City Council Agenda
12/5/2023

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held December 5, 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**
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 November 21, 2023, City Council regular meeting minutes (Heather Stastny)

b. Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent on the following properties:
1. 6638 Knickerbocker Road
2. 1617 Canal Road
(Sarah Tackett-Torres)

c. Consider awarding the sole source purchase of waste water treatment filter screens to SAVECO in the amount of $633,450 and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

d. Consider awarding a Professional Service Indefinite Delivery Indefinite Quantity(IDIQ) Multiple Award Task Order Master Contract for professional services related to Public Works projects to Enprotec/Hibbs & Todd, Inc. and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

e. Consider a resolution authorizing the San Angelo Police Department to utilize the Community Protection Program grant for FY2024 funded through the Office of the Governor (Frank Carter)

f. Consider a resolution authorizing the City of San Angelo to participate with the cities served by AEP Texas in hiring legal counsel to participate in PUC Docket No. 55820 in which AEP is seeking to increase electric distribution rates by approximately $47.3 million (Theresa James)

g. Consider approving TIRZ Board recommendation of additional incentive funding for two previously approved projects in the South TIRZ
1. 213 N. Chadburne
2. 1 W. Concho (Aaron Vannoy)

h. Second reading of:
1. An ordinance for CP23-02, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St.
2. An ordinance for PD23-06, a rezoning from the Single Family Residential, Two-Family Residential, and General Commercial/Heavy Commercial zoning districts to a Planned Development zoning district to allow for Single Family Residential, Two-Family Residential, and Neighborhood Commercial zoning districts, subject to certain conditions and limitations, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St. (Aaron Vannoy)

i. Second reading of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 28.860 acre tract out of C. Berberich Survey No. 177, Abstract No. 52, Tom Green County, Texas, located west of Foster Rd. and south of W. Loop 306
2. An ordinance for Z23-12 to zone the property to the General Commercial zoning district for the northern 10.814 acres, and to the Low Rise Multi-family zoning district for the remaining 18.046 acres (Aaron Vannoy)

j. Second reading of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 15.496 acre tract out of A. Willeke Survey No. 2, Abstract No. 8211 and A. Willeke Survery No. 8, Abstract No. 8102, Tom Green County, Texas
2. An ordinance for Z23-13 to zone the 15.496 acre tract located in the Meridian North Subdivision, located along the extension of Slayde St., north of Royal Oak St., to the Single-family Residential zoning district in Blocks 5-7 and to the Zero Lot Line, Twinhome and Townhome Residential zoning district in Block 8 (Aaron Vannoy)

k. Second reading of an ordinance for Z23-14 to rezone properties from the General Commercial zoning district to the Heavy Commercial zoning district, being 14.311 acres, located at 3420, 3502, and 3550 N. Bryant Blvd. and associated unaddressed parcels (Aaron Vannoy)

6. Regular Agenda

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

a. Consider approving an agreement with Duncan Group Southland LLC, for the development of a stormwater detention area on City property, generally located northeast of the intersection of Valleyview Blvd. and College Hills Blvd. and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Parks and Recreation Director Carl White and Public Works Executive Director Shane Kelton)

b. Consider approving a Meet & Confer agreement with the San Angelo Police Officers Coalition (SAPOC), establishing certain terms and conditions of employment for covered Police Officers, to be effective January 1, 2024 through December 31, 2024, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Civil Service Director Veronica Sanchez and SAPOC President Noel Anderson)

c. First reading and public hearing of an ordinance for Z23-08 to zone property to the Single Family Residential zoning district, being 31.356 acres, located northwest of the intersection of Arden Rd. and FM 2288 (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

d. First reading and public hearing of an ordinance amending Chapter 12 "Planning and Development", Exhibit C "Land Development and Subdivision Ordinance", Chapters 1, 5, 9, and 10 addressing administrative approval of certain subdivision plats and other revisions and clarifications to ensure consistency with state law and changes to the City's zoning ordinance (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

e. First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, for:
1. Police Department salary adjustments
2. Fire Department salary adjustments
3. Ongoing projects and capital items
4. HOME Affordable housing program
(Presentation made by Finance Director Tina Dierschke)

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. Announcements and consideration of Future Agenda Items
-Consider scheduling one meeting in January on Tuesday, January 16

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 30th day of November 2023, at 10:27 a.m.

Hstastny

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.

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 21, 2023

Quorum Present:

Mayor Brenda Gunter
Mayor Pro tem Lucy Gonzales, SMD 4
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 8:33 a.m. on Tuesday, November 21, 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 led, by San Angelo Police Department Chaplain Ralph Dawkins.

3. Proclamations/Recognitions

December 2, 2023, was proclaimed as Concho Christmas Celebration Day.

4. Public Comment

Citizen John Bariou (SMD 2) issued a citation against the City Council for allegations of failure to abide by the law.

City Manager Daniel Valenzuela commented on the accomplishments of the City Council.

Mayor Brenda Gunter clarified previous remarks regarding the number of tickets written by law enforcement officers and addressed property tax and animal control concerns in the community.

City Attorney Theresa James invited citizens to attend the ADA Self-Assessment Forum on November 29th from 4:00-6:00 p.m. at the McNease Convention Center.

Citizen Mike Burnett (SMD 1) spoke in support of community partnership to aid the local homeless population and requested the creation of a Homeless Task Force be placed on a future agenda.

Salvation Army Commanding Officer Major Alfonso Martinez gave an update on the renovations to re-open the shelter and provided contact information for volunteers (325-655-6891) and donations (34 W. 3rd St.).

5. Consent Agenda

a. Approval of the November 7, 2023, City Council regular meeting minutes (Heather Stastny)

b. Approval of a utility easement for a 20' waterline out of Lot 15, Block H, Miles Addition and authorizing the City Manager to negotiate and execute all related documents (Sarah Tackett-Torres, Shane Kelton)

c. Approval of a 2-year, non-exclusive contract for real estate services with ERA Newlin Real Estate and Steve Eustis Co., and authorizing the City Manager to negotiate and execute all related documents (Sarah Tackett-Torres)

d. Award of bids for RE-02-24 City Farm Leases for Tracts 1, 2, and 3 to the highest bidders and authorizing the City Manager to negotiate and execute all related documents

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1. Tract 1 to Roger Strube Farm & Ranch in the amount of $67,488
2. Tract 2 to A & M Farms, LLC in the amount of $36,750
3. Tract 3 to Roger Strube Farm & Ranch in the amount of $102,546 (Sarah Tackett-Torres)

e. Approval of BuyBoard Contract #698-23 with Casco Industries for the purchase of 30 sets of bunker gear and 30 helmets, 17 pairs of bunker boots, and 180 protective hoods in the amount of $129,115, with the option to purchase an additional $75,000 of equipment at staff's discretion pending available funds, and authorizing the City Manager to negotiate and execute all related documents (Cory Sanders)

f. Approval of Sourcewell Contract #110719-JDC with Deere & Company for the purchase of one tractor and two shredders in the amount of $125,077.41, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)

g. Approval of BuyBoard Contract #635-21 with Insituform Technologies, LLC for the North Concho River WW Collection Improvements in the amount of $1,423,330 and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

h. Approval of a lease agreement with First United Methodist Church in Ballinger, TX in the amount of $516.67 monthly for rent of space to host WIC satellite clinic services, and authorizing the City Manager to negotiate and execute all related documents (Cristina Eureste)

i. Adoption of a resolution accepting a WIC vehicle from the Texas Department of Health and Human Services WIC Program and authorizing the City Manager to negotiate and execute all related documents (Cristina Eureste) **(Pg. 514, 2023-105)**

j. Support of the private fundraising efforts to implement and place art at the San Angelo Regional Airport passenger terminal, and authorizing the City Manager to accept any proceeds and negotiate and execute all related documents (Carl White, Jeremy Valgardson)

k. Adoption of an ordinance amending Chapter 10 "Traffic Control", Article 10.03 "Operation of Motor Vehicles", Section 10.03.091 "One-way Streets and Alleys" of the Code of Ordinances to assign a portion of Howe St. as one-way during designated hours, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

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

Julie Raymond (SMD 5), Anna Bartosh (SMD 1) and Suzanna Valenzuela (SMD 1) spoke in support of art installations at Mathis Field.

Motion: Council Member Gonzales made a motion, seconded by Council Member Thompson, to approve 5j., as presented by Parks and Recreation Director Carl White and Airport Director Jeremy Valgardson. The motion carried (6) ayes to (0) nays.

6. Regular Agenda

a. Approval of BuyBoard Contract #706-23 with Bobcat Company for the purchase of five mowers, with the option to purchase one additional mower, in the amount of $81,834, utilizing $7,456 from Fairmount Cemetery fund balance and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Senior Fleet Manager Ryan Kramer)

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

b. Award of HGAC Contract #AM10-23 to Frazer, Ltd. for the purchase and installation of two ambulance modules in the amount of $428,030 for the Fire Department and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Assistant Fire Chief Cory Sanders)

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

c. Support of possible action regarding the creation of a Reinvestment Zone for Tax Abatement purposes at 2702 W. Loop 306, also being Lot: 1, Blk: 2, Subd: Southwest Plaza Addition, 3.826 acres, the proposed location of Technology Towers, LLC in accordance with City of San Angelo Code of Ordinances Article 1.09 Taxation, Division 3 Uniform Tax Abatement Policy (Presentation made by Economic Development Interim Director Michael Dane)

Chamber Vice President of Economic Development Michael Looney spoke in support of the item.

Steve Hampton (SMD 5) asked for clarification on the tax abatement schedule.

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

d. Adoption of a resolution to approve Special Use 23-01 to allow a 119-bed skilled nursing facility on property in the Heavy Commercial zoning district, being 8.25 acres generally located at 3215 YMCA Dr. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy) **(Pg. 515, 2023-106)**

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

e. First reading and public hearing of:
1. An ordinance for CP23-02, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St.
2. An ordinance for PD23-06, a rezoning from the Single Family Residential, Two-Family Residential, and General Commercial/Heavy Commercial zoning districts to a Planned Development zoning district to allow for Single Family Residential, Two-Family Residential, and Neighborhood Commercial zoning districts, subject to certain conditions and limitations, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

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

f. First reading and public hearing of an ordinance for PD23-07, to rezone from the Single Family Residential zoning district to the Planned Development zoning district with an

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underlying Single-Family Residential zoning with storage units as an allowed use, being approximately 5 acres located at 4415 Armstrong St. (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Motion: Council Member Thompson made a motion, seconded by Council Member Hesse Smith, to deny the rezoning request. The motion carried unanimously, (6) ayes to (0) nays, with no public comment.

g. First reading and public hearing of an ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 31.356-acre tract out of the A.B. & M. Survey No. 3, Abstract No. 24, and B.S. & F Survey No. 5 Abstract No. 101 Tom Green County, Texas, located northwest of Arden Rd. and F.M. 2288 (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

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

h. First reading and public hearing of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 28.860 acre tract out of C. Berberich Survey No. 177, Abstract No. 52, Tom Green County, Texas, located west of Foster Rd. and south of W. Loop 306.
2. An ordinance for Z23-12 to rezone the property from the unzoned land to the General Commercial zoning district for the northern 10.814 acres, and to the Low Rise Multi-family zoning district for the remaining 18.046-acres (Presentation made by Planning and Development Services Assistant Director Aaron Vannoy)

Anna Bartosh (SMD 1) expressed concerns regarding potential traffic and draining issues with the new development.

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

i. First reading and public hearing of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 15.496 acre tract out of A. Willeke Survey No. 2, Abstract No. 8211 and A. Willeke Survey No. 8, Abstract No. 8102, Tom Green County, Texas
2. An ordinance for Z23-13 to zone the 15.496 acre tract located in the Meridian North Subdivision, located along the extension of Slayde St., north of Royal Oak St., to the Single-family Residential zoning district in Blocks 5-7 and to the Zero Lot Line, Twinhome and Townhome Residential zoning district in Block 8 (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

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

j. First reading and public hearing of an ordinance for Z23-14 to rezone properties from the General Commercial zoning district to the Heavy Commercial zoning district, being 14.311-acres, located at 3420, 3502, and 3550 N. Bryant Blvd. and associated unaddressed parcels (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy

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

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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. Announcements and consideration of Future Agenda Items

9. Adjournment

Consensus: Council Member Gonzales made a motion, seconded by Council Member Thompson, to adjourn the meeting.

There being no further business, the meeting adjourned by consensus at 10:17 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

_____
Brenda Gunter, Mayor

_____
Heather Stastny, 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 of 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.)

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Sarah Tackett-Torres, Real Estate Manager, Real Estate

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent on the following properties:
1. 6638 Knickerbocker Road
2. 1617 Canal Road
(Sarah Tackett-Torres)

Staff Recommendation:

Approve

Summary/History:

The following tenants are delinquent in paying annual Lake Nasworthy residential lot lease fees. All reasonable collection efforts made by the Real Estate Division have failed. Collection efforts included certified mailings to the tenants and their lender (if any). Notices have been mailed yearly since 2019 notifying tenants of the increase in their annual lease fees for those at market value. The 2019 notice provided tenants with their actual annual lease fee as follows:
1. 2019 annual lease fees would remain at 1.5% of the appraised value. Again, tenants were provided with their specific annual lease fee;
2. 2020 the annual lease fee would increase to 2% of the appraised value;
3. 2021 & 2022 the annual lease fee would go to 4% of the appraised value; and
4. 2023 the annual lease fee moves to 6% of the appraised value.
The notices have always been specific to the tenant and included the estimated annual lease fee amounts.

It is the recommendation of the Real Estate Division that the City Attorney's Office terminate the Lake Nasworthy Residential Lot Lease and begin the eviction process on the following lake lot residential lot leases for failure to pay 2023 annual lease fees:

1. 6638 Knickerbocker Rd; Gayla S. Cook; annual lease fee due July 1; total amount due including late fees - $1,8500.00; to date no payments have been received; and
2. 1617 Canal Road; Roy and Kelly Rainwater; annual lease fee due July 1; total amount due including late fees - $870; to date no payments have been received.

Funding Source(s):

Financial Impact:

Unpaid revenue to Water Utilities and the City of San Angelo totaling $2,720.00.

Other Information/Recommendation:

Staff recommends the City Attorney be authorized to terminate the Lake Nasworthy Residential Lot Leases and begin eviction proceedings against the Tenant for non-payment of annual lease fee.

Attachments:

Presentation:

Sarah Tackett-Torres

Approvals/Reviews:

Sarah Tackett-Torres	Created/Initiated
Sarah Tackett-Torres	Approved
Theresa James	Approved
Heather Stastny	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jeremy Miller, Assistant Director of Operations, Water Reclamation

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider awarding the sole source purchase of waste water treatment filter screens to SAVECO in the amount of $633,450 and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

Staff Recommendation:

Approve

Summary/History:

Wastewater contains solids and grit that can interfere with treatment processes or cause undue mechanical wear and increased maintenance on wastewater treatment equipment. To minimize potential problems, these materials require separate handling. Preliminary treatment removes these constituents from the effluent wastewater and screening is the primary means of preliminary treatment. Fine screens are used to remove the smaller materials and grits that create operation and maintenance problems in downstream processes. This purchase will replace fine screen equipment that has reached and gone beyond its useful life and allow for improved treatment of effluent at our Water Reclamation Facility.

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
535	535-0640-800.07-30		$633,450.00

Financial Impact:

This purchase is currently budgeted for in FY 2024.

Other Information/Recommendation:

Staff recommends approval of the sole source purchase from SAVECO in the amount of $633,450.

Attachments:

1. Sole Source Letter TX — Sole Source Letter TX.pdf
2. Proposal Saveco San Angelo — Proposal Saveco San Angelo.pdf

Presentation:

Shane Kelton

Approvals/Reviews:

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

SOLE SOURCE AFFIDAVIT

CITY OF SAN ANGELO, TEXAS
PURCHASING DIVISION

Submit to sapurch@cosatx.us

Statement

Company SAVECO NORTH AMERICA INC.	Date (MM/DD/YYYY) 10/30/2023
Contact Person STEPHEN J. RIOUX	Phone 815.636.8306
Address (address/city/state/zip) 1570 ST. PAUL AVE. GURNEE, IL 60031	

Before me, the undersigned official, on this day, appeared, STEPHEN J. RIOUX, a person known to me to be the person whose signature appears below; who after being duly sworn under his/her oath deposed and said:

1. My name is STEPHEN J. RIOUX; I am over the age of 18, have never been convicted of a felony and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: SAVECO NORTH AMERICA INC.
3. The above-named company or firm is the sole source of the following items and there are no other items available in the marketplace that have the same fit, form, and function of the items listed below:
   FSM PERFORATED FILTER SCREEN MODEL FRSIII 1050X75/3; WAM SHAFTLESS SPIRAL-CONVEYOR MODEL SSC250;FSM SCREENING WASH PRESS MODEL SPW300-800
4. To comply with the State of Texas definition of a sole source provider (Section 252.022, Subchapter A of the Local Governmental Code 7), the vendor must indicate below which of the following requirements they satisfy:
   - ● An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
   - ○ A film, manuscript, or book;
   - ○ A captive replacement part or component for equipment.
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above named item(s) or products(s) because of exclusive distribution or marketing rights. **A vendor who markets a product through distributors, or more than one outlet, is not a sole source provider because the products are available from more than one source.**

Stephen J Rioux — PRESIDENT

Signature of Authorized Official — *Title of Authorized Official*

Notary

SUBSCRIBED AND SWORN to before me on this 30th **day of** October, 2023.

SEAL

OFFICIAL SEAL
BARBARA ANN KASTNER
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 5/28/26

Notary Public Signature: Barbara Ann Kastner

Print Name: BARBRA ANN KASTNER

My Commission Expires: MAY 28, 2026

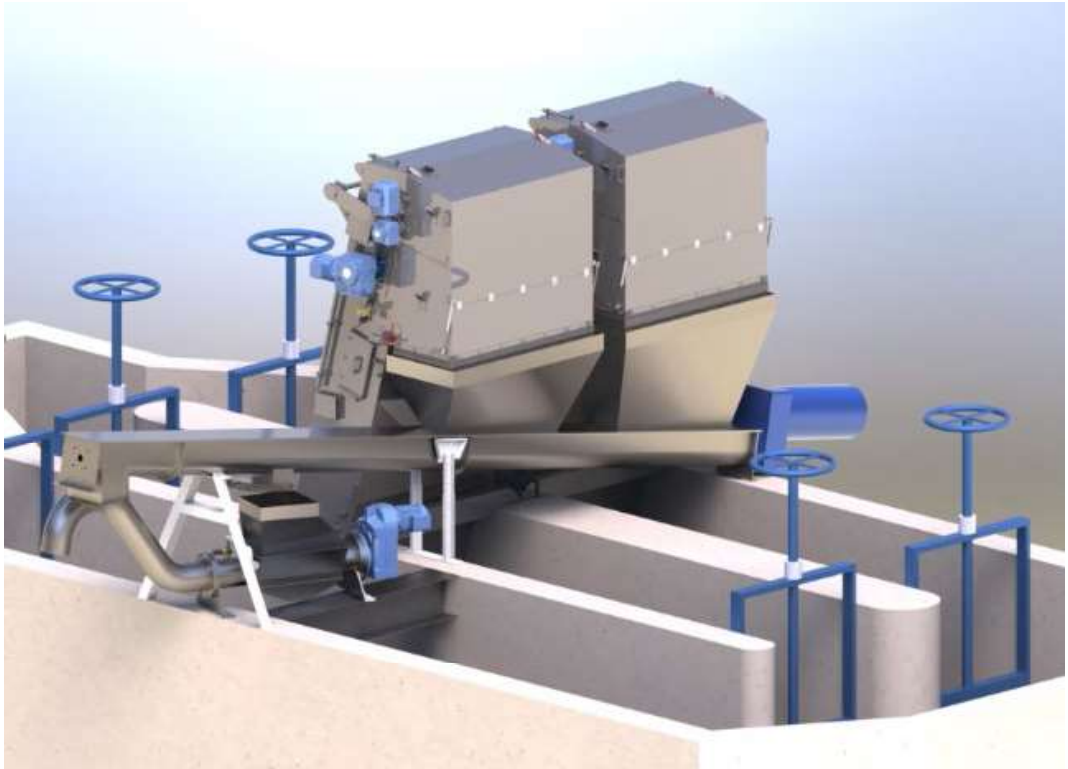
For Purchasing Use Only ☐ The City approves this form effective for one (1) year. Initials
Expires _____

[v020221]

Scope of Supply

Project:
San Angelo, TX

Equipment:
FSM Perforated Filter Screen Model FRSIII 1050 x 75/3
WAM Shaftless Spiral Conveyor Model SSC250
FSM Screenings Wash Press Model SPW 300-800



Represented By:
Hartwell Environmental
Gerald Pompa
Phone: 512.347.7676
Email: gpompa@hartwellenv.com

Regional Sales Manager
SAVÉCO North America, Inc.
James Willson
Phone: 706.550.3431
Email: james.willson@savecowaterna.com

Project No.: WEC221133

Date.: October 26, 2023

ITEM: "A" - Two (2) FSM Perforated Filter Screen
Model FRSIII 1050 x 75/3HF

BASIS OF DESIGN (EACH)

Application:	Municipal Wastewater
Peak Flow:	6.85 MGD
Screen Perforated Opening:	3 mm
Angle of Screen:	75 degrees from horizontal
Channel Width:	50 inches
Channel Depth:	7.0 feet
Operator Floor:	7.0 feet from channel invert
Downstream Water Level:	22.8 inches @ Peak flow
Headloss:	9.6 inches @ Peak flow with 0% blinding
	13.2 inches @ Peak flow with 30% blinding
Discharge Height:	62 inches (above top of channel)
Wash Water:	26 gpm at 40 – 60 psi
SCR (Screenings Capture Ratio):	85%

PERFORATED PANEL TRAVELING BELT SCREEN (EACH)

- Fully automatic self-cleaning FSM screen complete with all appurtenances – 316L stainless steel.
- Main frame constructed from type 316L stainless steel.
- Flanged baseplate for mounting screen assembly to top of channel – 316L stainless steel.
- Screen support rails from UHMW-PE provided front and back on each side of frame.
- Replaceable UHMW-PE seals mounted to each side of frame.
- Replaceable bottom seals – Buna-N rubber and triple layer polyester brush with 316L stainless steel adjustable holder.
- Perforated filter screen elements with 3 mm perforations from type 316L stainless steel, bolted to drive chain with 316L stainless steel bolt ny-lock nuts and washers.
- Screen drive roller chain from 304 stainless steel with specially hardened bushings, and pins from stainless steel and rollers from PA6.
- Stainless steel chain and screen elements driven by two (2) drive shaft mounted stainless steel sprockets with minimum thickness of 0.75 inches.

- Lower rotating guide sprockets from type 304 stainless steel, wear areas hardened, with life seal bushings, and a stub shaft from type 316 stainless steel.
- Drive tensioners – 316L stainless steel.
- Drive system to include maximum 1.5 HP 1760 rpm TEFC geardrive inverter duty motor suitable for 460/3/60 electrical supply.
- Nylon screen cleaning brush, automatic self-adjusting, with stainless steel drive shaft and 2.0 HP 1760 rpm TEFC geared motor suitable for 460/3/60 electrical.
- Rotary Deflector from type 316L stainless steel on back side of screen auxiliary driven by screen drive.
- Internal spray system to clean internal surfaces of screen panel from stainless steel with PVDF nozzles, complete with manual ball valve and solenoid valve.
- Removable 316L stainless steel odor control enclosures/covers.
- Screenings discharge chute with hinged hood – 316L stainless steel.
- Anchor bolts – 316L stainless steel.
- Fasteners – 316L stainless steel.
- Shop surface preparation, stainless steel full dip passivation.

CONTROL PANEL AND INSTRUMENTATION (TOTAL)

- One (1) NEMA 4X type 316L stainless steel wall mount main control panel suitable for 480/3/60 electrical supply. Control panel shall contain the following control two (2) filter screens, one (1) WAM conveyor and one (1) washer-compactor.
    1. Main disconnect with through door interlock handle.
    2. Distribution Block, 3PH
    3. Motor Branch Circuit Protection
    4. VFD, Schneider Altivar 320 [Screen, 1.5HP]
    5. Motor Starters, IEC, Non-Reversing, with Overload [Brush, 2HP]
    6. Motor Starters, IEC, Reversing, with Overload [Conveyor, Press, 5HP]
    7. Load Monitors [Conveyor, Press]
    8. Control Transformer, 480-120VAC with Branch Circuit Protection
    9. Circuit Breaker, 120VAC
    10. Programmable Relays
    11. Hour meters
    12. Pilot Lights: [Power, 6-Running, 6-Fault, 2-High Level]
    13. Push buttons: [E-Stop, Reset]
    14. Selector Switches: [2-Screen/Brush HOA, 2-Valve OCA, Conveyor HOA, Conveyor FOR, Press HOA, Press FOR, Valve OCA]
    15. Control Relays
    16. Output Dry Contacts for SCADA monitoring: [6-Running, 6-Fault, 2-High Level]
    17. Terminal Blocks
    18. UL Certification.

INSTRUMENTATION (EACH)

- One (1) NEMA 4X Emergency Stop pushbutton station.
- One (1) NEMA 4X safety microswitch mounted to the hinged hood.
- One (1) NEMA 4X 120 VAC, brass body wash water solenoid valve.
- One (1) Pulsar Ultra-5 ultrasonic controller with one (1) upstream sensor and one (1) downstream sensor for screen start. The controller shall have 5 internal relays. Each sensor shall have a range of 1-20 ft and be supplied with a 33 ft integral cable and shall be suitable for installation in a Class I Division 1, Group D hazardous area, with stainless steel mounting bracket.

SPARE PARTS (TOTAL)

- None.

FIELD SERVICE (TOTAL)

- Site service of one (1) trip for a total of three (3) days for installation inspection, startup and operator training.

CLARIFICATIONS/COMMENTS

- None.

OPTIONAL ITEMS

- None.

NOTE: ANY ITEM NOT LISTED ABOVE TO BE FURNISHED BY OTHERS

EXCLUSIONS

Taxes, electrical wiring, conduit or electrical equipment, piping, valves, or fittings, shimming material, lubricating oil or grease, shop or field painting, field welding, erection, hoist or lifting apparatus, detail shop fabrication drawings, performance testing, unloading, storage, concrete work, civil design, grating, platforms, stairs, hand railing, dumpster (except as specifically noted).

This proposal section has been reviewed for accuracy and is approved for issue:
By: Todd Campbell Date: October 26, 2023

ITEM: "B" - One (1) WAM Shaftless Spiral Conveyor Model SSC250

BASIS OF DESIGN (EACH)

Application:	Transport of screenings
Transport Capacity:	177 ft3/hr.
Installation Angle (estimated):	10 degrees
Screw Nominal Diameter:	10 inches
Overall Length:	~23 feet

SHAFTLESS SPIRAL CONVEYOR (EACH)

- Horizontal orientation.
- Push configuration.
- Two (2) vertical inlets as required.
- One (1) Vertical outlet to screenings washer/compactor.
- One (1) Axial discharge if the manual slide gate is closed
- One (1) 4 inch NPT drain connection.
- Conveyor overall trough length (as noted above).
- Shaftless spiral screw constructed from high strength alloy steel with protective primer coating. The spiral will have an inner and outer spiral welded together for high strength with a nominal OD of 10 inches.
- U-trough construction from 3/16 inch thick (type 316L stainless steel.
- Conveyor is provided with bolted and gasketed 14 gauge thick type 316L stainless steel cover sections.
- Trough replaceable wear liner from 3/8 inch thick UHMW-PE. Liner is held in place by clips along the length of the conveyor.
- Spiral hold down angles along length of trough from type 316L stainless steel.
- Drive unit with a 5.0 HP TEFC motor suitable for 460/3/60 electrical supply.
- One (1) manually operated slide gate.
- Assembly fasteners and anchor rods from type 316L stainless steel.

CONVEYOR SUPPORTS (EACH)

- Support legs from type 316L stainless steel are supplied to support the shaftless screw conveyor unit as required. Maximum conveyor support height of 4 feet.

INLET HOPPER (EACH)

- Two (2) inlet hopper(s) constructed from type 316L stainless steel to receive material from each screen discharge.

CONTROLS AND ELECTRICAL DEVICES (EACH)

- Controls to operate the conveyor are included in the screen control panel.

- NEMA 4X Emergency Stop pull-cord.
- Conveyor provided with one (1) Milltronics MSP-12 probe style zero speed switch mounted to side of conveyor and one (1) Milltronics MFA-4 controller rated for a NEMA 4X environment.

SPARE PARTS (EACH)

- None.

FIELD SERVICE (TOTAL)

- Provided with screen start-up services.

CLARIFICATIONS/COMMENTS

- None.

OPTIONAL ITEMS

- None.

NOTE: ANY ITEM NOT LISTED ABOVE TO BE FURNISHED BY OTHERS.

EXCLUSIONS

Taxes, electrical wiring, conduit or electrical equipment, piping, valves, or fittings, shimming material, lubricating oil or grease, shop or field painting, field welding, erection, hoist or lifting apparatus, detail shop fabrication drawings, performance testing, unloading, storage, concrete work, civil design, grating, platforms, stairs, hand railing, dumpster (except as specifically noted).

This proposal section has been reviewed for accuracy and is approved for issue:
By: Todd Campbell Date: October 26, 2023

ITEM: "C" - One (1) FSM Screenings Wash Press
Model SPW 300-800

BASIS OF DESIGN (EACH)

Application:	Municipal Headworks
Screenings Capacity:	177 ft3/hr.
Inlet Opening:	800 mm (31.5 inches)
Screw Diameter:	300 mm (11.81 inches)
Discharged Material Dry Solids:	>35%
Volume Reduction:	60 – 85%
Weight Reduction:	60 – 85%
Fecal Reduction:	90% (<20 mg/g BOD5)
Wash Water:	16 gpm @ 20-40 psi

SCREENINGS COMPACTOR (EACH)

- Screenings washer and compactor from type 316L stainless steel.
- Inlet hopper and spray header – 316L stainless steel.
- Screw auger with torque tube and nylon brushes fitted to screw flights to clean drainage trough perforations – shaft from high tensile steel with flights from Hardox 400.
- Axial thrust bearing with stainless steel body.
- Wear bars from Hardox® 400.
- 3 mm perforated curved drainage section from type 316L stainless steel.
- Drainage collection pan with 4 inch diameter outlet connection and 1 inch NPT flush water connection from type 316L stainless steel.
- Wash water piping from type 316L stainless steel.
- Inlet and outlet flanges from type 316L stainless steel.
- Discharge piping with 45 degree elbows from type 316L stainless steel.
- Discharge piping to have a manually controlled back pressure device from type 316L stainless steel with integral access box and bolted hatch.
- Washer/compactor electric drive motor 5.0 HP TEFC 1760 rpm suitable for 460/3/60 supply with gear reducer mounted directly onto auger drive shaft.
- Support legs, stand and frame from type 316L stainless steel.
- Anchor bolts from type 316L stainless steel.
- Fasteners from type 316L stainless steel.
- Shop surface preparation, stainless steel full dip passivation and painting as required.

CONTROL PANEL AND INSTRUMENTATION (EACH)

- Controls to operate the screenings washer/ Compactor is included in the screen control panel.

- One (1) NEMA 4X Emergency Stop pushbutton station.
- One (1) NEMA 4X brass body wash water solenoid valve.

SPARE PARTS (TOTAL)

- None.

FIELD SERVICE (TOTAL)

- Provided with screen start-up services.

CLARIFICATIONS/COMMENTS

- None.

OPTIONAL ITEMS

- None.
-

NOTE: ANY ITEM NOT LISTED ABOVE TO BE FURNISHED BY OTHERS.

EXCLUSIONS

Taxes, electrical wiring, conduit or electrical equipment, piping, valves, or fittings, shimming material, lubricating oil or grease, shop or field painting, field welding, erection, hoist or lifting apparatus, detail shop fabrication drawings, performance testing, unloading, storage, concrete work, civil design, grating, platforms, stairs, hand railing, dumpster (except as specifically noted).

This proposal section has been reviewed for accuracy and is approved for issue:
By: Todd Campbell Date: October 26, 2023

PROPOSAL

Item	Equipment	Pricing
A	Two (2) FSM Perforated Filter Screen Model FRSIII 1050 x 75/3HF	
B	One (1) WAM Shaftless Spiral Conveyor Model SSC250	
C	One (1) FSM Screenings Wash Press Model SPW 300-800	

Total: $633,450.00

Validity:
Prices are valid for a period of 30 days from the date of this proposal. Beyond 30 days, delivery is subject to prior sales.

Warranty Statement and Term:
SAVÉCO North America, Inc. warrants the supplied equipment to the original end user against defects in workmanship or material under normal use and service in compliance with the original design specifications and the maintenance requirements and instructions as found in the Operations & Maintenance Manual. All SAVÉCO North America supplied equipment is warranted for 12 months from date of start-up or 18 months from date of shipment, whichever occurs first.

Warranty Exclusions:
This warranty does not cover costs for standard and/or scheduled maintenance performed, nor does it cover consumables and SAVÉCO North America parts that, by virtue of their operation, require replacement through normal wear (aka: Wear Parts), unless a defect in material or workmanship can be determined by SAVÉCO North America. Wear parts are defined as brushes, rollers, spray nozzles, drum seals and other items specifically identified in the Operations & Maintenance Manual.

Warranty Coverage:
SAVÉCO North America's liability is limited to the supply or repair of defective parts returned, freight prepaid by buyer to a location specified by SAVÉCO North America. Repaired or replacement parts will be shipped to buyer prepaid via standard ground freight. Express or expedited shipments will be at the expense of the buyer.

Exclusions and Exceptions:
This Warranty excludes damage or wear to equipment caused by misapplication of product, improper maintenance, accident, abuse, unauthorized alteration or repair, Acts of God, or installation or operation that is non-compliant with SAVÉCO North America installation and operations instructions.

Limited Liability:
SAVÉCO North America shall not under any circumstances be liable for any incidental or consequential damages arising from loss, damage to property, personal injury or other damage or losses owing to the failure of SAVÉCO North America's equipment. The liability of SAVÉCO North America, Inc. is limited as set forth above within the time period set forth above.

Term: 15% with Submittal Approval
80% Net 30 Days after Shipment
5% Net 30 days after Startup. Startup not to exceed 180 days from equipment delivery.

Taxes: No sales or use taxes have been included in our pricing.

Freight: Prices quoted are F.O. B. shipping point with freight allowed to a readily accessible location nearest jobsite. Any claims for damage or loss in shipment to be initiated by purchaser.

Submittals: Full submittals will be supplied approximately **4 to 6 weeks** after receipt and acceptance of purchase order at the SAVÉCO North America offices.

Shipment: Shipment time is approximately **20 to 22 weeks** after receipt of approved submittal is received at the SAVÉCO North America offices. Under no circumstances will verbal approval be accepted.

Additional Field Service: This service may be scheduled at $1,250.00 per day plus expenses or is available through a yearly service contract.

Material of Construction: SAVÉCO North America is providing the equipment from the type of material specified for this project. If from 316LL stainless steel the concentration of chloride and hydrogen sulfide (H2S) in the equipment operating environment shall be kept below the following values:

- Chloride <200 mg/L
- Hydrogen Sulfide (H2S) <6ppm

If not already done so, SAVÉCO North America can provide the equipment from 316L stainless steel for a price adder for environments that exceed the values noted above.

Please issue Purchase Orders to:
SAVÉCO® North America, Inc.
1570 St Paul Avenue
Gurnee, IL 60031

Attn: Matt Bodwell
Phone: 224-302-0326
Email: mbodwell@savecowaterna.com

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Charles Michalewicz, Engineer, Engineering Services

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider awarding a Professional Service Indefinite Delivery Indefinite Quantity(IDIQ) Multiple Award Task Order Master Contract for professional services related to Public Works projects to Enprotec/Hibbs & Todd, Inc. and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)

Staff Recommendation:

Approve

Summary/History:

An IDIQ Contract allows staff to seek proposals from firm(s) that provide the required professional services for the City's respective project. Individual Task Orders are awarded under a Master Contract based on provided statements of work and related fees for service. Task Orders and funding will be approved based on dollar amounts and Purchasing Policy. Master Contracts executed under this RFQ will be for a period of three years with two options to extend for a period of one year each.

Funding Source(s):

Financial Impact:

No dollar amount is set for the individual master contracts. Proposals will be submitted with each individual project task order. Council authorization of individual task orders will be sought as applicable to purchasing policy.

Other Information/Recommendation:

Attachments:

1. SanAngeloIDIQ SanAngeloIDIQ.pdf

Presentation:

Shane Kelton

Approvals/Reviews:

Charles Michalewicz	Created/Initiated
Pete Madrid Jr.	Approved
Kevin Pate	Approved
Shane Kelton	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

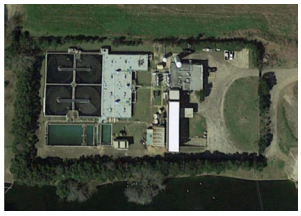
STATEMENT OF QUALIFICATIONS

WATER UTILITIES PROFESSIONAL SERVICES - ENGINEERING SERVICES

CITY OF SAN ANGELO PUBLIC WORKS DEPARTMENT

RFQ: PW-01-23 PROFESSIONAL SERVICES - ENGINEERING SERVICES

NOVEMBER 22, 2023



Enprotec | Hibbs & Todd

Abilene I Lubbock I Granbury
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900

Corporate Headquarters
402 Cedar Street
Abilene, Texas 79601
T: (325) 698-5560

Contact: Joe Mangrem, PE

www.e-ht.com

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Enprotec / Hibbs & Todd, inc.
402 Cedar Street
Abilene, Texas 79601
T: (325) 698-5560

Contact: Joe Mangrem, PE

November 22, 2023

DISCIPLINE OF INTEREST AND GENERAL EXPERIENCE

The project team will be led by Joe Mangrem, PE as the Project Manager with Principal oversight provided by Scott F. Hibbs, PE and QA/QC provided by Sage Diller, PE. The eHT Team has all of the needed personnel with the inclusion of two subconsultants to cover each discipline in the Request for Qualifications (RFQ). These disciplines include:

Public Works Proessional Water Utility Design Services

The quality and quantity of water supplies are becoming increasingly important to the well-being of communities throughout Texas. Our water resource experience is focused in Texas and our staff has strong experience in all aspects of water system planning, design, construction, and optimization. Because our firm has civil, environmental, and geotechnical engineering divisions, our water resource experience includes a wide spectrum of projects, both in size and scope.

We have completed planning, design, construction, and operations services on regional water supply systems for large municipalities; and we have also had many prime opportunities to work with smaller communities in meeting their challenges to develop cost-effective solutions for their population's water supply needs.

Our water resource services include:

Water Supply Planning

Development of Water Supplies

Water Transmission / Distribution

Water Treatment

Elevated / Ground Storage

Pump Station Design and Improvements

Innovative Technologies

Permitting

Water Reuse

Public Works Professional Wastewater Utility Design Services

Wastewater treatment has historically been viewed as an onerous, but necessary process to meet Federal and State regulatory requirements. However, with the increasing scarcity of water in Texas, the importance of treating wastewater to a level of quality to allow for secondary uses is becoming increasingly important to the well-being of communities throughout Texas. Critical aspects of wastewater management are in maintaining regulatory compliance and in treating wastewater to the point where the effluent can be used in multiple beneficial use applications. Our wastewater system experience is focused in the State of Texas and our staff has strong experience in all aspects of wastewater system planning, design, construction, and optimization. Because our firm has civil, environmental, and geotechnical engineering divisions, our wastewater system experience includes a wide spectrum of projects, both in size and scope.

We have completed planning, design, construction, and operations services on regional wastewater systems for large municipalities; and we have also had many prime opportunities to work with smaller communities in meeting their challenges to develop cost-effective solutions for their population's wastewater management needs.

Our services include:

Wastewater Treatment

Wastewater Collection and Transmission

Reclaimed Water

Wastewater Master Planning

Public Works Water and Wastewater Reporting and Analysis Services

Unlike "purely" design engineering firms, eHT has "hands-on" engineering and operations staff. We have linked our in-house design, construction support and operations functions to provide a comprehensive, "user-friendly" service to our clients. eHT has licensed operators on staff. These specialists complement our team of professionals. We provide a variety of operations services to assist with the successful start-up and continued function of systems.

Public Works Professional Stormwater Utility Design Services

Our general civil engineering capabilities include a broad range of services. Ranging from strategically assembling a master plan to the detailed design of culverts, streets, pavement, and subdivisions, our services apply to private developers, municipalities, and industrial clients.

Our general civil services include:

Street, Paving, Grading, and Drainage Design

Land Development

Stormwater Management

Park and Trail Design

Athletic Facilities

Downtown Revitalization and Sidewalk Improvements

Public Works Professional Traffic Engineering Services

Traffic Impact Group can accommodate any size of traffic engineering request, from a simple safety review to a city-wide traffic analysis. Mr. Scott Israelson is no stranger to travel, having performed over 100 traffic studies in multiple states since starting the firm in 2012. With project experience across the nation, they have the experience of a large company, but with the personal touch that only a small firm can provide.

Public Works Geotechnical Services

Our geotechnical investigations provide data necessary to evaluate a wide variety of geotechnical issues. We use truck-mounted drilling units, in-house testing of soil and construction materials and the latest in field sampling equipment. These investigations help establish recommendations for foundation types, depths, allowable loadings and construction observation requirements for all types of structures. Our geotechnical expertise lies in:

Subsurface Explorations - Borings

Soil Property Evaluations

Foundation Design / Recommendations

Pavement Design / Recommendations

Roadway and Parking Lot Upgrades

Public Works Administrative Management and General Management Consulting Services

Raftelis is the trusted advisor to utilities and the public sector. Raftelis provides utilities and public-sector organizations with insights and expertise to help them operate as high-performing, sustainable entities providing essential services to their citizens. We help our clients solve their finance, organizational, and technology challenges, achieve their objectives, and, ultimately, make their communities better places to live, work, and play.

Public Works Environmental Consulting Services

Assessment Services

The purpose of any environmental assessment, audit, or investigation is to assess the presence, or absence of, indicators that signal potential contamination problems. eHT is routinely called on to evaluate the potential environmental liabilities posed by acquiring or owning a site. Subsurface contamination investigations are routinely conducted to determine the nature, extent, and rate of migration of waste releases. The investigations provide the information the regulatory agencies will require to determine appropriate corrective measures or to document that no corrective action is required. Our interaction with regulatory agencies and knowledge of remediation methods has allowed us to negotiate corrective measures for site remediation that minimize or eliminate long-term risks in the most cost-effective manner.

Monitoring Programs

Feasibility Studies

Risk-Based Assessments

TRRP Assessments

Air Quality Sampling

Water and Soil Sampling

Subsurface and Groundwater Assessments

Phase I and II Transaction Assessments

Indoor Air Quality Assessments

Pollution Prevention

Pollution Prevention and Waste Reduction

eHT has an established history of working with clients to implement pollution prevention and waste reduction strategies. The general key to pollution prevention is to become familiar with processes and understand how waste is generated, not just handled, and disposed. eHT approaches each project with flexibility. This enables us to help our clients tailor a cost-effective strategy to fit their needs. Our pollution prevention experience includes waste management and minimization programs. Successful waste management programs require dedication from management to production supervisors to operators. One of the best ways to move toward the prevention and elimination of pollution is to minimize the amount of waste a process generates. Our staff of scientists and engineers have consulted with governmental and private entities to reduce pollution and waste.

Recycling and Resource Recovery

Waste Stream Reduction and Alternatives

Stormwater Management

Pollution Prevention Plans

Spill Prevention Control and Countermeasure Plans

Remediation Services

The eHT Team has been involved with projects that have included the remediation and abatement of contaminated media at LPST, RCRA and industrial waste sites. eHT personnel have been extensively involved in various types of remediation projects across the State of Texas during the past 20 years. Our personnel are cognizant of the current regulations and how they impact the investigation and cleanup of sites. Our staff understands how to approach a site under the Risk Reduction Rules, Texas Risk Reduction Program (TRRP), LPST Program, Voluntary Cleanup Program and RCRA Closure Programs. We recognize that each site is unique and the goal is to meet regulatory cleanup goals efficiently and cost-effectively.

Our remediation services include:

Corrective Action Plans

Feasibility Studies

Pilot Tests

Groundwater Recovery

Implementation of Remedial Technologies such as Vapor Extraction, Bioremediation, Soil Venting and Air Sparging

Water, Soil and Air Treatment

Plume Stability Monitoring

Closure Plans

Permitting

Domestic Wastewater Permitting

Industrial Wastewater Permitting

Air Permitting

Solid / Hazardous Waste Permitting

CT Studies for Potable Water Treatment Plants

Public Works Professional Construction Phase Services

One of our greatest strengths is in infrastructure systems construction management. We have valuable insights into how a system should operate efficiently and effectively. Our water and wastewater projects typically include construction administration and management. eHT has assisted regional water and wastewater systems in construction management by providing peer review, bidding support, start-up support and construction support.

We have in-house operations specialists and resident construction inspectors to monitor and oversee the day-to-day construction activities for water, wastewater, paving and infrastructure projects. Additionally, our in-house geotechnical laboratory is accredited to perform construction materials testing. Our construction management services include:

Construction Administration and Management

Peer Review

Bidding Support

Start-up Support

Construction Support

Resident Construction Inspection

Geotechnical Services

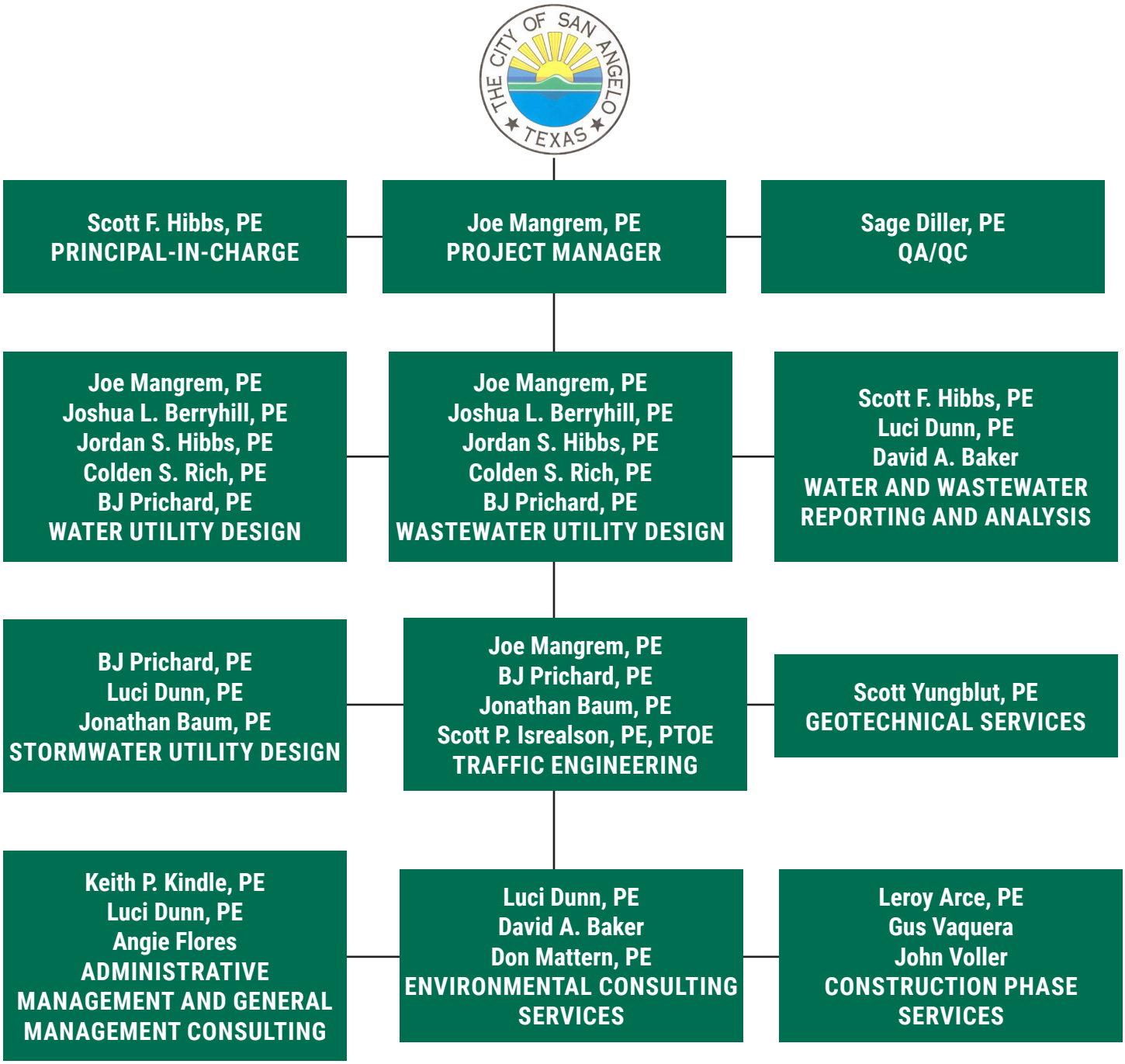
What our Clients Say

"The City of Eden has a fantastic partnership with our engineering firm eHT. We are a small City and cannot afford to have staff engineers but we feel as if that is exactly what we have with "our" engineers at eHT. For many years, the City has faced enforcement actions by TCEQ for water quality issues involving radium, and with the help of eHT, we are on the road to compliance. eHT has been invaluable in assisting the City to find funding for much needed projects which include a new water well, water line replacement and the new water treatment plant that will remove the radium. Every step of the way, from funding opportunities to project design, construction and completion, the team at eHT has been very informative and professional. The engineers at eHT go above and beyond and have even returned a frantic Saturday afternoon phone call or two and they always have the best interest of the City at heart. I would highly recommend eHT if you are looking for a full-service engineering firm for any project large or small."

Celina Hemmeter

City of Eden
Former City Administrator

ORGANIZATIONAL CHART AND RESUMES OF PROPOSED STAFF



OVERALL MANAGEMENT

Scott. F. Hibbs, PE
Principal-in-Charge

PROFESSIONAL EXPERIENCE

Mr. Hibbs, President of Enprotec / Hibbs & Todd, Inc., has over 38 years of experience as a water resources consultant for many governmental entities in Texas. He directs multi-discipline and multi-organizational teams for regional water and wastewater projects, in addition to overseeing construction management and providing hands-on training for operations and maintenance personnel.

Mr. Hibbs is recognized as a highly respected water resources consultant with experience analyzing and developing resource alternatives for vital water supply, treatment, storage and distribution projects. His experience encompasses water feasibility studies, including both well field and surface water alternatives, with planning experience in master plans, facility plans and preliminary engineering studies. He manages large water feasibility, water distribution and well field development projects.

PROJECT EXPERIENCE

- Groundwater Supply Expansion, City of San Angelo
- Reclaimed Water Study, City of San Angelo
- Water Supply Feasibility Study, City of San Angelo
- Water Management Strategies, West Texas Water Partnership
- Regional Water Treatment Plant, City of Missouri City
- Second Stage Drought Response Project-Raw Water Roughing Facility, City of Abilene
- Lake Alan Henry Quality Control and Technical Review, City of Lubbock
- Water Treatment Plant and Well Field Development, City of Sweetwater
- Water Treatment Plant, City of Richmond
- Water Master Plan and Water Treatment Plant, City of Granbury
- Treatment Technology Pilot Studies for 8.0 MGD Water Treatment Plant, Lonoke and White Counties
- Water Treatment Plant, Possum Kingdom WSC (PKWSC)
- Wastewater Treatment Plant, City of Sweetwater
- Wastewater Treatment Plant Expansion, City of Granbury
- AJ Brown Wastewater Treatment Plant Improvements, City of Huntsville
- Grimes Water Treatment Plant Improvements, City of Abilene
- Water Management Strategies, City of Abilene
- Chemical System Upgrades, City of Midland

EDUCATION

Bachelor of Science,
Civil Engineering
Texas Tech University, 1982

REGISTRATIONS

Registered Professional Engineer – Texas #63462, 1987

LPST Corrective Action Project Manager #930

PUBLICATIONS/PRESENTATIONS

Presenter, "Sharing Our Resources - How Abilene Priced its Newest Service," Texas Water Conference, 2018

Presenter, "Drought Response and Water Supply Diversity," Central West Texas Regional School, Abilene, 2018

Presenter, "Enhanced Coagulation and UF Technology Resolve Compliance Issues for Sweetwater, Texas," American Water Works Association (AWWA) National Membrane Technology Conference, 2003

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
President
Abilene, Texas
1990 - present

Jacob & Martin, Inc.
Chief Design Engineer
Abilene, Texas
1983 - 1989

OVERALL MANAGEMENT

Joe Mangrem, PE
Project Manager

PROFESSIONAL EXPERIENCE

Mr. Mangrem brings a unique owner's perspective with over 17 years of experience in design, bidding, construction management, operation and maintenance of water, wastewater, street and drainage infrastructure. Working with input from the development community, Mr. Mangrem has developed and implemented design standards for municipalities, reviewed all aspects of development plans and performed field coordination between developer contractors and utility owners.

He is a skilled and capable civil engineer with a solid record of successful municipal public works design and construction projects. Prior to joining eHT he was the Assistant City Engineer for the City of San Angelo and provided direct support to the City Engineer with day to day operation of the department. Mr. Mangrem assisted with preparation of the annual operating budget and Capital Improvement Project plan and provided engineering support to the Planning and Development Services department as well as other city departments. He managed review and approval for acquisition and abandonment of public easement and right-of-ways and managed review and development plans and specifications for public infrastructure improvements. He also served as Project Engineer for the City of San Angelo. He reviewed development plans and specifications for compliance with City standards and evaluated material submittals to ensure compliance with City specifications. In this capacity he collaborated with City of San Angelo staff and the development community to compile and implement design standards for water and sewer.

PROJECT EXPERIENCE

- College Hills Boulevard Rehabilitation Project, City of San Angelo
- Sulphur Draw Wastewater System Improvements Project, City of San Angelo
- Drainage Master Plan, City of San Angelo
- Airport Lift Station Improvements, City of Midland
- TxDOT Transportation Infrastructure Fund Street Improvements, Reagan County
- Paving Improvements, City of Big Lake
- Water Distribution System Hydraulic Model Analysis, City of Midland
- TDA CDBG Water Line Replacement with Full-width Pavement Replacement, City of Big Lake
- Wastewater System Model Analysis, City of Midland
- Northeast Water System Improvements, City of Midland
- CCN Update, City of Midland
- Wadley Chlorine Boosting Station, City of Midland
- TDA CDBG Roadway and Drainage Improvements, City of Seminole

EDUCATION

Bachelor of Science, Ocean Engineering
Texas A&M University, 2010

New Mexico Military Institute, 2004

REGISTRATIONS

Registered Professional Engineer – Texas #117205

WARDS

20 Under 40, Abilene Young Professionals

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Project Manager
Abilene, Texas
2017 - present

City of San Angelo
Assistant City Engineer
San Angelo, Texas
2015 - 2017
Project Engineer
San Angelo, Texas
2014 - 2015

City of Lubbock
Civil Engineering Associate
Lubbock, Texas
2010 - 2013

Galindo Engineers and Planners
Engineering Assistant and Draftsman
Bryan, Texas
2005 - 2009

OVERALL MANAGEMENT

Sage Diller, PE
QA/QC

PROFESSIONAL EXPERIENCE

Mr. Diller has 23 years of experience in project design, management and construction oversight on a wide range of projects for municipal, state and private entities. His past projects have included municipal water and sewer systems, groundwater wells and storage facilities, state and county roadways and private developments. In addition to design and construction management, Mr. Diller has extensive experience assisting clients in applying for grant/loan funding through various funding agency programs, including Texas Water Development Board DWSRF and CWSRF, USDA Rural Development, Texas Department of Agriculture CDBG and DTR and TxDOT Utility Relocation and TAP Programs. Mr. Diller has assisted clients with drought related planning projects that have included water conservation, water supply options and improved water system efficiency options. Each project has included close client interaction, reports outlining possible alternatives, funding agency assistance and regulatory agency interaction.

PROJECT EXPERIENCE

- Sulphur Draw Wastewater System Improvements, City of San Angelo
- College Hills Boulevard, City of San Angelo
- Water Distribution System Hydraulic Modeling and Master Plan Report, City of Midland
- CDBG Water System Improvements, City of Eden
- Water Modeling Evaluations for Proposed Developments, City of Midland
- Northeast Water System Improvements, City of Midland
- Regional Water Planning Study, City of Roma
- Hydraulic Water Model, City of Coahoma
- Drought Management Strategies, City of Breckenridge
- Drought Management Strategies, City of Winters
- Water Distribution System Improvements, City of Breckenridge
- Water System Improvements, City of Winters
- Booster Pump Stations, City of Roma
- Water Distribution System Improvements, El Tanque WSC
- Water System Improvements, City of Eden
- Water Treatment Plant Rehabilitation, City of Winters
- Mesquite Forest Sewer Line Replacement, City of Abilene
- Wastewater Collection System Hydraulic Modeling & Master Plan Report, City of Midland
- CDBG Wastewater System Improvements, City of Winters
- North Ruth Lift Station Replacement, City of Monahans
- Wastewater Lift Station, City of Winters
- Wastewater Collection System Improvements, City of Roma

EDUCATION

Bachelor of Science, Civil Engineering
Texas Tech University, 2001

REGISTRATIONS

Registered Professional Engineer – Texas #96645, 2005

PROFESSIONAL/CIVIC ORGANIZATIONS

Texas Society of Professional Engineers

United Way of Abilene, Executive Board and Finance Committee Chair

Texas Tech Alumni Abilene Chapter, President, 2015

CERTIFICATIONS/EDUCATION

eHT Leadership Development Program, 2013

Construction Specifications Institute

Priority Management, Dale Carnegie

HEC-RAS, Floodplain Management

Highway Capacity, Geopak I & II

ROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Associate Vice President
Abilene, Texas
2007 - present

Texas Department of Transportation (TxDOT), Lubbock District
Project Engineer
Lubbock, Texas
2001 - 2007

Joshua L. Berryhill, PE
Design

PROFESSIONAL EXPERIENCE

Mr. Berryhill has over 19 years of experience in the design, operation and analysis of water and wastewater treatment systems. He has experience in the piloting, design, construction and operation of water treatment plants, including reverse osmosis systems for groundwater and seawater, chemical feed systems, sedimentation, microfiltration, dual- and tri-media filtration, clear wells and plant water and high service pumping systems. He also has experience in the design, construction and operation of wastewater treatment plants, including pump stations, preliminary screening, grit removal and flow equalization systems, extended aeration basins, activated sludge aeration basins, biological nutrient removal systems, sequencing batch reactors, membrane bioreactors, clarification, tertiary filtration, chemical and UV disinfection, anaerobic and aerobic digestion systems, plant water and reuse systems. Mr. Berryhill's experience also includes the development of master plans for single- and multiple-plant systems and the condition assessment or process efficiency analysis of various water and wastewater treatment plants.

PROJECT EXPERIENCE

- Direct Potable Reuse Pilot Study, City of San Angelo
- Hargesheimer Water Treatment Plant Rehabilitation, City of Abilene
- Surface Water and Treatment System Facility Master Plan, Brazos Regional PUA
- Water Treatment Plant, Community Water System
- Radionuclide Reduction Evaluation, Pecos County
- Radionuclide Reduction Project, City of Mason
- Radionuclide Reduction Project, City of Brady
- Radionuclide Reduction Project, City of Mertzon
- Radionuclide Reduction Project, City of Eden
- Nanofiltration System, DADS Project, Texas Health and Human Services
- Reverse Osmosis Water System Improvements, City of Roscoe
- Desalination Water Treatment Plant Expansion, Possum Kingdom Water Supply Corporation
- New RO Cleaning Technology Pilot, Possum Kingdom Water Supply Corporation
- BWRO Pre-Treatment Pilot, Brownsville PUB
- Water Plant Capacity Analysis, Harlingen Water Works Association
- Water Treatment Plant and Desalination Improvement Project, City of Ballinger
- RO / EDR Pilot, North Texas Municipal Water District (NTMWD)

EDUCATION

Bachelor of Science, Environmental Engineering
Texas Tech University, 2005

Master of Science, Environmental Engineering
Texas Tech University, 2005

REGISTRATIONS

Licensed Professional Engineer,
Texas #100323, Arkansas #20788

PUBLICATIONS/PRESENTATIONS

Expansion and Optimization - MF and RO Treatment Systems, SCMA Annual Conference, 2023

Development of Water Resource Resiliency Webinar, 2022

Potable Reuse Applications, AMTA Membrane Technology Conference, 2022

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Vice President / Technical Director
Abilene, Texas
2010 - present

Alan Plummer Associates, Inc.
Project Engineer
Fort Worth, Texas
2008 - 2010

Brownsville Public Utilities Board
Senior Engineering Coordinator
Brownsville, Texas
2007

Halff Associates, Inc.
Graduate Engineer
McAllen, Texas
2004 - 2007

WATER & WASTEWATER UTILITY DESIGN

Jordan S. Hibbs, PE
Design

PROFESSIONAL EXPERIENCE

Mr. Hibbs has over 12 years of experience in the design and management of water, wastewater, drainage and site development projects for municipal clients. He has experience designing and evaluating water treatment plants, water distribution systems, wastewater treatment plants, wastewater collection systems and storm drainage systems. Mr. Hibbs regularly coordinates with state and federal agencies for various projects. Mr. Hibbs currently serves as the Vice President of eHT managing many of the daily operations of the firm.

PROJECT EXPERIENCE

- Trunk Sanitary Sewer Main Replacement, City of Huntsville
- Buttonwillow Sewer Interceptor Replacement, City of Abilene
- Water Lines, Phase I, II and II, City of Missouri City
- Surface Water Treatment Plant Distribution Line, City of Richmond
- 24-inch Reuse Line for Hamby Water Reclamation Facility, City of Abilene
- Possum Kingdom Raw Water Lines, City of Abilene
- Water Treatment Plant, Phases I and II, City of Missouri City
- Wastewater Treatment Plant Regionalization Plan, City of Missouri City
- Bailey Water Treatment Plant Improvements and Ground Storage Tank, City of Pearland
- Grimes 24.0 MGD Water Treatment Plant Improvements, City of Abilene
- Emergency Water Treatment Plant, City of Cisco
- Water Treatment Plant and Master Plan, City of Richmond
- Ground Storage Tank, City of Midlothian
- FM 1229 Water Line Improvements, Corix Utilities
- 3.0 MGD Phase I Wastewater System Improvements Project, City of Granbury
- 3.5 MGD Phase II Wastewater Treatment Facility Project, Town of Pecos City
- Steep Bank / Flat Bank Wastewater Treatment Plant Improvements, City of Missouri City
- AJ Brown Wastewater Treatment Plant Improvements, City of Huntsville
- 5.0 MGD MBR Wastewater Treatment Plant, Trophy Club Municipal Utility District
- Wastewater Treatment Plant, Kubota Tractor Corporation
- Hamby Water Reclamation Facility and Indirect Reuse Project, City of Abilene
- Camp Bowie Lift Station Evaluation, City of Brownwood

EDUCATION

Master of Science, Engineering and Technology Management, Colorado School of Mines, 2008

Bachelor of Science, Civil Engineering, Colorado School of Mines, 2008

REGISTRATIONS

Registered Professional Engineer – Texas #115729; Oklahoma #30274

PUBLICATIONS/PRESENTATIONS

Achieving 96 Percent Reverse Osmosis Recovery to Address Concentrate Disposal Challenges, Texas Water Conference, 2022

Emergency Response Planning, CWT Regional School, 2019

Professional Development for Engineers, ACU Engineering, 2019

Membranes: Mystery to Mastery, SCMA Annual Conference, 2018

The Cisco Disaster Recovery Project, What to Do When your Only Water Plant is Completely Flooded, SCMA Annual Conference, 2018

Drought Response and Water Supply Diversity, Central West Texas Regional School, 2018

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Vice President
Abilene, Texas
2009 - present

WATER & WASTEWATER UTILITY DESIGN

Colden S. Rich, PE
Design

PROFESSIONAL EXPERIENCE

Mr. Rich has 17 years of experience in the analysis, design, and management of water, wastewater, roadway, drainage, and site development projects for both municipal and industrial sector clients. He has experience evaluating and analyzing water treatment plants, water distribution systems, wastewater treatment plants, wastewater collection systems and storm drainage systems.

Mr. Rich regularly coordinates with state agencies in the development and review of wastewater discharge permits, water treatment and wastewater treatment sludge management permits, and CCN amendments. He has worked closely with both funding and regulatory agencies including TxDOT, TCEQ, GLO, USDA and TWDB. He develops engineering reports including documentation of results and recommendations, preparation of cost estimates and construction schedules and management of designers/drafters in preparation of associated exhibits.

PROJECT EXPERIENCE

- 13.0 MGD SWATS Water Treatment Plant Evaluation, Brazos Regional Public Utility Agency (BRPUA)
- DWSRF Water System Improvements, Arimak Water Supply Corporation
- Second Stage Drought Response Project - Raw Water Roughing Facility, City of Abilene
- 10.5 MGD Water System Improvements, Upper Leon River Municipal Water District
- Northwest Water Reclamation Plant (NWWRP) Outfall Line, City of Lubbock
- Carrizo Springs Mine Water System Evaluation, Intera
- 7.0 MGD TWDB DWSRF Water Treatment Plant Pretreatment Improvements, Phase I - 3.5 MGD, City of Beeville
- Water Treatment Plant Improvements, City of Breckenridge
- Water System Improvements, City of Stamford
- Radionuclide Treatment, City of Mason
- Water System Improvements, Rolling Hills Water System
- Water System Improvements, Stephens Regions Special Utility District
- Water Treatment Plant Improvements, Eastland County Water Supply District
- Water Purification Plant LAS Conversion, City of Midland
- Water Treatment Plant Improvements, Lake Palo Pinto Area WSC
- ARPA Water System Improvements, City of Seminole

EDUCATION

Bachelor of Science, Civil Engineering
Texas A&M University, 2007

REGISTRATIONS

Licensed Professional Engineer,
Texas #110231, 2011

PROFESSIONAL/CIVIC ORGANIZATIONS

American Society of Civil Engineers

Texas Society of Professional Engineers

Water Environment Association of Texas

Christian Homes and Family Services, Trustee

Chi Epsilon, National Civil Engineering Honor Society

PUBLICATIONS/PRESENTATIONS

Presentations for Texas Water, TWUA and SCMA

Authored or Co-authored papers for Texas Water Conference

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Associate Vice President
2021 - present
Project Manager
2013 - present

KSA Engineers, Inc.
Project Engineer
Longview, Texas
2006 - 2013

STORMWATER UTILITY DESIGN

BJ Prichard, PE
Design

PROFESSIONAL EXPERIENCE

Mr. Prichard has 20 years of experience in the design and management of a wide variety of projects involving stormwater management, pavement and thoroughfare design, and municipal water sewer utility infrastructure systems. With focus around private commercial and residential developments, Mr. Prichard has successfully collaborated with mutli-disciplined / multi-firm project teams to meet challenging project design requirements and deliverable schedules. His experience encompasses all aspects of residential subdivision planning, roadway layout and design, public water and sewer infrastructure design, and stormwater analysis and mitigation.

In addition to the private commercial and residential sector, Mr. Prichard also has a variety of experience in the design and management of municipal utility improvement and expansion projects involving water, wastewater and reclaimed water systems. Mr. Prichard has experience working in several hydraulic modeling software platforms including Bentley System's WaterCAD program as well as Innovyze's InfoWater and InfoSWMM modeling programs. He has completed multiple IACET accredited training courses in the areas of potable water and wastewater model development.

PROJECT EXPERIENCE

- Catclaw Creek Drainage Improvements, City of Abilene
- Comanche Creek Stormwater Control System, Pecos County
- Drainage Evaluation, City of Eastland and Eastland Community Foundation
- Drainage Evaluation, City of Sonora
- Johnson Draw Evaluation, Crockett County
- Effluent Water Transmission System, City of Abilene
- Rainy Creek Flood Analysis, City of Abilene
- Hydraulic Modeling and Analysis and Reclaimed Water System Master Plan, City of Abilene
- Wastewater Collection System Master Plans (2010 and 2017), City of Abilene
- Water Distribution System Modeling and Analysis, City of Albany
- Water Distribution System Modeling, View-Caps Water Supply Corporation
- Multi-phased Potable Water Transmission System Hydraulic Modeling and Analysis, City of Missouri City
- Potable Water Transmission System Hydraulic Modeling and Analysis, Eastland Water Supply Corporation
- Water Distribution System Modeling and Analysis, City of Breckenridge

EDUCATION

Bachelor of Science, Civil Engineering, Texas Tech University, 2003

REGISTRATIONS

Registered Professional Engineer — Texas #101233, 2008

CERTIFICATIONS/EDUCATION

Innovyze Advanced Water Modeling Seminar, 2017

InfoSWMM Modeling Training Course, 2017

H2OSurge Transient Modeling Course, Innovyze, 2014

H2OMap Water / H2OMap SWMM Modeling Training Course, 2008

H2OMap Water Distribution Modeling, 2007

H2OMap Sewer Collection System, 2006

Managing Floodplain Development through the NFIP, Emergency Management Institute/FEMA, 2006

Stormwater Management Seminar, TCEQ, 2005

HEC-RAS Computer Workshop, ASCE, 2005

Concrete Inspection Course, TxDOT, 2004

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Senior Project Manager
Abilene, Texas
2003 - present

Jonathan Baum, PE
Design

PROFESSIONAL EXPERIENCE

Mr. Baum has experience in the design of streets, water, sewer and gas lines, detention basins, water quality ponds, parking lots, storm drainage systems, retaining walls and stormwater pollution prevention plans. Mr. Baum's experience includes the design and plan production of over 50 residential and commercial developments. He has experience in project management, construction management and operations support. Mr. Baum has previous experience working as a Bridge Inspection Assistant on over 700 bridges. In this capacity, he produced TxDOT bridge appraisals and bridge summary forms, helped to develop software to integrate inspection reports and appraisal programs, calculated load rating analyses, created bridge inventory sketches using AutoCad and Microstation and drafted bridge designs using ll0/Domion Dr. and Friendswood-Link Rd.

PROJECT EXPERIENCE

- Transmission Lines, Phases I and II, City of Missouri City
- Hogan-Wadley Elevated Storage Tank Improvements, City of Midland
- Northwest Water Reclamation Plant, City of Lubbock
- Home2 Suites Flood Study, Andy Patel
- Nolan County RV Park, MRI Builders
- Entrance Drive, US Gypsum
- Spur Ranch Low Water Crossing, Guitar Ranches
- Hwy 16 and 180 Developement Water Feasibility, Collins Operating, LLC
- Clyde RV Park, 4R Contractors, Inc.
- Hawk Self Storage, Robco Construction
- Stephenville Warehouse Expansion, FMC Corporation
- Hardin-Simmons Student Housing, Imperial Construction
- Whistle Stop RV Park
- Possum Kingdom RV Park, McDowell Construction
- Merkel RV Park, Alan Lovelace
- Hendrick Home for Children Residence Cottages
- Fort Concho Barracks 3 and 4, San Angelo Area Foundation
- Hampton Hills Section 3
- Dyess Air Force Base Hospital Facilities, SES Construction and Fuels Services, LLC

EDUCATION

Bachelor of Science, Civil Engineering
Texas A&M University, 2003

REGISTRATIONS

Registered Professional Engineer – Texas #100982

CERTIFICATIONS/EDUCATION

Erosion Control Materials and Soil Stabilization, Geo-Solutions, Inc.

Composite Elevated Water Tanks, Landmark Structures

Safety Inspection of In-Services Bridges, NHI/FHWA

Steel Bridge Design Conference, NHI/ NSBA LRFD

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Project Manager
Abilene, Texas
2008 - present

Matkin-Hoover Engineering & Surveying
Assistant Project Manager
Boerne, Texas
2004 - 2008

WATER AND WASTEWATER REPORTING & ANALYSIS

Luci Dunn, PE
Environmental

PROFESSIONAL EXPERIENCE

Ms. Dunn has 33 years of experience in regulatory compliance with respect to wastewater systems. Having worked as an EPA Region VI staff member, she possesses valuable insights to help client's obtain appropriate permits from regulatory agencies. Her expertise is applied to planning municipal water and wastewater systems.

PROJECT EXPERIENCE

Ms. Dunn prepares environmental assessments (EAs) in the preliminary planning stage of projects in accordance with the National Environmental Policy Act (NEPA) and evaluates the project alternatives and their impacts to cultural resources, floodplains, wetlands, threatened and endangered species, Wild and Scenic Rivers, the Clean Air Act, Farmland Protection, noise, toxics, environmental justice, and water quality. Ms. Dunn prepares Phase I Environmental Site Assessments (ESAs) in accordance with standards for all appropriate inquiries by identifying past, existing, probable, and potential environmental concerns. She has been the environmental professional of record on over 30 Phase 1 ESAs and assisted with numerous others.

As a project engineer, Ms. Dunn prepares disinfection protocol studies for water treatment plants in compliance with the Long-term 2 Enhanced Surface Water Treatment Rule and Stage 2 DBP Rule. Contact times are established to ensure proper disinfection is provided at the plant prior to distribution. Ms. Dunn developed the first watershed program for EPA Region 6. She provided technical oversight for the watershed project and acted as a regional liaison on watershed issues. The program's framework included integration of non-point source and point source priorities.

Ms. Dunn prepares municipal and industrial (municipal reverse osmosis (RO)) Texas Discharge Elimination System (TDPES) permits for wastewater discharges and Texas Land Application Permits (TLAPs) for land disposal via irrigation and evaporation. She has been the primary preparer of 45 TPDES permit applications, 11 TLAP applications, and 11 RO TPDES permit applications, and has assisted with an additional 62 TPDES permit applications and TLAP applications. Ms. Dunn prepares reclaimed water use authorizations to beneficially reuse treated wastewater effluent.

Ms. Dunn prepares a variety of plans, including construction and industrial stormwater pollution prevention plans, risk management plans, spill prevention control and countermeasures, WWTP unit closure plans and closure reports, and groundwater sampling and analysis.

Ms. Dunn has experience preparing sludge beneficial use WWTP sludge permit applications and WTP residuals registration applications, and municipal solid waste permit applications and associated support documents.

Ms. Dunn assists facilities in the negotiation of Agreed Orders, and Notice of Violations for water, wastewater, solid waste and hazardous waste enforcement issues, as well as negotiation of supplemental environmental projects in lieu of penalty payments. Typically, this work includes preparing all required documentation to maintain compliance with Agreed Orders and Notices of Violation

EDUCATION

Master of Science, Chemical Engineering
Texas Tech University, 1987

Bachelor of Science, Chemical Engineering
Texas Tech University, 1986

REGISTRATIONS

Registered Professional Engineer – Texas #73943, 1993

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Senior Project Manager
Abilene, Texas
1998 - present

Regulatory Compliance Services
Chemical Engineer
Rockwall, Texas
1997 - 1998

Environmental Protection Agency
Hazardous Waste Enforcement Officer
Dallas, Texas
1994 - 1995

Environmental Protection Agency
Regional Watershed Coordinator
Dallas, Texas
1993 - 1994

Dyess AFB, Engineering Branch
Chemical Engineer
Dyess AFB, Texas
1991 - 1993

3M Traffic Control, Materials Division
Advanced Process Engineer
Brownwood, Texas
1987 - 1991

WATER AND WASTEWATER REPORTING & ANALYSIS

David A. Baker
Reporting and Environmental

PROFESSIONAL EXPERIENCE

Mr. Baker has 31 years of experience in the water and wastewater utility industry. He has been a licensed wastewater treatment plant operator since 1989 in New Mexico, Colorado, Wyoming and Texas. He has been a licensed "A" wastewater operator in the State of Texas since 2000. For more than a decade he enjoyed the opportunity to operate municipal treatment plants ranging in size from package plants to a 110 MGD advanced activated sludge nutrient removal plant (Dallas Southside). After joining eHT in January 2000, he has been heavily involved in a wide array of water, wastewater and reuse projects. Mr. Baker assists water and wastewater treatment utilities with gaining approval for and coordinating pilot studies, facility startup services, regulatory compliance, process troubleshooting, operator training, production of facility O&M manuals, production of facility monitoring plans, biosolids handling and disposal compliance, disinfection by-product reduction measures and production of water conservation and drought contingency plans. With a background focusing on operation and maintenance of water treatment and distribution systems, and wastewater collection, treatment and reuse systems, Mr. Baker is an invaluable resource to our clients.

PROJECT EXPERIENCE

Mr. Baker has over 11 years of progressive hands-on operational experience as a wastewater operator at municipal facilities ranging in size from 4.0 MGD to 110 MGD. He has an additional 19 years of experience as an Operations Specialist with water and wastewater treatment systems. He has extensive knowledge relating to the treatment and production of surface water via both conventional and membrane treatment systems, as well as groundwater systems. Mr. Baker offers specialized expertise with DBP reduction measures, monitoring and control of chloramine systems, and treatment of iron and manganese in potable water sources. His wastewater treatment experience includes a strong emphasis on biological process control, data management, and laboratory procedures. Mr. Baker plans and implements facility pilot studies including preparation of the sampling plan protocol and collecting the necessary samples. His operational experience includes operation of grit removal units, anoxic basins, chlorination systems, sand drying beds, DAF units, aeration basins, anaerobic digesters, sludge injection units, primary clarifiers, secondary clarifiers, sand filters, centrifuges, belt presses and influent and effluent pump stations. Mr. Baker has been involved as a key operations specialist for a variety of water and wastewater treatment projects.

He has designed and implemented staff operator training programs, operating protocol and standard operating procedures for all tasks performed at water and wastewater treatment plants. He has also designed and implemented data tracking process control spreadsheet systems to optimize plant operations. He has conducted multiple training sessions at the West Central Texas Regional School, and recently at the South Central Membrane Association Conference held in San Antonio in August of 2018.

EDUCATION

Master of Public Administration
American Military University, 2009

Bachelor of Science, Fisheries Management, University of Wyoming, 1995

Associate of Applied Science, Water Utility Operation, New Mexico State University, 1989

REGISTRATIONS

Class A Wastewater Operator, TCEQ, State of Texas, 1999

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Operations Specialist
Abilene, Texas
2000 - present

City of Cheyenne, Cheyenne Board of Public Utilities
Wastewater Operator IV - Dry Creek and Crow Creek WWTPs
Cheyenne, Wyoming
1992 - 1999

City of Santa Fe
Senior Wastewater Operator IV - Airport Road WWTP
Santa Fe, New Mexico
1990 - 1992

City of Dallas
Wastewater Operator - Southside WWTP
Dallas, Texas
1989 - 1990

Scott Yungblut, PE
Geotechnical

PROFESSIONAL EXPERIENCE

Mr. Yungblut has 27 years of experience in performing engineering analysis and design on geotechnical and construction materials testing projects throughout Texas, Louisiana, Arkansas and Oklahoma. He supervises and manages eHT's soil and materials testing laboratory responsibilities including proposal preparation, field investigation, field and laboratory analysis, report preparation and construction quality assurance and quality control.

The eHT laboratory staff utilizes state-of-the-art equipment and instrumentation. eHT procedures and methodologies conform to federal and/or state standards such as American Standards and Testing Methods (ASTM), TxDOT and American Concrete Institute (ACI).

PROJECT EXPERIENCE

Geotechnical Expertise

Mr. Yungblut's geotechnical expertise includes:

- Subsurface Exploration
- Soil Property Evaluations
- Shallow and Deep Foundation Design Recommendations
- Foundations on Expansive Soils
- Pavement Design and Evaluation
- Roadway and Parking Lot Upgrades
- Airfield Pavements

Notable Civil Projects

- Abilene ISD: Various new schools and athletic facilities
- City of Midland Monopole Tower Sites
- Lamesa High School Improvements
- Hampton Inn & Suites, Lubbock
- Abilene Fire Training Academy
- Burger King/Popeyes, Midland
- Chisolm Truck Stop, Lubbock
- Hendrick Home for Children, Main Building, Abilene
- Avis Lube 126, Midland

EDUCATION

Bachelor of Science, Civil Engineering
University of Texas at Arlington, 1993

REGISTRATIONS

Registered Professional Engineer – Texas #85640, 1999

CERTIFICATIONS/EDUCATION

Concrete Evaluation and Repair I & II, 2011

Retaining Wall Design, 2010

Shrink Swell Soils, Texas A&M

Forensics Engineering Conference, 2007

Texas Accessibility Academy, 2005

TxDOT HotMix (HMACP) Inspector, 2003

ParSales Training, 1996

Dale Carnegie Leadership Course, 1995

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Vice President
Abilene, Texas
2000 - present

Giles Engineering Associates
Project Engineer
Dallas, Texas
1997 - 2000

Professional Service Industries, Inc.
Project Manager, Department Manager, Technician, Geotechnical Services
Dallas, Texas
1994 - 1997

Don Mattern, PE
Electrical Engineering

PROFESSIONAL EXPERIENCE

Mr. Mattern has over 16 years of experience as a lead electrical engineer and technical expert in the detailed design of electrical and SCADA systems. Responsibilities and experience include planning, design, construction and commissioning of electrical and SCADA systems in water and wastewater treatment plants, as well as projects in power and oil and gas.

PROJECT EXPERIENCE

- **Wastewater Treatment Plant Improvements, City of Cisco:** Mr. Mattern provided the complete electrical design for a wastewater treatment plant which included an influent lift station, mechanical screen, grit removal system and secondary treatment.
- **Wastewater Treatment Plant #2, Acton Municipal Utility District:** Mr. Mattern provided the complete electrical design for a wastewater treatment plant which included an Influent lift station, mechanical screen, grit removal system, and secondary treatment.
- **Northeast Water Treatment Plant SCADA Improvements, City of Abilene:** Mr. Mattern provided the complete electrical design for the upgrade and improvement of the existing plant SCADA system at the Abilene Northeast Water Treatment plant.
- **Navajo Refinery Wastewater Treatment Plant, Holly Frontier Corporation, Artesia, NM:** Mr. Mattern provided the complete electrical design for a wastewater treatment plant addition to the Navajo refinery.
- **Huckleberry Sewage Lift Station, City of Abilene:** Mr. Mattern provided the complete electrical design including the new electrical service, pump control panels and emergency generation system for the new lift station.
- **New Deal Estates Subdivision Phase II Sewage Lift Station, City of New Deal:** Mr. Mattern provided the complete electrical design including the new electrical service, pump control panels and emergency generation system for the new lift station.

EDUCATION

Bachelor of Science, Electrical Engineering, Texas Tech University, 2005

Nuclear Power Training Unit, Ballston Spa, NY

Naval Nuclear Power School, Orlando, FL

Nuclear Field Electrician 'A' School, Orlando, FL

REGISTRATIONS

Licensed Professional Engineer - TX#106161, NM#21499, CA#E23403, KS#24324, MN#52927

NCEES Record, MLE/IRPE Record #17-473-21

Association of Professional Engineers and Geoscientists of Alberta Canada License #157833

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Senior Electrical Engineer
Abilene, Texas
2021 - present

Lauren Engineers & Constructors, Inc.
Engineer
Abilene, Texas
2005 - 2021

United States Navy
Electric Plant Operator/Electricians Mate 2nd Class (E5)
1993-1999

ADMINISTRATIVE MANAGEMENT

Keith P. Kindle, PE
Management

PROFESSIONAL EXPERIENCE

Mr. Kindle has 28 years of experience managing large public works programs. He has in-depth experience in project management including planning, design and construction management for water supply, treatment and distribution projects and wastewater treatment and collection projects. He has extensive experience with the Texas Water Development Board Economically Distressed Areas Program, CWSRF and DWSRF; Border Environment Cooperation Commission; North American Development Bank; Texas Department of Housing and Community Affairs; and US Department of Agriculture's Rural Development funding applications for planning, design and construction of public works improvement projects. He has provided program management for projects totaling over $1.5 billion in infrastructure improvements. Notable accomplishments include the $600 million Houston Ship Channel Widening and Deepening and the Texas Water Development Board City of Roma Infrastructure Improvements Project. Numerous projects that Mr. Kindle has served as the Program Manager have received engineering excellence awards on both a state and national level.

PROJECT EXPERIENCE

- Engineer-of-Record, City of Glen Rose
- Program Management, City of Granbury DWSRF Water Improvements
- Statewide Water and Wastewater Needs Assessment Study, TWDB
- Radium Reduction Project, City of Brady
- Improvement Projects, City of Roma
- $550 Million Flood Control Program, Bexar County
- Houston-Galveston Navigation Channels, Port of Houston Authority
- Colonias Improvement Project, TWDB-EDAP and NadBank
- Wastewater Improvement Project, TWDB-EDAP, City of Los Fresnos
- Wastewater Improvements, TWDB-EDAP, City of San Juan
- Water and Sewer Improvements, TWDB-EDAP, City of Mercedes
- Water and Wastewater Improvements, TWDB-EDAP, City of Pharr
- Feasibility Study for Westside Creeks Restoration Project, San Antonio River Authority
- Boerne Stage Road Project, Bexar County
- Facility Engineering Plan for the Villa Nueva Colonia Improvements, City of Brownsville and USACE
- Texas/Mexico Border Water and Wastewater Needs Assessment Study, TWDB

EDUCATION

Bachelor of Science, Civil Engineering
Texas A&M University, 1991

Bachelor of Science, Range Science
Texas A&M University, 1983

REGISTRATIONS

Registered Professional Engineer – Texas #87779

PROFESSIONAL/CIVIC ORGANIZATIONS

American Society of Civil Engineers

National Society of Professional Engineers

American Waterworks Association

PUBLICATIONS/PRESENTATIONS

Water and Wastewater Infrastructure Funding, CWT Regional School

Opportunities along the US/Mexico Border region for Water and Wastewater – Lessons Learned. 2006; Published by the Canadian Environmental Trade Commission for the symposium on US/Mexico Border Green – Opportunities

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Vice President
Granbury, Texas
2009 - present

AECOM, formerly TCB, Inc., formerly Turner, Collie & Brayden
Vice President, Public Works
San Antonio, Texas
2006 - 2008
Associate Vice President and Public Works Director
2005 - 2006

CONSTRUCTION PHASE SERVICES

Leroy Arce, PE
Construction

PROFESSIONAL EXPERIENCE

Mr. Arce is a project management professional with over 14 years of progressive experience in designing and managing multi-million dollar projects in diverse industries including oil and gas, refining, power and water treatment. He is skilled in cross functional collaboration to communicate schedule, material and equipment deliveries, engineering design, fabrication, safety, cost controls, quality assurance and construction planning and execution.

PROJECT EXPERIENCE

- **Hickory Groundwater Supply Expansion Project, City of San Angelo:** Mr. Arce provided design for the expansion of the City's groundwater supply. The project will increase the city's Groundwater Treatment Plant (GWTP) from a production capacity of 8.0 MGD to a production capacity of 12.0 MGD. The expansion starts at the City's Hickory Well Field in McCulloch County, Texas and will add five new public water supply production wells. Improvements at the Hickory Well Field to accommodate the new production wells will include the completion of well heads, well pumps, electrical, controls, well site improvements; interconnecting piping and appurtenances; extension of the site roadway system; and expansion of the existing booster pump station to reliably provide a pumping capacity of 12.0 MGD to the City's GWTP. To support the increase of water production from the well field, the City's GWTP will also incorporate improvements which will include the expansion of the oxidation contactor system; expansion of the iron removal filtration system; expansion of the radium reduction system; construction of a new triplex low-head pump station; and construction of two new 2.0 MG precast concrete clearwells, all with associated interconnecting piping, appurtenances, electrical and controls.

- **Hydrogen Purification Unit Modernization Project, Air Liquide, Freeport, Texas:** Project Manger. This project included upgrades to a hydrogen purification unit for Air Liquide in Freeport, TX. As the Project Manager, weekly reporting and meetings were delivered to the client for project progress, and monthly reports were generated for review. Mr. Arce lead the coordination effort between Lauren engineering, procurement, and construction to assure the project accomplished the necessary progress milestones, and the client's needs were met.

- **NTE SPPRC SDA Relocation, Northern Tier Energy, St. Paul, Minnesota:** Project Manger: As the project manager, Mr. Arce was involved in change order management, schedule reviews, cost monitoring, progress monitoring, client update meetings, and construction support.

- **HTU6 Prime G Rebuild, HollyFrontier Refining and Marketing LLC, El Dorado, Kansas:** Project Manager: Mr. Arce was involved in the upfront planning for project execution which included schedule, job cost breakdown, and construction sequence. Soon after project mobilization he served as the onsite assistant project manager to help accomplish and supervise all aspects of project execution. This included RFIs, field change orders, progress tracking, schedule updates, client interface, hydro test walk downs and completion, client construction walk downs, turnover documents, and project closeout.

EDUCATION

Bachelor of Science, Mechanical Engineering
Texas Tech University, 2008

REGISTRATIONS

Licensed Professional Engineer – Texas #114163, 2013

PROFESSIONAL/CIVIC ORGANIZATIONS

National Society of Professional Engineers

Texas Society of Professional Engineers

Hamlin Collegiate Education Foundation Board, President

Hamlin Youth Football Program, President

Hamlin Medical District Board, President

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Project Manager
Abilene, Texas
2021 - present

Lauren Engineers & Constructors
Project Manager
Abilene, Texas
2015 - 2021
Mechanical Engineer
2009 - 2015

Rentech Boiler Systems
Mechanical Engineer
Abilene, Texas
2008 - 2009

Gustavo Vaquera
Construction

PROFESSIONAL EXPERIENCE

Mr. Vaquera has over 15 years of experience in municipal infrastructure construction and provides daily inspections to ensure quality assurance and to ensure contract documents and budget requirements are met. He regularly maintains daily work logs for water and wastewater projects to ensure federal and state requirements are met. He has extensive experience with construction activities including pre- and post-construction meetings, monthly pay-outs, daily reports, coordination of subconsultants, and field disucssion with contractors. He is skilled at reviewing blueprints and plans and reviewing progress reports.

PROJECT EXPERIENCE

- **Lake Nasworthy Wastewater System Improvements, City of San Angelo:** Mr. Vaquera provides ongoing resident project representation (RPR) services for the City of San Angelo's Lake Nasworthy wastewater system improvement project which will allow for more economic growth at the lake and airport areas by reconstructing the sewer system in order to serve more community. The new system will include two cased mains to move wastewater to allow for uninterrupted services.

EDUCATION

Associate in Criminology

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Construction Inspector
Granbury, Texas
2023 - present

KSA Engineering
Senior Project Representative
Amarillo, Texas
2022 - 2023

Vaquera Consultant Services
Senior Project Representative
Amarillo, Texas
2020 - 2022

Vaquer Consultant Services
Owner/Operator
Fort Worth, Texas
2008 - 2020

The McCluskey Group
Residential Project Representative
Frisco, Texas
2021 - 2014

CONSTRUCTION PHASE SERVICES

John Voller
Construction

PROFESSIONAL EXPERIENCE

Mr. Voller has a broad realm of experience in the construction management and inspection of municipal engineering projects that include water, wastewater and infrastructure. He has served as a construction manager and resident inspector for many private, public and governmental entities and provides inspection for civil and environmental projects, including street improvements, sewage collection systems, wastewater treatment facilities, water treatment facilities, water distribution systems, water storage facilities and dam improvements.

PROJECT EXPERIENCE

Sewage Collection Systems

City of Ballinger
City of Early
City of Cisco
City of O'Brien
City of Sweetwater
City of Tuscola
City of Blanket
City of Eldorado
City of Sonora
City of Coahoma
City of Big Lake
City of Clyde
Feather Bay Resort, Lake Brownwood
City of Goree
City of Mertzon
City of Stamford
City of Rochester
City of Winters
City of Junction
City of Breckenridge
Crockett County WCID #1

Wastewater Treatment Facilities

City of Winters
City of Sweetwater
City of Cross Plains
City of Throckmorton
City of Robert Lee
City of Knox City
City of O'Brien
City of Blanket
City of Abilene
City of Big Lake
City of Sonora
City of Cisco
City of Clyde
City of Newcastle
City of Graford
Feather Bay Resort, Lake Brownwood
City of Ranger
City of Bronte
City of Tuscola
Crockett County WCID #1
City of Mertzon

Water Treatment Facilities

City of San Angelo
City of Bronte
City of Clyde
City of Newcastle
Winthorst WSC
City of Sweetwater
City of Ballinger
City of Abilene
Possum Kingdom WSC
Eastland County WSC
City of Early
Brookesmith SUD
Lake Palo Pinto Area WSC
City of Winters
City of Missouri City
City of Stamford
City of Albany
City of Cisco

EDUCATION

Engineering Studies
University of Nebraska, 1979 - 1981

Surveying and Drafting Technologies Diploma
Southeast Community College, 1982

CERTIFICATIONS/EDUCATION

Bridge Inspector's Training Course, Texas A&M University

New Steel Water Tank Construction and Water Tank Maintenance Seminars, Tank Industry Consultants

Protective Coating Seminar, Tnemec Company

Sanitary Sewer Overflow Workshop, Water Environment Association of Texas, North Texas Section

OSHA 40-hr. 1910.120(3)(2) Hazardous Site Worker Training

OSHA 29 CFR 1910.146 Confined Space Entry Course

Construction Management Course, American Institute of Professional Training and Development

PROFESSIONAL ENDEAVORS

Enprotec / Hibbs & Todd, Inc.
Construction Project Manager and Inspector and Engineering Technician
Abilene, Texas
1990 - present

Jacob & Martin, Inc.
Engineering Tech/Surveyor/Inspector
Abilene, Texas
1984 - 1990

Tippett & Gee, Inc.
Engineering Technician/Draftsman

The subconsultants are listed in the organizational chart on page 3.

Traffic Impact Group will provide traffic engineering as a subconsultant.
Scott Israelson, PE, PTOE
1452 Hughes Road, Suite 200, Grapevine, TX 76051

Raftelis Group will provide financial services as a subconsultant.
Angie Flores
3755 S. Capital of Texas Highway, Suite 290, Austin, TX 78704

TRAFFIC ENGINEERING

Scott Israelson, PE, PTOE
Traffic Engineering

PROFESSIONAL EXPERIENCE

Scott Israelson is the President of Traffic Impact Group, LLC. The company was formed in 2012. Mr. Israelson is a registered Professional Engineer in 10 states and a certified Professional Traffic Operations Engineer, with over 22 years of experience in analysis, design, operations, and implementation in traffic engineering.

PROJECT EXPERIENCE

- **Halliburton HES Field Camp, Brownfield, TX**: We are no stranger to West Texas. In 2014, Mr. Israelson performed this TIA to examine the impacts from a proposed industrial development in Brownfield, near Lubbock. Our analysis showed that the expected amount of traffic into the site warranted turn lanes on a state highway.
- **Fuel Maxx, San Antonio, TX:** Mr. Israelson performed this TIA to analyze the impacts from a proposed retail site in west San Antonio. Our analysis showed that nearby intersections met warrants for signalization, and that the proposed gas station would need turn lanes into the site.
- **CO2 Liquefaction Plant, Tarrant County, TX:** In 2014, Mr. Israelson performed a transportation analysis for a proposed CO2 Liquefaction Plant northwest of Fort Worth. Our analysis showed that most of the surrounding roadways operated acceptably, but trucks to and from the plant should be routed away from critical areas experiencing congestion.
- **The Kent, Fort Worth, TX:** Mr. Israelson performed the TIA for this proposed residential development in downtown Fort Worth, and is currently preparing traffic signal design plans. Based on the analysis, driveways to the development needed to be revised to new locations. This resulted in the need to modify the existing roadway, and modify the existing traffic signal.
- **Camden Park, Farmersville, TX:** Mr. Israelson performed this TIA for a proposed residential development in Farmersville, a suburb of Dallas. The study reviewed traffic operations at five intersections around the area, and the conclusion was that the surrounding roadways had capacity to accommodate new traffic from the development.

EDUCATION

Bachelor of Civil Engineering, University of Minnesota, Minnesota, 1994

REGISTRATIONS

Certified Professional Traffic Operations Engineer #2586, Transportation Professional Certification Board Inc.

Professional Engineer #54473, State of Florida, #62363, State of Illinois, #20363, State of Iowa, #26531, State of Minnesota, #60543, State of Michigan, #7287, State of North Dakota, #11853, State of South Dakota, #116712, State of Texas, #43491, Commonwealth of Virginia, #39784, State of Georgia

PROFESSIONAL ENDEAVORS

Traffic Impact Analysis
President
Grapevine, Texas
2012 - present

Angie Flores
Administration Management

PROFESSIONAL EXPERIENCE

Ms. Flores has worked in the water and wastewater utility industry for more than 25 years. Over this time, she has completed various cost of service and rate studies, financial planning models, and impact fee studies for cities such as San Marcos, Abilene, Corpus Christi, San Angelo, Round Rock, and Georgetown. Prior to beginning her work as a consultant in 2013, Ms. Flores worked for the Lower Colorado River Authority (LCRA) for 12 years where she was responsible for developing rate studies and financial planning models and participating in the business plan process for 32 water and wastewater utilities. LCRA is responsible for managing the Highland Lakes system in Central Texas and a major wholesale electric provider. Before LCRA, Ms. Flores worked at the Texas Water Development Board as a financial analyst. The Texas Water Development Board is a financial resource for political subdivisions of the State of Texas.

PROJECT EXPERIENCE

- **City of San Angelo (TX):** Financial Planning and Cost of Service Study
- **San Antonio Water System (TX):** Cost of Service and Rate Design
- **San Jacinto River Authority (TX):** Groundwater Reduction Plan Program Scenario Analysis and Financial Forecast
- **Pittsburgh Water and Sewer Authority (PA):** Organizational policy development and performance improvement
- **City of Three Rivers (TX):** Rate Expertise and Negotiation Support
- **Town of Addison (TX):** Financial Planning and Rate Study

EDUCATION

Bachelor of Arts, Government, University of Texas at Austin, Austin, Texas 1991

CERTIFICATIONS

American Waterworks Association

Government Finance Officers Association of Texas

PROFESSIONAL ENDEAVORS

Raftelis
Manager
Austin, Texas
2018 - present
Senior Consultant
2016 - 2017

HDR Engineering
Rate and Finance Lead
Austin, Texas
2001 - 2013

Lower Colorado River Authority
Senior Financial Analyst and Rate Supervisor
Austin, Texas
2001 - 2013

Texas Water Development Board
Senior Financial Analyst
Austin, Texas
1992 - 2001

QUALITY OF SIMILAR PROJECTS

Groundwater Supply Expansion
City of San Angelo, Texas

The City of San Angelo (City) historically relied on a combination of surface water sources for use in its drinking water supply, but "drought of record" conditions severely impacted the available capacity of surface water supplies. For this reason, the City began identifying and implementing alternative sources of water supply, including groundwater from the Hickory Aquifer. Phase I (8 million gallons per day {MGD}) of the Hickory Aquifer Supply Project was completed by the City in 2011. The City hired eHT to implement Phase II of the Hickory Groundwater Supply Project, which will bring the available supply from this source up to a reliable 12 MGD.

The expansion begins at the City's Hickory Well Field in McCulloch County, Texas and will add five new public water supply production wells. Improvements at the Hickory Well Field to accommodate the new production wells includes the completion of well heads, well pumps, electrical, controls, well site improvements; interconnecting piping and appurtenances; extension of the site roadway system; and expansion of the existing booster pump station to reliably provide a pumping capacity of 12.0 MGD to the City's groundwater treatment plant (GWTP).

To support the increase of water production from the well field, the City's GWTP will also incorporate improvements which will include the expansion of the oxidation contactor system; expansion of the iron removal filtration system; expansion of the radium reduction system; construction of a new triplex low-head pump station; and construction of two new 2.0 MG precast concrete clearwells, all with associated interconnecting piping, appurtenances, electrical, and controls.

Once on-line, the new groundwater wells and an expanded GWTP – designed to remove radionuclides – will allow the City to maximize aquifer production to meet potable water demands. In addition to the new groundwater wells and expanded treatment facility, other critical elements of the project include replacement of an existing clearwell at the City's GWTP; wellfield collection and transmission system expansion and improvements; and SCADA system improvements.

Contact: Shange Kelton, Executive Director of Public Works, (325) 657-4206

Northeast Water System Improvements
City of Midland, Texas

The City of Midland experienced a large amount of development growth in the northeast section of the water distribution area, defined as north of State Highway Loop 250 and east of Big Spring Street. The City hired eHT to provide professional services to plan and design water system improvements to support existing and expected future water system demands in this portion of the service area. The project included transmission system improvements to provide water supply from the Water Purification Plant to the area. Additional project elements included pump station improvements and an elevated storage tank (EST) to provide storage and pressure in the project area. Distribution system improvements were also incorporated to connect the system with the new elevated storage tank. The project design included approximately 50,000 linear feet (LF) of 24-inch transmission piping and 18,000 LF of 30-inch transmission piping, encased highway boring, air release valves, a 2 MG EST and high service pumps.

Contact: Carl Craigo, PE, Director of Utilities, (432) 685-7937

Drought Response Project
City of Abilene, Texas

eHT provided planning, design, permitting, project management, construction management, resident inspection and operations and maintenance (O&M) services for this project valued at $105 million. The Hamby Indirect Reuse Project augmented the City of Abilene's (City) raw water supply in Lake Fort Phantom Hill; however, the raw water augmentation only offset approximately 25 percent of the City's daily water demands. The need for a second stage drought response strategy was recognized by City leadership. eHT was tasked to identify and develop the design for necessary improvements to utilize brackish raw water from Possum Kingdom (PK) Lake and desalinate the PK raw water to a sufficient level to match raw water quality from Hubbard Creek Reservoir (Hubbard). Since the City had been forced to reduce raw water usage from Hubbard due to the ongoing drought, the water from PK could be used instead. The project goals included upgrading the existing PK Intake Pump Station owned by the Brazos River Authority (BRA), construction of approximately 42 miles of raw water, product water and concentrate pipelines, and the construction of a Raw Water Roughing Facility (RWRF), designed to desalinate raw PK water prior to being sent to Abilene for final, conventional water treatment.

Abilene's RWRF needed to be capable of meeting "product water" goals to provide water quality consistent with current Hubbard raw water quality, at varying flow rates and seasonal impacts. Modular system design, enhanced system redundancy, implementation of an automated SCADA system, enhanced energy efficiency and maximized water recovery efficiency were all key components for successfully meeting the objectives of the project. eHT based the project on advanced desalination and pretreatment processes including a 12 million gallons per day (MGD) pressure-fed microfiltration (MF) membrane filtration system and a new three-stage reverse osmosis (RO) system rated for up to 11 MGD in order to meet the City's PK water supply goals.

To address water availability challenges, eHT implemented two enhanced recovery components within the overall project design. The first component included the addition of a tertiary recovery MF system installed parallel to the primary recovery MF system.

Normal backwash waste from the primary recovery MF system was further processed by the tertiary recovery system to maintain a net MF system recovery of more than 99% recovery. In addition, the RO system design incorporated a three-stage design approach, as well as adjustable recovery to maximize net RO system recovery to 90% or greater during the warmest nine months of the year, reducing to 85% recovery during the three coldest months of the year. Most RO systems in Texas are only designed around a two-stage approach, which normally only results in a 75% recovery.

The RWRF site is located adjacent to the City of Breckenridge's WTP. The site is very limited in space, especially considering the footprint required for treatment buildings, pump stations, and associated bulk chemical and water storage tanks and clearwells. To make the most effective use of site space, the RWRF was designed using a 3-D drafting format to determine piping and structure collision detection issues in real-time during design, as well as to expedite overall construction. Completion of the design in 3-D also facilitated enhanced coordination between design disciplines to further expedite the design phase.

Waste handling was another critical issue faced in this project. When operated at full capacity, the RWRF can produce several millions of gallons of RO concentrate per day. Multiple concentrate handling and disposal alternatives were evaluated, including nearby discharge to the City of Breckenridge's wastewater collection system, disposal into an offsite evaporation basin, discharge into a nearby receiving stream, deep well injection, as well as the identification and evaluation of multiple zero liquid discharge (ZLD) technologies. Deep well injection was determined to not be viable due to the high calcium and sulfate levels in the modeled RO concentrate, which would lead to scale buildup of the formation downhole. ZLD technologies were also determined to not be viable due to contaminant levels in the RO concentrate that would cause excessive fouling for a ZLD system, such as barium sulfate and strontium sulfate. The concentrate waste handling alternative ultimately selected was to construct a 26-mile pipeline from the RWRF to Possum Kingdom Reservoir for ultimate disposal.

The treatment systems ultimately selected were based on required construction footprint, capital and O&M cost, operational flexibility, lead time for construction and capability of meeting treatment goals for Total Dissolved Solids (TDS), chloride, sulfate, and hardness. The City's RWRF includes raw water pumping, transmission and storage, a new pretreatment MF system to protect the new RO system, a tertiary recovery MF system to enhance net MF recovery, RO treatment for dissolved mineral reduction, chloramine disinfection to maintain positive bio-fouling control, product water storage, pumping and transmission and RO concentrate waste transmission and disposal. Also included in the scope of the project was a TPDES discharge permit for the City for a new permitted discharge to Possum Kingdom Reservoir for disposal of the RO concentrate stream and a comprehensive Operations and Maintenance Manual.

Contact: Rodney Taylor, Director of Water Utilities, (325) 676-6452

Drainage, Paving and Utilities Project

City of Breckenridge, Texas

eHT provided project management, design, bid phase services, funding application support and construction administration services for this multi-faceted project for the City of Breckenridge. The project included roadway rehabilitation including roadway excavation, new base material, grading, compaction, new hot mix asphalt and concrete pavement and new concrete curb and gutter. A storm drainage system was installed that includes curb inlets, grate inlets, pipe, junction boxes and outfalls. The project included the installation of new water lines and sewer lines in all areas of the paving project. 4,065 linear feet of 4-inch, 3,265 linear feet of 6-inch, 4,005 linear feet of 8-inch and 170 linear feet of 12-inch water lines were installed, as well as 1,050 linear feet of 6-inch, 555 linear feet of 8-inch and 5,750 linear feet of 10-inch sewer line. New driveway approaches and tie-ins to adjoining streets with 4,310 square yards of sidewalk replacement was also included in the project. The project was funded through United States Department of Agriculture (USDA) Rural Development (RD) funding. The project included a Traffic Control Plan and Stormwater Pollution Prevention Plan.

Contact: Cynthia Northrup, City Manager, (254) 559-8287

Trunk Sanitary Sewer Main Replacement

City of Huntsville, Texas

eHT provided project management, design, and construction administration for an upgrade of approximately 4.6 miles of trunk main that serves the AJ Brown Wastewater Treatment Plant (WWTP), which is owned and operated by the City of Huntsville. The project included installation of approximately 1.1 miles of 48-inch PVC sewer line and 3.5 miles of 42-inch PVC sewer line. The project also included approximately 72 pre-cast concrete manholes and 15 branch connections.

Contact: Brent Sherrod, Public Works Director, (936) 294-5707

APPROACH IN PROVIDING SERVICES

eHT Capabilities

Over the past 33 years, Enprotec / Hibbs & Todd, Inc. (eHT) has established itself as a premier water and wastewater treatment consulting engineering firm in the State of Texas. eHT, a corporation, has substantial experience managing planning, design and construction projects throughout Texas.

Our client service commitment to be a "user-friendly" company, providing clear, informative communication and quality work, is one of our strengths. We feel our firm is the "right-size" to offer a small firm's personal touch, yet has the breadth of a larger firms' service. We develop relationships with clients that are valuable and productive.

Water Resource Services

The quality and quantity of water supplies are becoming increasingly important to the well-being of communities throughout Texas. Our water resource experience is focused in Texas and our staff has strong experience in all aspects of water system planning, design, construction and optimization. Because our firm has civil, environmental and geotechnical engineering divisions, our water resource experience includes a wide spectrum of projects, both in size and scope.

We have completed planning, design, construction and operations services on regional water supply systems for large municipalities; and we have also had many prime opportunities to work with smaller communities in meeting their challenges to develop cost effective solutions for their population's water supply needs.

Our water resource services include:

- Water Supply Planning
- Development of Water Supplies
- Water Transmission / Distribution
- Water Treatment
- Elevated / Ground Storage
- Pump Station Design and Improvements
- Innovative Technologies
- Permitting
- Water Reuse

Wastewater Services

Wastewater treatment has historically been viewed as an onerous, but necessary process to meet Federal and State regulatory requirements. However, with the increasingly scarcity of water in Texas, the importance of treating wastewater to a level of quality to allow for secondary uses is becoming increasingly important to the well-being of communities throughout Texas. Critical aspects of wastewater management are in maintaining regulatory compliance and in treating wastewater to the point where the effluent can be used in multiple beneficial use applications. Our wastewater system experience is focused in the State of Texas and our staff has strong experience in all aspects of wastewater system planning, design, construction and optimization. Because our firm has civil, environmental and geotechnical engineering divisions, our wastewater system experience includes a wide spectrum of projects, both in size and scope.

We have completed planning, design, construction and operations services on regional wastewater systems for large municipalities; and we have also had many prime opportunities to work with smaller communities in meeting their challenges to develop cost effective solutions for their population's wastewater management needs.

Our services include:

- Wastewater Treatment
- Wastewater Collection and Transmission
- Reclaimed Water
- Wastewater Master Planning

Surveying

eHT has in-house surveyors for all surveying needs and produces industry standard maps, survey drawings and reports. We possess a dedicated staff of surveyors, led by Registered Professional Land Surveyors.

Resources
High Senior Staff Interaction
Regional Texas Offices
Diverse Expertise Specifically Related to Water Treatment
Low Overhead
Engineering-Science-Operations Mix
System Operators on Staff

Emphasis on Relationships
Regulatory Agency Relationships
Funding Agency Relationships
Client Commitment
Experienced Attention to Project Needs and Goals
Partnership, Advocacy and Planning

Typical Approach

Task 1: Project Management

Strong project management is one of the most important factors governing the successful outcome of a project. As a result, we believe that the first task should be focused on project management. Joe Mangrem, PE will work closely with the City of San Angelo. In addition, Scott Hibbs, PE, providing principal leadership and Sage Diller, PE providing QA/QC both have extensive experience in working to develop efficient and cost-effective projects that "get it right the first time." In order to foster constant communication during the project, a kickoff meeting, milestone meetings and a final presentation will be arranged with City Staff and other appropriate stakeholders.

We advocate incorporating local input from the Client on important project decisions and options. Our experience indicates this level of communication helps to provide a project that will meet City's needs. We feel Client leadership helps to shape the outcome of the project. We accomplish this by:

- Providing frequent technical briefings regarding the details of the project.
- Ensuring critical project decisions are made to the satisfaction of the Client and implemented by the design team. The Client must have a say in these critical project decisions.

As your consulting partner, the first step will be to meet with your staff and review the objectives for your project. A Preliminary Engineering Feasibility Report (PEFR) will be prepared to evaluate existing conditions, alternatives and associated costs.

The Client's needs and desires must be integrated into the project from the start. Input concerning functional issues during design and construction phases will result in a more "user-friendly" system. Our staff will maintain constant communication, focusing on sensitive issues and potential roadblocks to success.

Task 1.1: Initial Kickoff Meeting with City Staff

eHT will initiate a meeting with City Staff before the project is commenced. During the meeting, the project manager, team leaders and key engineering staff will set project goals and the scope of work will be reviewed, clarified and modified as necessary.

Lines of communication and communication protocols with City and its team will be established. Client input regarding critical project guidelines and resources will be solicited.

During this meeting eHT will open up the discussion regarding the multitude of options available to City for this project. A sampling of these options include: installation methods, pipe materials, alternate routes, easement options, project delivery and schedule compression.

Task 1.2: Milestone Meetings – Determine Alternatives & Develop Prioritization of Improvements

Using the kick-off meeting as a basis, Jordan Hibbs will lead our team in evaluating the anticipated future capabilities and routes of the water lines to make determinations regarding requirements of the state and federal regulations. Once each alternative has been determined, our team will develop and present details regarding the alternatives to maximize the benefit of the project and funding. We will gather City's feedback on the proposed alternatives and make final assessments and recommendations regarding alternatives to move on to the design phase.

Task 2: Preliminary Engineering

A. Consult with the City and its team to determine the specific needs and requirements for the project based on the evaluated alternatives.

B. Prepare a PEFR and an Engineering Feasibility Report (EFR) on the project in sufficient detail to indicate clearly the problems involved and the alternate solutions available, to include schematic layouts and sketches, general cost projection for the Project, and a schedule to set forth the Engineer's recommendations. Assist in the preparation or review of environmental assessments and impact statements, as necessary. After the water line , tank and pump station alternatives are fully developed, associated costs will be determined with respect to capital expenditures and system operations and maintenance costs. These costs will be presented using present value and amortization schedules to assist City with budgeting for expenditures.

C. Complete all necessary design support tasks such as onsite (and offsite if needed) surveying and geotechnical services, determination of any needed right-of-way or easement acquisition, required Stormwater Pollution Prevention Plan (SWP3) and other permitting necessary for design and construction.

Task 3: Develop Plans and Specifications

Our team will utilize specialists from Abilene office to develop plans and specifications for the selected water line alternative that best serves City. eHT will also design with respect to enhancing, not detracting, routing, functionality and operation and maintenance of the water lines, which will improve City operating staff's capabilities to perform preventive maintenance. eHT will design the ground storage and high service pump station (to possibly include an administration space) during this Phase of the project. This phase of the project is where eHT sets itself apart from other consultants. Our recent track record with drought projects indicates our ability to ramp up production and accelerate the design process to meet tight deadlines.

Task 4: Final Review Phase

A. Review final design documents with City to ensure conformance with goals and long term plans for the water lines, ground storage tank, and high service pump station.

B. Coordinate with TCEQ for a review of final design documents to ensure conformance with TCEQ design criteria.

C. Solicit input from local contractors to get out in front of any potential issues from a construction perspective.

Task 5: Bid Phase

A. Prepare Bid Packet/Contract Documents.

B. Conduct a Pre-Bid Conference to discuss project scope and answer contractor questions as needed to provide a clear and concise understanding of the project.

C. Issue addenda for any necessary clarification of bid documents, including incorporation of any wage rate modifications (if applicable).

D. Open bids (bid opening to be held at least three (3) weeks from publication date of first advertisement).

E. Tabulate bids (include completeness and eligibility screening).

F. Announce lowest and best bid, if applicable (at City meeting). If required, issue a rejection of all bids and re-advertise bids.

G. Conduct construction contractor eligibility verification.

H. Submit all necessary awarded contractor documentation to City in accordance with request of approval and release of funding for construction.

I. Approve contract award by local governing body. eHT understands that a portion of the bid phase services may be performed by Ardurra.

Task 6: Construction Assistance and Resident Project Representation

eHT understands Construction Administration and Management will be performed primarily by the City's Program Manager, Ardurra. As such, eHT sees our construction role as follows:

A. Check samples, catalog data, shop drawings, laboratory and mill tests of materials and equipment and other data which the Contractor is required to submit, only for the conformance with the design concept of the Project and compliance with the information given by the plans, specifications and contract documents.

B. Respond to Requests for Information (RFIs).

C. Advise the City during construction of any potential change orders.

D. Perform site visits and observations (by Project Engineer).

E. Provide a Resident Project Representative (RPR) to inspect the daily work of the contractor.

F. Conduct, in company with City representative(s), a final inspection of the Project for conformance with the design concept of the Project, and compliance with the plans, specifications and contract documents, and recommend in writing, final payment to the Contractor.

G. Make an inspection of the Project within one month of expiration of the warranty period and report observed discrepancies under warranty provided by the construction contract.

H. Furnish City a set of record prints of drawings and addendum drawings showing those changes made during the construction period, based upon the marked up prints, drawing and other data furnished by the Contractor which Consultant considers to be significant.

Task 7: Start-Up and Commissioning

David Baker, Operations Specialist with eHT, is an invaluable member of the Project Team providing on-going operations support during the start-up phase of the project. Mr. Baker has over 25 years of experience related to operating and maintaining water and wastewater systems. His background is on the operation and maintenance of water treatment and distribution systems, and wastewater collection, treatment and reuse systems.

Task 8: Ownership

Joe Mangrem, PE will take Ownership of the project from the start. He is committed to technical excellence; establishing and meeting all project goals; monitoring performance and compliance; communications; and instilling an attitude of commitment and dedication to the project team. eHT's corporate philosophy includes standing behind the project team and work products and a "client for life" philosophy.

eHT's philosophy on project Ownership includes taking responsibility; having an attention to detail; documentation; and supporting beyond construction. Ownership does not end when construction is complete. eHT offers unparalleled industry expertise with a proven track record with the same personnel that are presented in this Statement of Qualifications.

LIST OF REFERENCES

CITY OF MIDLAND
Carl Craigo, PE, Director of Utilities, (432) 685-7937

CITY OF GRANBURY
Rick Crownover, Public Works Director, (817) 573-7030

CITY OF ABILENE
Rodney Taylor, Director of Water Utilities, (325) 676-6452

CITY OF CISCO
Darwin Archer, City Manager, (254) 442-2111

CITY OF EASTLAND
JJ Oznick, City Manager, (254) 629-8321

CITY OF EDEN
Laura Beeson, City Administrator, (325) 869-2211

CITY OF GLEN ROSE
Jim Holder, Public Works Director, (254) 897-2272

CITY OF HUNTSVILLE
Y.S. "Ram" Ramachandra, City Engineer
(936) 294-5760

PARKER COUNTY SPECIAL UTILITY DISTRICT
Dakota Tawater, Manager, (817) 594-2900

REAGAN COUNTY WATER
Tommy Holt, President, (325) 884-6800

CITY OF RICHMOND
Howard Christian, Public Works Director
(281) 342-0559

CITY OF SWEETWATER
Justin Clowers, Interim Utilities Director, (325) 235-4166

CITY OF WINTERS
Sheila Lincoln, City Secretary, (325) 754-4424

UPPER LEON RIVER MUNICIPAL WATER DISTRICT
Gary Lacy, General Manager, (254) 879-2258

What our Clients Say

"The City of Sweetwater has worked with eHT on a number of projects, including a 2.1 MGD wastewater treatment plant, 8 MGD water treatment plant, water line replacement, water storage, high service water pump station, wellfield development, water line construction, Type IV landfill permitting, an emergency dam safety program and many other projects.

eHT is a professional firm of engineers and has worked with us in all phases of projects from planning and bidding to construction management. eHT has been very easy to work with and has worked for us to meet our needs. I would highly recommend eHT as a full-service engineering firm to anyone needing engineering services. My recommendation of eHT is without reservation. I would entrust them with any project."

Edward P. Brown

City of Sweetwater
City Manager, Retired

What our Clients Say

"eHT doesn't just design a project. They become your partner. They treat every client as if they are the only client. They get involved in every aspect of the project from public meetings to design to regulatory interaction and even to advise on how to deal with your council. They treat each project as if they are going to be operating it for the next 20 years."

Laura Wilson, PE

City of Fort Worth
Water Utilities Director

STATEMENT OF QUALIFICATIONS

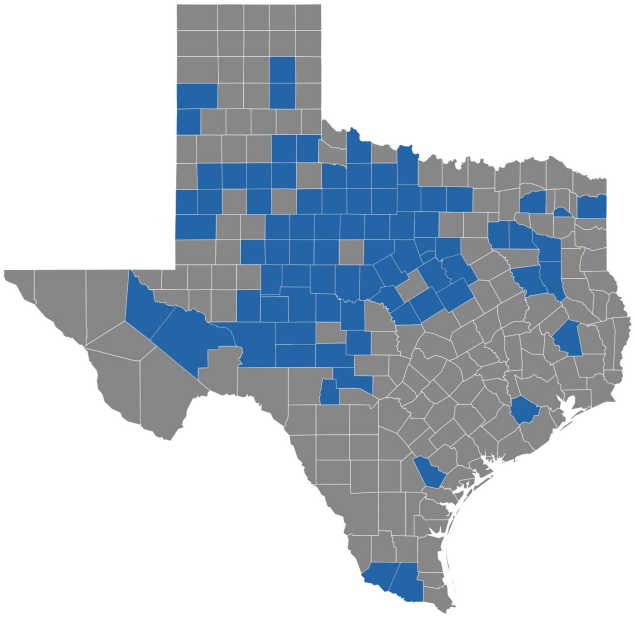
Federally Funded Construction Projects

The ability to identify and provide a funding source for public improvements is both critical and necessary in today's tight financial markets. Municipalities and counties need a consultant that not only knows how to get the funding but has an in-depth understanding of the program and agency as well. For over 30 years, eHT has been successful in helping our clients apply for and receive funding for critical public works projects.

We have experience with the following programs:

- Texas Water Development Board (TWDB)
- Texas Department of Rural Affairs (TDRA)
- USDA Rural Development (RD)
- Economic Development Administration (EDA)
- North American Development Bank (NADBank)
- South Texas Development Council (STDC)
- Texas Department of Transportation (TxDOT)
- Texas Parks and Wildlife Department (TPWD)

Funded Project Experience



eHT PERSONNEL	
Civil and Environmental Engineers	24
Geotechnical Engineers	1
Electrical Engineers	1
Geologists & Environmental Consultants	4
Construction Materials Testing	4
Operations Specialists	8
Construction Inspectors & Managers	7
Surveyors	8
Technicians	11
Administrative	10
Total Personnel	**78**

QC Program

We have a QA/QC Program in place that requires every document produced by an eHT employee be reviewed for verification of quality and clarity and to ensure the overall technical integrity of each document. As a company, eHT is committed to a standard consistent with our QA/QC Program. Our policy is to provide our clients with the assurance that we shall supply a quality service to meet agreed requirements.

Ability to Meet Schedules

Based on current staffing, existing projects and known awards, sufficient staff will be available during the time period of this contract. In the event of workload peaks or the need for specialized disciplines, eHT has access to additional employees to meet project requirements. eHT will commit the appropriate staff resources to meet necessary schedules. eHT assures that this project will be a priority and we will have the qualified staff necessary to ensure its success.

WE ARE IN THE BUSINESS OF IMPROVING COMMUNITY INFRASTRUCTURE WHILE CREATING SUSTAINABLE DEVELOPMENT AND PRESERVING SOME OF OUR MOST PRIZED NATURAL RESOURCES. IN ESSENCE, WE OFFER ENGINEERING SOLUTIONS WITH A VIEW FOR TOMORROW.

Schedule History

CLIENT	PROJECT	YEAR	SCHEDULE
City of Big Lake	CDBG Water System Improvements	2022	Design and construction schedule met.
City of Big Lake	Wastewater Treatment Plant Expansion	2022	Completed ahead of schedule.
City of Breckenridge	Wastewater Treatment Plant Upgrade	2022	Design and construction schedule met.
City of Huntsville	Wastewater Treatment Plant	2021	Design and construction schedule met.
City of Glen Rose	CDBG Street and Drainage Improvements	2021	Design and construction schedule met.
City of Eden	CDBG Water Line Replacment	2020	Design and construction schedule met.
City of Cisco	Water Treatment Plant	2019	Ahead of schedule by 0.8 months.
Eastland County Water Supply District	CDBG Water Line Improvements	2019	Design and construction schedule met.
City of Cisco	CDBG Sewer System Improvements	2019	Design and construction schedule met.
City of Sweetwater	Water System Improvements	2018	Design and construction schedule met.
City of Stamford	Raw Water Line Replacement	2018	5 months ahead of schedule.
City of Roscoe	Collection System Improvements	2018	Design and construction schedule met.

Budget History

CLIENT	PROJECT	YEAR	ORIGINAL BUDGET	FINAL COST
City of Alamo	Wastewater Treatment Plant	2022	$11,500,000	$10,187,438
City of Big Lake	Wastewater Treatment Plant Expansion	2022	$6,954,000	$6,887,331
City of Breckenridge	Wastewater Treatment Plant Upgrade	2022	$1,800,000	$1,795,000
City of Huntsville	Wastewater Treatment Plant	2021	$22,559,000	$20,785,247
City of Breckenridge	CDBG Water Line Replacement	2020	$245,131	$243,037
City of Eden	CDBG Water Line Replacement	2020	$210,395	$210,395
Upper Leon River MWD	DWSRF Water Treatment Plant	2020	$13,096,150	$13,047,932
City of Cisco	Water Treatment Plant	2019	$9,000,000	$8,133,573
City of Roma	CDBG Paving Improvements	2019	$243,744	$243,744
City of Stamford	Water System Improvements	2018	$6,067,000	$5,175,639
City of Sweetwater	Water System Improvements	2018	$4,386,000	$4,386,000
City of Winters	CDBG Sewer Improvements	2018	$274,588	$262,406

SAMPLE CONTRACT TERMS

eHT agrees to all contract terms and conditions applicable to the deliverance of goods/services resulting from this solicitation and meeting Federal and State requirements.

CITY OF SAN ANGELO, TEXAS
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
325.657.4219 • sapurch@cosatx.us

Contact Information

AUTHORIZED AGENT • PLEASE PRINT

An Authorized Agent for an entity pursuant to this solicitation is an individual duly authorized by the entity and having full capacity to bind the entity. Authorized Agent may include an Officer of a Corporation, a General Partner of a Partnership, a Managing Member of a Limited Liability Company, or any other individual who has been granted such authority in writing executed by an individual having authority to bind the entity. City reserves the right to require written verification of an individual's authority to act on behalf of an entity.

NAME Sage Diller	
TITLE Associate Vice President	**E-MAIL** sage.diller@e-ht.com
SIGNATURE Sage Diller	**DATE** November 21, 2023

PRIMARY CONTACT • PLEASE PRINT

Complete if different from above.

NAME Joe Mangrem	
TITLE Project Manager	**E-MAIL** joe.mangrem@e-ht.com
SIGNATURE Joe Mangrem	**DATE** November 21, 2023

VENDOR DETAILS • PLEASE PRINT

VENDOR NAME Enprotec / Hibbs & Todd, Inc.	
PHONE (325) 698-5560	**FAX** (325) 690-3240
WEBSITE www.e-ht.com	
MAILING ADDRESS 402 Cedar Street	
CITY / STATE / ZIP Abilene, Texas 79601	
PHYSICAL ADDRESS (NO PO BOXES) 402 Cedar Street	
CITY / STATE / ZIP Abilene, Texas 79601	

PLEASE ATTACH A CURRENT IRS FORM W-9.

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Enprotec/Hibbs & Todd, Inc. dba Geotec Labs

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☑ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
P.O. Box 3097

Requester's name and address (optional)

6 City, state, and ZIP code
Abilene, Texas 79604

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number
7 5 – 2 2 5 8 5 1 2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Lindsey McCarty Date ▶ 11/22/2023

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

CITY OF SAN ANGELO, TEXAS
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
325.657.4219 • sapurch@cosatx.us

Debarment and Suspension Certification

(1) The prospective primary vendor certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary vendor is unable to certify to any of the statements in this certification, such prospective primary vendor shall attach an explanation to this bid.

AUTHORIZED AGENT • PLEASE PRINT

VENDOR	
Enprotec / Hibbs & Todd, Inc.	
NAME	**TITLE**
Joe Mangrem	Project Manager
SIGNATURE	**DATE**
Joe Mangrem	November21, 2023

CITY OF SAN ANGELO, TEXAS
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
325.657.4219 • sapurch@cosatx.us

Disclosure of Certain Relationships

NOTICE TO VENDORS

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

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

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

Jeffrey Tomlinson
Purchasing Manager

LOCAL GOVERNMENT OFFICERS OF THE CITY OF SAN ANGELO

Local Government Officers of the City of San Angelo as defined by Chapter 176 of the Texas Local Government Code (Revised June 21, 2023)

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

City of San Angelo City Council:

Mayor: Brenda Gunter

Council members:
Tommy Hiebert, SMD 1
Tom Thompson, SMD 2 (Mayor Pro Tem)
Harry Thomas, SMD 3
Lucy Gonzales, SMD 4
Karen Hesse Smith, SMD 5
Larry Miller, SMD 6

City Manager: Daniel Valenzuela

Development Corporation Officers:

Max Puello, President
Dr. Clifton Jones, First Vice President
Rick Mantooth, Second Vice President
Dr. Ruben Ceballos, Director
Joe Spano, Director
Steven Mahaffey, Director
Dr. Farrah Gomez, Director

Interim Executive Director: Michael Dane

CITY OF SAN ANGELO, TEXAS
PURCHASING DIVISION
72 West College Avenue, San Angelo, Texas 76903
325.657.4219 • sapurch@cosatx.us

Local Preference Consideration
Application

Vendor Name: Enprotec / Hibbs & Todd, Inc.

Physical Address: 402 Cedar Street Abilene, Texas 79601

Mailing Address: 402 Cedar Street

City, State, Zip Code: Abilene, Texas 79601

Vendor Type:

- ◉ Corporation – Indicate state of incorporation Texas
- ○ Partnership – Indicate "general" or "limited" _____
- ○ Sole proprietorship

Attachments:

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

Certification:

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

AUTHORIZED AGENT • PLEASE PRINT

VENDOR	
Enprotec / Hibbs & Todd, Inc.	
NAME	**TITLE**
Joe Mangrem	Project Manager
SIGNATURE	**DATE**
Joe Mangrem	November 21, 2023

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Gail Smith, Budget Analyst, Police

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider a resolution authorizing the San Angelo Police Department to utilize the Community Protection Program grant for FY2024 funded through the Office of the Governor (Frank Carter)

Staff Recommendation:

Approve

Summary/History:

The State of Texas, Office of the Governor, has awarded to the San Angelo Police Department a grant of $10,000. The grant project is titled FY24 Community Protection Program under the Edward Byrne Memorial Justice Assistance Grant Program, Bureau of Justice Assistance and is pass thru grant from the State of Texas. The Police department requested funds for the purchase of Naloxone (generic Narcan) to equip patrol units with this life-saving medication to treat known cases of opioid overdose when encountered during a call for service/assistance by the public. Police officers may be accidentally exposed to fentanyl during a traffic stop or during an investigation and this exposure can result in respiratory depression or respiratory arrest, as well as other debilitating symptoms such as disorientation, loss of consciousness, nausea/vomiting and dizziness for police officers.

Funding Source(s):

Financial Impact:

There is no matching funds requirement for this grant.

Other Information/Recommendation:

The Police Department began tracking the use of naloxone in 2022. San Angelo Police Officers have administered naloxone to suspected overdose victims on 11 occasions. On all but one of the occasions, the victims recovered.

Attachments:

1. Grant Award_CommunityProtectionGrantFY24 — Grant Award_CommunityProtectionGrantFY24.pdf
2. Resolution OOG 4707401 Grant Community Protection Program — Resolution OOG 4707401 Grant Community Protection Program.docx

Presentation:

Frank Carter

Approvals/Reviews:

Gail Smith	Created/Initiated
Frank Carter	Approved
Theresa James	Approved
Jeffrey Tomlinson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Heather Stastny	Final Approval

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter E, Division 4 of the Texas Administrative Code, and the Texas Grant Management Standards (TxGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	4707401	**Award Amount:**	$10,000.00
Date Awarded:	10/24/2023	**Grantee Cash Match:**	$0.00
Grant Period:	10/01/2023 - 06/30/2024	**Grantee In Kind Match:**	$0.00
Liquidation Date:	09/28/2024	**Grantee GPI:**	$0.00
Program Fund:	DJ-Edward Byrne Memorial Justice Assistance Grant Program	**Total Project Cost:**	$10,000.00
Grantee Name:	San Angelo, City of		
Project Title:	FY24 Community Protection Program		
Grant Manager:	Marvin Alcorn		
Unique Entity Identifier (UEI):	KZC2VLA6F2P9		

CFDA:	16.738 - Edward Byrne Memorial Justice Assistance Grant Program
Federal Awarding Agency:	U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance
Federal Award Date:	9/22/2021
Federal/State Award ID Number:	15PBJA-21-GG-00289-JAGX
Total Federal Award/State Funds Appropriated:	$14,531,729.00
Pass Thru Entity Name:	Texas Office of the Governor – Criminal Justice Division (CJD)
Is the Award R&D:	No
Federal/State Award Description:	The purpose of this program is to reduce crime and improve the criminal justice system.

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS AUTHORIZING APPLICATION FOR THE OFFICE OF THE GOVENOR GRANT PROGRAM FOR OPERATION OF THE COMMUNITY PROTECTION PROGRAM

WHEREAS, the City of San Angelo City Council finds it in the best interest of the citizens of San Angelo, that the FY24 Community Protection Program administered by the Office of the Governor to be operated for the FY 2024; and

WHEREAS, the award amount of this grant is $10,000 which will be used for the purchase of NARCAN to be used by our officers; and

WHEREAS, City of San Angelo agrees there are no matching funds as per grant stipulations or the said project as required by the Office of the Governor grant application; and

WHEREAS, City of San Angelo City Council agrees that in the event of loss or misuse of the Office of the Governor funds, City of San Angelo City Council assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, City of San Angelo City Council designates the City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED on this 5th day of December, 2023 that City of San Angelo City Council approves submission of the grant application for San Angelo Police Community Protection Grant #4707401 to the Office of the Governor.

_____
MAYOR BRENDA GUNTER

ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Theresa James, City Attorney, Legal

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider a resolution authorizing the City of San Angelo to participate with the cities served by AEP Texas in hiring legal counsel to participate in PUC Docket No. 55820 in which AEP is seeking to increase electric distribution rates by approximately $47.3 million (Theresa James)

Staff Recommendation:

Adopt

Summary/History:

On November 15, 2023, AEP Texas Inc. ("AEP") filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF") to increase distribution rates within each of the cities in their service area. In the filing, the Company seeks an increase in distribution revenues of approximately $47.3 million (an approximately $2.09 increase to the average residential customer's bill from the rates approved in the Company's most recent DCRF case).

The resolution authorizes the City to join with the Cities Served by AEP ("Cities") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Funding Source(s):

Financial Impact:

Company will reimburse cities for their reasonable-rate case expenses.

Other Information/Recommendation:

Attachments:

1. Resolution AEP Rate Case Intervention — Resolution AEP Rate Case Intervention.doc

Presentation:

Theresa James

Approvals/Reviews:

Theresa James	Created/Initiated
Heather Stastny	Final Approval

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO LEGAL COUNSEL.

WHEREAS, the City of San Angelo, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about November 15, 2023 AEP filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 55820, seeking to increase electric distribution rates by approximately $47.3 million (an approximately $2.09 increase to the average residential customer's bill from the rates approved in the Company's most recent DCRF case); and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application.

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

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 55820.

Section 2. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Jamie Mauldin, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 5th day of December, 2023.

_____
Brenda Gunter, Mayor

ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Consider approving TIRZ Board recommendation of additional incentive funding for two previously approved projects in the South TIRZ
1. 213 N. Chadburne
2. 1 W. Concho (Aaron Vannoy)

Staff Recommendation:

Approve

Summary/History:

During the FY2022-23 accrued interest in the South TIRZ zone was an additional $9,145. The TIRZ Board recommends splitting this between two projects that did not receive their full amount during the regular TIRZ award cycle. The additional amount is $4,572.50 each for the previously approved projects.

Funding Source(s):

Financial Impact:

Other Information/Recommendation:

Attachments:

1.	213 N Chadbourne - Valley Vending	213 N Chadbourne - Valley Vending.pdf
2.	5 west concho app	5 west concho app.pdf

Presentation:

Aaron Vannoy

Approvals/Reviews:

Aaron Vannoy	Created/Initiated
Aaron Vannoy	Approved

Holly Voth	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

TIRZ SOUTH INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed

SECTION 1: PROPERTY INFORMATION

Business Name: Valley Vending Date: 12/13/21

Business Owner (if different from above): Stephannie Rylie

Business Address: 213 N Chadbourne St Mailing Address: Same

Business Phone: 903-390-1457 Secondary Phone:

Email: amanda_blackerby@yahoo.com Fax:

Property Owner: Stepphanie Rylie

Remit Incentive Payment(s) to: ☐ Property Owner ☒ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement on this application. Applications will not be accepted without this information

SECTION 2: PROJECT CRITERIA FOR EVALUATION OF APPLICATION:

These criteria are also outlined on page 1 of the TIRZ South Incentives Policy and are to be utilized in the preparation of required documents as outlined in Section 4 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 5 of the TIRZ South Incentives Policy.

Does the proposed project:

- ☐ Provide connections between activities?
- ☐ Improve pedestrian & vehicular infrastructure?
- ☐ Provide or reinforce usable & defined space?
- ☒ Strengthen the focus area's identity?
- ☐ Support the goals of making the area a cultural, leisure, and tourist destination?
- ☐ Improve the utilities and/or drainage infrastructure?
- ☐ Remediate environmental deficiencies or enhance public safety?
- ☐ Promote mixed-use development?

SECTION 2: PROJECT CRITERIA FOR EVALUATION OF APPLICATION (cont.)

- ☐ Utilize architectural styles that compliment historic areas already in existence?
- ☐ Help to mitigate or eliminate undesirable views or outside storage?
- ☐ Reduce the visual impact of parking areas?
- ☐ Preserve or provide natural landscaping?
- ☐ Implement environmentally friendly features such as, green building materials, rainwater harvest, or low-energy heating and cooling?
- ☒ Include an aggressive match by the applicant, in excess of what is minimally required?

SECTION 3: INCENTIVE TYPES

Below are the various types of incentive to which the requested funding may be applied. Carefully review the TIRZ South Incentives Policy, specifically pages 2 and 3, and familiarize yourself with each type of incentive category. Please indicate below which item(s) you propose for the amount of funding requested in Item 4C (under Award Amounts on pages 4 and 5 and included in more detail in Worksheet A) to be utilized for.

- ☒ Façade Improvement
- ☐ Landscape Installation
- ☐ Historic Preservation
- ☐ Outside Storage Screening
- ☐ Paving (as part of an overall funding package)
- ☐ Secondary Egress
- ☐ Asbestos Abatement
- ☐ Fire Sprinkler & Monitored Smoke Alarm System
- ☐ Sales Tax
- ☐ Property Tax
- ☐ Job Creation Incentives
- ☐ Development Fee Reductions

SECTION 4: CHECKLIST OF REQUIRED APPLICATION DOCUMENTS

The following documents—In addition to a completed application—are minimum requirements. Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin on incentive items requested until a Letter to Proceed is received. (See pages 4 and 5 of the TIRZ South Incentives Policy).

- ☐ *APPLICATION: Completed & signed application (this document)*
- ☐ *PROJECT BUDGET: A detailed accounting, using Worksheet A, of how the amount requested in Item 4C would be applied to the incentive categories identified in Section 3, and how the match would be utilized. Note that the total must match the amount listed in Item 4B*
- ☐ *RENDERINGS/ELEVATION DRAWINGS: Sketches, drawings, or pictures of the work to be performed must be provided, (what the project will look like when complete)*
- ☐ *CURRENT PHOTOS*
- ☐ *W-9: Used for establishing an account for payment by the City of San Angelo.*
- ☐ *NARRATIVE/SUMMARY: Used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 2.*
- ☐ *ZONE/IMPACT STATEMENT: Projects the activity and economic benefit that will be generated as a direct result of the completion of the project.*
  - *Activities/benefits generated by the Project*
  - *Activities/benefits of adjacent properties*

SECTION 4: CHECKLIST OF REQUIRED APPLICATION DOCUMENTS (cont.)

- *How the project will enhance the District*

☐ *CURRENT APPRAISED VALUE OF THE SUBJECT PROPERTY:* $99,000

☐ *DHRC APPROVAL: (if applicable)*

☐ *PRIOR TIRZ FUNDING: (if applicable) that has been previously awarded to the property applying*

SECTION 5: AWARD AMOUNTS

The funding level, as described on page 3 of the TIRZ South Incentives Policy, outlines the various procedures for each proposal and determines the procedure for consideration and action.

4A. This proposed project is submitted, with a request for funding:

☐ Which is less than or equal to $10,000

☒ Which is greater than $10,000

4B. The total estimated project cost is $300,000, as detailed in Worksheet A. This includes any match required as outlined on page 3 of the TIRZ South Incentives Policy

4C. The amount of funding requested is $75,000, as detailed in Worksheet A, attached.

SECTION 6: STATEMENT OF UNDERSTANDING

1. I agree to comply with the guidelines and procedures of the TIRZ Incentives Program, and acknowledge that I have reviewed and understand the current TIRZ North Incentives Policy

2. I understand that no work on the approved incentive items can begin until and unless an official Letter to Proceed is provided to me. Any other work done on approved incentive items is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.

3. I understand that neglecting to provide all information required in and by this application will invalidate my application.

4. I understand that I must submit cost documentation—including evidence of estimated costs as part of the budget, and including paid invoices and/or receipts from contractors after the work is complete—in order to comply with the requirements of this program. I further understand that the City may contact contractors or subcontractors to ensure they have been paid.

5. I acknowledge the deadlines outlined on pages 3 and 4 of the TIRZ South Incentives Policy and realize that my funding proposal may be denied, partially approved, and is subject to funding availability.

6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected and returned immediately.

Signature of Property Owner [signature] Date: 12/15/21

SECTION 7: REPRESENTATIVE

I hereby designate Chuck Corfield/Barbara Williams as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at

325-949-5087

After you have completed all of the items outlined in Section 4 of this application, please call Shannon Scott in the Economic Development Department at 325-653-7197 ex. 4 to schedule a meeting to review all documents.

FOR OFFICE USE ONLY:

COMPLETE? **Y** **N**

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

WORKSHEET A

Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant):

Total Estimated Project Cost:

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Prep. Front of Building for Plaster	Facade Improvement	4,000.00	$4,000.00
2	Plaster complete front of Building	Façade Improvement	56,000.00	$56,000.00
3	Finish demo of upper wall	Facade Improvement	4,000.00	$4,000.00
4	Install Curtain Wall and New Doors on Store Front (Exterior)	Facade Improvement/Applicant Match	20,100.00	$20,100.00
				$84,100.00

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

_Charles Corfield_____12/21/2021_____

_____

Applicant or representative Date

FOR OFFICE USE ONLY:

_____

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:**_____ **Document Effective as of:** _____

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Stephannie Rylie

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☑ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
1200 Governors Dr

Requester's name and address (optional)

6 City, state, and ZIP code
Corsicana TX 75110

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
2 5 0 – 3 7 – 3 2 2 0

or

Employer identification number
–

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** **Date ▶** 12/13/2021

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

2 eleven

VALLEY
VENDING
SNACKS, DRINKS, & AMUSEMENT
V

Request for TIRZ Funds for Valley Vending
213 N. Chadbourne Street

Valley Vending is a San Angelo business that specializes in the sale and repair of pool tables, jukeboxes, and vending machines for both business and personal use.

Before Valley Vending purchased 213 N. Chadbourne, the building housed a resale shop that had no air conditioning, heating, lighting, or a public bathroom.

The interior of the building has been completely remodeled to include a new HVAC system, new LED lighting, office spaces, showroom, and a warehouse.

Our request for TIRZ funds is to improve the façade and exterior of the building. You will notice in the pictures provided that the front of the building has been boarded up, due to a recent drunk driver accident. The driver was uninsured and drove his vehicle through the middle of our storefront. We are asking for the full grant amount, with a full applicant match of $18,750, but we will be including an additional $100,000+ to finish this project. The TIRZ money will be used to update the exterior building material with plaster and paint, as well as install a curtain wall for new glass.

Zone Impact:

Upon completion of this project, this building will bring new life to the west side of North Chadbourne with an updated and aesthetically pleasing historical look, but with the efficiencies of new construction. It will be equally as pleasing as our neighbor at 211 N. Chadbourne, which will undoubtedly complete this block and raise property values.

Completion of the exterior will also stimulate economic prosperity to this region by inspiring more people to venture to this side of downtown and feel safe while doing so. It will likely increase foot traffic to our neighbors at The Grind and Dix Key Shop.

This project will bring the exterior of our building from that of an eyesore to a new beautiful addition that will complement the downtown area as well as our entire city.

Valley Vending thanks the City of San Angelo for the TIRZ program and hopes they can receive financial assistance in the beatification of downtown San Angelo with these building improvements.

Effective 9/1/2022

TIRZ INCENTIVES APPLICATION & CHECKLIST

Fill in all blanks below and check applicable boxes for each item. All fields must be completed; "see attached" is not an appropriate response. Incomplete applications will not be processed.

SECTION 1: PROPERTY INFORMATION

Business Name: Angry Cactus Date: 4/26/23

Business Owner (if different from above): Tim Condon

Business Address: 1 West Concho Ave. 76903 Mailing Address 1 West Concho Ave 76903

Business Phone: (325) 939-9011 Secondary Phone: (325) 703-6999

Email: chefomaha@yahoo.com chefomaha Fax: N/A

Property Owner: 1 West Concho Ave LLC

Remit incentive payment(s) to: ☒ Property Owner ☐ Business Owner

NOTE: A W-9 for the applicable party checked above is a requirement of this application. Applications will not be accepted without this information.

SECTION 2: ELIGIBILITY INFORMATION

This property falls within the: ☐ TIRZ - North Eligibility Area ☒ TIRZ - South Eligibility Area
(NOTE: See attached maps)

For the South Area only, indicate if your project fits into one or more of these development categories & how it meets the description of that category:

☐ CATEGORY A - OFFICE/WORKFORCE - contributes new jobs and/or significant floor space for offices. _____

☒ CATEGORY B - RESTAURANT - contributes an additional type of cuisine or dining opportunity. _____

☐ CATEGORY C - HOUSING/HOTEL - contributes housing units for residential living. _____

☐ CATEGORY D – RETAIL/SALES - contributes a commercial business. _____

SECTION 3: INCENTIVE CATEGORIES

Below are the various types of incentives to which the requested funding may be applied. Carefully review the TIRZ Incentive Policy *adopted 08/16/2022*, specifically the different incentive types available. Please indicate below which item(s) you propose based on your funding request (Item 4C below & included in more detail on Worksheet B).

- [x] **Facade Improvement**
- [ ] **Outdoor Storage & Screening**
- [ ] **Secondary Egress**
- [ ] **Historic Preservation**
- [ ] **Paving (as part of larger project)**
- [ ] **Asbestos Abatement**
- [x] **Landscape Installation**
- [x] **Sprinkler & Monitored Smoke Alarm System**
- [x] **Sales Tax**
- [x] **Property Tax Abatement**
- [x] **Development Fee Reductions**

SECTION 4: FUNDING LEVEL

The funding level, as described in TIRZ Incentive Policy, outlines the various procedures and requirements for a proposal.

4A. The amount of funding requested is:

- [ ] Less than or equal to $10,000
- [ ] Less than or equal to $25,000
- [x] More than $25,000

4B. The total estimated project cost is: $101,923.

4C. The amount of funding requested is: $75,000, as detailed on Worksheet A, attached.

4D. The amount of proposed match (which must be TIRZ-eligible expenses) is: $25,596, as detailed on Worksheet A, attached.

SECTION 5: CRITERIA FOR EVALUATION OF APPLICATION

These criteria are also outlined on pages 2 & 3 of the TIRZ Incentive Policy adopted 07/21/15 and are to be utilized in the preparation of required documents as outlined in Section 6 of this application. Applicant is responsible for demonstrating which criteria are applicable to the proposed project and why. Proposed projects submitted during the application window will be ranked and the highest ranked will be considered for funding first. Rankings will be determined as outlined on page 2 of the TIRZ Incentives Policy

Does the proposed project:

- [x] Provide connections between activities?
- [x] Improve pedestrian & vehicular infrastructure?
- [x] Provide or reinforce usable & defined open space?
- [x] Strengthen the focus area's identity?
- [x] Support the goals of making the area a cultural, leisure, and tourist destination?
- [x] Improve the utilities and/or drainage infrastructure?
- [x] Remediate environmental deficiencies or enhance public safety?
- [x] Promote mixed-use development?
- [x] Utilize architectural styles that compliment to historic areas already in existence?
- [x] Help to mitigate or eliminate undesirable views or outside storage?
- [x] Reduce the visual impact of parking areas?
- [x] Preserve or provide natural landscaping?
- [x] Implement environmentally friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- [x] Include an aggressive match by the applicant, in excess of what is minimally required?

SECTION 6: CHECKLIST OF REQUIRED DOCUMENTS

The following documents - in addition to a completed application - are minimum requirements.
Incomplete submittals WILL NOT BE REVIEWED for funding. Work may not begin until a Letter to Proceed is received.

- ☑ *SUMMARY: a written summary outlining the overall scope of work to be performed;*
- ☑ *APPLICATION: completed & signed application (this document);*
- ☑ *W-9: used for establishing an account for payment by the City of San Angelo;*
- ☑ *NARRATIVE: used to demonstrate how the proposed project meets the criteria you selected as applicable in Section 5*
- ☑ *PROJECT BUDGET: a detailed accounting, using Worksheet A, of how the amount requested in Item 4C and 4D on the previous page would be applied to the incentive categories identified in Section 3 above, and how the match would be utilized. Note that the total must match the totals for items 4C and 4D and CANNOT include non-eligible items for funding or match.*
- ☑ *DHRC LETTER OF APPROVAL: If the project is within the Downtown Design District, the River Corridor District, a historic overlay zone, or any other district in which projects must be reviewed by the City's Design and Historic Review Commission (DHRC), a letter of approval for the project MUST BE PROVIDED with your application.* ***Applications that require DHRC approval for which no approval has been obtained WILL NOT BE CONSIDERED. Please contact the City's Planning and Development Services Department to assist in determining if such approval is required.***

SECTION 7: STATEMENT OF UNDERSTANDING:

1. I agree to comply with guidelines and procedures of the TIRZ Incentives Program and acknowledge that I have reviewed and understand the current policy (adopted by City Council on August 16, 2022).
2. I understand that no work on the proposed project may begin until and unless an official **Letter to Proceed** is provided to me. Any other work done is ineligible for funding. I further understand that no such document will be issued until an agreement reiterating the requirements of this policy is executed by all parties.
3. I understand that neglecting to provide all information required in and by this application will invalidate my application entirely.
4. I understand that I must submit cost documentation - including evidence of estimated costs as part of the budget and including paid invoices and/or receipts from contractors after the work is complete - in order to comply with the requirements of this program. I further understand that the City may contact contractors and subcontractors to ensure they have been paid.
5. I acknowledge that my funding proposal may be denied, partially approved, or fully approved, and is subject to funding availability.
6. I acknowledge that all documents as outlined in this application are minimum requirements and that incomplete applications will be rejected.

Signature of Property Owner Addison Lee Bergen Date: 30 May 23

SECTION 6: REPRESENTATIVE:

I hereby designate Tim Condon as my representative on this project and prefer that any communication regarding this project be addressed to them directly. They may be reached at: (325) 939-9011 chefomaha@yahoo.com.

After you have completed this application and submitted the required exhibits, please mail or deliver this information to the Economic Development Department located at 69 N. Chadbourne St. in the Business Resource Center. The City may, at their discretion, request additional information regarding this application. Failure to provide such information in a timely manner may result in delay or rejection of your application.

FOR OFFICE USE ONLY:

COMPLETE? Y N **SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST** **DATE**

WORKSHEET A

Proposed Project Budget

Below is a chart for summarizing the proposed project's scope & associated costs. All guidelines outlined in the TIRZ Incentive Policy, adopted 07/21/15. This worksheet alone does not provide all of the required items.

Intended Match (money to be provided by applicant): **We intend to contribute $25,596(25.11% as required) in match money**

Total Estimated Project Cost: **$101,923.00**

Please complete all fields within the chart below. Additional copies may be made of this form if necessary.

Item #	Work to be Performed	Incentive Type / Match	Unit Cost	Total
1	Demolition of Façade, Removal of old plywood. Demo per plan..	Façade Improvements/**Match**	**$7,500**	**$7,500**
2	Exterior Door install(Labor)	Façade Improvements/**Match**	**$500**	**$500**
3	Landscaping, Tree Trimming along Concho Ave. Installation of drought resistant plants	Landscape Installation/**Match**	**$4,000**	**$4,000**
4	Repair of Stone/Brick Facade	Façade Improvements/**Match**	**$1,500**	**$1,500**
5	Framing for Exterior Facade	Façade Improvements/**Match**	**$12,096**	**$12,096**
6	Storefront Glass	Façade Improvements	$28,301	$28,301
7	Fire Sprinkler Adjustments	Fire/Sprinkler	$15,438	$15,438
8	Exterior Doors and Transit per plans	Façade Improvements	$16,850	$16,850
9	Glass Doors Per Plans	Façade Improvements	$13,238	$13,238
10	TCEQ, Permits, Inspections and Fees	Development Fees	$2,500	$2,500
		Total Match Money	$25,596	
		Total TIRZ Funds Requested	$75,000	
		Total TIRZ Eligible Expenses	$101,923	

I certify that the information above is accurate in its representation of itemized costs. I understand that additional information may be requested to substantiate these amounts and will promptly provide such information.

Applicant or representative

5/31/23
Date

FOR OFFICE USE ONLY:

SIGNATURE OF ECONOMIC DEVELOPMENT SPECIALIST **DATE**

RANKING INFO: _____ **APPROVED FOR FUNDING? Y N** **FINAL INCENTIVE AMOUNT:** _____

DATE OF PAYMENT: _____ **CHECK NUMBER:** _____ **CONTRACT EXECUTED:**_____ **Document Effective as of:** _____

TIRZ Summary

The façade at 5 East Concho is in disrepair and quite frankly an eye sore for downtown San Angelo. It is a vacant and unused space adjacent to the Angry Cactus Restaurant. Angry Cactus would be interested in expanding the inside of the restaurant and moving into 5 East Concho if we are able to secure funds for the Façade as well as the fire sprinkler system. We would also request a Property Tax abatement if we were to make this investment into the building. In addition, we will request to be able to take advantage of any reductions in department fees that are available as part of the TIRZ Grant program.

If we are able to secure TIRZ funds we plan on making the approximately 2500 square feet into dinning space as well as improving the existing kitchen at the Angry Cactus to accommodate the additional Jobs and business generated from this improvement. We feel that with current construction costs rising, without funding from TIRZ, we will not be able to pursue these improvements.

DHRC has already approved the design of the façade and it is consistent with the design regulations required by law. Please see the additional information we provided regarding the details of the design.

TIRZ Narrative

This project checks every box in the criteria outlined in section five of the TIRZ application. By improving the façade and constructing this additional space, Angry Cactus will be able to facilitate much needed meeting/Entertaining/Drinking and Dinning space in Downtown San Angelo. This is consistent with the promotion of the cultural, Leisure and tourism requirements as well as promotes mixed use development; Not to mention it strengthens the areas' identity. These are just a few basic ways this project will help with the connectivity between activities required in section 5.

Additional improvements will also be made to the sidewalk and walking space along Concho Avenue. This will allow for a much safer and more pleasant pedestrian experience for folks walking on the sidewalk, strengthening the pedestrian infrastructure. It will also allow for much needed drainage relief from the worn 1950 gutters that flood every time it rains along concho Avenue. These public safety improvements are critical for the patrons of downtown San Angelo and perfectly qualify this project for TIRZ funding according to section 5 of the application.

Currently this space is vacant, undesirable, and unused. In its current state it is an old run-down and boarded up storage facility. These funds will directly contribute to the development of usable and undefined space. The improvements of this façade will directly mitigate or eliminate undesirable views in our Central business district. The enhancements will utilize architectural styles that complement the historical areas already in existence. We plan to preserve and provide additional natural landscaping adjacent to the sidewalk. All improvements to the building will be environmentally friendly and we plan to use as many "green" building materials.

Not only will we be matching funds provided by TIRZ as required, we expect to invest an additional $300,000 into the improvements of this unused and undesirable space in downtown San Angelo.

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
1 West Concho LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☒ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
PO Box 1991

Requester's name and address (optional)

6 City, state, and ZIP code
San Angelo TX 76902

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
☐☐☐ - ☐☐ - ☐☐☐☐

or

Employer identification number
47 - 3918437

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Addison Lee Bluger Date ▶ 30 May 2023

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

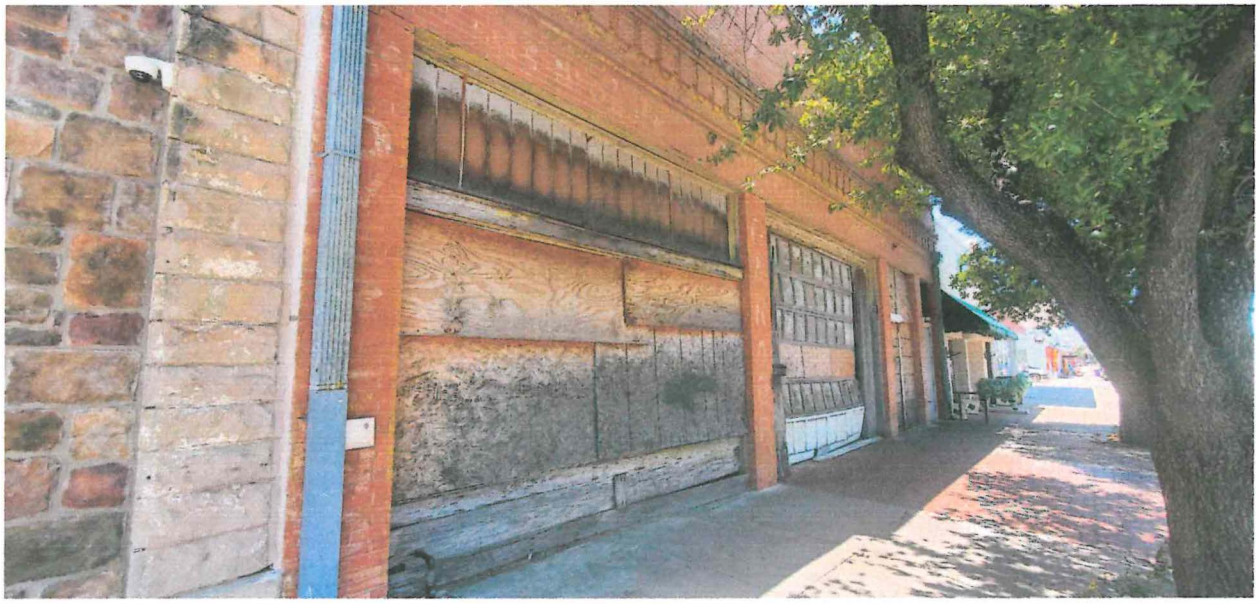
An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

5



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

May 20, 2022

Ms. Jamie Massey
4055 International Plaza, Suite 100
Fort Worth, TX 76109
jmassey@franzarchitects.com

DD22-21: 5 W. Concho Avenue, a request for Downtown District approval for an exterior remodel of the existing facade, located at 5 W. Concho Avenue.

Dear Jamie,

At its meeting on **Thursday, May 19, 2022,** the Design & Historic Review Commission for the City of San Angelo **APPROVED** your case DD22-21, a request for Downtown District approval for an exterior remodel of the existing facade, located at 5 W. Concho Avenue, **subject to two (2) conditions of approval:**

1. The colors, dimensions, and materials of all improvements shall be consistent with the renderings approved by the Design and Historic Review Commission. Minor deviations may be approved by the Planning and Development Services Director.

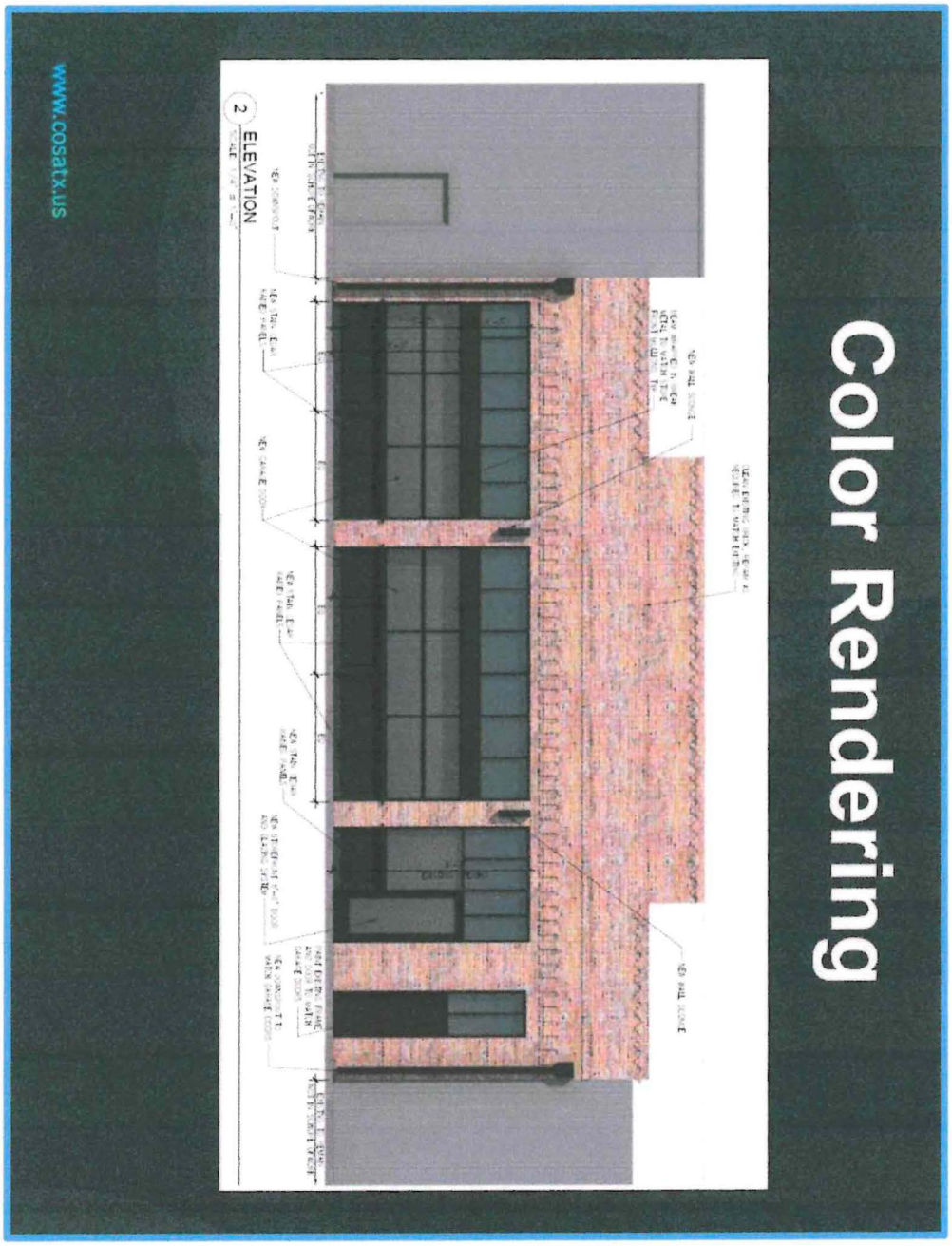
2. The applicant shall obtain all required permits from the Building Permits and Inspections Division.

Please be advised that required permits are obtainable from the City's Permits and Inspections Division. Their offices are located at 52 West College Avenue, beside San Angelo's City Hall. They may also be reached by phone at (325) 657-4210, Extension 1. We will also send a copy of this clearance letter to their attention so that they will also understand the circumstances and issue the permits accordingly. If you have any questions concerning these proceedings, please contact the Planning Division at (325) 657-4210, Extension 1550.

Sincerely,

Jeff Fisher, AICP
Chief Planner

Approved by DHRC (May 19, 2022)



Downtown District Overlay Zone

DD22-21: 5 W. Concho Ave.

Council Distnct: Harry Thomas - District 3
Neighborhood: Downtown
Scale: 1" approx. = 100 ft

5 W. Concho Avenue

Legend

Subject Properties
Current Zoning: CBD
Requested Zoning Change: N/A
Vision: Downtown

N

TIRZ INCENTIVES POLICY

BACKGROUND

To encourage revitalization and infill development of properties which fall within the Tax Increment Reinvestment Zone (TIRZ) area, the City of San Angelo offers many unique incentives. The goal is to fund projects that bring new business and positive impacts to this area in an aggressive way. Please refer to the maps at the end of this document to see if your business/property falls within the zone. For more information, contact the Economic Development Department at 325-653-7197.

These incentives are part of an overall strategy to leverage investment, lower the cost of doing business and incentivize property owners choosing to improve properties in the target area. They are also intended to preserve the architectural and historic character of buildings and corridors within the South zone.

Specifically excluded from the TIRZ Incentives Policy are properties zoned RS.

Non-profit organizations are not eligible for TIRZ incentives in the South zone, with the exception of government entities.

Non-profit organizations may be eligible for TIRZ incentives in the North zone, if the TIRZ Board and City Council make a finding that a significant economic impact will be created as a result of the project. Providing funding for a non-profit organization under this policy shall require a favorable vote of at least three-fourths of all the members of the TIRZ Board and City Council.

ELIGIBILITY

1. Must fall within the North or South TIRZ boundary (see the maps at the end of this document)
2. The *Project Criteria* listed below will be considered when making grants, but will not necessarily be required.
3. The request for funding must be composed of one or more of the eligible *Incentive Types* listed below

PROJECT CRITERIA

Does the Project:

- Provide connections between activities?
- Improve pedestrian & vehicular infrastructure?
- Provide or reinforce usable & defined open space?
- Strengthen the focus area's identity?
- Support the goals of making the area a cultural, leisure and tourist destination?
- Improve the utilities and/or drainage infrastructure?
- Remediate environmental deficiencies or enhance public safety?
- Promote mixed-use development?
- Utilize architectural styles that compliment to historic areas already in existence?
- Help to mitigate or eliminate undesirable views or outside storage?
- Reduce the visual impact of parking areas?

- Preserve or provide natural landscaping?
- Implement environmentally friendly features, such as green building materials, rainwater harvest, or low-energy heating and cooling?
- Include an aggressive match by the applicant, in excess of what is minimally required?

INCENTIVE TYPES

- ***Façade Improvement-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in façade improvements on existing buildings which are part of approved projects. Signage can be funded as part of broader aesthetic improvements, but generally will not be funded as a standalone project, with the exception of repair and revitalization of historic signage in the downtown.
  In the South zone, review and approval of the proposed façade design will be based upon the design standards outlined in the River Corridor Master Development Plan. For buildings identified as resources within the 2006,2009 or 2021 Historic Resources Survey, or which are historically designated, the review and approval of the proposed design will also be based upon the design standards outlined in the Central Business/Old Town Historic District Design Guidelines. Buildings identified as resources in the 2006, 2009, or 2021 Survey are strongly encouraged to apply, at no cost to the applicant, for a Historic Overlay through the Design and Historic Review Commission.

- ***Historic Preservation-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the preservation, sustainability and conservation of historic buildings, structures and materials that maintain or revitalize the building or property's historical integrity.

- ***Landscape Installation-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in new landscaping for approved projects. Review and approval of the proposed landscaping design will be based upon the design standards outlined in the River Corridor Master Development Plan and plant selection as outlined in the Drought Tolerant Plantings Guide.

- ***Outside Storage Screening-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the screening of outside storage areas.

- ***Paving-*** As part of an overall funding package, TIRZ funds could cover a portion or all of the costs involved in paving (or demolition as part of an overall redevelopment project). This could include parking areas, driveways, sidewalks, and curbing on properties where such improvements are associated with a business or other use (i.e., not improvements to an undeveloped lot or vacant property). However, independent paving projects in the South TIRZ area, such as for a parking lot, will generally not be funded unless part of a larger improvement project or where the parking lot includes aesthetic improvements such as screening, landscaping, etc. to help improve the appearance of the property and the zone.

- ***Secondary Egress-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of additional exits *if required* by International or Fire Building codes. Written verification by the Fire or Building Code Official that the additional exit(s) are required must be provided.

- ***Asbestos Abatement-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the abating of asbestos *if required* by International Fire or Building codes.

- ***Fire Sprinkler System & Monitored Smoke Alarm System-*** As part of the funding package, TIRZ funds could cover a portion or all of the costs involved in the installation of a fire sprinkler system or monitored smoke alarm system.

- ***Sales Tax-*** As part of the funding package, TIRZ funds could cover the sales tax on locally-purchased construction materials used on an approved project.

- ***Property Tax-*** As part of the funding package, TIRZ funds may be considered to cover a portion of property taxes – specifically the increment between the original appraised tax amount and the new appraised tax amount following improvements – beginning with the year a Certificate of Occupancy is granted in accordance with the schedule below. Property Tax incentives will only be considered for projects that have an overall total investment of $750,000 or more. This is generally not a preferred funding mechanism but will be considered on a case-by-case basis for substantial projects based on the projected economic impact to the City. Applicants that are awarded for property tax incentive funding must show proof of payment of property taxes on or before February 1st of the payment year or will face forfeiture of their tax rebate for that year. Year 1 will include the first year in which the improvements are reflected in the new appraised value from the Tom Green County appraisal district. **Property tax incentives will be awarded *in addition* to the other listed incentives and are not counted toward the maximum award amounts.**

Year	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Rebate	100%	90%	80%	70%	60%

- ***Job Creation Incentives-*** This Incentive Policy does not preclude or serve as a guide for any incentives that may be granted based upon job creation by the City of San Angelo Development Corporation (COSADC). For more information about incentives possible from this source, contact the Economic Development Department at 325-653-7197.

- ***Development Fee Reductions-*** As part of the funding package, TIRZ funds could cover development fees including:

  - Preliminary Plat, Final Plat, Amended Plat and Replat application fees
  - Abandonment of public right-of-way application fees
  - Application fees for release of easements
  - Dedication of a public right-of-way or easement
  - Special Use, Conditional Use or Zone Change application fees
  - Building Permit fees
  - Off-site sign demolition permit fees (removal of billboards)
  - Permit fees for demolition of any non-historic building or structure
  - Architectural fees
  - Engineering fees
  - Water tap fees

REQUIRED APPLICATION DOCUMENTS

- A completed application
- A substantiation of the need for funding requested via a proposed project budget (Worksheet A)
- A brief narrative illustrating how the project meets the *Project Criteria* outlined on page 1
- Zone impact statement projecting the activity, economic benefit and positive impact of property taxes that will be generated as a direct result of the completion of the project(s).
    - Activities/benefits generated by the Project
    - Activities/benefits of adjacent properties
    - How the project will enhance the District
- Current appraised value of the subject property
- Renderings/Elevation drawings of the proposed work (What the project will look like when complete)
- Current photos
- A completed W-9
- Approval letter from the Design and Historic Review Commission (DHRC), if applicable
- Prior TIRZ funding (if applicable) that has been previously awarded to the subject property or applicant

(The Application and Project Budget (Worksheet A) can be found online at cosatx.us/TIRZ).

AWARD AMOUNTS

SOUTH	If total cost of Project is less than or equal to $10,000	25% minimum match required from applicant	Maximum award of $10,000
NORTH	If total cost of Project is less than or equal to $25,000	No minimum match required from applicant	Maximum award of $25,000
NORTH	If total cost of Project is greater than $25,000	10% minimum match required from applicant	Maximum award of $75,000
SOUTH	If total cost of Project is greater than $10,000	25% minimum match required from applicant	Maximum award of $75,000

Each project award may be issued as follows:

- Once the incentive funding has been authorized by the City Staff, the TIRZ Board and the City Council, an Incentive Agreement will be prepared which will outline the requirements of the policy and include recapture provisions in the event that the project is not completed within a two year period, or not completed in accordance with the approved drawings and Incentive Agreement. If the project cannot be completed within the 2 year period, extensions must be requested and granted by the TIRZ Board. Work can begin on other portions of the project, however, *work may not begin on the approved incentive items until an Incentive Agreement is executed and* a *Letter to Proceed is issued.* Payment of the incentive funds will be remitted once the project is complete and deemed compliant with the approved drawings and Incentive Agreement.
- A property subject to a TIRZ Incentive Agreement may not be sold for a period of 2 years after the completion of the project, subject to recapture of incentive funds for noncompliance. In addition, any taxable property subject to a TIRZ Incentive Agreement must remain as taxable property for a period of at least 5 years after the completion of the project, subject to recapture of incentive funds for noncompliance.
- Project costs used as matching funds must be for TIRZ-eligible expenses.

AWARD RANKINGS

Projects in the South TIRZ area will be considered during one or more application cycles each Fiscal Year. Projects in the North TIRZ area will be considered throughout the year and applications may be submitted at any time. Proposed projects submitted during the application window(s) will be ranked and the highest ranked will be considered for funding first.

Rankings will be determined in review utilizing:

- The project fulfilling one or more of the *Project Criteria* listed on page 1
- The appearance of the proposed project
- The location of the proposed project
- Projects will be prioritized based on the following:
    - High priority – housing, historic preservation, fire sprinklers and related improvements, and building aesthetics
    - Medium priority – landscaping, other aesthetic improvements, and other health/safety improvements
    - Low priority – internal building improvements and signage
    - Lowest priority – parking lots and other paving (and only funded as part of a larger project)
- In general, sites and/or owners that have not received funding within the past year will be prioritized over those that have received funding.
- Projects improving a blighted property will be prioritized over properties that are not blighted.
- Physical improvements visible from a public street right-of-way will be prioritized over improvements that are not visible from a public street right-of-way.
- An occupied building or one with immediate occupancy planned will be prioritized over vacant buildings.
- A project that will expand the tax base or employment within the zone will be prioritized over one that does not.
- The level of investment/overall fiscal impact, as well as any other information determined pertinent by the staff, the TIRZ subcommittee,TIRZ Board, and City Council.

OTHER IMPORTANT INFORMATION

- For all projects – Receipt of a complete application package by the Economic Development Department – and issuance to the applicant of a Letter to Proceed and signed Executed Incentive Agreement is required before work can begin on the approved incentive items.
- The Letter to Proceed will include the completion date on the portion of the project that is approved for incentive funding - two years from the issuance of this letter. If an extension past two years is requested, it must be presented to the TIRZ Board for determination.
- Unlike in previous TIRZ incentive policies, applicants will not be required to submit bids for work. Rather, the applicant will provide the total cost of the project via an overall scope and project budget (Worksheet A), and demonstrate how they will meet the required match, with the remaining cost constituting the request for incentive funding. The request for incentive funding must be composed of one or more of the eligible *Incentive Types* and substantiated with a cost estimate, estimated budget, or other means of documentation.
- The maximum request for incentive funding will be considered; however, the request may be denied for incentive funding, approved for partial incentive funding, or fully approved for incentive funding, based upon how well the proposed project meets the *Project Criteria* outlined on page 1. In addition, when the current year of incentive funds are exhausted, the TIRZ Board may elect to fund additional projects when incentive funding is available, by approving the project to begin and making reimbursement – subject to all restrictions outlined in the Incentive Agreement – in the following fiscal year. In no circumstance shall an existing TIRZ Board make incentive funding commitments more than one cycle in the future.

- In 2017, the TIRZ Board voted to annually allocate at least 25% of TIRZ funding for public projects from each the North and South zones. Public project allocated funds will be accumulated annually until spent.
- All application requirements must be met in order to be eligible for the maximum reimbursement amounts.
- An appeal of any administrative decision can made to the TIRZ Board.
- All Incentive Agreements must be signed and executed within 60 days of City Council approval or applicant will forfeit all approved incentive funding.

OTHER IMPORTANT INFORMATION – SOUTH ONLY

- In determining whether or not to fund a project, City Staff and TIRZ Board Members will utilize the *Project Criteria,* some of which are contained within the recommendations of the Downtown Master Development Strategic Plan as recommended items for investment in order to realize the potential of the district, and others which were identified in the adopted River Corridor Master Development Plan and TIRZ Project Plan.

In 2013, The City Council adopted *The Downtown Master Development Strategic Plan*, which identified 3 areas of focus that the TIRZ South Zone should support.

- Category A - OFFICE/WORKFORCE- This includes potential building area, vacant office space and new office space
- Category B - RESTAURANT/ENTERTAINMENT- This includes food services and drinking places, full-service restaurants, limited service eating places, special food services, drinking places - alcoholic beverages
- Category C - HOUSING/HOTEL- This includes multi-family units

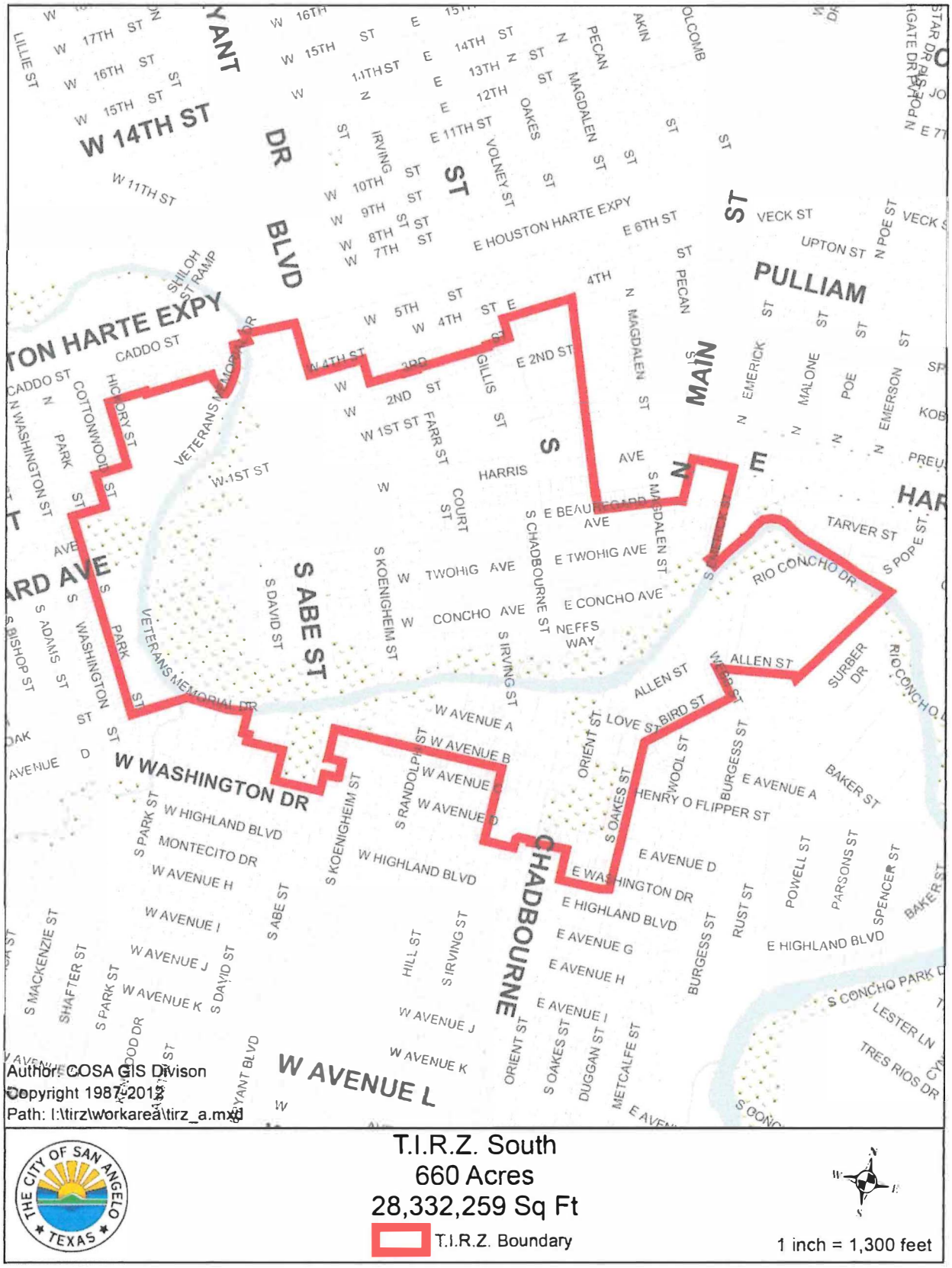
In addition, the TIRZ Board identified the following additional area of focus for the TIRZ South Zone.

- Category D - RETAIL/SALES

ZONING REQUIREMENTS

Any business which applies for incentives through the TIRZ Policy and is currently zoned CG/CH must rezone their property. Proposals for CG/CH zoning were banned by the San Angelo Planning Commission and City Council in 1972 due to the harmful effects created such as unlimited outside storage and a range of incompatible allowed uses. ***Rezoning fees for this item will be waived.***

Unless specifically exempted, all projects seeking TIRZ incentive funding must meet current building standards, codes and permitting requirements as well as be current on all taxing obligations. All TIRZ incentives are subject to incentive funding availability and final approval by the City Council. The City of San Angelo has adopted the International Existing Building Code, a developer - friendly code that allows for improvements that consider the design limitations of older buildings to encourage adaptive reuse by allowing different levels of modification to existing structures. Contact the Permits Division at 325-657-4210 for further information regarding questions about the International Existing Building Code.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VECK ST
UPTON ST
PULLIAM
MAIN
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CHADBOURNE
E 2ND ST
W 1ST ST
HARRIS
COURT ST
E TWOHIG AVE
E CONCHO AVE
NEFFS WAY
ALLEN ST
LOVE ST
BIRD ST
HENRY O FLIPPER ST
E AVENUE A
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N WASHINGTON ST
VETERANS MEMORIAL DR
S DAVID ST
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S IRVING ST
S CHADBOURNE ST
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S BISHOP ST
S MACKENZIE ST
SHAFTER ST
HILL ST
ORIENT ST
DUGGAN ST
METCALFE ST
BURGESS ST
RUST ST
POWELL ST
PARSONS ST
SPENCER ST
BAKER ST
SURBER DR
Author: COSA GIS Divison
Copyright 1987-2013
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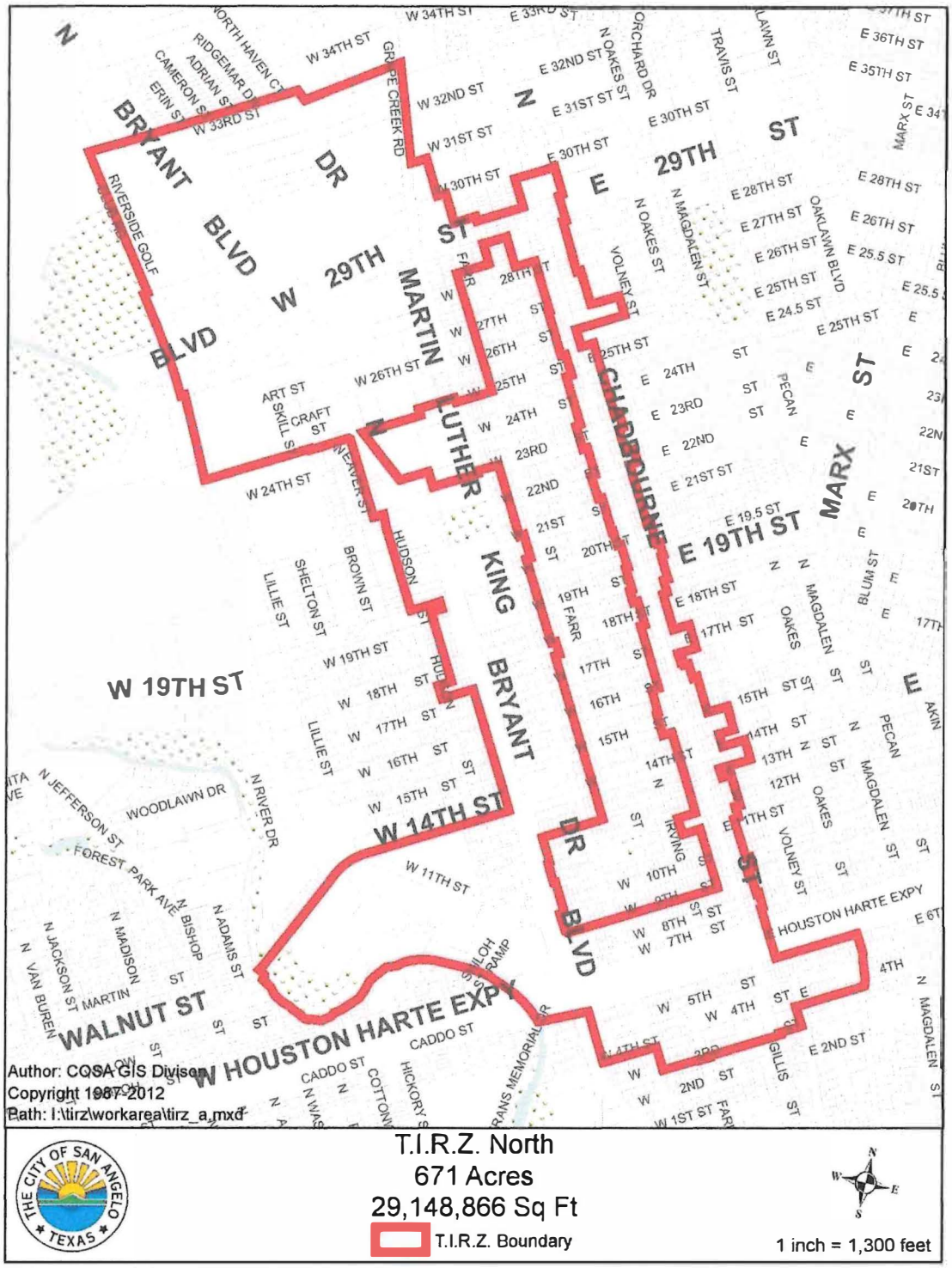
THE CITY OF SAN ANGELO TEXAS
T.I.R.Z. South
660 Acres
28,332,259 Sq Ft
T.I.R.Z. Boundary
1 inch = 1,300 feet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T.I.R.Z. North
671 Acres
29,148,866 Sq Ft
T.I.R.Z. Boundary
1 inch = 1,300 feet
THE CITY OF SAN ANGELO TEXAS
BRYANT BLVD
W 29TH ST
MARTIN LUTHER KING BRYANT DR
E 29TH ST
CHADBOURNE ST
E 19TH ST
MARX ST
W 19TH ST
W 14TH ST
WALNUT ST
W HOUSTON HARTE EXPY
HOUSTON HARTE EXPY
N JEFFERSON ST
WOODLAWN DR
N RIVER DR
FOREST PARK AVE
N JACKSON ST
N MADISON ST
N BISHOP ST
N ADAMS ST
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E 36TH ST
E 35TH ST
N OAKES ST
ORCHARD DR
TRAVIS ST
LAWN ST
N MAGDALEN ST
VOLNEY ST
OAKLAWN BLVD
PECAN ST
OAKES ST
MAGDALEN ST
BLUM ST
IRVING ST
FARR ST
HUDSON ST
BROWN ST
SHELTON ST
LILLIE ST
WEAVER ST
ART ST
SKILL ST
CRAFT ST
RIVERSIDE GOLF
RIDGEMAR DR
ADRIAN ST
CAMERON ST
ERIN ST
NORTH HAVEN CT
GRAPE CREEK RD
MARX ST
N MAGDALEN ST

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Sherry Bailey, Sr. Planner, Planning Commission

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Second reading of:
1. An ordinance for CP23-02, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St.
2. An ordinance for PD23-06, a rezoning from the Single Family Residential, Two-Family Residential, and General Commercial/Heavy Commercial zoning districts to a Planned Development zoning district to allow for Single Family Residential, Two-Family Residential, and Neighborhood Commercial zoning districts, subject to certain conditions and limitations, being approximately 19.705 acres located at the 3900, 4000, 4100, and 4200 blocks along and on either side of Coliseum Dr., south of 43rd St. and north of E. 39th St. (Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

This will change the Comprehensive Plan designation for this area from "Neighborhood" to "Neighborhood Center". This will also change the zoning of the area from RS-1 (Single Family Residential), RS-2 (Two-Family Residential), and CG/CH (General Commercial/Heavy Commercial) to a Planning Development District, allowing RS-1, RS-2, and Neighborhood Commercial uses subject to certain conditions and limitations.

Based on input from the neighborhood, these proposed conditions will both allow for limited neighborhood-compatible non-residential development, while also providing protection to address concerns of traffic, lighting, aesthetics, and general neighborhood character. The goal is to have a vibrant corridor from Chandbourne to 43rd St. direct to the Coliseum with the ability for citizens and visitors to walk safely during major events.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval of this proposed Planned Development.
At their regular meeting on October 16, 2023, the Planning Commission unanimously recommended approval of this item by a vote of 5-0.

Attachments:

1.	Coliseum Drive expanded memo 3rd	Coliseum Drive expanded memo 3rd.docx
2.	Ordinance (PD23-06)]	Ordinance (PD23-06)].docx
3.	Ordinance (CP23-02)	Ordinance (CP23-02).docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Brandon Dyson	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

MEMO

Meeting Date: October 16. 2023

To: Planning Commission

From: Sherry L. Bailey
Principal Planner, City of San Angelo

Request: Discussion and action on CP23-02 and PD23-06
19.705 acres

Background: At the April meeting of the Planning Commission, staff was asked to bring forward a discussion and plan for the area to the south of the Coliseum property. The plan was to take into consideration the fact that the area along Coliseum Drive is an entry area to the arena area and the Coliseum stadium. At the May meeting staff asked that additional time be granted to talk with those in the area that have indicated they are either in support or against any changes to the ordinance that governs how this area is regulated. At the August meeting the Planning Commission requested that staff expand the area to include the area from the Y at Chadbourne and Coliseum to about one block either side of Coliseum. That area includes where the Strips is located.

Notification: 96 notices were mailed out to property owners within the area and another 20 to property owners within 200 ft. An additional 17 persons returned comments on the second mailout. Most of those were in favor, with three against. In the expanded notice area we had comments from 4 in support and none against.

Information: The Coliseum area has been a discussion and project since 1952. The initial building project was completed in 1958. There have been additional structures built that facilitated the original intention for the area and a major expansion was completed over 20 years ago when the entrance, refreshment gathering area was built. On April 22, 2023, the board presented a major construction expansion plan that will take around 30 million dollars. It will expand the seating significantly to approximately 10,000 persons. That expansion will serve additional concerts and gatherings. The approach is to make the Coliseum an expanded entertainment center while not losing touch with its core supporters and intent.

The original effort with the purchase of the development land involved multiple meetings in the community. At least three discussions were held with surrounding property owners where their concerns were listened to, and they were assured that a plan would be forthcoming that would work to help protect their property and would make the area a positive attraction. The commercial development would be held to a minimum along Coliseum Drive and in the general area of the homes. We have had a number of calls from owners in the area concerned about the expansion and now the discussion by the City. There is

distrust. What they would like to see is for the residential use to continue and for any commercial use to be limited to small neighborhood commercial, restaurants but not fast food, smaller service retail, or offices. No chain stores, no Dollar Trees, nothing that would add to the traffic that is normally generated or generated during the rodeo. Smaller apartment complexes didn't seem to raise concern, but a hotel would. The concept of more landscaping being required along Coliseum Drive didn't receive much enthusiasm since most of the people I talked with didn't believe it would be maintained.

The area was observed at multiple times of the day and on weekends. Early in the morning and after 4:00 pm there is a large amount of traffic. The traffic generated by the rodeo is substantial, as expected, but it was managed by the police on weekends. What was observed was the speed at which traffic moved along Coliseum. There was a traffic study that recommended some extensive improvements, particularly the building of 40th Street which had a positive effect on managing the traffic. Expanding the seating and use of the Coliseum will have a dramatic effect on the amount of traffic generated, the times of the impact, and the expected demand for services.

What would be of most help for the area would be a comprehensive plan and zoning that matched that plan. There is a recognition that expansion will have an effect on this entrance into the Coliseum. It will have an effect on the existing residential uses, including in the larger area not included in our notification. It is reasonable to assume that if the zoning is left as is there will be a chipping away of the residential area and a hodge podge of development that occurs. West of Coliseum Drive there is a short area of RS-1 zoning that is up against the CG/CH that is along Chadbourne. The more inclusive heavy commercial will start to infiltrate toward Coliseum Drive. When that occurs the residential on the east of Coliseum which has already started to change into support businesses for the rodeo and auto repair service will be impacted. It is expected that the first block east of Coliseum Drive will continue to change.

The residential east of that first block would benefit from an effort to maintain the residential character of the area. A slow transition to complementary residential types could provide support for the residential character and housing for workers in the area. In turn, those workers would provide some sustainability for the neighborhood commercial that could be encouraged.

The comments staff heard most often was about the Stripes convenience store that went in shortly after the Coliseum was constructed. Because this convenience store is open 24 hours a day and the parking lot lighting is so bright, this has a negative impact on the neighboring properties. Future development and redevelopment should ensure that similar light spillover is minimized, which is addressed through a recommended condition.

There is a recognition that the area is changing but the general feeling was the owners did not want to be swallowed up by commercial development while also benefiting from potential growth. The area south of E. 40th Street and E. 41 Street and east of Coliseum is still basically residential with some homes becoming rental homes and only three areas converting to a more commercial use without a change of us with the City. In those areas if major damage occurred they would only be allowed to rebuild as a residential use without rezoning. Two lots along Coliseum Drive have rezoned and developed commercially years ago. Both are service uses. Left of Coliseum there was a change to General Commercial/Heavy Commercial (CG/CH) in 2003 which has had a major impact on the area. We would recommend including this area in the Planned Development and reference their specific use as allowed for just their location and use.

Recommendations:

1. Consider a Planned Development that provides for the residential and neighborhood commercial that could benefit both the existing owners and anticipated growth in the future from the expansion plans, with limitations to protect the concerns of the neighborhood.

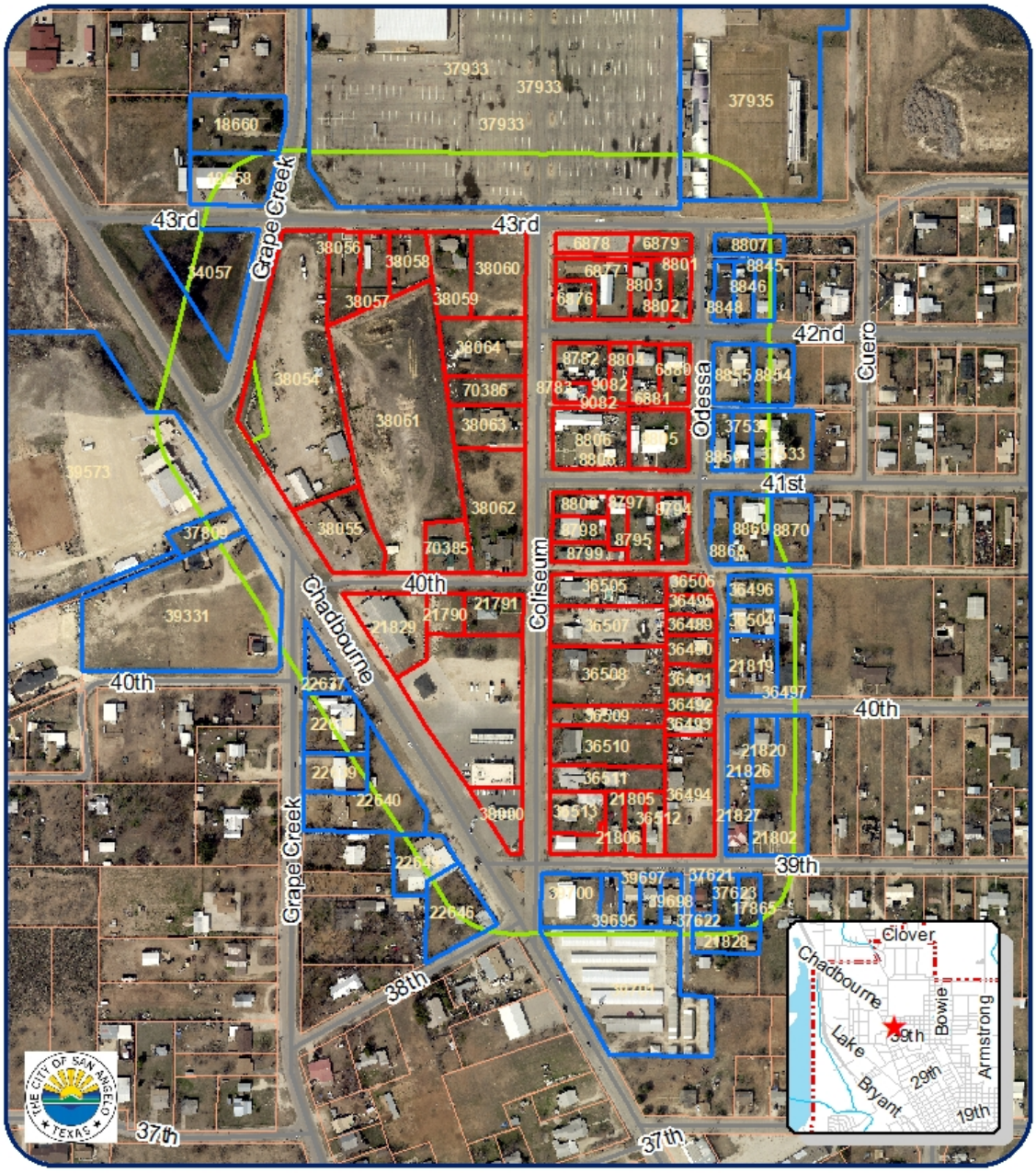
2. Consider the west side of Coliseum Drive and the more likely growth area for neighborhood commercial moving into general commercial. Set the expectations for landscaping, access, parking, lighting, and a more limited front setback that would encourage walking with parking in the rear of the smaller stores. That would keep the neighborhood concept and encourage creative conversion along with established design elements. Each of these steps would provide for slower and more incremental changes rather that a hands-off approach that has been the existing practice.

3. Work with the owners of the area and the expansion committee to include design controls and size limitations that would benefit the neighborhood. Both groups need to give input and consideration of the needs of the area and the expansion vision.

Planning Commission Requested Action:

Staff recommends the **APPROVAL** of an amendment to the Comprehensive Plan changing the future land use plan for this area from "Neighborhood" to "Neighborhood Center" and **APPROVAL** of a Planned Development District with an underlying zoning allowing the current uses of Single Family and Two-Family Residential zoning, along with uses allowed within Neighborhood Commercial zoning, subject to the limitations noted below:

1. The front setback along Coliseum will be 15 feet for both residential and commercial uses. All parking will then be encouraged to be to the rear of the buildings and the front yards designed to accommodate pedestrian accessibility.
2. For non-residential development or redevelopment, the front setback area will require a landscaping plan approved through the Urban Design Review process prior to approval of a site plan or issuance of a building permit.
3. Any signage for non-residential uses must be attached to the building and limited to 50 square feet. Freestanding signage is not allowed.
4. Use of existing homes for offices or commercial use is encouraged.
5. Non-residential uses must be compatible in size, scale, and design with the existing residential uses and the desired character of the neighborhood. Site and building design must be approved through the Urban Design Review process prior to approval of a site plan or building permit.
6. Lighting for non-residential uses shall be fully shielded in order to minimize spillover lighting and glare on adjacent and nearby properties.
7. Allowable Neighborhood Commercial uses are generally to be service and retail uses and drive-through uses are not allowed.
8. Sidewalks shall be required along both sides of Coliseum Drive and 43rd Street.
9. For purposes of this Planned Development, the Birk Monument Manufacturing Company is considered an artisan use and is considered a special allowed use within this District.



200' Notification Map
CP23-02 & PD23-04 E 39th to E 43rd

Council District: #2 Tom Thompson
Neighborhood: Lakeview
Scale: 0 0.01 0.03 0.06 0.09 0.12 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N

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 19.705 ACRES LOCATED AT THE 3900, 4000, 4100, AND 4200 BLOCKS ALONG AND ON EITHER SIDE OF COLISEUM DRIVE, SOUTH OF 43RD STREET AND NORTH OF EAST 39TH STREET;** FROM THE SINGLE-FAMILY (RS-1) TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT WITH AN UNDERLYING BASE ZONING OF NEIGHBORHOOD COMMERCIAL (CN) WITH SINGLE FAMILY AND TWO FAMILY RESIDENTIAL AS ALLOWED USES AS WELL AS THE ARTISAN USE OF BIRK MONUMENT AS OUTLINED IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD23-06: ONE BLOCK EAST AND WEST OF COLISEUM DRIVE FROM 43RD STREET TO 39TH STREET

WHEREAS, on the 16th day of October, 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 Planned Development (PD23-06) Zoning District to allow for an underlying base zoning of (CN) Neighborhood Commercial with single family and two family residential as allowed uses and an Artisan Use for Birk Monument and subject to the development standards as outlined in the Ordinance, and,

WHEREAS, on the 21st day of November 2023, City Council held a public hearing on PD23-06, 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 (PD23-06) ZONING DISTRICT:

The real property is generally located one block east and west from Coliseum Drive, south of 43rd Street and north of east 39th Street, 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 **21st day of November, 2023,** and finally PASSED, APPROVED AND ADOPTED on this the **5th day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

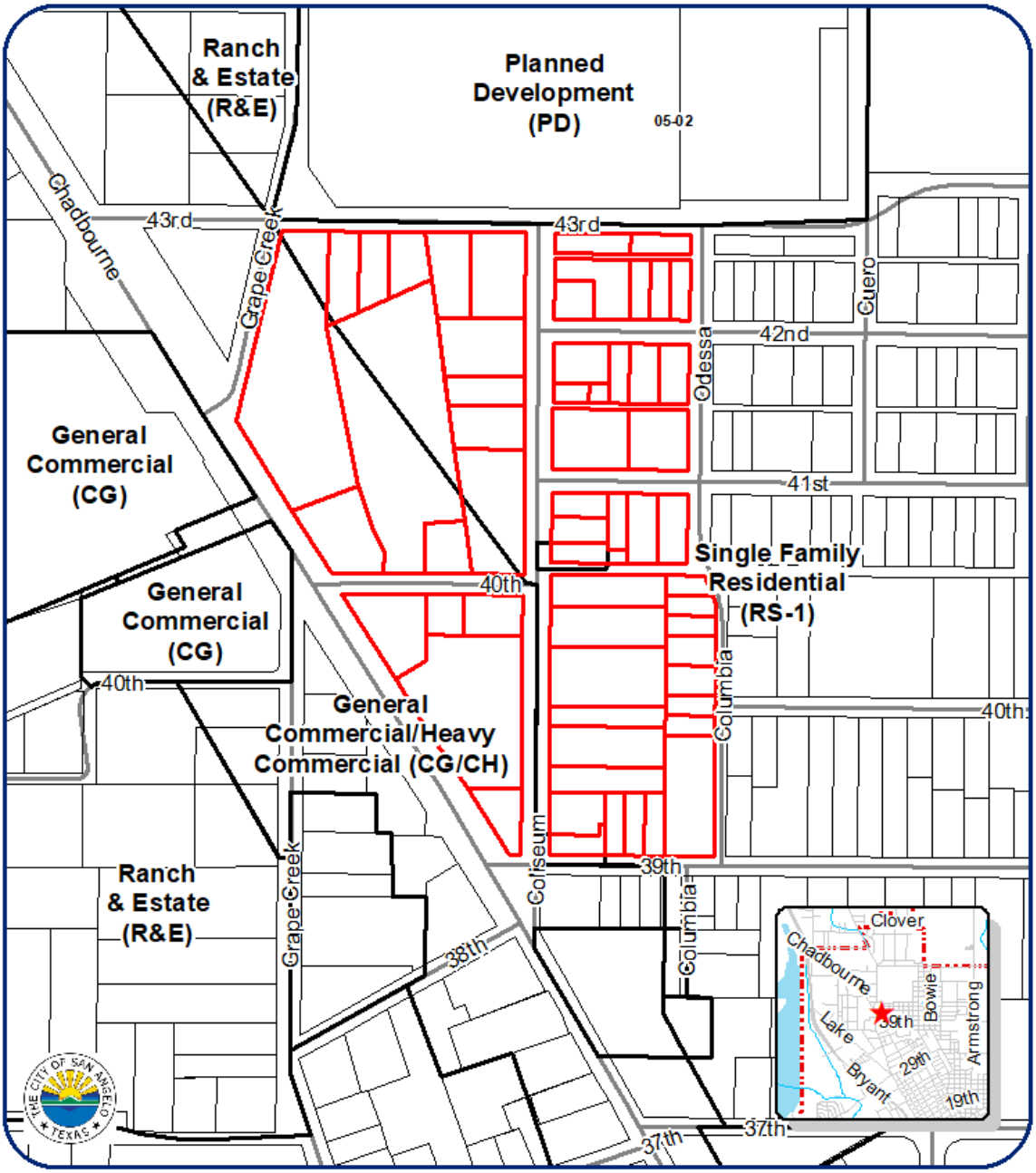
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)



Black/White Zoning Map
CP23-02 & PD23-04 E 39th to E 43rd

Council District: #2 Tom Thompson
Neighborhood: Lakeview
Scale: 0 0.01 0.03 0.06 0.09 0.12 Miles

Subject Properties:

N

Exhibit "B"

Applicable Regulations

1. Except as otherwise specified, the development of the subject property shall generally conform to the underlying Neighborhood Commercial (CN) zoning district standards with the Single Family and Two Family Residential (RS-1 & RS-2) as allowed uses, subject to the standards listed below. Therefore, non-residential uses shall be subject to CN standards, while residential uses shall be subject to RS-1 standards if single family or RS-2 standards if two family.

2. The following development standards shall apply:

    1. The front setback along Coliseum will be 15 feet for both residential and commercial uses. Except for a typical residential driveway no wider than 20 feet, all parking shall be to the rear or side of the buildings with front yards designed to accommodate pedestrian accessibility.
    2. For non-residential development or redevelopment, the front setback area shall be landscaped per a landscaping plan approved through the Urban Design Review process prior to approval of a site plan, or issuance of a building permit if no site plan is required.
    3. Any signage for non-residential uses must be attached to the building and limited to no more than 50 square feet. Freestanding signage is not allowed.
    4. Use of existing homes for offices or commercial use is allowed.
    5. Non-residential uses must be compatible in size, scale, and design with the existing residential uses and the desired character of the neighborhood. Site and building design must be approved through the Urban Design Review process prior to approval of a site plan, or building permit where no site plan is required.
    6. Lighting for non-residential uses shall be fully shielded in order to minimize spillover lighting and glare on adjacent and nearby properties.
    7. Allowable Neighborhood Commercial uses are service and retail uses and drive-through uses are not allowed.
    8. Sidewalks shall be required along both sides of Coliseum Drive and 43rd Street.
    9. For purposes of this Planned Development, the Birk Monument Manufacturing Company is considered an artisan use and is considered a special allowed use within this District.

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS BEING **APPROXIMATELY 19.705 ACRES LOCATED AT THE 3900, 4000, 4100, AND 4200 BLOCKS ALONG AND ON EITHER SIDE OF COLISEUM DRIVE, SOUTH OF 43RD STREET AND NORTH OF EAST 39TH STREET**, FROM "NEIGHBORHOOD" TO "NEIGHBORHOOD CENTER" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP23-02: LOCATED ONE BLOCK EAST AND WEST FROM COLISEUM DRIVE, SOUTH OF 43RD STREET AND NORTH OF EAST 39TH STREET.

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

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

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

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

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

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to change the Future Land Use designation of the following described parcels as outlined below:

The real properties Tom Green County, Texas; approximately 19.705 acres located one block east and west from Coliseum Drive, south of 43rd street and north of east 39th street, **from "Neighborhood" to "Neighborhood Center".**

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

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

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

INTRODUCED on the **21st day of November, 2023,** and finally ADOPTED on this the **5th day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

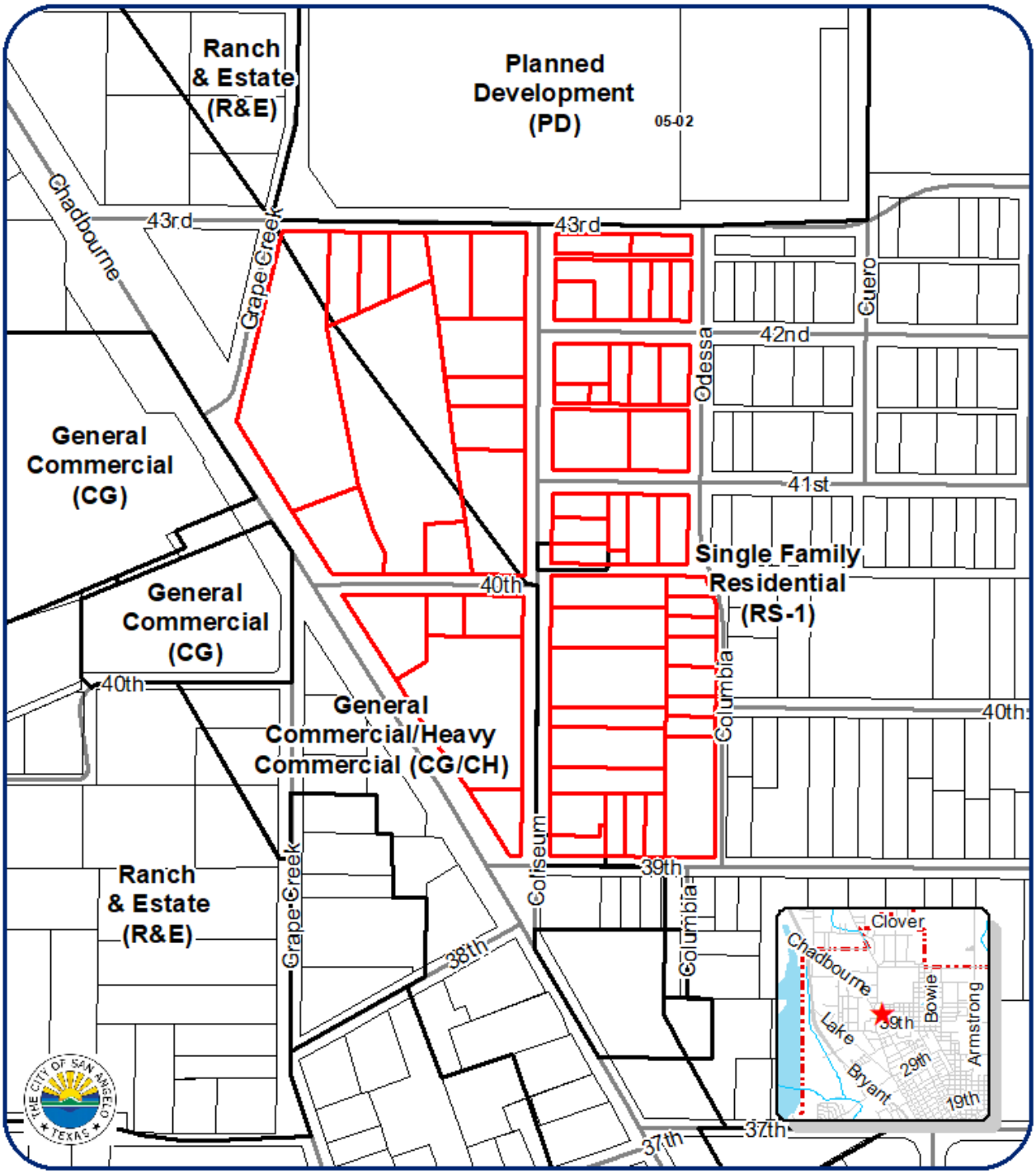
ATTEST:

APPROVED AS TO FORM:

_____
Heather Stastny, City Clerk

_____
Theresa James, City Attorney

Ordinance Map Exhibit "A"



Black/White Zoning Map
CP23-02 & PD23-04 E 39th to E 43rd

Council District: #2 Tom Thompson
Neighborhood: Lakeview
Scale: 00.016.03 0.06 0.09 0.12 Miles

Subject Properties:

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Second reading of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 28.860 acre tract out of C. Berberich Survey No. 177, Abstract No. 52, Tom Green County, Texas, located west of Foster Rd. and south of W. Loop 306
2. An ordinance for Z23-12 to zone the property to the General Commercial zoning district for the northern 10.814 acres, and to the Low Rise Multi-family zoning district for the remaining 18.046 acres (Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

The petitioner has requested an annexation of 28.860 acres with mixed-use commercial at the front of the lot facing Loop 306 comprising 10.814 acres. The remaining 18.046 acres for annexation will be zoned low-rise multi-family (RM-1). However, the developer also plans to include some single-family residential on the property. The RM-1 zoning allows for multiple types of residential, such as a single family, two-family, zero hotline, twin home and townhouse options for families. The City has not approved at plat for the area as the developers are in the design phase of the development. Developers have reached out to the Butler Farms area and gained support for their project from that neighborhood.

Funding Source(s):

Financial Impact:

NA

Other Information/Recommendation:

At the Planning Commission meeting on October 16, 2023, the Planning Commission voted unanimously to recommend approval for both the annexation and the zoning to the City Council.

Attachments:

1.	Memo CC 11-21-2023	Memo CC 11-21-2023.docx
2.	Staff Report (Z23-12) updated	Staff Report (Z23-12) updated.pdf
3.	Zoning Ordinance Z23-12	Zoning Ordinance Z23-12.docx

4. Ordinance & Service Plan La Vista Annexation Ordinance & Service Plan La Vista Annexation.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Brandon Dyson	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

MEMO

Meeting Date: November 21, 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 submitted the zoning request and that action is following the acceptance of the of the annexation by City Council.

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.

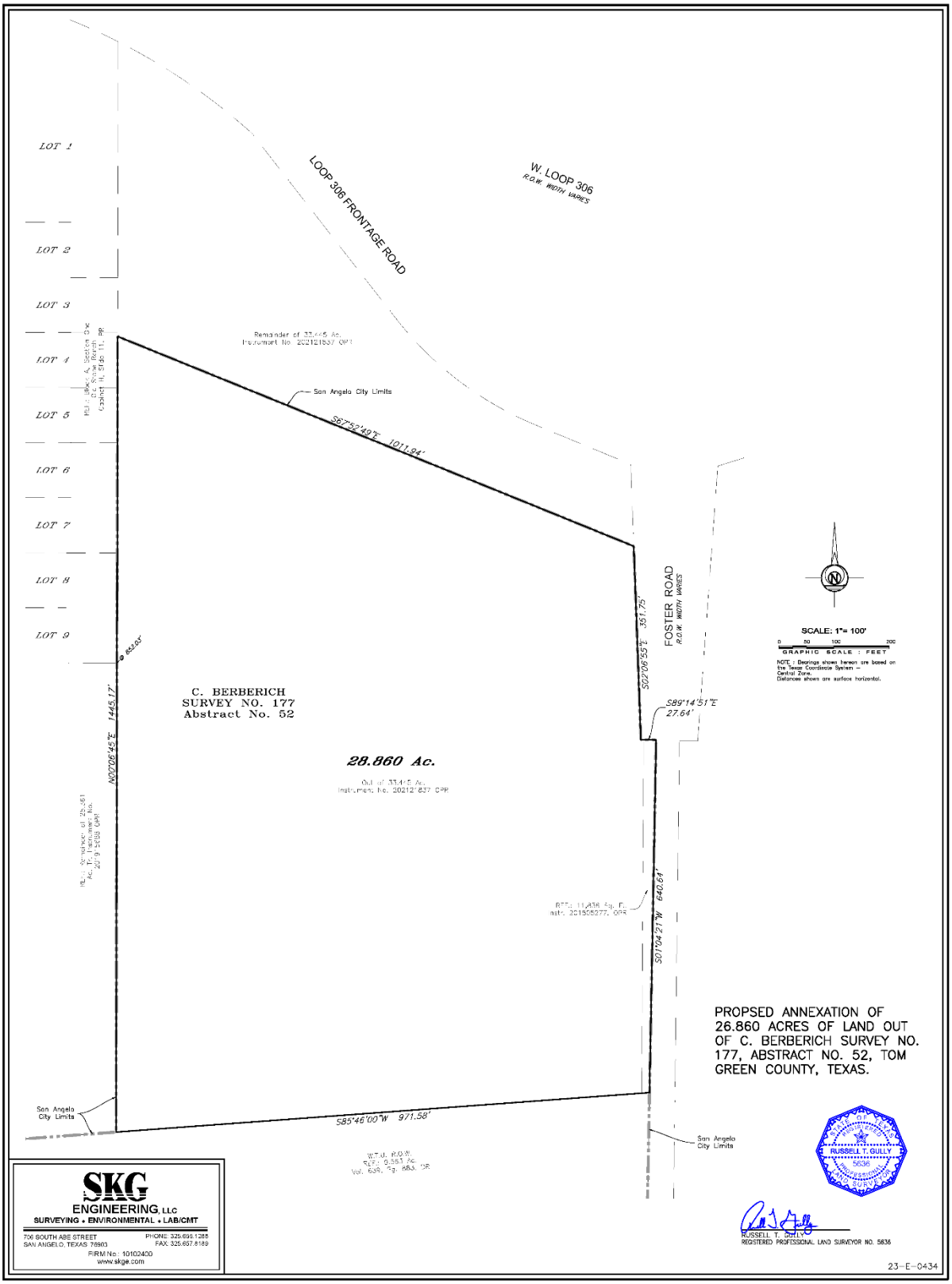
Annexation Process, Timeline, and Servicing Plan:
This annexation request is governed by Chapter 43, Subchapter C-3 of the Texas Local Government Code (TLCG) which authorizes a municipality under Section 43.0671 to annex an area if each owner of land in the area requests the annexation. The proposed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

- August 15, 2023: The proposed annexation petition will be presented to City Council on for acceptance.
- November 21, 2023: The first public comment hearing of the Annexation, first hearing of the Annexation Ordinance, and the first hearing of the Zoning Z23-12. The northern 10.814 acres is to be zoned General Commercial (CG) and the remaining 18.046 acres is to be zoned Low Rise Multi-family (RM-1). The Planning Commission voted unanimously to recommend approval of the request.

- December 5, 2023: The second reading of the Annexation Ordinance and second reading of the Zone request.

Planning Commission Requested Action:
The Planning Commission approved unanimously the zoning request accompanying this annexation request.

Attachment:
Annexation Petition
Survey


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'
FOSTER ROAD
R.O.W. WIDTH VARIES
S02°06'55"E 351.75'
S89°14'51"E
27.64'
C. BERBERICH
SURVEY NO. 177
Abstract No. 52
28.860 Ac.
Out of 33.445 Ac.
Instrument No. 202121837 OPR
N07°06'45"E 1445.17'
S01°04'21"W 640.61'
S85°46'00"W 971.58'
San Angelo
City Limits
San Angelo
City Limits
W.T.U. R.O.W.
SEE: 0.561 Ac.
Vol. 638, Pg. 883, DR
SCALE: 1"= 100'
0 50 100 200
GRAPHIC SCALE : FEET
NOTE : Bearings shown hereon are based on the Texas Coordinate System – Central Zone.
Distances shown are surface horizontal.
PROPSED ANNEXATION OF
26.860 ACRES OF LAND OUT
OF C. BERBERICH SURVEY NO.
177, ABSTRACT NO. 52, TOM
GREEN COUNTY, TEXAS.
RUSSELL T. GULLY
5636
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: 325.655.1285
FAX: 325.657.6189
FIRM No.: 10102400
www.skge.com
23-E-0434

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: Haden B. Burchard
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.

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

JAN G. HOLDEN
Notary Public, State of Texas
Comm. Expires 02-10-2025
Notary ID 6199552

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.

La Vista Grande Investments, 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: John Duke Hudson

Title: President Date: 4-3-2023

THE STATE OF TEXAS

COUNTY OF TOM GREEN

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

_____

Notary Public, State of Texas
My commission expires: 02-10-2025

JAN G. HOLDEN
Notary Public, State of Texas
Comm. Expires 02-10-2025
Notary ID 6199552

STAFF REPORT - Z23-12

City Council 1st reading: November 21, 2023
City Council 2nd reading: December 5, 2023

APPLICATION TYPE:	CASES:
Rezoning	Z23-12: Loop 306 & Foster Road

SYNOPSIS:

The representative for the owner of the property 402 N Bryant Blvd. (has submitted a request to the Planning Staff for a rezoning from Ranch & Estate (R&E) to General Commercial (CG) along the norther portion of the property, 10.814 acres, and Low Rise Multi-family (RM-1) over the remaining 18.046 acres. In this area, there is a mix of commercial uses, businesses and single family homes, with Ranch & Estate across Foster Road. The proposal is in keeping with the Future Land Use Plan for the area since it shows Neighborhood Center and Neighborhood as the intended uses. With multi-family proposed the General Commercial could easily supply the commercial needs for both the Loop traffic and the higher density residential development.

LOCATION:	LEGAL DESCRIPTION:
Southwest of the intersection of Loop 306 and Foster Road	28.860 acres out of C. Berberich Survey No. 177 Abstract No. 52, Tom Green County, TX

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
FUTURE: SMD #1 – Tommy Hiebert Country Club Neighborhood	Existing - None Proposed: CG & RM-1	Commercial/Multi-family	RM-1-18.046 CG -10.814

NOTIFICATIONS:

12 notifications for Z23-12 were mailed within a 200-foot radius on August 30, 2023. No responses in favor or against have been received.

STAFF RECOMMENDATION:

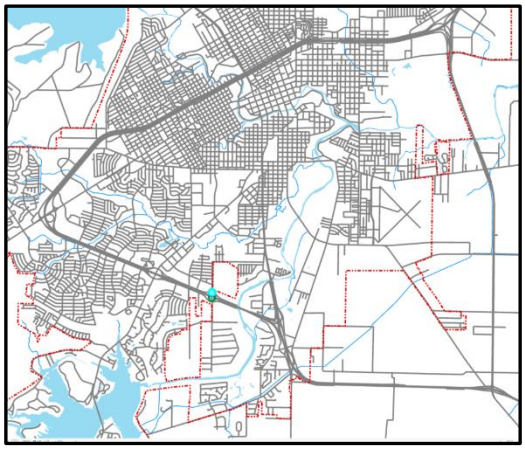
Staff recommends **APPROVAL** of a rezoning from the Ranch & Estate (R&E) to General Commercial (CG) for the northern 10.814 acres and Low Rise Residential (RM-1) for the 18.046 acres

PROPERTY OWNER/PETITIONER:

Applicants:
La Vista Grand Investments LLC
Representative:
Russell Gulley - SKG

STAFF CONTACT:

Sherry L Bailey
Principal Planner
(325) 657-4210, Extension 1546
Sherry.bailey@cosatx.us



Additional Information: Over the past few years there have been many discussion about annexing this property into the city and the best use of the property. With the development of the sewer line extension the intended use has become the favorite overall choice. Foster Road will continue to grow as a Minor Arterial carrying traffic from the future developing areas of the city.

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 Commercial and Neighborhood. Given the existing mix of uses, the proposal is in keeping with that use.

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 all uses have in common is they are all indicative of a growing and developing area. As such, they 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 constantly changing. That is part of what keeps it a vital alive area.

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.

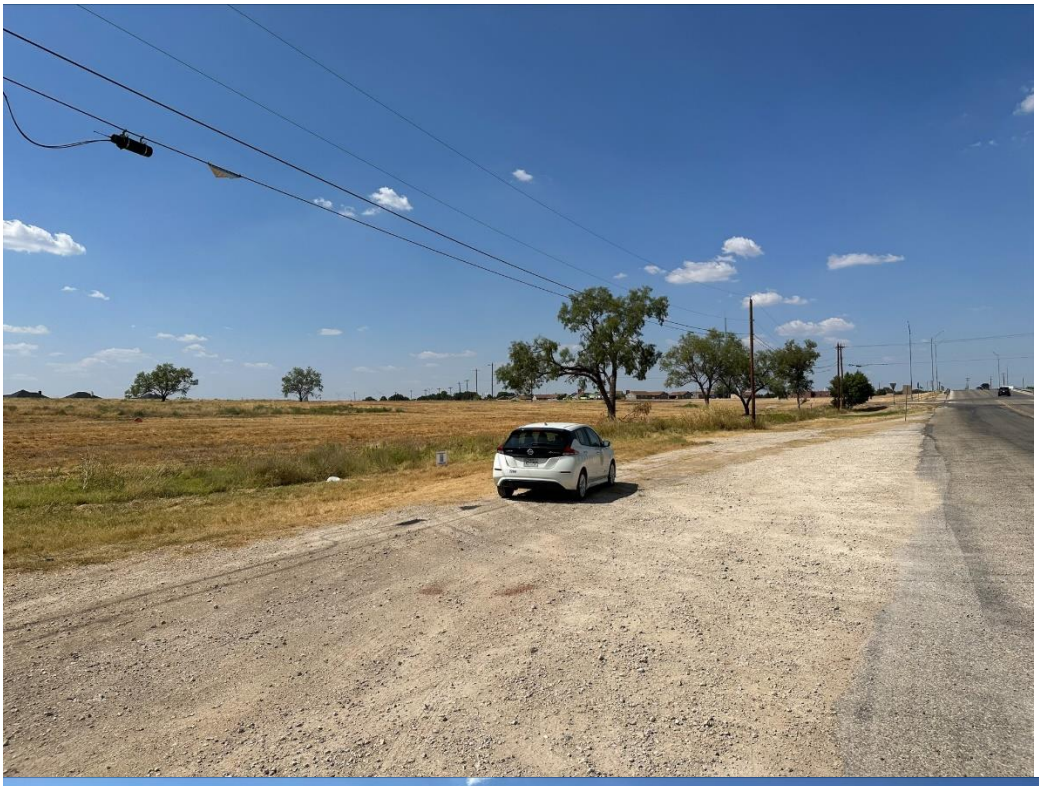
6. **Community Need.** ***Whether and the extent to which the proposed amendment addresses a demonstrated community need.*** Staff believes that this type of use has a history of success. Quick, concise, meeting multiple needs in one place seems to be filling a need. This project is consistent with that business type.

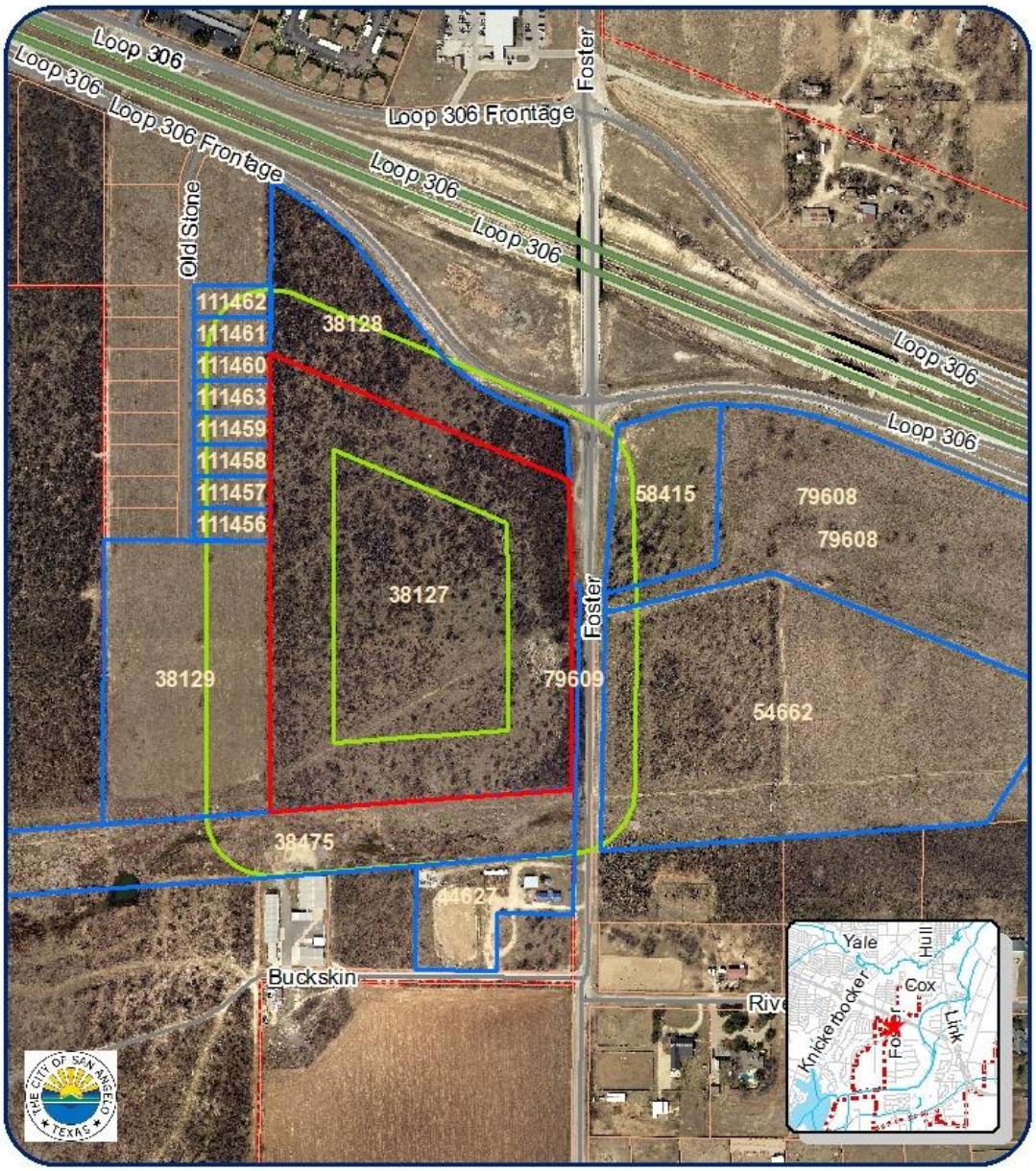
7. **Development Patterns.** ***Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*** The property in question is well suited for the proposed project and will meet the development needs.

Recommendation:
Staff recommends **APPROVAL** of a rezoning from the Ranch & Estate to General Commercial (CG) for the norther portion of the property (10.814 acres) and Low Rise Multi-family (RM-1) 18.046 acres for the remaining property.

Attachments:

Site Photos
Aerial/Notification Map
Zoning Map
Future Land Use Map

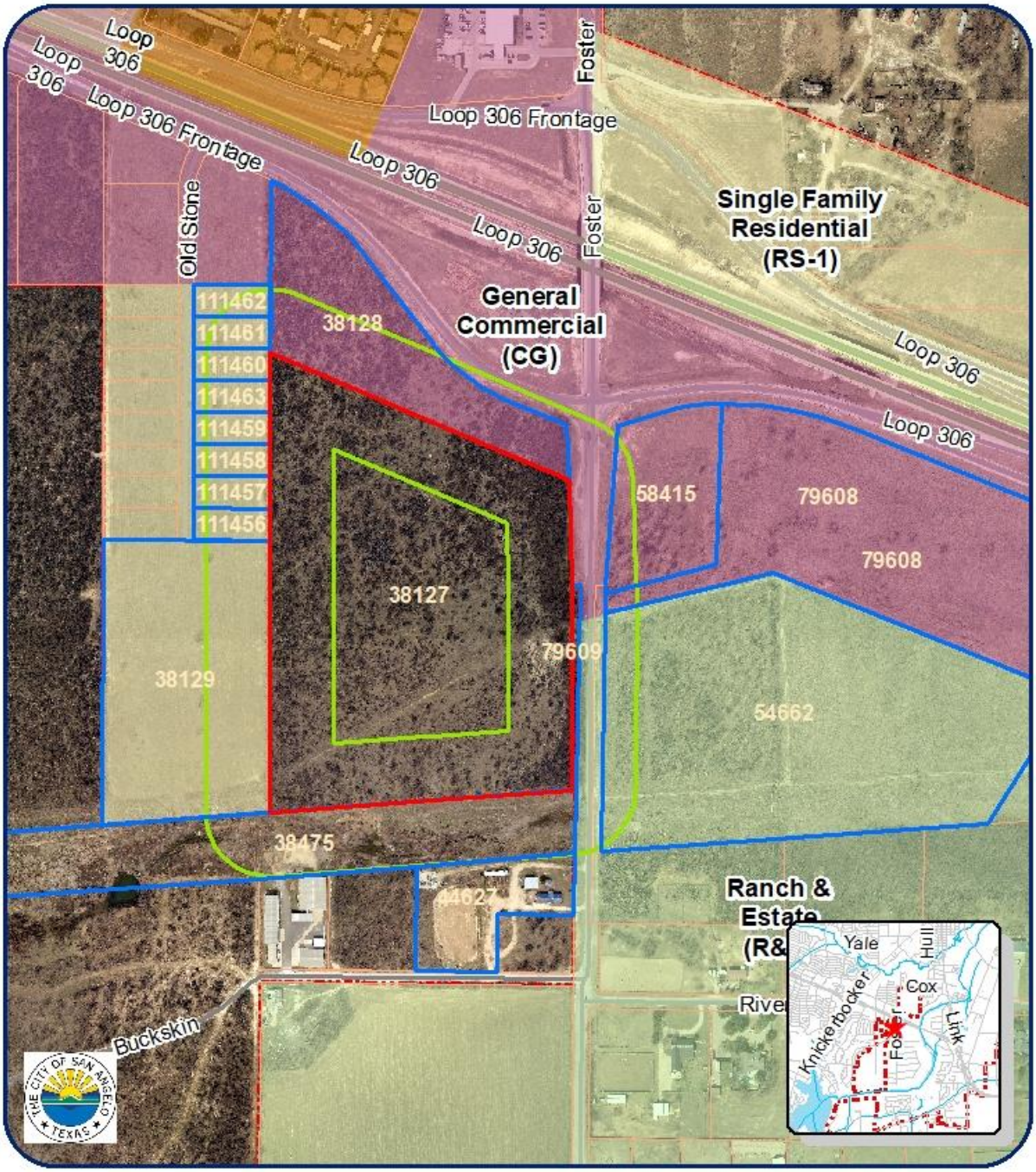




200' Notification Map
Z23-12 Loop 306 and Foster Rd
Council District: #1 Tommy Hiebert
Neighborhood: Country Club
Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N



Zoning Map
Z23-12 Loop 306 and Foster Rd
Council District: #1 Tommy Hiebert
Neighborhood: Country Club
Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

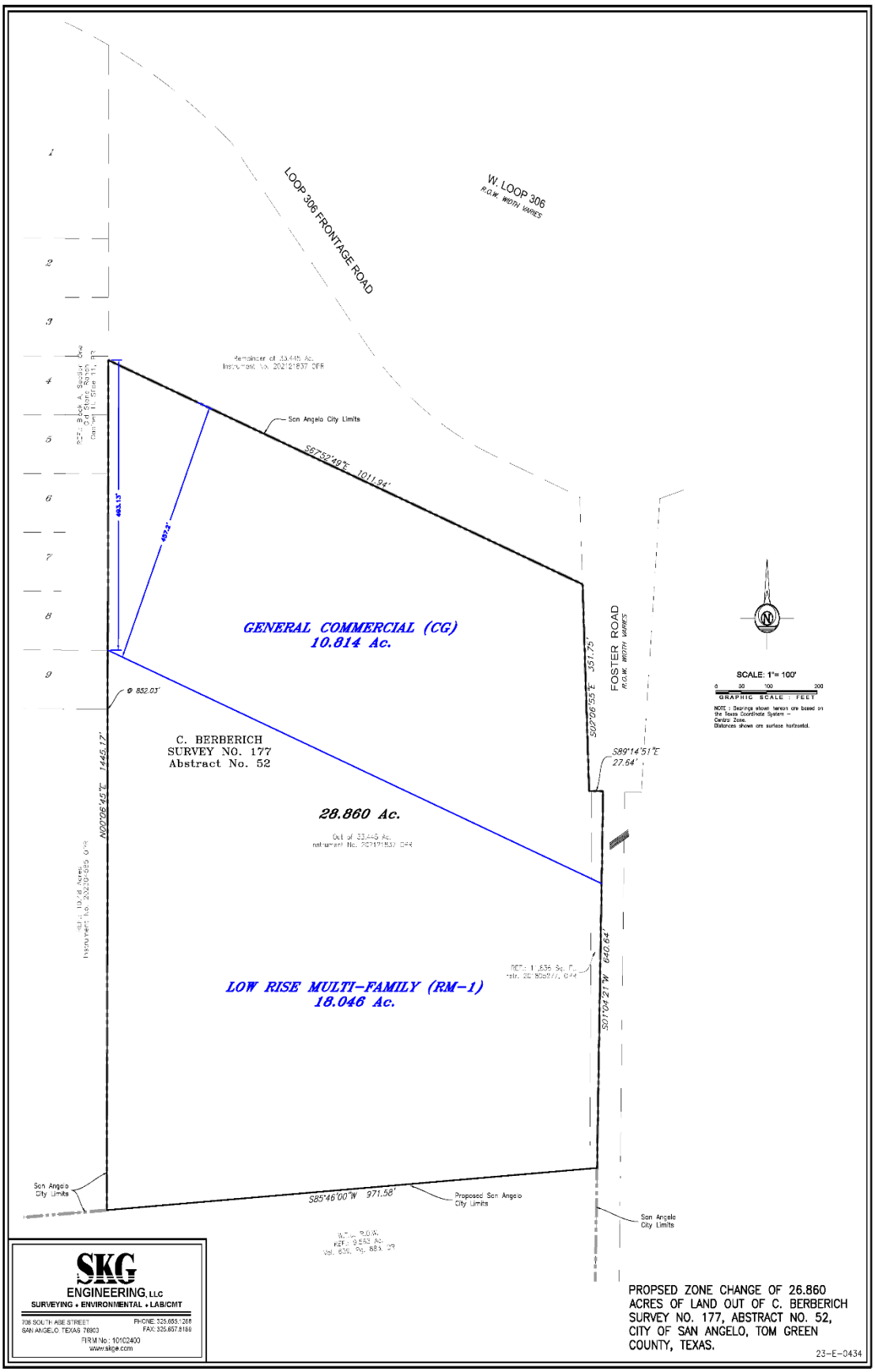
Subject Properties:
200' Buffer:
Notified Properties:

N

Aerial Map
Z23-12 Loop 306 and Foster Rd
Council District: #1 Tommy Hiebert
Neighborhood: Country Club
Scale: 0 0.02 0.04 0.08 0.12 0.16 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N


LOOP 306 FRONTAGE ROAD
W. LOOP 306
R.O.W. WIDTH VARIES
Remainder of 33.445 Ac.
Instrument No. 202212837 OPR
San Angelo City Limits
S67°52'49"E 1011.94'
GENERAL COMMERCIAL (CG)
10.814 Ac.
FOSTER ROAD
R.O.W. WIDTH VARIES
S0°06'55"E 351.75'
S89°14'51"E
27.64'
SCALE: 1"= 100'
GRAPHIC SCALE : FEET
NOTE : Bearings shown hereon are based on the Texas Coordinate System – Central Zone.
Distances shown are surface horizontal.
852.03'
C. BERBERICH
SURVEY NO. 177
Abstract No. 52
N0°06'45"E 1445.17'
28.860 Ac.
Out of 33.445 Ac.
Instrument No. 202212837 OPR
S01°04'21"W 640.64'
LOW RISE MULTI-FAMILY (RM-1)
18.046 Ac.
San Angelo City Limits
S85°46'00"W 971.58'
Proposed San Angelo City Limits
San Angelo City Limits
SKG
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT
708 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
PHONE: 325.655.1288
FAX: 325.657.8188
FIRM No.: 10102400
www.skge.com
PROPSED ZONE CHANGE OF 26.860 ACRES OF LAND OUT OF C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS.
23-E-0434

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 18.046 ACRES OF UNZONED LAND TO THE LOW RISE MULTI-FAMILY RESIDENCE (RM-1) DISTRICT AND APPROXIMATELY 10.814 ACRES OF UNZONED LAND TO THE GENERAL COMMERCIAL (CG) DISTRICT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LOOP 306 AND FOSTER ROAD** IN **CONNECTION WITH AN ANNEXATION;** PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

RE: Z23-12: La Vista

WHEREAS, on the 16th day of October, 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 18.046 acres to Low Rise Multi-family (RM-1) and 10.814 acres to General Commercial (CG); and,

WHEREAS, on the 21st day of November, 2023, City Council held a public hearing on Z23-12, 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 18.046 ACRES TO THE LOW RISE MULTI-FAMILY RESIDENCE (RM-1) DISTRICT AND TO ZONE 10.814 ACRES TO THE GENERAL COMMERCIAL (CG) DISTRICT:

The real property generally located southwest of Foster Road and the West Loop 306 Frontage Road, described as 28.860 acres out of C. Berberich Survey No. 177 Abstract

No. 52, Tom Green County, TX 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 **21st day of November, 2023,** and finally PASSED, APPROVED AND ADOPTED on this the **5th day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

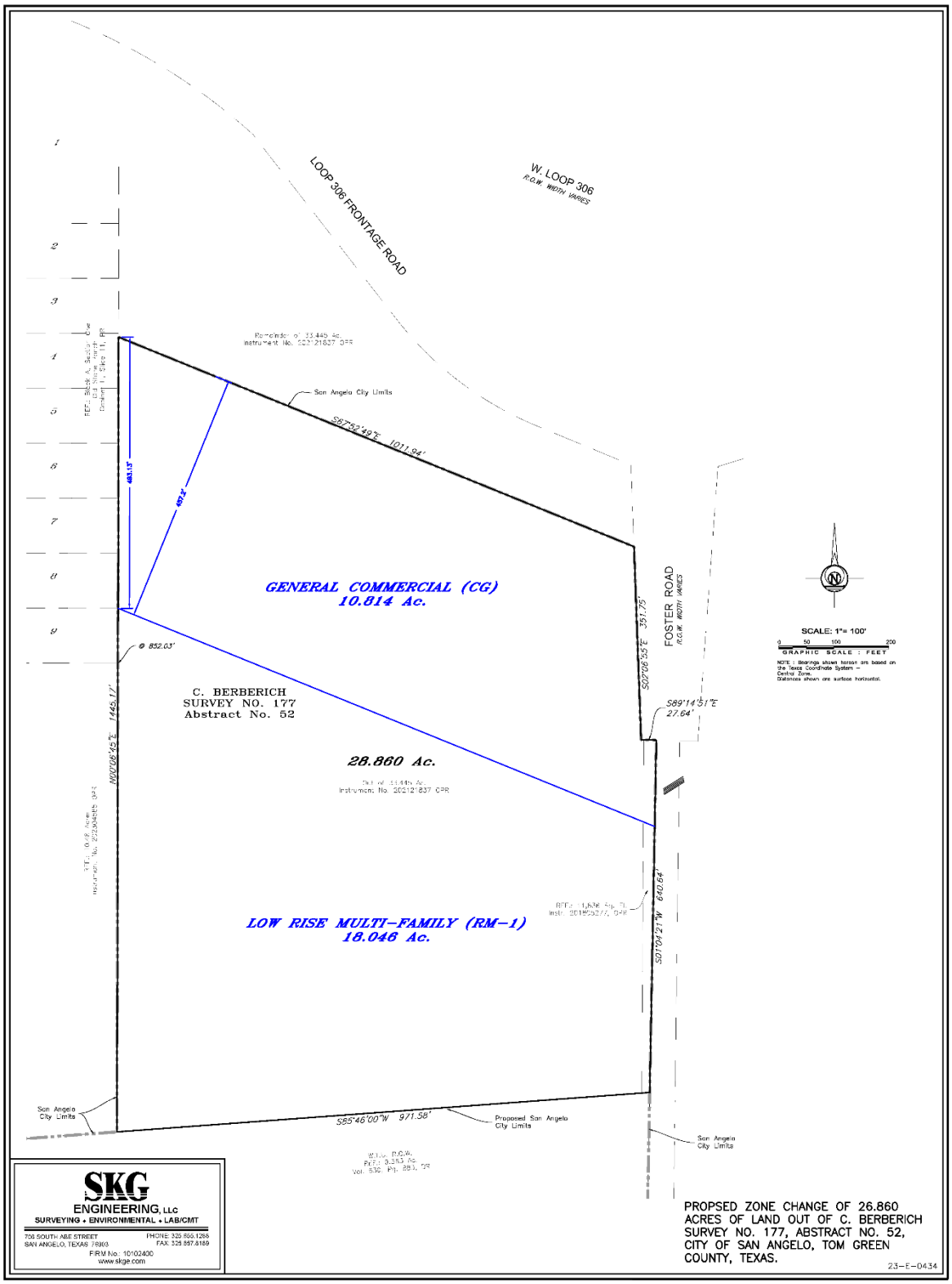
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A"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PROPSED ZONE CHANGE OF 26.860 ACRES OF LAND OUT OF C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS.
23-E-0434

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS AN UNADDRESSED 28.860-ACRE TRACT OUT OF C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52, LOCATED SOUTHWEST OF SOUTH LOOP 306 FRONTAGE ROAD AND FOSTER ROAD, TOM GREEN COUNTY, TEXAS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 28.860 acres situated immediately south of the City Limits, generally located southwest of South Loop 306 Frontage Road and Foster Road, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on August 15, 2023; and,

WHEREAS, under Section 43.016 of the Texas Local Government Code, the City is required to offer the owner a development agreement if the Territory is appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, that guarantees continuation of the extraterritorial status of the area, and authorizes enforcement of all regulations and planning authority of the city that do not interfere with the use of the area for agriculture, wildlife management, or timber;

WHEREAS, the City has offered the Territory owners a development agreement under Section 43.016 as the Territory is currently appraised for agricultural use, and the owners have declined the agreement, electing instead to seek annexation of the Territory; and,

WHEREAS, a public hearing on the annexation was held, the 21st day of November 2023 as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City, and incorporated into the adjacent Single Member District No. 1 (SMD 1)

Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the

City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED with public hearing on the 21st day of November 2023, and finally PASSED, APPROVED AND ADOPTED on this the 5th day of December, 2023.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

By: _____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit “A” (Legal Description and Survey)

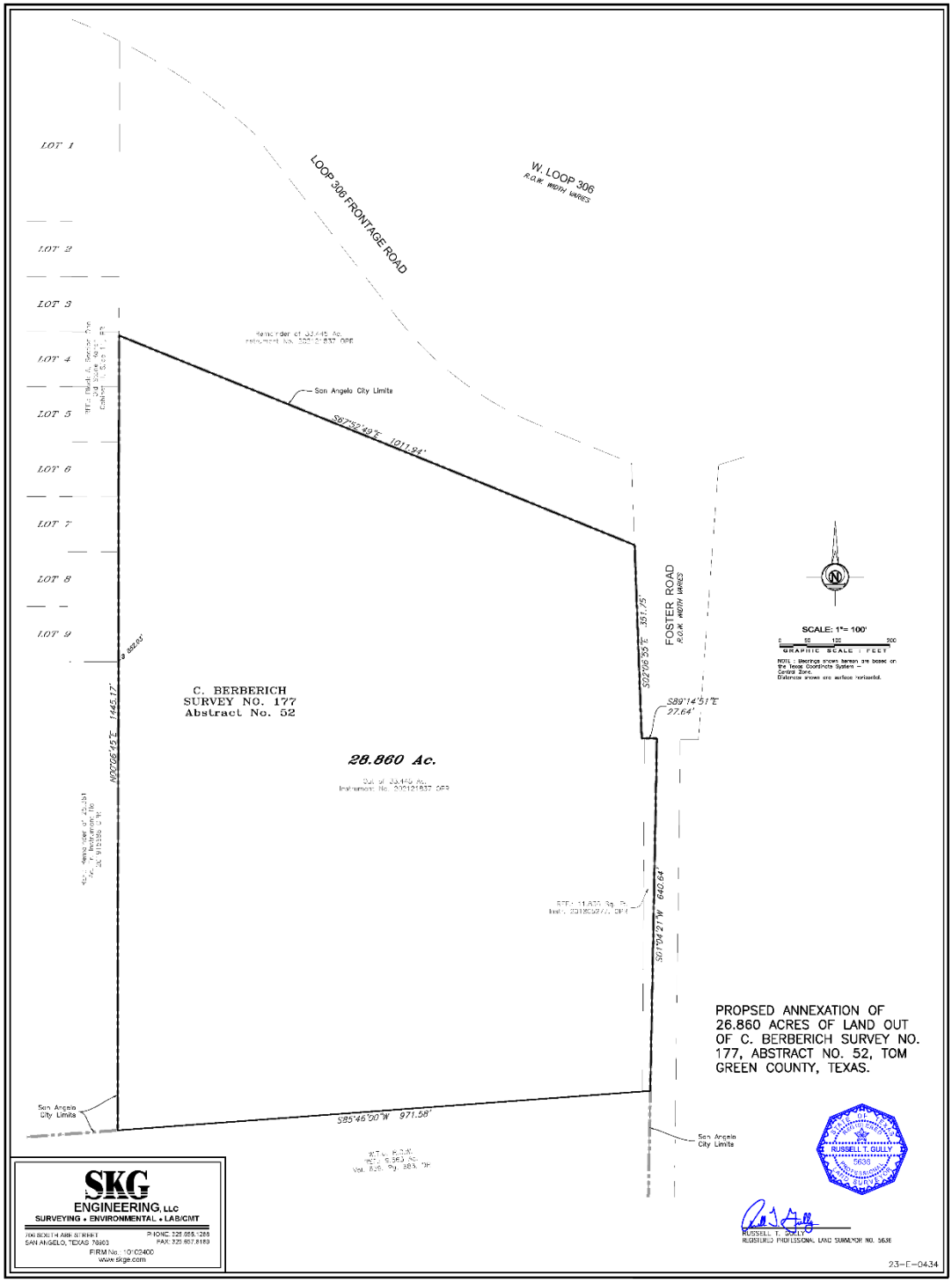


EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ___ day December 2023, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

By:_____
Daniel Valenzuela
City Manager

OWNERS

By:_____
John Duke Hudson, Managing Member
La Vista Grande Investments, LLC

By: _____
Haven B. Burchard, Managing Member
HBB Investment Company LLC

Attest:

_____
Heather Stastny, City Clerk

Approved as to Form and Legality:

_____
Theresa James, City Attorney

Approved as to Content:

Aaron Vannoy, Planning &
Development Services Assistant Director

SERVICE PLAN FOR EXTENSION OF MUNICIPAL SERVICES TO AN AREA DESCRIBED AS FOLLOWS:

Generally located southwest of South Loop 306 Frontage Road and Foster Road, and specifically described as a 28.860 acre tract of land in the C. Berberich Survey No. 177, Abstract No. 52. Tom Green County, Texas.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. **POLICE PROTECTION**

Existing Services: Police protection provided by Tom Green County Sheriff's Office.

Services to be provided:
The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided.

2. **FIRE PROTECTION AND EMERGENCY SERVICES**

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide. Fire service provided by volunteer fire departments.

Services to be provided:
The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

The Office of Fire Prevention will provide permitting and inspection services upon annexation. This includes issuing permits and conducting fire sprinkler, fire alarm, commercial hood or special agent system inspections as well as occupancy and maintenance inspections for any new construction and remodeling projects, as well as any other applicable enforcement of adopted codes and standards within the City of San Angelo.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the city will be extended to the newly annexed area after the effective date of annexation.

4. MAINTAINING WATER AND WASTEWATER FACILITIES

Existing Services: None

Services to be provided:

Water and sanitary sewer service to the area will be provided in accordance with the City Code of Ordinances and departmental policy. When other property develops in the adjacent area, water and sanitary sewer service shall be extended in accordance with the City of San Angelo Code of Ordinances and departmental policy. Prior to future development, a subdivision plat(s) shall be approved by the City and recorded with Tom Green County that includes any required provisions for water and sanitary sewer service.

As part of the subdivision plat, the developer/owner shall prepare and submit plans for approval of a looped water main system or approved deferral process, illustrating the proposed installation of a water main and complete the installation in accordance with the approved version of these plans prior to plat recordation.

As part of the subdivision plat, the developer/owner shall prepare and submit plans for approval of a waste water system, illustrating the proposed installation of a waste water main and service lines and complete the installation in accordance with the approved version of these plans prior to plat recordation

5. MAINTAINING ROADS, STREETS, AND ALLEYWAYS

Existing Services: Provided by Tom Green County.

Services to be provided:

Developers of land within the newly annexed territory will be required to provide streets in accordance with applicable ordinances of the City of San Angelo, including the City of San Angelo's Master Throughfare Plan, and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Existing Services: None

Services to be provided:
Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

7. BUILDING INSPECTION

Existing Services: None

Services to be provided:
The Building Inspection Department will provide building permitting services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be accommodated in the division's current budget.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:
The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Subdivision Ordinance. These services can be provided within the division's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:
The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:
In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of San Angelo shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas. Subject to funding by Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those.

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:
Developers will provide a storm water Drainage Study and plan. Storm water drainage shall be constructed in accordance with the plan at their own expense and will be inspected by the City Engineers at time of completion.

12. STREET LIGHTING

Existing Services: None

Services to be provided:
The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Rae Lineberry, Planner, Planning and Development Services

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Second reading of:
1. An ordinance annexing into the City of San Angelo, by petition of the property owner, an unaddressed 15.496 acre tract out of A. Willeke Survey No. 2, Abstract No. 8211 and A. Willeke Survery No. 8, Abstract No. 8102, Tom Green County, Texas
2. An ordinance for Z23-13 to zone the 15.496 acre tract located in the Meridian North Subdivision, located along the extension of Slayde St., north of Royal Oak St., to the Single-family Residential zoning district in Blocks 5-7 and to the Zero Lot Line, Twinhome and Townhome Residential zoning district in Block 8 (Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

A petition by the property owner to annex into the City Limits and a request to zone 15.496 acres to the Single-family Residential (RS-1) zoning district in Blocks 5-7 and to the Zero Lot Line, Twinhome and Townhome Residential (RS-3) zoning district in Block 8 of the Meridian North Subdivision, located along the extension of Slayde St. north of Royal Oak Street. This is a logical extension of Slayde St. to the north which will back up to a detention pond designed for future growth and one branch of the Red Arroyo. The developers intend to utilize the RS-3 zoning for zero-lot line homes at this time.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

The Planning Commission approved the request to zone 15.496 acres to Single-family Residential (RS-1) and Zero-lot, Twinhomes, Townhomes Residential (RS-3) at the October meeting with a 5-0 vote. City Council on Nov. 21, 2023 approved by a 7-0 vote.

Attachments:

1. Z23-13 Meridian Staff Report — Z23-13 Meridian Staff Report.pdf

2.	Meridian North Annexation Ordinance	Meridian North Annexation Ordinance.docx
3.	Meridian North Zoning Ordinance	Meridian North Zoning Ordinance.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Rae Lineberry	Created/Initiated
Aaron Vannoy	Approved
Brandon Dyson	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

STAFF REPORT - Z23-13

Planning Commission: October 16, 2023
City Council 1st reading: November 21, 2023

APPLICATION TYPE:	CASES:
Zoning	Z23-13: Meridian North

SYNOPSIS:

The owner of the property is requesting zoning of Single-Family Residential (RS-1) for Blocks 5-7, and Zero-lot Line, Twinhomes, Townhouses Residential (RS-3) for Block 8 on this 15.496 acre property. This surrounding area is largely Single-family Residential (RS-1) with a little bit of Zero-lot Line, Twinhomes, Townhouses Residential (RS-3) to the Northeast.

LOCATION:	LEGAL DESCRIPTION:
West of Red Oak and Scarlet Oak and North of Dominion Ridge Dr	15.496 acres out of Abst: A-8108 S-0008, & Abst: 8211 S-0002 Survey: A WILLEKE

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
FUTURE: SMD #6 – Larry Miller Bonham Neighborhood	Existing - None Proposed: RS-1 & RS-3	Neighborhood	15.496

NOTIFICATIONS:

32 notifications were mailed within a 200-foot radius on August 30, 2023. Staff has received zero in favor and one against.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of zoning to the Single-Family Residential (RS-1) zoning district for Blocks 5-7, and to the Zero-lot Line, Twinhome, and Townhouse Residential (RS-3) zoning district for Block 8.

PROPERTY OWNER/PETITIONER:

Applicant: Danny Aguerro, Sierra Vista Construction
Representative: Russell Gulley - SKG

STAFF CONTACT:

Rae Lineberry
Planner
(325) 657-4210, ext 1533
Rae.lineberry@cosatx.us

Additional Information: This property will be annexed into the city and will add more single-family homes.

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. Given the existing mix of RS-1 and RS-3 currently in the area, the proposal is in keeping with that use.

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 zoning 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.*** The proposed use is compatible with the surrounding area.

4. **Changed Conditions.** ***Whether and the extent to which there are changed conditions that require an amendment.*** This area has been vacant and adding single-family homes will help the community to grow.

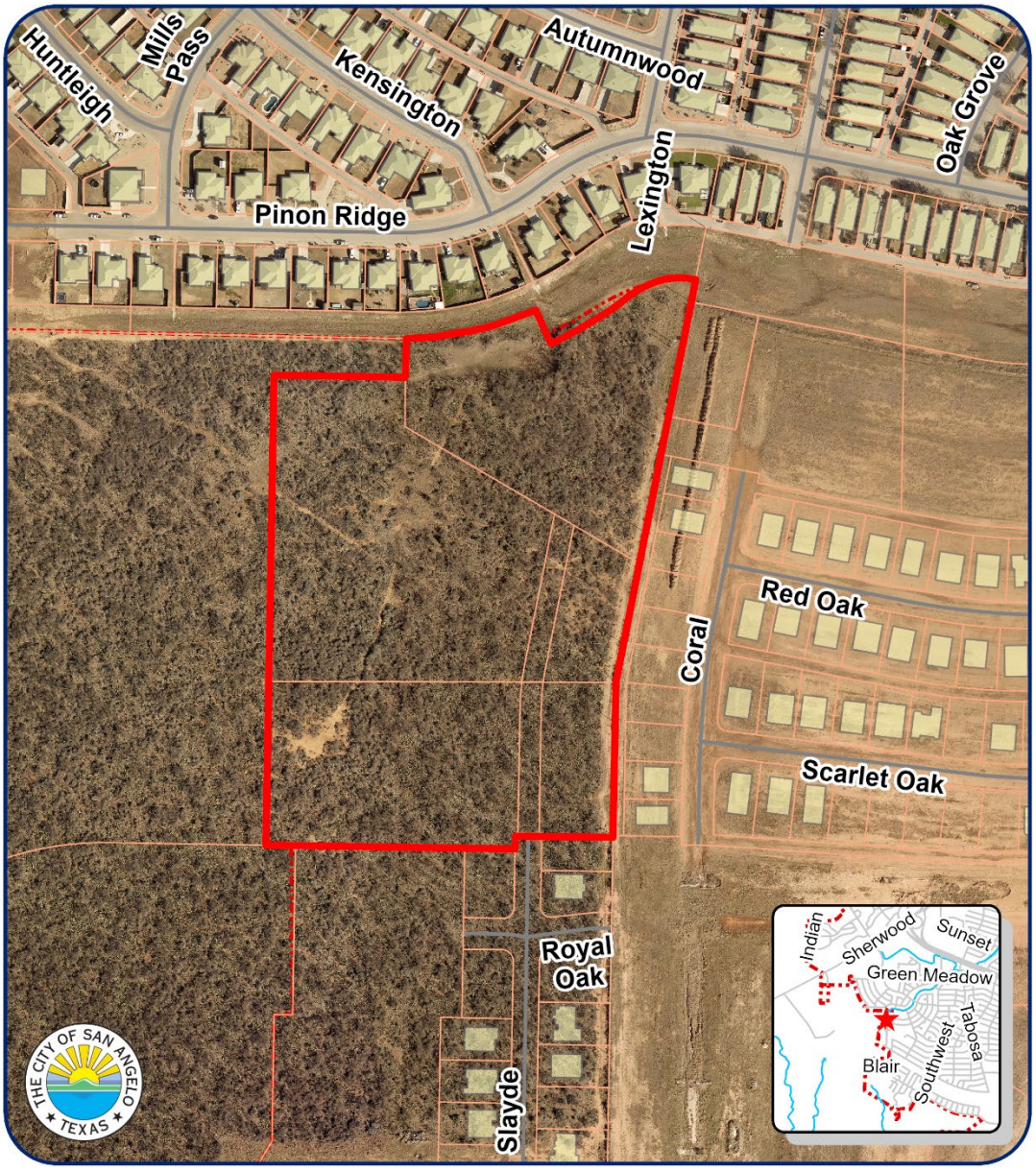
5. **Effect on Natural Environment.** ***Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning 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 use has a history of success.

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 well suited for the proposed project and will meet the development needs.

Recommendation:
Staff recommends **APPROVAL** of a zoning to Single-Family Residential (RS-1) for Blocks 5-7, and Zero-lot Line, Twinhome, and Townhouse Residential (RS-3) for Block 8.

Attachments:
Aerial Map
Notification Map
Zoning Map
Preliminary Plat

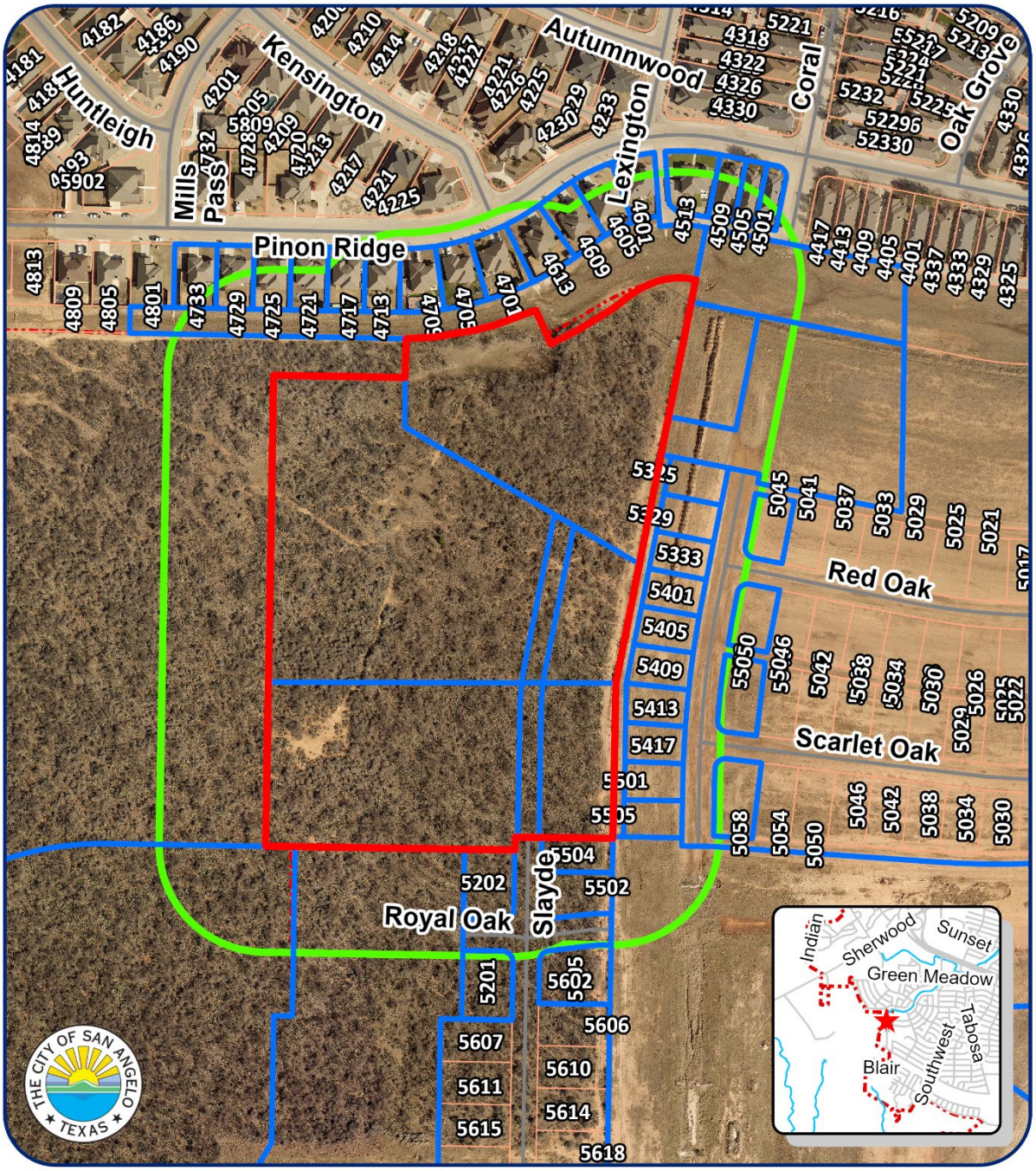


Aerial Map
PP23-12 & Z23-13: Meridian North
Council District: #6 Larry Miller
Neighborhood: Bonham

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:

N

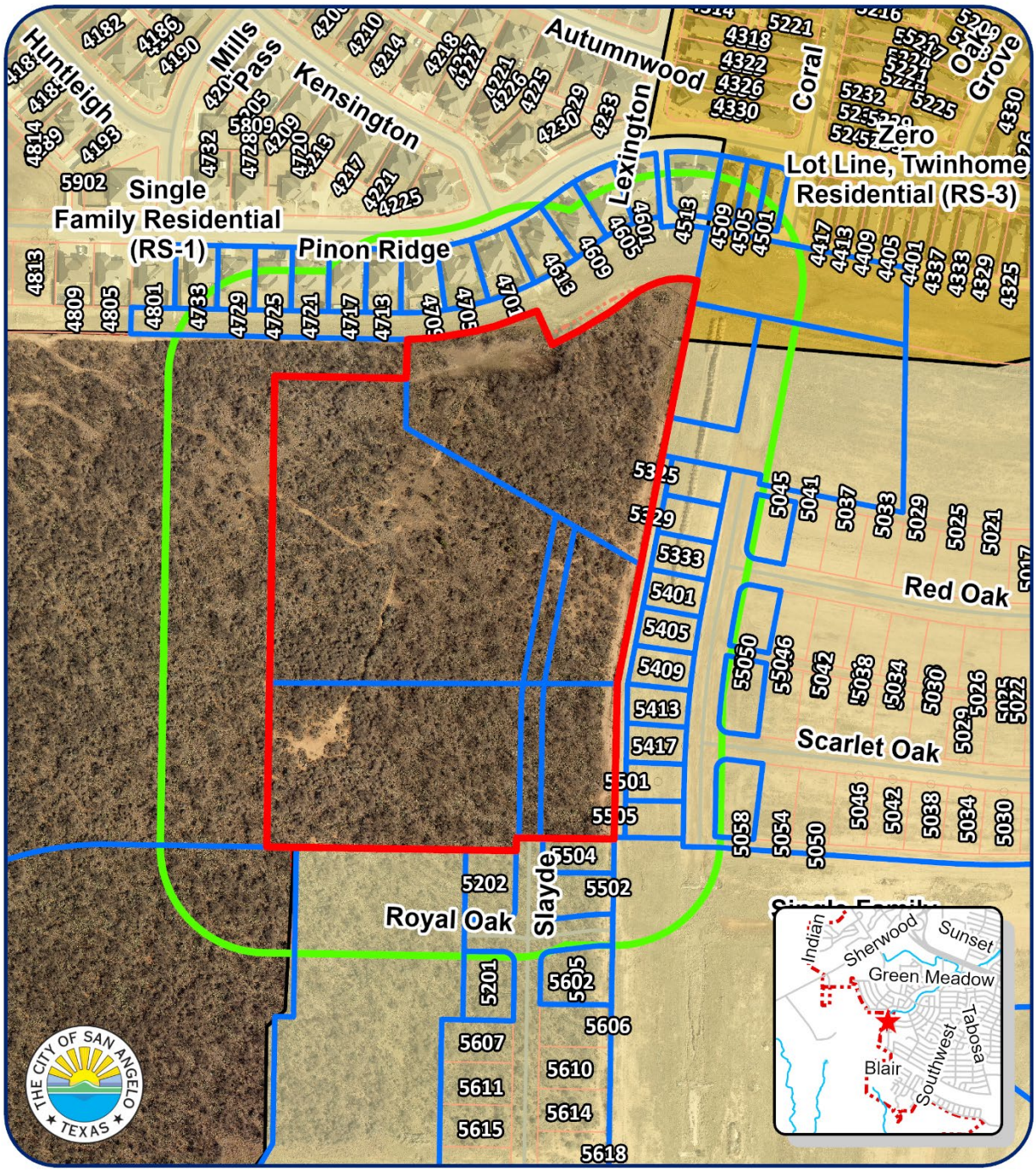


200' Notification Map
PP23-12 & Z23-13: Meridian North
Council District: #6 Larry Miller
Neighborhood: Bonham

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N

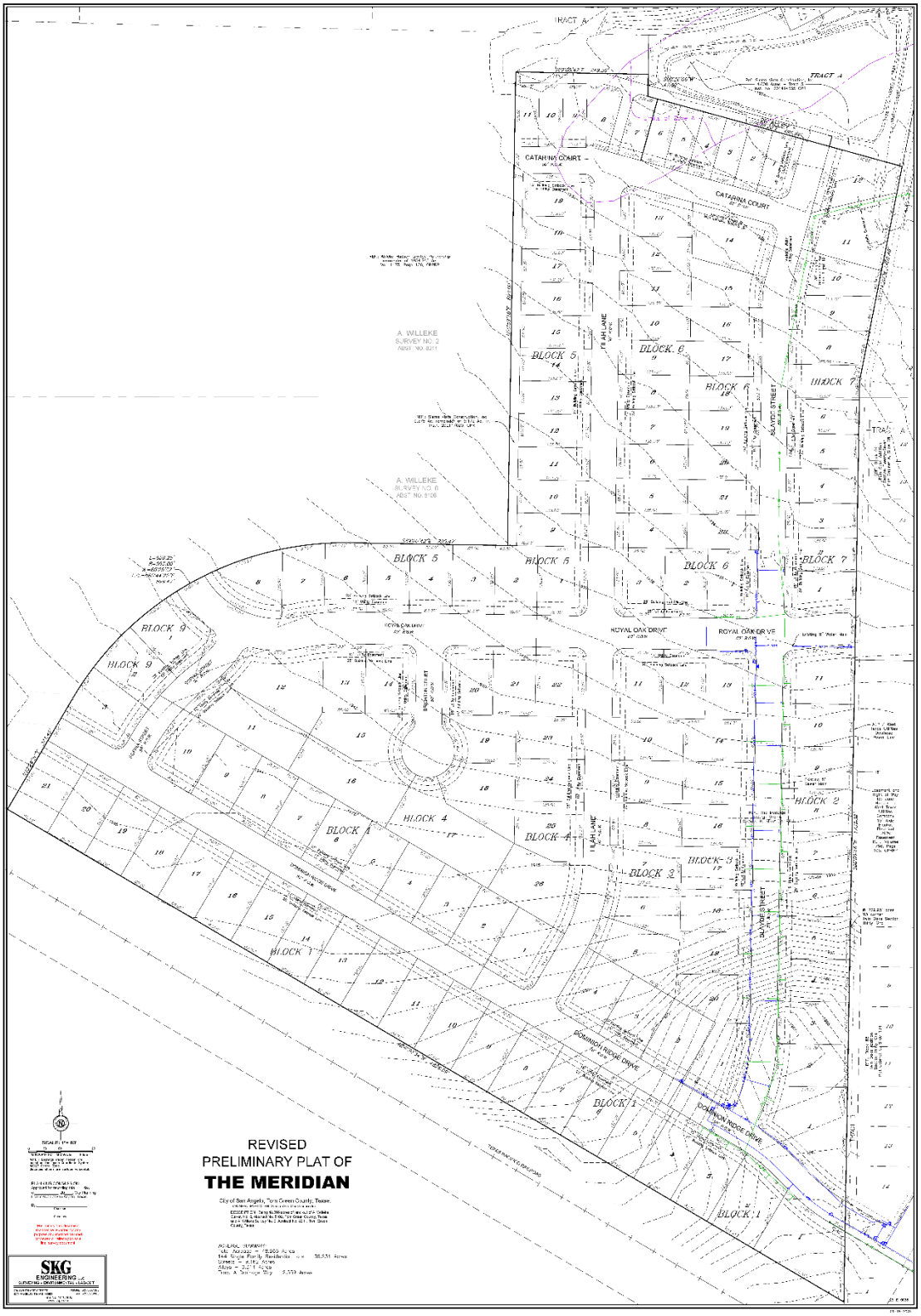


Zoning Map
PP23-12 & Z23-13: Meridian North
Council District: #6 Larry Miller
Neighborhood: Bonham

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N


REVISED
PRELIMINARY PLAT OF
THE MERIDIAN
SKG
ENGINEERING
CATALINA COURT
ROYAL OAK DRIVE
DOLMICH RIDGE DRIVE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
BLOCK 9
TRACT A

CASE #: Z23-13: Meridian North. 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: RIMROCK DEVELOPMENT CO LLC
Parcel I.D: 54083
Address: 5405 CORAL WAY

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo, TX, 76903
planning@cosatx.us

I am in favor ☐ I am opposed ☑ **Signature:** [illegible]

Additional Comments:

Opposed to higher density w/ ZERO cut line & Townhomes designation / Single family off TRAFFIC — Congestion In + Out

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 15.496 ACRES OF LAND SITUATED IMMEDIATELY SOUTH/SOUTHWEST OF THE CITY, GENERALLY LOCATED WEST OF RED OAK AND SCARLET OAK AND NORTH OF DOMINION RIDGE DR; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 15.496 acres situated immediately south/southwest of the City, generally located west Red Oak and Scarlet Oak and north of Dominion Ridge Dr, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on November 7, 2023; and,

WHEREAS, a public hearing on the annexation was held, the 21st day of November, 2023, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the

manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 21st day of November, 2023, and finally PASSED, APPROVED AND ADOPTED on this the 5th day of December, 2023.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

By: _____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit “A” (Legal Description and Survey)

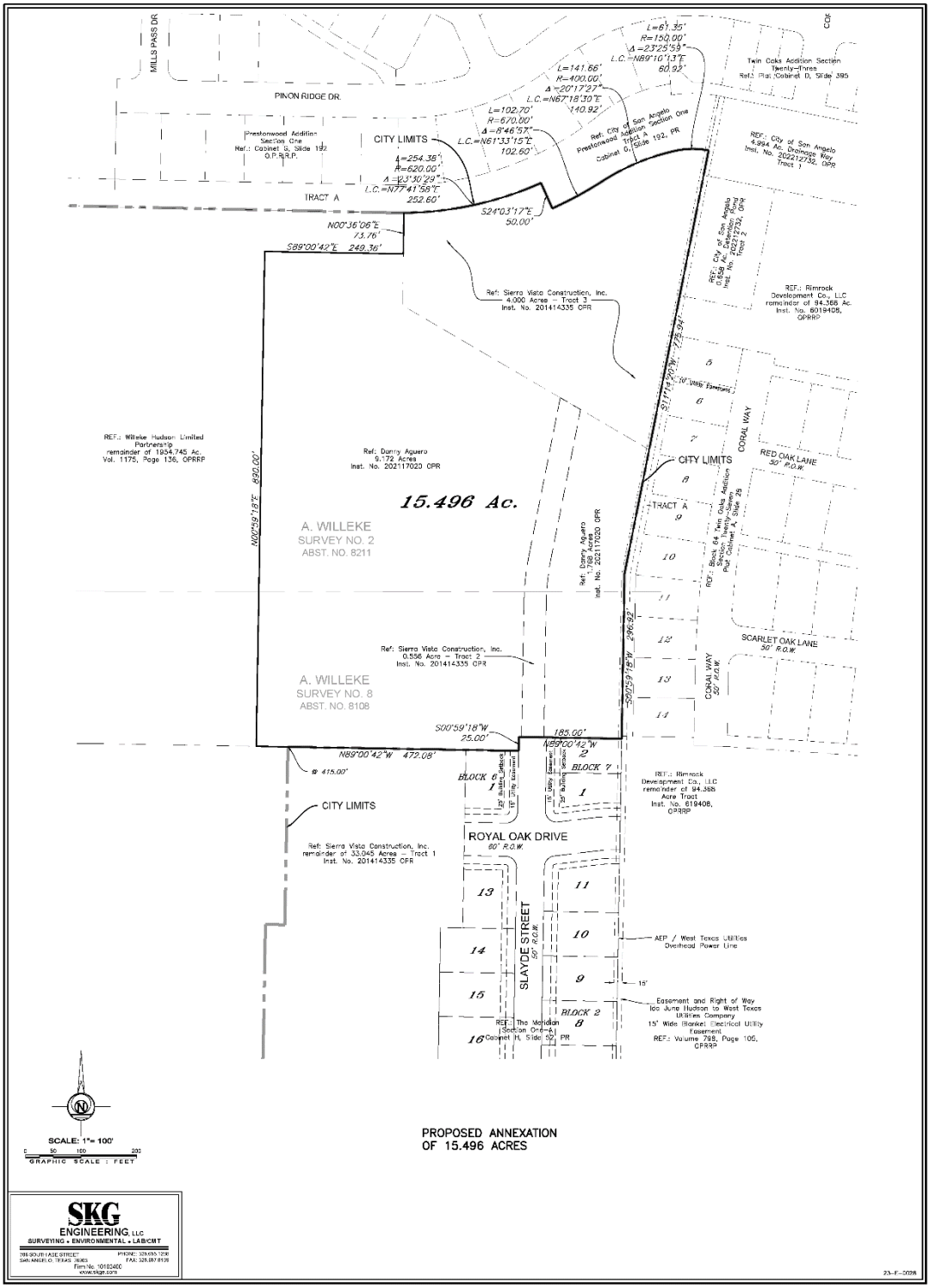


Exhibit “A” (Legal Description and Survey)

FIELD NOTES

15.496 Acres (Proposed Annexation) August 18, 2023

23-E-0028_15.496Ac

Being an area of 15.496 acres of land out of A. Willeke Survey No. 2, Abstract No. 8211 and A. Willeke Survey No. 8, Abstract No. 8108, Tom Green County, Texas and said 15.496 acre tract also being all of that certain 9.172 acre tract and 1.768 acre tract described and recorded in Instrument Number 202117020, Official Public Records of Tom Green County, Texas and all of that certain 0.556 acre tract (Tract 2) and all of that certain 4.000 acre tract (Tract 3) described and recorded in Instrument Number 201414335, Official Public Records of Tom Green County, Texas and said 15.496 acre tract being more particularly described by metes and bounds as follows:

Beginning at a point on the current city limits line and at the southeast corner of this tract and the northeast corner of Lot 2, Block 7, The Meridian Section One-A according to the plat recorded in Cabinet H, Slide 52, Plat Records of Tom Green County, Texas;

Thence with current city limits line and south boundary line of this tract and north line of said The Meridian Section One-A and north line of a certain remainder of 33.045 acre tract – Tract 1 and south line of said 1.768 acre tract and said 0.556 acre tract – Tract 2 and said 9.172 acre tract as follows:

N. 89°00'42" W. a distance of **185.00** feet to an angle corner of this tract;

S. 00°59'18" W. a distance of **25.00** feet to an angle corner of this tract;

N. 89°00'42" W. at a distance of 415.00 passing a reentrant corner of the current city limits line, in all a total distance of **472.08** feet to the southwest corner of this tract and said 9.172 acre tract and the southeast corner of a certain remainder of a 1954.745 acre tract described and recorded in Volume 1175, Page 136, Official Public Records of Real Property of Tom Green County, Texas;

Thence with the west boundary line of this tract and said 9.172 acre tract and said 4.000 acre tract and the east line of said remainder of 1954.745 acre tract as follows:

N. 00°59'18" E. a distance of **890.00** feet to an angle corner of this tract;

S. 89°00'42" E. a distance of **249.36** feet to an angle corner of this tract;

N. 00°36'06" E. a distance of **73.76** feet to the current city limits line and the northwest corner of this tract and said 4.000 acre tract and on the south line of a certain Tract A, Prestonwood Addition Section One according to the plat recorded in Cabinet G, Slide 192, Plat Records of Tom Green County, Texas;

Thence with the current city limits line and north boundary line of this tract and south line of said Tract A, Prestonwood Addition Section One as follows:

In an easterly direction with a non-tangent curve turning to the left, having a radius of 620.00 feet, central angle of 23°30'29", arc length of 254.38 feet, whose long chord bears **N. 77°41'58"** E. a distance of **252.60** feet to an angle corner of this tract;

S. 24°03'17" E. a distance of **50.00** feet to an angle corner of this tract;

Exhibit "A" (Legal Description and Survey)

In a northeasterly direction with a non-tangent curve turning to the left, having a radius of 670.00 feet, central angle of 08°46'57", arc length of 102.70 feet, whose long chord bears **N. 61°33'15" E.** a distance of **102.60** feet to a point of reverse curvature;

In a northeasterly direction with a reverse tangent curve turning to the right, having a radius of 400.00 feet, central angle of 20°17'27", arc length of 141.66 feet, whose long chord bears **N. 67°18'30" E.** a distance of **140.92** feet to a point of compound curvature;

In an easterly direction with a compound tangent curve turning to the right, having a radius of 150.00 feet, central angle of 23°25'59", arc length of 61.35 feet, whose long chord bears **N. 89°10'13" E.** a distance of **60.92** feet to the northeast corner of this tract and on the west line of a certain 4.994 acre tract Drainage Way described and recorded in Instrument Number 202212732, Official Public Records of Tom Green County, Texas (Tract 1);

Thence with the current city limits line and the east boundary line of this tract and west line of said 4.994 acre tract Drainage Way and a certain 0.658 acre tract Detention Pond described and recorded in Instrument Number 202212732, Official Public Records of Tom Green County, Texas (Tract 2) and certain remainder of 94.368 acre tract described and recorded in Instrument Number 6019408, Official Public Records of Tom Green County, Texas and Tract A, Twin Oaks Addition, Section Twenty-Seven, according to the plat recorded in Cabinet S, Slide 28, Plat Records of Tom Green County, Texas as follows:

S. 11°14'20" W. a distance of **775.94** feet to an angle corner of this tract;

S. 00°59'18" W. a distance of **296.92** feet to the place of beginning and containing an area of **15.496** acres of land.

See Attached Annexation Map.

Exhibit "B" (Service Plan)

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ___ day December 2023, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

By:_____
Daniel Valenzuela
City Manager

Attest:

_____
Heather Stastny, City Clerk

Approved as to Content:

_____
Aaron Vannoy, Planning &
Development Services Assistant Director

SIERRA VISTA CONST, INC(OWNER)

By:_____
Danny Aguerro
President

Approved as to Form and Legality:

_____
Theresa James, City Attorney

SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY DESCRIBED AS FOLLOWS:

Generally located west of the Red Oak and Scarlet Oak and north of Dominion Ridge Dr. and specifically described as Meridian North, Blk 5-8, being an area of 15.496 acres of land out of A. Willeke Survey No. 2, Abstract No. 8211 and A. Willeke Survey No. 8, Abstract No. 8108, Tom Green County, Texas and said 15.496 acre tract also being all of that certain 9.172 acre tract and 1.768 acre tract described and recorded in Instrument Number 202117020, Official Public Records of Tom Green County, Texas and all of that certain 0.556 acre tract (Tract 2) and all of that certain 4.000 acre tract (Tract 3) described and recorded in Instrument Number 201414335, Official Public Records of Tom Green County, Texas.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. **POLICE PROTECTION**

Existing Services: Police protection provided by Tom Green County Sheriff's Office.

Services to be provided:
The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided.

2. **FIRE PROTECTION AND EMERGENCY SERVICES**

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide. Fire service provided by volunteer fire departments.

Services to be provided:
The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.
The Office of Fire Prevention will provide permitting and inspection services upon annexation. This includes issuing permits and conducting fire sprinkler, fire alarm,

commercial hood or special agent system inspections as well as occupancy and maintenance inspections for any new construction and remodeling projects, as well as any other applicable enforcement of adopted codes and standards within the City of San Angelo.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:
The same regular solid waste collection services now provided within the city will be extended (as appropriate) to the newly annexed area on the effective date of annexation.

4. MAINTAINING WATER AND WASTEWATER FACILITIES

Existing Services: None.

Services to be provided:
Water and wastewater services will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water and wastewater services shall be provided in accordance with extension ordinances. Extension of service shall comply with City of San Angelo codes and ordinances. Prior to future development, a subdivision plat(s) shall be approved by the City and recorded with Tom Green County that includes any required provisions for water and sanitary sewer service.

As part of the subdivision plat, the developer/owner shall prepare and submit plans for approval of a looped water main system or approved deferral process, illustrating the proposed installation of a water main and complete the installation in accordance with the approved version of these plans prior to plat recordation.

As part of the subdivision plat, the developer/owner shall prepare and submit plans for approval of a wastewater system, illustrating the proposed installation of a wastewater main and service lines and complete the installation in accordance with the approved version of these plans prior to plat recordation.

5. MAINTAINING ROADS, STREETS, AND ALLEYWAYS

Existing Services: Provided by Tom Green County

Services to be provided:
Developers of land within the newly annexed territory will be required to provide streets in accordance with applicable ordinances of the City of San Angelo, including the Land Development and Subdivision Ordinance and the City's Master Thoroughfare Plan (MTP), and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Once accepted by the City of San Angelo, any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Existing Services: None

Services to be provided:
The City Council of the City of San Angelo, Texas is not aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserviced area in the City of San Angelo Parks Master Plan. The City has recently completed the process of updating its Master Plan which reviewed these underserviced areas.

7. BUILDING INSPECTION

Existing Services: None

Services to be provided:
The Permits & Inspections Division will provide building permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:
The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:
In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those.

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:
Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion.

12. STREET LIGHTING

Existing Services: None

Services to be provided:
The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

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 ZONING AND CLASSIFYING THE FOLLOWING PROPERTIES: **APPROXIMATELY 15.496 ACRES LOCATED WEST OF RED OAK AND SCARLET OAK AND NORTH OF DOMINION RIDGE DR;** FROM UNZONED LAND TO SINGLE-FAMILY RESIDENTIAL (RS-1) FOR BLOCKS 5-7 AND ZERO LOT LINE, TOWNHOME, & TWINHOME RESIDENCE (RS-3) FOR BLOCK 8 IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-13: Meridian North.

WHEREAS, on the 16th day of October, 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 Single-Family Residential (RS-1) and Zero Lot Line, Townhome, & Twinhome Residence (RS-3) Zoning District; and,

WHEREAS, on the 21st day of November, 2023, City Council held a public hearing on Z23-13, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials.

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties permanently zoned SINGLE-FAMILY RESIDENTIAL (RS-1) FOR BLOCKS 5-7 AND ZERO LOT LINE, TOWNHOME, & TWINHOME RESIDENCE (RS-3) FOR BLOCK 8 ZONING DISTRICT:

The real property generally located West of Red Oak and Scarlet Oak and North of Dominion Ridge Dr, described as Meridian North, Blk 5-8, 15.496 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 **21st day of November, 2023,** and finally PASSED, APPROVED AND ADOPTED on this the **5th day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

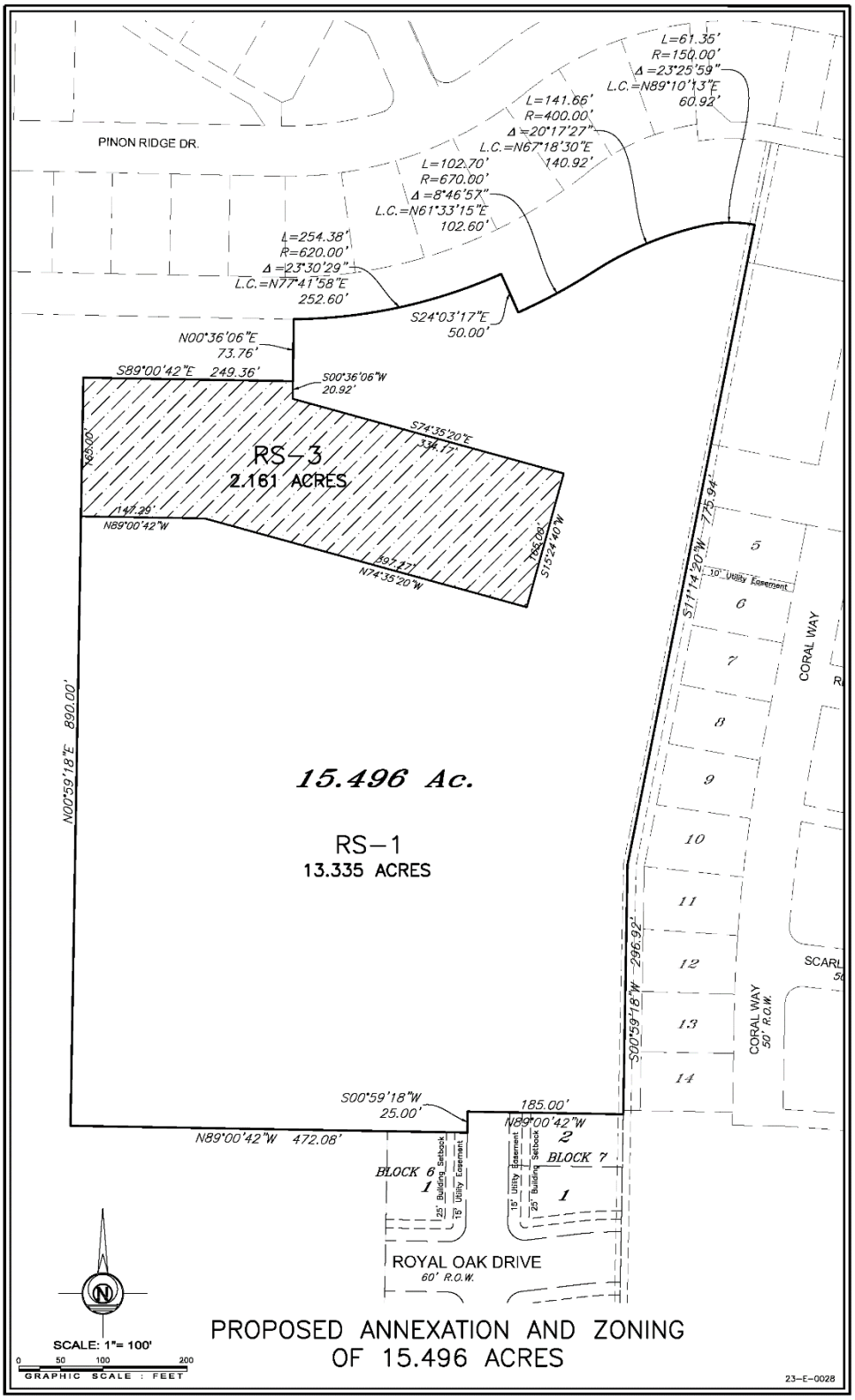
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A"


PINON RIDGE DR.
L=61.35'
R=150.00'
Δ=23°25'59"
L.C.=N89°10'13"E
60.92'
L=141.66'
R=400.00'
Δ=20°17'27"
L.C.=N67°18'30"E
140.92'
L=102.70'
R=670.00'
Δ=8°46'57"
L.C.=N61°33'15"E
102.60'
L=254.38'
R=620.00'
Δ=23°30'29"
L.C.=N77°41'58"E
252.60'
S24°03'17"E
50.00'
N00°36'06"E
73.76'
S89°00'42"E 249.36'
S00°36'06"W
20.92'
S74°35'20"E
334.17'
RS-3
2.161 ACRES
165.00'
147.29'
N89°00'42"W
897.27'
N74°35'20"W
165.00'
S15°24'40"W
S11°14'20"W 775.94'
10' Utility Easement
5
6
7
8
9
10
11
12
13
14
CORAL WAY
CORAL WAY
50' R.O.W.
SCARL
N00°59'18"E 890.00'
15.496 Ac.
RS-1
13.335 ACRES
S00°59'18"W 296.92'
S00°59'18"W
25.00'
185.00'
N89°00'42"W
N89°00'42"W 472.08'
BLOCK 6
1
25' Building Setback
15' Utility Easement
2
BLOCK 7
15' Utility Easement
25' Building Setback
1
ROYAL OAK DRIVE
60' R.O.W.
N
SCALE: 1"= 100'
0 50 100 200
GRAPHIC SCALE : FEET
PROPOSED ANNEXATION AND ZONING
OF 15.496 ACRES
23-E-0028

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: December 5, 2023

Item type: Consent Item

Caption:

Second reading of an ordinance for Z23-14 to rezone properties from the General Commercial zoning district to the Heavy Commercial zoning district, being 14.311 acres, located at 3420, 3502, and 3550 N. Bryant Blvd. and associated unaddressed parcels (Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

The applicant has submitted a request for a zone changed to go from General Commercial (CG)) to Heavy Commercial (CH) at 3420, 3502 & 3550 N Bryant and associated parcels. The owner wants to build his offices, have retail sales and service of heavy equipment along with outdoor display of that equipment along with service of the equipment and rentals. The Planning voted 5 - 0 at their October 16, 2023 meeting to recommend approval of the request.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends APPROVAL of the rezoning from General Commercial to Heavy Commercial, as did the Planning Commission on October 16, 2023, with a 5-0 vote.

Attachments:

1. Z23-14 N Bryant Staff Report [http][][v][Z23-14 N Bryant Staff Report].docx
2. Zoning Ordinance Z23-14 Zoning Ordinance Z23-14.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Brandon Dyson	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

STAFF REPORT
PLANNING COMMISSION – October 16, 2023
City Council First Reading November 21, 2023
City Council Second Reading December 5, 2023

APPLICATION TYPE:	CASE:
Rezoning	**Z23-14** - 3420, 3502, 3550 N. Bryant Blvd.

SYNOPSIS:

The applicant's representative has submitted a zone change request to go from General Commercial (CG) to Heavy Commercial (CH) at 3420, 3502 & 3550 N Bryant and associated parcels. The owner wants to build offices, as well as retail and sales and service of heavy equipment along outdoor display. Presently this area is zoned General Commercial (CG) but what the owner wants to do is have exterior display of heavy equipment which requires Heavy Commercial (CH) zoning. He is also look for compatible businesses that would benefit from siting their office next to a similar usage.

LOCATION:	LEGAL DESCRIPTION:
East side of N. Bryant Blvd., north of W. 33rd St., and south of Humble Rd.	Being inclusive of Lakeside Gardens Addition Blk 1 E pt. of Lot 6, Lots 3, 4, & 5, Lot 25 & NE pt L24, Lots 26 & 27, Lot 29 & 30 less SW Triangular pt of NE pt of Lot 31

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #2 – Tom Thompson Neighborhood: Riverside	CG	Commercial	14.311 acres

THOROUGHFARE PLAN:

- N. Bryant Blvd. Major Arterial State Highway 87

NOTIFICATIONS

32 notices were mailed out. None have been received either for or against at this time.

STAFF RECOMMENDATION:

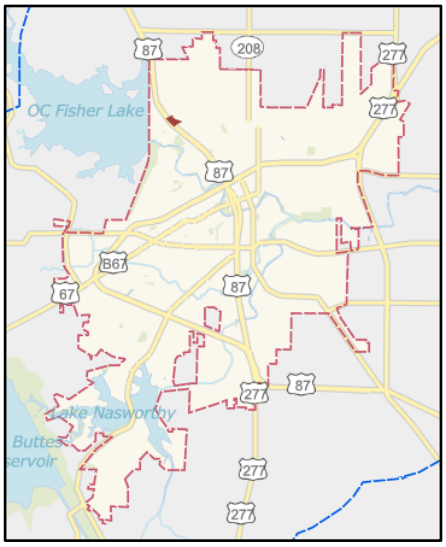
Staff recommends **APPROVAL** of the rezoning from General Commercial to Heavy Commercial.

PROPERTY OWNER/PETITIONER:

Owner: Kevin Allbright
Petitioner: Russell Gully
SKG Engineering

STAFF CONTACT:

Sherry Bailey
Principal Planner
(325) 657-4210, Extension 1546
sherry.bailey@cosatx.us



Information:

This property is in an older area of the city zoned commercial, along a state highway. However, it has not yet been part of the commercial development push. We see signs that that is changing. Traffic along N Bryant is increasing. Future development seems to be trending to highway commercial and large facilities.

Planning Commission evaluation of appropriateness.
Section 213(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request as outlined in #1 through #7 below:

1. **Compatible with Plans and Policies.** ***Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The property proposed to be rezoned is in the General Commercial (CG) zoning district. The Comprehensive Plan has the area as "Commercial." Rezoning to Heavy Commercial (CH) is in keeping with the "Commercial" Land Use designation in the City's Comprehensive Plan, updated in 2009.

2. **Consistent with Zoning Ordinance.** ***Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*** As proposed, all lots will meet the requirements for the Heavy Commercial zoning.

3. **Compatible with Surrounding Area.** ***Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*** The rezoning is generally compatible with the surrounding area as outlined in the Comprehensive Plan mentioned above. Both lots are presently vacant. If rezoned, they will be adjacent to Light Manufacturing (ML) zoning to the north and across the street to the west. There will be Single Family (RS-1) zoning to the east, but that is separated by a street and the applicant will be required to provide a fence buffer. In addition, those homes are on very large, deep lots and the actual residences are at quite a distance from the subject property. The property to the south is General Commercial (CG) which is compatible with the proposed CH zoning.

4. **Changed Conditions.** ***Whether and the extent to which there are changed conditions that require an amendment.*** The applicant wants to develop a medium to large service center including sales and rentals with complementary businesses in the center.

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.*** Staff does not anticipate any adverse environmental affects at this time. A review of drainage, grading, and stormwater will be conducted by Engineering Services to address any environmental issues through the subdivision platting process.

6. **Community Need.** ***Whether and the extent to which the proposed amendment addresses a demonstrated community need.*** Staff believes there is a need for this type of product and service centers in San Angleo.

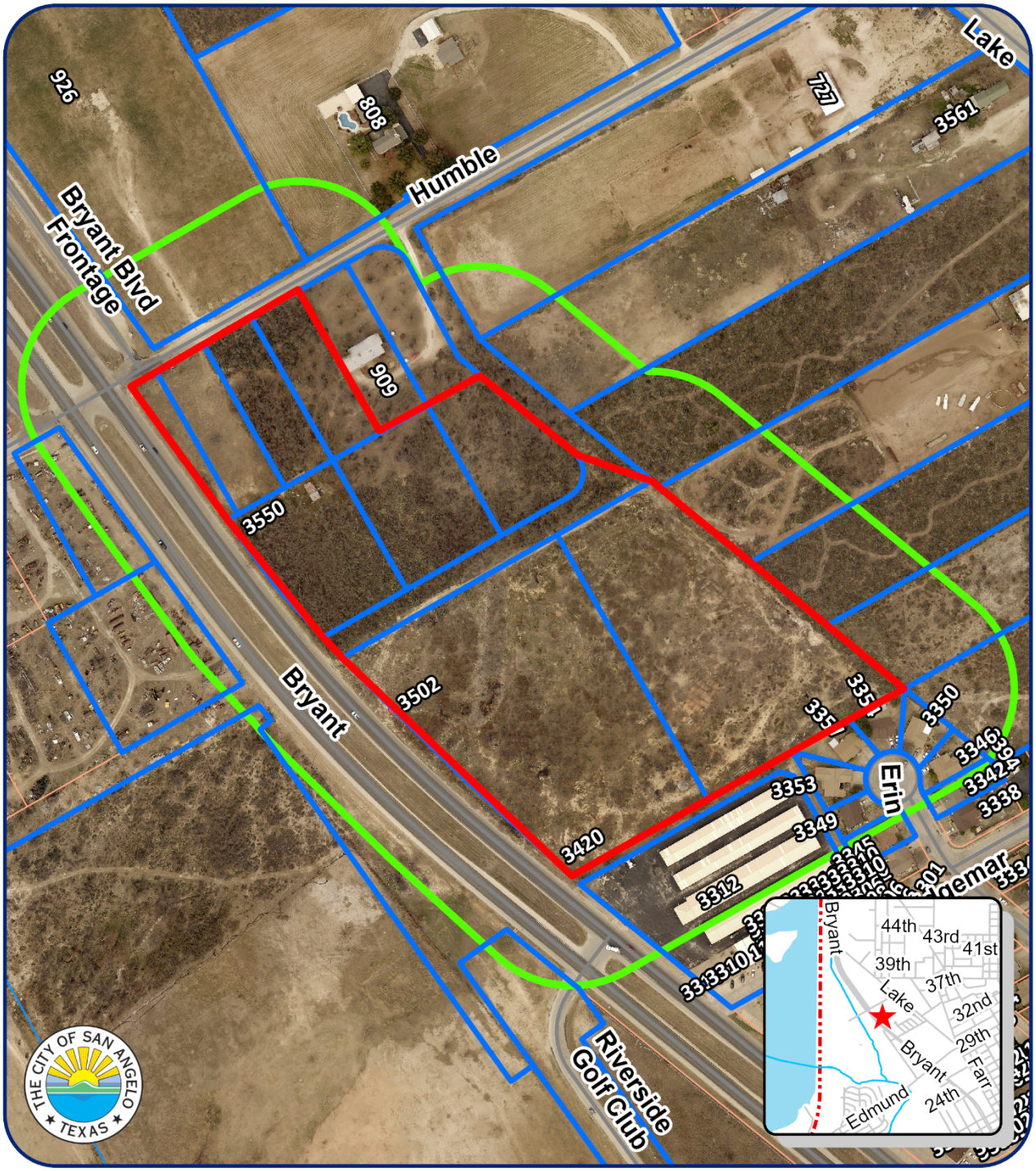
7. **Development Patterns.** ***Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*** This buildout would provide additional commercial traffic in an area that is just starting to develop more commercial services.

Recommendation:

Staff recommends APPROVAL of the rezoning request.

Attachments:
Notification Map
Aerial Map
Zoning Map

Notification Map



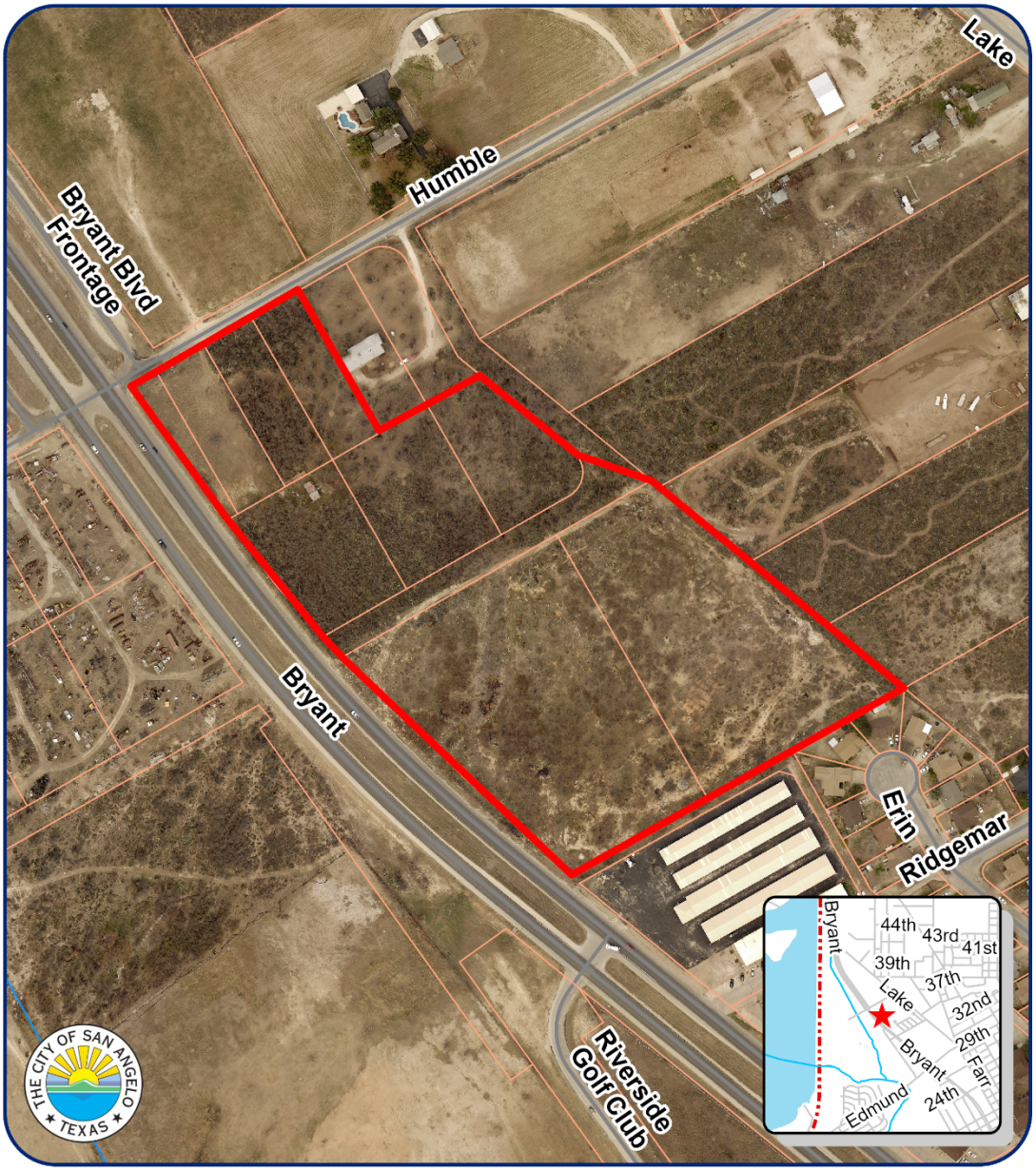
200' Notification Map
Z23-14: 3420, 3502, 3550 N Bryant
Council District: #2 Tom Thompson
Neighborhood: Riverside

Scale: 0 0.01 0.03 0.05 0.08 0.1 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N

Aerial Map



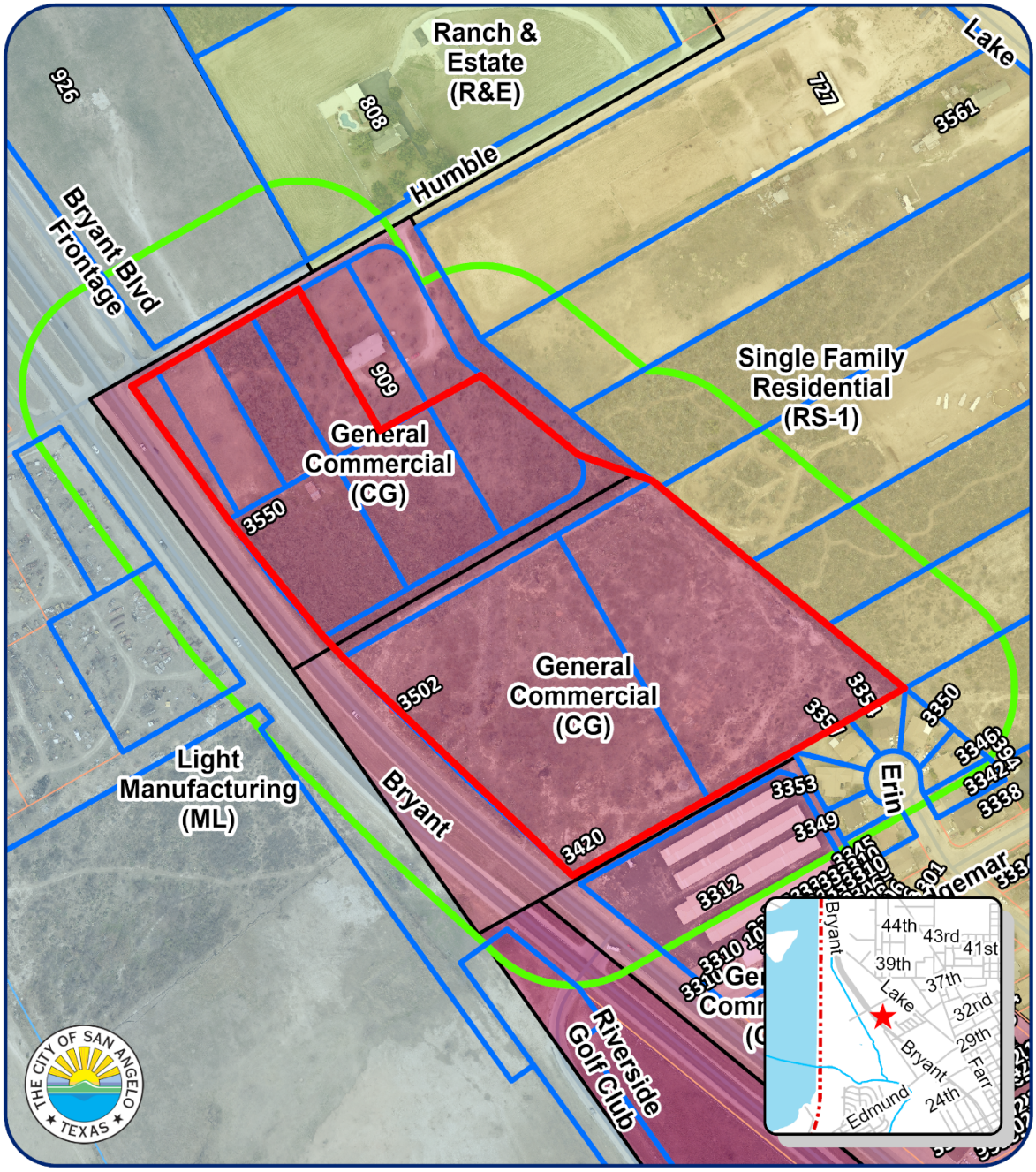
Aerial Map
Z23-14: 3420, 3502, 3550 N Bryant
Council District: #2 Tom Thompson
Neighborhood: Riverside

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

Subject Properties:

N

Zoning Map



Zoning Map
Z23-14: 3420, 3502, 3550 N Bryant
Council District: #2 Tom Thompson
Neighborhood: Riverside

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N

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 14.311 ACRES LOCATED INCLUSIVE OF LAKESIDE GARDENS ADDITION BLK 1 E PT. OF LOT 6, LOTS 3, 4, & 5, LOT 25 & NE PT. LOT 24, LOTS 26 & 27, LOTS 29 & 30 LESS SW TRIANGULAR PT OF NE PT. OF LOT 31;** FROM GENERAL COMMERCIAL ZONING DISTRICT (CG) TO HEAVY COMMERCIAL (CH) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-14: 3420, 3502, 3550 N. Bryant Blvd., and associated unaddressed parcels.

WHEREAS, on the 16th day of October 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 Heavy Commercial (CH) Zoning District; and,

WHEREAS, on the 21st day of November 2023, City Council held a public hearing on Z23-14, 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 HEAVY COMMERCIAL (CH) ZONING DISTRICT:

The real property generally located Being inclusive of Lakeside Gardens Addition Blk 1 E pt. of Lot 6, Lots 3, 4, & 5, Lot 25 & NE pt L24, Lots 26 & 27, Lots 29 & 30 less SW Triangular pt of NE pt of Lot 31, approximately 14.311 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 **21st day of November 2023,** and finally PASSED, APPROVED AND ADOPTED on this the 5th **day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

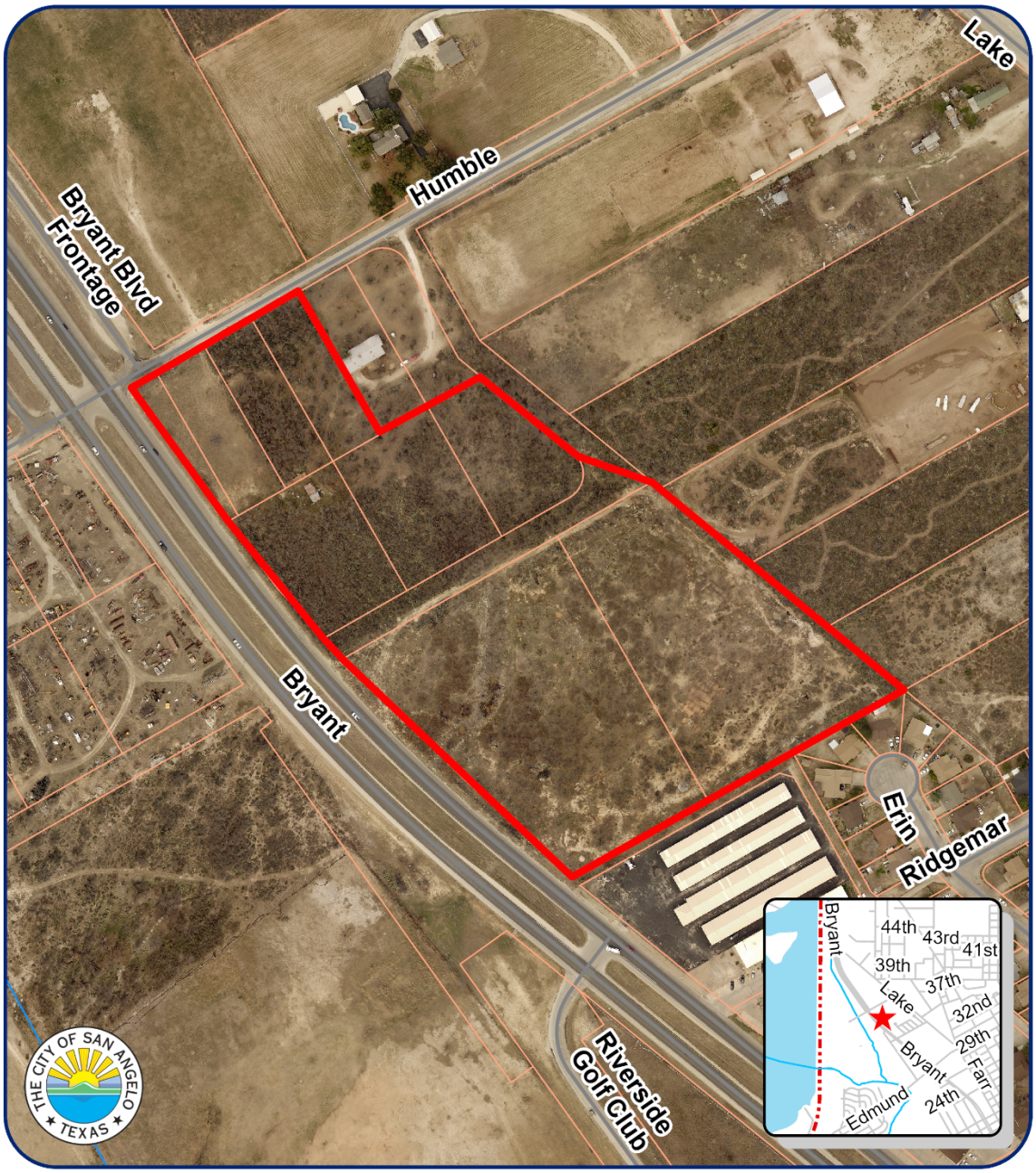
ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A"



Aerial Map
Z23-14: 3420, 3502, 3550 N Bryant
Council District: #2 Tom Thompson
Neighborhood: Riverside

Subject Properties:

N

Scale: 0 0.010.03 0.05 0.08 0.1 Miles

-

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Carlton White, Parks and Recreation Director, Parks and Recreation

Meeting Date: December 5, 2023

Item type: Regular Item

Caption:

Consider approving an agreement with Duncan Group Southland LLC, for the development of a stormwater detention area on City property, generally located northeast of the intersection of Valleyview Blvd. and College Hills Blvd. and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Parks and Recreation Director Carl White and Public Works Executive Director Shane Kelton)

Staff Recommendation:

Approve

Summary/History:

This item is to allow a developer to work with the City to construct a stormwater detention area, at the developer's expense, on existing park property bounded by Valleyview Drive and College Hills Boulevard. Once the detention area is constructed to the City's requirements, the City will maintain it. The City will also clear and grade the area for construction of the detention area.

Funding Source(s):

Financial Impact:

There is no direct cost for approving this agreement. Duncan Group Southland LLC, would spend up to $300,000 of their money on City property to construct the stormwater detention area. City Public Works crews would spend some effort clearing and preparing the site.

Other Information/Recommendation:

The Parks and Recreation Advisory Board was very involved in the conceptual development of the potential park at the site, incorporating the stormwater detention area, in sub-committee meetings and a number of board meetings.

Attachments:

1.	Detention POND PARK	Detention POND PARK.pdf
2.	MULTI-PURPOSE DETENTION BASIN - RECREATION FIELD INTRODUCTION AND OVERVIEW	MULTI-PURPOSE DETENTION BASIN - RECREATION FIELD INTRODUCTION AND OVERVIEW.pdf

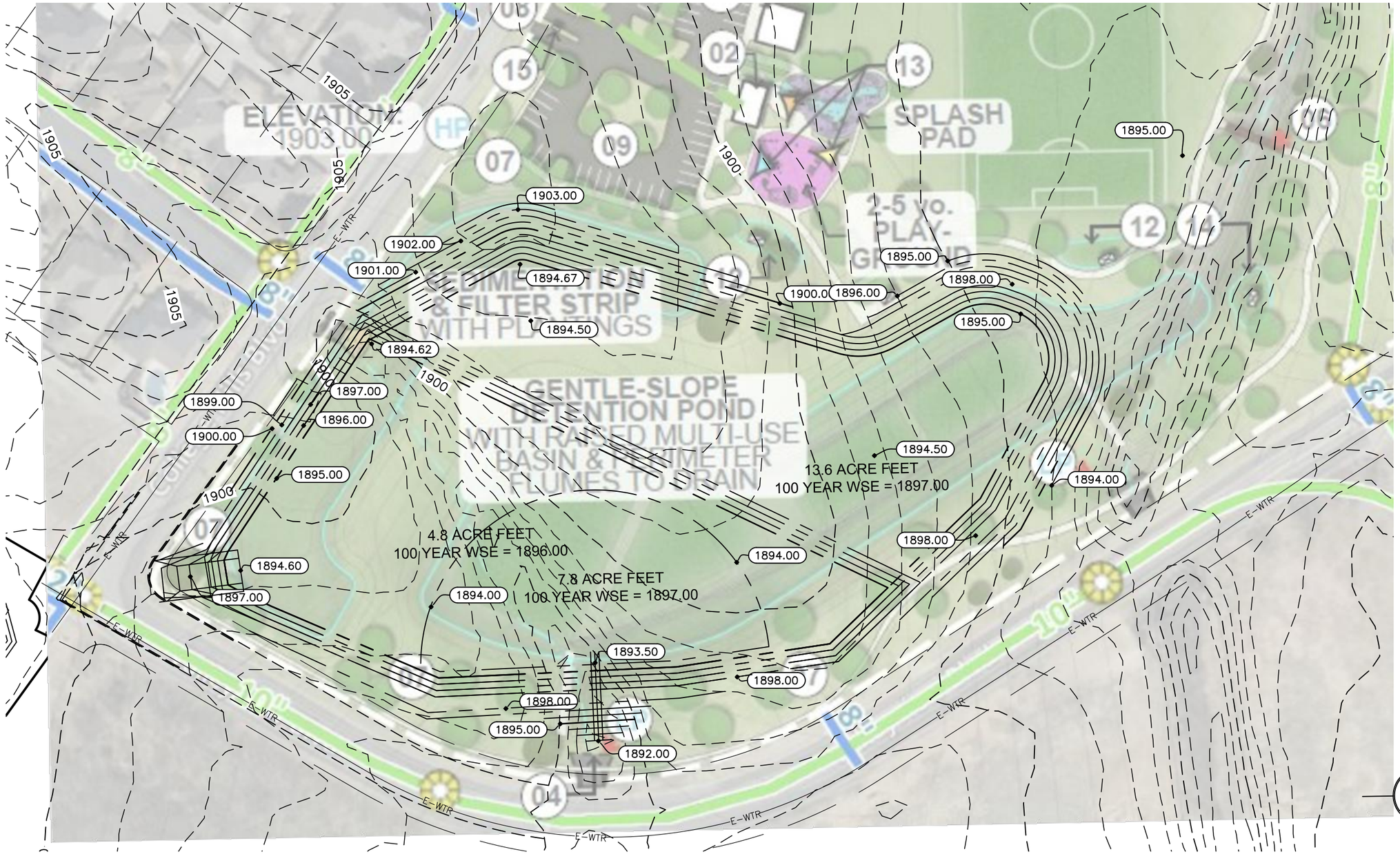
3.	MULTI-PURPOSE FIELD BENEFITSTO COSA DRAFT FINAL (WORK COPY JD polish.v.3)	MULTI-PURPOSE FIELD BENEFITSTO COSA DRAFT FINAL (WORK COPY JD polish.v.3).pdf
4.	MULTI-USE BASIN PROPOSAL DRAFT	MULTI-USE BASIN PROPOSAL DRAFT.pdf
5.	Final conceptual layout	Final conceptual layout.pdf
6.	Valleyview stormwater detention and park presentation	Valleyview stormwater detention and park presentation.pptx

Presentation:

Carlton White, Shane Kelton

Approvals/Reviews:

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



SCALE: 1"= 100'

0 50 100 200

GRAPHIC SCALE : FEET

21-E-0006

DRAFT

MULTI-PURPOSE DETENTION BASIN - RECREATION FIELD ON CITY PARKLAND

INTRODUCTION AND OVERVIEW

A new residential development is underway at the Southwest corner of the College Hills Boulevard and Valleyview Boulevard intersection, in the Southland Hills neighborhood. Recognizing the City has a large tract of land that has remained unimproved for many years at the Northeast corner of the same intersection prompted the initial thought behind the concept. (The City's tract of land was initially intended to be an SAISD high school, but after the decision was made to not move forward with a school, the property was eventually transferred to the Parks Department, or otherwise earmarked for the Parks Department for a future "community or neighborhood" city park.

In larger metropolitan areas, such as Austin, detention facilities serving a community, region or larger area often take the shape of a detention basin with gently sloped perimeter areas that serve as the sides with a relatively flat bottom, and are also utilized as recreational parkland or open space which may be enjoyed by area residents. As such, the facilities provide dual functions. They provide both a storm water detention purpose, and a recreational amenity for the community.

Inquiry was made into the status of current plans for use for the City tract, and the potential timing of future improvements planned for the community/neighborhood city park for the property, since it has remained basically unused and underutilized. It was confirmed that a community/neighborhood park was planned / envisioned for the property, but funds have not been budgeted for its construction or improvement.

An evolving discussion with city staff, administrators, and officials began about the potential for a public – private partnership to occur with respect to the city property. This has led to the design of a concept plan for the Southwest Community/Neighborhood City Park, and the current proposal to leverage private funds to improve the city property, and create a multi-use detention basin and recreational field at the Northeast corner of the intersection on the city property. This may be viewed as the initial phase of the city's Southwest Community/Neighborhood Park. There is also a benefit to the private subdivision – namely, the provision of a regional stormwater detention basin. However, the proposal is to provide more detention capacity than is needed solely for the subdivision development, with the opportunity to expand further the detention capacity in the future. Additionally, there are numerous benefits accruing to the city under the proposal, including those relating to drainage and detention, maintenance (and associated costs), and quality of life. These benefits will result from the expenditure of primarily private funds and are discussed on the following pages.

After discussion with city staff and department heads, the proposal summary is that the developer will coordinate with the city maintenance, parks, and engineering departments, and will pay for or hire private contractors to cause the design and construction of up to $300,000 worth of necessary engineering design and infrastructure improvements related to the project, including the basin, inlet and outlet structures, and reworking/improving the intersection of College Hills and Valleyview.

DRAFT

MULTI-PURPOSE DETENTION "BASIN" AND RECREATION FIELD ON CITY PARK LAND BENEFITS TO THE CITY OF SAN ANGELO

1. A "Public – Private Partnership"

   Utilizes private funds for a public improvement, adding to city assets. Rather than solely asking for allocation of city funds to provide a benefit to citizens/residents, private funds are offered to make improvements.

2. A "Regional" Detention Solution

   Addresses Drainage / Detention Issues other than the requirements directly generated by the nearby development at the Southwest corner of the intersection of Valleyview Blvd. and College Hills Blvd.

   The facility will provide excess detention capacity above that needed for the nearby development. (Approximately twice the capacity.) Benefits will include:

   i. The presence of the detention basin facility and related improvements can help resolve drainage issues that may exist near the intersection of College Hills Boulevard and Valleyview Boulevard by being able to accept stormwater runoff during rain events.
      (Whether addressed concurrently with the creation of the facility, or in the future.)
   ii. Existing developed areas "upstream" have been built without "optimally" located detention basin. The existence of this facility will help with this situation.
   iii. The intersection of Valleyview and College Hills is anticipated to be "re-worked" to drain to the northeast across the intersection to the detention basin. This would improve stormwater drainage across the intersection.
   iv. The presence of the detention basin facility will also help facilitate the future extension/connection of Valleyview Blvd. between College Hills and Stone Canyon Trail going through (connecting the existing portions located generally to the east and the west), by recognizing the need to address future drainage issues that would arise (specifically including downstream along Valleyview to the east of the intersection).

      [When Valleyview is extended or connected, the roadway will/would otherwise carry a significant volume of water through the intersection and eastward along Valleyview. (Presently, this runoff is slowed and dissipated some when it "hits"

the undeveloped stretch of Valleyview.) This would/could result in drainage issues (the depth of water within the roadway) along Valleyview east of the intersection during and after some rain events (particularly moderately heavy to heavy rain fall events).]

v. Detention capacity will be provided and already in place for future park improvements.

vi. The design of the basin will allow for a future expansion of its detention capacity.

3. Lowers City Maintenance Costs

Additionally (and partly as an aggregate result of several of the preceding factors), the existence of the Detention Facility would lower the city's overall maintenance costs.

i. Debris Management;
ii. Erosion Management. The Detention Basin will spread out and slow down the speed of runoff during an event, which will also slow, reduce, and/or avoid much of the erosive behavior from storm events;
iii. Reduce/Eliminate some undercutting of street improvements;
iv. Centralize maintenance in a single location; and
v. Could provide a quantity of topsoil for use as needed by city crews.

4. Recreational Opportunities for COSA citizens/residents

The Multi-Purpose Detention Facility - Recreation Field can serve as the First Phase of the City's future "Community" Southwest City Park planned for the City owned land (Parks Department) located at the Northeast corner of the College Hills Boulevard and Valleyview Boulevard intersection.

The proposed basin/field will be designed in accordance with the City' Conceptual Plan for the park programmed by Parkhill, and as a component part of it.

Having a Multi-purpose facility that provides a recreational area/opportunity for the surrounding neighborhoods fulfills residents' desires as expressed at (relatively) recent City Council meetings and public forums.

5. Makes Better Use of a City Asset
(Converts part of vacant, unused city parkland property covered in brush -- "greenspace"—into a more inviting and usable parkland "open space".)

6. Further the City's Economic Development Efforts

The presence of a recreational facility close to a new residential subdivision, as well as being close to existing neighborhoods, not only contributes to the quality of life for existing city residents, but this also assists the City in its economic development activities – specifically, business and industry recruitment.

Owners of businesses and companies that are considering relocating to San Angelo will be looking at numerous factors, but quality of life, cost of living, and housing choices for their employees are high on their list. Accordingly, these are major areas of importance to every city's Economic Development team's recruitment efforts. Having choices of safe, comfortable, affordable, quality housing throughout a city (in multiple areas within a city) are important to these efforts. Having recreational areas/opportunities for the employees' families and children near their homes is also highly desirable. (These are important considerations in deciding where to relocate a business, just as proximity to shopping, restaurants, schools, and other amenities and services are important in deciding where to purchase a house and where to live within a community.)

The developer and the homebuilders that will be building the homes in this new area of Southland Hills are all trying to meet part of the need for homes that fit this description. It is anticipated that homes in the first sections of the subdivision will range in price from approximately $260,000 to approximately $380,000, with both the average price and the median price expected to be under $300,000. As such, new homes within the neighborhood would be priced within reach of a reasonably large segment of the city's residents.

Therefore, the dual presence of relatively "attainable" homes in close proximity to usable park land adds value (and options) for future homebuyers, and furthers the city's affordable/attainable housing efforts and assists in reaching its business and industry recruitment and economic development goals.

7. The City and the Private Sector work cooperatively to fill city needs and fulfill city goals.

   The Developer requested, and received approval for a Planned Development zoning to facilitate more attainable new housing. The housing study commissioned by the City (the COSA Development Corporation) several years ago (in 2019) pointed out the tremendous need for "moderately" priced housing attainable for a high percentage of the local population. This ties in with many of the other benefits: quality of life for residents, attracting new residents, growth of city economic base, etc. Approval of the request to cooperatively build a Multi-use Detention Basin – Recreation Field on city park land will facilitate the public's ability to utilize, and enjoy, that asset, and leverages private funds to accomplish that purpose.

   Essentially, the private sector and the public sector help each other.

8. Additional Benefits

(i) Prudent Stormwater Management has environmental benefits;
(ii) The presence of parks can improve property values;
(iii) Parks can encourage active lifestyles and enhance the health of residents; and
(iv) Parks increase community involvement and interaction.

Therefore, the City will realize multiple benefits by permitting the Multi-use Detention Basin – Recreation Field to go forward.

DRAFT PROPOSAL

PROPOSAL FOR A PUBLIC – PRIVATE "PARTNERSHIP" TO CONSTRUCT A MULTI-USE DETENTION BASIN / RECREATION FIELD ON UNUSED (VACANT) CITY (PARK) LAND AT THE NORTHEAST CORNER OF THE VALLEYVIEW BOULEVARD AND COLLEGE HILLS BOULEVARD INTERSECTION

1. The Developer of the new subdivision underway located generally at the Southwest corner of the Valleyview Boulevard and College Hills Boulevard intersection, Duncan Group Southland LLC, proposes to spend up to $300,000 to design and construct a multi-use detention basin – recreation field, along with inlet and outlet structures and reworking the improved intersection.
2. The Proposal as agreed to by the Developer and City Staff is as follows:
    - (i) Developer will engage his engineer, SKG Engineering, to design (in coordination with City Staff) the multi-use basin, the inlet and outlet structures, and the (reworked) intersection design(s).
    - (ii) The City will clear the brush off of the necessary area and perform rough excavation, preparing the site for final excavation, shaping, and related construction.
    - (iii) The Developer's private contractor(s) will perform the remaining related improvements which will include the final excavation, shaping, and final grading, and constructing the inlet and outlet structures and intersection improvements.
3. At Developer's Option, Developer may remove up to 50% of the overburdened soils resulting from the activities. (That is, the extra topsoil – more than cut and fill – that will result from the construction of the multi-use basin.)

Southwest San Angelo Park & Detention Facility - FINAL Concept

KEY NOTES

01 PROPOSED PAVILION *(40'x40' BLDG.)*
02 PROPOSED RESTROOM *(40'x25' BLDG.)*
03 NORTHSIDE HYDROLOGICAL DRAW/SWALE
04 SOUTHWEST HYDROLOGICAL DRAW/SWALE (*TO BE ENHANCED*)
05 PROPOSED NATURE WALK
06 PROPOSED PEDESTRIAN DRAINAGE CROSSING (BRIDGE)
07 PROPOSED/PRESERVED VEGETATIVE COVER
08 PROPOSED DRIVEWAY
09 PROPOSED +80 SPACE PARKING
10 PROPOSED OUTDOOR FIELDS (*NOT LIMITED TO SOCCER*)
11 PROPOSED SPORT COURTS (*BASKETBALL & PICKLEBALL*)
12 PROPOSED PICNIC AREA WITH SHADES
13 PROPOSED SHADE SAILS
14 PROPOSED SIMPLE OVERLOOK / REST AREA WITH SHADE
15 PROPOSED PARK ENTRY SIGNAGE

LEGEND

SITE BOUNDARY
PEDESTRIAN CONNECTION
HYDROLOGICAL DRAINAGE SWALE ("DRAW")
HP HIGH-POINT ELEVATION
LP LOW-POINT ELEVATION
EXISTING WATER MAINS
EXISTING SANITARY SEWER
PROPOSED GRAVITY SEWER CONNECTION
POND SPILLWAY (*REPRESENTATION*)
PROPOSED SHADE STRUCTURES
PROPOSED RESTROOM BUILDING (*40'x25'*)
PROPOSED PICNIC SHADES

NORTH
0 100' 200'

Parkhill

THIS DOCUMENT IS RELEASED ON 10-13-2022 FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF PHILLIP HAMMOND, R.L.A. LICENSE #3069. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

City Council

December 5, 2023

www.cosatx.us

Valleyview Stormwater Detention Area

Consider approving an agreement with Duncan Group Southland LLC, for the development of a stormwater detention area on City property, generally located northeast of the intersection of Valleyview and College Hills Boulevards, and authorizing the City Manager to negotiate and execute all related documents (Carl White and Shane Kelton).

Valleyview area in Southland
College Hills Blvd.
Valleyview Blvd.
Maxar
POWERED BY
esri

Valleyview Property

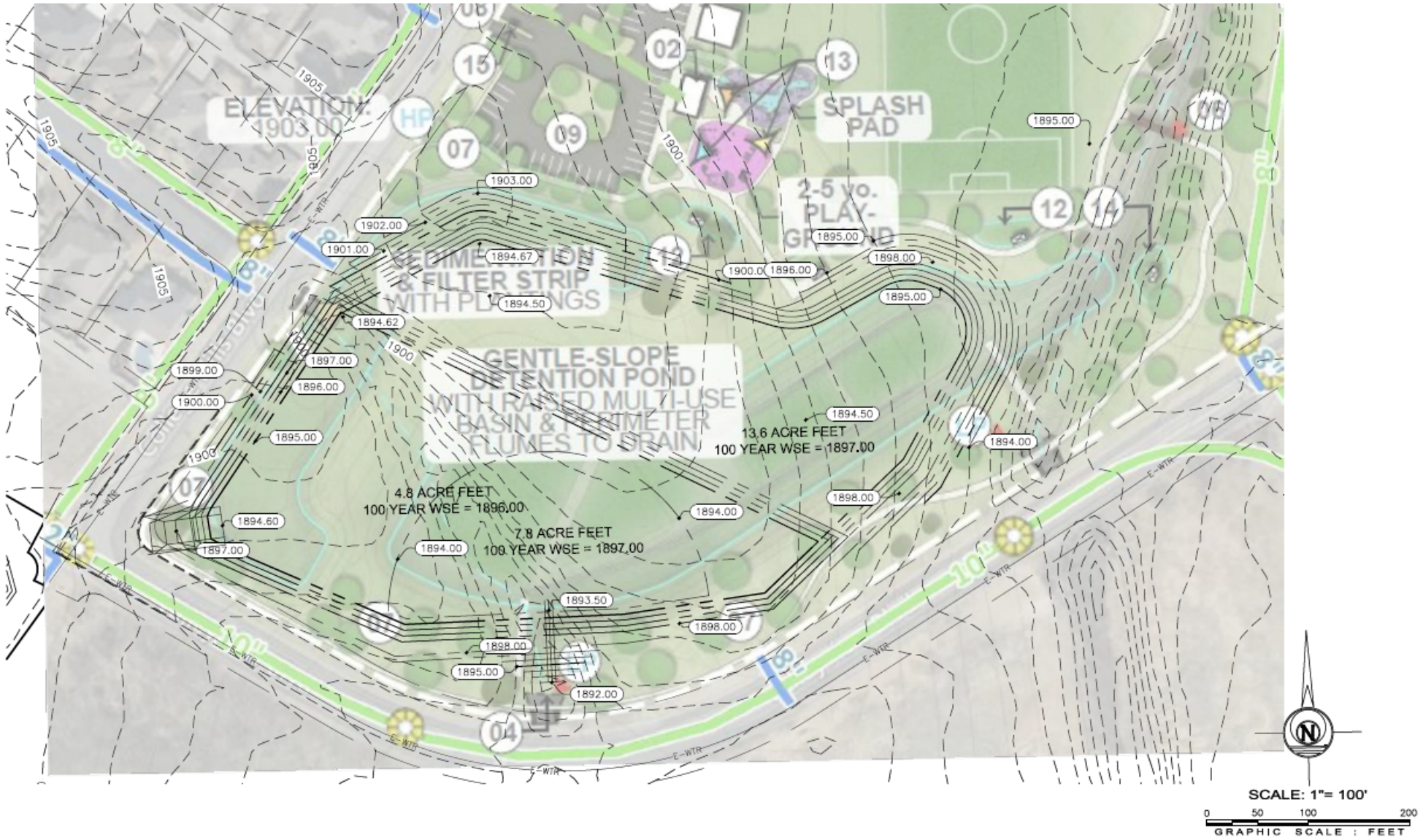
www.cosatx.us

Valleyview Property

Looking southwest

www.cosatx.us

Valleyview Possible Stormwater Detention Area – Lower area = 7.8 af Expanded Area = 13.6 af



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Park Concept

THE CITY OF SAN ANGELO TEXAS

Southwest San Angelo Park & Detention Facility - FINAL Concept

KEY NOTES

01 PROPOSED PAVILION (40'x40' BLDG.)
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PROPOSED PICNIC SHADES

NORTH
0 100' 200'

Parkhill

1

SAN ANGELO OUTDOOR AMENITY PRIORITY RANKINGS

	AMENITY/FACILITY	HIGH	MODERATE	LOW
1	Splash Pad	•		
2	Shade to Park Playgrounds/Parks	•		
3	Aquatic Center/Water Park	•		
4	Restrooms	•		
5	Hike, Bike, Walk, Jog, Run Trails	•		
6	Playgrounds For Children	•		
7	Natural Trails	•		
8	Fishing Piers/Lake Access	•		
9	Swimming Pool		•	
10	Large Nature Areas/Preserves		•	
11	Restore Existing Playgrounds/Parks		•	
12	Picnic Areas/Small Pavilions		•	
13	Open Spaces/Natural Areas		•	
14	Kayak/Boat Put In Points		•	
15	Camping Facilities/Locations		•	
16	Gardens (Community Or Botanical)		•	
17	Dog Parks		•	
18	Basketball Courts		•	
19	Volleyball, Sand		•	
20	Outdoor Exercise Equipment		•	
21	Art, Public		•	
22	Football Fields (Flag or Recreational)			•
23	Tennis Courts			•
24	Soccer Fields			•
25	Disc Golf			•
26	Recreational Vehicle (Rv) Camping Spaces			•
27	Baseball Fields/Softball Fields			•
28	Pickleball Courts			•
29	Skate Park			•
30	Recreation Center			•
31	Lighting			•

2020 Master Plan, top 8:

- Splash pad
- Shade to park playgrounds/parks
- Aquatic center/water park
- Restrooms
- Hike, bike, walk, jog, run trails
- Playgrounds for children
- Nature trails
- Fishing piers/lake access

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Veronica Sanchez, Asst Dir of HR/RM, Human Resources/Risk Management

Meeting Date: December 5, 2023

Item type: Regular Item

Caption:

Consider approving a Meet & Confer agreement with the San Angelo Police Officers Coalition (SAPOC), establishing certain terms and conditions of employment for covered Police Officers, to be effective January 1, 2024 through December 31, 2024, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Civil Service Director Veronica Sanchez and SAPOC President Noel Anderson)

Staff Recommendation:

Approve

Summary/History:

In September 2017, the Meet & Confer agreement that had been in place since 2014 was not renewed between the City and San Angelo Coalition of Police (SACOP). Negotiations between the two parties for a renewed agreement began in April 2023. The two parties have reached a tentative agreement that includes the following:
-A more competitive pay plan
-Lateral transfer opportunities
-Assessment Center process for promotions
-Use of paid time off for disciplinary suspensions
-18-month probationary period
-Part-Time Officers

The agreement will be effective from January 1, 2024, through December 31, 2024.

Funding Source(s):

Financial Impact:

The total cost of this agreement is $1.2M. The full pay plan is attached as part of the tentative agreement. Approval of a budget amendment would be necessary and will also be presented at the December 5, 2023, City Council Meeting.

Other Information/Recommendation:

Attachments:

1. Tentative Meet and Confer Agreement (2) 2024 Tentative Meet and Confer Agreement (2) 2024.pdf

Presentation:

Veronica Sanchez

Approvals/Reviews:

Veronica Sanchez	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Heather Stastny	Final Approval

Meet and Confer Agreement

BETWEEN THE CITY OF SAN ANGELO
AND
THE SAN ANGELO POLICE OFFICERS COALITION

January 1, 2024 through December 31, 2024

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This Agreement is to be effective for the period of January 1, 2024 through December 31, 2024, and is entered into in Tom Green County, Texas by and between the City of San Angelo and The San Angelo Police Officers Coalition pursuant to the authority of Chapter 142 of the Texas Local Government Code.

The parties hereby agree as follows:

Article I. Definitions

The following terms, abbreviations, and acronyms shall have the meanings stated below whenever referenced or used throughout the document:

Agreement shall mean the Meet and Confer Agreement for the period of January 1, 2024 through December 31, 2024.

Break in Service shall mean the event which occurs when an officer resigns from their position with the SAPD, retires from the SAPD, or is indefinitely suspended from the SAPD and the indefinite suspension is upheld pursuant to the appeal process or the timeframe for the appeal has expired and not appeal is filed. A temporary suspension does not create a break in service.

City shall mean the City of San Angelo, Texas.

M&C shall mean meet and confer as set out in Chapter 142 of the Texas Local Government Code.

Police Officer and **Officer** shall mean a member of the San Angelo Police Department who was appointed in substantial compliance with Chapter 143 of the Texas Local Government Code or wit the provisions of the Meet and Confer Agreement if hired on or after January 1, 2024.

SAPOC shall mean the San Angelo Police Officers Coalition.

SAPD shall mean the San Angelo Police Department.

Seniority shall mean years, months, and days of service with the SAPD that have elapsed since the date of an officer's commission with the SAPD. Unless provided otherwise in this Agreement, in determining seniority, temporary suspension days will be subtracted from an officer's length of service, and that deduction may be used to break what otherwise might be a tie on a promotion exam score or other purpose for which seniority is used by SAPD.

TCOLE shall mean the Texas Commission on Law Enforcement.

TLGC shall mean the Texas Local Government Code.

Article II. Recognition

Section 1. M & C Agent Recognized.

The City recognizes the SAPOC as the sole and exclusive M & C agent for all covered police officers, pursuant to Section 142.053 of the TLGC.

Section 2. Officers Excepted.

The parties agree that police officers, as defined in Section 142.052 of the TLGC, are properly included as M & C unit employees for purposes of meet and confer under Chapter 142, TLGC, except as listed below. The following police officers, as defined under Section 142.052 of the TLGC, are excluded from meet and confer:

(a) Chief of Police of the SAPD,

(b) Assistant Chiefs of the SAPD, who are excluded under Section 142.058(b) of TLGC; and

(c) All police officers within the Airport, the City Marshal's department, and the Fire Marshal's Office.

Section 3. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 142 or 143, TLGC, or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 142 or 143, TLGC, or any other civil service provision or statute.

Article III. Hiring Process

Section 1. Applicability.

This Article applies only to applicants applying for beginning positions and previously commissioned offices applying for lateral transfer with SAPD.

Section 2. Applicants (Non-Certified).

(a) Application with City:

1. Applications pre-screened for immediate disqualifiers as determined by the Department that would eliminate applicant for employment (pass/fail).

2. Maximum age of 45 at the time of application.

3. Qualifying applicants proceed to the Civil Service Exam.

(b) Civil Service Exam:

1. Applicants are required to take a written test which is graded with a numerical score.

2. A minimum score of 70 (without military or loyalty points) is required in order to pass the exam.

3. Up to five loyalty points may be awarded (1 per year up to five years) for working with the Department prior to application.

(c) Physical Agility Test:

1. Pass/fail.

(d) Background Process and Personal History Statement (PHS):

1. Pass/fail

(e) Oral Board Composition

An Oral Board shall be created composed of the following members:

Chief or designee

Training Lieutenant or designee

Civil Service Director or designee

Representative from Association

Supervisor

2 officers

(f) Oral Board Selection Process:

1. Candidates who pass background will be interviewed.

2. Each interviewer will score the applicant based on:

Their responses to each standardized question.

The sum of the scores will be turned in for tally.

The highest and lowest scores will be discarded and the final sum of remaining scores will be used for a pass/fail.

3. All applicants who "pass" will be ranked after all applicants are interviewed and the final selections are made based on the number of open positions.

4. Conditional offers of employment are made and the hiring order will be based on the score of the civil service exam with the following priority: Civil Service test date, Civil Service Test score, Date of Application.

Section 3. Previously Commissioned Officers or Lateral Transfers.

(a) Application with City

1. Applications shall be pre-screened for anything that would eliminate applicant for employment (pass/fail).

(b) Applicants shall hold an intermediate peace officer certificate or higher.

(c) Maximum age of 56 at the time of application.

(d) Physical Agility Test:

1. Pass/fail

(e) Background Process and Personal History Statement (PHS):

1. Pass/fail

(f) Oral Board Selection Process:

1. Applicants who pass background are interviewed.

2. Each interviewer will score the applicant based on:

a. Their responses to each standardized question.

b. The sum of the scores will be turned in for tally.

c. The highest and lowest scores will be discarded and the final sum of remaining scores will be used for a pass/fail.

3. All applicants who "pass" will be ranked after all applicants are interviewed and the final selections are made based on the number of open positions.

Section 4. Compensation for Experienced Entry-Level Police Officers.

(a) Newly hired TCOLE-certified police officers, who have prior law enforcement experience in a comparable law enforcement agency as determined by the Chief of Police, will receive entry-level base compensation in accordance with adopted pay schedules.

(b) Nothing in this Article allows for use of prior service with another law enforcement agency for purposes of seniority, longevity, or promotions.

(c) Newly hired TCOLE-certified police officers, who have prior law enforcement experience in a comparable law enforcement agency as determined by the Chief of Police shall not be eligible for promotion for four years.

Section 5. San Angelo Police Department Academy requirement.

At the sole discretion of the Chief of Police, experienced entry level officers may be required to attend and successfully complete part or all of the San Angelo Police Academy training for new officers.

Section 6. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 143, TLGC, including but not limited to Sections 143.021, 143.022, 143.023, 143.024, 143.025, and 143.026, or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC, or any other civil service provision or statute.

Article IV. Assessment Center

Section 1. Applicability.

This Article applies only to the SAPD positions of Sergeant and Lieutenant.

Section 2. Assessment Center Process for Promotion to the Ranks of Sergeant and Lieutenant.

Officers who pass the Sergeant's or Lieutenant's written promotional examination with a score of 70% or higher, exclusive of seniority points, will proceed to the next step of the examination process, which is an Assessment Center.

Prior to the written test being administered, the Chief and Civil Service Director shall agree upon assessment criteria, based on job content and responsibility. The Civil Service Director will generate a list of consultants and will review that list with the Chief, who will approve the list, allowing for input from the Association President or designee.

The Consultant will confer with both the Chief and Civil Service Director on the needs or issues affecting the design of the Assessment Center. Any input from the Association will be in writing and made available to the Chief and Civil Service Director. The Consultant shall make all final decisions concerning the design and implementation of the Assessment Center.

The Consultant will design the Assessment Center from among the following exercises:

In-Basket

Problem Solving/Analysis

Written and Oral Resumes/Structured Interviews

Role-Playing

Memo/Report Writing

Oral Presentation/Plan Preparation

Staff Meeting

Special Event/Operations, or

Any other exercise the consultant recommends.

The Consultant is not required to utilize all of the listed exercises, but may select or combine them as they are best suited for the particular rank.

The Consultant also selects the assessors, who shall meet the following criteria:

(a) Active duty, sworn officers of similar rank to the promotion, or above, from cities with a population equal to or greater than San Angelo's;

(b) Shall not reside in San Angelo;

(c) Shall not be related to any candidates for promotion;

(d) Shall not be known to, beyond mere acquaintance, any candidates for promotion;

(e) Shall have four years of experience in the promoted or equivalent rank and intermediate certification for sergeant and advanced certification for lieutenants; and

(f) Shall not be a current or former employee of the City of San Angelo.

Assessors shall be trained in the methods to be used in administrating the test. The Civil Service Director shall conduct an orientation for candidates prior to administering the Assessment Center. Applicants will be allowed to attend these orientation sessions while on duty.

Applicants who successfully advance to the assessment center portion of the promotional process will provide a personal portfolio to the Civil Service Director no later than one week prior to the start of the assessment center. This portfolio will be used by the assessors while evaluating each candidate.

The portfolio may include: transcripts, bi-lingual status, commendations received, specific division assignments, letters from the public and a summary of their career written by the candidates or anything else the candidate deems applicable.

Assessors will receive a copy of the candidates' civil service file and personal portfolio.

The assessors will evaluate the applicants, awarding up to one hundred (100) points to each. The assessment sessions will be video recorded, and candidates may review their own session pursuant to procedures established by the Civil Service Director, provided that each is given up to four (4) hours to review his or her tape. Nothing in the assessment center process may be appealed either to the Civil Service Commission, hearing examiner, or the District Court.

Section 3. Confidentiality

Neither the Chief of Police or the Civil Service Director may have any contact with the assessors regarding the assessment center or any candidate for promotion except as part of the assessment process. The process and all information related to candidates shall remain confidential until the conclusion of the assessment center.

Section 4. Promotion Eligibility List Formula for Sergeant and Lieutenant.

Applicants shall have six years as an officer and a minimum intermediate certification to promote to Sergeant.

Must have four years in rank of sergeant and a minimum of advanced certification to promote to Lieutenant.

After the Assessment Center scoring has been completed for the rank of Sergeant or Lieutenant, the eligibility list shall be calculated as follows:

Written examination points:		**Assessment Center:**	
Maximum exam points	100	Assessment Center points	100
Maximum seniority points	+10*		
Total maximum points:	100	Total maximum points:	100

***Seniority points:** Each officer shall be entitled to a maximum of ten (10) seniority points, to be added to a passing written exam score, equivalent to one (1) point per year of service.

(Written examination points + seniority points) x .40 adjustment factor

+

(Assessment Center Points) x .60 adjustment factor

=

Total points for promotion list**

**Formula shall be carried to 3 decimal points and rounded up from .0005. Civil Service tie-breaking rules will be applied if necessary.

Section 5. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 143, TLGC, including but not limited to Sections 143.028, 143.029, 143.031, 143.032, 143.033, 143.034, and 143.035, or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC, or any other civil service provision or statute.

ARTICLE V. COMPENSATION

Section 1. Applicability.

This Article applies only to the SAPD officers.

Section 2. Compensation.

(a) The City shall adopt the compensation plan as set out in the attached Appendix I, which will become effective for all members of the SAPD covered by this agreement who are employed on January 1, 2024.

(b) In addition to the compensation set out in Appendix I, each member of the SAPD covered by this agreement shall be entitled to a signing stipend in the amount equal to $315, 829 inclusive of taxes and benefits divided by the number of officers covered by this agreement and employed by SAPD on January 1, 2024.

(c) No officer of the SAPD who is covered by this agreement shall lose pay as a result of the compensation plan set out in Appendix I.

(d) It shall be the officer's responsibility to report the status of license change to Police Administration on a form agreed upon by Police Administration and Human Resources. The City is not responsible for the payment of back pay for the delinquent reporting of change in status. Compensation will be increased beginning the pay period that the report is submitted to Police Administration.

Section 3. Funding Obligations.

The City agrees to include in the proposed budget for 2024-2025 a plan for compensation equal to or greater than the compensation plan set out in Appendix I and will fully and promptly perform all of the obligations of the City under this agreement. All obligations of the City shall be paid only out of current revenues or any other funds lawfully available therefore and appropriated for such purpose by the City Council, in compliance with the Texas Constitution. In the event the City of San Angelo cannot meet its funding obligations as provided in the State Constitution, this entire Agreement becomes null and void.

Section 4. Agreement to Reopen.

The City and SAPOC agree to reopen negotiations in January 2024 for the purpose of development of a compensation plan for the 2024-2025 fiscal year. SAPOC agrees to support the City in all attempts available under law to fund any compensation plan agreed upon under the reopened negotiations.

Section 5. Preemption.

In the event that any provision of this Article conflict or are inconsistent with any applicable provisions of Chapter 143 of the Texas Local Government Code, including but not limited to Section 143.041(b) or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly authorized amendment thereto shall prevail notwithstanding any such provision of Chapter 143 of the Texas Local Government Code or any other civil service provision or statute.

ARTICLE VI. DISCIPLINE

Section 1. Applicability.

This Article applies only to the SAPD police officers, including only the ranks of Police Officer (non-probationary), Sergeant, and Lieutenant.

Section 2. Appealable and Non-Appealable Suspensions.

It is understood that most officers, including those who are good, professional police officers, will makes some errors during their career involving rule violations. The parties agree that short disciplinary suspensions are also for the purpose of reinforcing the need for compliance with departmental standards and are not exclusively used as punishment.

The parties agree that when an officer is suspended from 1 to 5 days, they may choose one of two methods of dealing with the suspension as listed below.

(a) **Suspensions that may not be appealed.** The officer may choose to use vacation or holiday time to serve the suspension, with no loss of pay and no break in service

for purposes of seniority, retirement, promotion, or any other purpose. The officer must waive all right of appeal if this method of serving the suspension is chosen.

(b) **Suspensions that may be appealed.** The officer may appeal the suspension either to a Hearing Examiner or the Civil Service Commission if option (a) is not agreed upon by both the officer and the Chief of Police.

Section 3. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 143, TLGC, including but not limited to Sections 143.010, 143.052, 143.053, 143.054, 143.055, 143.056, and 143.057, or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC, or any other civil service provision or statute.

ARTICLE VII. PROBATIONARY PERIOD

Section 1. Applicability.

This Article applies only to the SAPD, including the ranks of Police Recruit and Probationary Police Officer, neither of which are civil service positions until the below specified applicable probationary period is satisfactorily served and completed.

Section 2. Police Recruits

Non-TCOLE certified applicants who are hired as Police Recruits by the SAPD will serve a probationary period of eighteen (18) months from the date of employment as a Police Officer by the SAPD.

Section 3. Probationary Police Officers.

TCOLE-certified applicants who are hired as Police Officers by the SAPD will serve a probationary period of twelve (12) months from the date of employment as a Police Officer by the SAPD.

Section 4. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 143, TLGC, including but not limited to Section 143.027 or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC, or any other civil service provision or statute.

ARTICLE VIII. PART-TIME POLICE OFFICERS

Section 1. Applicability.

This Article applies only to the SAPD.

Section 2. Part-Time Employment of Police Officers.

(a) The SAPD may employ as part-time employees a maximum of twelve (12) TCOLE-certified officers who have honorably separated as full-time Texas Peace Officers with a minimum of five years experience in Texas or a minimum of two years experience with the SAPD. Part-time employment is discretionary and is subject to the needs of the SAPD. Such part-time employees are at-will employees, and they are not Civil Service employees.

(b) Part-time officers will work as assigned by the Chief of Police or his designee. Part-time officers are subject to the supervision of the chain of command of their particular assignment and are subject to all the rules and procedures of the SAPD.

(c) Part-time officers will be hired to supplement the number of full-time positions authorized by the City Council as set out in Section 2.1502 of the City Code. The employment of these part-time officers will not result in a temporary or permanent reduction in that number of positions currently authorized.

(d) Approval of part-time officers will be subject to adequate funding approved by the City Manager.

Section 3. Rate of Pay and Maximum Number of Hours Per Calendar Year.

(a) Part-time officers employed by the SAPD will receive a rate of pay of $32 per hour worked. They will not receive any additional compensation such as longevity and education incentive pay. They will not be eligible for pay step increases nor be eligible for promotions.

(b) Part-time officers may work no more than nine hundred and ninety-nine (999) hours per calendar year.

Section 4. Outside Law Enforcement Employment.

Part-time officers of the SAPD may be assigned to off-duty law enforcement employment at the Chief's discretion.

Section 5. Application Process and Requirements.

(a) Applications for part-time employment as police officers will be submitted to the City of San Angelo Human Resources Department.

(b) Applicants who apply for part-time employment within one-hundred eighty (180) days of their separation from the SAPD can be processed for employment immediately upon meeting the requirements of the pre-employment physical examination including essential function testing and verification of meeting all TCOLE requirements for license reactivation. These applicants may commence employment after meeting the physical requirements and reactivation of the license by TCOLE.

(c) Applicants who have been separated from the SAPD more than one-hundred eighty (180) days and applicants who did not work for the SAPD will be subject to SAPD hiring procedures including background check, polygraph examination if determined to be necessary by the Chief of Police, oral interview board, pre-employment physical examination, pre-employment essential function testing, and pre-employment psychological examination before being hired. Such applicants will be required to meet all TCOLE licensing standards including educational requirements at their own expense before they may commence part-time employment. Subsequent annual TCOLE training requirements will be provided by the SAPD.

Section 6. Exclusion from City Benefits.

Part-time officers will not qualify for city benefits; however, worker's compensation will be provided for on-the-job injuries but will not include the benefit of salary continuation.

Section 7. Preemption.

In the event that any provisions of this Article conflict or are inconsistent with any applicable provisions of Chapter 143, TLGC, including but not limited to Sections 143.021, 143.022, 143.023, 143.024, 143.025, and 143.026, or any other civil service provision or statute setting standards or rights for SAPD employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC, or any other civil service provision or statute.

ARTICLE IX. MISCELLANEOUS

Section 1. Complete Agreement.

This Agreement constitutes the entire Agreement between City and SAPOC; and no party is bound by any contract, condition or stipulation, understanding or representation not contained herein. It is understood and agreed that this Agreement may only be amended in writing by mutual consent of the City and the SAPOC.

Section 2. Preemption.

In the event that any provisions of this Agreement conflict or are inconsistent with any applicable provision of Chapter 143, TLGC, or any other civil service provision or statute setting standards or rights for covered employees, this Agreement and any duly approved Amendment thereto shall prevail, notwithstanding any such provision of Chapter 143, TLGC or any other civil service provision or statutes.

Nothing in this Article or this contract is intended to supersede the provisions of Texas Government Code, Chapter 614, Sections 614.021 and 614.023.

Section 3. Savings Clause.

Should any provision of this Agreement be found to be inoperative, void, or invalid by a court of competent jurisdiction, all other provisions of this Agreement shall remain in full force and effect for the duration of this Agreement. It is the intention of the parties that no portion of this Agreement, or any provision herein, shall become inoperative or fail by reason of the invalidity of any other portion or provision.

Section 4. Duration of Agreement.

This Agreement shall become effective January 1, 2024 after ratification by the covered employees pursuant to a vote conducted by the SAPOC and upon approval of the City by its City Council after compliance with any procedural or publication requirements imposed by Charter or Chapter 142 of the TLGC. It shall continue in effect until December 31, 2024 unless extended by written mutual agreement.

City of San Angelo, Texas	San Angelo Police Officers Coalition
_____	_____
Daniel Valenzuela City Manager	Noel Anderson President
ATTEST:	ATTEST:
_____	_____
Heather Stastny, City Clerk	Secretary

APPENDIX I

Police Department
Effective 10-1-23

Civil Service Pay Plan

Grade	Step	Position	Annually
P23	1	Recruit	$54,400
P27	1	Police Officer: Basic	$58,500
P27	2	Police Officer: Intermediate	$65,500
P27	3	Police Officer: Advanced	$71,500
P27	4	Police Officer: Master	$76,500
P29	1	Sergeant: Intermediate	$78,000
P29	2	Sergeant: Advanced	$84,000
P29	3	Sergeant: Master	$88,500
P30	1	Lieutenant: Advanced	$99,000
P30	2	Lieutenant: Master	$104,000

Additional Pay

Crisis Negotiation	$100/month
Critical Incident	$100/month
Special Weapons & Tactics	$100/month
Incentive/College Training	up to $400/month
Longevity Per Year of Service (No Max)	$4/month
Loyalty Per Year of Service (No Max)	$25/month

Tentative Agreement

Meet and Confer Agreement

Between the City of San Angelo

And

The San Angelo Police Officers Coalition

The San Angelo Police Officers Coalition and the City of San Angelo, through their respective representatives, tentatively agree as follows:

The Meet and Confer Agreement between the City of San Angelo and San Angelo Police Officers Coalition dated effective January 1, 2024 through December 31, 2024 shall read as set out in the following pages.

This tentative agreement shall be presented to the San Angelo Coalition of Police and the San Angelo City Council prior to final adoption of the new agreement at a public meeting held in accordance with the Open Meetings Act.

City of San Angelo

San Angelo Police Officers Coalition

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

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

Meeting Date: December 5, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z23-08 to zone property to the Single Family Residential zoning district, being 31.356 acres, located northwest of the intersection of Arden Rd. and FM 2288 (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

The applicant intends to provide for the construction of 103 single-family half-acre homes once the annexation of this property is complete. We are bringing the proposed zone change at this time following the annexation request, which was heard on November 21, 2023.

Funding Source(s):

Financial Impact:

NA

Other Information/Recommendation:

Attachments:

1.	Zoning Ordinance Z23-08	Zoning Ordinance Z23-08 corrected.docx
2.	Staff Report Z23-08	Staff Report Z23-08 corrected.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Aaron Vannoy	Approved
Brandon Dyson	Approved

Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	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 31.356 ACRES OF UNZONED LAND TO THE SINGLE FAMILY RESIDENCE (RS-1) ZONING DISTRICT GENERALLY LOCATED NORTHWEST OF ARDEN ROAD AND FARM TO MARKET ROAD FM2288** IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Z23-08: Arden Heights

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 31.356 acres of unzoned land to Single Family Residence (RS-1); and,

WHEREAS, on the 5th day of December 2023, City Council held a public hearing on Z23-08, 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 TO THE SINGLE FAMILY RESIDENCE (RS-1) ZONING DISTRICT :

The real property generally located northwest of Arden Road and FM 2288, described as 31.356 acres 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, 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 **5th day of December, 2023,** and finally PASSED, APPROVED AND ADOPTED on this the **19th day of December, 2023.**

THE CITY OF SAN ANGELO

_____
Brenda Gunter, Mayor

ATTEST:

_____
Heather Stastny, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit "A"

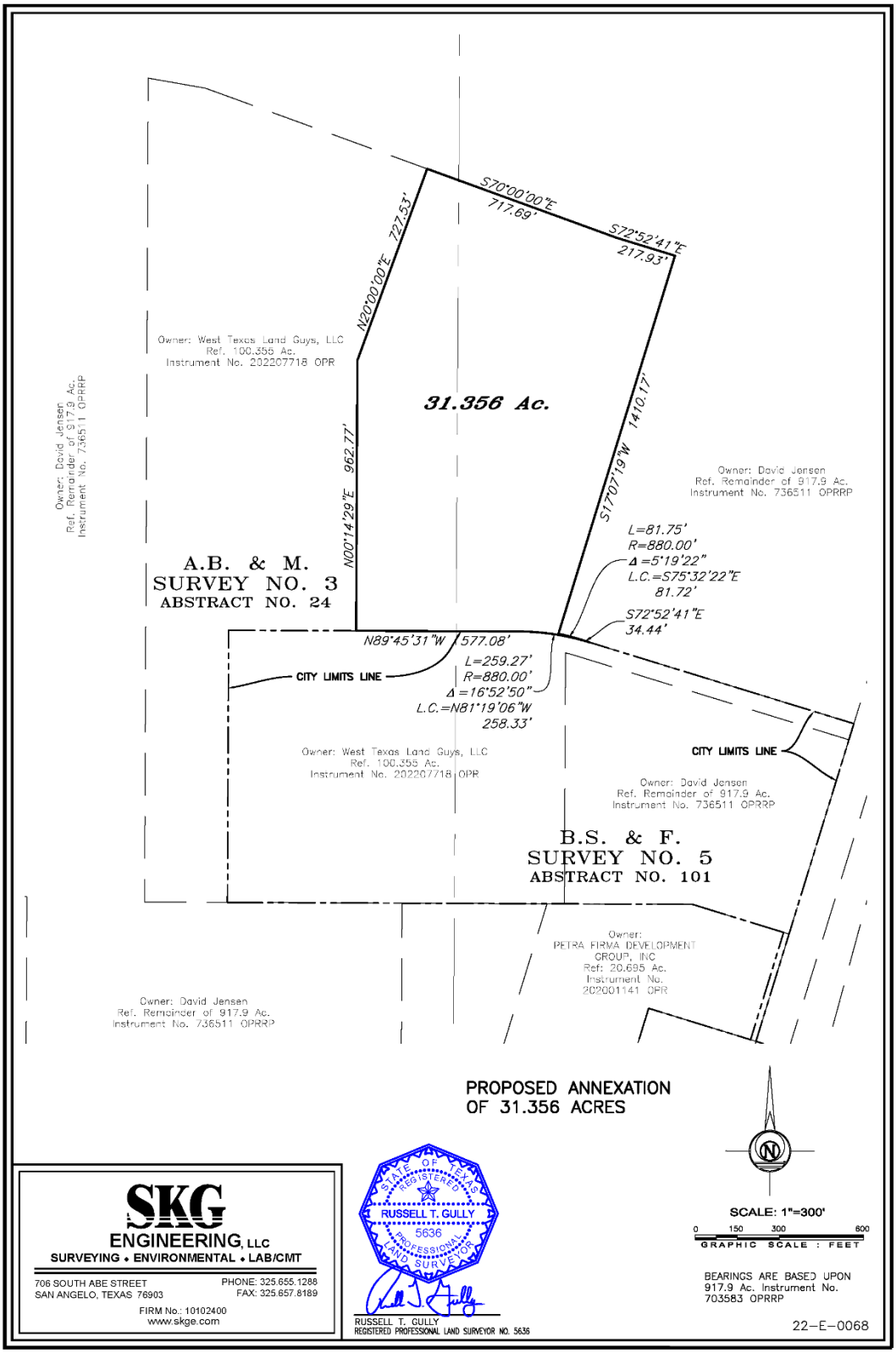

S70°00'00"E
717.69'
S72°52'41"E
217.93'
N20°00'00"E 727.53'
Owner: West Texas Land Guys, LLC
Ref. 100.356 Ac.
Instrument No. 202207718 OPR
31.356 Ac.
S17°07'19"W 1410.17'
Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP
N00°14'29"E 962.77'
L=81.75'
R=880.00'
Δ=5°19'22"
L.C.=S75°32'22"E
81.72'
S72°52'41"E
34.44'
A.B. & M.
SURVEY NO. 3
ABSTRACT NO. 24
N89°45'31"W 577.08'
CITY LIMITS LINE
L=259.27'
R=880.00'
Δ=16°52'50"
L.C.=N81°19'06"W
258.33'
Owner: West Texas Land Guys, LLC
Ref. 100.356 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
Owner: David Jensen
Ref. Remainder of 917.9 Ac.
Instrument No. 736511 OPRRP
PROPOSED ANNEXATION
OF 31.356 ACRES
N
SCALE: 1"=300'
0 150 300 600
GRAPHIC SCALE : FEET
BEARINGS ARE BASED UPON
917.9 Ac. Instrument No.
703583 OPRRP
22-E-0068
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
STATE OF TEXAS
REGISTERED
RUSSELL T. GULLY
5636
PROFESSIONAL
LAND SURVEYOR
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

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.

PLANNING COMMISSION – July 17, 2023
STAFF REPORT

APPLICATION TYPE:	CASE:
Rezoning	Z23-08: FM 2288

SYNOPSIS:

A request for rezoning from unzoned land to the Single Family Residential (RS-1) zoning district on 31.356 acres generally located northwest of Arden Road and FM 2288. The applicant intends to provide for the construction of 103 single-family half-acre homes once the annexation of this property is complete. We are bringing the proposed zone change at this time so that we can take the rezoning of the property to the council along with the annexation request. Last year the developer annexed the southern portion of this property, which will include 150 smaller RS-1 home sites. The total annexation site is 250+ home sites.

LOCATION:	LEGAL DESCRIPTION:
Generally located northwest of the intersection of Arden Road and FM 2288.	Abstract 0024 Section 0003, AB&M Survey: Abstract 0101 Section 0005, BS&F Survey 31.356 acres

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District 6 – Larry Miller Bluffs Neighborhood	Unzoned to Single Family Residential	Neighborhood	31.356 acres

THOROUGHFARE PLAN:

Bosque – Future Minor Collector, required 60' minimum ROW and 48' minimum pavement width

NOTIFICATIONS:

3 notifications were mailed within a 200-foot radius on June 30, 2023. We have received 0 responses in support and 0 in opposition.

STAFF RECOMMENDATION:

APPROVAL of a rezoning from unzoned land to Single Family (RS-1) Zoning District.

PROPERTY OWNER/PETITIONER:

Owner

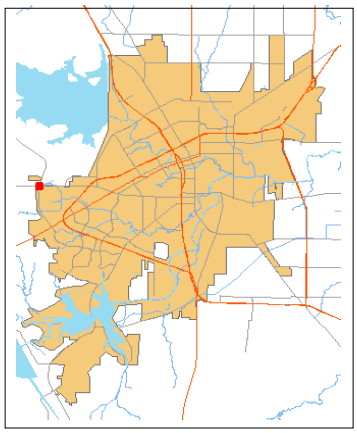
Eric Von Rosenberg; West Texas Land Guys, LLC

Representative

Russell Gulley, SKG Engineering

STAFF CONTACT:

Sherry Bailey
Senior Planner
(325) 657-4210, Extension 1546
sherry.bailey@cosatx.us



Additional Information: The applicant annexed property to the south of the subject property last year and has submitted an annexation application for this portion, along with this rezoning request. If recommended for approval, this item will be considered by City Council at the same time as the annexation request.

Rezonings: 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 Comprehensive Plan designates this property as Neighborhood. The "Neighborhood" designation in the City's Comprehensive Plan intends to "promote vibrant and viable neighborhoods and improve the relationship between adjacent commercial and residential land use adjacencies."

2. **Consistent with Zoning Ordinance.** ***Whether and the extent to which the proposed zone change would conflict with any portion of this Zoning Ordinance.*** The applicant has requested single-family zoning. There is not a conflict with the zoning code.

3. **Compatible with Surrounding Area.** ***Whether and the extent to which the proposed zoning is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*** The existing uses in the general area are single-family and rural residential with commercial along Arden and FM 2288.

4. **Changed Conditions.** ***Whether and the extent to which there are changed conditions that require a rezoning.*** The zoning requested is in keeping with the density and intensity of the proposed use of single families.

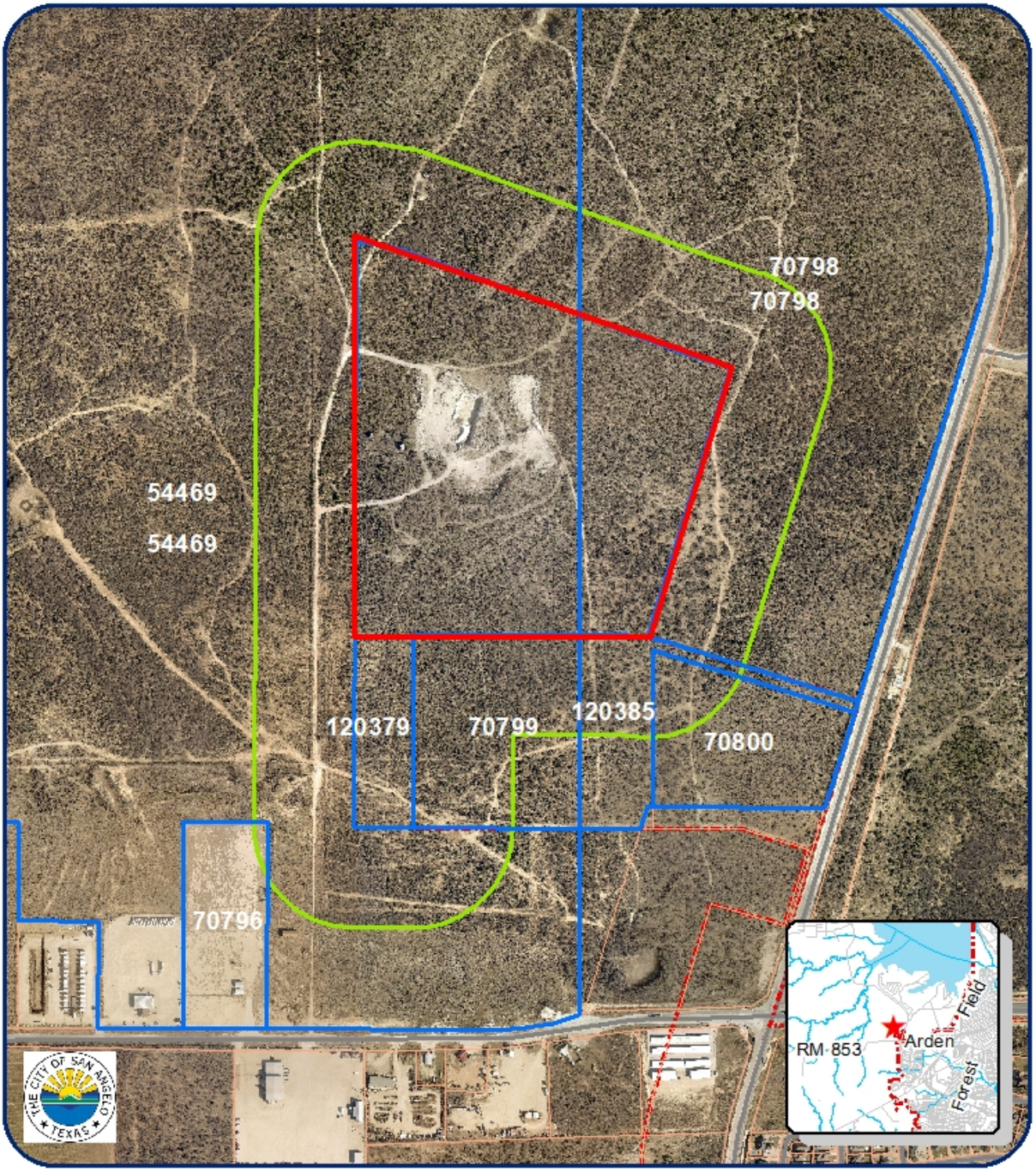
5. **Effect on Natural Environment.** ***Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*** The rezoning is anticipated to have little adverse impact on the natural environment.

6. **Community Need.** ***Whether and the extent to which the proposed amendment addresses a demonstrated community need.*** Large lot single family homes have been in great demand.

7. **Development Patterns.** ***Whether and the extent to which the proposed rezoning would result in a logical and orderly pattern of urban development in the community.*** The existing development pattern in the immediate area is dominated by single-family housing. This proposal is in keeping with the development pattern and adopted plans in the area.

Recommendation:
Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a rezoning from the unzoned land to the Single Family Residential (RS-1) zoning district.

Attachments:
Notification Map
Future Land Use Map



200' Notification Map
Z23-08 FM 2288
Council District: #6 Larry Miller
Neighborhood: Bluffs
Scale: 0 0.0325 0.065 0.13 0.195 0.26 Miles

Subject Properties:
200' Buffer:
Notified Properties:

N

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Jon James, Director of Planning & Development Services, Planning and Development Services

Meeting Date: December 5, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 12 "Planning and Development", Exhibit C "Land Development and Subdivision Ordinance", Chapters 1, 5, 9, and 10 addressing administrative approval of certain subdivision plats and other revisions and clarifications to ensure consistency with state law and changes to the City's zoning ordinance (Presentation made by Planning & Development Services Assistant Director Aaron Vannoy)

Staff Recommendation:

Adopt

Summary/History:

Recent changes to state law allow most plats to be approved administratively, rather than requiring approval by the Planning Commission. Since plats must be approved if they meet the requirements of the Subdivision Ordinance, an administrative approval process seems logical. However, in certain situations a plat will still go to the Planning Commission:

• Any plat for which a variance is requested, must be heard by the Commission.
• Per the Commission's recommendation, any Preliminary Plat covering 10 acres or more, or 6 lots or more, will require Commission review and approval.
• An applicant can always appeal an administrative decision to the Commission (whether a denial or an approval with conditions, if they disagree with any of the proposed conditions).

Other changes proposed include:
• Clarification that a variance must be approved before (or concurrent with) approval of a subdivision plat.
• Clarifies that the Planning Commission or Planning Director can take action on a plat even if the Plat Review Committee does not make a recommendation. (This is to ensure that a decision is made within 30 days in compliance with state law.)
• Removes the "Administrative Subdivisions" section, since most plats will become administrative under this proposal.
• Modifies the notification requirements to align with recent changes to state law.
• Removes references to the "Planned Industrial Park" zoning district, which no longer exists in the zoning ordinance.

Funding Source(s):

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends APPROVAL of the proposed changes to the Land Development and Subdivision Ordinance. At their October 16, 2023 meeting, the Planning Commission unanimously recommended approval by a vote of 5-0.

Attachments:

1.	Adopting Ordinance - Subdivision Amendments	Adopting Ordinance - Subdivision Amendments.docx
2.	Exhibit A - Amendments to LDSO 2023	Exhibit A - Amendments to LDSO 2023.docx

Presentation:

Aaron Vannoy

Approvals/Reviews:

Jon James	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Aaron Vannoy	Approved
Theresa James	Approved
Heather Stastny	Final Approval

ORDINANCE 2023-___

AN ORDINANCE OF THE CITY OF SAN ANGELO TEXAS, AMENDING CHAPTER 12 "PLANNING AND DEVELOPMENT," EXHIBIT "C" "LAND DEVELOPMENT AND SUBDIVISION ORDINANCE," CHAPTERS 1, 5, 9, AND 10; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of San Angelo has adopted a Land Development and Subdivision Ordinance establishing a process and standards for reviewing and approving development and land divisions; and,

WHEREAS, recent changes to state law have authorized cities to approve most subdivision plats administratively, rather than requiring Planning Commission or City Council approval, and changed requirements regarding notices for public hearings; and

WHEREAS, after having held a public hearing, considered public comment, and considered recommendations from City staff and Planning Commission, City Council desires to amend the Land Development and Subdivision Ordinance.

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

Section 1. CHAPTER 12 "PLANNING AND DEVELOPMENT," EXHIBIT "C" "Land Development and Subdivision Ordinance," Chapter 1, Section IV, Chapter 5, Sections I through III, Chapter 9, Sections II and IX, and Chapter 10, Section IV of the City of San Angelo Code of Ordinances is hereby amended as shown on Exhibit A.

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

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

INTRODUCED with public hearing the 5th day of December, 2023, and finally PASSED this 19th day of December, 2023.

THE CITY OF SAN ANGELO, TEXAS:

_____

Brenda Gunter, Mayor

ATTEST:

_____

Heather Stastny, City Clerk

APPROVED AS TO CONTENT:

_____

Aaron Vannoy, Assistant Director
Planning and Development Services

APPROVED AS TO FORM:

_____

Theresa James, City Attorney

The following are amendments to Chapter 12, Exhibit C – Land Development and Subdivision Ordinance of the City of San Angelo Code of Ordinances:

Replace Chapter 1, Section IV in its entirety to read as follows:

SECTION IV: VARIANCES AND APPEALS

If a variance from any provision of this ordinance is necessary for the approval of a subdivision, an applicant must first apply for and obtain approval of a variance from the Planning Commission prior to submission of an application for subdivision approval. For a plat that is being considered by the Planning Commission, the variance request and plat may be considered concurrently. ~~An application for subdivision approval shall indicate any desired request(s) for variance from the terms of this Ordinance.~~ An accompanying narrative, explaining the reasons for such request(s) is highly desirable.

A. *Criteria for Approval*. Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, or that the public interest may be served to a greater extent by an alternative proposal, the Planning Commission may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variances shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.
4. The variance will not, in any significant way, vary the provisions of applicable ordinances.

B. *Conditions*. In approving variances, the Planning Commission may impose conditions as will, in its judgment, secure substantially the objectives of this Ordinance.

C. *Appeal to City Council*. Action taken by the Planning Commission on a requested variance from the terms of this Ordinance shall be considered the final decision on said request, unless that decision is appealed to City Council by the developer or ~~city~~City, in which case the City Council is authorized to reverse, modify or affirm any such decision of the Planning Commission. A majority vote of City Council members present shall be necessary to reverse or modify such decision of the Planning Commission.

1. An appeal of action taken by the Planning Commission on an application for subdivision or requested variance must be made in writing, signed by the developer, or by the Director of Planning or Director of Public Works if the appeal is by the City, and received in the office of the Director of Planning within thirty (30) days following the Planning Commission's action.
2. The City Council shall consider an appeal within thirty (30) days following the timely receipt by the office of the Director of Planning of a written appeal.

Replace Chapter 5, Sections I through III to read as follows:

CHAPTER 5 PROCEDURAL REQUIREMENTS FOR PROCESSING SUBDIVISIONS

SECTION I: APPLICATION

An application must be submitted to the Planning Department ~~of Planning~~ for each subdivision to be reviewed. The filing date of the application shall be when Items A, B and C below are received and accepted by the ~~City Planning Commission~~Planning Department. A completed application shall consist of:

A. a completed application form signed by the owner of the property;

B. the required number of copies of the plats prepared in accordance with this ordinance, along with any accompanying material that may be required by this ordinance; and

C. the appropriate application fee.

SECTION II: FEES

A. Application fees for subdivisions shall be computed based on the current fee schedule, as adopted by the City Council.

B. All fees shall be paid before the deadline date for submission of subdivision applications.

~~C. A new fee shall be due each time a subdivision plat is reviewed by the City Planning Commission, once a final action is taken by City Planning Commission or City Council.~~

SECTION III: STAGES OF DEVELOPMENT REVIEW

A. *Major Subdivisions*.

1. *Sketch Plan*. This stage of the review process is not mandatory. It is often desirable for an applicant to schedule a meeting with the Planning Department to discuss a proposal before a substantial amount of design and engineering time is invested in the development. The classification of the subdivision can be determined at this time.

2. *Preliminary Plat.* The preliminary plat shall be submitted to the ~~City Planning Commission~~Planning Director for approval before consideration of a final plat intended for future recording with the Tom Green County Clerk. A preliminary plat of less than 10 acres and fewer than 6 lots may be approved by the Planning Director. A preliminary plat of 10 acres or more or with 6 lots or more must be approved by the Planning Commission. However, a preliminary plat shall not be required when the entirety of a parent tract is included in a final plat. Preliminary plats will not be reviewed by the City Planning Commission or Planning Director, until such plats are officially accepted by the Planning Department. Plats not accompanied by an official application and not containing all requisite information will not be accepted for review. Either the preliminary plat itself or an accompanying map shall illustrate the total contiguous tract(s) of land owned by or under the control of the subdivider, even if only a portion of the tracts are intended for subdivision by a final plat. A boundary survey will not be required, but the boundaries of land intended to be submitted as a final plat shall be dimensioned and accurately drawn to scale, and so shall the boundaries of all contiguous land owned by, or under the control of, the subdivider (if more extensive than the area intended for final subdivision). Boundary data from recorded deeds shall be used, whenever appropriate. The preliminary plat shall be prepared by a qualified professional, trained and experienced in subdivision design.

   a. *Deadline for submission.* Copies of the preliminary plat must be submitted to the Planning Department in accordance with submittal deadlines posted on the Planning Department's website.

b. *Plat Review Committee.* Members of this committee include representatives from both the Department of Planning and the Department of Public Works, as well as other affected municipal departments or public agencies. The purpose of the committee's meeting is to develop a unified recommendation from the City staff, and to resolve technical considerations prior to ~~the City Planning Commission's meeting~~action on the proposed subdivision~~, in response to particular proposals for subdivision~~. The applicant or ~~his~~their representative is strongly encouraged to attend this meeting. The Committee can make a recommendation to approve, approve with conditions, deny, or make no recommendation. Failure to make a recommendation shall not invalidate subsequent action by the Planning Director or Planning Commission.

c. *Planning Commission or Planning Director action.* Following ~~its~~ a recommendation from the Plat Review Committee ~~consideration of~~ on a preliminary plat, the Planning Commission or Director shall take one of the following actions:

(1) approve the preliminary plat;

(2) approve the preliminary plat conditionally upon additional information, corrections, collateral approvals and/or other necessary changes;

(3) at the request of the applicant, defer action on the preliminary plat~~, until additional information or changes are made to the plat~~; or

(4) deny approval of the preliminary plat, if the Commission or Director finds the plat does not comply with requirements of this or other applicable municipal ordinances, or if in the Commission's or Director's opinion, the proposal would not be in conformance with the City's Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance. Action taken by the Commission or Director to deny a preliminary plat shall be communicated to the developer in writing, and the reasons for denial shall be specified. Conditional approval shall also be considered the same as denial, until all required conditions have been met to the satisfaction of the Directors of Planning, Public Works and/or Water Utilities, and the City Engineer, as applicable.

(5) A decision of the Planning Director may be appealed by the applicant to the Planning Commission, which shall consider the proposal based on the same criteria noted above and the Commission may take the same actions to approve, approve with conditions, defer action, or deny approval of the preliminary plat.

(i) An appeal of the Planning Director's decision on a preliminary plat must be made in writing and provided to the Planning Director within thirty (30) days following the Planning Director's decision.

(ii) This appeal must be presented to the Planning Commission within thirty (30) days following the Planning Director's receipt of such appeal.

(6) The Planning Commission's action shall be considered final, not requiring subsequent consideration by the City Council, unless that decision is appealed to City Council which is hereby authorized to reverse, modify or affirm any decision made by the Planning Commission, on a preliminary plat. Notwithstanding procedural requirements of the City Charter, a majority vote of the City Council members present shall be necessary to reverse or modify such decision made by the Planning Commission.

(i) An appeal of the Planning Commission's decision on a preliminary plat must be made in writing and provided to the Director of Planning within thirty (30) days following the Planning Commission's decision.

(ii) This appeal must be presented to the City Council within thirty (30) days following the Planning Director's receipt of such appeal.

(~~6~~7) The City's approval of a preliminary plat does not constitute acceptance of the subdivision or land development, but is merely an authorization to proceed with the preparation of one or more corresponding final plat(s) for City approval.

(~~7~~8) No improvements shall be made on land within the proposed subdivision shown on an approved preliminary plat, before a final plat of such subdivision is approved, unless written approval from the Directors of Planning, Public Works ~~and~~, Water Utilities, and City Engineer, as applicable, is obtained. For the purpose of this paragraph, subdivision-related improvements shall include, but not be limited to, excavation and dirt work or any site preparation.

(~~8~~9) The City's approval of a preliminary plat does not constitute approval of any proposed land uses that may be shown on such preliminary plat.

3. *Final Plat*. A subdivider shall be responsible for filing an application for final plat review of a major subdivision, after a preliminary plat thereof has been approved. A final plat may be submitted for all or any portion of the preliminary plat, unless the ~~City Planning Commission~~Planning Director determines that final platting is necessary for additional land covered by the preliminary plat. A final plat will not be considered ~~by the City Planning Commission,~~ until an approved preliminary plat incorporating all changes or corrections required by the approval ~~City Planning Commission~~ is on file with the Planning Department. A revised preliminary plat may be submitted to the Planning Department at the same time an application is made for a final plat. The final plat shall generally conform to the approved preliminary subdivision plat ~~as approved by the City Planning Commission~~. A final plat that does not conform with the preliminary may require submission, and approval, of a revised preliminary plat~~, for review by the City Planning Commission~~. This requirement will be determined by the Planning Director; however, this determination may be appealed to the City Planning Commission.

a. *Deadline for submission*. Copies of the preliminary plat must be submitted to the Planning Department in accordance with submittal deadlines posted on the Planning Department's website.

b. *Plat Review Committee*. The same process for Plat Review Committee consideration, as set forth under the previous subsection III.A.2 for preliminary plats, shall be followed for final plat review.

c. *Planning ~~Commission~~ Director action*. The Planning ~~Commission~~ Director shall have thirty (30) days from the filing date to act on an application for final plat. The Planning Director~~Commission~~ shall take one of the following actions with regard to a proposed final plat:

(1) approve the final plat;

(2) approve the final plat conditionally upon additional information, corrections, collateral approvals and/or other necessary changes; or

(3) deny approval of the preliminary plat, if the Planning ~~Commission~~ Director finds the final plat does not comply with requirements of this or other applicable municipal ordinances, or if in the ~~Commission's~~ Director's opinion, the proposal would not be in conformance with the City's Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance. Action taken by the ~~Commission~~ Director to deny a final plat shall be communicated to the developer in writing, and the reasons for denial shall be specified. Conditional approval shall also be considered denial, until the required conditions have been met to the satisfaction of the Directors of Planning, Public Works and/or Water Utilities and the City Engineer, as applicable.

(4) The decision of the Planning Director may be appealed by the applicant to the Planning Commission, which shall consider the proposal based on the same criteria noted above and the Commission may take the same actions to approve, approve with conditions, or deny approval of the final plat.

(i) An appeal of the Planning Director's decision on a final plat must be made in writing and provided to the Planning Director within thirty (30) days following the Planning Director's decision.

(ii) This appeal must be presented to the Planning Commission within thirty (30) days following the Planning Director's receipt of such appeal.

(5) The Planning Commission's action shall be considered final, not requiring subsequent consideration by the City Council, unless that decision is appealed to City Council which is hereby authorized to reverse, modify or affirm any decision made by the Planning Commission, on a final plat. Notwithstanding procedural requirements of the City Charter, a simple majority vote of the City Council members present shall be necessary to reverse or modify such decision made by the Planning Commission:

(i) An appeal of the Planning Commission's denial of a final plat must be made in writing, and provided to the ~~Director of Planning~~Planning Director within thirty (30) days following the Planning Commission's denial.

(ii) This appeal must be presented to the City Council within thirty (30) days following the Planning Director's receipt of such appeal.

d. *Recording of Plat*. After final approval has been granted, the final plat may be filed for record with the Tom Green County Clerk, in accordance with requirements set forth in Section II, Chapter 7 of this Ordinance. See also Chapter 6 for additional information on recording of plats and guarantees of performance.

B. *Minor Subdivisions*. The stages of review for a minor subdivision shall be the same as for a major subdivision, except the preliminary plat may be omitted. ~~However, if issues and concerns arise which cause the City Planning Commission to determine that reconsideration of the subdivision at a subsequent Commission meeting is necessary, then preliminary approval only may be granted. Plat approval for the designation of spaces pursuant to Chapter 4, Section II(b) of Chapter 12, Exhibit "C" of this Code shall be considered and processed as minor subdivisions.~~

~~C. *Administrative Subdivisions.*~~

~~1. *Authority.* The Planning Director is authorized to approve subdivision plats meeting the requirements of an Administrative Subdivision as set forth in Section 1, Chapter 4 of this ordinance. The Planning Director is under no obligation to approve any subdivision and may elect to present the plat to the City Planning Commission (and, if necessary, to City Council) for approval or denial. The Planning Director shall not disapprove a subdivision plat. Any such plat which is refused administrative approval shall be referred to the City Planning Commission, for consideration under procedures set forth above for review of major or minor subdivisions, as appropriate.~~

~~2. *Review Process.* Copies of the proposed plat shall be submitted to the Planning Director, in accordance with submittal deadlines posted on the Planning Department's website, along with the completed application form and appropriate application fee. Within a period of not more than ten (10) working days from the filing date of an application for subdivision, the Planning Director shall have approved it as an administrative subdivision, or the application shall be referred for consideration by the City Planning Commission. An application referred to the City Planning Commission shall be scheduled for consideration at the next regular meeting of the Commission, if said application was originally submitted by the deadline date for that next regular meeting. A decision by the Planning Director to approve an application for administrative approval, or to forward that application for consideration by the City Planning Commission, shall be communicated in writing to the applicant.~~

~~3. *Recording of Plats.* After administrative approval has been granted by the Planning Director, the final plat may be filed for record with Official Public Records of Real Property, Tom Green County, in accordance with procedures set forth in Section II, Chapter 7 of this ordinance.~~

~~D~~C. *Resubdivision or Replatting*.

1. *Authority*. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat (without vacation of that plat) if the replat:

   a. is signed and acknowledged by only the owners of the property being replatted;

   b. is approved, after a public hearing at which parties in interest and citizens have an opportunity to be heard, by the municipal authority responsible for approving the replat; and

   c. does not attempt to amend or remove any covenants or restrictions.

2. *Process*. Replats are classified as either major, minor, or administrative subdivisions, and will be processed (and if approved, subsequently recorded) in accordance with the requirements outlined herein.

3. *Notification Requirement for Certain Replats*. Where any of the area to be resubdivided or replatted was, within the immediate preceding five (5) years, limited by an interim or permanent zoning classification to residential use for not more than two dwelling units per lot, or if any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot, then the following additional procedures shall apply:

   ~~a. Notice of the public hearing shall be published at least fifteen (15) days prior to the hearing, in a newspaper of general circulation in Tom Green County.~~

   ~~b. Written notice of the public hearing shall be mailed to the owners (according to the most recently approved ad valorem tax roll) of all lots that are within the original subdivision and that are within 200 feet of the lots to be replatted, together with a copy of Section 212.015(c) in the Local Government Code for the State of Texas.~~

   ~~c. If the proposed replat is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the City Planning Commission and/or City Council, as applicable. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal authority responsible for approving the replat, prior to the close of the public hearing. In computing this percentage of land area, the area of streets and alleys shall be included within the adjacent lots.~~

   ~~d. Compliance with subsection c above is not required for approval of a replat of part of a preceding plat, if the area to be replatted was designated or reserved for other than single- or two-family residential use, by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.~~

   a. If a proposed replat described by Subsection 3. requires a variance or exception, a public hearing must be held by the Planning Commission.

   b. Notice of the public hearing shall be given before the 15th day before the date of the hearing by:

      (1) publication in an official newspaper or a newspaper of general circulation in the Tom Green County; and

      (2) by written notice, with a copy of Section 212.015(c) of the State of Texas Local Government Code, forwarded to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with

postage prepaid, in a post office or postal depository within the boundaries of the municipality.

c. If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning Commission. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning Commission prior to the close of the public hearing.

d. In computing the percentage of land area under Subsection c., the area of streets and alleys shall be included.

e. Compliance with Subsections c. and d. is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

f. If a proposed replat described by Subsection 3. does not require a variance or exception, the City shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipality or county tax roll. This subsection does not apply to a proposed replat if the municipal planning commission or the governing body of the municipality holds a public hearing and gives notice of the hearing in the manner provided by Subsection b.

g. The notice of a replat approval required by Subsection f. must include:

(1) the zoning designation of the property after the replat; and

(2) a telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

~~E~~D. *Recordation and Expiration of Plats.*

1. *Administrative plats.* Administrative plats shall be filed for recording with Official Public Records of Real Property, Tom Green County, within a period of twelve calendar months from approval, or the approval shall expire, no longer be valid, and the plat shall not be recorded.

2. *Final Plats and Replats.* If any final plat or replat (not classified as an administrative subdivision) has not been filed for record with Official Public Records of Real Property, Tom Green County, within a period of three years from its approval by the Planning Commission or City Council, approval of such plat shall expire, no longer be valid, and the plat shall not be recorded.

~~F~~E. *Preliminary Plat Approval and Expiration.*

1. After approval has been granted ~~by the Planning Commission~~, a preliminary plat will remain valid for a period of five years. An approved final plat within the area of the preliminary plat will extend the period of validity by an additional five years from the date of final plat approval. After this time, the approval shall expire, no longer be valid, and the preliminary plat shall automatically expire, unless additional progress towards completion of the project has occurred, in which case the preliminary plat will remain valid for five years from the date of the most recent applicable action indicating such progress. All preliminary plats in effect on the date of this ordinance shall automatically expire 5 years from the effective date of this ordinance, unless progress toward completion of the project has occurred during that time period, in which case the preliminary plat will remain valid for five years from the date of the most recent applicable action indicating such progress.

2. Progress towards completion of the project shall include any one of the following:

a. an application for a final plat or plan is submitted to the City;

b. a good-faith attempt is made to file with the City an application for a permit necessary to begin or continue towards completion of the project;

c. costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located;

d. fiscal security is posted with the City to ensure performance of an obligation required by the City; or

e. utility connection fees or impact fees for the project have been paid to the City.

Replace Chapter 9. Land Development and Subdivision Design Policies, Section II in its entirety to read as follows:

SECTION II: BLOCKS

A. *Width*. Blocks should have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads or waterways.

B. *Length*. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas should not exceed two thousand, two hundred (2,200) feet nor be less than four hundred (400) feet in length. Wherever practicable, blocks along major arterials and collector~~s~~ streets shall be not less than one thousand (1,000) feet in length. In long blocks, the ~~Planning Commission~~City may require the reservation of an easement through the block to accommodate utilities, drainage facilities or pedestrian traffic. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the City for the prospective use.

C. *Pedestrian Ways*. Pedestrian ways, or crosswalks, not less than ten feet (10') wide, and related traffic and/or pedestrian control devices, may be required by the City ~~Council~~ through the center of blocks more than eight hundred (800) feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

Replace Chapter 9, Section IX in its entirety to read as follows:

SECTION IX: APPLICABILITY; PLANNED DEVELOPMENT DISTRICTS ~~AND PLANNED INDUSTRIAL PARKS~~

No subdivision shall be approved unless the plat and accompanying improvement plans conform to the policies expressed in this chapter; provided, however, that literal conformance with these policies shall not be required of subdivision in Planned Development (PD) ~~and Planned Industrial Park (PIP)~~ Districts as shown on the official zoning map for the City of San Angelo, so long as such nonconformance is clearly authorized by the specific language or graphic concept plan of the Planned Development (PD~~) or Planned Industrial Park (PIP)~~ zoning district wherein the subdivision is situated. Overall accessibility to and availability of public services such as transportation, utilities and drainage shall nonetheless be generally comparable with that required by conventional subdivision design policies of this chapter.

Replace Chapter 10, Section IV in its entirety to read as follows:

CHAPTER 10 CONSTRUCTION STANDARDS AND SPECIFICATIONS

SECTION IV: APPLICABILITY; PLANNED DEVELOPMENT DISTRICTS ~~AND PLANNED INDUSTRIAL PARKS~~

No subdivision shall be approved unless the plat and accompanying improvement plans conform to the standards and specifications expressed in this chapter; provided, however, that literal conformance with these standards and specifications shall not be required of subdivision in Planned Development (PD) ~~and Planned Industrial Park (PIP)~~ Districts as shown on the official zoning map for the City of San Angelo, so long as such nonconformance is clearly authorized by the specific language or graphic concept plan of the Planned Development (PD) ~~or Planned Industrial Park (PIP)~~ zoning district wherein the subdivision is situated. Overall accessibility to and availability of public services such as transportation, utilities and drainage shall nonetheless be generally comparable with that required by conventional standards and specifications of this chapter.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Kimberly Holle, Budget Manager, Budget

Meeting Date: December 5, 2023

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, for:
1. Police Department salary adjustments
2. Fire Department salary adjustments
3. Ongoing projects and capital items
4. HOME Affordable housing program
(Presentation made by Finance Director Tina Dierschke)

Staff Recommendation:

Adopt

Summary/History:

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

- The Police Department will utilize the funds to implement a new pay plan effective 1/1/24 and a signing stipend for officers covered by the meet and confer agreement and employed on January 1, 2024.
- The Fire Department will utilize the funds for an increase to base salaries effective 1/1/24 and an equivalent stipend.
- Carryovers from the fiscal year 2022-23 for ongoing projects and capital items (an itemized list by fund is attached)
- HOME Affordable housing program funds from the City of San Angelo Development Corporation

Funding Source(s):

Fund:	Account:	Project Number:	Amount Budgeted:
General			-$3,697,403
Intergovernmental			-$16,915
Airport			-$21,114
Solid Waste			-$295,633
Stormwater			-$321,546

Water Utilities	-$701,588
Water Reclamation	-$114,597
Health Insurance Internal Services	-$15,292
HOME	$0.00
General Equipment Replacement	-$153,956
General Capital Projects	$0.00
Street Infrastructure	$0.00

Financial Impact:

The numbers above are net benefit/(cost); see Exhibit A of the ordinance for additional details. Negative numbers indicate the use of fund balance. Funds that show $0.00 have a corresponding revenue and expenditure that offset each other; therefore the net financial impact is zero.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1.	2023 12.05 Ordinance	2023 12.05 Ordinance.docx
2.	BA Memo - ALL	BA Memo - ALL.pdf

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Kimberly Holle	Approved
Theresa James	Approved
Heather Stastny	Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, FOR POLICE AND FIRE DEPARTMENT SALARIES, ONGOING PROJECTS, AND CAPITAL ITEMS.

WHEREAS, the City of San Angelo has determined that the police department pay plan shall be amended,

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

WHEREAS, the resources necessary for these changes are available.

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

The City's budget for fiscal year 2023-2024 be amended by the amounts contained **in Exhibit "A"** to be effective upon final approval and **Exhibit "B"** to be effective January 1, 2024.

INTRODUCED with public hearing on the 5th day of December 2023, and finally PASSED on this 19th day of December 2023.

ATTEST:

_____
Heather Stastny, City Clerk

THE CITY OF SAN ANGELO, TEXAS:

_____
Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

_____
Tina Dierschke, Finance Director

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

Exhibit A

City of San Angelo
Proposed Budget Amendment

FUND	REVENUE	EXPENSE	NET BENEFIT /(COST)
General	-	3,697,403	(3,697,403)
Intergovernmental	-	16,915	(16,915)
Airport	-	21,114	(21,114)
Solid Waste	-	295,633	(295,633)
Stormwater	-	321,546	(321,546)
Water Utilities	-	701,588	(701,588)
Water Reclamation	-	114,597	(114,597)
Health Insurance	-	15,292	(15,292)
HOME	200,000	200,000	-
General Equipment Replacement	-	153,956	(153,956)
General Capital Projects	275,000	275,000	-
Streets Infrastructure	997,403	997,403	-
	$1,472,403	**$6,810,447**	**$(5,338,044)**

Additional Information

PROJECT/NEED	SOURCE OF FUNDING	REVENUE	EXPENSE	NET BENEFIT /(COST)
Police Department salaries	General Fund Balance	-	1,200,000	(1,200,000)
Fire Department salaries	General Fund Balance	-	1,200,000	(1,200,000)
Incomplete projects and capital items	Various fund balances	1,272,403	4,210,447	(2,938,044)
Affordable Housing Program	City of San Angelo Development Corporation	200,000	200,000	-
		$1,472,403	**$6,810,447**	**$(5,338,044)**

EXHIBIT B

Fire Department
Effective 10-1-23

Civil Service Pay Plan

Grade	Position	Annually
GR 24F	Fire Recruit	$49,859
GR 26F	Probationary Firefighter	$50,180
GR 27F	Firefighter	$64,055
GR 28F	Fire Driver	$73,190
GR 29F	Fire Lieutenant	$84,168
GR 30F	Fire Captain	$96,795
GR 31F	Battalion Chief	$111,313
GR 32F	Assistant Chief	$123,854

Additional Pay

Paramedic	$150/month
Intermediate Certification	$100/month
ARFF Certification	$75/month
EMS Coordinator	$75/month
EMS Basic	$75/month
EMS Compliance	$1,250/month
Fire Compliance	$1,250/month
Training Center Assignment	$200-350/month
Incentive/College Training	up to $150/month
Incentive Degree Pay	$25/month
Longevity Per Year of Service	$4/month
Loyalty Per Year of Service (No Max)	$25/month

Police Department
Effective 10-1-23

Civil Service Pay Plan

Grade	Step	Position	Annually
P23	1	Recruit	$54,400
P27	1	Police Officer: Basic	$58,500
P27	2	Police Officer: Intermediate	$65,500
P27	3	Police Officer: Advanced	$71,500
P27	4	Police Officer: Master	$76,500
P29	1	Sergeant: Intermediate	$78,000
P29	2	Sergeant: Advanced	$84,000
P29	3	Sergeant: Master	$88,500
P30	1	Lieutenant: Advanced	$99,000
P30	2	Lieutenant: Master	$104,000
P32	1	Assistant Chief	$123,854

Additional Pay

Crisis Negotiation	$100/month
Critical Incident	$100/month
Special Weapons & Tactics	$100/month
Incentive/College Training	up to $400/month
Longevity Per Year of Service	$4/month
Loyalty Per Year of Service (No Max)	$25/month

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Veronica Sanchez, Civil Service Director

Date: 12/05/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Fund mid-year salary adjustments for the Police and Fire Departments.

Source of Funding:

General Fund Balance

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

Project/Budget to be amended	Revenue	Expense
Police Department salaries		1,200,000
Fire Department salaries		1,200,000

Additional Comments:

The Police Department will utilize the funds to implement a new pay plan effective 1/1/24 and a signing stipend for officers covered by the meet and confer agreement and employed on January 1, 2024.

The Fire Department will utilize the funds for an increase to base salaries effective 1/1/24 and an equivalent stipend.

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Kimberly Holle, Budget Manager

Date: 12/05/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Carryover remaining fiscal year 2022-23 funds for incomplete projects

Source of Funding:

Multiple Funds - Fund Balance

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

Project/Budget to be amended	Revenue	Expense

Additional Comments:

See Attached chart for details

Fiscal Year 2024 Carryovers

Fund	Purpose		Amount
General Fund			
Facilities Maintenance	Cameras needed in the City Hall parking lot		25,000
	General Fund Total	**$**	**25,000.00**
Street Infrastructure Fund			
Public Works	Street repair and maintenance		997,403
	Street Infrastructure Fund Total	**$**	**997,403**
General Capital Projects			
Public Works	Street and sidewalk accessability funds		275,000
	General Capital Projects Total	**$**	**275,000**
General Capital Equipment			
Facilities Maintenance	Vehicles	$	30,000
Traffic Services	Bucket truck upfitting	$	35,901
Police	Police car upffiting	$	82,815
Fire Marshal	Vehicle upfitting	$	5,240
	General Capital Equipment Total	**$**	**153,956**
Airport			
Airport	Machinery and equipment		21,114
	Airport Total	**$**	**21,114**
Solid Waste			
Solid Waste	Vehicles		80,495
Solid Waste	Professional Services		215,138
	Solid Waste Total	**$**	**295,633**
Stormwater			
Stormwater	Vehicles		26,238
Stormwater	Machinery and equipment		130,741
Stormwater	Professional Services		91,660
Stormwater	Advertising - Trailer Wrap		5,000
Stormwater	Capital Projects		67,907
	Stormwater Total	**$**	**321,546**

Water Utilities			
Capital	Vehicles		123,102
Capital	Machinery and equipment		78,817
Capital	TxDOT Advanced Funding Agreement (Old Christoval Road)		499,669
	Water Utilities Total	**$**	**701,588**
Water Reclamation			
Capital	Vehicles		114,597
	Water Reclamation Total	**$**	**114,597**
Health Insurance Internal Services			
Human Resources	Patient-Centered Outcomes Research Institute (PCORI) fees	$	15,292
	Health Insurance Internal Services Total	**$**	**15,292**
Intergovernmental			
Emergency Management	Emergency manager training	$	16,915
	Intergovernmental Total	**$**	**16,915**

City of San Angelo

Memo

To: Tina Dierschke, Finance Director

From: Robert Salas, Neighborhood & Family Services Director

Date: 12/05/2023

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Minor Repair program with Affordable Housing Funds from City of San Angelo Development Corporation.

Source of Funding:

City of San Angelo Development Corporation Affordable Housing

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

06.28.2023 - City of San Angelo Development Corporation Board Meeting

Project/Budget to be amended	Revenue	Expense
City of San Angelo Development Corporation	200,000	
Affordable Housing Funds		200,000

Additional Comments: