, registered or certified, return receipt requested as follows:

To County:

Title: County Judge
Address: 122 West Harris
San Angelo, TX 76903

Telephone No. 325-653-3318
Fax No. 325-659-3258

To City:

Title: City Manager

Address: 72 West College Ave.
San Angelo, TX 76903

Telephone No.: 325-657-4241

Facsimile No.: 325-657-4335

ARTICLE NO. 15: THIRD PARTIES /VENUE

Nothing in this Agreement, whether express or implied, is intended or shall be construed to confer, directly or indirectly, upon or give to any person, other than the Parties hereto, any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or other provision contained herein.

Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

Nothing herein contained shall be deemed to constitute a waiver by City or County of the immunities afforded them under state law.

ARTICLE NO. 16: ASSIGNMENT OF RIGHTS AND DELEGATION OF DUTIES.

Due to the unique nature of this Agreement, the Parties agree that neither City nor County may assign its rights or delegate its duties hereunder to any third Party without the prior written consent and approval of the other Party, which consent shall not be unreasonably withheld. Any purported assignment, transfer or conveyance without such written consent shall be null and void.

ARTICLE NO. 17: CAPTIONS.

The headings of the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the expressed provisions of this Agreement.

ARTICLE NO. 18: AVAILABILITY OF FUNDS.

Notwithstanding anything to the contrary in this Agreement, each party making any payment hereunder must make the payment from current revenues available to the paying party; and, the payment obligations of the parties to this Agreement are conditioned upon the availability of such funds.

[Signature Page to Follow]

IN WITNESS WHEREOF the undersigned execute this Interlocal Agreement in their official capacities pursuant to authorization of the respective governing bodies of the parties.

TOM GREEN COUNTY:

By: _____
Lane Carter, County Judge

By: _____
Nick Hanna, Sheriff

ATTEST:

Christina Ubando, County Clerk

CITY OF SAN ANGELO

By: _____
Daniel Valenzuela, City Manager

ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Gail Smith, Budget Analyst, Police

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) services with associated costs not to exceed \$145,626 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)

Staff Recommendation:

Approve

Summary/History:

Funding Source(s):

Financial Impact:

The City of San Angelo will pay the County \$145,626 to support the Mental Health Unit. The funds for this are budgeted in the Police Department 2024 budget.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-----------------------------------|--|
| 1. | FY24 Interlocal TGC Mental Health | FY24 Interlocal TGC Mental Health.docx |
|----|-----------------------------------|--|

Presentation:

David Howard

Approvals/Reviews:

Gail Smith	Created/Initiated
Frank Carter	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved

Theresa James
Heather Stastny

Approved
Final Approval

**INTERLOCAL AGREEMENT BY AND BETWEEN
CITY OF SAN ANGELO AND TOM GREEN COUNTY
AND THE TOM GREEN COUNTY SHERIFF
FOR COUNTY MENTAL HEALTH UNIT SERVICES**

This Interlocal Agreement (hereinafter “this Agreement”) is entered into, pursuant to the Interlocal Cooperation Act, Texas Government Code Section 791.000 *et. seq.*, by and between Tom Green County, and the Tom Green County Sheriff (hereinafter “County”) and the City of San Angelo, Texas, a Texas home rule municipal corporation situated in Tom Green County, Texas, (hereinafter “City”). City and County may be referred to as “Party” or “Parties” herein.

WITNESSETH

WHEREAS, the Mental Health Unit (MHU) is a public service, first responder group that is called out by local law enforcement officer request; and,

WHEREAS, MHU staff respond to crisis calls involving the mentally ill or suicidal or homicidal subjects for assessment and transport to appropriate and safe facilities; and,

WHEREAS, the arrival of the MHU allows the patrol unit to return to their law enforcement duties in a timely manner; and,

WHEREAS, the services of the MHU have been jointly supported through interlocal agreement between the City of San Angelo and Tom Green County; and,

WHEREAS, the services of the MHU provide a health and safety benefit for the citizens of City and County.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND BENEFITS SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE.

The purpose of this Agreement is to set forth the terms and conditions agreed upon by the Parties in order for City to participate in the costs and secure the benefits associated with the County MHU.

ARTICLE 2: TERM.

This Agreement shall be effective from and after October 1, 2023 (the Effective Date) subject to approval of the governing bodies of each of the parties and shall terminate on September 30, 2024, unless earlier terminated as herein provided.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

1. Pay Tom Green County for MHU services the sum of One Hundred Forty-five Thousand Six Hundred Twenty-six Dollars and no cents (\$145,626) upon execution of this Agreement.
2. Should County discontinue the provision of MHU services during the term of this agreement, County shall reimburse City a pro-rata share of sum paid by City for such services, based upon the period of time remaining under the Agreement in which MHU services are discontinued.

ARTICLE 4: OBLIGATIONS OF COUNTY.

County agrees to provide MHU services through the Tom Green County Sheriff's Department. The MHU services shall:

1. Consist of five (5) deputies and one (1) supervisor.
2. Provide the MHU services three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving the mentally ill or suicidal/homicidal subjects in City and County.
4. Assure that mentally ill and suicidal/homicidal subjects are assessed and transported to appropriate and safe facilities.
5. Utilize the funds provided by City pursuant to this Agreement toward support of providing the MHU services, to include salaries, supplies, equipment, and maintenance of equipment, including automobiles.

ARTICLE 5: NO JOINT VENTURE.

This Agreement is not intended to create a joint venture between the parties.

ARTICLE 6: STATUS OF EMPLOYEES.

Each Party shall retain supervision and control of its employees at all times while performing services pursuant to this Agreement. No employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other purpose. City agrees that all persons employed by it, although not required to furnish services hereunder, are at all times employees, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services as required hereunder are at all times employees, agents or representatives of County and not of City. At no time shall such employees, agents or

representatives of a Party be entitled to benefits conferred on the other Party's employees, agents or representatives.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties, subject to approval of their governing bodies.

ARTICLE 8: EXECUTION.

This Agreement shall not become effective until approved by the governing body of each of the parties. .

ARTICLE 9: ENTIRE AGREEMENT.

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall require approval of the governing body of each party.

ARTICLE 11: SEVERABILITY.

In the event that any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE 12: FORCE MAJEURE.

In the event that either Party shall be prevented from performing its duties under this Agreement by an act of nature, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control or reasonable anticipation with the exercise of due diligence of a Party hereto, the same shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

This Agreement is non-exclusive and nothing herein shall in any way limit the right of the Parties to enter into agreements with other individuals or entities to provide the

same or similar service.

ARTICLE 14: NOTICE.

Any notice to be given hereunder by either Party to the other shall be in writing and sent by First Class U.S. Mail, registered or certified, return receipt requested as follows:

To County:

Title: County Judge
Address: 122 West Harris
San Angelo, Texas 76903
Telephone No.: 325/653-3318
Facsimile No.: 325/659-3258

To City:

Title: Attn: Daniel Valenzuela, City Manager
Address: 72 West College Ave.
San Angelo, Texas 76903
Telephone No.: 325/657-1070
Facsimile No.: 325/657-4335

ARTICLE NO. 15: THIRD PARTIES/VENUE.

Nothing in this Agreement, whether express or implied, is intended or shall be construed to confer, directly or indirectly, upon or give to any person, other than the Parties hereto, any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or other provision contained herein.

Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

Nothing herein contained shall be deemed to constitute a waiver by City or County of the immunities afforded them under State law.

ARTICLE NO. 16: ASSIGNMENT OF RIGHTS AND DELEGATION OF DUTIES.

Due to the unique nature of this Agreement, the Parties agree that neither City nor County may assign its rights or delegate its duties hereunder to any third Party without the prior written consent and approval of the other Party, which consent shall not be unreasonably withheld. Any purported assignment, transfer or conveyance without such written consent shall be null and void.

ARTICLE NO. 17: CAPTIONS.

The headings of the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the expressed provisions of this Agreement.

ARTICLE NO. 18: AVAILABILITY OF FUNDS.

Notwithstanding anything to the contrary in this Agreement, each party making any payment hereunder must make the payment from current revenues available to the paying party; and, the payment obligations of the parties to this Agreement are conditioned upon the availability of such funds.

IN WITNESS WHEREOF the undersigned execute this Interlocal Agreement in their official capacities pursuant to authorization of the respective governing bodies of the parties.

TOM GREEN COUNTY:

By:

Judge Lane Carter
Tom Green County

By:

Nick Hanna, Tom Green County Sheriff

ATTEST:

Christina Ubando, County Clerk

CITY OF SAN ANGELO:

By:

Daniel Valenzuela, City Manager

ATTEST:

Heather Stastny, City Clerk

Approved as to content:

By: _____
Frank Carter,
City of San Angelo Police Chief

Approved as to form:

By: _____
Theresa James,
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider accepting an annexation petition for 28.860 acres of land, being C.Berberich Survey No. 177, Abstract No. 52, located west of Foster Rd. and south of West Loop 306, and setting a public hearing for September 19, 2023 (Jon James)

Staff Recommendation:

Approve

Summary/History:

This is a 28.860 acre parcel southwest of the southern city limits near W Loop 306 and Foster Road. The applicant has not determined at this time what zoning they are going to request, but platting and zoning will be forthcoming.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff is recommending that City Council accept this petition to initiate the annexation process. Note that this is NOT approval of the annexation, but simply begins the annexation process.

Attachments:

- | | |
|-------------------------------------|------------------------------|
| 1. Memo CC 8-15-2023 | Memo CC 8-15-2023.docx |
| 2. Annexation Petition - HBB signed | Petition - HBB signed.pdf |
| 3. Annexation Petition - Exhibit A | CIVIL-Annexation Exhibit.pdf |

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey

Created/Initiated

Jon James
Brandon Dyson
Jon James
Theresa James
Heather Stastny

Approved
Approved
Approved
Approved
Final Approval

MEMO

**Meeting**

Date: August 15, 2023

To: City Council

From: Sherry Bailey
Principal Planner

Agenda Item: Discussion on an Annexation of an unaddressed 28.860 acre tract of land generally located south of Loop 306 adjacent to Foster Road to be annexed into the City of San Angelo City Limits.

Background:

The applicant, has submitted one of the last properties adjacent to this area of the city along south Loop 306. The practical ability of this annexation is possible because of the new sewer line the city is in the process of extending. The applicant has not determined at this time what the final zoning and land use will be, but that should be decided in the near future. At this time it will come into the city as Ranch & Estate.

Compatibility with the City's Comprehensive Plan:

The City's 2009 Strategic Plan Update to its Comprehensive Plan sets certain policies for annexation of land into the City Limits. The property is identified in the City's Annexation Plan as "Neighborhood" and "Neighborhood Center". Both land uses are being considered by the applicant.

Annexation Process, Timeline, and Servicing Plan:

This annexation request is governed by Chapter 43, Subchapter C-3 of the Texas Local Government Code (TLCG) which authorizes a municipality under Section 43.0671 to annex an area if each owner of land in the area requests the annexation. The proposed timeline (subject to change) is as follows:

- August 15, 2023: The proposed annexation petition will be presented to City Council on for acceptance.
- September 19, 2023: The first public comment hearing of the Annexation, first hearing of the Annexation Ordinance, and possibility the first hearing of the Zone Change.
- October 3, 2023: The second reading of the Annexation Ordinance and second reading of the Zone Change.

Planning Commission Requested Action:

N/A

Attachment:

Annexation Petition

Survey

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF SAN ANGELO, TEXAS
The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition(s) your honorable Body to extend the present city limits so as to include as part of the City of San Angelo, Texas, the property described in Exhibit "A", by metes and bounds and attached herein.

HBB INVESTMENT COMPANY LLC _____ certifies that the above described tract of land is contiguous and adjacent to the City of San Angelo, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: _____

Printed Name: Harold B. Burdard

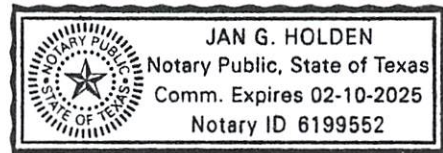
Title: manager

Date: 3/31/2023

THE STATE OF TEXAS
COUNTY OF TOM GREEN

BEFORE ME, this instrument was acknowledged on 3/31/2023 by person's name or entity.

J. G. Holden
Notary Public, State of Texas
My commission expires: 2/10/2025



LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

LOOP 306 FRONTAGE ROAD

W. LOOP 306
R.O.W. WIDTH VARIES

Remainder of 33.445 Ac.
Instrument No. 202121837 OPR

San Angelo City Limits

S67°52'49"E 1011.94'

REF.: Block A, Section One
Old Stone Ranch
Cabinet H, Slide 11, PR

N00°06'45"E 1445.17'

852.03'

C. BERBERICH
SURVEY NO. 177
Abstract No. 52

28.860 Ac.

Out of 33.445 Ac.
Instrument No. 202121837 OPR

REF.: Remainder of 25.361
Ac. Tr. Instrument No.
201915688 OPR

REF.: 11,836 Sq. Ft.
Instr. 201805277, OPR

FOSTER ROAD
R.O.W. WIDTH VARIES

S02°06'55"E 351.75'

S89°14'51"E 27.64'

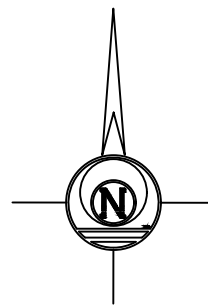
S01°04'21"W 640.64'

S85°46'00"W 971.58'

W.T.U. R.O.W.
REF.: 9.563 Ac.
Vol. 639, Pg. 883, DR

San Angelo
City Limits

San Angelo
City Limits



SCALE: 1"= 100'
GRAPHIC SCALE : FEET
0 50 100 200

NOTE : Bearings shown hereon are based on
the Texas Coordinate System -
Central Zone.
Distances shown are surface horizontal.

PROPOSED ANNEXATION OF
26.860 ACRES OF LAND OUT
OF C. BERBERICH SURVEY NO.
177, ABSTRACT NO. 52, TOM
GREEN COUNTY, TEXAS.



R. T. Gully
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

SKG

ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.655.1288
FAX: 325.657.8189
FIRM No.: 10102400
www.skge.com

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Consent Item

Caption:

Consider accepting an annexation petition for 31.356 acres of land, being A.B. & M Survey No. 3, Abstract No. 24 and B.S & F Survey No. 5, Abstract No. 101, Tom Green County, located northwest of the intersection of Arden Rd. and FM 2288 (Arden Heights), and setting a public hearing for September 19, 2023 (Jon James)

Staff Recommendation:

Approve

Summary/History:

Over the past two years, the southern portion of the proposed Arden Heights subdivision has been annexed into the City of San Angelo. This northern portion proposed for annexation is the final portion that has yet to be annexed.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff is recommending that City Council accept this petition to initiate the annexation process. Note that this is NOT approval of the annexation, but simply begins the annexation process.

Attachments:

- | | |
|--|--|
| 1. Application for annexation (Arden Heights) | annexation San Angelo (4).pdf |
| 2. Annex_31.356 Ac | Annex_31.356 Ac.pdf |
| 3. Annex_31.356 Ac_FN | Annex_31.356 Ac_FN.pdf |
| 4. Arden Heights_Revised Preliminary Plat for Annexation | Arden Heights_Revised Preliminary Plat for Annexation.docx |

Presentation:

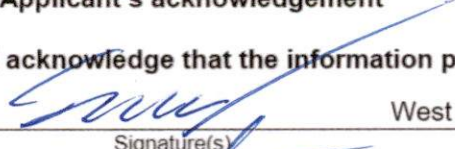
Jon James

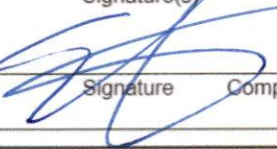
Approvals/Reviews:

Sherry Bailey
Jon James
Brandon Dyson
Jon James
Theresa James
Heather Stastny

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval

Section 3 continued: Applicant's acknowledgement**I/We the undersigned acknowledge that the information provided above is true and correct.**

Eric VonRosenberg  West Texas Land Guys San Angelo, LLC 7-7-2022
 Owner Name(s) (Print) Signature(s) Company/Organization (If Applicable) Date

Trey Strong  West Texas Land Guys San Angelo, LLC 7-7-2022
 Representative Name (Print) Signature Company/Organization (If Applicable) Date

FOR OFFICE USE ONLY:

Date of Application: ____/____/____ ☐ Application Form complete ☐ Attached checklist complete

Case No.: ____ -- ____

Nonrefundable application fee: \$ ____ Newspaper notice fee \$ ____ Receipt #: ____

Sign deposit: \$ ____ Receipt #: ____ Date paid: ____/____/____

Affidavit attached? ☐ Yes ☐ No ☐ N/A Applicant's signature on Application? ☐ Yes ☐ No

Related Case(s)? ☐ Yes ☐ No If yes, case nos.: ____

Planning Commission hearing date: ____/____/____ Date mailed notifications due: ____/____/____

City Council Date: ____/____/____ Newspaper publication date: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

CHECKLIST FOR ANNEXATION REQUESTS

- ☒ Completed application form
- ☒ A notarized Affidavit from the property owner(s), if different from the applicant
- ☒ Required application fee payable to "City of San Angelo"
- ☒ **Signed petition** by each landowner requesting annexation, referencing the legal description of the subject land to be annexed.
- ☒ **Survey Plan** drawn to scale with professional surveyor seal, showing the entirety of the property, including all property lines, property dimensions, subdivision boundaries if within an existing subdivision, easements, and adjacent streets and right-of-ways;
- ☒ **Separate structures plan** (if applicable) showing any existing structures that are to remain, including all principal and accessory buildings, sheds, barns, and fences.
- ☒ **Field Notes / Legal Meets-and-Bounds Description** of Annexation Area with professional surveyor seal.

I certify that all general requirements as listed above have been provided, in addition to all project-specific requirements. I understand that not providing all of this information may result in an incomplete application and delay the consideration of my project for approval.

Applicant

Date

Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP

Owner: West Texas Land Guys, LLC
Ref. 100.355 Ac.
Instrument No. 202207718 OPR

**A.B. & M.
SURVEY NO. 3
ABSTRACT NO. 24**

31.356 Ac.

Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP

$L=81.75'$
 $R=880.00'$
 $\Delta=5^{\circ}19'22''$
 $L.C.=S75^{\circ}32'22''E$
 $81.72'$

$S72^{\circ}52'41''E$
 $34.44'$

$N89^{\circ}45'31''W$ 577.08'
 $L=259.27'$
 $R=880.00'$
 $\Delta=16^{\circ}52'50''$
 $L.C.=N81^{\circ}19'06''W$
258.33'

Owner: West Texas Land Guys, LLC
Ref. 100.355 Ac.
Instrument No. 202207718 OPR

CITY LIMITS LINE

Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP

**B.S. & F.
SURVEY NO. 5
ABSTRACT NO. 101**

Owner:
PETRA FIRMA DEVELOPMENT
GROUP, INC
Ref: 20.695 Ac.
Instrument No.
202001141 OPR

Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP

**PROPOSED ANNEXATION
OF 31.356 ACRES**

SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

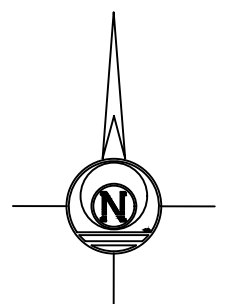
706 SOUTH ABE STREET
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PHONE: 325.655.1288
FAX: 325.657.8189

FIRM No.: 10102400
www.skge.com



RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636



SCALE: 1"=300'
0 150 300 600
GRAPHIC SCALE : FEET

BEARINGS ARE BASED UPON
917.9 Ac. Instrument No.
703583 OPRRP

22-E-0068

EXHIBIT "A"
FIELD NOTES

31.356 Acres

June 21, 2023
22-E-0068_Annex31.356Ac

Being an area of 31.356 acres of land out of A.B. & M. Survey No. 3, Abstract No. 24 and B.S. & F. Survey No. 5, Abstract No. 101, Tom Green County, Texas and said 31.356 acres being out of that certain 100.355 acre tract described and recorded in Instrument Number 202207718, Official Public Records of Tom Green County, Texas and said 31.356 acres of land being more particularly described by metes and bounds as follows:

Beginning at a point for the southwest corner of this tract and being on the existing city limits line and having coordinates of **N:10492557.58, E:2237195.13** based on Texas State Plane Coordinate System NAD83, Central Zone;

Thence with the west boundary line of this tract as follows:

N. 00°14'29" E. a distance of **962.77** feet to an angle corner;

N. 20°00'00" E. a distance of **727.53** feet to the northwest corner of this tract and on the north line of said 100.355 acre tract;

Thence with the north boundary line of this tract and said 100.355 acre tract as follows:

S. 70°00'00" E. a distance of **717.69** feet to an angle corner;

S. 72°52'41" E. a distance of **217.93** feet to the northeast corner of this tract and said 100.355 acre tract;

Thence with the east boundary line of this tract and said 100.355 acre tract **S. 17°07'19" W.** a distance of **1410.17** feet to an easterly north line of said 100.355 acre tract;

Thence with an easterly north line of this tract and said easterly north line of said 100.355 acre tract and in an easterly direction with a non-tangent curve turning to the right, having a radius of 880.00 feet, central angle of 05°19'22", arc length of 81.75 feet, whose long chord bears **S. 75°32'22" E.** a distance of **81.72** feet to a point;

Thence continuing with said easterly north line of this tract and said 100.355 acre tract **S. 72°52'41" E.** a distance of **34.44** feet to a point on the current city limits line;

Thence with the south boundary line of this tract and with said current city limits line and in a westerly direction with a tangent curve turning to the left, having a radius of 880.00 feet, central angle of 16°52'50", arc length of 259.27 feet, whose long chord bears **N. 81°19'06" W.** a distance of **258.33** feet to a point;

Thence continuing with said south boundary line of this tract and said current city limits line **N. 89°45'31" W.** a distance of **577.08** feet to the place of beginning and containing **31.356** acres of land.

EXHIBIT "A"
FIELD NOTES

31.356 Acres

June 21, 2023
22-E-0068_Annex31.356Ac

Being an area of 31.356 acres of land out of A.B. & M. Survey No. 3, Abstract No. 24 and B.S. & F. Survey No. 5, Abstract No. 101, Tom Green County, Texas and said 31.356 acres being out of that certain 100.355 acre tract described and recorded in Instrument Number 202207718, Official Public Records of Tom Green County, Texas and said 31.356 acres of land being more particularly described by metes and bounds as follows:

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Thence continuing with said easterly north line of this tract and said 100.355 acre tract **S. 72°52'41" E.** a distance of **34.44** feet to a point on the current city limits line;

Thence with the south boundary line of this tract and with said current city limits line and in a westerly direction with a tangent curve turning to the left, having a radius of 880.00 feet, central angle of 16°52'50", arc length of 259.27 feet, whose long chord bears **N. 81°19'06" W.** a distance of **258.33** feet to a point;

Thence continuing with said south boundary line of this tract and said current city limits line **N. 89°45'31" W.** a distance of **577.08** feet to the place of beginning and containing **31.356** acres of land.

CITY COUNCIL – AUGUST 15, 2023
STAFF REPORT

APPLICATION TYPE:	CASE:		
Preliminary Plat	Preliminary Plat Arden Heights		
SYNOPSIS:			
The applicant(s) has submitted this preliminary single-family residential dwellings as part of their application for annexation. The preliminary plat will comprise of 233 residential lots over 100.355 acres. The plats will have direct, abutting access to F.M. 2288 through construction of a new minor collector street, Bosque Drive. The applicants have submitted their application for the property north of Bosque Drive to be annexed into the City of San Angelo. If approved this annexation will complete this proposed subdivision. The applicants have submitted a request to rezone the entire property to Single Family Residential (RS-1) with half acre lots north of Bosque and smaller lots south of Bosque.			
LOCATION:	LEGAL osque.DESCRPTION:		
Northwest of Arden Road and F.M. 2288.	100.355 acres in the A. B. & M Survey No. 3, Abstract No. 24, and in the B. S. & F Survey No. 5, Abstract No. 101.		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #6 – Larry Miller Neighborhood: Bluffs	R & E	N – Neighborhood	Preliminary: 100.355 acres
THOROUGHFARE PLAN:			
- Bosque Drive (minor collector street) – required: 60’ ROW, 48 paving; provided: 60’ ROW; 48’ paving. - All internal new local streets – required 50’ or min. 40’ ROW; 40’ or 36’ with a sidewalk; provided: 50’ ROW; 40’ paving width.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the revised Preliminary Plat, Arden Acres, subject to three conditions of approval . Planning Commission approved the revised preliminary plat on July 19, 2023.			
PROPERTY OWNER/PETITIONER:			
Owner: West Texas Land Guys, San Angelo, LLC Representative: Russell Gully, P.E., RLS SKG Engineering, LLC			
STAFF CONTACT:			
Sherry L. Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information: the southeast 26.71 acres within the Preliminary Plat is already within the city limits and the remainder will be annexed in the future. The part of the development that is in the city limits is zoned Single Family Residential (RS-1). On the first Preliminary Plat, the entire area had RS-1 smaller lots. This is a change to re-design those lots north of Basque Drive into half-acre lots. However, the city ordinance still requires that lots within 200 feet of an existing sewer must be connected to a sewer so the entire development will be on both water and sewer.

Recommendations:

Staff recommends **APPROVAL** of a Preliminary Plat, Arden Heights, subject to **three conditions of approval**:

1. Prior to plat signatures, label on the plat the following: "NOTE: Prior to any final platting on unzoned property, the properties must be annexed into the City Limits with appropriate zoning based on lot sizes being under 1 acre to allow city services" [Zoning Ordinance, Section 302, 501.A, 502.B].
2. Prior to plat signatures, please note on the plat the following statement: Fire hydrants and fire department access may need to be provided, depending upon the proposed layout of the buildings, and should be addressed as part of the site plan review process. 2015 International Fire Code, Section 507.5, and Appendix D.
3. Prior to plat signatures, a drainage study shall be submitted. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval [including streets]. [Chapter 12, Planning and Development, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] Alternatively, submit a request for approval to the City Engineer for a deferral of the requirement to a later stage of development. [Chapter 12, Planning and Development, Sec. 12.05.004].

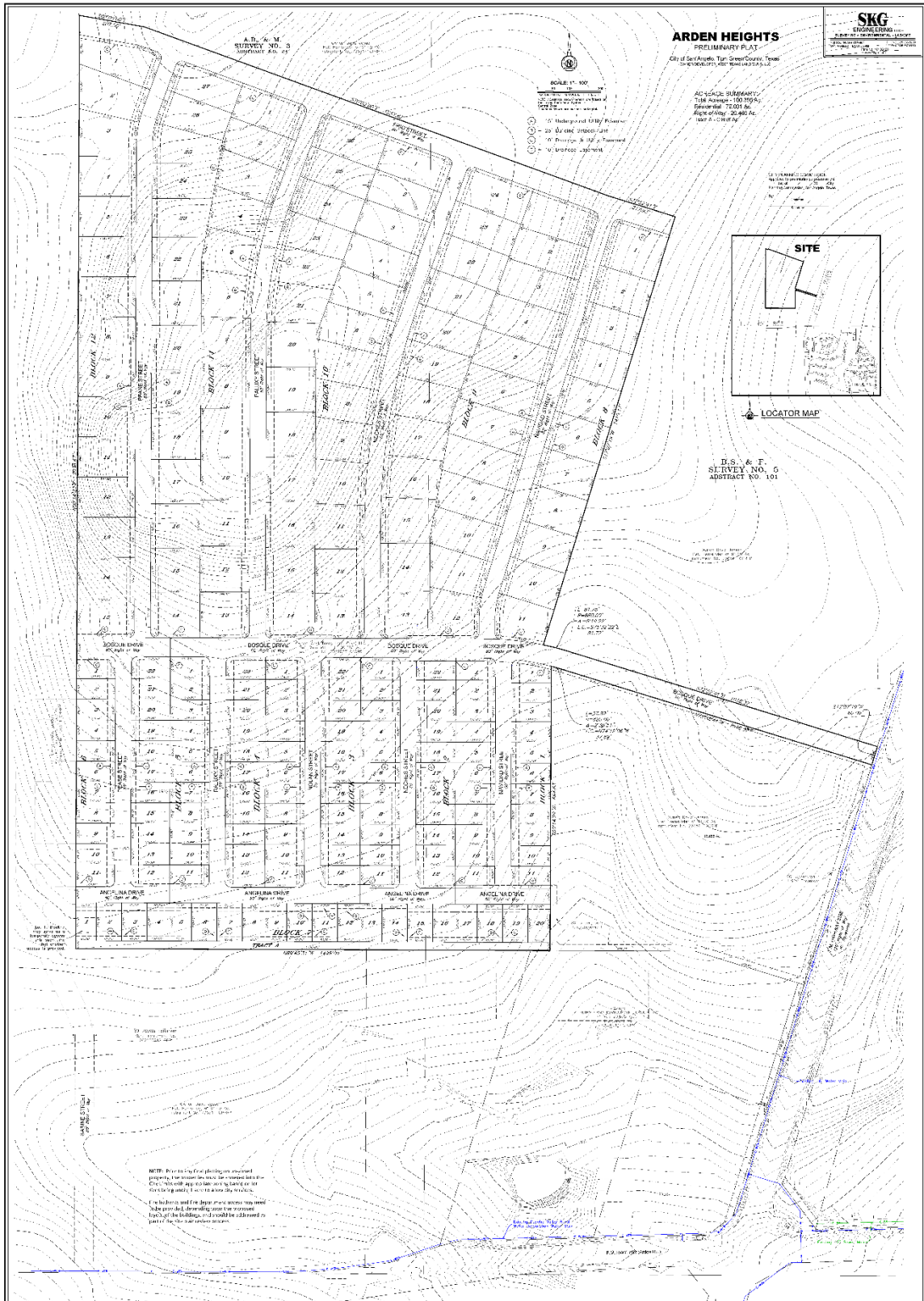
NOTE: Future connection of Basque Drive to Arden Road will require TxDOT concurrence.

Future final platting will have infrastructure installation requirements.

Attachments:

Aerial Map
Preliminary Plat

PRELIMINARY PLAT



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Heather Stastny, City Clerk, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Regular Item

Caption:

Consider a request for an appeal of the Planning Commission's approval of Conditional Use 23-19, for a Short-Term Rental located at 635 S. Jefferson St. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Direction from Council

Summary/History:

The applicant is requesting a Conditional Use approval to operate a Short Term Rental on a property located at 635 South Jefferson Street. There are neighbors in favor and in opposition to this request. One of the primary concerns that was discussed was the presence across the street from Santa Rita Elementary School. After some discussion, the Planning Commission voted 4-2 to approve the Conditional Use.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their June 19, 2023 meeting, the Planning Commission approved this Conditional Use for a Short Term Rental by a vote 4-2.

Attachments:

- | | |
|--|---|
| 1. CU23-19 CC Memo | CU23-19 CC Memo.docx |
| 2. Jefferson Opposition all combined | Jefferson Opposition all combined.pdf |
| 3. Original PC Responses 3 Favor 4 Opposed | Original PC Responses 3 Favor 4 Opposed.pdf |

Presentation:

Jon James

Approvals/Reviews:

Heather Stastny
Rae Lineberry
Jon James
Brandon Dyson
Jon James
Theresa James
Heather Stastny

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

MEMO



Meeting

Date: August 15, 2023

To: City Council

From: Planning & Development Services Department, City of San Angelo

Request: Approval of a Short-Term Rental within SMD# 5 in the RS-1 (Single-Family) Zoning District.

Background: CU23-19 - On June 19, 2023, the Planning Commission approved a Conditional Use for a Short-Term Rental located at 635 S. Jefferson Street. The Planning Department has received an appeal for this case.

Notification: 13 notifications were sent. We have received 3 in opposition and 2 in favor. Upon receiving the appeal, new notifications were sent on July 31, 2023 and no new responses have been received either in favor or in opposition.

Recommendation:

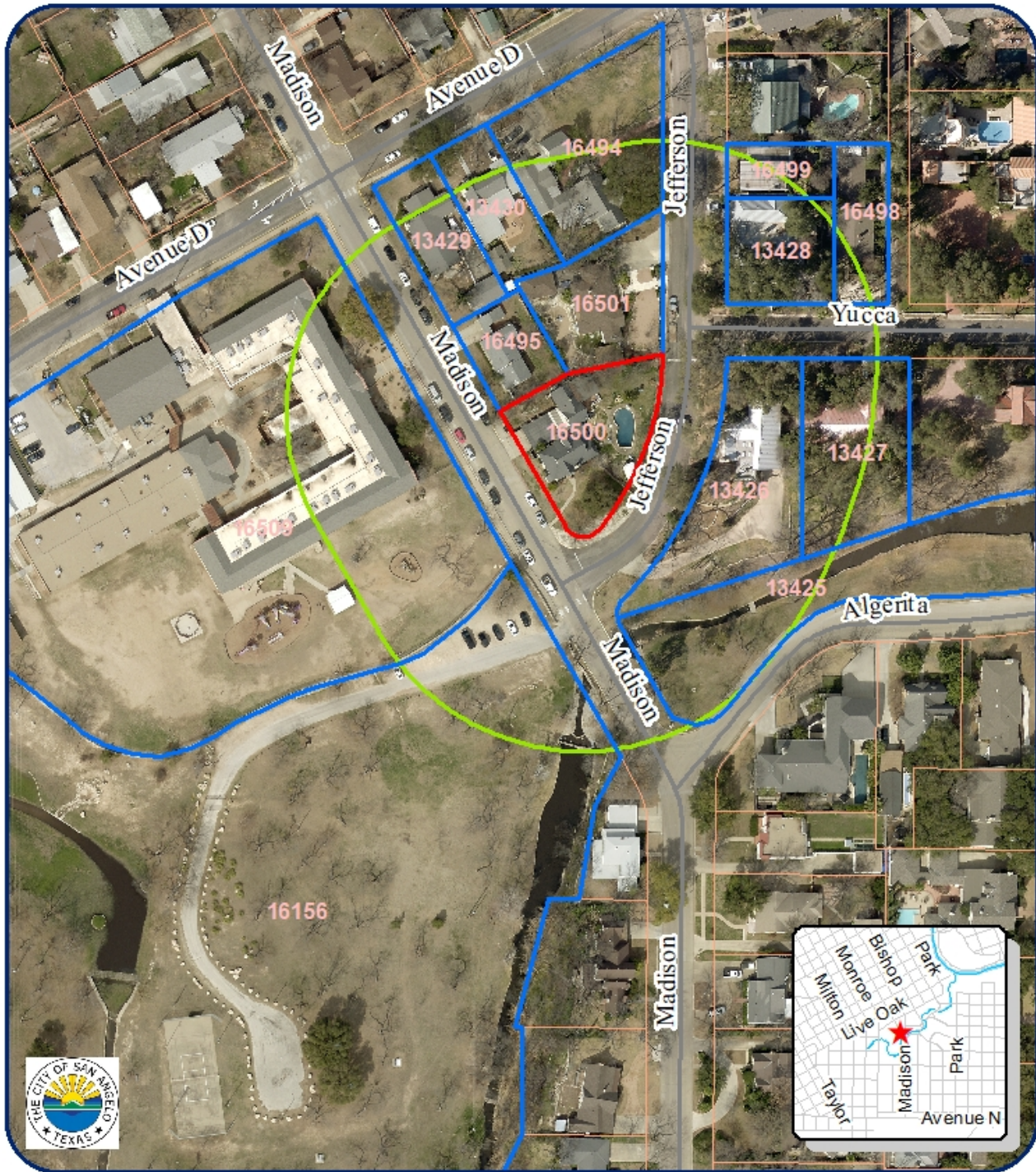
Staff recommends **APPROVAL** of the request for a short-term rental located at 635 S Jefferson Street with **three conditions of approval:**

- Maintain two (2) paved off-street parking spaces
- Obtain a change of occupancy from Permits & Inspections
- Obtain the required fire inspection annually from the Fire Marshal's office

Staff recommends that the City Council uphold the Planning Commission approval of this Conditional Use for an STR.

Front View of House and Driveway





200' Notification Map

CU23-19 635 S Jefferson

Council District: #5 Karen Hesse Smith

Neighborhood: Santa Rita

Scale: 0.005 0.01 0.02 0.03 0.04
Miles

Subject Properties: ———

200' Buffer: ———

Notified Properties: ———



From:
To: [Lineberry, Rae](#)
Subject: Short term rental.
Date: Saturday, August 12, 2023 7:51:07 PM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Good afternoon!

I was talking to Karen Hesse about the proposed short term rental near Santa Rita Elementary School. I think STR's can get out of hand.

I have a house in Port Aransas and there is probably about 80% of all the houses that are in some rental pool. The issue is that it is very difficult to regulate how many people and cars are allowed at each home. They are required to list the occupancy and how many vehicles are allowed at each STR property. But no one monitors it right now.

There are just too many.

If this home in Santa Rita is going to be an Airbnb, who would one call if the renters are loud after a certain time? If the owner has a management company, then it should be listed somewhere on the house. Or the owner should post her/his telephone number if the renters are a problem.

Long term rental would be a better fit for our neighborhood.. (The house also has a pool and that is a real bonus to renters.)

Just my thoughts,
Shellie Yokum
1112 Algerita Dr.

Sent from my iPhone

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

From:
To: [Lineberry, Rae](#)
Subject: Re: 635 S Jefferson Santa Rita request for Airbnb
Date: Sunday, August 13, 2023 10:24:28 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

To whom it may concern,

As a homeowner in Santa Rita and specifically on S Madison, I would like to express my opposition to the Short Term Rental approval of the above property address.

My main concern is the proximity to Santa Rita Elementary and the safety factor it creates for the children and staff, and other Santa Rita residents. As most of us know, proper background checks are not done on short term rentals.

I currently have children that attend this elementary school and do not want to see the possibility of these short term rentals being approved so close to schools in any part of the city where it would have the possibility of endangering the safety of any child.

Please vote against this request

Sincerely
Mrs. Roberts-Galindo
1220 S Madison

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

From: 635 S. Jefferson
To: Monday, August 14, 2023 10:53:16 AM
Cc: [image001.png](#)
Subject: [image002.png](#)
Date: High
Attachments:

Importance:

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

I would like to register my opposition to an Air BNB being established and zoned at 635 S. Jefferson both as a parent of a Santa Rita student, and as a neighbor up the hill at 1312 S. Madison.

The idea that a business of this nature would operate across from an elementary school (and directly across from the pick up and drop off locations for half of the student body) is negligible. Have you actually been at the school prior to the start of the school day, or at pick up? The traffic is dangerous enough without adding the potential of people who are unfamiliar with the process entering and exiting an Air BNB.

Also, while I understand that child sex offenders are required to register and are not supposed to stay in a location that distance to a school, I think we all know there is no 100% guarantee they will comply. Afterall, they broke the law to be on the list in the first place.

This zoning approval was done with poor judgement. I sincerely hope you consider resending it.

Lara Coleman Slaughter

Santa Rita Alumnus, Santa Rita Parent, Santa Rita Tax Payer, San Angelo Register Voter

Lara Coleman Slaughter

August 12, 2023

Joseph W Lown
P.O. Box 888
1709 S. Van Buren, A
San Angelo, Texas 76902

RE: Short Term Rental – 635 S. Jefferson St.

Dear Members of the City Council:

As a homeowner and voter in SMD 5. I'd like to see the residential zoning integrity upheld in my neighborhood and the well-being of other neighborhoods throughout San Angelo.

I would like to express my specific opposition to the Short Term Rental approval for the property located at 635 S. Jefferson St. Please vote to repeal this authorization.

Last month I saw this subject property being promoted for sale on San Angelo Live. Attached is an image of the advertisement. The headline reads: Santa Rita Getaway with Pool.

The word "getaway" suggests to me a transient decampment, albeit a luxury getaway. Has it become a strategy for savvy investors to seek Short Term Rental status from the city for strategic properties located in residential areas in order to "add value" to these investments at the expense of neighbors and neighborhoods?

Another specific concern regarding any Short Term Rental status for this property is its proximity to Santa Rita Elementary School and all of the unnecessary problems and concerns that creates.

STR's in residentially zoned areas have become a hot topic. Use your judgement and defer to residents, neighbors and neighborhood groups as these requests come your way. Variances should be used sparingly.

Best wishes,



Joseph W Lown

Real Estate: Santa Rita Getaway With Pool

Inbox x

San Angelo LIVE! <webmaster@sanangelolive.com>

to me ▼

Jul 16, 2023, 8:00 AM



This week's edition includes 23 open houses and 43 featured listings. Keep scrolling!



Stunning, beautifully designed home in the prestigious Santa Rita area.

This luxury home boasts a completely renovated 5 bedrooms (or 4 bedrooms & an office), 3 bathrooms, a game room, enormous, fully equipped kitchen with stainless steel appliances, which includes a new microwave and dishwasher!

A new roof was recently install and the plumbing in kitchen and primary bath was updated. The home has updated electrical, a fresh exterior & interior paint, renovated kitchen with new cabinets, an added wet bar, new flooring throughout, renovated swimming pool, and added new privacy fence!

The kitchen area has granite countertops and a gas island range. The kitchen opens to either a 2nd living or family dining with an open concept. The exquisite primary suite is absolutely stunning with vaulted ceilings and a spa-like luxury shower with a jacuzzi waterfall bathtub. The extravagance continues to the spacious landscaped backyard haven featuring a large deck with a beautiful pergola, barbecue grill and seating area around an oversized inground pool!



[635 S. Jefferson St](#) is listed for \$735,000 by Katherine Martinez at Keller Williams San Angelo (325) 277-5636.

View [61 More Photos at Keller Williams San Angelo.](#)

CASE #: CU23-19

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: BOSTER STEPHEN R & MARY

Parcel I.D.: 16494

Address: 611 S JEFFERSON ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☐

I am opposed ☒

Additional Comments:

The property is directly across the street from an elementary school. The increase traffic with short term rentals and the very limited parking available will pose a hazard for the children who walk to school. Historically, the trash cans with this property are always overflowing & strewn on the ground. This will only worsen with short term rentals.

Signature:

Mary Seger Boster

From:
To: [Lineberry, Rae](#)
Subject: Oppose STR Jefferson
Date: Monday, August 14, 2023 10:10:44 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Hi Rae,

As a parent of Santa Rita students, I oppose turning the house on Jefferson into a STR. The safety of students is of utmost importance, it is alarming to think of the types of individuals that could rent this house. Do background checks occur? I don't think they do.

I'm also concerned with transportation issues. Available parking is already sparse in this area. Drop off and pick up can be difficult on a good day. Adding in multiple cars and individuals not accustomed to the area increases the risk for accidents and injury.

Thanks so much for your time. I appreciate having the chance to explain my concerns.

Sincerely, Ami Martinez

Sent from my iPhone

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and may constitute attorney work product or be exempt from disclosure under one or more of the following sections of the Texas Public Information Act: SECS. 552.101, 552.103 or 552.107. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

From:
To: [Lineberry, Rae](#)
Subject: 635 S Jefferson St
Date: Saturday, August 12, 2023 6:26:11 PM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Protesting an Air BNB right across from Santa Rita Elementary. Dangerous. Small elementary school kids. 5 BR bnb. Would owner run criminal histories on every adult who rented it or stayed there with a renter? That wouldn't happen. Very bad idea.

Sent from my iPhone

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From:
To: [Lineberry, Rae](#)
Subject: Jefferson St Air BNB
Date: Monday, August 14, 2023 9:15:10 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Good morning,

I'm sending this email to let you know that I strongly oppose the appeal for the Airbnb on Jefferson Street across the street from Santa Rita elementary. This is intentionally putting unvetted adults in the position to mingle with underage children. It is irresponsible and poses a potential risk to children. Please take this under consideration with this realtors appeal.

Jennifer Counts

Sent from my iPhone

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The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

KAREN HESSE SMITH
400 S MADISON
SAN ANGELO, TX 76901

NOTICE OF PUBLIC HEARING

RE: CU23-19 Appeal

07/31/2023

An appeal has been filed on the conditional use case located at **635 S Jefferson St.**, San Angelo, Texas. On Monday, June 19, 2023, the Planning Commission for the City of San Angelo **approved the conditional use request for a short-term rental at 635 S Jefferson**. The appeal on this case will be heard by City Council with a public hearing on **Tuesday, August 15, 2023 at 8:30 AM in McNease Convention Center 501 Rio Concho Dr., San Angelo, Texas 76903.**

OPERATOR: Katherine Martinez, 325-277-5636

This hearing is open to any interested person. Opinions, objections and/or comments on this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form you may cut off, fill out, and mail. Comments are also accepted by email, as listed below.

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CASE #: CU23-19

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: KAREN HESSE SMITH

Parcel I.D.:

Address: 400 S MADISON

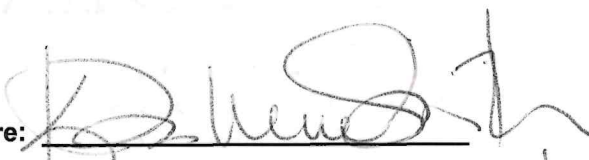
Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☐

I am opposed ☒

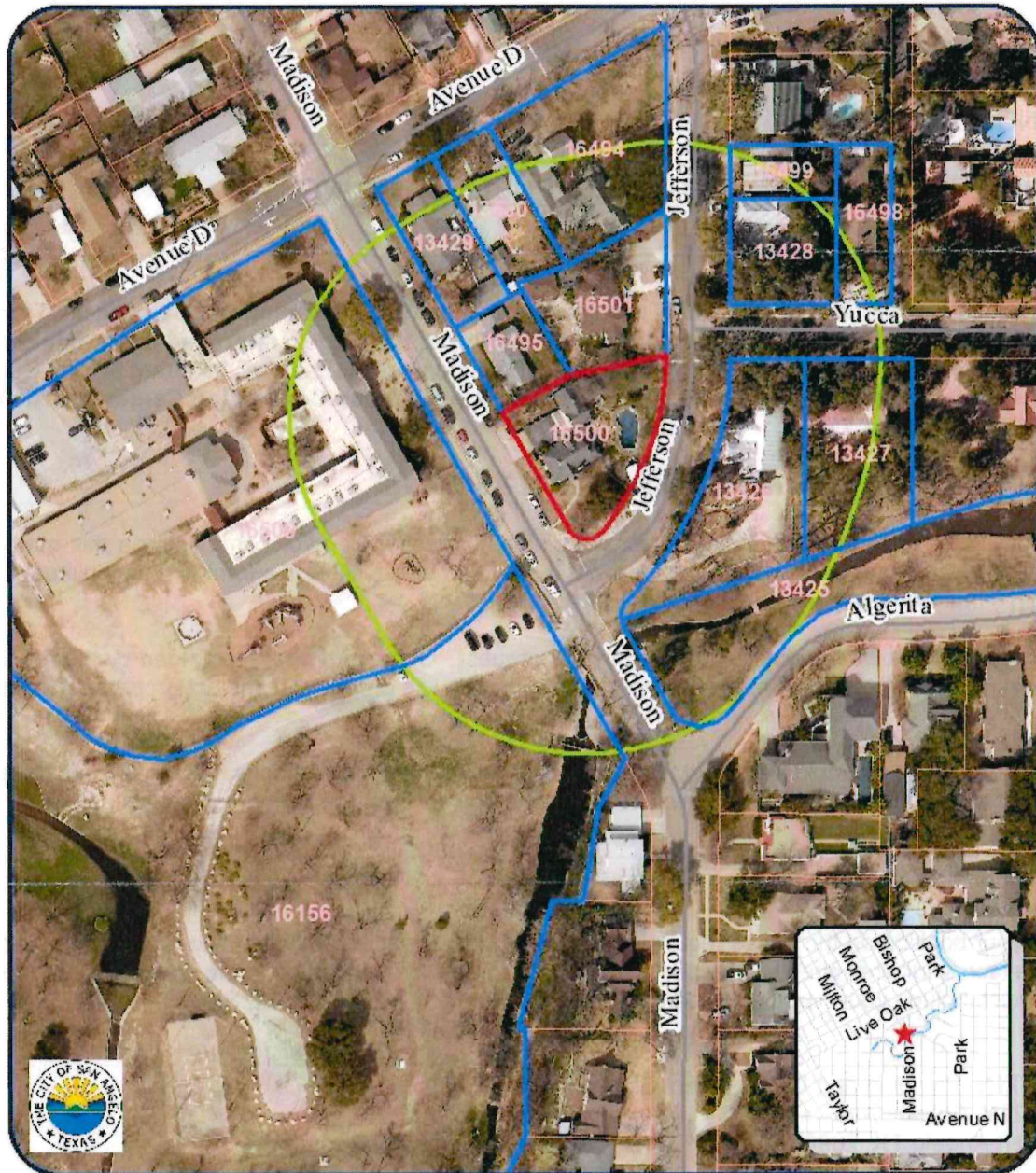
Additional Comments:

Signature: 

CONTRARY TO MS MARTINEZ'S
STATEMENT @ PLANNING COMMISSION CHILDREN ARE NOT
SAFER IN A CROWD, PREDATORS LOVE CROWDED AREAS
BECAUSE IT'S HARDER TO NOTE DETAILS WITHIN ALL OF
THE ACTIVITY. UP TO TEN NON-VETTED ADULTS ARE PERMITTED
IN THIS PROPERTY. THAT IS ABSOLUTELY THE WRONG LOCATION FOR
ANY AND ALL CHILDREN MORE NEIGHBORS THIS ALREADY BEEN UN-



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903



200' Notification Map
CU23-19 635 S Jefferson

Council District: #5 Karen Hesse Smith

Neighborhood: Santa Rita

Scale: 0.00 0.01 0.02 0.03 0.04
Miles

Subject Properties: ———

200' Buffer: ———

Notified Properties: ———



PLEASANTLY DISTURBED BY LARGE GATHERINGS AT THIS PROPERTY
BECAUSE OF NOISE.

From:
To:
Cc:
Subject: Jefferson STR opposition
Date: Saturday, August 12, 2023 7:02:32 PM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Rae,

Please see my comment of opposition for the Jefferson STR. I know it's past deadline.

"We don't know what kinds of people will be in and out of a place so close to our children. Even if they're only there on a weekend, things like excess trash and glass bottles near the park and playground that the children use are something to consider. This is a family area and that's what makes this neighborhood so successful and special. Bringing in a revolving door of strangers threatens that quality of life. -From the Futvoye Family"

Best,
Lorelei Futvoye

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From:
To: [Lineberry, Rae](#)
Subject: Airbnb near Santa Rita School
Date: Friday, August 11, 2023 12:13:51 PM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Hello Rae,

I am opposed to allowing the property on the corner of S. Jefferson and S. Madison to become a short term rental. I live in the neighborhood. The idea of anyone of questionable character being able to rent a place that close to an elementary school is very concerning. Another concern is the influx of people who are not familiar with the area, driving in and out of the property during school hours, especially in the mornings and afternoons when the children are present.

I support the idea of short term rentals and have used them in my travels. They have their place but directly across the street from an elementary school is a poor choice of location for a number of reasons.

Respectfully,

Mark Smith

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From:
To: [Lineberry, Rae](#)
Subject: SAISD - Signed Public Hearing Appeal - 635 S Jefferson
Date: Monday, August 14, 2023 10:45:12 AM
Attachments: [image001.png](#)
[SAISD - Signed Public Hearing Appeal - 635 S Jefferson - Aug 14, 2023.pdf](#)

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Good morning. Please find attached a signed Notice of Public Hearing regarding 635 S. Jefferson, scheduled to be heard by city council on Tuesday, August 15, 2023. I did not see a deadline on the notice so I just wanted to make sure the email would provide sufficient time for the notice to be received by city council.

Feel free to call me with any questions or concerns.

Name: San Angelo ISD
Parcel I.D. – 13425
Address: 1621 University Ave

Respectfully,

Merl Brandon Ed. D.
CFO / Asst. Supt. of Business Services



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The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

SAN ANGELO ISD
1621 UNIVERSITY AVE
SAN ANGELO, TX 76904-5164

NOTICE OF PUBLIC HEARING

RE: CU23-19 Appeal

07/31/2023

An appeal has been filed on the conditional use case located at **635 S Jefferson St.**, San Angelo, Texas. On Monday, June 19, 2023, the Planning Commission for the City of San Angelo **approved the conditional use request for a short-term rental at 635 S Jefferson**. The appeal on this case will be heard by City Council with a public hearing on **Tuesday, August 15, 2023 at 8:30 AM** in **McNease Convention Center 501 Rio Concho Dr., San Angelo, Texas 76903**.

OPERATOR: Katherine Martinez, 325-277-5636

This hearing is open to any interested person. Opinions, objections and/or comments on this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form you may cut off, fill out, and mail. Comments are also accepted by email, as listed below.

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CASE #: CU23-19

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: SAN ANGELO ISD
Parcel I.D.: 13425
Address: 1621 UNIVERSITY AVE

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: _____

MERL BRANDON
Asst. Supt. of Business Services

From:
To: [Lineberry, Rae](#)
Subject: Airbnb
Date: Monday, August 14, 2023 10:31:29 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

I was made aware that a local realtor is trying to put an Airbnb directly across the street from Santa Rita Elementary. This Airbnb could potentially put up to 10 unvetted adults in the position to mingle with underage children. I believe this number is against city code. I usually do not have a problem with Airbnb's, but after raising children, having grandchildren, and working in the public education system for 25 years, I find it appalling that anyone would be in favor of posing potential risks to children for monetary gain. There needs to be an ordinance against this type of facility in the near vicinity of a school!

Thank you for your consideration of my comments, Suzette

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Name: PALMER GERALDINE C

Parcel I.D.: 13426

Address: 33 YUCCA LN

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature:

Palmer, Geraldine C.
Parcel I.D. 13426
Address 33 Yucca Ln

Dear Sirs;
My family and I have lived in this
home at 33 Yucca Ln. since 1968.
This is a residential neighborhood,
not zoned to include businesses.

A short term lease on a property is
a business with the noise, music, etc.,
that can accompany it inside and
outside as well as the traffic from
the business guests. This property
even includes a deck and a swim-
ming pool for the entertainment of
the business guests.

The residences in this area contain
families whose members have careers
needing access to and from work.

I was a real estate broker for 42
years before retiring. I understand
zoning as well as the devaluing of
surrounding property by allowing a
zoning mix that would allow a
request for a zoning change.

The request for a zoning change
for this property will only help the
owner of the property or the short
term lessee but not the use in shop-
ping and will increase the traffic
in the area.

I am opposed.
Geraldine C. Palmer
Parcel ID: 13426
73 Yucca Ln.

CASE #: CU23-19

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Name: BOSTER STEPHEN R & MARY

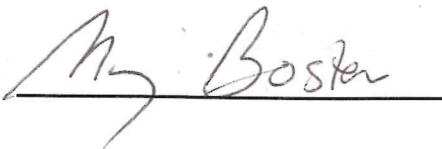
Parcel I.D.: 16494

Address: 611 S JEFFERSON ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.usI am in favor ☐I am opposed ☒

Additional Comments:

Signature: **CASE #: CU23-19**

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Name: ALBERT RICHARD LON & KIM MARIE

Parcel I.D.: 13428

Address: 32 YUCCA LN

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.usI am in favor ☐I am opposed ☒

Additional Comments:

Signature: 

THIS IS A VERY QUIET NEIGHBORHOOD OF RETIREES AND FAMILIES, WE BOUGHT OUR HOUSE WITH THIS IN MIND. I'M NOT VERY COMFORTABLE WITH THE IDEA OF TRANSIENT GUESTS AND ACTIVITIES IN THIS NEIGHBORHOOD SETTING. NOT TO MENTION THIS HOUSE IS ACROSS THE STREET FROM AN ELEMENTARY SCHOOL.

From: [Megan Constan](#)
To: [Lineberry, Rae](#)
Subject: STRP approval
Date: Wednesday, June 7, 2023 8:43:37 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

I am in favor of the request for approval of a short-term rental located at 635 S Jefferson St, San Angelo, TX.

Thank you,
Megan Rojas
Owner 615 S. Madison St, San Angelo, TX
Current address:
1900 Linden ave, Nashville, TN 37212

Sent from my iPhone

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The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

KMTZ INVESTMENT PROPERTIES LLC
224 BIRD ST
SAN ANGELO, TX 76903

NOTICE OF PUBLIC HEARING

RE: CU23-19

05/30/2023

On **Monday, June 19, 2023**, during a meeting scheduled at **9:00 AM**, the Planning Commission for the City of San Angelo will hold a public hearing on the request described below. The meeting will be held in the **East Mezzanine of City Hall, 72 W College Avenue**, to approve or deny a **request for approval of a short-term rental located at 635 S Jefferson St., San Angelo, Tom Green County, Texas.**

This hearing is open to any interested person. Opinions, objections and/or comments on this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form you may cut off, fill out, and mail. Comments are also accepted by email, as listed below.

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CASE #: CU23-19

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: KMTZ INVESTMENT PROPERTIES LLC

Parcel I.D.: 16500

Address: 224 BIRD ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: 



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

BRENDA GUNTER
635 S BISHOP
SAN ANGELO, TX 76901

NOTICE OF PUBLIC HEARING

RE: CU23-19

05/30/2023

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CASE #: CU23-19

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Name: BRENDA GUNTER

Parcel I.D.:

Address: 635 S BISHOP

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: 



The City Of
San Angelo, Texas
Planning Division
52 West College Avenue, 76903

SAN ANGELO ISD
1621 UNIVERSITY AVE
SAN ANGELO, TX 76904-5164

NOTICE OF PUBLIC HEARING

RE: CU23-19

05/30/2023

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CASE #: CU23-19

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Name: SAN ANGELO ISD
Parcel I.D.: 16509
Address: 1621 UNIVERSITY AVE

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: rae.lineberry@cosatx.us

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Rae Lineberry, Planner, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Regular Item

Caption:

Consider a request for a Certificate of Appropriateness for exterior work on a historic building located at 215 W. Twohig (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Approve

Summary/History:

A request for a Certificate of Appropriateness to replace windows, add a fire escape to the west side (475 square feet), a new addition to the south side (8,875 square feet) and an event space (2,800 square feet), installation of a fence, and placement of a sign. The applicant is converting the house to a restaurant and adding an event center.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

This project involves two Design & Historic Review Commissioners who must recuse themselves from the discussion and vote. Without a full board, this item will not have a quorum and therefore cannot be considered by the Commission. Therefore, this item will be heard by the City Council instead.

Attachments:

- | | | |
|----|--------------------------------|------------------------------------|
| 1. | CA23-04 - Staff Report | CA23-04 - Staff Report.docx |
| 2. | 215 W Twohig - Application | 215 W Twohig - Application.pdf |
| 3. | 215 W Twohig_Combined Exhibits | 215 W Twohig_Combined Exhibits.pdf |

Presentation:

Jon James

Approvals/Reviews:

Rae Lineberry
Jon James
Brandon Dyson
Jon James
Theresa James
Heather Stastny

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval



STAFF REPORT
Design and Historic Review Commission
City Council: August 15, 2023

APPLICATION TYPE:		CASE:	
Certificate of Appropriateness		CA23-04: 215 W. Twohig	
SUMMARY:			
A request for a Certificate of Appropriateness to replace windows, add a fire escape to west side (475 sq ft), a new addition to the south side (8,875 sq ft) and an event space (2,800 sq ft), installation of a fence, and placement of a sign. The applicant is converting the house to a restaurant, and adding an event center, located at 215 West Twohig.			
LOCATION:		LEGAL DESCRIPTION:	
215 West Twohig		Lot: 16, 17, & 18, Blk: 11, Subd: SAN ANGELO ADDITION	
SM DISTRICT / NEIGHBORHOOD:	ZONE DISTRICT:	VISION PLAN:	SIZE:
Council District 3 – Harry Thomas Neighborhood: <i>Downtown</i>	CBD	Downtown	0.654 acres
NOTIFICATIONS:			
N/A			
THOROUGHFARE PLAN			
W Twohig Avenue: Local Street			
STAFF RECOMMENDATION:			
Staff recommends approval of CA23-04: A request for a Certificate of Appropriateness to replace windows, add a fire escape, a new addition and an event space, installation of a fence, and placement of a sign. The applicant is converting the house to a restaurant, and adding an event center, located at 215 W Twohig.			
PROPERTY OWNER/PETITIONER:			
Petitioner: David Mazur Construction			
STAFF CONTACT:			
Rae Lineberry Planner (325) 657-4210, Extension 1533 rae.lineberry@cosatx.us			

Certificate of Appropriateness: The subject property was originally the home of R.A. Hall and built in 1916. It is listed on the National Register of Historic Places. It was recently a law office. The proposed plans would be to update the two-story brick building, (including new windows, sprinkler system, and updating all plumbing, electrical and HVAC), for a restaurant use and then adding an additional 8,875 sq ft for a full-service commercial kitchen, restrooms, and 2,800 square feet of event space (weddings, family gatherings, and business meetings). They will also be installing a 4' wrought iron fence on the North, East, and West sides of the property. There will also be a sign installed at the front facing Twohig Avenue.

The applicant has requested this move forward to City Council to review as this project requires two current Design and Historic Review board members to excuse themselves, requiring a full board to make quorum, which has not been possible the last few months.

The Council should consider the following factors when deciding if a Certificate of Appropriateness is appropriate for this proposed project.

1. ***Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.***

The property was previously used as a commercial property. This will continue that use and minimally alter the existing building as another building is being added.

2. ***The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.***

Adding an additional building and updating the current building will not alter or hinder the ability to maintain its original character and quality.

3. ***All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.***

This project will be in keeping with the overall historic character of the existing building in terms of the alterations proposed, as well as the new additions.

4. ***Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.***

5. ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.***

Any additions or updates will match the stylistic features and/or craftsmanship of the current structure.

6. ***Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.***

7. ***The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting***

and other cleaning methods that will damage the historic building materials should not be undertaken.

There are no indications that damaging cleaning will be involved.

- 8. *Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.***

There are no indications that archaeological resources will be affected on this project.

- 9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.***

The proposed changes will not destroy the historic character of the existing building and the proposed design is compatible with the character of the property.

- 10. *Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.***

The proposed additions and alterations will meet this standards as proposed.

Recommendation:

Staff recommends **approval** of CA23-04: A request for a Certificate of Appropriateness to replace windows, add a fire escape, a new addition and an event space, installation of a fence, and placement of a sign, with the following conditions:

1. The colors, dimensions, and materials of all improvements shall be consistent with the renderings as presented and approved by the City Council, acting on behalf of the Design and Historic Review Commission. Minor deviations may be approved by the Planning and Development Services Director.
2. The applicant shall obtain required permits from the Building Permits and Inspections Division, as required for new buildings.

Attachments:

Application
Site Plan
Elevation East
Elevation West
Elevation North
Elevation South
Brick type
Fence
Paint samples with what area will use the color
Roofing material
Windows & door product sheet
Image of sign & proposed sign colors



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for River Corridor Review

**Section 1: Basic Information**Name of Applicant(s): David Mazur Construction #268☐ Owner☒ Representative (Notarized Affidavit Required)1310 Mackenzie StreetSan Angelo TX76901

Mailing Address

City

State

Zip Code

325-656-7353mazur057@gmail.com

Contact Phone Number

Contact E-mail Address

215 West TwohigSan Angelo TX76903

Subject Property Address

City

State

Zip Code

Legal: Acres: 0.654, Lot: 16 17 & 18: 11, Subd: SAN ANGELO ADDITIONLegal Description (can be found on property tax statement or at www.tomgreencad.com)Zoning: OFFICE 3**Section 2: Site Specific Details****Proposed Work:**

- ☐ New construction in the Corridor over 1200 square feet.
- ☐ Remodeling the exterior of an existing building in the Corridor.
- ☐ Moving of an existing building to a lot within the Corridor.
- ☐ Signs over 50 square feet in the Corridor.
- ☐ Request for subdivision approval of any kind within the Corridor.
- ☐ Illuminated sign in the Corridor (any size)

Specific details of request: *use separate attachment if necessary* We will be installing new energy efficient, Lincoln low-e glass windows to match the craftsman style of the original windows. All the plumbing, electrical, and H.V.A.C. will be updated per building code. And new ADA compliant bathrooms, fire/sprinkler system and accessibility requirements will be included throughout the facility.

The west side addition of the main house (465 sq ft) will include new fire escape.

The new addition on the south side (8,875 sq ft) will include a full-service commercial kitchen, as well as handicap accessible bathroom facilities for women and men. And a new Event space (2,800 sq ft) for weddings, family gatherings and business meetings. The west side addition of the main house. The exterior façade of the new addition will be brick and EIFS/plaster with trim details to match the original structure. The roof will match the existing roof on the main house. We will install a 4 high wrought iron fence (SW#6258 Tricorn Black) on the north, east and west side of the property with gates. Outside signage will be installed at the front of restaurant facing Twohig Avenue.

Section 2 continued: Site Specific Details

Explain why and how you think the proposed work is necessary and/or consistent with the character of the River Corridor: _____

The building at 215 West Twohig was originally the home of R.A. Hall and built in 1916. The home is listed on the National Register of Historic Places. The most recent occupant included a law office and over the years has had some interior updates and modifications, but no significant changes have been made to the exterior façade. The proposed plans for the new restaurant are to keep all the original exterior of this substantial two-story Craftsman house in dark red brick with bracketed eaves, and a wraparound gallery as-is to stay true to the historical appearance and integrity of this fine home. The brick façade will not be changed – only the trim, cornices and brackets will get a fresh coat of paint (Pure White SW7005, Roycroft Mist Gray SW2844)

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below regulations)

- ☒ On administrative applications, the Director makes the final decision, appeals may be directed to the Design and Historic Review Committee.
- ☒ On other applications the Design and Historic Review Committee makes the final decision, appeals may be directed to the City Council.
- ☒ Approval of this request does not constitute approval of permits, site plans, or other processes that require separate approval.
- ☒ Any changes to the design made after this approval may require a second approval by the Manager and/or the Commission.
- ☒ The decision of the Commission may be appealed to the City Council.
- ☒ Proposed construction into a public right-of-way may require additional approvals.
- ☒ Buildings on historical landmarks or district also require a Certificate of Appropriateness.

I/We the undersigned acknowledge that the information provided above is true and correct.



Signature of licensee or authorized representative

3-15-23

Date

David Mazur

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

☐ Description/photograph of site ☐ Sketches, plans, sketches of work ☐ Sample(s) of materials to be used

☐ Verified Complete ☐ Verified Incomplete

Case No.: RCC _____ -- _____ Related Case No.: _____ -- _____ Date Related case will be heard: _____

Nonrefundable fee: \$ _____ Receipt #: _____ Date paid: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

CHECKLIST FOR RIVER CORRIDOR (RCC) REVIEW

General Requirements for New Construction, Renovation, Remodel, or Redevelopment

- ☐ Proposed use of property
- ☐ Specific details of request
- ☐ Site Plan drawn to scale showing the entirety of the property, including proposed layout of buildings (existing and proposed) as well as other site improvements, parking areas, outdoor patios, awning/canopy and/or building encroachments, property lines, setbacks, easements, and right-of-ways. *A separate survey, drawn to scale, shall be submitted for any encroachments onto a City Right-of-Way, showing the area to scale of the proposed encroachments in relation to the property and existing and proposed buildings/additions, with a legal description of the encroachment area. Any encroachment shall require separate approval from City Council prior to construction or improvements.*
- ☒ Building Elevations showing all elevation views of proposed development or redevelopment, in full, accurate color, including any accessory structures, walls, fences, signage, and lighting, and its relation to adjacent buildings, including fencing, walls, drawn to scale, including samples of all materials and colors to be used for all buildings and structures.
- ☒ Fencing and Lighting Plan including details, elevations, materials, colors, and graphics on a separate drawing(s), *if part of proposal*, drawn to scale.
- ☒ Landscape Plan including details on a separate drawing(s), *if part of proposal*, drawn to scale.
- ☒ Signage including details, elevations, materials, colors, and graphics in full, accurate color, on a separate drawing(s), *if part of proposal*, drawn to scale.
- ☒ Other details that will assist the Commission to understand the request, such as photographs, etc.
- ☒ A completed application form.
- ☒ A notarized Affidavit from the property owner, if different from the applicant

I certify that all general requirements as listed above have been provided, in addition to all project-specific requirements. I understand that not providing all of this information may result in an incomplete application and delay the consideration of my project for approval.

Applicant

Date



City of San Angelo, Texas – Planning Division
52 West College Avenue



AFFIDAVIT

Owner Permission-To-Named-Representative

STATE OF TEXAS
COUNTY OF TOM GREEN

Section 1: Owner, Property, and Representative Information

I, BRININSTOOL CHRISTINE, make this affidavit and hereby on oath state the following:
Print Property Owner Name

I, being the ☒ sole ☐ partial owner of the following property:

215 West Twohig San Angelo TX 76903 656-7353 mazur057@gmail.com
Property Address City State Zip Code Contact Number E-mail Address

Legal Description of Location (can be found on property tax statement or at (www.tomgreencad.com)) :
Legal: Acres: 0.654, Lot: 16 17 & 18, Blk: 11, Subd: SAN ANGELO ADDITION

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

David Mazur Construction #268

(Please print) Representative's Organization or Entity

Signed this the 15 day of March, 2023.

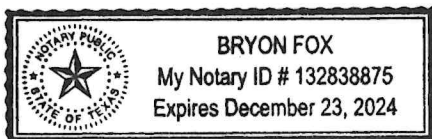
Christine Brininstool
Signature of the Property Owner

Section 2: Notary Public Information

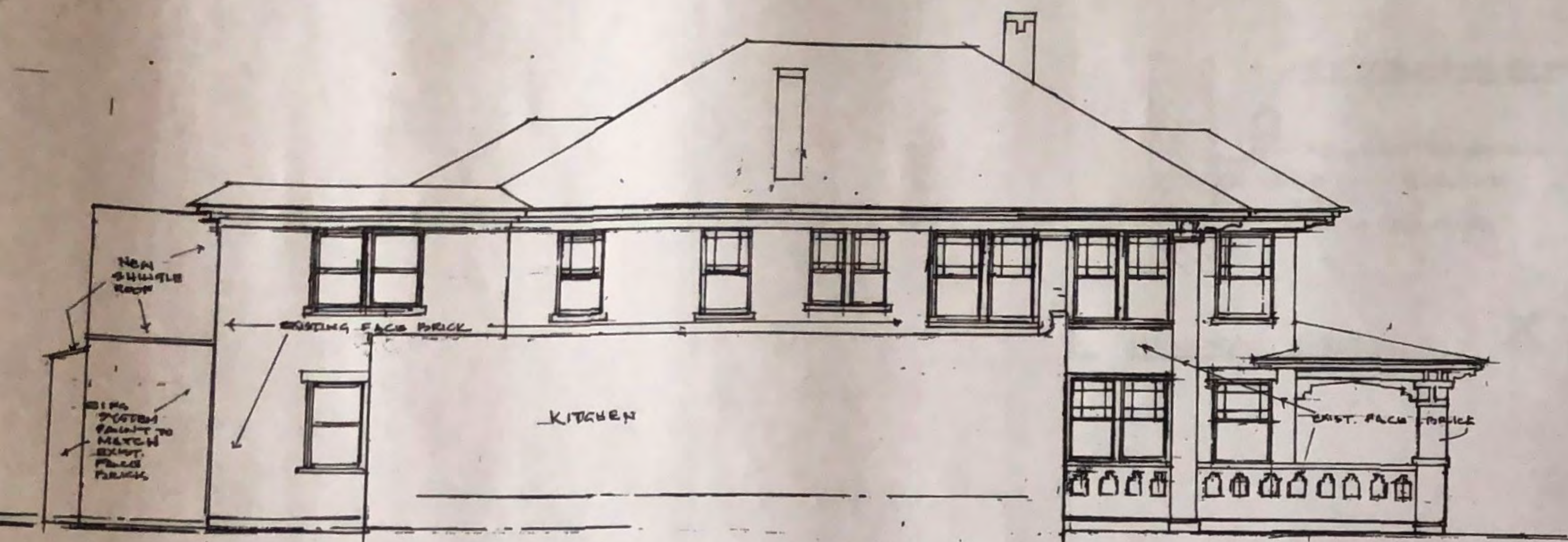
BEFORE ME, the undersigned authority, this day personally appeared Bryon Fox and
Name

on oath stated that the facts hereinabove stated are true to the best of _____ knowledge or belief.
His/Her

SWORN TO AND SUBSCRIBED before me on this the 15 day of March, 2023.



Bryon Fox
Notary Public, State of Texas



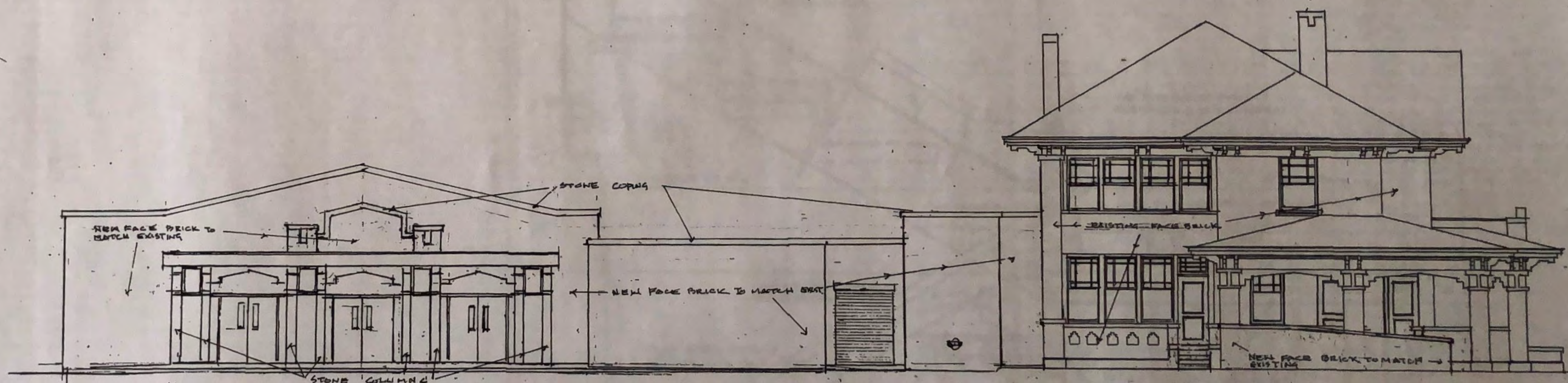
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



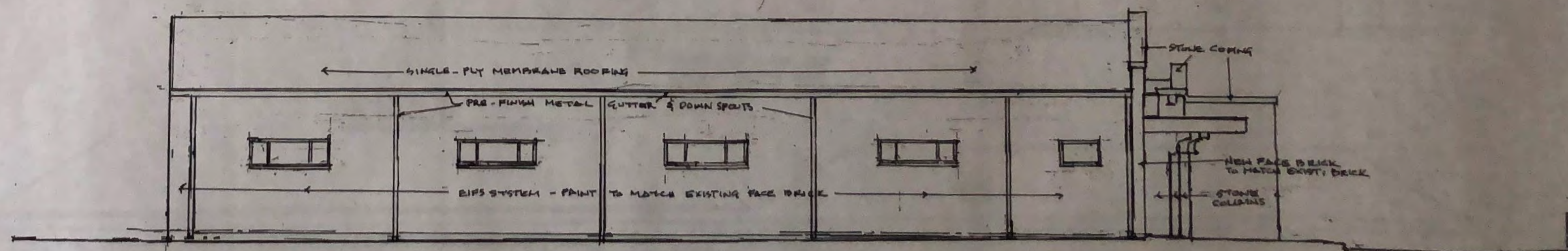
NORTH ELEVATION

SCALE 1/8" = 1'-0"



EAST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

TRICORN BLACK

(SW6258)

Metal Fence

Window Screens

Front Door

SW 6258
Tricorn Black

TR 05

ROOKWOOD TERRA COTTA

(SW2803)

Plaster/EFIS on New Addition

SW 2803
Rookwood Terra Cotta
Victorian

ROYCROFT MIST GRAY

(SW2844)

Decorative Brackets

Exterior Doors

Windows

SW 2844
Roycroft Mist Gray
Arts & Crafts

PURE WHITE

(SW7005)

Soffits & Facia

SW 7005
Pure White

TR 06

HR Co

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- Reinforced Membrane is extremely durable
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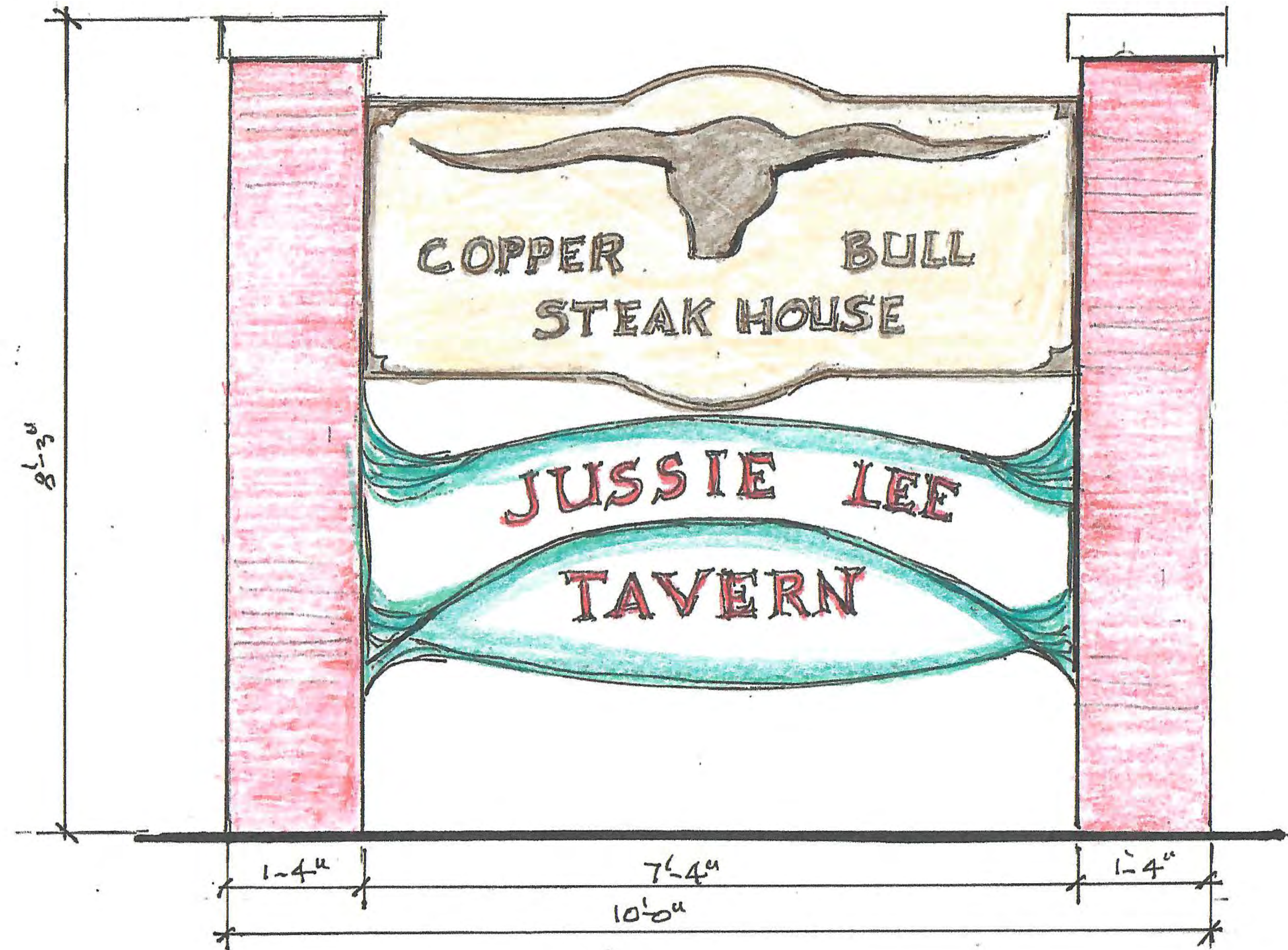
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Roofing Since 2004.*

40
MIL

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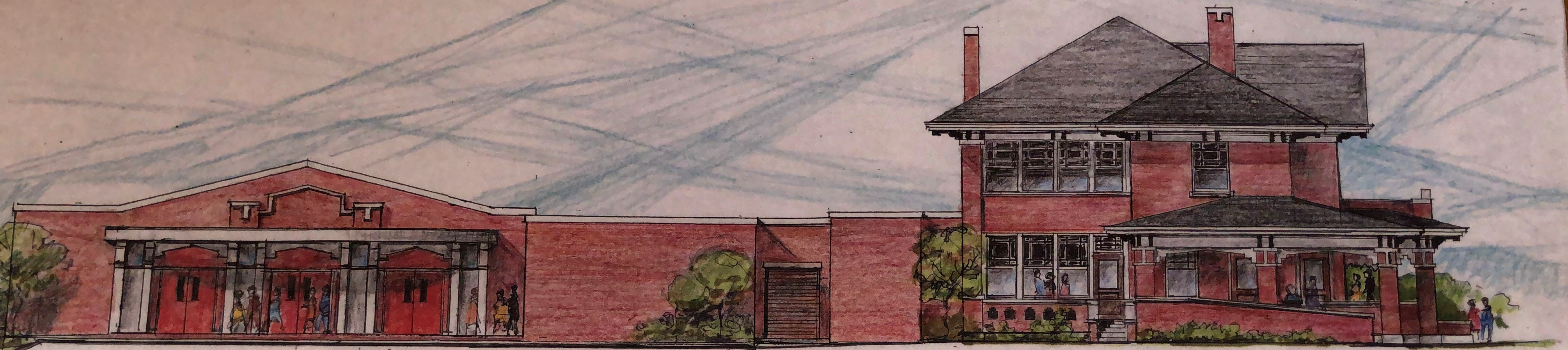


CUSTOM-FABRICATED
BEST-IN-CLASS WARRANTIES
HIGHLY ENERGY-EFFICIENT

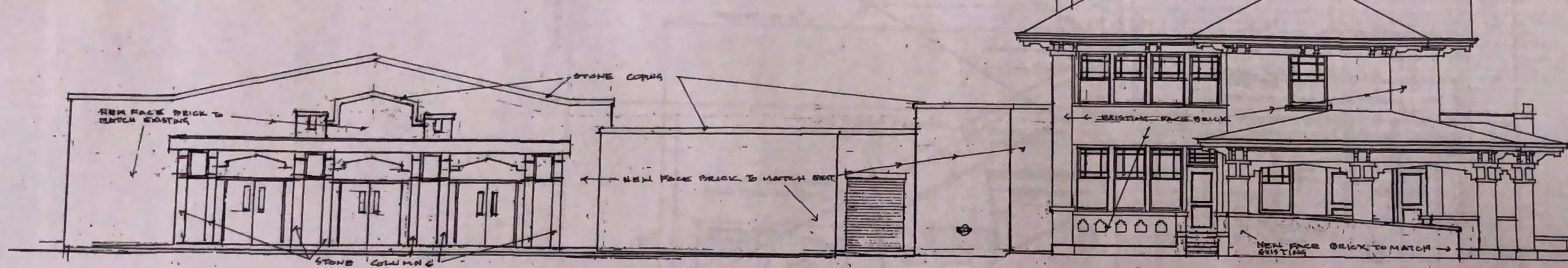


SIGN

$\frac{1}{2}" = 1'-0"$

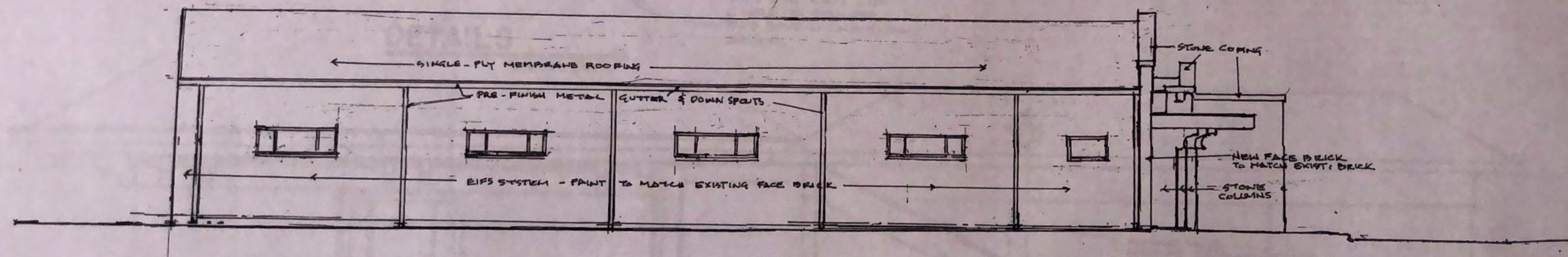


EAST ELEVATION



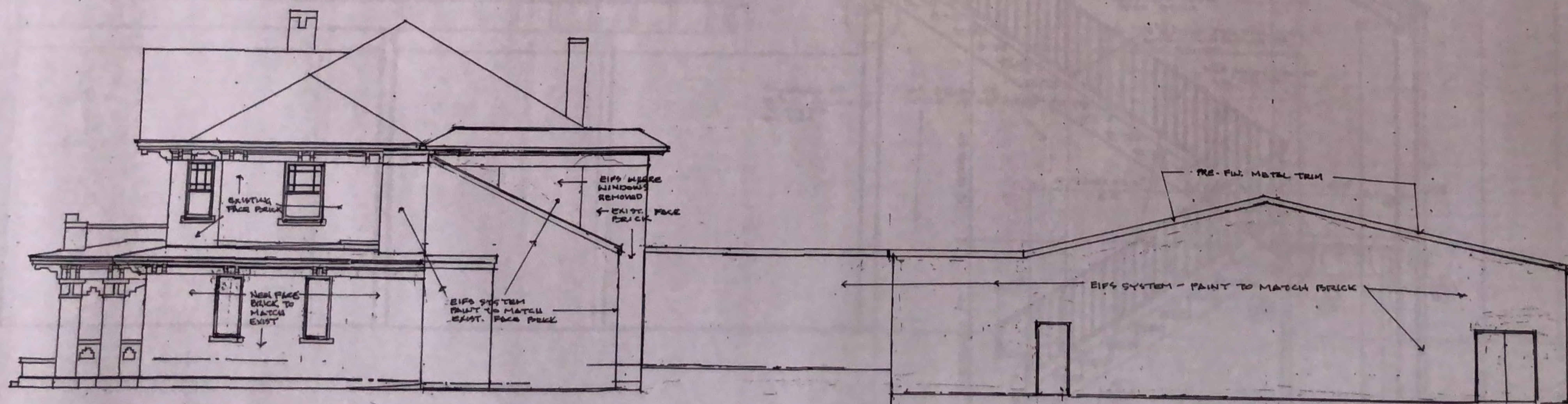
EAST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"



WEST ELEVATION

SCALE 1/8" = 1'-0"

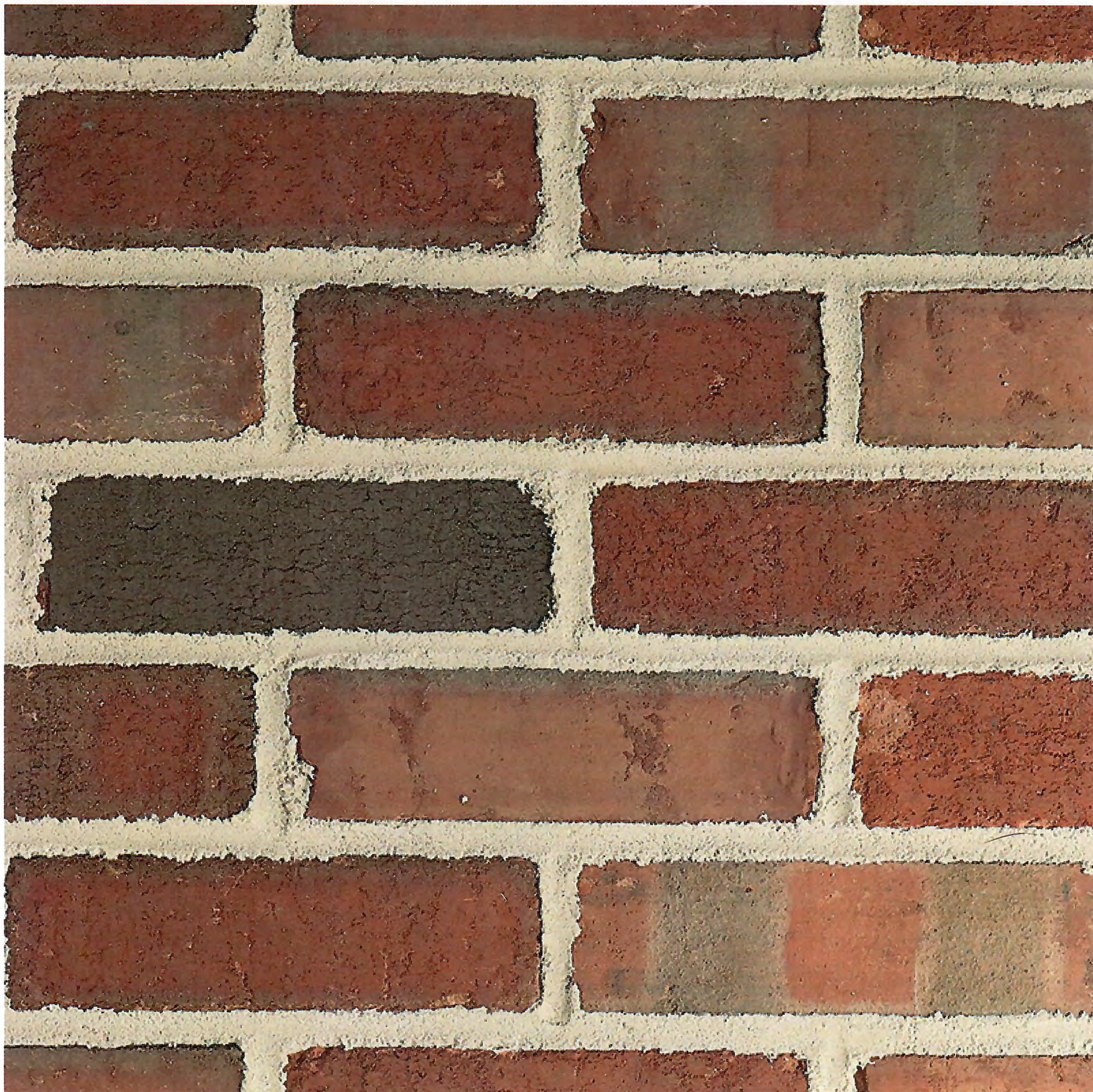
RESTAURANT TAVERN

RENOVATIONS & ADDITIONS

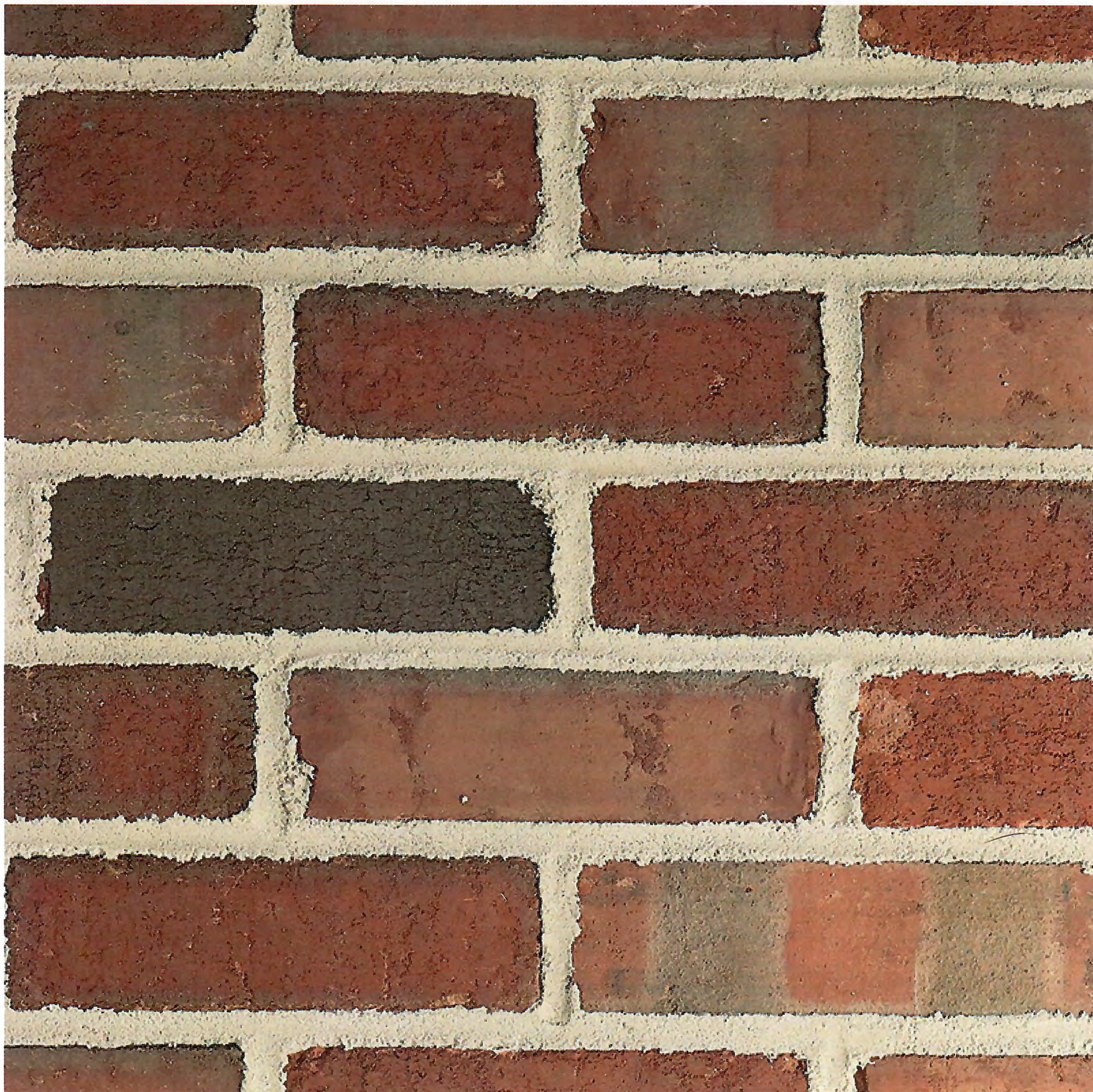
215 West Twohig Avenue

SAN ANGELO, TEXAS

JOB NO.
SHEET NO.
A-6
OF
DATE:



OLE CANARSIE



OLE CANARSIE



Product Guide

WINDOWS AND PATIO DOORS



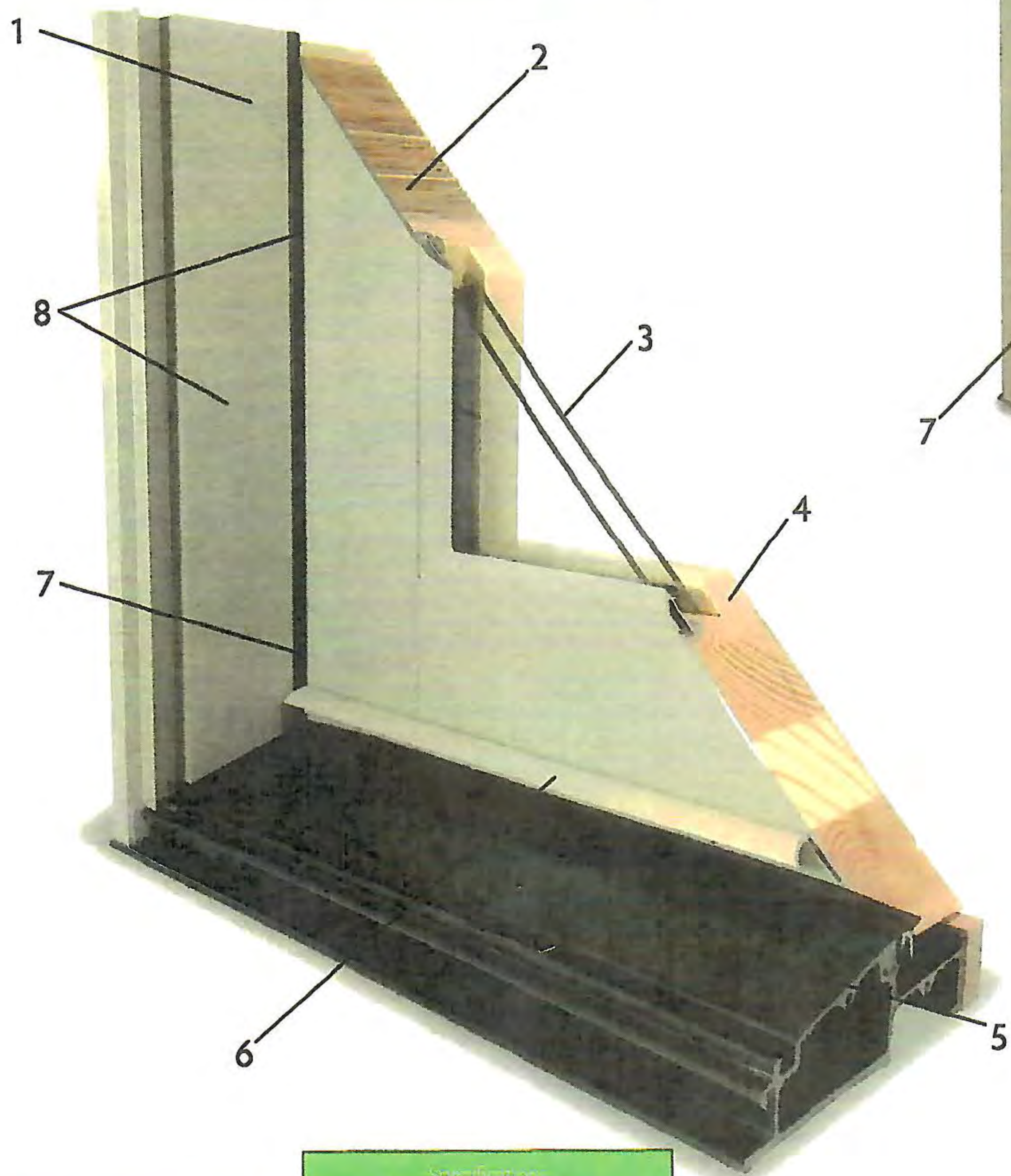
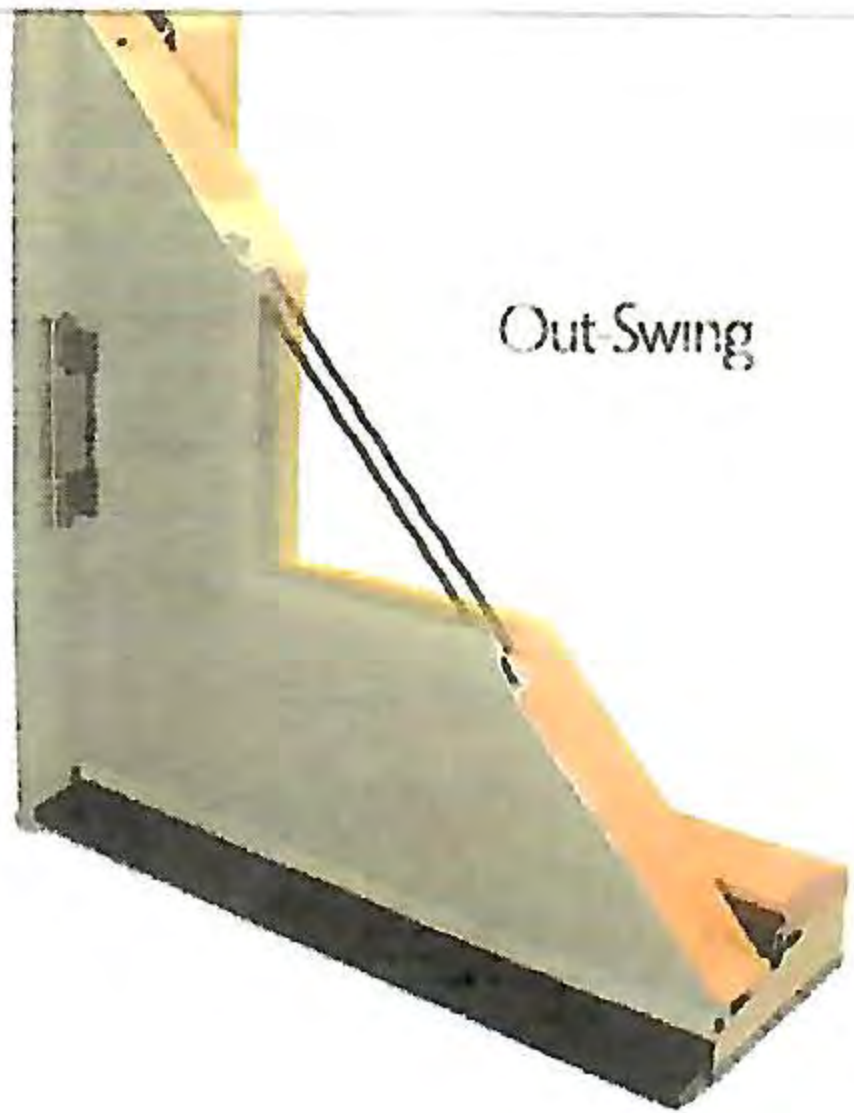
Our most comprehensive door category, swing products are widely used for nearly every type of project including new construction, remodeling and light commercial. Swing doors are versatile, long-lasting and design friendly.

Styles

- In-Swing
- Out-Swing
- Lifestyle Panels
- French
- Radius
- Mid-Rail
- Panel - Raised & Flat
- Operating Sidelites

1-3/4" Door

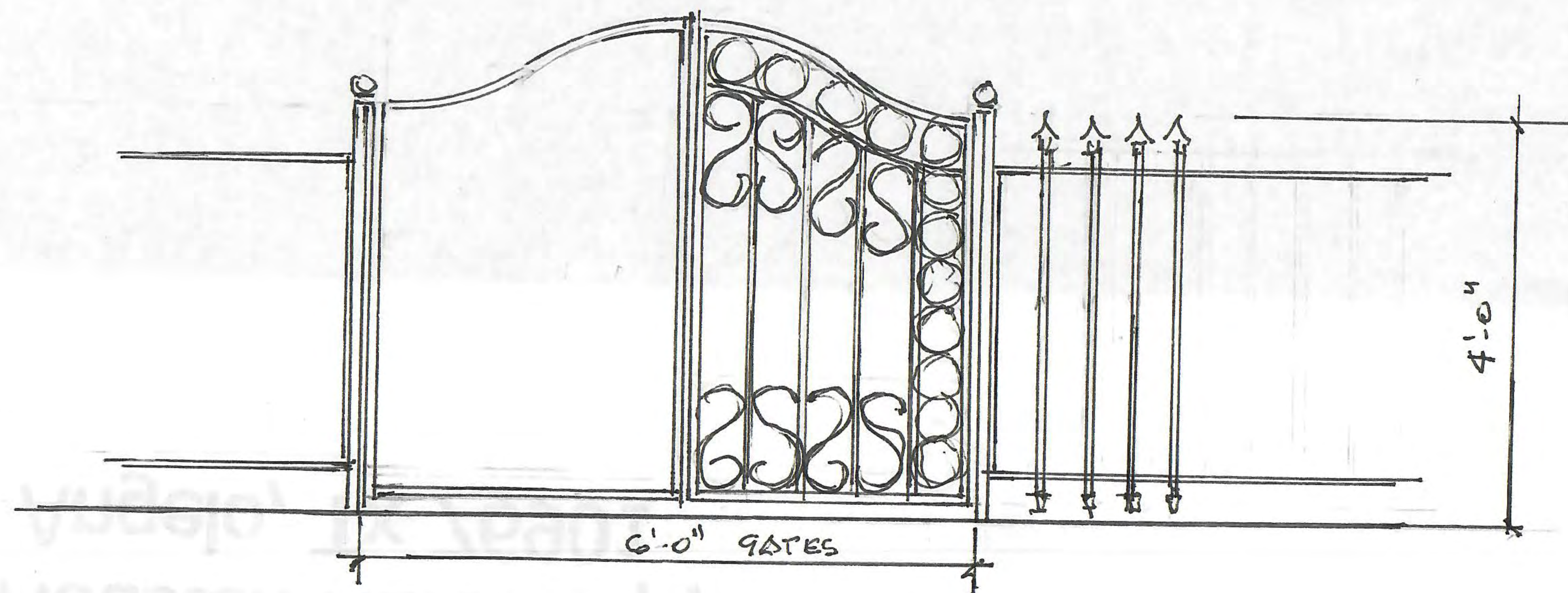
1. 4-9/16" jamb.
 2. 1-3/4" thick panels.
 3. 3/4" tempered insulating glass.
 4. Interior wood glazing bead.
 5. .125 pultruded resin coated fiberglass sill in grey or dark bronze.
 6. Panel drip edge.
 7. Full surround weatherstrip.
 8. .050 extruded aluminum on sash and frame.
- Wood units have primed panels on the exterior with cPVC brickmould.



2-1/4" Door

1. 5 1/8" jamb.
2. 2-1/4" thick panels.
3. 3/4" tempered insulating glass.
4. Interior wood glazing bead.
5. .125 pultruded resin coated fiberglass sill (bronze or grey).
6. Panel drip edge.
7. Full surround weatherstrip.
8. .050 extruded aluminum on sash and frame.

	Specifications
1	1 wide = 43 7/8" 2 wide = 86 7/8"
2	122 3/4"
3	2 1/4" thick panels
4	Standard 4 13/16"
5	Lifestyle 3 3/8"

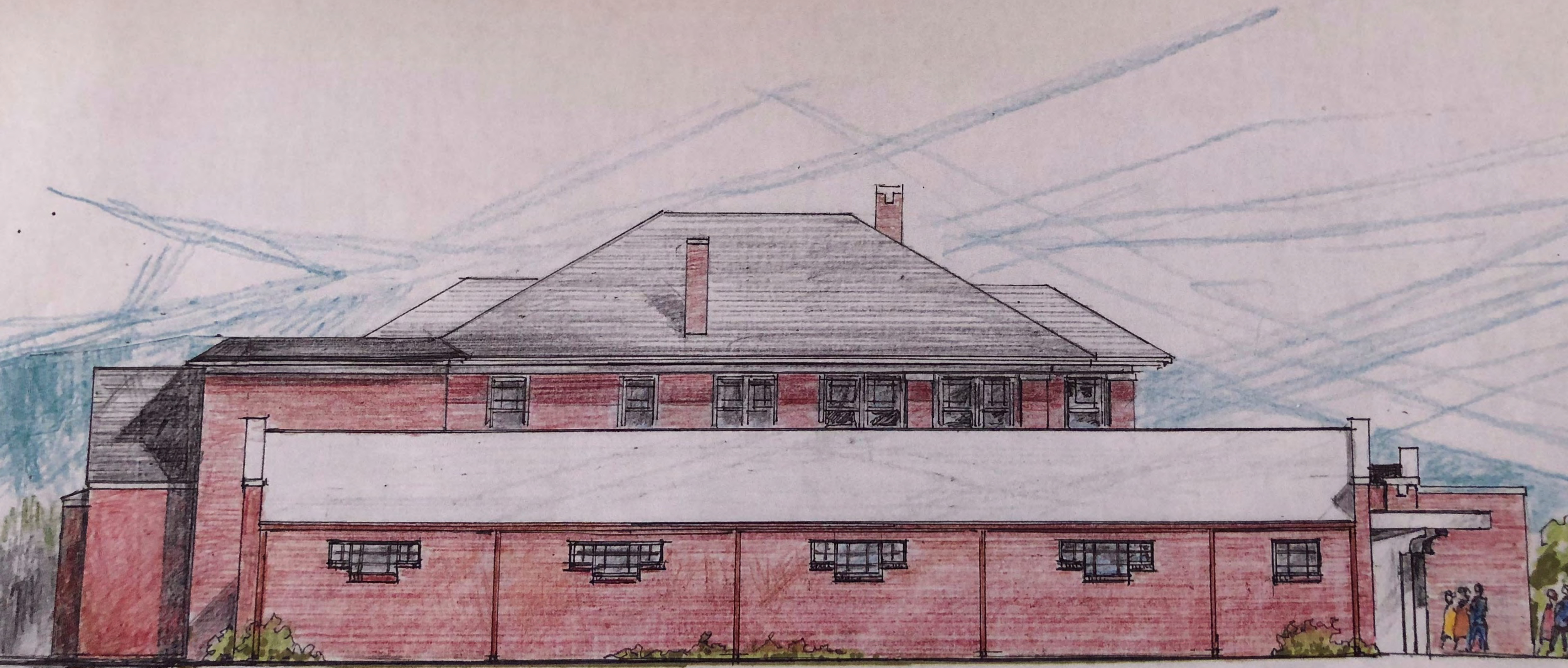


ORNAMENTAL METAL FENCE

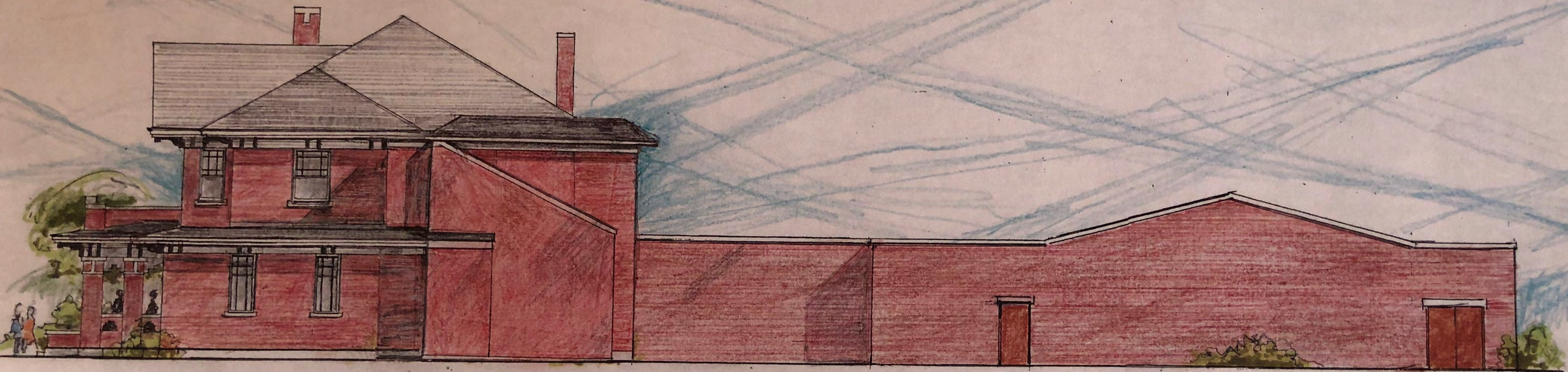
SCALE $\frac{1}{2}" = 1'-0"$



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Aaron Vannoy, Assistant Director, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z23-07 to rezone property from the Heavy Commercial zoning district to the Neighborhood Commercial zoning district, being 2.473 acres, located at 1261 and 1349 Glenna St. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

The applicant has requested to rezone property from Heavy Commercial (CH) to Neighborhood Commercial (CN) for property located at 1261 and 1369 Glenna Street. The properties consist of two vacant lots along a heavily trafficked street. The rezoning request would allow the applicant to consolidate the properties into a single lot and develop it with a new commercial retail store, pending the approval of the rezoning.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval of this rezoning request.

At their meeting on July 17, 2023, the Planning Commission voted to recommend approval of this request by a vote of 4-0.

Attachments:

- | | |
|--|--|
| 1. Ordinance Z23-07 | Ordinance Z23-07.docx |
| 2. Z23-07 1261 and 1349 Glenna St - Staff Report | Z23-07 1261 and 1349 Glenna St - Staff Report.docx |
| 3. 1349 Glenna Photos - Site | 1349 Glenna Photos - Site.jpg |
| 4. 1349 Glenna Photos - Road 2 | 1349 Glenna Photos - Road 2.jpg |
| 5. 1349 Glenna Photos - Road 1 | 1349 Glenna Photos - Road 1.jpg |

Presentation:

Jon James

Approvals/Reviews:

Aaron Vannoy

Aaron Vannoy

Jon James

Brandon Dyson

Jon James

Theresa James

Heather Stastny

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

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 ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY: **APPROXIMATELY 2.473 ACRES LOCATED AT 1261 and 1349 Glenna St., (M.F. Mitchell Survey 6, Abstract 8722, Tom Green County)**; FROM THE HEAVY COMMERCIAL ZONING DISTRICT (CH) TO THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT (CN); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-07: 1261 and 1349 Glenna Street.

WHEREAS, on the 17th day of July, 2023, 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 Neighborhood Commercial (CN) Zoning District; and,

WHEREAS, on the 15th day of August, 2023, City Council held a public hearing on Z23-07, 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 Neighborhood COMMERCIAL (CN) ZONING DISTRICT:

The real property generally located 1261 and 1349 Glenna St., described as M.F. Mitchell Survey 6, Abstract 8722, Tom Green County, 2.473 acres within the City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 herein 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 on the **15th day of August, 2023**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of September, 2023**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

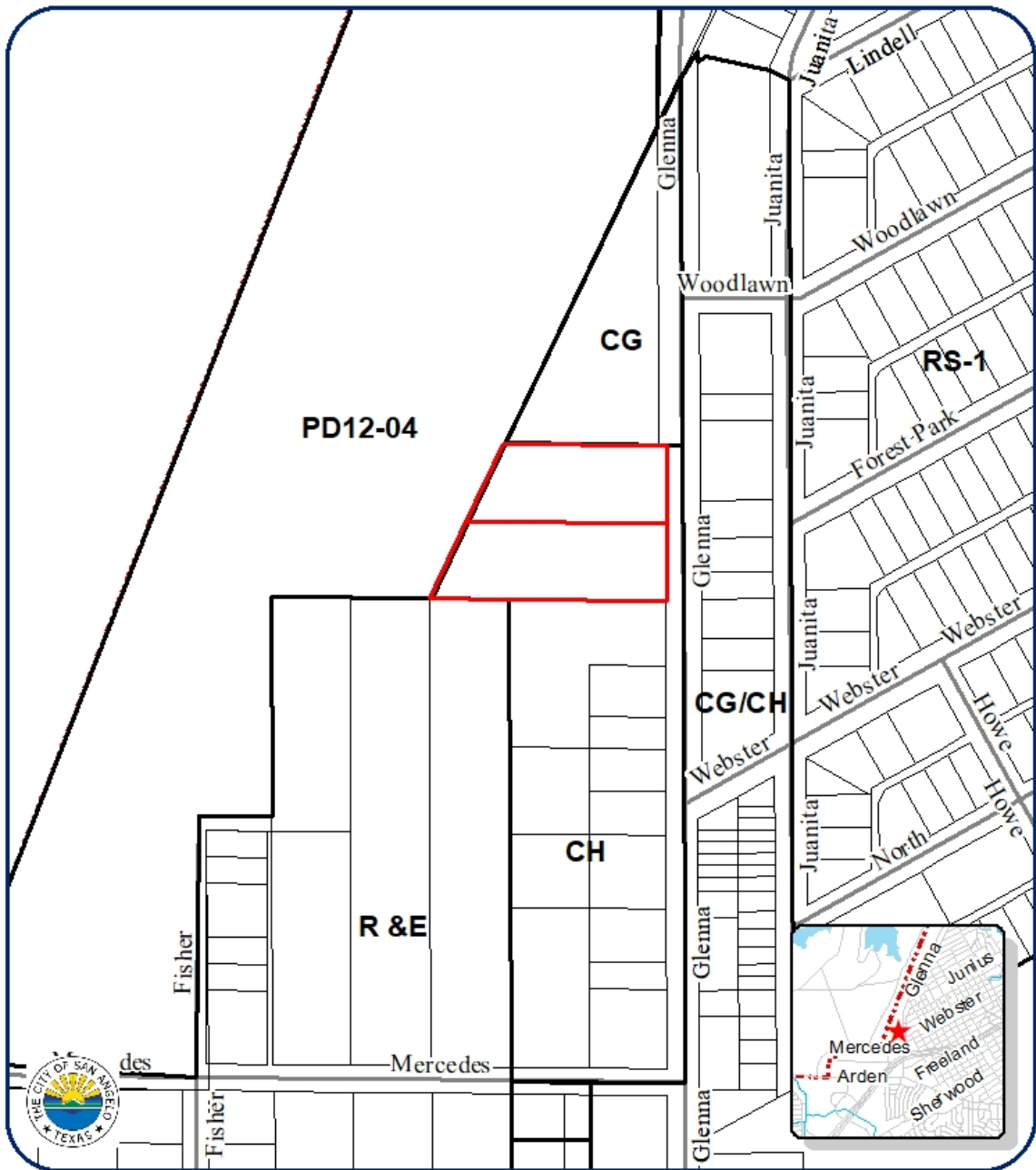
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit “A”



Black/White Zoning Map
Z23-07 1349 Glenna St
Council District: #2 Tom Thompson
Neighborhood: Angelo Heights
Scale: 0.00 0.02 0.04 0.06 0.08
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —

N

STAFF REPORT

Planning Commission: July 17, 2023

City Council 1st reading: August 15th, 2023



APPLICATION TYPE:		CASE:	
Rezoning request: CH to CN		Z23-07: 1261 and 1369 Glenna St.	
SYNOPSIS:			
The applicant has requested to rezone property from Heavy Commercial (CH) to Neighborhood Commercial (CN) for property located at 1261 and 1369 Glenna St. The properties consist of two vacant lots along a heavily trafficked street. The rezoning request would allow the applicant to consolidate the properties into a single lot and develop it with a new commercial retail store, pending the approval of the rezoning.			
LOCATION:		LEGAL DESCRIPTION:	
1261 and 1349 Glenna St., approximately 425' south of the intersection of Glenna and Woodlawn Dr.		Abst: A-8314 S-0006, Survey: M F MITCHELL, 1.126 ACRES, Abst: A-8314 S-0006, Survey: M F MITCHELL, 1.3470 ACRES	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: #2 Tom Thompson Neighborhood: Angelo Heights	RS1 – Heavy Commercial to Neighborhood Commercial	Neighborhood Center	2.426 Acres
THOROUGHFARE PLAN:			
Glenna St – Minor Arterial Street – Paving with is 48.5' with a minimum of 48' paving. Row is variable at maximum of 65' with a minimum requirement of 68' (Dedication through plat process of additional ROW)			
NOTIFICATIONS:			
17 notifications mailed on May 31, 2023. One received in support and none in opposition.			
STAFF RECOMMENDATION:			
Staff recommends <u>APPROVAL</u> of the rezoning request.			
PROPERTY OWNER/PETITIONER:			
Owner: Terry Blair Petitioner: Chris Berry, Berry Engineering, LLC			
STAFF CONTACT:			
Aaron Vannoy Planning and Development Services Assistant Director (325) 657-4210, Extension 1542			

Additional Information: Staff met with the applicant's representative concerning the proposed site and the proposed commercial retail development and rezoning at a development meeting. As part of the proposal the developer has submitted applications for a request to abandon a portion of an alley and replat of all the pieces they have acquired into one commercially zoned lot. They would like to operate their business by right, develop in an area of town that is suitable for infill and developing underutilized areas, and this application is part of that complete project.

1. **Compatible with Plans and Policies. Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Comprehensive Plan identifies this area as Neighborhood Center, but it has been virtually vacant for a long time. Given the existing desire of the City to encourage infill development, the proposed change is in keeping with this Plan which also encourages mix of uses and services that cater to the residents within these areas identified as "Neighborhood Centers".
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed rezoning will not conflict 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.** As noted above, the properties in this area are a mix of uses. In surveying the area, the one thing that was noted was the need for redevelopment in this area of town. As such, they will complement the area and the various uses.
4. **Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.** This area is in abstract and has been virtually vacant for a long time, and is a great location for infill commercial development to serve the needs of the residents in surrounding neighborhoods.
5. **Effect on Natural Environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** There are no anticipated adverse effects on neighboring properties.
6. **Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.** Staff believes that this type of mixed use has a history of success. The neighborhood was developed in the 1960's and many of the properties have been vacant for decades. This business can help stabilize the neighborhood, by providing new development in an area that has been continuing to lose homes and businesses for several years.
7. **Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.** The property in question is along a minor arterial which serves the neighborhood and traffic from N. Bryant to Houston Harte Freeway. It provides a compatible transition from heavier commercial uses and residentially zoned areas. A similar store closed in 2022 approximately 1 mile from this location due to space issues at an existing strip center.

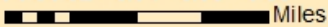
Recommendation:

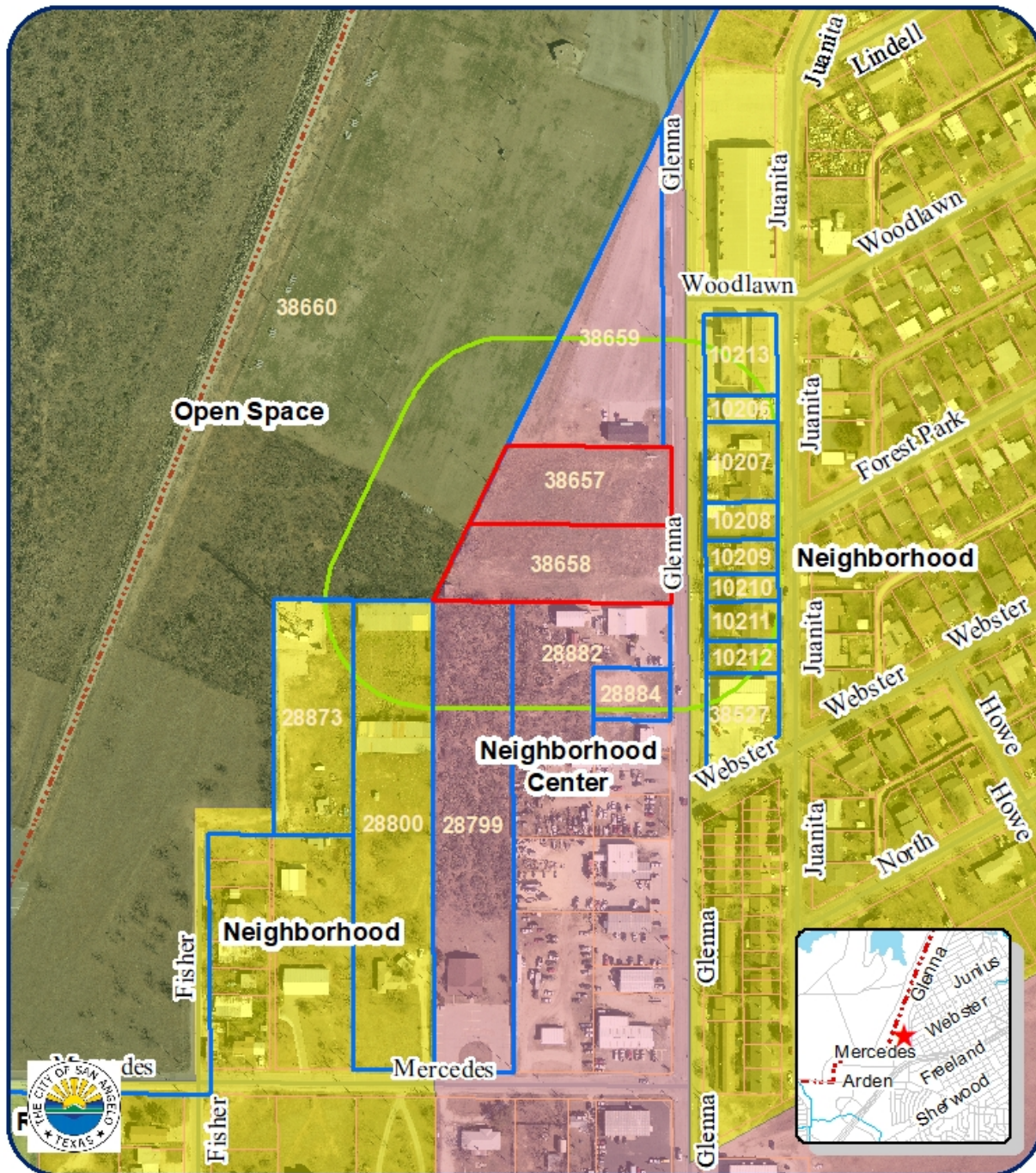
Staff recommends **APPROVAL** of the request to Heavy Commercial (RS-1) to Neighborhood Commercial (CN).

Attachments:

Aerial Map
Future Land Use – Vision Plan
Zoning Map
Notice Map
Notice returns



Aerial Map Z23-07 1349 Glenna St Council District: #2 Tom Thompson Neighborhood: Angelo Heights Scale: 0.00 0.02 0.04 0.06 0.08  Miles	Subject Properties:  200' Buffer:  Notified Properties: 	
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Current Vision Plan Map Z23-07 1349 Glenna St

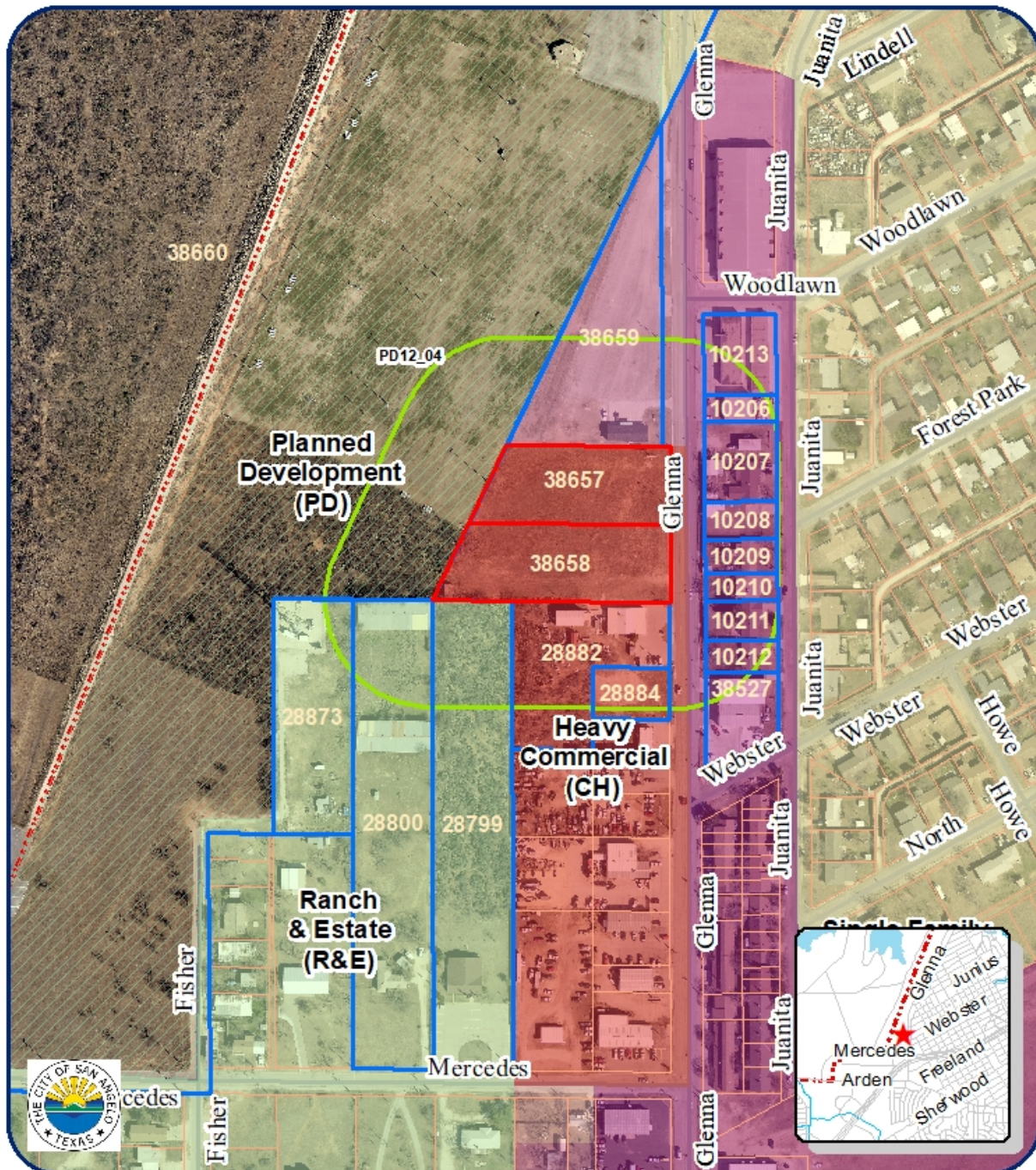
Council District: #2 Tom Thompson
Neighborhood: Angelo Heights
Scale: 0.00 0.02 0.04 0.06 0.08
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





Current Zoning Map Z23-07 1349 Glenna St

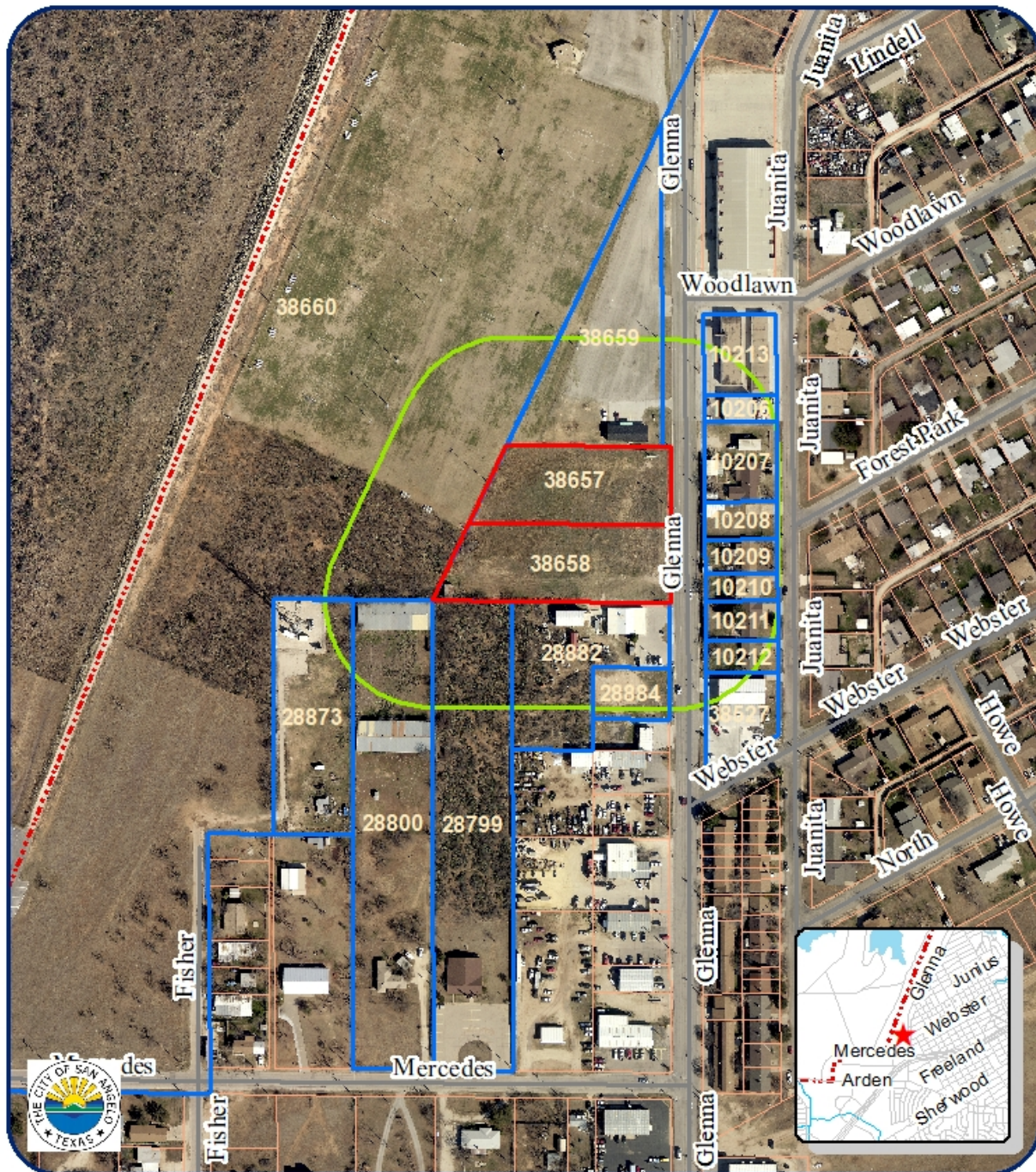
Council District: #2 Tom Thompson
Neighborhood: Angelo Heights
Scale: 0.00 0.02 0.04 0.06 0.08
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





200' Notification Map
Z23-07 1349 Glenna St

Council District: #2 Tom Thompson
Neighborhood: Angelo Heights
Scale: 0.00 0.02 0.04 0.06 0.08
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —



For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: Z23-07
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: BLAIR TERRY L & LONNIE C
Parcel I.D.: 76901-2628
Address: 3832 MERCEDES ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosak.us

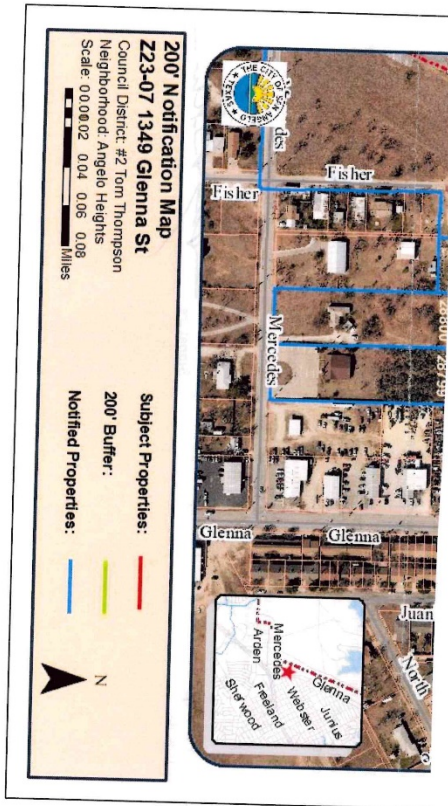
I am in favor ☒

I am opposed ☐

Signature: _____



Additional Comments:







40





Zoning Request
Pending

(325) 657-4210

WEST TEXAS
APPLIANCE
PARTS

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services

Meeting Date: August 15, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Planned Development PD05-03 to extend uses currently allowed in specific areas on the lot (Civic, Institutional, Religious, Educational, Athletic and Neighborhood Commercial) to be allowed throughout the entire property located at 5687 Melrose Ave. (Presentation made by Planning & Development Services Director Jon James)

Staff Recommendation:

Adopt

Summary/History:

A request to amend an existing Planned Development Ordinance, PD05-03, to allow institutional and civic uses in area C, a residential district, subject to certain conditions, located at 5687 Melrose Ave.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

At their July 17, 2023 meeting the Planning Commission voted unanimously to approve the amendment, 4-0.

Attachments:

- | | | |
|----|---------------------------|-------------------------------|
| 1. | City Council Staff Report | City Council Staff Report.pdf |
| 2. | Ordinance (PD05-03) | Ordinance (PD05-03).docx |

Presentation:

Jon James

Approvals/Reviews:

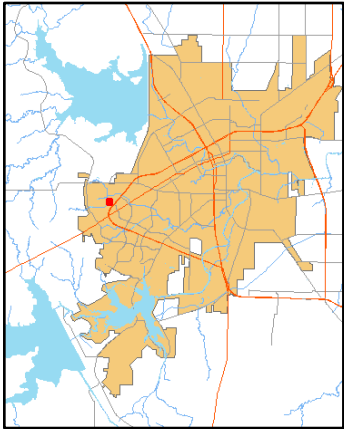
Sherry Bailey	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved

Jon James
Theresa James
Heather Stastny

Approved
Approved
Final Approval

CITY COUNCIL – August 15, 2023
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development		Amendment to Planned Development PD05-03	
SYNOPSIS:			
The applicant has applied to amend PD05-03 to reflect current and future development on the property. This proposal is to update the existing Planned Development ordinance to accommodate all the anticipated uses that apply to the main educational use. The original Planned Development broke the uses out by A through D zones. That worked well originally, but it is easy to see that users need to respect zone boundaries over time. Athletic areas may have needs across the zones, as do educational, maintenance, and equipment repair areas. At this point in time, the uses are better served and meet the needs in a more beneficial way by allowing them over the entire site. This will then require some awareness that there may be some impact on the other properties in the area, so care will need to be taken to address those issues.			
LOCATION:		LEGAL DESCRIPTION:	
Melrose Avenue and Stratford Avenue		Lot 6A Blk 1 BLUFFS Ease SEC. 1, being 10.907 acres	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Larry Miller Bluffs Neighborhood	PD allowing educational, athletic, maintenance, residential uses	Neighborhood	10.907 acres
NOTIFICATIONS:			
32 notifications were mailed within a 200-foot radius on June 30, 2023. One response has been received in opposition and no responses in support.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the amendment to the existing PD05-03 Planned Development (PD) Zoning District to allow an underlying base zoning of Neighborhood Commercial, also allowing educational, athletic, recreational, maintenance, and equipment repair uses associated with the 5687 Melrose Ave. school site. Planning Commission approved this application 4-0 at their July 17, 2023 meeting.			
PROPERTY OWNER/PETITIONER:			
Applicant: Scott White Chief Operations Officer Applicants Representative: Darren Buhle			
STAFF CONTACT:			
Sherry Bailey Senior Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request:

1. **Compatible with Plans and Policies. *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The subject property is designated "Neighborhood," which is designed to promote a solid base of uses that meet the educational and personal needs of the students.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance.*** The change to make the uses uniform across the site is more reflective of the overall use of the site and support for those that attend this facility.
3. **Compatible with Surrounding Area. *Whether and the extent to which the proposed special use is compatible with existing and anticipated uses surrounding the subject land.*** Staff believes that the proposed amended PD is compatible with the surrounding area. The property will act as an interconnected collection of uses to meet the needs of the population.
4. **Changed Conditions. *Whether and the extent to which there are changed conditions that require an amendment.*** Facility support systems are housed across the site as well as educational and athletic facilities. Making the approach is more in keeping with the existing situation.
5. **Effect on Natural Environment. *Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not limited to water or air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*** Staff does not anticipate any negative environmental effects with the proposed PD. Any development will require a review of drainage, grading, and stormwater per normal practice at the time of platting.
6. **Community Need. *Whether and the extent to which the proposed special use addresses a demonstrated community need.*** As indicated in #1 above, the Comprehensive Plan supports more diverse types of uses in this area.
7. **Development Patterns. *Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.*** Approval of this PD will not change the development patterns in the area.

Recommendation:

Staff recommends that the Planning Commission recommend the **APPROVAL** of amending the Planned Development (PD) Zoning District PD05-03 to allow an underlying base of Neighborhood Commercial along with educational, recreational, athletics, and maintenance uses related to the school.

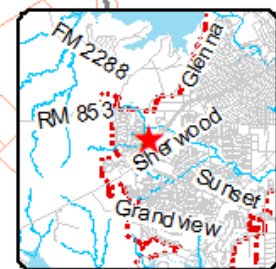
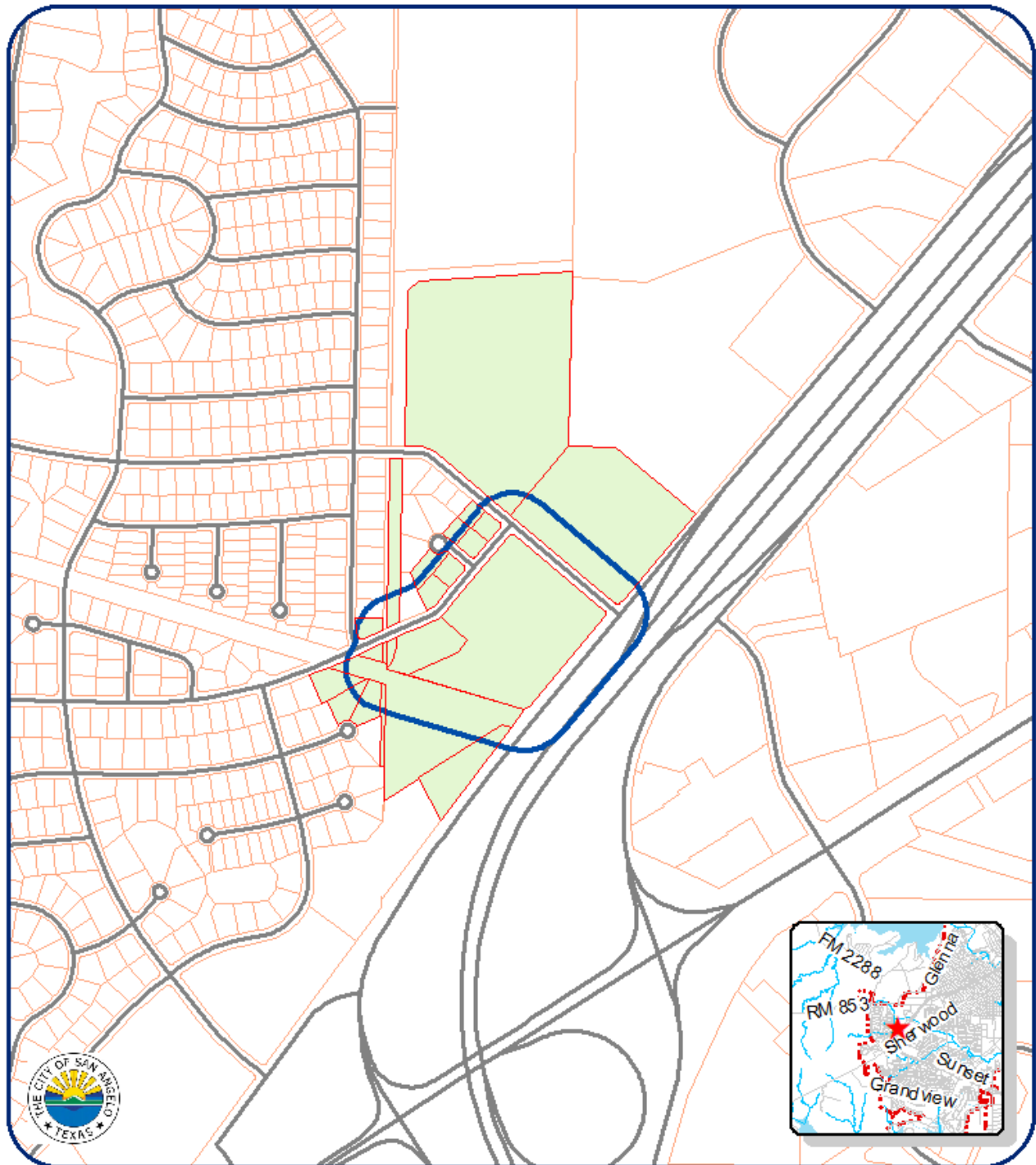
Attachments:

Aerial Map

Future Land Use Map

Zoning Map

200-Foot Notification Map



200' Notification Map
TLCA PD05-03 Amendment

Council District: #6 Miller
Neighborhood: Bluffs

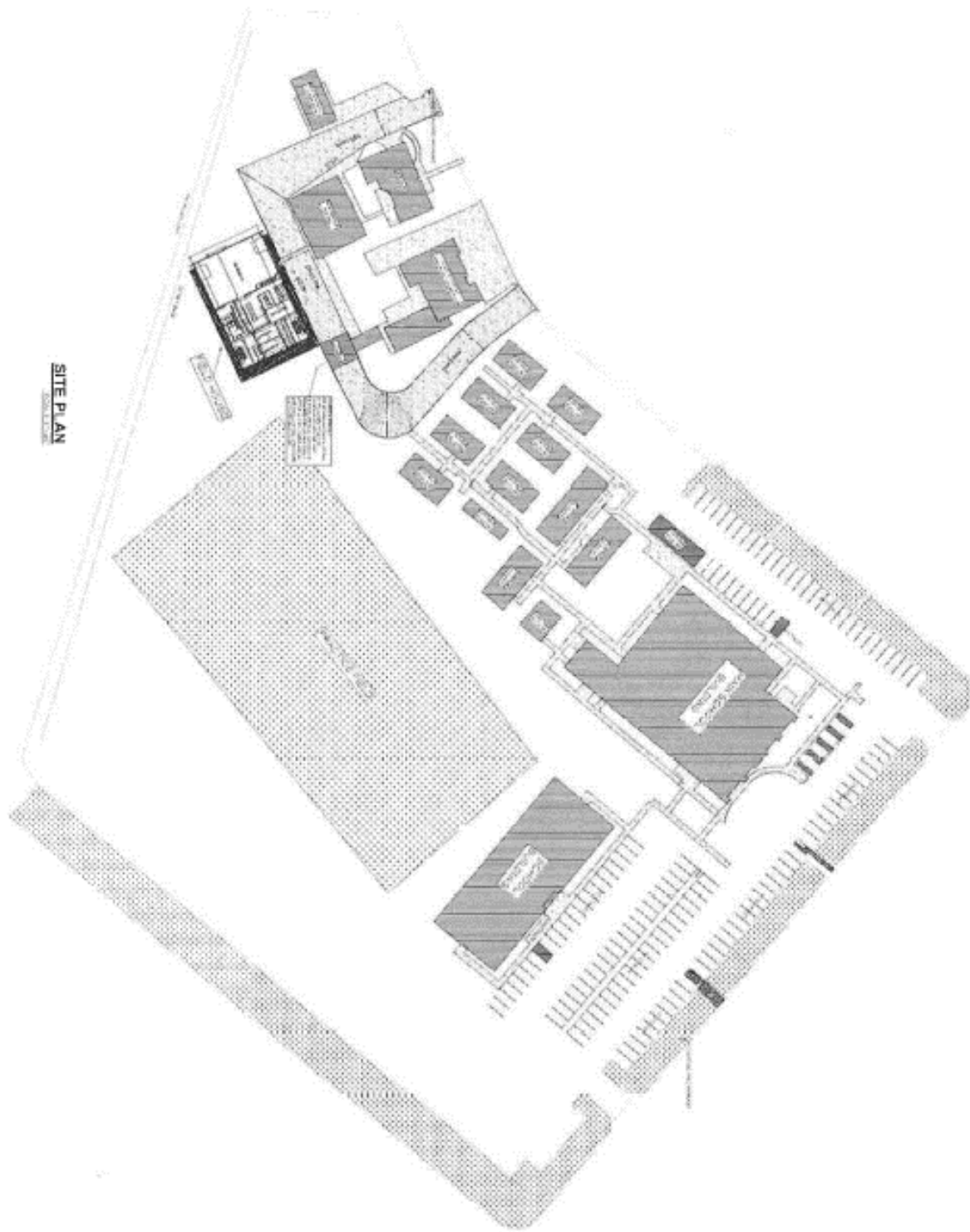
Scale: 0 0.03 0.06 0.12 0.18 0.24
Miles

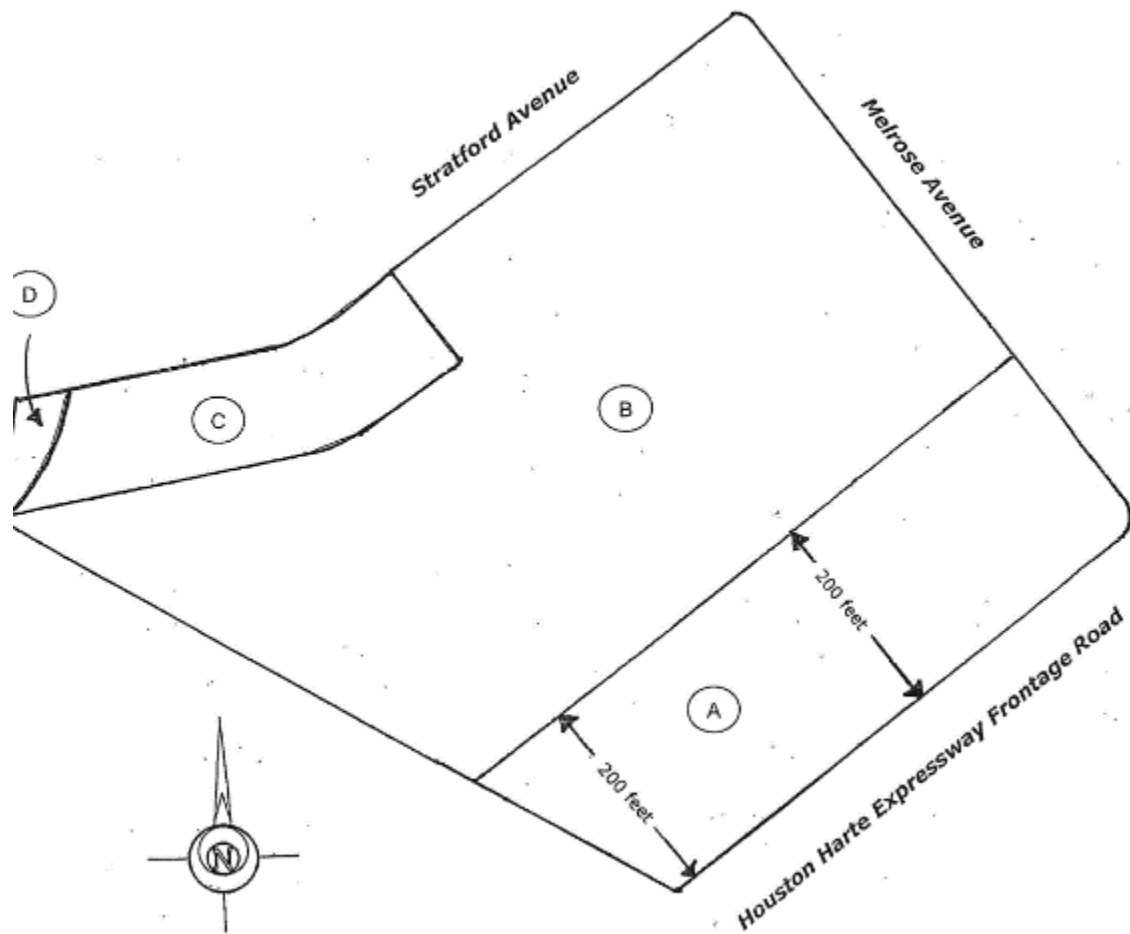
Subject Properties: 

200' Buffer: 

Notified Properties: 







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 PROPERTY: **APPROXIMATELY 10.907 ACRES LOCATED SOUTHWEST OF MELROSE AVENUE AND STRATFORD AVENUE**; FROM THE PLANNED DEVELOPMENT WITH AN UNDERLYING INSTITUTIONAL AND CIVIC USE, RESIDENTIAL AND LIMITED COMMERCIAL TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW UNDERLYING BASE ZONING OF NEIGHBORHOOD COMMERCIAL, INSTITUTIONAL, CIVIC, RESIDENTIAL, EDUCATIONAL AND ATHLETIC DEVELOPMENT STANDARDS AS OUTLINED IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD05-03 5687 MELROSE AVENUE

WHEREAS, on the 17th day of July, 2023, 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 Amendment to Planned Development (PD05-03) Zoning District to allow for an underlying base zoning of (NC) Neighborhood Commercial, Educational, Residential, Civic, Institutional and Athletic development standards and,

WHEREAS, on the 1th day of August, 2023, City Council held a public hearing on the Amendment to PD05-03, 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 PLANNED DEVELOPMENT (PD05-03) ZONING DISTRICT:

The real property is generally located southwest of the intersection of Stratford Avenue and Melrose Avenue and north of Houston Harte Expressway; being approximately 10.907 acres in the BLUFFS EAST SEC. 1 AMENDED PLAT Lot 6A, Blk. 1; City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A” of this Ordinance.

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 (**“PD Boundary Map”**).

SECTION 3: The use of the hereinabove described property shall be subject to all applicable regulations contained in **Exhibit “B”** of this Ordinance (**“Applicable Regulations”**), and 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 herein 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 on the **15th day of August, 2023**, and finally PASSED, APPROVED AND ADOPTED on this the **7th day of September, 2023**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

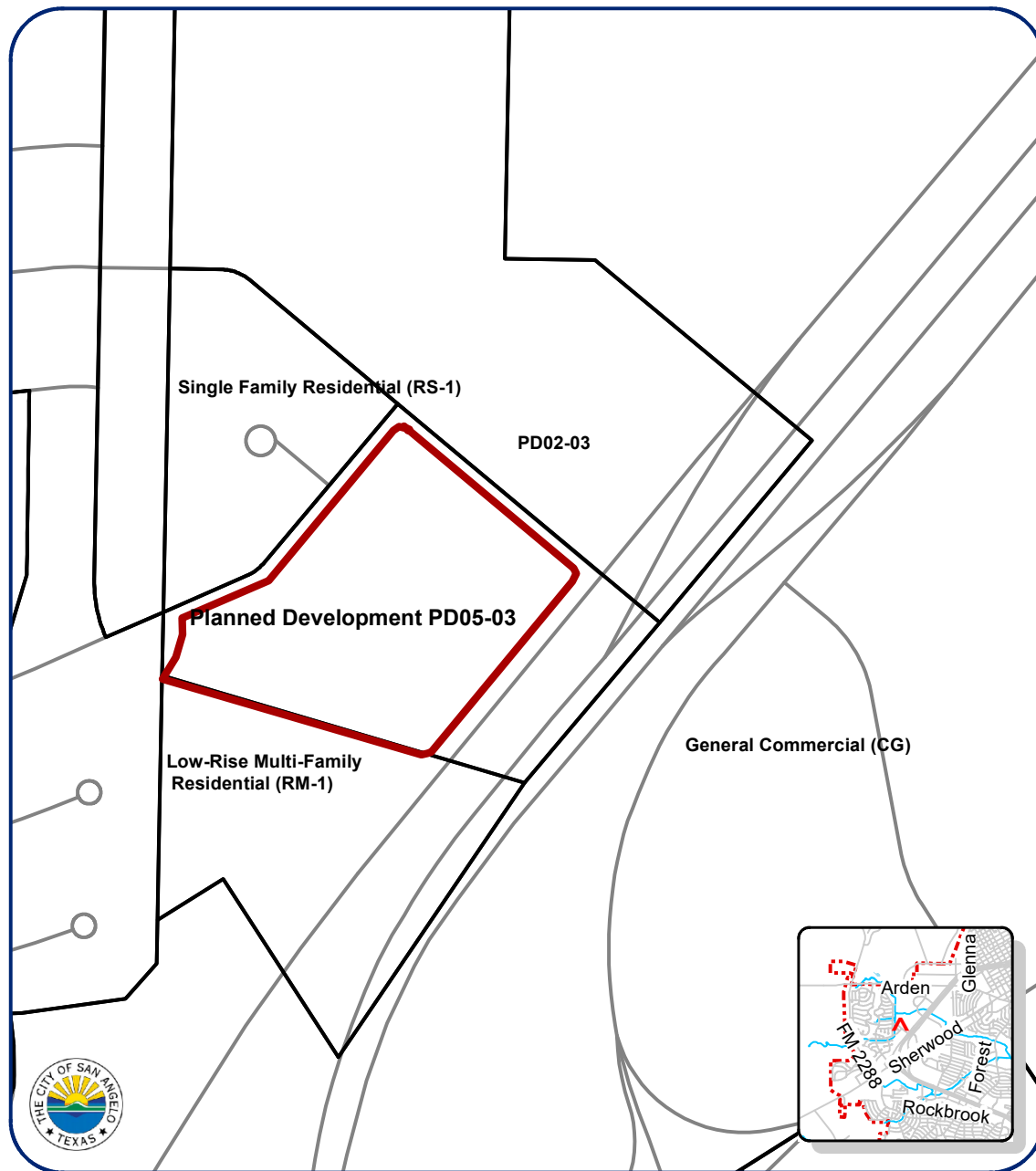
ATTEST:

APPROVED AS TO FORM:

Heather Stastny, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)



TLCA

Amendment to PD05-03

Council District: #6 -Larry Miller

Neighborhood: Ft. Concho

Scale: 0.01 0.03 0.06 0.09 0.12
Miles

Subject Properties:

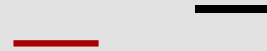
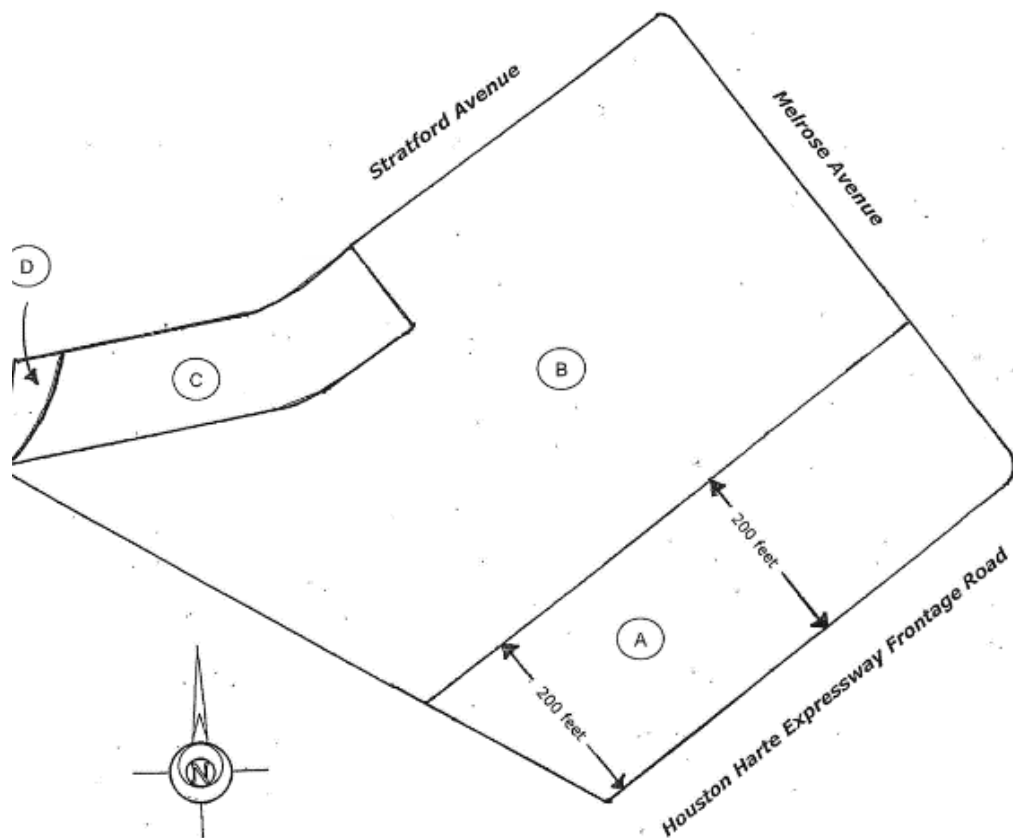


Exhibit “B”
Applicable Regulations

1. Except as otherwise specified, the development of the subject property shall generally conform to the Neighborhood Commercial (NC) Zoning District standards.
2. The following development standards shall apply:
 - Institutional including religious.
 - Civic.
 - Athletic including fields, field house, and practice facilities and stands.
 - Residential including Day Care.
 - Associated maintenance facilities to care for grounds, building and vehicles.
 - Neighborhood Commercial

To include area A, B, and C equally.





APPLICATION FOR BOARDS and COMMISSIONS

Name: Carlos Rodriguez
Address: Work: 314 W. Harris Ave.
City: San Angelo (unless otherwise noted) Zip: 76903
Phone (Home): [REDACTED] (Office): (325) 653-6866
Resident of San Angelo since: 2003 SMD: 2
Are you a registered voter of San Angelo? Yes: X No:
Occupation / Business Affiliation: Attorney/ Webb, Stokes & Sparks
Occupation / Business Address: 314 W. Harris Ave.
Position: Attorney
Email: crodr@webbstokessparks.com

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.

X [Signature]
Applicant's Signature

7.31.23
Date

Applying for:

- ☐ Airport Advisory Board
- ☐ Animal Shelter Adv Cmm*
- ☐ Civic Events Adv Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adj/Apps*
- ☐ Design & Historic Review Cmm*
- ☒ Development Corporation
- ☐ Downtown Development Cmm*
- ☐ Fort Concho Museum Board
- ☐ Park Commission
- ☐ Parks & Recreation Adv Board
- ☐ Planning Commission
- ☐ Public Art Commission*
- ☐ Public Housing Authority
- ☐ Tax Incrmt Reinvsmt Zone Board*
- ☐ Water Advisory Board*
- ☐ Zoning Board of Adjustment

**specific membership criteria requirements apply-See back page for more information*

Recommended by:

NOTE: This application is information of public record. * Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? Yes No If so, which criteria:
(see back page for board criteria)

Education and/or Professional Licenses: Angelo State University Undergraduate Degree, B.A.; University of Texas at Austin, School of Law, J.D.

Current Municipal and Civic Organization Memberships (Positions & Dates): San Angelo Health Foundation Trustee 2013-Present, (Treasurer 2021-present); Volunteer instructor to civil and mechanical engineer students at Angelo State University.

Previous Municipal Experience (Positions, Dates, Where): N/A

What personal qualifications can you bring to this board? Hard-working, work experience, work well with others, past and current civic membership and leadership, objective thinking, willing to listen and learn.

What is your personal vision for the City? Healthy growth, good paying diverse jobs, continue to move San Angelo forward and make San Angelo a place where businesses come and stay, and at the same time, a place where people come to visit and make their home.

Why do you want to serve on this board? I believe it presents a good opportunity to give back to the community and help leave an imprint on business growth.

Anything else you would like for us to know? I am also a Regional Board Director for First Financial Bank, San Angelo Region.

*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 657-4405.

For Office Use Only:

Appointed by:

CiCo Appt/Reappt Date:

Term Dates: To

From

BOARD / COMMISSION MEMBERSHIP CRITERIA

Airport Advisory Board: City resident

Animal Shelter Advisory Committee: At least: (1) 1 licensed veterinarian; (2) 1 own, operate or employed by production, sale, distribution or care of animals or livestock business; (3) 2 members nonprofit animal interest group or groups whose membership is comprised primarily of citizens of the City of San Angelo and whose primary interest is the health and welfare of animals; and, (4) the Director of Health and Director of Animal Services permanent members; and, (5) the remaining three members of the board shall be residents of the City of San Angelo and need not have any other affiliation, membership or association.

Civic Events Board: Age 21 and City resident

Civil Service Commission: City Manager appointed, City Council confirmed. Age 25 and City resident

Construction Board of Adj & Appeals: One architect/engineer, one commercial building contractor, one residential building contractor, one electrical contractor, one plumber, one mechanical contractor, one realtor/real estate inspector/real estate appraiser (member at large from the building industry), one homeowner (member at large from the public), and one commercial business owner.

Design & Historic Review Commission: At least: 2 licensed or otherwise recognized as professional in architecture, landscape architecture, design, engineering, surveying, or related profession; 1 historian or a member of a local historic preservation group; 1 real property owner within the River Corridor; 1 real property owner designated or recognized as a community landmark, or within a designated historic district; 2 Board of Directors of Downtown San Angelo, Inc.

Development Corporation: (1) Be appointed by a majority vote of the City Council; (2) Serve a two year term of office; (3) City residents. (c) No person shall be appointed as a director who is an employee, officer or member of the City Council, of the City of San Angelo, or a member of any board or commission of the City of San Angelo.

Downtown Development Commission: Stakeholders or have an active interest in the Downtown Development Commission. 1 San Angelo Health Foundation board member; and a qualified voter of the City. No commercial or non-profit organization shall have more than one representative on the Downtown Development Commission.

Fairmount Cemetery Board: Self-perpetuating

Ft Concho Museum Board: City resident.

Park & Recreation Advisory Board: 18 years of age or older and City resident. Appointments based on nominee's educational and professional qualifications and general knowledge of, interest in, and experience relevant to youth or adult sports, senior activities, recreation activities, other organized social activities, parks, nature or conservation

Park Commission: Self-perpetuating. City Council confirms nominations submitted by existing 2 members. City resident.

Planning Commission: Of different businesses, professions or occupations. City resident. No more than three (3) members of the commission shall be in the same, similar or related business, profession or occupation.

Public Art Commission: 1 who is a teacher or professor of art. 1 who is a member of the San Angelo Cultural Affairs Council or the San Angelo Museum of Fine Arts; 1 who is an artist; 1 who is a landscape architect, architect, engineer, or other type of design professional; and 1 ex officio non-voting member who represents the Parks Department or Park commission as designated by the city council or by the city manager.

Public Housing Board: Appointed by the mayor; all members shall be representative of the general public, City resident and qualified voters of the city. Two members shall be a tenant of a public housing project over which the authority has jurisdiction.

Tax Increment Reinvestment Zone: All members shall be: A qualified voter of the City of San Angelo, or at least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality. #1 five (5) shall be appointed by the City Council from those who own property within the zone of which four (4) shall reside within Single Member Districts (SMD) 2, 3, 4, and 5 respectively; #2 one (1) shall be appointed by the Tom Green County Commissioners from those who own property within the zone; #3 three (3) shall be appointed by the City Council from those who own businesses within the zone; #4 two (2) shall be appointed by the Tom Green County Commissioners from those who own businesses within the zone; #5 one (1) member shall be appointed by Tom Green County; #6 one (1) member shall be appointed by Goodfellow Air Force Base; #7 one (1) member shall be appointed by Angelo State University; and #8 one (1) member shall be appointed by San Angelo Independent School District.

Water Advisory Board: 1 who is an engineer, a hydrologist, a meteorologist or a water well driller; 1 who is in the industry of banking, accounting or financial services industry. with a specialization in agricultural lending or water financing; 1 who is in agriculture or rural water issues; and 1 who is either an attorney, a former municipal, water district or other governmental officer, a legislator or other a person who has experience in legal issues related to water; 1 appointee by the City of San Angelo Development Corporation Board who shall be an individual who is either a member of the City of San Angelo Development Corporation Board or a City employee who performs staff services by contract for the City of San Angelo Development Corporation; 1 appointee by the Tom Green County Commissioners Court who shall be an individual who is a member of the commissioners court, including the county judge; and 1 appointee by the Upper Colorado River Authority as director of operations.

Zoning Board of Adjustment: None.