



Mayor | John Wright
Mayor Pro-Tem | Travis Townsend
Council Members | Cecil Booth, Christiene Daniel, Terry Roberts, Tanner Sartin
City Manager | Chris Whittaker
City Secretary | Michelle Perez

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE CITY COUNCIL FOR THE CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON TUESDAY, DECEMBER 12, 2023, AT 6:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

CITIZENS WISHING TO ADDRESS CITY COUNCIL

The Presiding Officer may establish time limits based upon the number of speaker requests, the length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Citizens may speak at the beginning or at the time the item comes before council in accordance with Texas Government Code Section 551.007. No Action May be Taken by the City Council During Public Comments.

CEREMONIAL PRESENTATIONS

1. Presentation of an employee service award.
2. Presentation of a Certificate of Recognition to Olga Flores.

EXECUTIVE SESSION

The City Council will hold executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

3. Discussion and possible action on Deliberation regarding Consultation with Attorney regarding contemplated litigation, pursuant to Section 551.071 of the Texas Local Government Code. (Case No. D-1-GN-23-007785; The City of Grand Prairie Texas v. The State of Texas)

OPEN SESSION

The City Council will now adjourn Executive Session, reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

4. Discussion and possible action to approve the minutes of the Angleton City Council meeting of July 8, 11, and 25; and August 8 and 22, 2023.

PUBLIC HEARINGS AND ACTION ITEMS

5. Conduct a public hearing, discussion, and possible action on a request for approval of Ordinance No. 20231212-005-1 amending the City of Angleton Code of Ordinances, Zoning Chapter 28, and Ordinance No. 20231212-005-2 amending Chapter 23- Land Development Code.

REGULAR AGENDA

6. Discussion and possible action to approve the selection of a Construction Manager at Risk in response to RFP No. 2023-09 for the preconstruction and construction services for the new King Municipal Operations Center.
7. Discussion and possible action on a request to approve the Final Plat for Mulberry Fields Subdivision, for 41 Single Family lots, 2 reserves, 3 blocks on 13.0044 acres, located on SH 35 and N. Walker St., East of Heritage Ln./Murray Ranch Rd.
8. Discussion and possible action to approve the Angleton 300 Res Dev LP, and Angleton Stasny Land LP, Petition for Release of an Area from a Municipality's Extraterritorial Jurisdiction (ETJ), being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, in Brazoria County, Texas. Pursuant to the provisions of Subchapter D, Chapter 42 of the Texas Local Government Code.

ADJOURNMENT

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with attorney; Section 551.072 - deliberation regarding real property; Section 551.073 - deliberation regarding prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - deliberation regarding security devices or security audit; Section 551.087 - deliberation regarding economic development negotiations; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City

Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATION

I, Michelle Perez, City Secretary, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, www.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Friday, December 8, 2023, by 6:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/S/ Michelle Perez
Michelle Perez, TRMC
City Secretary

Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Angleton ADA Coordinator, Colleen Martin, no later than seventy-two (72) hours prior to the meeting, at (979) 849-4364 ext. 2132, email: cmartin@angleton.tx.us.



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Colleen Martin, Director of Human Resources

AGENDA CONTENT: Presentation of employee service award.

AGENDA ITEM SECTION: Ceremonial Presentation

BUDGETED AMOUNT: _____ **FUNDS REQUESTED:** _____

FUND: _____

EXECUTIVE SUMMARY:

Presentation of employee service award Sgt. Sidney Slawson for 5 years of service to the City of Angleton.

RECOMMENDATION:

Presentation of Service Award.



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Colleen Martin, Director of Human Resources

AGENDA CONTENT: Presentation of certification of recognition.

AGENDA ITEM SECTION: Ceremonial Presentation

BUDGETED AMOUNT: **FUNDS REQUESTED:**

FUND:

EXECUTIVE SUMMARY:

Presentation of a certificate of recognition to Olga Flores for earning the Certified Water Professional (CWP) certification.

RECOMMENDATION:

Presentation of Service Award.



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Michelle Perez

AGENDA CONTENT: Discussion and possible action to approve the minutes of the Angleton City Council meeting of July 8, 11, and 25; and August 8 and 22, 2023.

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Approve the minutes of the Angleton City Council meeting of July 8, 11, and 25; and August 8 and 22, 2023.

RECOMMENDATION:

Staff recommends Council approves the minutes as presented.



CITY OF ANGLETON
CITY COUNCIL AGENDA
 120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
 TUESDAY, JULY 11, 2023 AT 6:00 PM

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, JULY 11, 2023, AT 6:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Wright called the Council Meeting to order at 6:02 P.M.

PRESENT

Mayor John Wright
 Mayor Pro-Tem Travis Townsend – Arrived at 6:54 PM
 Council Member Terry Roberts
 Council Member Cecil Booth
 Council Member Mark Gongora – Arrived at 6:05PM
 Council Member Christiene Daniel

City Manager Chris Whittaker
 City Secretary Michelle Perez

PLEDGE OF ALLEGIANCE

Council Member Roberts led the Pledge of Allegiance

INVOCATION

Council Member Booth gave the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

John Jasso, Chairman of the Veterans organization of Brazoria County, addressed Council and gave an update on the November 11 Veterans Day parade. Mr. Jasso introduced Jessica Madre, a representative of George Washington Carter American Legion Post-835 and Tiffany Small a representative of the Angleton Independent School District, who were in attendance with him.

CEREMONIAL PRESENTATIONS

1. The presentation of the Life Saving Award to Corporal Carlos Cobos and Officer Kevin Ramirez.

Mayor Wright read the heroic details of the officers saving a life. He presented the officers with a certificate and a Life Saving Award to Corporal Carlos Cabos and Officer Kevin Ramirez.

REGULAR AGENDA

2. Discussion and review of the Fiscal Year 2023-2024 Budget.

Phillip Connor, Director of Finance, gave a recap on changes that were made by staff after the July 8th budget discussions.

Otis Spriggs, Director of Development Services, gave an overview of the Development Services department budget.

Martha Eighme, Director of Communications, gave an overview of the Communications department budget.

Michelle Perez, City Secretary, gave an overview of the City Council, City Secretary, and Municipal Court budgets.

Jamie Praslika, Emergency Management Coordinator, gave an overview of the Emergency Management department budget.

Collen Martin, Director of Human Resources, gave an overview of the Human Resources budget.

Jason Crews, Director of Information and Technology (IT), gave an overview of IT's department budget.

Mayor Wright recessed the meeting at 9:44 PM and returned at 9:58 PM.

Phillip Connor, Director of Finance, gave an overview of the Finance and Utility department budgets.

Chris Whittaker, City Manager, gave an overview of Admin Services budget.

Council gave direction to provide an electronic update of the budget with highlighted changes prior to the July 25 Council meeting.

ADJOURNMENT

The meeting was adjourned at 11:06 P.M.

These minutes were approved by Angleton City Council on this the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



CITY OF ANGLETON
CITY COUNCIL SPECIAL MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
SATURDAY, JULY 08, 2023 AT 8:00 AM

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON SATURDAY, JULY 8, 2023, AT 8:00 A.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Wright called the Council Meeting to order at 8:00 A.M.

PRESENT

Mayor John Wright
 Mayor Pro-Tem Travis Townsend – Arrived at 8:10 AM
 Council Member Roberts
 Council Member Cecil Booth
 Council Member Christiene Daniel

City Manager Chris Whittaker
 City Secretary Michelle Perez

ABSENT

Council Member Mark Gongora

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

REGULAR AGENDA

1. Discussion and review of the Fiscal Year 2023-2024 Budget.

Phill Conner, Director of Finance gave a general overview on Revenues, Tax Rate, Personnel & Benefits, and Utility Billing water. Colleen Martin, Director of Human Resources, was present and discussed Personnel & Benefits.

Scott Myers, Chief of Angleton Fire Department addressed Council and discussed the budget for City funds and Angleton Emergency Services District #3 funds.

Mayor recessed the meeting at 9:27 AM and returned at 9:32 AM.

Lucille Maes, Chief of Angleton Area Emergency Medical Corps, addressed Council and presented a PowerPoint on the financial impact for the city and salary increases.

Megan Mainer, Director of Parks and Recreation, addressed Council and gave an overview of the budget for Angleton Better Living Corporation, and Street/Park Right of Way.

Geri Gonzales, Recreation Superintendent, addressed Council and gave an overview of the budget for the Parks & Recreation Division.

Jason O'Mara, Assistant Director of Parks & Recreation, and Zoe Garcia, Operations Manager, addressed Council and gave an overview of the budget for the Angleton Recreation Center and Keep Angleton Beautiful (KAB) and KAB Events.

Mayor Wright recessed the meeting at 12:15 PM

Mayor Wright reconvened the meeting at 12:30 PM

Jeff Sifford, Director of Public Works and Hector Renteria, Assistant Director of Public Works, went over the budget for water, sewer, and plant operations.

Colleen Martin, Director of Human Resources, addressed Council and gave an overview of a step plan for the Police Department that will cost an additional \$240,000 to the COLA adjustment to include all uniformed officers and telecommunicators. Uniformed officers' step plan increase is \$109,573 and \$132,081 for telecommunicators.

Lupe Valdez, Chief of Angleton Police Department went over the budget for the Police Department, Animal Services, Police Donations, Animal Control Donations, and Police Drug Confiscation.

ADJOURNMENT

The meeting was adjourned at 3:05 P.M.

These minutes were approved by Angleton City Council on this the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



**CITY OF ANGLETON
CITY COUNCIL MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
TUESDAY, AUGUST 08, 2023 AT 6:00 PM**

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, AUGUST 8, 2023, AT 6:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Wright called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor John Wright
Mayor Pro-Tem Travis Townsend
Council Member Terry Roberts
Council Member Mark Gongora
Council Member Christiene Daniel

City Manager Chris Whittaker
City Secretary Michelle Perez
City Attorney Judith El Masri

ABSENT

Council Member Booth

PLEDGE OF ALLEGIANCE

Council Member Daniel gave the Pledge of Allegiance.

INVOCATION

Mayor Pro-Tem Townsend gave the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

CEREMONIAL PRESENTATIONS

1. Presentation of Certificates of Appreciation.

Colleen Martin, Director of Human Resources gave the presentation of Certificates of Appreciation to Phillip Conner, Director of Finance; Martha Eighme, Director of Communications and Marketing; and John Peterson, City Engineer.

2. Presentation of employee service award.

Colleen Martin, Director of Human Resources gave the presentation for five years of service for City of Angleton employee, Rickey Malovets with the Parks and Recreation department. Mr. Malovets was unable to attend.

CONSENT AGENDA

3. Discussion and possible action on approving the May 9, May 16, and May 23, 2023, City Council meeting minutes.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Consent Agenda item 3. Discussion and possible action on approving the May 9, May 16, and May 23, 2023, City Council meeting minutes. The item was approved on a 5-0 vote. Council Member Booth was absent.

REGULAR AGENDA

4. Discussion and possible action on the recommended streets for solar light installation.

The Presentation was given by Hector Renteria, Assistant Director of Public Works.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Daniel, Council approved Farrer Street, North Brook, Robinhood, Colony Square and Colony Drive for solar lighting. The item was approved on a 5-0 vote. Council Member Booth was absent.

5. Discussion and possible action to waive fees for the Vet Fest Mass Gatherings and facility permits, permit the use of Bates & Dickey Parks and Bates pavilion, and permit the consumption of alcohol within city parks.

The agenda item was introduced by Megan Mainer, Director of Parks and Recreation.

The presentation was given by Robert Heckles with the Warrior's Refuge. Mr. Heckles presented information regarding the event.

Council disagreed with the public parking on the sports fields and suggested that Mr. Heckles speak with the school district to use their parking lot. Mr. Heckles stated they can work with parking without use of the field.

Mayor Pro-Tem Townsend suggested changing the beginning time of the event to noon to prevent interfering with the Veteran's Day Parade in Angleton. Mr. Heckles agreed.

Upon a motion by Council Member Daniel and seconded by Council Member Gongora, Council approved to waive fees for the Vet Fest Mass Gatherings and facility permits, permit the use of Bates & Dickey Parks and Bates pavilion, and permit the consumption of alcohol within city parks with the condition of changing the time of the event from

12:00 P.M. to 9:00 P.M. and to resubmit a parking plan to the Parks and Recreation Department. The item was approved on a 5-0 vote. Council Member Booth was absent.

6. Presentations given by Belt Harris Pechacek, Brooks Watson & Co., and Weaver on the Professional Audit Services Request for Qualifications (RFQ) for the City of Angleton's audit.

The agenda item was introduced by Phillip Conner, Director of Finance.

A PowerPoint presentation was given by Robert Belt with Belt Harris Pechacek, LLP.

A PowerPoint presentation was given by Michael Brooks, Partner with Brooks Watson & Co.

A PowerPoint presentation was given by John DeBurro, Engaging Partner, Greg Peterson, Technical Review Partner and Steven Smith, Manager with Weaver.

7. Discussion and possible action to approve one of the three submissions for RFQ 2023-04 Professional Auditing Services.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved Belt Harris Pechacek, LLP, for RFQ 2023-04 Professional Auditing Services. The item was approved on a 5-0 vote. Council Member Booth was absent.

Council gave direction to Staff to allow the contract for a term of 3 years and to begin the negotiation process. If the negotiation is outside the scope of the contract, then Staff will need to bring back to City Council.

8. Discussion and possible action on the Preliminary Plat of the Angleton Independent School District (ISD) Elementary No. 7 and Junior High No. 2.

The agenda item was introduced by Otis Spriggs, Director of Development Services.

A presentation was given by Phil Edwards, Superintendent of Angleton ISD and Tim Richard, Angleton ISD Bond Program Manager, with the Angleton Independent School District.

Upon a motion by Council Member Roberts and seconded by Council Member Gongora, Council approved the Preliminary Plat of the Angleton Independent School District (ISD) Elementary No. 7 and Junior High No. 2. The item was approved on a 5-0 vote. Council Member Booth was absent.

9. Discussion on a concept proposal to rezone property located at 2927 N. Valderas St. currently zoned C-G, General Commercial to Residential. No action required.

The agenda item was introduced by Otis Spriggs, Director of Development Services.

Patsy Garcia, property owner, addressed Council and stated they would like to rezone the commercial property to residential. Their plan is to build a barn for storage and then build a home.

Discussion happened between Council, Staff and Ms. Garcia. Mayor Wright reminded Ms. Garcia of the Multi-Family Zoning north of the property where there could be a possibility of an apartment complex being built and Ms. Garcia stated that she understood.

Mr. Spriggs stated there were negative comments from the Planning and Zoning Commission.

Mayor Pro-Tem Townsend stated that he is against the rezoning and would like it to remain commercial for future development.

Council Member Gongora stated he can be persuaded both ways.

Mayor Wright stated his concern is Crossing Road still being able to go across N. Valderas St. in the future.

Council Member Daniel stated she is favorable with the zoning being changed to residential and not Multifamily.

10. Discussion on the Fiscal Year 2023-24 budget.

A presentation was given by Phil Conner, Director of Finance.

Mr. Conner stated that based on the information received from the Brazoria County Appraisal District on the 2023 certified estimate of taxable value that the tax revenue was increased by \$94,000 using the minimus rate.

Mr. Conner stated there was an increase total of \$140,000 in budget revenue. The lien permits were lowered to \$500,000 from \$600,000 causing a 100,000 decrease in revenues. The gun deduction revenue was increased to \$30,000 and that raised the revenue account to where it ties with the expense account. The zoning, variance and plating fees line item increased in revenue by \$116,000.

Mr. Conner stated that expenses were reduced by \$80,000. Development Services demolition expense was reduced from \$20,000 to \$0. The Police Department reduced their maintenance agreement by \$23,460. The City Hall Annex insurance was split between the water fund and general fund, saving the general fund \$19,000. There were no changes in fuel expenses, saving \$18,251.

Mr. Conner stated that there will be a proposed water disconnect fee increase of \$5, from \$25 to \$30 and a proposed water reconnect fee increase of \$25. With the increase in fees, it will generate approximately \$60,000 for the water and sewer fund. Mr. Conner addressed the utility fund and stated the light bill expense of \$253,000 was added as an expense. The Meter Tech position was moved from a decision package to the based budget, increasing the based budget by \$56,000. The fuel expense was

reduced by \$4,000. The total change in expenses was increased by \$305,000 with a \$240,000 decrease in the ending balance for the water fund.

Mr. Conner stated the revenue for the sewer and Water Fund is 11,249,000 and base expenses of \$11, 215,000 with \$33,000 remaining to be used for other projects. The revenue for the recreation fund is \$420,000 and expenses are \$428,000. The revenue for the Recreation Center is \$1,007,000 and expenses are \$1,007,000.

Chris Whittaker, City Manager, requested that Mr. Conner to make recommendations to Council and to pull the items that are favorable for a 20-30 year bond and bring the recommendations back to Council.

Mr. Conner gave an overview of the property tax preliminary calculations and stated that the de minimis rate will generate an extra \$500,000 in revenue. To calculate the de minimis rate you calculate the \$500,000 divided by the taxable value of \$0.028 cents making the de minimis rate \$0.525 cents per \$100 valuation. The de minimis rate was used when calculating the property tax revenue for the General Fund.

11. Discussion and possible action on the property casualty deductibles for Fiscal Year 2023-2024 budget.

A presentation was given by Colleen Martin, Director of Human Resources.

Council gave staff direction to change the Auto Liability-Deductible of \$2,500 to \$1,000 and the Auto Physical Damage-Deductible of \$2,500, General Liability-Deductible of \$2,500, Law Enforcement Liability-Deductible of \$5,000, and Property-Deductible of \$5,000 can remain the same. Directions were given to staff to get a quote for the sewage backup liability deductibles.

12. Discussion and possible action on Resolution No. 20230808-012 to adopt a proposed tax rate and set the date for the public hearings to allow public comment on the proposed 2023-24 budget and the proposed tax rate.

Mayor Pro-Tem Townsend stated that for preliminary purposes he will be ok with the de minimis rate only because of what the City Manager stated that if Council votes no new net revenue, then it will be locked in and will not be able to go higher. Mayor Pro-Tem Townsend also stated that he is not sure if at a later time that he would not vote for no new revenue.

Mayor stated that when he ran, he stood for no new revenue rate, and that's where he stands. There's a lot of hurting people out there and wants to stay punitive to that.

Council held discussion and agreed on a de minimis rate with the potential of lowering the final tax rate. There's a lot of trimming to be done to the budget. Supports Council on the de minimis rate but at the end of the day would like to get it down to the no new revenue.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Resolution No. 20230808-012 to adopt a proposed tax rate at a de minimis rate of .525367 for FY 2023-24 budget.

Upon an amended motion Mayor Pro-Tem and seconded by Council Member Roberts, Council approved Resolution No. 20230808-012 to adopt a proposed tax rate at a de minimis rate of .525367 for FY 2023-24 budget and set the date for a public hearing on September 12, 2023, to allow public comment on the proposed 2023-24 budget and the proposed tax rate. The item was approved on a 4-1 vote with Mayor Wright opposed. Council Member Booth was absent.

ADJOURNMENT

The meeting was adjourned at 9:06 P.M.

These minutes were approved by Angleton City Council on this the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST

Michelle Perez, TRMC
City Secretary



**CITY OF ANGLETON
CITY COUNCIL MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
TUESDAY, JULY 25, 2023 AT 6:00 PM**

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, JULY 25, 2023, AT 6:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Wright called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor John Wright
Mayor Pro-Tem Travis Townsend
Council Member Cecil Booth
Council Member Mark Gongora
Council Member Terry Roberts
Council Member Christiene Daniel

City Manager Chris Whittaker
City Attorney Judith El Masri
City Secretary Michelle Perez

PLEDGE OF ALLEGIANCE

Council Member Gongora led the Pledge of Allegiance.

INVOCATION

Council Member Booth led the invocation.

CEREMONIAL PRESENTATIONS

1. Presentation of an Employee Service Award.

Colleen Martin, Director of Human Resources presented the Services Award of 5 years to Megan Mainer, Director of Parks and Recreation.

2. Presentation of the Parks and Recreation Month Proclamation.

Mayor Wright presented the Parks and Recreation Month Proclamation to Megan Mainer, Director of Parks and Recreation and Jason Assistant Director of Parks and Recreation.

3. Ceremonial Presentation of the July 2023 Keep Angleton Beautiful Yard of the Month and Business of the Month.

Tracy Delesandri, Keep Angleton Beautiful Chairwoman, presented the Yard of the Month to Louie and Debbie and Business of the Month to Wakey Wakey's.

Louie and Debbie were not present to accept his award. Mikey Svodado accepted the award for Wakey Wakey's.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Christopher Phillips addressed Council and stated that on June 28, 2022, Council discussed placing streetlights on his street, Colony Drive, and gave a verbatim excerpt of Councils discussion to add streetlights. He stated there are still no streetlights or sidewalks and was wondering if they will ever receive them.

Glenn Moody addressed Council and stated he is there as a representative of himself as a veteran and as a past commander of American Legion in Angleton. He stated that another organization is planning Vet Fest event at the same time as the Veterans Day parade. He is not objecting on what they are doing but would like Council to keep the Veterans Day parade and events in mind when approving the Vet Fest event application.

WORKSHOP

4. Discussion on various Zoning District setback requirements and subdivision design principles within the City of Angleton, as compared to neighboring municipalities. No action is required.

A Presentation was given by Otis Spriggs, Director of Development Services.

Mr. Spriggs provided zoning lot requirement information from surrounding cities to further refine the Zoning Code Subdivision requirements. Yard setback requirements of the various Zoning District categories and subdivision design principles within the City of Angleton, as compared to neighboring municipalities was provided.

Mayor Wright stated he would like to see nothing less than 10 feet for side yards, 28 feet wide for the roadway depending on zoning, and 30 feet setbacks.

Council recommended 30ft setbacks and to create a long-term goal.

REGULAR AGENDA

5. Discussion and possible action to accept the Fiscal Year 2021-2022 audit report by Belt Harris Pechacek.

A presentation was given by Robert Belt with Belt Harris Pechacek.

Upon a motion by Council Member Roberts and seconded by Council Member Booth, Council approved the Fiscal Year 2021-2022 audit report. The motion passed 6-0.

6. Update, discussion and possible action on the progress of the Fire Department Station No. 3 Addition.

Scott Myers, Angleton Fire Chief, introduced the agenda item and stated that the new addition is a 50x60 Three bay building located behind Fire Station No. 3 with the doors facing south and the roof line matching existing Fire Station No. 3.

Brent Bowels with iAD Architects addressed Council and stated that the original budget for construction was \$500,000 but due to inflation the cost will come in a little above that.

Mr. Myers listed proposed budget cuts if the bids come back to high such as the large fan in the center of the building, the paving on the back westside of the building and replace with crushed concrete, and cutdown on the 25 feet paving on the eastside for trucks to come through. He stated the biggest cost savings is going to be paving.

Council gave direction to move forward with the bid for the Addition to Fire Station No. 3.

7. Discussion and possible action on approving a selection of streets to be included on the 2023-2024 overlay list of streets.

A presentation was given by Hector Renteria, Assistant Director of Public Works.

Mr. Renteria stated the City of Angleton has an interlocal agreement with Brazoria County to do overlays. A spreadsheet was presented that contains the list of streets requiring an overlay and Mr. Renteria stated the list must remain at two miles, or under.

Council gave Staff a final list of streets to consider that includes Shady, McBride, Wayne, W. Wilkins, Shady, Anchor, Warren, E. Bronco Bend, W. Cedar, and Gifford Lane. Council gave direction to revise the list with the recommended streets and bring back for approval. Council also requested S. Walker to be brought back to Council with S. Walker split in two on the list and the cost.

Mayor Wright asked Mr. Renteria to begin adding how long the streets have been on the list.

8. Discussion and possible action on the revised list of streets for the Street Bond Project - Package 3.

A presentation was given by Hector Renteria, Assistant Director of Public Works.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Daniel, Council approved to amend the original approved street Bond Project- Package 3 to approve an additional \$300,00 to remove Parish Street - Live Oak to Miller and add Parish Street - Live Oak to SH 35 (Approximately 1,600 Linear Feet) to include the intersection at Live Oak and Silver Saddle - Eastside 205 to Bronco Bend (Approximately 750 Linear Feet). The motion passed 6-0.

9. Discussion and possible action to approve funding from Angleton Better Living Corporation (ABLC) fund balance to approve the selection of contractor with the lowest bid in response to the City's request for Bid No. 2023-05 Hauling of Clay, Sand, Earthen cover Material & Stockpiling, from Freedom Park northern tract to BG Peck Soccer Complex and approve a contract with the selected contractor.

A presentation was given by Megan Mainer, Director of Parks & Recreation.

Upon a motion by Council Member Roberts and seconded by Mayor Pro-Tem Townsend, Council approved funding from Angleton Better Living Corporation (ABLC) fund balance to approve the selection of a contractor with the lowest bid in response to the City's request for Bid No. 2023-05 Hauling of Clay, Sand, Earthen cover Material & Stockpiling, from Freedom Park northern tract to BG Peck Soccer Complex and approve a contract with Newby Enterprises. The motion passed 6-0.

10. Discussion and possible action on approving Ordinance No. 20230725-010 amending Chapter 13, Miscellaneous Offenses, Article I. of the Code of Ordinances of the City of Angleton; providing noise and sound level regulations; repealing Section 13-9, use of amplifying devices, clause; repealing Section 13-12, silly string, stinkbombs, smokebombs, poppers or noisemakers, clause; providing for severability; providing for repeal; providing for a penalty and providing an effective date.

Mayor Wright requested to have a Public Hearing to allow citizens to speak.

No action was taken. Council requested to bring it back at a future Council meeting as a public hearing.

11. Discussion and possible actions on Austin Colony Section 1A Final Plat and the First Amendment to the Development Agreement.

A Presentation was given by Otis Spriggs, Director of Development Services.

Upon a motion by Council Member Booth and seconded by Council Member Roberts, Council approved Austin Colony Section 1A Final Plat and the First Amendment to the Development Agreement. The motion passed 6-0.

12. Discussion and possible action on a Preliminary Subdivision Plat for Windrose Green Section 4.

A Presentation was given by Otis Spriggs, Director of Development Services.

Upon a motion by Council Member Roberts and seconded by Council Member Booth, Council approved the Preliminary Subdivision Plat for Windrose Green Section 4. The motion passed 5-0 with Mayor Wright opposed.

13. Discussion and possible action on a Preliminary Subdivision Plat for Windrose Green Section 5.

A Presentation was given by Otis Spriggs, Director of Development Services.

Upon a motion by Council Member Roberts and seconded by Council Member Gongora, Council approved the Preliminary Subdivision Plat for Windrose Green Section 5. The motion failed 3-3 with Mayor Wright, Mayor Pro-Tem Townsend and Council Member Daniel opposed.

Mayor Pro-Tem Townsend stated he would like to see diversity in the lot sizes. Council Member Daniel echoed Mayor Pro-Tem Townsend's comments.

ADJOURNMENT

The meeting was adjourned at 8:45 P.M.

These minutes were approved by Angleton City Council on this the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



CITY OF ANGLETON
CITY COUNCIL MINUTES
 120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
 TUESDAY, AUGUST 22, 2023 AT 6:00 PM

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, AUGUST 22, 2023, AT 6:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Wright called the Council Meeting to order at 6:02 P.M.

PRESENT

Mayor John Wright
 Mayor Pro-Tem Travis Townsend
 Council Member Terry Roberts
 Council Member Mark Gongora
 Council Member Christiene Daniel

City Manager Chris Whittaker
 City Secretary Michelle Perez
 City Attorney Judith El Masri

ABSENT

Council Member Cecil Booth

PLEDGE OF ALLEGIANCE

Council Member Gongora led the Pledge of Allegiance.

INVOCATION

Mayor Wright led the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

CEREMONIAL PRESENTATIONS

1. Ceremonial Presentation of August 2023 Keep Angleton Beautiful Yard of the Month and Business of the Month.

Tracy Delesandri, Keep Angleton Beautiful Chairwoman, presented Yard of the Month to Tory and Emily Liles and Business of the Month to The Crust Pizzeria.

EXECUTIVE SESSION

The City Council held executive session at 6:07 P.M. pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; pursuant to Section 551.074 of the Texas Government Code. (Evaluation of the Angleton Municipal Court Presiding Judge)
3. Discussion and possible action on personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; pursuant to Section 551.074 of the Texas Government Code. (Parks & Recreation Board, Senior Citizen Commission)

OPEN SESSION

The City Council adjourned Executive Session and reconvened into Open Session at 7:16 P.M. pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; pursuant to Section 551.074 of the Texas Government Code. (Evaluation of the Angleton Municipal Court Presiding Judge)

No Action Taken

3. Discussion and possible action on personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; pursuant to Section 551.074 of the Texas Government Code. (Parks & Recreation Board, Senior Citizen Commission)

Upon a motion by Council Member Roberts and seconded by Council Member Daniels, Council approved appointed Mindy Burch to the Parks and Recreation Board to fill the unexpired term ending October 2023; appoint Janie Shwartz Shaw to the Senior Citizen Commission to fill an unexpired term ending October 2023. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

REGULAR AGENDA

4. Discussion and possible action on Resolution No. 20230822-004 appointing a representative to the Brazosport Water Authority Board.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Resolution No. 20230822-004 appointing Morris Massingill as Angleton's representative to the Brazosport Water Authority Board. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

5. Discussion and possible action on HDR's evaluation of improvements at the intersection of Enchanted Oaks and County Road 44.

John Peterson, City Engineer with HDR addressed Council and gave an update regarding the improvements at the intersection of Enchanted Oaks and County Road 44. He stated that staff requested HDR to look at the intersection to ease the traffic flow. Mr. Peterson stated after looking and talking to the residents there is a problem with the queuing when everyone comes out with a single lane going in, as people are waiting to take a left, it is blocking those who can easily take a right. HDR is looking at doing an extension of approximately 6 feet wide paving to the existing 18ft wide lane to give two 12ft wide lanes and restripe the lanes. The intersection is in the county right-of-way and the county stated they will allow the city to pull a right-of-way permit. Mr. Peterson stated that this project can be change ordered in the city-wide Maintenance Project since the bid came in lower than expected.

Council moved to agenda item No. 15, 16, and 17.

15. Discussion and possible action on Ordinance No. 20230822-015 approving the 2023 Annual Service Plan Update for the public improvements in the Greystone Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code.

Andrea Barnes, P3 Works, gave a presentation.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Ordinance No. 20230822-015 approving the 2023 Annual Service Plan Update for the public improvements in the Greystone Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

16. Discussion and possible action on Ordinance No. 20230822-016 approving the 2023 Annual Service Plan Update for the public improvements in the Kiber Reserve Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code.

Andrea Barnes, P3 Works, gave a presentation.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Ordinance No. 20230822-016 approving the 2023 Annual Service Plan Update for the public improvements in the Kiber Reserve Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

17. Discussion and possible action on Ordinance No. 20230822-017 approving the 2023 Annual Service Plan Update for the public improvements in the Green Trails Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code.

Andrea Barnes, P3 Works, gave a presentation.

Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Roberts, Council approved Ordinance No. 20230822-017 approving the 2023 Annual Service Plan Update for the public improvements in the Green Trails Public Improvement District (PID), and approving the updates to the 2023 Assessment Roll, in accordance with chapter 372 of the Texas Local Government Code. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

Council moved back to item No. 6.

6. Discussion and possible action on: 1. A Preliminary Plat for Angleton Park Place Subdivision Section 2; and 2. Approval of the Development Agreement.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Roberts and seconded by Council Member Gongora, Council approved a Preliminary Plat for Angleton Park Place Subdivision Section 2 and approval of the Development Agreement. Subject to the approval of the City Attorney. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

7. Discussion and possible action on the revised preliminary plat of Ashland Section 1.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Daniels and seconded by Council Member Roberts, Council approved the revised preliminary plat of Ashland Section 1. Subject to the approval of the Angleton Drainage District and Brazoria County agreements. The item was approved on a 4-1 vote with Mayor Wright opposed. Council Member Booth was absent from the meeting.

8. Discussion and possible action on the revised preliminary plat for Ashland Section 2.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Roberts and seconded by Council Member Gongora, Council approved the revised preliminary plat for Ashland Section 2. Subject to the approval of the Angleton Drainage District, Texas Commission on Environmental Quality (TCEQ), and Brazoria County agreements. The item was approved on a 3-2 vote with Mayor Wright and Council Member Townsend opposed. Council Member Booth was absent from the meeting.

9. Discussion and possible action on the Final Plat for Ashland Development Wastewater Treatment Plant.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved the Final Plat for Ashland Development Wastewater Treatment Plant with the condition of the approval of the Angleton Drainage District, Texas Commission

on Environmental Quality (TCEQ), and Brazoria County agreements. The item was approved on a 3-2 vote with Mayor Wright and Mayor Pro-Tem opposed. Council Member Booth was absent from the meeting.

10. Discussion and possible action on a Final Plat for Ashland Development Water Plant.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Daniel and seconded by Council Member Gongora, Council approved a Final Plat for Ashland Development Water Plant with the condition of the approval of the Angleton Drainage District, Texas Commission on Environmental Quality (TCEQ), and Brazoria County agreements. The item was approved on a 3-2 vote with Mayor Wright and Mayor Pro-Tem Townsend opposed. Council Member Booth was absent from the meeting.

11. Discussion and possible action on the Final Plat of the Ashland Street Dedication Sec 1 and Reserves.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved the Final Plat of the Ashland Street Dedication Sec 1 and Reserves. Subject to the approval of the Texas Department of Transportation (TxDOT) and Brazoria County agreements. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

12. Discussion and possible action on the Final Plat of the Ashland Street Dedication Sec 2.

Otis Spriggs, Director of Development Services, gave a presentation.

Council Member Gongora left the room during this item.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved the Final Plat of the Ashland Street Dedication Sec 2. Subject to the approval of the Brazoria County agreement. The item was approved on a 4-0 vote. Council Member Gongora was absent during this item. Council Member Booth was absent from the meeting.

13. Discussion and possible action on the Final Plat of the Ashland Street Dedication Sec 3.

Otis Spriggs, Director of Development Services, gave a presentation.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved the Final Plat of the Ashland Street Dedication Sec 3. Subject to the approval of the Brazoria County agreement. The item was approved on a 4-0 vote. Council Member Gongora was absent during this item. Council Member Booth was absent from the meeting.

14. Discussion and possible action on the Final Plat of the Ashland Coral Haven Lane Street Dedication.

Otis Spriggs, Director of Development Services, gave a presentation.

Council Member Gongora returned to the meeting.

Upon a motion by Council Member Daniel and seconded by Council Member Roberts, Council approved the Final Plat of the Ashland Coral Haven Lane Street Dedication. Subject to the approval of the Texas Department of Transportation (TxDOT) and Brazoria County agreements. The item was approved on a 5-0 vote. Council Member Booth was absent from the meeting.

Mayor Wright recessed the meeting at 8:30 P.M.

Mayor Wright reconvened the meeting at 8:40 P.M.

18. Discussion and possible action on a Preliminary Plat and response to the Preliminary Subdivision Plat for Windrose Green Section 5 disapproval on July 25, 2023, by City Council.

Otis Spriggs, Director of Development Services, gave a presentation.

Jeb Kolby with Concourse Development addressed Council and stated the two reasons for council's denial on the Section 5 plat had to do with the readability of the plat because of the contours, and council requested diversity on the lot mix. Mr. Kolby stated that their land planning consultant lightened up the boldness of the contour lines where it is now readable. Mr. Kolby provided a plan on the diversity of lot mixes that included 40, 45, and 50 feet lots. He stated that has been the plan they have implemented and have not deviated from it since they have started. He stated they are offering diversity in the cost of homes (\$250,000-\$540,000), lot sizes (4,800 sq ft - 15,000 sq ft) and home sizes (1400 sq ft-3300 sq ft) for the people who are interested in living in the area.

Mayor Wright stated Concourse was the first or second development that came to Angleton and at the time it was presented to council that there was going to be a mix of lot sizes, future phases with room for changes. Mayor stated phase 1 and phase 2 happened so fast and by the time it was noticed it was not the mix that Council was looking for. New developments are being held to a different standard and it is not right that he votes in favor of these lot sizes when he is requiring the new developments to come in at a 20-25 feet difference. Mayor stated the second issue he has is that the drainage was built to a new standard and did a great job, but the problem is that the subdivision was built up really high compared to the surrounding neighborhoods and the concern by those neighbors is that they are going to flood. The water in those neighborhoods has nowhere to go now because it is now blocked by the Windrose Green subdivision. Mayor stated he asked if there was something that could be done

about the elevation, and he was told no. Mayor stated the third issue he has is when the ditch was being developed for the pond that the dirt trucks were brought down Henderson Road and broke the road.

Mayor Pro-Tem Townsend stated that Council's job is to look out for the best interest of Angleton and does not know that high density lots is what the citizens want. Mayor Pro-Tem Townsend addressed Council and stated that if they are going to allow someone to build 40 foot lots then council needs to consider the other options of longer driveways or wider streets. He stated that Council Member Booth stated that historically Angleton has maintained 60 foot wide lots and thinks that should be base with variety of 45 feet lots. When he thinks of diversity it is not a 10 feet difference but is more like 40 to 60 feet lots and everything in between.

Mr. Kolby stated diversity doesn't just mean larger lots. People are purchasing homes in Windrose Green because they want to live there. The development has no control of what the home builders are selling the homes for. The development agreement was written to prove flexibility and if there was a market for 60 foot lots then the plans could be changed to reflect that but there's not a market for it. Mr. Kolby stated as for Henderson Rd. that it is a public road that is open to all traffic and shouldn't attribute any flaw on that road just to one specific contractor is unfair. He introduced Mr. Wilcox to speak on the drainage.

Stephen Wilcox, Division Manager with Hydrology & Hydraulics (H&H) addressed Council and stated he was the primary engineer for the drainage. He stated in the beginning they met with Angleton Drainage District (ADD) and the city on the history of the flooding conditions. They are engineering for 16 ½ inches in 24 hours, that is the ADD criteria. The detention ponds were built higher so that the water can flow out to Rancho Ditch and ended up with 26.4, 26.5 and 26.6 elevation in the lakes and as the water drains in the lakes it has to push out. Those elevations are the absolute lowest that will be achieved, and it sets what you can do for the rest. The natural ground is 24 in elevation which is less than the 26+ elevation. Had to build up and tilt in elevation to push the water in the detention pond.

Upon a motion by Council Member Roberts and seconded by Council Member Gongora, Council approved a Preliminary Subdivision Plat for Windrose Green Section 5. The item was approved on a 4-1 vote with Mayor Pro-Tem Townsend opposed. Council Member Booth was absent from the meeting.

ADJOURNMENT

The meeting was adjourned at 9:39 P.M.

These minutes were approved by Angleton City Council on this the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST

Michelle Perez, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and possible action on a request for approval of Ordinance No. 20231212-005-1 amending the City of Angleton Code of Ordinances, Zoning Chapter 28, and Ordinance No. 20231212-005-2 amending Chapter 23- Land Development Code.

AGENDA ITEM SECTION: Public Hearing and Action Item.

BUDGETED AMOUNT: \$0 **FUNDS REQUESTED:** \$0

FUND: N/A

EXECUTIVE SUMMARY:

During the Council session on July 25, 2023, Staff provided City Council with an analysis of the yard setback requirements of the various Zoning District categories and subdivision design principles within the City of Angleton, as compared to neighboring municipalities (See the attached table).

Under the direction of the City Manager, Staff forward the legal notice of the Public Hearings to the Facts Newspaper on recommended changes to the Lot requirements and setback sections of the Zoning Ordinances. The recommended changes are under legal review and were considered by the Planning and Zoning Commission on November 2, 2023 for review, discussion, and action of recommendation to City Council, in which Council held and tabled its first public hearing on November 14, 2023. Meanwhile, Staff will continue to engage the development professionals, legal, and community for input, participation, and comment.

In summary, Staff is recommending an increase on the standard residential lot to be located at least 35 ft. from the R.O.W., having at least a setback of 10 feet. Staff will continue to fine-tune the minimum driveway depths, as well as stipulations of keeping the cul-de-sac street parking as prohibited. Please see the mark-up attachment(s) to the Code of Ordinances applicable sections.

Commercial District front setbacks are recommended to be increased to 35 ft. minimum as well, with the exception of the CBD- Downtown area remaining as-is.

During the Council work session discussion of cul-de-sacs was commented on. Staff is recommending the following:

(ADD) PARKING ON CUL-DE-SACS PROHIBITED.

(a) No person shall stop, stand or park any vehicle upon any cul-de-sac within the City except while actually loading and unloading and then only for a period not to exceed thirty minutes.

(b) All cul-de-sacs within the City are hereby designated as fire lanes.

Sec. 23-99. - LDC Text amendment

C. Criteria for approval. The following criteria should be considered by the commission and council as findings of fact. The proposed amendment sets out to accomplish the following:

1. Promotes the health, safety, and general welfare of the city;
2. Promotes the safe, orderly, efficient and healthful development of the city;
3. Consistent with other policies of this LDC and the Angleton Comprehensive Plan; and
4. Any other criteria which, at the discretion of the commission and council, are deemed relevant and important.

Staff has determined that from a safety standpoint the proposed text amendments are consistent with the goals and strategies promoted in the City's most current Comprehensive Plan. Vehicular encroachments beyond the line of travel area for pedestrians or would continue to pose a threat to their health, safety and welfare of the neighborhoods if not reduced.

Photos of Challenging Scenarios

Item 5.

Photos of Challenging Scenarios



Findings and Goals as strategized within the City's Comprehensive Plan:

- Utilize planned development provisions to encourage innovative and imaginative site design that minimizes adverse impacts on adjacent properties.
- Protect the integrity of existing neighborhoods from intrusion by undesirable land uses through enforcement of development-related ordinances.
- Enhance existing neighborhoods through improvements to the public right of way (such as street trees), protection of open spaces and scenic areas utilizing quality signage, landscaping, sidewalks, subsurface drainage and lighting. The proposed changes will allow for safe travel both on emergency vehicle access as well as sound pedestrian walkability and avoidance of sidewalk encroachment of parked vehicles.
- Revising the development related ordinances such as Zoning and subdivision requirements.
- Enhancing existing neighborhoods through improvements to the public right of way (such as street trees), protection of open spaces and scenic areas utilizing quality signage, landscaping, sidewalks, etc.
- Angleton can grow sensibly by: balancing economic development and environmental protection; focusing new development where public services and utilities are already available; actively supporting redevelopment of older areas and vacant buildings; valuing its downtown and vibrant mixed-use areas; maintaining an efficient street network and infrastructure system; providing convenient neighborhood shopping and attractive parks; and, ensuring pedestrian-friendly commercial districts and walking connections between neighborhoods, parks and schools.

Staff has included below, the comments compiled during and after the Workshop on October 26, 2023 with development community: The video recording can be accessed by clicking or copy/pasting the following link: <https://angletontx.new.swagit.com/videos/277605>

| WORKSESSION 10/26/2023 Comments/Questions | Method of Input | Response |
|---|-------------------------|--|
| <i>A lot of developers are using 12" wide lay down curbs instead of 6" upright. Adjust widths as needed. Probably best to just specify travel width.</i> | <i>Emailed Comment</i> | |
| <i>Recommend that for pavement width you specify if this is travel width or back of curb to back of curb.</i> | <i>Emailed Comment</i> | |
| <i>In newer neighborhoods with smaller backyards, how does that work or affect the rear yards.</i> | Comments made in Person | The objective is to try to maintain a minimum rear yard of 20 feet. The front yard increase is triggered due to the Safety issues of the driveway parking encroaching into the sidewalk/apron. |
| <i>Are these applicable only in the City Limits.</i> | In-person | This would apply where we have Zoning authority within the City Limits. |
| <i>What are the conditions of grandfathering on already approved plats?</i> | In-person | The grandfathering/non-conforming legal constraints will still be applied. We will work with Legal to determine any sunshining clauses in instances where we do have enforceability. |
| <i>What about Ancillary Structures (Accessory Structures)?</i> | In-person | Lot coverage and lot density is important. We will still accommodate pool houses and RV garages. Usually lots having those accessory uses and structures are larger in nature. |
| <i>Parking on 1 side of the street? Do we have that same rule for blocking of sidewalks?</i> | In-person | Currently Staff is not aware of such a rule of thumb; however, if we were to receive accessibility related complaints we would respond accordingly. Staff added that the criteria for making this form of ordinance text amendment will have to be considered. |
| <i>25' setbacks are the most typical front yard setbacks that we see in Houston.</i> | In-person | |
| <i>Would the setbacks, especially apply to rear/alleyway loaded lots?</i> | Live Chat/Webinar | We would retain the provisions within the CBD downtown area to allow for rear access garages with reduced setbacks. We would not have the same sidewalk challenges. |
| <i>How would the setback increase affect fire truck hose-reach?</i> | In-person | We will ensure that the new regulations do not violate any requirements on residential that are currently being regulated. We will engage the Fire Chief. |
| <i>Other areas have 2 separate setbacks on a Corner lot situation; i.e. a 20 ft. for the Garage and then a separate requirement on the main structure at 15 ft.</i> | In-person | Staff will consider that flexibility. |

RECOMMENDATION:

City Council should reconvene the Public Hearing, have discussion, receive any additional public input and vote to approve the ordinance amending the Text of City of Angleton Code of Ordinances, Zoning Chapter 28, and Chapter 23- Land Development Code, including Sections 28-41 through Sections 28-62 - Residential and Commercial Zoning Districts regarding the Zoning setback and lot size/type regulations.

ORDINANCE NO. 20231212-005-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON TEXAS AMENDING CHAPTER 28, ZONING OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, ARTICLE III. ZONING DISTRICTS, SECTIONS 28-43 , 28-44, 28-45, 28-46, 28-47, 28-48, 28-49, 28-51, 28-52, 28-53, 28-57, 28-58, 28-60 PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council of the City of Angleton, Texas (“City”) has the general authority to adopt and publish an ordinance that is for the good government, peace or order of the municipality, is consistent with the laws of this State, and is necessary or proper for the carrying out of a power granted by law to the municipality; and

WHEREAS, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

WHEREAS, pursuant to Section 28-24 Amendments to Zoning Ordinance and Districts, Administrative Procedures, and Enforcement, of the Angleton Code of Ordinances the policy and review criteria for approval of amendments to the zoning ordinance has been met;

WHEREAS, pursuant to Section 28-24 Amendments to Zoning Ordinance and Districts, Administrative Procedures, and Enforcement, of the Angleton Code of Ordinances the public hearing requirements by the planning and zoning commission and the city council have been met and such public hearings were held.

WHEREAS, the City of Angleton, City Council desires to amend the City of Angleton Code of Ordinances, Chapter 28 Zoning, Article III Zoning Districts, area and yard size regulations for the following sections:

- Sec. 28-43. - SFE-20—Single-family estate residential-20 district.
- Sec. 28-44. - SF-10—Single-family residential-10 district.
- Sec. 28-45. - SF-7.2—Single-family residential-7.2 district.
- Sec. 28-46. - SF-6.3—Single-family residential-6.3 district.
- Sec. 28-47. - SF-5—Single-family residential-5 district.
- Sec. 28-48. - SF-PH—Single-family residential—Patio home district (Zero-lot-line homes).
- Sec. 28-49. - 2F—Two-family residential district (Duplex homes).
- Sec. 28-51. - MFR-14—Multifamily residential-14 district (Apartments).
- Sec. 28-52. - MFR-29—Multifamily residential-29 district (Apartments).
- Sec. 28-53. - MFR-36—Multifamily residential-36 district (Apartments).
- Sec. 28-57. - C-G—Commercial-general district.
- Sec. 28-58. - C-O/R—Commercial-office/retail district.

Sec. 28-60. - LI—Light industrial district.

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

SECTION 1. All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The City of Angleton, Code of Ordinances, Chapter 28, Zoning, Article **28-52, 28-53, 28-57, 28-58, 28-60** are revised in each section as set out in bold italics as follows:

Sec. 28-43. - SFE-20—Single-family estate residential-20 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***40 feet.***

Sec. 28-44. - SF-10—Single-family residential-10 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***40 feet.***
 - b. Minimum side yard: ***Ten*** feet for interior side yard; fifteen feet for a corner lot on a street; 30 feet for a key corner lot.

Sec. 28-45. - SF-7.2—Single-family residential-7.2 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10'-0"*** for interior side yard; ***30*** feet for a corner lot on a street; ***30*** feet for a key corner lot.

Sec. 28-46. - SF-6.3—Single-family residential-6.3 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10'-0"*** for interior side yard; 15 feet for a corner lot on a street; ***30*** feet for a key corner lot.

Sec. 28-47. - SF-5—Single-family residential-5 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10*** feet for interior side yard; 15 feet for a corner lot on a street; 30 feet for a key corner lot.
 - c. Minimum rear yard: ***15*** feet for the main building; 25 feet for rear entry garage (See section 28-103 for accessory building standards.)

Sec. 28-48. - SF-PH—Single-family residential—Patio home district (Zero-lot-line homes).

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet to the garage door face for front-entry homes.**Sec. 28-49. - 2F—Two-family residential district (Duplex homes).**

(d) Area regulations

(2) Size of yards for two-family/duplex homes:

a. Minimum front yard: 35 feet; 35 feet to the garage door face for front-entry homes.**Sec. 28-51. - MFR-14—Multifamily residential-14 district (Apartments).**

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet to the garage door face for front-entry homes.**Sec. 28-52. - MFR-29—Multifamily residential-29 district (Apartments).**

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.**Sec. 28-53. - MFR-36—Multifamily residential-36 district (Apartments).**

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 40 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.**Sec. 28-57. - C-G—Commercial-general district.**

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be deemed front yard (see section 28-106 for additional setback requirements).**Sec. 28-58. - C-O/R—Commercial-office/retail district.**

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).

Sec. 28-60. - LI—Light industrial district.

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).

SECTION 3. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 4. Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 6. Effective date. That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. Proper Notice & Meeting,

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED, and ADOPTED this, the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

ORDINANCE NO. 20231212-005-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, BY REVISING SECTION 23-12, STREETS AND DRIVEWAYS, TABLE 23-12.1; REVISING APPENDIX A PLAT LANGUAGE AND SUBMITTAL LISTS, SUBAPPENDIX A-1 PLAT CERTIFICATES, SECTION 23-115 STANDARD LANGUAGE FOR SPECIAL PLAT ELEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR A PENALTY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council of the City of Angleton, Texas (“City”) has the general authority to adopt and publish an ordinance that is for the good government, peace or order of the municipality, is consistent with the laws of this State, and is necessary or proper for the carrying out of a power granted by law to the municipality; and

WHEREAS, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

WHEREAS, pursuant to Section 23-99 of the Angleton Land Development Code (“LDC”) amendments to the LDC require public notice, public hearings by the planning and zoning commission and the city council and such public hearings were held.

WHEREAS, pursuant to Section 23-99(c) of the Angleton Land Development Code (“LDC”) the criteria for approval of amendments to the LDC have been met;

WHEREAS, the City of Angleton, City Council desires to amend the City of Angleton Code of Ordinances, Chapter 23, Land Development Code Section 23-12, Streets and Driveways, Table 23-12.1; Appendix A Plat Language and Submittal Lists, Sub appendix A-1 Plat Certificates, Section 23-115 Standard Language for Special Plat Elements, and

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

SECTION 1. That all the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein, and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The City of Angleton, Code of Ordinances, Chapter 23, Land Development Code, Article II. Subdivision and Development Design, Section 23-12 Streets and Driveways, Table 23-12.1 Street Dimension Standards, Pavement Width for a Local Street is revised as follows:

**Table 23-12.1
Street Dimension Standards**

| Design Features | Road Classifications | | | | |
|--------------------|----------------------|----------------|-----------------|-----------------|--------------|
| | Major Arterial | Minor Arterial | Major Collector | Minor Collector | Local Street |
| Right-of-Way Width | 100'—120' | 80'—100' | 70'—80' | 60'—70' | 60' |
| Pavement Width | 48' to 60' | 36' to 48' | 36' | 32' | 30' |
| Number of Lanes | 4—6 | 3 or 4 | 2 or 3 | 2 | 2 |
| Lane Width (ft.) | 12'—14' | 12' | 12' | 12' | 12' |
| Design Speed | 45—55+ mph | 35—45 mph | 30—35 mph | 30 mph | 30 mph |

SECTION 2. The City of Angleton, Code of Ordinances, Chapter 23, Land Development Code, Appendix A Plat Language and Submittal Lists, Sub appendix A-1, Plat Certificates, Section 23-115 Standard Language for Special Plat Elements, C. Fire lanes and fire easements is revised to add subsection (i) as follows:

Sec. 23-115. – Standard language for special plat elements:
C. Fire lanes and fire easements.

(i). Adequate and safe access; All Cul-De-Sacs are considered a Fire Lane and shall have a 47.5-foot minimum radius/ 95- foot diameter. Corner radius shall be per the fire lane width required.

SECTION 3. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 4. Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only

to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 6. Effective date. That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. Proper Notice & Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED, and ADOPTED this, the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

| Abbreviated Designation | Zoning District Name | Front Yard Setback (Feet) | Sideyard Setback (Feet) | Rear Yard Setback (Feet) | Roadway Width (Feet) |
|-------------------------|---|---------------------------|-------------------------|--------------------------|----------------------|
| Base Districts | | | | | |
| AG | Agricultural | 80 | 40 | 80 | 30 |
| SFE-20 | Single-Family Estate Residential-20 (minimum 20,000 square-foot lots) | 40 | 10 | 25 | 30 |
| SF-10 | Single-Family Residential-10 (minimum 10,000 square-foot lots) | 40 | 10 | 25 | 30 |
| SF-7.2 | Single-Family Residential-7.2 (minimum 7,200 square-foot lots) | 35 | 10 | 20 | 30 |
| SF-6.3 | Single-Family Residential-6.3 (minimum 6,300 square-foot lots) | 35 | 10 | 25 | 30 |
| SF-5 | Single-Family Residential-5 (minimum 5,000 square-foot lots) | 35 | 10 | 15 | 30 |
| SF-PH | Single-Family Residential-Patio Home (zero-lot-line homes) | 35 | Zero Lot or 10' b/t | 10 | 30 |
| 2F | Two-Family Residential (duplex homes) | 35 | Zero Lot or 10' b/t | 25 | 30 |
| SFA | Single-Family Attached Residential (townhomes) | 25 | N/A | 15 | 30 |
| MFR-14 | Multifamily Residential-14 (apartments maximum 14 units/acre) | 35 | 15 | 15 | 30 |
| MFR-29 | Multifamily Residential-29 (apartments maximum 29 units/acre) | 35 | 15 | 15 | 30 |
| MFR-36 | Multifamily Residential-36 (apartments maximum 36 units/acre) | 40 | 15 | 15* | 30 |
| MH | Manufactured Homes | 25 | 10* | 10 | 30 |
| C-N | Commercial - Neighborhood | 20 | 15 | 20 | * |
| C-MU | Commercial - Mixed-Use | 20 | 15 | 20 | * |
| C-G | Commercial - General | 35 | 15 | 20 | * |
| C-OR | Commercial - Office/Retail | 35 | 35 | 15 | * |
| CBD | Central Business District | N/A | N/A | N/A | * |
| LI | Light Industrial | 35 | 10* | 10* | * |

* See Master Thoroughfare Plan

| Name | Business Owner/Developer (Y/N) | Property Owner | Email |
|-------------------------|--------------------------------|----------------|-------------------------|
| Christene Daniel | Council member | | |
| Marco Galgo | Windrose Green | | marco@ember-grp.com |
| Caitlin King | META PD | | kying@meta-pd.com |
| Kyle Reynolds | COA | | kyr@grail.com |
| Courtney Lunders | COA | | clunders@angleton.tx.us |
| Martha Eighon | COA | | meighon@angleton.tx.us |
| Jeff Siffert | COA | | jsiffert@angleton.tx.us |
| Megan Mainer | COA | | |
| Handice Haseloff Bunker | COA | | |
| Grace Garcia | COA | | |
| Otis Priego | COA | | |
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AGENDA ITEM SUMMARY FORM

MEETING DATE: 12/12/2023

PREPARED BY: Martha Eighme with Architect Brent Boles Presenting

AGENDA CONTENT: Selection of a Construction Manager at Risk for the preconstruction and construction services for the new King Municipal Operations Center

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY: The City of Angleton sought proposals from interested firms for the selection of a Construction Manager-at-Risk to provide the preconstruction and construction services for the new King Municipal Operations Center for the City of Angleton. This RFP was the first and only step of the process for selecting a CMAR, as provided by the Texas Government Code Section 2269.253. There were three respondents to the RFP: TEAL Construction, Crain Group, and Butler-Cohen.

An evaluation board comprised of two Council members and three Staff members evaluated and scored the proposals. The final tabulation of the scores ranked TEAL Construction as the top-ranking respondent.

PROJECT: A new single-story office and maintenance building of approximately 16,900 SF to serve the City of Angleton as the King Municipal Operations Center. Departments housed within this facility will include Public Works, Parks & Recreation, and other support areas. Project will also include site amenities, along with a covered maintenance structure and demolition of the existing building located on this site.

RECOMMENDATION:

Approve selection of TEAL Construction for Construction Manager at Risk to provide the preconstruction and construction services for the King Municipal Operations Center Project.



**REQUEST FOR PROPOSALS
(RFP)**

RFP NO. 2023-09

**CONSTRUCTION MANAGER AT
RISK**

**Proposal Due Date:
Monday, November 27, 2023, at 2:00 p.m. CST**

**CITY OF ANGLETON, TEXAS
121 S. VELASCO
ANGLETON, TEXAS 77515
Phone: 979-849-4364**

**CITY OF ANGLETON
REQUEST FOR PROPOSALS
RFP NO. 2023-09 CONSTRUCTION MANAGER AT RISK**

GENERAL INFORMATION

The City of Angleton seeks proposals from interested firms for the selection of a Construction Manager-at-Risk to provide the preconstruction and construction services for the new King Municipal Operations Center for the City of Angleton. This RFP is the first and only step of the process for selecting a CMAR, as provided by the Texas Government Code Section 2269.253. The RFP provides the information necessary to prepare and submit a proposal, including fees and general conditions. The City seeks proposals with qualifications in accordance with the terms, conditions, and instructions set forth in this document and its attachments, and the City will rank the Respondents in the order that provides the "best value" based on evaluation criteria set forth below.

PROJECT TIMELINE

Design: Shall be Completed by CMAR and the Architect **Brent Bowles, Integrated Architecture & Design**, at bbowles@iadarchitects.com, 107 West Way, Ste.16, Lake Jackson, Texas 77566.

Design TimeLine: Anticipated duration is approximately 28 weeks.

City Council Awards Contract 2-4 weeks after response deadline, on **Tuesday, December 12, 2023**.

CMAR/General Contractor to mobilize on site in 2-4 weeks.

Substantial Completion: Approximately 52 weeks

Final Completion: Approximately 4 weeks after Substantial Completion

BUDGET

The anticipated Construction Cost Limitation of Estimated Three Million Nine Hundred Thousand Dollars to Four Million Five Hundred Thousand Dollars.

DUE DATE AND CONTACT

Proposals shall be delivered to:

**City Secretary's Office,
121 S. Velasco St.
Angleton, Texas 77515
RFP No. 2023- 09 Construction Manager at Risk
2:00 p.m., Monday, November 27, 2023**

The City is not responsible for the non-receipt of proposals sent by mail or courier. Any proposals received later than the time specified above, whether delivered in person or by mail, will not be accepted and shall be returned unopened. Respondents are cautioned to submit a complete response to all requirements. The City reserves the right to amend this RFP, waive any requirement, informality, or irregularity, and reject any and all proposals for any reason. No amendment or modification to this RFP or the resulting submissions will be considered bona fide unless such amendments or modifications are made in writing.

The form to be used for this project shall be the Request for Proposals document, which may be obtained from the City or the Architect, Integrated Architecture & Design. Request for Proposals documents will be mailed upon request; however, the City is not responsible for ensuring timely delivery of mailed Request for Proposal documents.

Receipt of responses does not bind the City to any contract for said services, nor does it guarantee that a contract for the project will be awarded.

The Architect can be contacted for additional assistance by emailing **Brent Bowles, Integrated Architecture & Design**, at bbowles@iadarchitects.com or mailing him at 107 West Way, Ste.16, Lake Jackson, Texas, 77566. All requestors will be added to a recipient list to receive any future correspondence and/or addenda related to this RFP.

PROJECT

A new single-story office and maintenance building of approximately 16,900 SF to serve the City of Angleton as the King Municipal Operations Center. Departments housed within this facility will include Public Works, Parks & Recreation, and other support areas. Project will also include site amenities, along with a covered maintenance structure and demolition of the existing building located on this site.

A site map is attached under Appendix I. Prior to submitting a response to the Request for Proposal, respondents shall examine the site of the work project to satisfy themselves as to the conditions that will be encountered relating to the character, quality, and quantity of the work to be performed and materials and equipment required. A respondent's filing of a response shall be considered evidence that it has complied with these requirements.

SCOPE OF SERVICES

The firms who participate in this RFP process are sometimes referred to as "Respondents," "Construction Manager," and "CMAR".

A qualified Construction Manager at Risk will be chosen to work alongside the City's contracted Architect in analyzing current proposed designs, providing value engineering suggestions, developing cost estimates, sub-contractor bidding/negotiations services,

and potentially as the General Contractor during the project's construction phase.

The Construction Manager at Risk will be expected to work closely with the Architect as the cost estimator, project scheduler, and proposer of phasing alternatives for the project upon completion of plans sufficient to estimate the project. The final contract negotiated with the Construction Manager at Risk will determine details related to a contractual guaranteed maximum price for the project. All cost estimation by the Construction Manager at Risk will include full Construction costs.

In addition, the following describes the anticipated services expected during design and construction:

- Provide Preconstruction Services as previously described.
- Meet with City Staff and the consultant team to understand the requirements and general parameters under which the project will be designed and constructed.
- Develop the Guaranteed Maximum Price (GPM) documentation.
- Establish budget by bid package for design components.
- Prepare, execute & manage contractor/sub-contractor bid or proposal packages.
- Conduct pre-bid meetings.
- Conduct preconstruction meetings with all subcontractors.
- Conduct award of contracts/purchase orders.
- Provide coordination and management of subcontractors.
- Conduct progress and coordination meetings with on-site trade foremen or superintendents.
- Conduct meetings with the City's representative and Architect to review construction progress, scheduling, conflict resolution, etc.
- Review and process all pay request applications by the subcontractors.
- Summarize monthly reports.
- Provide change order and contingency funds control.
- Establish and maintain a Quality Control and Quality Assurance program.
- Supervise, direct, and manage the complete construction of the project.
- Track construction costs and maintain detailed construction cost records.
- Review and process shop drawings and other submittals.
- Establish, monitor, and update a construction scheduling system to be updated every two weeks.
- Develop, manage, and monitor a comprehensive safety program for the project.
- Provide temporary job site facilities and services.
- Provide accounting functions.
- Provide job site security functions and control site access.
- Provide post-construction services, including implementation of close-out procedures.
- Provide value engineering.
- Maintain and provide as-built information to the Architect for the preparation of record drawings.
- Provide warranty walk-through to occur one year after project completion.

SELECTION PROCESS

The City will select a Construction Manager at Risk for the project as provided by Texas Government Code Chapter 2269, Subchapter F in a one step process. The City invites the submittal of responses to this RFP from firms that can adequately demonstrate they have the resources, experience, and qualifications necessary to provide Construction Management at Risk services in connection with the project's design, preconstruction services, and construction. The following project narratives are to assist you in responding to this request for RFP.

The City will evaluate the submittals and select the highest-ranking submittal pursuant to the criteria outlined herein and the City shall select a proposal that offers the best value for the City according to the responses to this request. Should the City choose, they may interview up to the top three scoring candidates to assist in a selection. However, the City reserves the right to terminate its negotiations with the CMAR in writing if it appears to the City that the negotiations will not result in the execution of a contract. In such an event, the City will select the next highest-ranking CMaR and attempt to negotiate a contract with that CMAR, and so on and so forth, until the City has successfully negotiated an agreement with a selected CMAR.

After the City selects the highest-ranking Construction Manager at Risk, the City will attempt to negotiate a contract with the Manager for performing preconstruction services, including Constructability Reviews, Value Engineering Recommendations, and Estimating Services Fees, to review during the final phases of the design process and only to a point sufficient to establish a Guaranteed Maximum Price (GMP), within the parameters of the anticipated construction cost and budgeted amount as set out herein.

Following execution of the preconstruction services contract, the CMAR will receive a Schematic Design package set of drawings for their use in providing the following:

- (a) A review of constructability and estimated timeline based on critical path items.
- (b) A pricing review of all major items as established through qualified subcontractor preliminary pricing.
- (c) A list of potential or recommended value engineering options for the City's consideration.

Upon the City's approval of the Schematic Design package and associated construction cost estimates as offered by the CMAR, the CMAR will repeat the same process at the completion of the Design Development phase, and again at 50% Construction Document phase.

Following the City's direction on the submittals above, the Project Architect will revise documents to incorporate direction and issue a GMP set of drawings and specifications (95% Construction Documents). The CMAR will provide a Guaranteed Maximum Price (GMP) for the work. This GMP will be inclusive of Value Engineering and Estimating Services fees, General Conditions, Construction Manager's Fee, bonds, insurance, and other agreed-upon

costs, including the City's General Contingency Allowance. ***If a fixed contract amount or guaranteed maximum price has not been determined at the time the contract is awarded the performance and payment bonds must be delivered to the City in an amount equal to the construction budget as specified in this RFP. The CMAR shall deliver the performance and bonds not later than the 10th day after the date the CMAR executes the contract unless the CMAR furnishes a bid bond or other financial security acceptable to the City to ensure the Construction Manager will furnish the required performance and payment bonds when the guaranteed maximum price is established.*** Should the GMP fit within the budget allowed and established by the City and the City is satisfied with the Work of the CMAR, the CMAR contract will be continued through the general construction of the project.

The City will give prime consideration to the respondent with significant, current experience in developing, designing, and constructing buildings of similar size, scope, budget, and construction methods and techniques to the proposed King Municipal Operations Center. The City reserves the right to negotiate with one or more parties. It is not obligated to enter into any contract with any respondent on any terms or conditions. Consideration will be given to all qualified Respondents. The City will select the respondent that provides the best value to the City.

The City reserves the right to disqualify any submittal without cause. By submitting a response, respondents waive any rights to claim against the City, its employees, agents, and consultants related in any way to the submission of the proposal or the City's disqualification.

The successful respondent will enter into a Construction Manager at Risk Agreement ("Agreement") with the City as Owner, where the basis of payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price and General Conditions for the Contract for Construction, respectively, as modified for this project. The City reserves the right not to contract with any respondent if it so chooses.

EVALUATION CRITERIA

The evaluation committee may include any or all of the following: City staff representatives, the Architect, and City Council members.

Per Chapter 2269, Subchapter F of the Texas Local Government Code, the City may consider the following in determining whom to award the contract for Construction Manager-At-Risk services. The selection process is heavily weighted on essential issues critical to the project's success. In determining the best value to the City, the information requested in the submittal requirements above can and will be evaluated along with any other essential key issues as determined by the City.

The following weighted criteria will be considered in selecting the Construction Manager at Risk:

- A. FIRM FINANCIAL CAPABILITY - (10% of scoring)

- B. QUALIFICATIONS OF PROJECT TEAM – (30% of scoring)
- C. ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS – (15% of scoring)
- D. RELEVANT EXPERIENCE AS A CMAR- (30% of scoring)
- E. SAFETY RECORDS – (5% of scoring)
- F. REFERENCES - (5% of scoring)
- G. RELEVANT EXPERIENCE IN ANGLETON - (5% of scoring)

PROPOSAL REQUIREMENTS

Interested candidates should provide the following information. Please include an outside cover page or first page containing the project's name. A table of contents should be next, followed by dividers separating each of the following sections:

A. DIVIDER #1: LETTER

1. The first page shall be a letter transmitting the Proposal to the City and stating interest in the project. At least one copy of the transmittal letter shall contain the original signature of a Partner, Principal, or Officer of the Respondent.

B. DIVIDER #2: COST AND DELIVERY PROPOSAL AS OUTLINED IN EXHIBIT "A"

C. DIVIDER #3: FIRM INFORMATION

1. Name of firm
2. Address of Principal Office
3. Phone/Fax
4. Form of Business Organization (Corporation, Partnership, Individual, etc.)
5. Year founded.
6. Size of Firm
7. Primary individual to contact.
8. Email of primary individual to contact.
9. List of office locations if applicable.
10. List of firm's organization structure.

D. DIVIDER #4: GENERAL COMPANY HISTORY

1. How many years has your organization been in business in its current capacity?
2. How many years has your organization been in business under its present name?
3. Under what other or former name(s) has your organization operated?
4. If your organization is a corporation, please provide the date and State of incorporation, list all corporation officers, and confirm that it is in good standing.

5. If your organization is a partnership, answer the following: Date of organization, type of partnership (if applicable), and name of the managing partner(s).
6. If your organization is individually owned, answer the following: Date of organization, name of owner.
7. If the form of your organization is other than those listed above, describe it and name the principals.
8. A one-page resume of the individual who will be the project manager and the site superintendent should the project proceed to construction.

E. DIVIDER#5: LICENSING

1. List jurisdiction and trade categories in which your organization is legally qualified to do business and indicate registration or license numbers if applicable.
2. List jurisdictions in which your organization's partnership or trade name or business entity is filed.

F. DIVIDER #6: RELEVANT EXPERIENCE

1. List the categories of work that your organization typically performs with its own forces on projects of this type.
2. Provide an organizational chart that explains the proposed team members.
3. List any subcontractors in which your organization has some ownership and list the categories of work those subcontractors typically perform.
4. Claims and suits (if the answer to any of the questions below is yes, please attach details).
5. Has your organization ever failed to complete any work awarded to it by a Texas municipality?
6. Are any judgments, claims, arbitration proceedings, or suits filed or outstanding against your organization or its officers for the last 5 years by a Texas municipality?
7. Has your organization filed any lawsuits or requested arbitration regarding construction contracts within the last 5 years against a Texas municipality?
8. Similar work over the last 5 years of a value of over \$1 million in construction value:
 - a. List up to three projects (particularly municipal work of similar nature) constructed by your firm. For each project, provide the name, site size in acres, location, cost, completion date, owner, architect/engineer, and method selection (i.e., Design Build, CMAR, CSP, Bid, Proposal, or other).
 - b. Please provide the following information:
 1. Project name and location.
 2. Brief project description including:
 - a. Type of construction (new, renovation, or expansion).
 - b. Size in GSF, scope and contract delivery method.
 - c. Color images (photographic or machine reproductions).

- d. Construction cost estimate determined by Respondent during pre-construction phase services.
 - e. Final construction cost.
 - f. Actual notice to proceed for pre-construction services.
 - g. Actual notice to proceed, substantial completion, and final completion dates for construction services.
 - h. Name of project manager (individual responsible to the owner for the overall success of the project).
 - i. Name of project superintendent (individual responsible for coordinating the day-to-day work).
 - j. Names of mechanical, plumbing and electrical subcontractors.
 - k. If any member of Respondent's Project Team was directly involved, his or her name and title on such Representative Project.
3. The owner's name, and the address, email address and telephone number of an individual employed with the owner that Owner can contact for references. Identify the length of Respondent's business relationship with the owner.
 4. The name and contact information (including email address and phone number) of the architect/engineer's name and representative who served as the day-to-day liaison during the construction phase of the project, including telephone number.
 5. References shall be considered relevant based on specific project participation and experience with the Respondent. Owner reserves the right to contact the listed references and any other references at any time during the RFP process. Your Qualifications should specifically acknowledge your approval for Owner to contact references.

G. DIVIDER #7: FINANCIAL INFORMATION

1. Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:
 - a. Current assets
 - b. Current liabilities
 - c. Capital accounts and retained earnings (e.g., capital, capital stock, authorized and outstanding shares par value, earned surplus, and retained earnings).
2. Name and address of firm preparing attached financial statement and date thereof.
3. Is the attached financial statement for the identical organization named under item 1? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent, subsidiary).
4. Will the organization whose attached financial statement act as a guarantor of the construction contract?
5. Provide name, address, and phone number for bank reference.

H. DIVIDER #8: EXPERIENCE AS A CONSTRUCTION MANAGER-AT-RISK

1. Describe how your firm will benefit from this project using Construction Manager at Risk.
2. Cost Estimates:
 - a. Provide an example of a proposed accounting method for a Construction Manager at Risk contract and a preconstruction and final GMP(FGMP) cost estimate on similar work. Attach a sample conceptual cost estimate prepared during the design phase of the project and a sample of the final cost estimate breakdown used to fix the contract amount for the construction of the same project. (The identity of the project may be concealed. The intent is to see the nature and format of the cost information provided.)
 - b. Describe your approach in verifying that the estimating strategy assures pricing is consistent with the market.
3. Fees:
 - a. Preconstruction phase service fee:
Describe your organization's ideology regarding the preconstruction phase fee (i.e., items and services to be included). DO NOT INCLUDE A DESCRIPTION OF YOUR ESTIMATED FEES IN THIS SECTION. ONLY INCLUDE A DESCRIPTION OF WHAT ITEMS AND SERVICES WILL BE INCLUDED IN THE FEE. Selected short-list respondents may be requested to submit additional information indicating fees.
 - b. Construction phase service fee:
Describe your organization's ideology regarding the construction phase fee, i.e., fixed fee, percentage fee, and particular items to be included and/or excluded from the fee. DO NOT INCLUDE A DESCRIPTION OF YOUR ESTIMATED FEES IN THIS SECTION; ONLY INCLUDE A DESCRIPTION OF WHAT ITEMS AND SERVICES WILL BE INCLUDED IN THE FEE AND HOW THAT FEE WILL BE CALCULATED (FIXED FEE VERSUS PERCENTAGE FEE). Selected short-list respondents may be requested to submit additional information indicating fees.
4. Savings:
Describe your organization's concept for the disposition of savings realized during construction. Is the full amount or a percentage thereof returned to the owner?
5. Contingencies:
Describe your organization's concept for cost contingencies during design? During construction? What is your organization's concept for the disposition of contingency funds after the completion of the project?
6. Cost Information:
Your firm would be required to make all cost information during design and construction available to the City and the City's Engineer/Architect. Describe how this information would be furnished and how the City and Architect would be assured that it is complete and accurate.
- I. DIVIDER #9: SAFETY
 1. Provide information as pertains to your firm's accident frequency rate and

modifier for the last five years. List any OSHA citations in the previous five years. List any deaths on your projects in the last five years. Ability to Manage Construction Safety Risks. Respondent's ability to manage construction safety risks will be evaluated based on Respondent's proven approach to eliminating construction accidents supported by Respondent's experience history. Identify Respondent's annual OSHA Recordable Incident Rates (RIR) for all work performed during the past three (3) calendar years.

J. KNOWLEDGE OF AND APPROACH TO BEST PRACTICES

1. Knowledge and approach to best practices will be evaluated based on Respondent's approach to Quality Assurance / Quality Control ("QA/QC"), including Respondent's experience in working with owners who have their own inspections team/program, as well as Respondent's philosophy and approach to various other areas of "industry best practice" and how Owner would benefit from Respondent's approach as compared with the approach of Respondent's competitors.
2. Describe your QA/QC program. Explain the methods used to ensure QA/QC during the Construction Phase of a project. Provide specific examples of how these techniques or procedures were used for any of the Representative Projects.
3. Describe your procedures for implementing "industry best practice" as defined by the Construction Industry Institute and similar organizations for:
 - a. Establishing and tracking project objectives;
 - b. Using project scope definition resources (*i.e.*, Project Definitions Rating Index ("PDRI")) in order to obtain complete and accurate design and construction documents from the architect/engineer;
 - c. Partnering;
 - d. Cost tracking;
 - e. Master milestone scheduling, look-ahead planning, and weekly work planning to ensure best productivity;
 - f. Change (order) management systems;
 - g. Building systems commissioning including coordination with the Owner's commissioning agent; and
 - h. Total quality management for each phase, including coordinating with the owner's project inspectors, testing, commissioning, training, close-out and warranty service.
3. Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
4. Experience and approach to partnering with an A/E to coordinate and consolidate project as-built information in a BIM model for the owner's use in building life cycle management.
5. As a CMAR, describe your relationship with the local subcontracting community.
6. Provide any other details regarding special services, products, advantages or other benefits offered to the City by Respondent.

7. Describe what you believe are the unique operational skills and experiences that distinguish Respondent from its competitors.
- K. DIVIDER #10: SCHEDULES
- a. Provide a sample of a schedule that will be used to control various project phases. Give a history of your ability to deliver projects on time for the past 2 years.
 - b. Describe methods to keep projects on schedule and corrective action to overcome schedule deficiencies.
- L. DIVIDER #11: REFERENCES
- a. For the projects listed above in F:8. Identify a primary and secondary representative of the owner and 1 representative of the architect/engineer. Provide complete contact information: name, company, title, address, phone, and email address of whom we could contact as references regarding your organization's services for Construction Manager at Risk. Ideally, some references should be for municipal/public projects of comparable scope and similar type from the past 5 years.
- M. DIVIDER #12: EXPERIENCE ON THE SITE AND FOR THE CITY OF ANGLETON
- a. Provide a list of projects within the last 7 years completed by the firm within the City of Angleton (or its ETJ) and (if applicable) on the site itself.

ADDITIONAL INFORMATION

- A. All information True - By submitting a response, respondents represent and warrant to the City that all information provided in the response submitted shall be true, correct, and complete. Respondents who provide false, misleading, or incomplete information, whether intentional or not, in any of the documents presented to the City for consideration in the selection process may be excluded.
- B. Interviews - After the initial evaluation of the statements of qualification, respondents will be notified of their status in the selection process. Respondents who are "short-listed" should expect and anticipate subsequent interviews, which will most likely focus not only on the respondent's program approach but also on an appraisal of the professionals who would be directly involved in the project. "Short-listed" respondents may be asked to make a presentation to the City Council. If a presentation to the Council is requested, it will be necessary that additional RFP response submittals be provided by the "short-listed" respondent.
- C. Inquiries - Questions relating to this RFP should be directed to Martha Eighme at meighme@angleton.tx.us with the City of Angleton and Brent Bowles at bbowles@iadarchitects.com with Integrated Architecture & Design. The last day for questions/clarifications from prospective respondents is **Wednesday**,

November 15, 2023, at 12:00 p.m. local time. Answers will be emailed as an addendum to all RFP holders. The addendum must be signed and included in the RFP response to be considered a responsive RFP.

- D. Cost of Responses - The City will not be responsible for the costs incurred by anyone in the submittal of responses.
- E. Contract Negotiations - This RFP is not to be construed as a contract or as a commitment of any kind. If this RFP results in a contract offer by the City, the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations.
- F. No Obligation - The City reserves the right to (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) accept any submittal or portion of submittal; (5) reject any or all respondents submitting responses, should it be deemed in the City's best interest; or (6) cancel the entire process.
- G. Insurance - The Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of Texas
- H. Acceptance - By submitting its qualifications in response to this RFP, respondent accepts the evaluation process as outlined herein and acknowledges and accepts that determination of the most qualified firm(s) offering the best value to the City may require subjective judgments by the City.
- I. Controlling Law - To the extent that any provision of this RFP is inconsistent with the requirements of Chapter 2269, Subchapter F of the Texas Government Code or other law, such inconsistent provision is automatically modified to comply with such law.

SUBMITTAL INSTRUCTIONS

Sealed submittals are required. Submittals must be delivered to the **City Secretary's Office**, at the address set forth below at or before **2:00 p.m. on Monday, November 27, 2023**. All submittals must be labeled on the outside with the respondent's name, the name of the **project, "RFP No. 2023-09 Construction Manager at Risk"**. Late submittals may not be considered.

One original and five (5) copies of the response and a flash drive are to be addressed to:

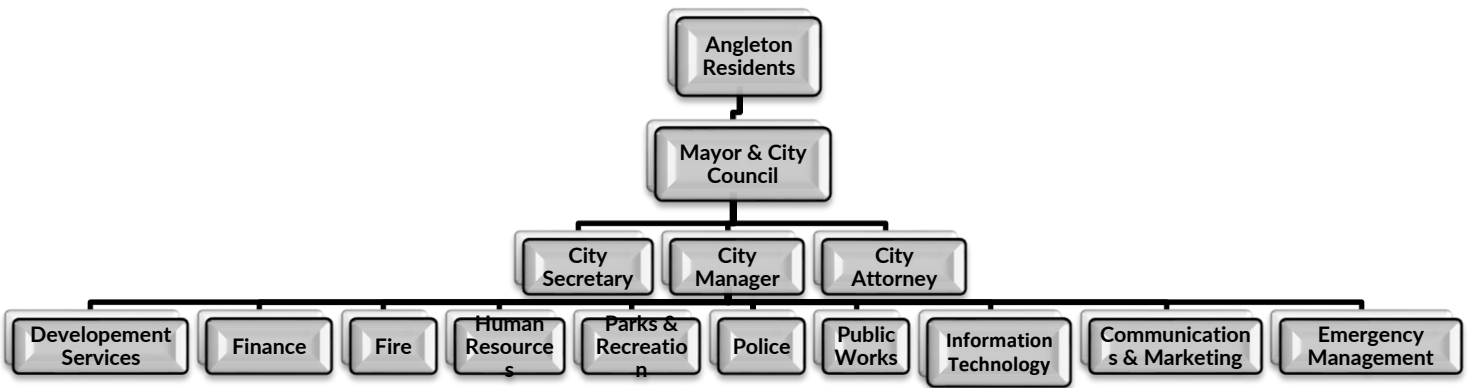
**City Secretary's Office
121 S. Velasco St.
Angleton, TX 77515**

To enable the City to efficiently evaluate the responses, it is important that Respondents follow the required format in preparing their responses. Responses that do not conform to the prescribed format may not be evaluated. Each copy of the response shall be bound using a semi-permanent binding method to ensure that pages are not lost. Pages shall be no larger than letter size (8 ½" by 11"). Submit one original and five (5) copies plus one (1) electronic copy on a flash drive.

Appendices

- A. ORGANIZATIONAL CHART
 - B. LIST OF CITY OFFICIALS AND KEY PERSONNEL
 - C. CONFLICT OF INTEREST QUESTIONNAIRE AND
CERTIFICATE OF INTERESTED PARTIES
 - D. PROPOSER GUARANTEES
 - E. PROPOSER WARRANTIES
 - F. CITY'S INSURANCE REQUIREMENTS
 - G. TEXAS LEGISLATURE VERIFICATION FORMS
 - H. BASIC SAFEGUARDING OF SERVICE PROVIDER INFORMATION SYSTEMS
 - I. SITE MAP
- EXHIBIT A

APPENDIX A
ORGANIZATIONAL CHART



APPENDIX B

LIST OF CITY OFFICIALS AND KEY PERSONNEL

Elected Officials

| | |
|-------------------|---|
| John Wright | Mayor |
| Travis Townsend | Mayor Pro Tem - Council Member - Position 2 |
| Christiene Daniel | Council Member - Position 1 |
| Terry Roberts | Council Member - Position 3 |
| Cecil Booth | Council Member - Position 4 |
| Tanner A. Sartin | Council Member - Position 5 |

City Management

| | |
|------------------|--|
| Chris Whittaker | City Manager |
| Michelle Perez | City Secretary |
| Judith El Masri | City Attorney |
| Scott Myers | Fire Chief |
| Guadalupe Valdez | Police Chief |
| Phillip Conner | Director of Finance |
| Megan Mainer | Director of Parks & Recreation |
| Jason Crews | Director of Information Technology |
| Colleen Martin | Director of Human Resources |
| Otis Spriggs | Director of Development Services |
| Jeff Sifford | Director of Public Works |
| Martha Eighme | Director of Communications & Marketing |

The City Manager, City Secretary, and City Attorney report to City Council.

APPENDIX C

CONFLICT OF INTEREST QUESTIONNAIRE AND CERTIFICATE OF INTERESTED PARTIES

| CERTIFICATE OF INTERESTED PARTIES | | FORM 1295 | |
|--|---|--|--------------|
| Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties. | | OFFICE USE ONLY | |
| 1 Name of business entity filing form, and the city, state and country of the business entity's place of business. | | Must file online at www.ethics.state.tx.us/File | |
| 2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. | | | |
| 3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract. | | | |
| 4 | | Nature of Interest (check applicable) | |
| Name of Interested Party | City, State, Country (place of business) | Controlling | Intermediary |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| 5 Check only if there is NO Interested Party. <input type="checkbox"/> | | | |
| 6 UNSWORN DECLARATION My name is _____, and my date of birth is _____. My address is _____ (street), _____ (city), _____ (state), _____ (zip code), _____ (country). I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of _____, on the _____ day of _____, 20____. <div style="text-align: center;"> _____ Signature of authorized agent of contracting business entity (Declarant) </div> | | | |
| ADD ADDITIONAL PAGES AS NECESSARY | | | |

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

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

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

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

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

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

- (2) the vendor:

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

- (i) a contract between the local governmental entity and vendor has been executed;

or

- (ii) the local governmental entity is considering entering into a contract with the vendor;

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

- (i) a contract between the local governmental entity and vendor has been executed; or

- (ii) the local governmental entity is considering entering into a contract with the vendor.

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

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

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

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

- (3) has a family relationship with a local government officer of that local governmental entity.

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

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

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

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

- (B) that the vendor has given one or more gifts described by Subsection (a); or

- (C) of a family relationship with a local government officer.

CERTIFICATE OF INTERESTED PARTIES:

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code and, as it applies to contracts entered on or after January 1, 2016. The law states that a governmental entity may not enter certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity at the time the business entity submits the signed contract to the governmental entity. The law applies to all contracts/purchases of a governmental entity that require an action or vote by the governing body of the entity.

Interested party means: (1) a person who has a controlling interest in the business with whom a governmental entity or state agency contracts; or (2) a person who actively participates in facilitating a contract or negotiating the terms of a contract with the governmental entity or state agency, including a broker, adviser, attorney, or intermediary for the business entity.

Controlling interest means (1) ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent; (2) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers.

You must fill out this form electronically, Form 1295, on the Texas Ethics Commission website (www.ethics.state.tx.us/File), whether you have an interested party claim or not. Then, print, sign, and file with your proposal. **There are exemptions to electronic filing. Please read the information provided on the Texas Ethics Commission website.**

APPENDIX D

RESPONDENT/PROPOSER GUARANTEES

The respondent/proposer certifies it can and will provide and make available, at a minimum, all services set forth in Section II, Nature of Services Required.

Signature of Official: _____

Name (typed): _____

Title: _____

Firm: _____

Date: _____

APPENDIX E

RESPONDENT/PROPOSER WARRANTIES

- A. Respondent/Proposer warrants that it is willing and able to comply with State of Texas laws.
- B. Respondent/Proposer warrants that it has or is willing and able to obtain an errors and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts or omissions of any officers, employees, or agents thereof.
- C. Respondent/Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the prior written permission of the CITY OF ANGLETON, TEXAS.
- D. Respondent/Proposer warrants that all information provided by it in connection with this proposal is true and accurate.

Signature of Official: _____

Name (typed): _____

Title: _____

Firm: _____

Date: _____

APPENDIX F

CITY'S INSURANCE REQUIREMENTS

Respondent/Contractor shall provide a certificate of insurance prior to the award of contract.

Contractor or contractor's insurance agent shall include response/proposal number and title of proposal on the certificate of insurance. The companies affording coverage and the producer of the certificate of insurance shall be licensed with the state board of insurance to do business in the state of Texas.

Respondent/Contractor shall procure and maintain at its sole cost and expense for the duration of the agreement, insurance against claims for injuries to person or damages to property which may arise from or in connection with the performance of the work hereunder by contractor, its agents, representatives, volunteers, employees or sub-consultants.

1. Contractor's insurance coverage shall be primary insurance with respect to the City, its officials, employees, and agents. Any insurance or self-insurance maintained by the City, its officials, employees, or agents shall be considered in excess of contractor's insurance and shall not contribute to it. Further, contractor shall include all subconsultants, agents, and assigns as additional insureds under its policy or shall furnish separate certificates and endorsements for each such person or entity. All coverages for subconsultants and assigns shall be subject to all the requirements stated herein.

The following is a list of standard insurance policies along with their respective minimum coverage amounts required in this agreement:

1. Commercial General Liability
 - General Aggregate: \$2,000,000.
 - Products & Completed Operations Aggregate: \$1,000,000.
 - Personal & Advertising Injury: \$1,000,000.
 - Per Occurrence: \$500,000.
 - Fire Damage: \$50,000.
 - Coverage shall be broad form CGL.
 - No coverage shall be deleted from standard policy without notification of individual exclusions being attached for review and acceptance.
 - Waiver of Subrogation required.
2. Business Automobile Policy
 - Combined Single Limits: \$1,000,000.
 - Coverage for "Any Auto".
 - Waiver of Subrogation required.
3. Errors and Omissions

- Limit: \$500,000 for this project.
 - For all architects, engineers, accountants, or design companies.
 - Claims-made form is acceptable.
4. Workers' Compensation
- Statutory Limits.
 - Employer's Liability: \$1,000,000.
 - Waiver of Subrogation required.
2. The following shall be applicable to all policies of insurance required herein.
1. Insurance carrier must have an A.M. Best Rating of A: VIII or better.
 2. Only insurance carriers licensed and admitted doing business in the State of Texas will be accepted.
 3. Liability policies must be on occurrence form.
 4. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
 5. The City, its officers, agents, and employees are to be added as Additional Insureds to all liability policies except for errors and omissions coverage.
 6. Upon request and without cost to the City, certified copies of all insurance policies and/or certificates of insurance shall be furnished to the City.
 7. Upon request and without cost to the City, loss runs (claims listing) of any and/or all insurance coverages shall be furnished to the City.
 8. All insurance required herein shall be secured and maintained in a company or companies satisfactory to the City and shall be carried in the name of Contractor. Contractor shall provide copies of insurance certificates required hereunder to the City on or before the effective date of the agreement resulting from this RFP.

APPENDIX G

TEXAS LEGISLATURE VERIFICATION FORMS

Instructions for the Following Verification Forms:

- STATE OF TEXAS – HOUSE BILL 89, 85th TEXAS LEGISLATURE VERIFICATION
- STATE OF TEXAS – SENATE BILL 13, 87th TEXAS LEGISLATURE VERIFICATION
- STATE OF TEXAS – SENATE BILL 19, 87th TEXAS LEGISLATURE VERIFICATION

The City of Angleton, Texas, as a governmental entity, is required to include in its contracts a written verification from the company that the company does not boycott Israel, Fossil Fuel Industries, or Firearm and Ammunition industries. The verification language is required if the contract with the City of Angleton, Texas, has a value of \$100,000 or more and the company has ten (10) or more full-time employees.

If the contract will or is anticipated to have a value of \$100,000 or more, and the company has 10 or more full-time employees, the company is required to complete and submit all three Verification Forms. Please ignore the "Alternative Certification" at the bottom of this page and complete and submit the Verification Forms if the company is required to complete and submit all three Verification Forms.

Alternatively, if the contract does not have a value of \$100,000 or more or the company has 9 or fewer full-time employees, you may complete and submit the below certification without completing the three Verification Forms.

Alternative Certification (if applicable)

I, _____, the undersigned representative of
(Person Name)

(Company or Business Name)

hereby referred to as company, being an adult over the age of eighteen (18) years of age, do hereby certify the that the HB 89, 85th Texas Legislature verification; SB 13, 87th Texas Legislature; and SB 19, 87th Texas Legislature verifications do not apply to this contract or the company, under the provisions of **Section 2271.002(a), Texas Government Code; Section 2274.002(a), Texas Government Code; and Section 2274.002(a), Texas Government Code** because of the following reasons:

- The company has 9 or fewer full-time employees; or
- The contract between the company and the City of Angleton, Texas will have a value of less than \$100,000.

(check all that apply.)

STATE OF TEXAS – HOUSE BILL 89, 85th TEXAS LEGISLATURE VERIFICATION

I, _____, the undersigned representative of
(Person Name)

(Company or Business Name)

hereby referred to as company, being an adult over the age of eighteen (18) years of age, do hereby certify the above-named company, under the provisions of **Chapter 2271, Texas Government Code:**

- 1. **Does not boycott Israel currently, and**
- 2. **Will not boycott Israel during the term of the contract for goods or services.**

Pursuant to Section 2271.001, Texas Government Code:

- 1. **"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and**
- 2. **"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.**

Date

Position/Title

Signature of Company Representative

STATE OF TEXAS – HOUSE BILL 13, 87th TEXAS LEGISLATURE VERIFICATION

I, _____, the undersigned representative of
(Person Name)

(Company or Business Name)

hereby referred to as company, being an adult over the age of eighteen (18) years of age, do hereby certify the above-named company, under the provisions of **Chapter 2274, Texas Government Code:**

- 1. **Does not boycott energy companies currently, and**
- 2. **Will not boycott energy companies during the term of the contract for goods or services.**

Pursuant to Section 2274.001, Texas Government Code:

- 1. **"Boycott Energy Companies" means, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company:**
 - a. **engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or**
 - b. **does business with a company described by Paragraph (a) above; and**
- 2. **"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.**

Date

Position/Title

Signature of Company Representative

STATE OF TEXAS – HOUSE BILL 19, 87th TEXAS LEGISLATURE VERIFICATION

I, _____, the undersigned representative of
(Person Name)

(Company or Business Name)

hereby referred to as company, being an adult over the age of eighteen (18) years of age, do hereby certify the above-named company, under the provisions of **Chapter 2274, Texas Government Code:**

- 1. **Does not have a practice, policy, guidance, or directive that discriminates against firearm entity or firearm trade associations currently; and**
- 2. **Will not discriminate against a firearm entity or firearm trade association during the term of the contract for goods or services.**

Pursuant to Section 2274.001, Texas Government Code:

- 1. **"Discriminate against a firearm entity or firearm trade association"**
 - a. **means, with respect to the entity or association, to:**
 - i. **refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association;**
 - ii. **refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or, firearm trade association, or**
 - iii. **terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association, and**
 - b. **does not include:**
 - i. **the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories;**
 - ii. **a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency or for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association; and**
- 2. **"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.**

Date

Position/Title

Signature of Company Representative

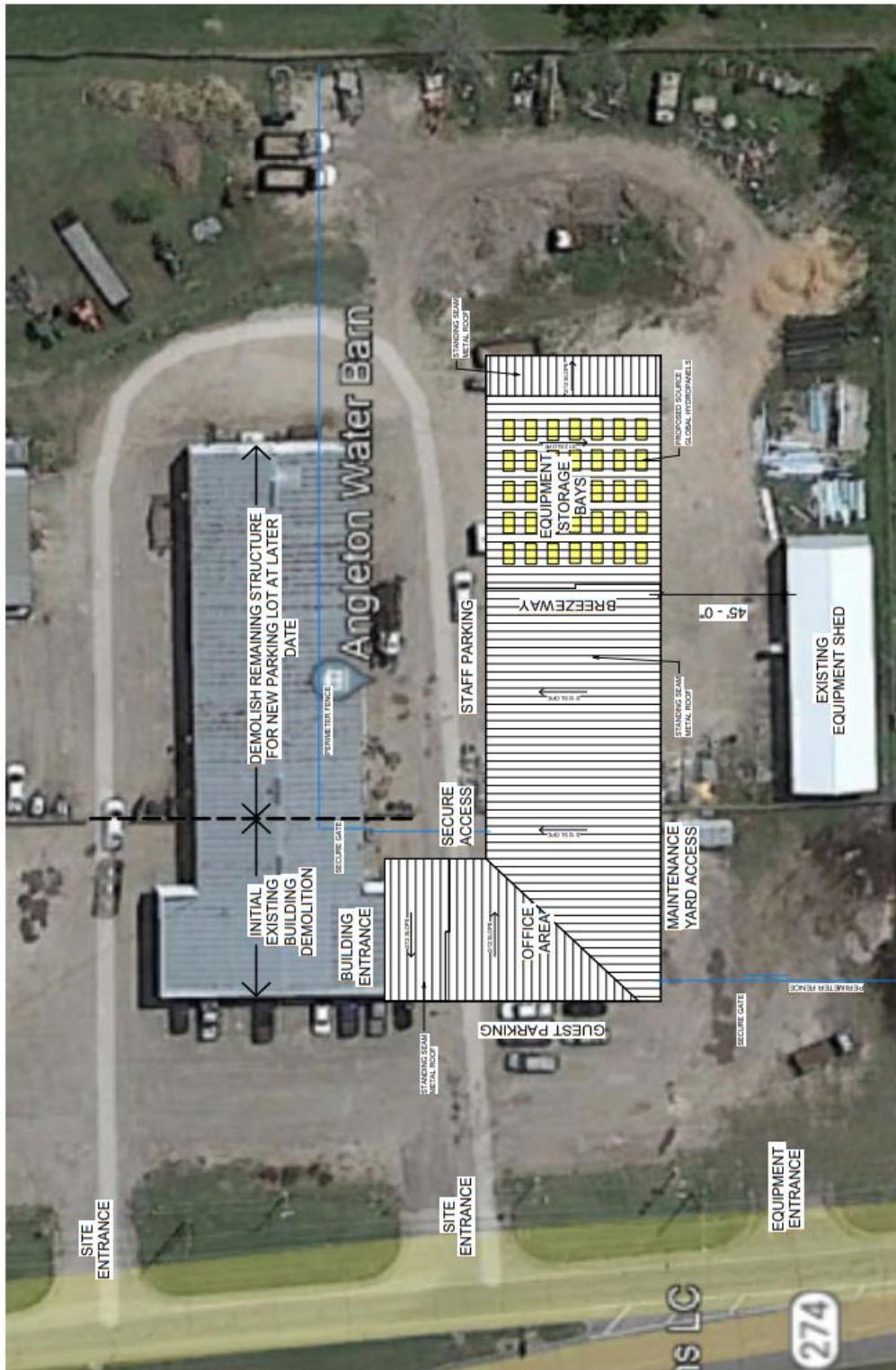
APPENDIX H

BASIC SAFEGUARDING OF SERVICE PROVIDER INFORMATION SYSTEMS

- A. The service provider shall apply basic safeguarding requirements and procedures to protect their information systems whenever the information systems store, process, or transmit any information not intended for public release, which is provided by or generated for the City. This requirement does not include information provided by the City to the public or simple transactional information, such as that necessary to process payments. These requirements and procedures shall include, at a minimum, the security control requirements "reflective of actions a prudent businessperson would employ," which are outlined in the Federal Acquisition Regulations FAR 52.204-21(b) and codified in the Code of Federal Regulations at 48 CFR § 52.204-21(b) (2016).
- B. The service provider shall include the substance of this clause in subcontracts under this contract (including subcontracts for the acquisition of commercial items other than commercially available off-the-shelf items) in which the subcontractor may have City contract information residing in or transiting through its information system.

APPENDIX I

E



King Municipal Operations Center - Angleton

PROPOSED SITE PLAN

1 PROPOSED SITE PLAN
1/8" = 1'-0"

EXHIBIT A

THIS SECTION MUST BE COMPLETED AND RETURNED WITH RESPONDENT'S PROPOSAL.
FAILURE TO RETURN THIS SECTION WILL RESULT IN THE REJECTION OF YOUR PROPOSAL.

Proposal of:

(Company Name)

To: The City of Angleton, Texas

Ref.: King Municipal Operation Center

Having carefully examined all of the requirements of this RFP and any attachments thereto, the undersigned proposes to furnish CMAR services as required at the terms stated herein.

Pricing Schedule and Costing Methodologies

Include all fees and costs of the Contractor associated with the Preconstruction Phase and Construction Phase Services for this Project.

Identify fees and costs based upon the Scope of Work and Information provided by iAD Architects.

PART 1, PRECONSTRUCTION PHASE FEE

Contractor's fee for the Construction Contractor's Participation in the Preconstruction Phase (Includes All Design Phases) \$_____

PART 2, CONSTRUCTION PHASE FEE

A. For Construction Phase Services, based on the anticipated GMP established at the time of this Agreement, Owner shall pay Contractor a stipulated Construction Phase Fee amount of: ____%

Shared Savings (if selected to continue beyond Preconstruction Services): We propose that any savings to the GMP contract remaining at the end of construction be shared at the following rate:

_____ % to the Owner

_____ % to the CMaR

Addenda Acknowledgment

Receipt is hereby acknowledged of the following addenda to this RFP by entering yes or no in space provided and indicating date received. Enter "0" if none received.

No. 1 _____ Date_____

No. 2 _____ Date_____

No. 3 _____ Date_____

No. 4 _____ Date_____

| Construction Manager at Risk | | | | | |
|------------------------------|---------------------------|-------------|-----------------------------|--|--|
| Board Members | TEAL Construction Company | Crane Group | Butler-Cohen Design & Build | | |
| Evaluator 1 | 100 | 99 | 95 | | |
| Evaluator 2 | 100 | 81 | 89 | | |
| Evaluator 3 | 99 | 95 | 99 | | |
| Evaluator 4 | 89 | 94 | 89 | | |
| Evaluator 5 | 63 | 68 | 61 | | |
| | | | | | |
| | | | | | |
| Average | 90.20 | 87.40 | 86.60 | | |
| Rank | 1 | 2 | 3 | | |

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: TEAL Construction Company

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 1

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

1. Current assets and liabilities
2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | | |
|----------|---------|----|--|
| | 5 | 5 | |
| | 5 | 5 | |
| Subtotal | 10 | 10 | |

Qualifications of Project Team

Factors

1. Ability to develop accurate estimates and schedules
2. Staff level/Adequacy of Resources
3. Competence and skills of leading large projects
4. Completing projects within approved construction budget

| | Max Pts | | |
|----------|---------|----|--|
| | 10 | 10 | |
| | 5 | 5 | |
| | 5 | 5 | |
| | 10 | 10 | |
| Subtotal | 30 | 30 | |

Ability to Establish Budgets and Control Costs

Factors

1. Ability to effectively administer project controls and processes
2. Experience/ability to manage scope/budget

| | Max Pts | | |
|----------|---------|----|--|
| | 10 | 10 | |
| | 5 | 5 | |
| Subtotal | 15 | 15 | |

Relevant Experience as a CMAR

Factors

1. Extent of experience in project construction management
2. The concept for the disposition of savings during construction.
3. A strategy that assures pricing is consistent with the market.
4. Past projects completed on schedule

| | Max Pts | | |
|----------|---------|----|--|
| | 10 | 10 | |
| | 5 | 5 | |
| | 5 | 5 | |
| | 10 | 10 | |
| Subtotal | 30 | 30 | |

Safety Records

Factors

1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | | |
|----------|---------|---|--|
| | 5 | 5 | |
| Subtotal | 5 | 5 | |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Factors

- Firm Financial Capability
- Qualifications of Project Team
- Ability to Establish Budget and Control Costs
- Relevant Experience as a CMAR
- Safety Records
- References
- Relevant Experience in Angleton

| | Max Pts | Score |
|---|------------|------------|
| Firm Financial Capability | 10 | <u>10</u> |
| Qualifications of Project Team | 30 | <u>30</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>15</u> |
| Relevant Experience as a CMAR | 30 | <u>30</u> |
| Safety Records | 5 | <u>5</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | 5 | <u>5</u> |
| Total Score | <u>100</u> | <u>100</u> |

Notes:

1. Pure construction \$12,500
 2. Construction phase fee 6.68%
 Shared Savings 80 - owner
 20 CMAR
 40 maintenance projects
 occupied site - detailed
 value engineering
 Safety Record OSHA Diamond level Recipient
 Manpower, material shortages, price escalation
 Founded 1947
 Project Team Experience

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: TEAL Construction Company

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 2

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>5</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>10</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>5</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Factors

Firm Financial Capability

| | |
|---------|-----------|
| Max Pts | Score |
| 10 | <u>10</u> |

Qualifications of Project Team

| | |
|----|-----------|
| 30 | <u>30</u> |
|----|-----------|

Ability to Establish Budget and Control Costs

| | |
|----|-----------|
| 15 | <u>15</u> |
|----|-----------|

Relevant Experience as a CMAR

| | |
|----|-----------|
| 30 | <u>30</u> |
|----|-----------|

Safety Records

| | |
|---|----------|
| 5 | <u>5</u> |
|---|----------|

References

| | |
|---|----------|
| 5 | <u>5</u> |
|---|----------|

Relevant Experience in Angleton

| | |
|---|----------|
| 5 | <u>5</u> |
|---|----------|

Total Score

| | |
|------------|------------|
| <u>100</u> | <u>100</u> |
|------------|------------|

Notes:

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: TEAL Construction Company

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 3

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

- 1. Current assets and liabilities
- 2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | |
|----------|-----------|-----------|
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

- 1. Ability to develop accurate estimates and schedules
- 2. Staff level/Adequacy of Resources
- 3. Competence and skills of leading large projects
- 4. Completing projects within approved construction budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

- 1. Ability to effectively administer project controls and processes
- 2. Experience/ability to manage scope/budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>9</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>14</u> |

Relevant Experience as a CMAR

Factors

- 1. Extent of experience in project construction management
- 2. The concept for the disposition of savings during construction.
- 3. A strategy that assures pricing is consistent with the market.
- 4. Past projects completed on schedule

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>4</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>29</u> |

Safety Records

Factors

- 1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | |
|----------|----------|----------|
| | 5 | <u>4</u> |
| Subtotal | <u>5</u> | <u>4</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Factors

| | Max Pts | Score |
|---|------------|-------------------------|
| Firm Financial Capability | 10 | <u>10</u> |
| Qualifications of Project Team | 30 | <u>30</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>15</u> |
| Relevant Experience as a CMAR | 30 | <u>30</u> |
| Safety Records | 5 | <u>4</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | <u>5</u> | <u>5</u> |
| Total Score | 100 | <u>96 99</u> |

Notes: good size company/ worked in area before

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: TEAL Construction Company

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 4

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|----------|
| 1. Current assets and liabilities | 5 | <u>4</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>4</u> |
| Subtotal | <u>10</u> | <u>8</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>3</u> |
| 3. Competence and skills of leading large projects | 5 | <u>4</u> |
| 4. Completing projects within approved construction budget | 10 | <u>9</u> |
| Subtotal | <u>30</u> | <u>26</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>4</u> |
| Subtotal | <u>15</u> | <u>14</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>9</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>4</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>8</u> |
| Subtotal | <u>30</u> | <u>26</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | 5 | <u>5</u> |

Factors

Firm Financial Capability
 Qualifications of Project Team
 Ability to Establish Budget and Control Costs
 Relevant Experience as a CMAR
 Safety Records
 References
 Relevant Experience in Angleton

| | | |
|--------------------|------------|-----------|
| | Max Pts | Score |
| | 10 | <u>8</u> |
| | 30 | <u>26</u> |
| | 15 | <u>14</u> |
| | 30 | <u>26</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| Total Score | <u>100</u> | <u>89</u> |

Notes: _____

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: TEAL Construction Company

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 5

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>5</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>2</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>5</u> |
| Subtotal | <u>30</u> | <u>17</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>5</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>3</u> |
| Subtotal | <u>15</u> | <u>8</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>10</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>5</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>1</u> |
| 4. Past projects completed on schedule | 10 | <u>0</u> |
| Subtotal | <u>30</u> | <u>16</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>2</u> |
| Subtotal | <u>5</u> | <u>2</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Factors

Firm Financial Capability

Qualifications of Project Team

Ability to Establish Budget and Control Costs

Relevant Experience as a CMAR

Safety Records

References

Relevant Experience in Angleton

Total Score

| | | |
|--|------------|-------------|
| | Max Pts | Score |
| | 10 | <u>10</u> - |
| | 30 | <u>17</u> - |
| | 15 | <u>8</u> - |
| | 30 | <u>16</u> - |
| | 5 | <u>5</u> - |
| | 5 | <u>2</u> - |
| | 5 | <u>5</u> - |
| | <u>100</u> | <u>43</u> |

Notes: STAFF SAMPLES 80/20 SPLIT (CITY)

*STAFF IS NEW TO THE COMPANY (2023 & 2019) BUT HAVE EXPERIENCE IN THE FIELD

*(3) LEGAL ISSUES PENDING

*MULTI PROJECTS OVER BUDGET

*NOT A GREAT DEAL OF CONTINGENCY FUNDS BUDGETED

*PROFESSIONAL PRESENTATION

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Crain Group LLC

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 1

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>5</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>10</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>5</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

*statement no project List?
but*

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>4</u> |
| Subtotal | <u>5</u> | <u>4</u> |

Factors

Firm Financial Capability

Qualifications of Project Team

Ability to Establish Budget and Control Costs

Relevant Experience as a CMAR

Safety Records

References

Relevant Experience in Angleton

Total Score

| | | |
|--|------------|-----------|
| | Max Pts | Score |
| | 10 | <u>10</u> |
| | 30 | <u>30</u> |
| | 15 | <u>15</u> |
| | 30 | <u>30</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 5 | <u>4</u> |
| | <u>100</u> | <u>99</u> |

Notes: _____

- 1) Pre Con 30,000
- 2) 4.5%
- 3) 100 Owner
0 CMAR

Founded 2004
Project Manager 10 yrs exp.
13 years
Project List ?

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Crain Group LLC

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 2

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>5</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>0</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>5</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>0</u> |
| 4. Past projects completed on schedule | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>15</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | |
| Subtotal | 5 | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | |
| Subtotal | 5 | <u>1</u> |

Factors

Firm Financial Capability

Max Pts

10

Score

10

Qualifications of Project Team

30

30

Ability to Establish Budget and Control Costs

15

15

Relevant Experience as a CMAR

30

15

Safety Records

5

5

References

5

5

Relevant Experience in Angleton

5

1

Total Score

100

~~80~~ 81

Notes: ^{"IF"} \$30-~~100K~~ 19 yrs exp ~~NO EXP STATED FOR CMAR~~
 \$4.5M - \$5K SPLIT 100% OWNER

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Crain Group LLC

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 3

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

- 1. Current assets and liabilities
- 2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | |
|----------|-----------|-----------|
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

- 1. Ability to develop accurate estimates and schedules
- 2. Staff level/Adequacy of Resources
- 3. Competence and skills of leading large projects
- 4. Completing projects within approved construction budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>4</u> |
| | 5 | <u>4</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>28</u> |

Ability to Establish Budgets and Control Costs

Factors

- 1. Ability to effectively administer project controls and processes
- 2. Experience/ability to manage scope/budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

- 1. Extent of experience in project construction management
- 2. The concept for the disposition of savings during construction.
- 3. A strategy that assures pricing is consistent with the market.
- 4. Past projects completed on schedule

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>9</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>29</u> |

Safety Records

Factors

- 1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | |
|----------|----------|----------|
| | 5 | <u>4</u> |
| Subtotal | <u>5</u> | <u>4</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Factors

Firm Financial Capability

Max Pts

10

Score

109

Qualifications of Project Team

30

28

Ability to Establish Budget and Control Costs

15

15

Relevant Experience as a CMAR

30

29

Safety Records

5

4

References

5

5

Relevant Experience in Angleton

5

5

Total Score

100

95

Notes: Relatively small company/less experience

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Crain Group LLC

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 4

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

- 1. Current assets and liabilities
- 2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | |
|----------|-----------|----------|
| | 5 | <u>4</u> |
| | 5 | <u>4</u> |
| Subtotal | <u>10</u> | <u>8</u> |

Qualifications of Project Team

Factors

- 1. Ability to develop accurate estimates and schedules
- 2. Staff level/Adequacy of Resources
- 3. Competence and skills of leading large projects
- 4. Completing projects within approved construction budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>8</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>28</u> |

Ability to Establish Budgets and Control Costs

Factors

- 1. Ability to effectively administer project controls and processes
- 2. Experience/ability to manage scope/budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

- 1. Extent of experience in project construction management
- 2. The concept for the disposition of savings during construction.
- 3. A strategy that assures pricing is consistent with the market.
- 4. Past projects completed on schedule

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>4</u> |
| | 5 | <u>5</u> |
| | 10 | <u>9</u> |
| Subtotal | <u>30</u> | <u>28</u> |

Safety Records

Factors

- 1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | |
|----------|----------|----------|
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Factors

Firm Financial Capability

| | |
|---------|----------|
| Max Pts | Score |
| 10 | <u>8</u> |

Qualifications of Project Team

| | |
|----|-----------|
| 30 | <u>28</u> |
|----|-----------|

Ability to Establish Budget and Control Costs

| | |
|----|-----------|
| 15 | <u>18</u> |
|----|-----------|

Relevant Experience as a CMAR

| | |
|----|-----------|
| 30 | <u>28</u> |
|----|-----------|

Safety Records

| | |
|---|----------|
| 5 | <u>5</u> |
|---|----------|

References

| | |
|---|----------|
| 5 | <u>5</u> |
|---|----------|

Relevant Experience in Angleton

| | |
|----------|----------|
| <u>5</u> | <u>5</u> |
|----------|----------|

Total Score

| | |
|------------|-----------|
| <u>100</u> | <u>94</u> |
|------------|-----------|

Notes:

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Crain Group LLC

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 5

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>3</u> |
| Subtotal | <u>10</u> | <u>8</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>8</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>5</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>5</u> |
| Subtotal | <u>30</u> | <u>23</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>3</u> |
| Subtotal | <u>15</u> | <u>13</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>10</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>5</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>0</u> |
| Subtotal | <u>30</u> | <u>20</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>2</u> |
| Subtotal | <u>5</u> | <u>2</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|-----------------|
| | Max Pts | |
| | 5 | <u>2</u> |
| Subtotal | <u>5</u> | <u><u>2</u></u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|-----------------|
| | Max Pts | |
| | 5 | <u>0</u> |
| Subtotal | <u>5</u> | <u><u>0</u></u> |

Factors

| | Max Pts | Score |
|---|-------------------|------------------|
| Firm Financial Capability | 10 | <u>0</u> - |
| Qualifications of Project Team | 30 | <u>23</u> - |
| Ability to Establish Budget and Control Costs | 15 | <u>13</u> - |
| Relevant Experience as a CMAR | 30 | <u>20</u> - |
| Safety Records | 5 | <u>2</u> - |
| References | 5 | <u>2</u> - |
| Relevant Experience in Angleton | 5 | <u>0</u> - |
| Total Score | <u>100</u> | <u><u>68</u></u> |

Notes: *SAMPLING = 100% TO OWNER

*HIGHEST PRELIM FEE

*MIDDLE % FEE FOR CONSTRUCTION

*PRESENTATION / PROJECT IS THE LEAST PROFESSIONAL

*YOUNGER COMPANY

*STRONG LEADERSHIP W/ STAFF DIRECTLY WORKING THIS PROJECT | HAVE BEEN W/ THE COMPANY FOR SEVERAL YEARS (2004 & 2013)

*(1) LEGAL COUNSEL

*DON'T SPECIFY AMENITIES PROJECTS FOR BRAZORIA COUNTY

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Butler - Cohen Design

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 1

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

- 1. Current assets and liabilities
- 2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | |
|----------|-----------|-----------|
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

- 1. Ability to develop accurate estimates and schedules
- 2. Staff level/Adequacy of Resources
- 3. Competence and skills of leading large projects
- 4. Completing projects within approved construction budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

- 1. Ability to effectively administer project controls and processes
- 2. Experience/ability to manage scope/budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

- 1. Extent of experience in project construction management
- 2. The concept for the disposition of savings during construction.
- 3. A strategy that assures pricing is consistent with the market.
- 4. Past projects completed on schedule

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Safety Records

Factors

- 1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | |
|----------|----------|----------|
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | / |
| Subtotal | <u>5</u> | <u>/</u> |

Factors

- Firm Financial Capability
- Qualifications of Project Team
- Ability to Establish Budget and Control Costs
- Relevant Experience as a CMAR
- Safety Records
- References
- Relevant Experience in Angleton

| | Max Pts | Score |
|---|------------|------------------|
| Firm Financial Capability | 10 | <u>10</u> |
| Qualifications of Project Team | 30 | <u>30</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>15</u> |
| Relevant Experience as a CMAR | 30 | <u>30</u> |
| Safety Records | 5 | <u>5</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | <u>5</u> | <u>/</u> |
| Total Score | 100 | <u>95</u> |

Notes:

1) 10,000
 2) 3.25
 70/30 savings
 Founded 2014
 Experience 10 yrs, 40 yrs
 CMAR ✓
 Presentation Very Well Done

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Butler - Cohen Design

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 2

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

1. Current assets and liabilities
2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | | |
|----------|-----------|-----------|--|
| | 5 | <u>5</u> | |
| | 5 | <u>5</u> | |
| Subtotal | <u>10</u> | <u>10</u> | |

Qualifications of Project Team

Factors

1. Ability to develop accurate estimates and schedules
2. Staff level/Adequacy of Resources
3. Competence and skills of leading large projects
4. Completing projects within approved construction budget

| | Max Pts | | |
|----------|-----------|-----------|--|
| | 10 | <u>10</u> | |
| | 5 | <u>5</u> | |
| | 5 | <u>5</u> | |
| | <u>10</u> | <u>8</u> | |
| Subtotal | 30 | <u>28</u> | |

Ability to Establish Budgets and Control Costs

Factors

1. Ability to effectively administer project controls and processes
2. Experience/ability to manage scope/budget

| | Max Pts | | |
|----------|-----------|-----------|--|
| | 10 | <u>10</u> | |
| | 5 | <u>5</u> | |
| Subtotal | <u>15</u> | <u>15</u> | |

Relevant Experience as a CMAR

Factors

1. Extent of experience in project construction management
2. The concept for the disposition of savings during construction.
3. A strategy that assures pricing is consistent with the market.
4. Past projects completed on schedule

| | Max Pts | | |
|----------|-----------|-----------|--|
| | 10 | <u>8</u> | |
| | 5 | <u>3</u> | |
| | 5 | <u>5</u> | |
| | <u>10</u> | <u>10</u> | |
| Subtotal | 30 | <u>26</u> | |

Safety Records

Factors

1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | | |
|----------|----------|----------|--|
| | 5 | <u>5</u> | |
| Subtotal | <u>5</u> | <u>5</u> | |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>0</u> |
| Subtotal | <u>5</u> | <u>0</u> |

Factors

| | Max Pts | Score |
|---|-------------------|------------------|
| Firm Financial Capability | 10 | <u>10</u> |
| Qualifications of Project Team | 30 | <u>28</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>13</u> |
| Relevant Experience as a CMAR | 30 | <u>26</u> |
| Safety Records | 5 | <u>5</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | 5 | <u>0</u> |
| Total Score | <u>100</u> | <u>89</u> |

Notes: 9 yrs old, CM only
\$10K + 3.25% * split ??

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Butler - Cohen Design

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 3

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Current assets and liabilities | 5 | <u>5</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>5</u> |
| 3. Competence and skills of leading large projects | 5 | <u>5</u> |
| 4. Completing projects within approved construction budget | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>30</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-----------|
| 1. Ability to effectively administer project controls and processes | 10 | <u>10</u> |
| 2. Experience/ability to manage scope/budget | 5 | <u>5</u> |
| Subtotal | <u>15</u> | <u>15</u> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Extent of experience in project construction management | 10 | <u>10</u> |
| 2. The concept for the disposition of savings during construction. | 5 | <u>4</u> |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>29</u> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>4</u> |
| Subtotal | <u>5</u> | <u>4</u> |

Factors

| | Max Pts | Score |
|---|-------------------|------------------|
| Firm Financial Capability | 10 | <u>10</u> |
| Qualifications of Project Team | 30 | <u>30</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>15</u> |
| Relevant Experience as a CMAR | 30 | <u>30</u> |
| Safety Records | 5 | <u>5</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | 5 | <u>4</u> |
| Total Score | <u>100</u> | <u>99</u> |

Notes: Best safety record / larger company / more experience

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Butler - Cohen Design

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 4

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

| | Max Pts | |
|---|-----------|----------|
| 1. Current assets and liabilities | 5 | <u>4</u> |
| 2. Capital Accounts and retained earnings (e.g. capital, stock etc) | 5 | <u>4</u> |
| Subtotal | <u>10</u> | <u>8</u> |

Qualifications of Project Team

Factors

| | Max Pts | |
|--|-----------|-----------|
| 1. Ability to develop accurate estimates and schedules | 10 | <u>10</u> |
| 2. Staff level/Adequacy of Resources | 5 | <u>4</u> |
| 3. Competence and skills of leading large projects | 5 | <u>4</u> |
| 4. Completing projects within approved construction budget | 10 | <u>9</u> |
| Subtotal | <u>30</u> | <u>27</u> |

Ability to Establish Budgets and Control Costs

Factors

| | Max Pts | |
|---|-----------|-------------------------|
| 1. Ability to effectively administer project controls and processes | 10 | 10 |
| 2. Experience/ability to manage scope/budget | 5 | 5 |
| Subtotal | <u>15</u> | <u>15</u> <i>(good)</i> |

Relevant Experience as a CMAR

Factors

| | Max Pts | |
|--|-----------|-------------------------|
| 1. Extent of experience in project construction management | 10 | <u>9</u> |
| 2. The concept for the disposition of savings during construction. | 5 | 5 |
| 3. A strategy that assures pricing is consistent with the market. | 5 | <u>5</u> |
| 4. Past projects completed on schedule | 10 | <u>10</u> |
| Subtotal | <u>30</u> | <u>29</u> <i>(good)</i> |

Safety Records

Factors

| | Max Pts | |
|--|----------|----------|
| 1. Firm's safety risks and its approach to eliminating construction accidents. | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|----------|----------|
| | Max Pts | |
| | 5 | <u>0</u> |
| Subtotal | <u>5</u> | <u>0</u> |

Factors

| | Max Pts | Score |
|---|-------------------|------------------|
| Firm Financial Capability | 10 | <u>8</u> |
| Qualifications of Project Team | 30 | <u>27</u> |
| Ability to Establish Budget and Control Costs | 15 | <u>15</u> |
| Relevant Experience as a CMAR | 30 | <u>29</u> |
| Safety Records | 5 | <u>5</u> |
| References | 5 | <u>5</u> |
| Relevant Experience in Angleton | <u>5</u> | <u>0</u> |
| Total Score | <u>100</u> | <u>89</u> |

Notes: _____

RFP No. 2023-09 Construction Manager at Risk - Rating Sheet

Name of Respondent: Butler - Cohen Design

Date of Ranking: 12/04/2023

Evaluator's Name: Evaluator 5

Rate the Respondent of the RFP by awarding points up to the maximum listed for each factor.

Firm Financial Capability

Factors

- 1. Current assets and liabilities
- 2. Capital Accounts and retained earnings (e.g. capital, stock etc)

| | Max Pts | |
|----------|-----------|-----------|
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| Subtotal | <u>10</u> | <u>10</u> |

Qualifications of Project Team

Factors

- 1. Ability to develop accurate estimates and schedules
- 2. Staff level/Adequacy of Resources
- 3. Competence and skills of leading large projects
- 4. Completing projects within approved construction budget

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>5</u> |
| | 5 | <u>5</u> |
| | 5 | <u>5</u> |
| | 10 | <u>5</u> |
| Subtotal | <u>30</u> | <u>20</u> |

Ability to Establish Budgets and Control Costs

Factors

- 1. Ability to effectively administer project controls and processes
- 2. Experience/ability to manage scope/budget

| | Max Pts | |
|----------|-----------|----------|
| | 10 | <u>5</u> |
| | 5 | <u>3</u> |
| Subtotal | <u>15</u> | <u>8</u> |

Relevant Experience as a CMAR

Factors

- 1. Extent of experience in project construction management
- 2. The concept for the disposition of savings during construction.
- 3. A strategy that assures pricing is consistent with the market.
- 4. Past projects completed on schedule

| | Max Pts | |
|----------|-----------|-----------|
| | 10 | <u>10</u> |
| | 5 | <u>3</u> |
| | 5 | <u>1</u> |
| | 10 | <u>0</u> |
| Subtotal | <u>30</u> | <u>14</u> |

Safety Records

Factors

- 1. Firm's safety risks and its approach to eliminating construction accidents.

| | Max Pts | |
|----------|----------|----------|
| | 5 | <u>5</u> |
| Subtotal | <u>5</u> | <u>5</u> |

References

Factors

1. Feedback from past clients on municipal/public projects.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>4</u> |
| Subtotal | 5 | <u>4</u> |

Relevant Experience in Angleton

Factors

1. Has worked on projects that were located in the City of Angleton.

| | | |
|----------|---------|----------|
| | Max Pts | |
| | 5 | <u>0</u> |
| Subtotal | 5 | <u>0</u> |

Factors

- Firm Financial Capability
- Qualifications of Project Team
- Ability to Establish Budget and Control Costs
- Relevant Experience as a CMAR
- Safety Records
- References
- Relevant Experience in Angleton
- Total Score**

| | | |
|--|------------|-------------|
| | Max Pts | Score |
| | 10 | <u>10</u> - |
| | 30 | <u>20</u> - |
| | 15 | <u>8</u> - |
| | 30 | <u>14</u> - |
| | 5 | <u>5</u> - |
| | 5 | <u>4</u> - |
| | 5 | <u>0</u> |
| | <u>100</u> | <u>61</u> |

Notes: * LOWEST % FOR CONSTRUCTION COSTS

* HIGHEST PERCENTAGE PUT FOR SCUMERS (70/30) PAST MERIT IF NO STUMERS ARE REALIZED

* LOWEST PRECONSTRUCTION FEE \$19,000

* VERY YOUNG COMPANY

* LONG & SHORT-TERM STAFF FOR CITY PROJECT OVERNIGHT (2015 & 2017)

* PROFESSIONAL PRESENTATION

* NO PENDING LEGAL ACTION



RFP OPENING

DATE: 11/27/23

TIME: 2:00 P M

RFP TITLE: RFP NO. 2023-09 Construction Manager at Risk

| <u>COMPANY/ADDRESS</u> | <u>RFP RECEIVED</u> |
|---|-------------------------|
| 1. TEAL Construction Company 1335 Brittmoore Road Houston, TX 77043 | 11/27/2023 1:26 P.M. |
| 2. Butler-Cohen LLC 3200 Southwest Freeway Ste 1575 Houston, TX 77027 | 11/27/2023 1:30 P.M. |
| 3. Crain Group 3801 Knapp Road Pearland, TX 77581 | 11/27/2023 1:46 P.M. |

Departmental Representatives:
Dianna Matthys, Purchasing
Desiree Henson, City Secretary's Office

THIS BID TABULATION RECEIVED BY THE CITY OF ANGLETON IS FOR INFORMATIONAL PURPOSES ONLY. STAFF WILL REVIEW AND ANALYZE THE BIDS FOR ACCURACY, CHECK REFERENCES AS APPROPRIATE, AND MAKE A RECOMMENDATION FOR COUNCIL DECISION.



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action on a request for approval of the Final Plat for Mulberry Fields Subdivision, for 41 Single Family lots, 2 reserves, 3 blocks on 13.0044 acres, located on SH 35 and N. Walker St., East of Heritage Ln./Murray Ranch Rd.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None **FUNDS REQUESTED:** None

FUND: None

EXECUTIVE SUMMARY:

The subject property consists of 13.0044 acres, having 41 lots, 2 reserves acres with two points of access (N. Walker and SH 35). The project shall be limited to the development of single-family dwellings and uses as permitted by the SF-6.3 zoning district.

City Council approved the Development Agreement on September 26, 2023 which outlined the provisions set forth to regulate the development of the single-family subdivision, outlining the agreement to be made between the owners, developers and the City. The Developer agreed to pay the City fees in lieu of dedication of park acres as well as the CAF/ (Capacity Acquisition Fees). A Homeowner's Association is required of the Developer with detailed Deed Restrictions and maintenance of open space areas.

The civil and construction plans have been reviewed by staff and the City Engineer as of March, 2023 and a letter of no objection is on file. The Final Subdivision Plat has now been filed and submitted for final consideration.

The City Engineer has reviewed the final plat and offered a number of textual changes that were submitted and cleared prior to P&Z consideration. Staff updated the Commission during the meeting and noted that the following comments have all been addressed by the applicant:

City Engineer Review Comments:

General

1. Verify proposed plat incorporates required easements from private utility companies.
2. Plat is subject to approval from Referral Agencies such as TxDOT and Angleton Drainage District.

Sheet 2 of 2:

1. Provide a graphics legend to show items such as iron rods, benchmarks.
2. Notate "P.L.E" in plat legend.
3. Notate point of beginning in field notes description.
4. Field Notes, Paragraph 14 - Verify and update bearings shown. The field notes do not match the drawing.
5. Remove text shown if not needed (Lot Area Table).
6. For streets being dedicated, include a table that details the street names, lengths and type on the plat.
7. No graphic/xy shown for TBM A,B, and D.
8. Contours can be removed from Final Plat.
9. Remove RPLS seal from Sheet 2.

Record of Proceedings:

Planning & Zoning Commission held its regular meeting on Thursday, December 7, 2023 and voted unanimously 4-0 to approve the Final Plat; Motion was made by Commission Member Will Clark, seconded by Commission Member Regina Bieri to approve the final plat for Mulberry Fields Subdivision subject to final approval of the City Engineer and approval of all referral agencies and forward the plat to City Council for final consideration.

RECOMMENDATION:

The Planning Commission and Staff recommend approval of the final plat for Mulberry Fields Subdivision subject to final approval of the City Engineer and approval of all referral agencies and forwards the final plat to City Council for final consideration.

December 6, 2023

Mr. Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco
Angleton, TX 77515

Re: On-Going Services
Mulberry Fields Subdivision Final Plat – 2nd Submittal Review
Angleton, Texas
HDR Job No. 10336228

Dear Mr. Spriggs:

HDR Engineering, Inc. (HDR) has reviewed the plat for the above referenced subdivision and offers the following comments:

General

1. It is noted that the design professional verifies proposed plat incorporates required easements from private utility companies prior to filing of final plat
2. It is noted that the Final Plat is subject to approval from Referral Agencies such as TxDOT and Angleton Drainage District. This shall be completed prior to filing of the Final Plat.
3. Completion of the associated subdivision improvements in accordance with City Ordinances (Sec. 23-98) shall be provided prior to recordation of Final Plat.

HDR takes no objection to the proposed Mulberry Fields Subdivision Final Plat with the exceptions noted. Please note, this does not necessarily mean that the entire drawings, including all supporting data and calculations, has been completely checked and verified; however, the drawings and supporting data are signed, dated, and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which therefore conveys the surveyor's responsibility and accountability.

If you have any questions, please feel free to contact us at our office (713)-622-9264.

Sincerely,

HDR Engineering, Inc.

Javier Vasquez, P.E., CFM
Civil Engineer

cc: Files (10336228)

Attachments

STATE OF TEXAS:
COUNTY OF BRAZORIA:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Mulberry Fields, LLC, a Texas limited liability company, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as Mulberry Fields Subdivision, a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Angleton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

IN TESTIMONY WHEREOF, Mulberry Fields, LLC, acting by and through Corey Boyer, Officer, therunto authorized, this ____ day of _____, 202____.

Mulberry Fields, LLC,
a Texas limited liability company

By: _____
Corey Boyer, Officer

STATE OF TEXAS:
COUNTY OF BRAZORIA:

BEFORE ME, the undersigned authority, on this day personally appeared Corey Boyer, Officer of Mulberry Fields, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 202____.

Notary Public in and for the State of Texas

My Commission Expires _____
Notary Public

APPROVED this ____ day of _____, 202____, by the Planning and Zoning Commission, City of Angleton, Texas.

Chairman, Planning and Zoning Commission

City Secretary

APPROVED this ____ day of _____, 202____, by the City Council, City of Angleton, Texas.

Mayor

City Secretary

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This instrument was acknowledged before me on the ____ day of _____, 202____, by _____, City Secretary, City of Angleton, on behalf of the City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 202____.

Notary Public in and for the State of Texas

My Commission Expires _____
Notary Public

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successor, and assigns:

"Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision by and through a lawfully created homeowners association to be created by the Owners. The Owners covenant and agree that such a homeowners association (called "Association") shall be created prior to the final acceptance of the City. All Association documents shall be subject to the approval of the City and shall specifically contain covenants binding the Association to continuously maintain all Drainage Easements. Such covenants shall not relieve the individual lot owners of the responsibility to maintain the Drainage Easements should the Association default in the performance of its maintenance responsibility. The Association documents shall also contain provisions that they may not be amended with regard to the Drainage Easement maintenance responsibilities without the approval of the City. The fee simple title to all Drainage Easements shall always remain in the Association.

The City and Angleton Drainage District are not responsible for the maintenance and operation of said easements or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion, but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved.

The City and Angleton Drainage District reserves the right, but not the obligation, to enter upon any Drainage Easement at any point, or points, with all rights of ingress and egress, to investigate, survey, erect, construct, or maintain any drainage facility deemed necessary by the City for drainage and safety purposes.

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues.

The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries.

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This plat is hereby adopted by the Owners and approved by the City of Angleton (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors: The portion of Block 1, as shown on the plat is called "Drainage and Detention Easement." The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of stormwater run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement as hereinabove defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.

NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99990556439.
- 2.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48039-C-0440K EFFECTIVELY DATED DECEMBER 30, 2020, THIS PROPERTY LIES IN ZONE "X", AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- 3.) ● - INDICATES A SET 5/8" IRON ROD WITH CAP STAMPED: T.E.A.M. - 281-491-2525, UNLESS OTHERWISE NOTED.
- 4.) RESERVE "A" AND "B", SHOWN HEREON THIS PLAT, WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- 5.) SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 6.) PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 7.) THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 8.) APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
- 9.) ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
- 10.) SIDEWALKS SHALL BE REQUIRED IN ALL LOCATIONS THAT ADJOIN PUBLIC STREETS ON BOTH SIDES OF STREETS IN ALL NEW PLATS, EXCLUDING MINOR PLATS, IN THE CITY AND THE ET. U.

STATE OF TEXAS :
COUNTY OF BRAZORIA:

KNOW ALL MEN BY THESE PRESENTS:

That I, Dinh V. Ho, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

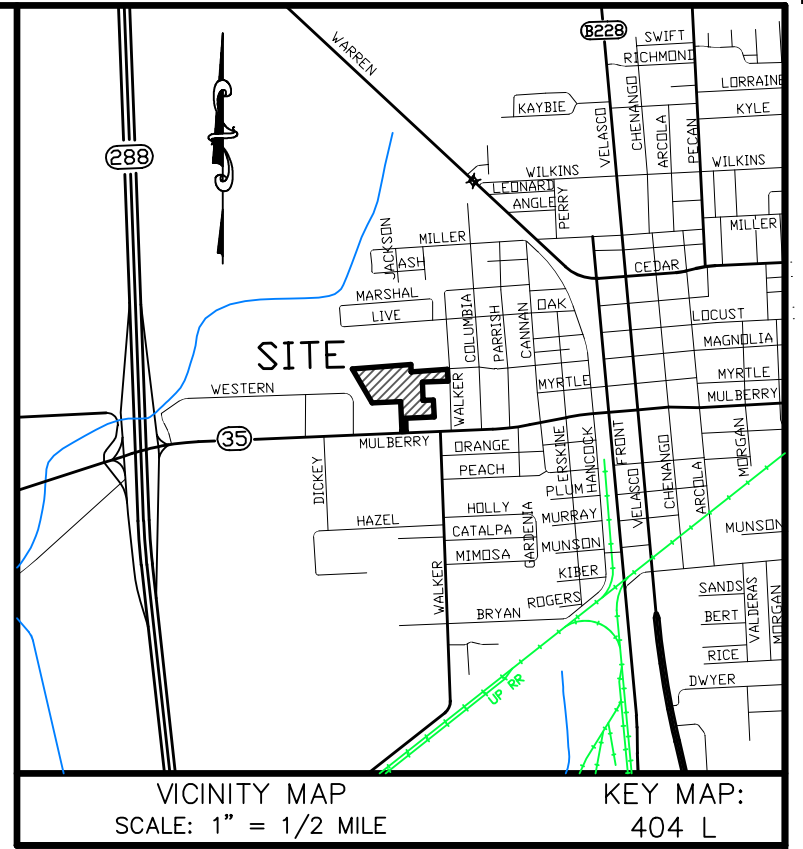
Dinh V. Ho, P.E.
Texas Registration No. 93895
2114 El Dorado Boulevard, Suite 400,
Friendswood, Texas 77546

STATE OF TEXAS :
COUNTY OF BRAZORIA:

KNOW ALL MEN BY THESE PRESENTS:

That I, Robert Chris Kelly, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision.

Robert Chris Kelly, R.P.L.S.
Texas Registration No. 6833
12718 Century Drive,
Stafford, Texas 77477



ANGLETON DRAINAGE DISTRICT

Angleton Drainage District accepted this the ____ day of _____, 202____. The board of supervisors of the Angleton Drainage District does not warrant, represent, or guarantee

- 1. That the facilities outside the boundaries of the subdivision are available to receive runoff from the facilities in this plot.
- 2. That drainage facilities described in this plot are adequate for rainfall in excess of Angleton Drainage District minimum requirements.
- 3. That building elevation requirements have been determined by the Angleton Drainage District.
- 4. That the District assumes any responsibility for construction, operation, or maintenance of subdivision drainage facilities.

The districts review is based solely on the documentation submitted for review, and on the reliance of the report submitted by the Texas Registered Professional Engineer.

The District's review is not intended nor will serve as a substitution of the overall responsibility and or decision making power of the party submitting the plan or plan herein, their or its principals and agents.

Chairman, Board of Supervisors Board Member

Board Member

FINAL PLAT OF
MULBERRY FIELDS
SUBDIVISION

A SUBDIVISION OF A 13.0044 ACRE TRACT OF LAND
IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO.
380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO.
699, AND IN THE H. H. CORNWALL SURVEY,
ABSTRACT NO. 180, CITY OF ANGLETON,
BRAZORIA COUNTY, TEXAS

41 LOTS 2 RESERVES 3 BLOCKS

~ OWNER ~
MULBERRY FIELDS, LLC
a Texas limited liability company
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

~ SURVEYOR ~
MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600
Job No. 1486-3
NOVEMBER 30, 2023

METES AND BOUNDS

A FIELD NOTE DESCRIPTION of a 13.0044 acre (566,471 square feet) tract of land in the J. De J. Valderas Survey, Abstract No. 380, in the M. C. Tobin Survey, Abstract No. 699, and in the H. H. Cornwall Survey, Abstract No. 180, City of Angleton, Brazoria County, Texas; said 13.0044 acre tract being that same tract of land conveyed to Mulberry Field LLC, as recorded in Brazoria County Clerk's File No. 2021037827; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) foot per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 1/2-inch iron rod found in the northeast right-of-way line of Heritage Drive (width varies), according to the map or plat recorded in Volume 20, Page 211 of the Brazoria County Plat Records for the northwest corner of an original 20.751 acre tract of land, as recorded in Volume 1090, Page 796 of the Brazoria County Deed Records, for the southwest corner of a 13.203 acre tract of land conveyed to Community Public Service Company, as recorded in Volume 1467, Page 234 of the Brazoria County Deed Records, and for the northwest corner of this tract; from which a 1/2-inch iron rod found bears North 46° 52' 31" West - 332.07 feet (called North 45° 00' 18" West - 332.03 feet per Volume 1467, Page 234 of the Brazoria County Deed Records); POINT OF BEGINNING (P.O.B.):

THENCE, North 85° 46' 46" East - 807.91 feet (called North 88° 04' East - 808.25 feet per Brazoria County Clerk's File No. 2021037827) with the north line of said 20.751 acre tract and with the south line of said 13.203 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found for the northwest corner of a 1.1478 acre tract of land conveyed to Texas-New Mexico Power Company, as recorded in Volume 362, Page 838 of the Brazoria County Deed Records and for a northeast corner of this tract;

THENCE, South 02° 26' 18" East - 99.83 feet (called South 00° 06' 57" East - 99.86 feet per Brazoria County Clerk's File No. 2021037827) with the north line of said 20.751 acre tract and with the south line of said 13.203 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found for the northwest corner of a 1.1478 acre tract of land conveyed to Texas-New Mexico Power Company, as recorded in Volume 362, Page 838 of the Brazoria County Deed Records and for a northeast corner of this tract;

THENCE, North 85° 44' 50" East - 499.94 feet (called North 88° 03' 44" East - 499.92 feet per Brazoria County Clerk's File No. 2021037827) (called North 88° 04' 00" East - 500.00 feet per Volume 362, Page 838 of the Brazoria County Deed Records) with the south line of said 1.1478 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found in the west right-of-way line of Walker Street (width varies) and in the east line of said 20.751 acre tract for the southeast corner of said 1.1478 acre tract and for a northeast corner of this tract;

THENCE, South 02° 20' 40" East - 164.41 feet (called South 00° 04' 17" East - 164.36 feet per Brazoria County Clerk's File No. 2021037827) with the west right-of-way line of said Walker Street and with the east line of said 20.751 tract to a 1/2-inch iron pipe found inside a 2-inch PVC pipe for the northeast corner of Reserve "B", Block 1, Short Form Plat Communication Tower, according to the map or plat recorded in Volume 21, Page 189 of the Brazoria County Plat Records and for a southeast corner of this tract;

THENCE, South 87° 41' 11" West - 350.24 feet (called North 89° 58' 33" West - 350.50 feet per Brazoria County Clerk's File No. 2021037827) (called West - 350.54 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the north line of said Reserve "B" to a 1/2-inch iron rod found for the northwest corner of said Reserve "B" and for an interior corner of this tract;

THENCE, South 02° 13' 37" East - 249.99 feet (called South 00° 02' 04" West - 250.00 feet per Brazoria County Clerk's File No. 2021037827) (called South - 249.96 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the west line of said Reserve "B" and with the west line of Reserve "A" (Communication Tower Tract) of said Short Form Plat Communication Tower to a 5/8-inch iron rod with cap stamped "COTTON" found for the southeast corner of said Reserve "A" and for an interior corner of this tract;

THENCE, North 87° 41' 44" East - 142.02 feet (called South 89° 57' 11" East - 141.97 feet per Brazoria County Clerk's File No. 2021037827) with the south line of said Reserve "A" to a 1/2-inch iron rod with cap stamped "PINPOINT" found for an interior corner of said 20.751 acre tract, for the northeast corner of a 1.00 acre tract of land conveyed to HED Properties, LLC, as recorded in Brazoria County Clerk's File No. 2010004582, and for a northeast corner of this tract;

THENCE, South 02° 20' 54" East - 233.55 feet (called South 00° 03' 51" East - 233.72 feet per Brazoria County Clerk's File No. 2021037827) with the east line of said 20.751 acre tract; with the west line of said 1.00 acre HED Properties, LLC tract, and with the west line of a 1.00 acre tract of land conveyed to J. Angel Hernandez, et ux, as recorded in Brazoria County Clerk's File No. 2013050912 to a 1/2-inch iron rod with cap stamped "RPLS 2112" found for a southeast corner of this tract; from which a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of State Highway 35 (West Mulberry Street) (width varies) for a southeast corner of said 20.751 acre tract and for the southwest corner of said 1.00 acre Hernandez tract bears South 02° 20' 54" East - 183.36 feet;

THENCE, South 87° 03' 34" West - 392.00 feet (called South 89° 14' 32" West - 392.09 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "2112" found for an interior corner of this tract;

THENCE, South 02° 10' 40" East - 178.81 feet (called South 00° 02' 09" West - 178.77 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of said State Highway 35 and in the south line of said 20.751 acre tract for the southeast corner of this tract;

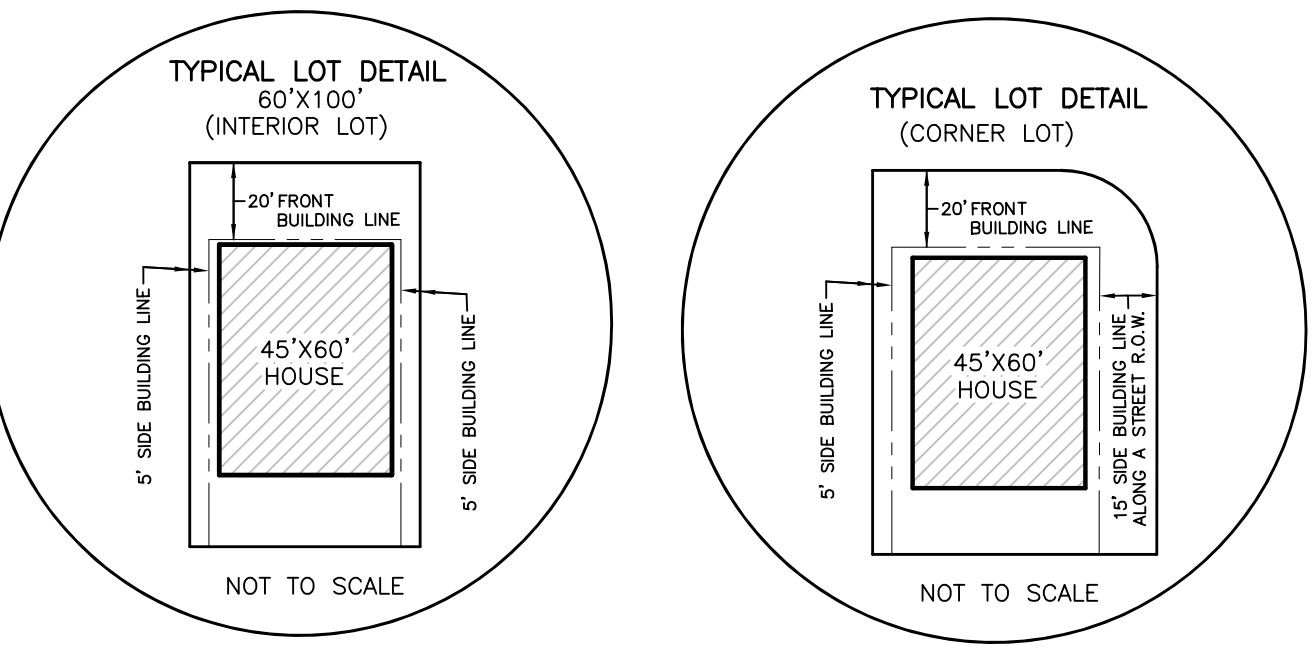
THENCE, South 87° 43' 31" West - 60.00 feet (called North 89° 57' 50" West - 60.00 feet per Brazoria County Clerk's File No. 2021037827) with the north right-of-way line of said State Highway 35 and with the south line of said 20.751 acre tract to a 4-inch by 4-inch concrete monument found for a southwest corner of said 20.751 acre tract and for a southwest corner of this tract;

THENCE, North 02° 46' 23" West - 7.95 feet (called North 00° 21' 33" West - 7.81 feet per Brazoria County Clerk's File No. 2021037827) with a jog in the north right-of-way line of said State Highway 35 and with a west line of said 20.751 acre tract to a 4-inch by 4-inch concrete monument found for the southeast corner of a 2.97 acre tract of land conveyed to Tiny Treasures Learning Center, Inc., as recorded in Brazoria County Clerk's File No. 2000046058 and for an angle point of this tract; from which a 1/2-inch iron rod found for a southwest corner of said 2.97 acre tract and for a southwest corner of said 20.751 acre tract bears South 89° 01' 43" West - 208.13 feet (called North 89° 36' 58" West - 208.35 feet per Brazoria County Clerk's File No. 2000046058) (called West - 208.56 feet per Volume 1090, Page 796 of the Brazoria County Deed Records);

THENCE, North 02° 10' 20" West - 402.32 feet (called North 00° 02' 44" East - 402.37 feet per Brazoria County Clerk's File No. 2021037827) (called North 0° 02' 13" East - 402.41 feet per Brazoria County Clerk's File No. 2000046058) with the east line of said 2.97 acre tract to a 1/2-inch iron rod found for the northeast corner of said 2.97 acre tract and for an interior corner of this tract;

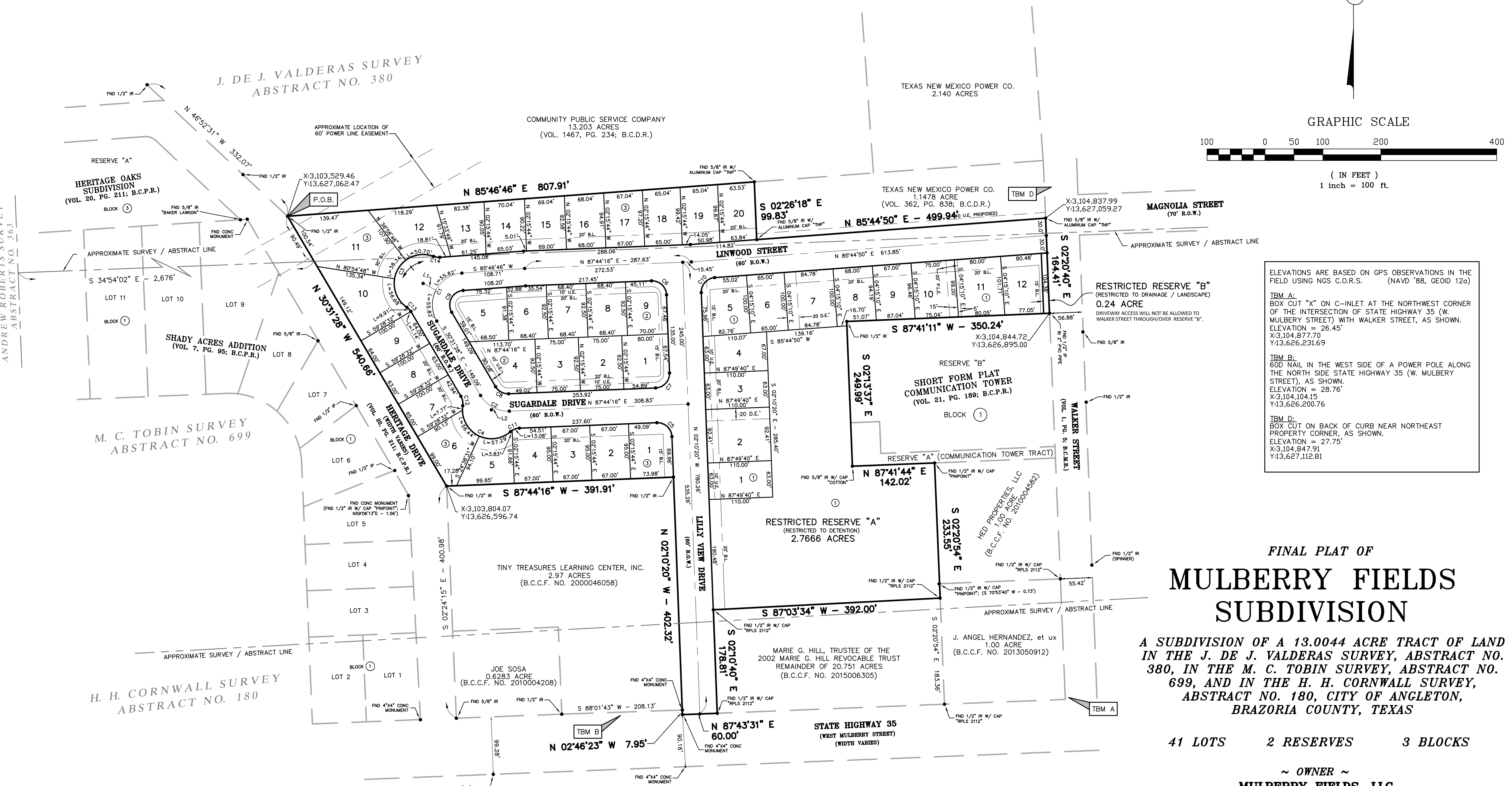
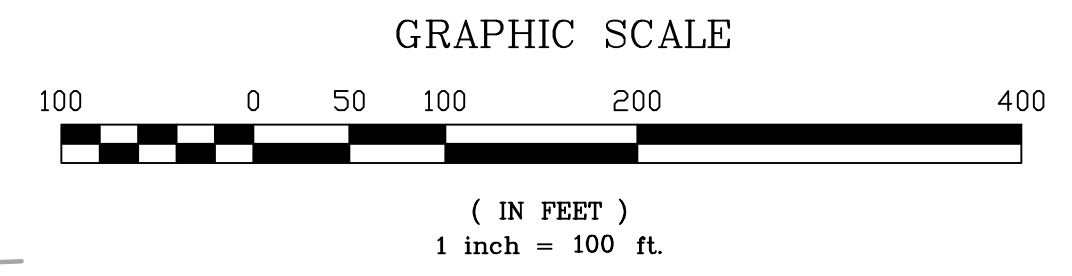
THENCE, South 87° 44' 16" West - 391.91 feet (called North 89° 59' 46" West - 391.46 feet per Brazoria County Clerk's File No. 2021037827) (called North 89° 59' 38" West - 391.46 feet per Brazoria County Clerk's File No. 2000046058) with the north line of said 2.97 acre tract to a 1/2-inch iron rod found in the east right-of-way line of said Heritage Drive for an angle point of said 20.751 acre tract, for the northwest corner of said 2.97 acre tract, and for a southwest corner of this tract; from which a 5/8-inch iron rod found at the intersection of the east right-of-way line of said Heritage Drive with the north right-of-way line of said State Highway 35 bears South 02° 24' 15" East - 400.98 feet;

THENCE, North 30° 31' 28" West - 540.66 feet (called North 28° 17' West - 541.04 feet per Volume 1090, Page 796 of the Brazoria County Deed Records) (called North 28° 15' 19" West - 540.89 feet per Brazoria County Clerk's File No. 2021037827) with the northeast right-of-way line of said Heritage Drive and with the southwest line of said 20.751 acre tract to the POINT OF BEGINNING and containing 13.0044 acres (566,471 square feet) of land.



LINE TABLE and CURVE TABLE with columns for CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, and DELTA ANGLE.

- LEGEND: B.L. - BUILDING LINE, B.C.C.F. - BRAZORIA COUNTY CLERK'S FILE, B.C.D.R. - BRAZORIA COUNTY DEED RECORDS, B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS, CONC - CONCRETE, D.E. - DRAINAGE EASEMENT, FND - FOUND, IRN - IRON PIPE, IR - IRON ROD, N - NUMBER, PG. - PAGE, P.L.E. - POWER LINE EASEMENT, P.O.B. - POINT OF BEGINNING, R.O.W. - RIGHT OF WAY, SQ. FT. - SQUARE FEET, TBM - TEMPORARY BENCHMARK, U.E. - UTILITY EASEMENT, VOL. - VOLUME, W/ - WITH, etc.



ELEVATIONS ARE BASED ON GPS OBSERVATIONS IN THE FIELD USING NGS C.O.R.S. (NAVD '88, GEOID 12a)
TBM A: BOX-CUT "X" ON C-INLET AT THE NORTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY 35 (W. MULBERRY STREET) WITH WALKER STREET, AS SHOWN. ELEVATION = 26.45'
TBM B: 60D NAIL IN THE WEST SIDE OF A POWER POLE ALONG THE NORTH SIDE STATE HIGHWAY 35 (W. MULBERRY STREET), AS SHOWN. ELEVATION = 28.76'
TBM C: BOX-CUT ON BACK OF CURB NEAR NORTHEAST PROPERTY CORNER, AS SHOWN. ELEVATION = 27.75'
TBM D: 60D NAIL IN THE WEST SIDE OF A POWER POLE ALONG THE NORTH SIDE STATE HIGHWAY 35 (W. MULBERRY STREET), AS SHOWN. ELEVATION = 28.76'
X3,104,877.70
Y13,626,231.69
X3,104,847.91
Y13,627,112.81

FINAL PLAT OF MULBERRY FIELDS SUBDIVISION
A SUBDIVISION OF A 13.0044 ACRE TRACT OF LAND IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO. 699, AND IN THE H. H. CORNWALL SURVEY, ABSTRACT NO. 180, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS

LOT AREA TABLE with columns for LOT #, AREA, LOT #, AREA. Lists areas for 20 lots across 3 blocks.

STREET INFORMATION TABLE with columns for NAME, LENGTH, TYPE. Lists Linwood Street, Lilly View Drive, and Sugardale Drive.

41 LOTS 2 RESERVES 3 BLOCKS
OWNER: MULBERRY FIELDS, LLC
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

SURVEYOR: MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
PHONE: 281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600

Job No. 1486-3
NOVEMBER 30, 2023

DEVELOPMENT INFORMATION

Project Name/Address/Location: Mulberry Fields / Property ID # 180461 Acreage: 13.002
Brief Description of Project: 41 Residential Lots
Is property platted? No Yes Subdivision name: Mulberry Fields No. of Lots: 41
Recordation #: _____ Parcel(s) Tax ID#: 06990016000
Existing Use: Raw Land Proposed Use: Residential Single Family
Current Zoning: SF6.3 Proposed Zoning: SF6.3
Occupancy Type: _____ Sq. Ft.: _____ Bed #: _____ Bath #: _____ Car Garage #: _____
Water System Well Public Flood Zone: Yes No Sewer System: Septic Public

PROPERTY OWNER INFORMATION

Owner: Mulberry Fields LLC Contact Name: Corey Boyer
Address: _____
Phone: _____

APPLICANT INFORMATION

Applicant/Developer: Mulberry Fields LLC Contact Name: Corey Boyer
Address: _____
Phone: _____

KEY CONTACT INFORMATION

Name of the Individual: _____ Contact Name: _____
Address: _____ City/State/ZIP: _____
Phone: _____ Email: _____

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature: Corey Boyer Corey Boyer Date: 10/20/2023
(Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: _____ BY: _____

FEES PAID: _____

APPROVED BY: _____ DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

TYPE OF APPLICATION Please check appropriate box below:

Landuse, Policy, and Site Development

- Annexation
 Rezoning/ FLUM Amendment
 Specific Use Permit
 Planned Development (PD)
 Amending Minor and Major Plat
 Minor Consolidation Plat
 Development Plat
 Concept Plan
 Preliminary Plat
 Final Plat
 Replat
 Construction Plans
 Special Exception
 Floodplain Development Permit
 Variance/Appeal
 On-Site Sewage Facility Permit (OSSF)
 Certificate of Occupancy (CO)
 Grading/Clearing Permit
 Site Development Permit/ Site Plan Review

Interpretations/Verifications/Text Amendments

- Comprehensive Plan Amendment (Text)
 Land Development Code (LDC)/Zoning Text Amendment
 Vested Rights Verification Letter
 Letter of Regulatory Compliance
 Zoning Verification
 Letter/Written Interpretation
 Legal Lot Verification

Other Permits/Licenses/Registration

- Commercial -New/Remodel/Addition
 Residential Building Permit 1 & 2 Family
 (New, Remodel, Addition, Patio Cover, Carport, Foundation Repair, House Leveling, Windows, New Mobile Home, Siding, Storage Building permits, Re-roof)
 Miscellaneous
 Fence
 Solar Panels
 Swimming Pool
 Demolition or Move
 Backflow/Irrigation
 Flatwork
 Electrical Permit
 Plumbing Permit
 Mechanical Permit
 Sign Permit
 Garage Sale Permit
 Master/ Common Signage Plan
 Fire Prevention Permit Form
 Right-of-Way Construction
 Pipeline Permit
 Drainage Pipe/Culvert Permit
 Roadside Banner Permit
 Mobile Home Park Registration
 Game Room Permit Form
 Grooming Facility License
 Alcohol permit
 Health Permit
 Temporary Health Permit
 Alarm Permit

121 S. Velasco, Angleton, Texas 77515
 979-849-4364 – Fax: 979-849-5561
<http://www.angleton.tx.us>



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 12, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action to approve the Angleton 300 Res Dev LP, and Angleton Stasny Land LP, Petition for Release of an Area from a Municipality's Extraterritorial Jurisdiction (ETJ), being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, in Brazoria County, Texas. Pursuant to the provisions of Subchapter D, Chapter 42 of the Texas Local Government Code.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None

FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

EXECUTIVE SUMMARY. This is a request for approval of a petition filed originally on November 15, 2023, requesting release of approximately 303.96 acres of land from the extraterritorial jurisdiction (ETJ) of the City of Angleton enabled by new legislation known as Senate Bill 2038. The request is from the owners of the land known by council as Stasny Ranch and the petition is brought by the owners of the property; Angleton 300 Res Dev LP, and Angleton Stasny Land LP.

A Certificate of Insufficiency was provided to the petitioner by the City Secretary following an examination of the petition due to the lack of compliance with the Election Code requirements as set out in the new law found in the Texas Local Government Code Chapter 42. A second petition for removal from the ETJ was received by the City Secretary on November 29, 2023 and it was determined to comply with the requirements of Chapter 42- Subchapter D of the Texas Local Government Code and Chapter 277 of the Texas Election Code.

Previously, on June 27, 2023, City Council conducted discussions and received an update on the Stasny Ranch Development involving the same development group that filed the Petition for Removal from the ETJ, for a proposed 331-acre residential development, including (79) ½-acre lots and (157) 1-Acre Lots located at the north of intersection of SH 288 and SH 35, west of SH 288.

The other discussion topics on 6/27/2023 included:

- ETJ - Per SB 3083 and upon closing on the land: A request for removal of the property from the city's ETJ to take effect on September 1, 2023.

- City Limits - Upon closing of the land, the developer will request that the strip of land approximately 260' wide west of and parallel to Hwy. 288, be de-annexed from the city limits, for the following reasons:
- Jurisdictional oversight - city vs. county.
- City services (water/sewer/police/fire/library, etc.) for portions of lots in the city.
- Calls for responses by police and fire for portions of lots.
- County Review - The developer has discussed this development with the Brazoria County and the commissioner. Brazoria County is prepared to assume development review and eventually accept and maintain the public streets.

Recommendation. Council should review and consider approval of the petition requesting removal from the Extraterritorial Jurisdiction of the City of Angleton, Texas for property totaling approximately 303.96 acres of land located north of the intersection of SH35 and SH288.



HOUSTON
3200 Southwest Freeway,
Suite 2600
Houston, TX 77027
(713) 860-6400

Direct Line: (713) 800-8061
Direct Fax: (713) 800-1516

mwomack@abhr.com

Mai Lynn Womack
Legal Assistant

November 28, 2023

VIA FEDERAL EXPRESS

VIA EMAIL: mperez@angleton.tx.us

City of Angleton
Ms. Michelle Perez, City Secretary
121 S. Velasco
Angleton, TX 77515

Re: Petition for Release of an Area from a Municipality's Extraterritorial
Jurisdiction (the "Petition") - 303.96 acres (the "Land")

Dear Ms. Perez:

On behalf of the landowner, please find enclosed the Petition requesting release
of the Land from the extraterritorial jurisdiction of the City of Angleton.

Sincerely,

Mai Lynn Womack
Legal Assistant

Enclosure

cc w/ encl. via email:

- Mr. Chris Whittaker, City Manager
- Ms. Judith El Masri, City Attorney
- Ms. Angie Lutz (Firm)
- Mr. Parke Patterson, Behrens Land Group

1148709

PETITION FOR RELEASE OF AN AREA FROM A MUNICIPALITY'S
EXTRATERRITORIAL JURISDICTION

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ANGLETON,
TEXAS:

ANGLETON 300 RES DEV LP, a Texas limited partnership and ANGLETON STASNY LAND LP, a Texas limited partnership (collectively, the "Petitioners"), acting pursuant to the provisions of Subchapter D, Chapter 42, Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions this Honorable City Council to release the approximately 303.96 acres of land described by metes and bounds in **Exhibit A** and shown on the map attached as **Exhibit B** (the "Land"), attached hereto and incorporated herein for all purposes, from the extraterritorial jurisdiction of the City of Angleton, Texas, and in support of this petition the Petitioners represent, covenant, and agree as follows:

I.

The Petitioners hold fee simple title to the Land, and hereby represent that they own a majority in value of the Land to be released from the extraterritorial jurisdiction of the City, as indicated by the certificate of ownership provided by the Brazoria Central Appraisal District, attached hereto as **Exhibit C**, as may be supplemented, as needed, by recorded deed recorded in the official public records of Brazoria County, Texas.

II.

The Petitioners represent that the Land is not located within five (5) miles of the boundary of a military base, as defined by Section 43.0117 of the Texas Local Government Code, at which an active training program is conducted.

III.

The Petitioners represent that the Land has not been voluntarily annexed into the extraterritorial jurisdiction of a municipality that is located in a county (a) in which the population grew by more than fifty percent (50%) from the previous federal decennial census in the federal decennial census conducted in 2020; and (b) that has a population of greater than 240,000.

IV.

The Petitioners represent that the Land is not within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is (a) within 15 miles of the boundary of a military base, as defined by Section 43.0117 of the Texas Local Government Code, at which an active training program is conducted; and (b) in a county with a population of more than two million.

V.

The Petitioners represent that the Land is not in an area designated as an industrial district under Section 42.944 of the Texas Local Government Code.

VI.

The Petitioners represent that the Land is not in an area subject to a strategic partnership agreement entered into under Section 43.0751 of the Texas Local Government Code.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City immediately release the Land from its extraterritorial jurisdiction, as required by Section 42.105(c) of the Texas Local Government Code, as it exists today and from any future expansions of the City's extraterritorial jurisdiction whether by annexation or pursuant to Section 42.021 of the Texas Local Government Code. If the City fails to release the Land from its extraterritorial jurisdiction by the later of forty-five (45) days from the date it receives the petition or the next meeting of municipality's governing body that occurs after the 30th day after the date the City receives this petition, the Land shall be released from the City's extraterritorial jurisdiction by operation of law.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on 11/27/2023, 2023.

ANGLETON 300 RES DEV LP,
a Texas limited partnership

By: Angleton Res Dev GP LLC, a Texas limited
liability company, its General Partner

By: BLG Development, Inc., a Texas
corporation, its Manager

By: [Signature]

Name: M. Keith Behrens

Title: President

DOB: 04/27/1971

Residence Address: 803 WALNUT HILL DR
BREWSTER, TX 77833

Date of Signing: 11/27/2023

THE STATE OF TEXAS

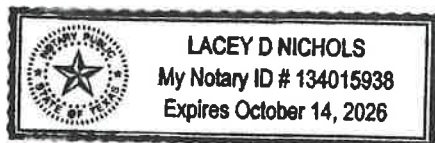
§

§

§

COUNTY OF Washington

This instrument was acknowledged before me on November 27th, 2023,
by M. Keith Behrens, as President
of BLG Development, Inc., a Texas corporation, Manager of Angleton Res Dev GP LLC,
a Texas limited liability company, General Partner of ANGLETON 300 RES DEV LP, on
behalf of said corporation, said limited liability company, and said limited partnership.



(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

ANGLETON STASNY LAND LP,
a Texas limited partnership

By: Angleton 300 GP LLC, a Texas limited liability
company, its General Partner

By: BLG Development, Inc., a Texas
corporation, its Manager

By: 

Name: M. Keith Behrens

Title: President

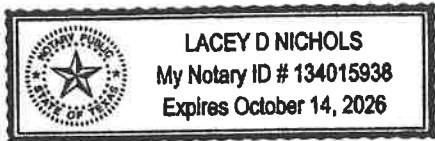
DOB: 04/27/1971


Residence Address: 803 WALNUT HILL DR
BRENTHAM, TX 77833

Date of Signing: 11/27/2023

THE STATE OF TEXAS §
 §
COUNTY OF Washington §

This instrument was acknowledged before me on November 27th, 2023,
by M. Keith Behrens, as President
of BLG Development, Inc., a Texas corporation, Manager of Angleton 300 GP LLC, a
Texas limited liability company, General Partner of ANGLETON STASNY LAND LP, on
behalf of said corporation, said limited liability company, and said limited partnership.




Notary Public, State of Texas

(NOTARY SEAL)

Attachments:

- Exhibit A:** Description of the Land
- Exhibit B:** Map of the Land
- Exhibit C:** Certificate of Ownership

County: Brazoria
 Project: Serenity Oaks
 Job No. 236901
 MBS No. 23-606

FIELD NOTES FOR 303.96 ACRES

Being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, Abstract No. 363 and the Jose De Jesus Valderas Survey, Abstract No. 380, in Brazoria County, Texas. Said 303.96 acres being comprised of portions of a call 537.4 acre tract of land (as to those tracts styled "Tract 1" and "Tract 159") and a call 481.79 acre tract of land (as to that tract styled "Tract 158") recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 1994015645, all of a call 5.630 acre tract of land recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 1997022174, and a portion of a call 91.41 acre tract of land recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 2003035788, all in the Official Public Records of Brazoria County (O.P.R.B.C.). Said 303.96 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations):

BEGINNING at a 1/2-inch capped iron rod stamped "RPLS 2112/6017" found at the southeast corner of a call 5.17 acre tract of land (styled "Tract 3") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C. and being on the south line of said 91.41 acres, from which a 1/2-inch capped iron rod stamped "RPLS 2112" found at the southwest corner of said 5.17 and 91.41 acres bears South 87 degrees 07 minutes 47 seconds West, 75.45 feet;

THENCE, with the east line of said 5.17 acres and a call 2.89 acre tract of land (styled "Tract 2") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C., North 02 degrees 11 minutes 42 seconds West, at 55.72 feet pass a found 1/2-inch capped iron rod stamped "RPLS 2112/6017", at 3,170.04 feet pass the common line between aforesaid 91.41 acres and aforesaid "Tract 159", from which a 5/8-inch capped iron rod stamped "RPLS 2112/6017" found for reference bears North 87 degrees 55 minutes 52 seconds West, 0.46 feet and a 1/2-inch iron pipe found at the upper northeast corner of said 91.41 acres bears North 86 degrees 24 minutes 07 seconds East, 19.38 feet, and continuing for a total distance of 4,568.44 feet to the northeast corner of said 2.89 acres, from which a found 1/2-inch capped iron rod stamped "RPLS 2112" bears North 54 degrees 36 minutes 03 seconds West, 1.17 feet;

THENCE, with the northeasterly line of said 2.89 acres, North 20 degrees 11 minutes 35 seconds West, a distance of 242.73 feet to a 5/8-inch capped iron rod stamped "GBI Partners" set at the northwest corner of said 2.89 acres and being on the east line of a call 642.45 acre tract of land recorded in the name of RLF Angleton Properties, LLC in File No. 2011051011 of the O.P.R.B.C.;

THENCE, with said east line, North 02 degrees 11 minutes 42 seconds West, at 26.85 feet pass a 1/2-inch capped iron rod stamped "RPLS 2112/6017" found for reference, and continuing for a total distance of 86.52 feet to a 1/2-inch iron rod found at the lower northeast corner of said 642.45 acres and being on the south line of a call 12.58 acre tract of land (styled "Tract 1") recorded in the name of Hidden Oaks Properties, LLC in File No. 2019024325 of the O.P.R.B.C.;

THENCE, with the south and east lines of said 12.58 acres, the following two (2) courses:

- 1.) North 86 degrees 07 minutes 42 seconds East, a distance of 350.84 feet to a 1/2-inch iron rod found at the southeast corner of said 12.58 acres;
- 2.) North 03 degrees 52 minutes 18 seconds West, a distance of 923.95 feet to the intersection of said east line with the south line of a call 1.810 acre tract of land recorded in the name of City of Angleton in File No. 1997022173 of the O.P.R.B.C., from which a found 1/2-inch capped iron rod stamped "Stroud" bears South 27 degrees 26 minutes 40 seconds West, 0.33 feet and a 1/2-inch capped iron rod stamped "RPLS 2112" found at the northeast corner of said 12.58 acres bears North 03 degrees 52 minutes 18 seconds West, 40.00 feet;

THENCE, with the said south line, the following two (2) courses:

- 1.) North 86 degrees 10 minutes 10 seconds East, at 59.70 feet pass a 1/2-inch capped iron rod stamped "Stroud" found for reference, and continuing for a total distance of 744.46 feet to a point from which a found 1/2-inch iron rod (bent) bears South 17 degrees 10 minutes 31 seconds West, 0.36 feet;
- 2.) North 86 degrees 16 minutes 39 seconds East, a distance of 1,090.87 feet to a 1/2-inch iron rod found at the southeast corner of said 1.810 acres and being on the west line of a call 0.27 acre tract of land recorded in the name of City of Angleton in File No. 2012023815 of the O.P.R.B.C.;

THENCE, with said west line, South 02 degrees 52 minutes 06 seconds East, a distance of 4.96 feet to the southwest corner of said 0.27 acre and northwest corner of aforesaid 5.630 acres, from which a found 1/2-inch capped iron rod stamped "Stroud" bears South 37 degrees 15 minutes 34 seconds East, a distance of 0.43 feet;

THENCE, with the common line between said 0.27 acre and said 5.630 acres, North 86 degrees 09 minutes 08 seconds East, a distance of 259.05 feet to the southeast corner of said 0.27 acre, the northeast corner of said 5.630 acres and being on the west Right-of-Way (R.O.W.) line of State Highway 288 (width varies) as recorded in File Nos. 1973015899, 1974014880 and 1975001072 of the O.P.R.B.C., from which a found 1/2-inch iron rod (bent) bears South 40 degrees 41 minutes 31 seconds East, a distance of 1.66 feet;

THENCE, with said R.O.W. line, South 02 degrees 16 minutes 15 seconds East, at 970.23 feet pass the southeast corner of said 5.630 acres, from which a found 1/2-inch iron rod bears South 87 degrees 45 minutes 26 seconds West, 0.42 feet, at 1,294.66 feet pass a concrete monument found for reference, at 2,295.02 feet pass a concrete monument found South 87 degrees 43 minutes 45 seconds West, 0.35 feet, at 2,668.37 feet pass a 1/2-inch iron rod found North 87 degrees 43 minutes 45 seconds East, 2.49 feet, at 3,295.59 feet pass a concrete monument found North 87 degrees 43 minutes 45 seconds East, 7.45 feet, and continuing for a total distance of 4,390.53 feet to the northeast corner of a call 3.32 acre tract of land (styled "Tract 1") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C., from which a found 1/2-inch capped iron rod stamped "RPLS 2112" bears South 83 degrees 09 minutes 11 seconds East, 7.74 feet;

THENCE, with the north and west lines of said 3.32 acres, the following two (2) courses:

- 1.) North 83 degrees 09 minutes 11 seconds West, a distance of 79.81 feet to a 1/2-inch capped iron rod stamped "RPLS 2112" found;
- 2.) South 02 degrees 47 minutes 09 seconds West, a distance of 1,408.28 feet to a concrete monument found at the southwest corner of said 3.32 acres and being on the westerly R.O.W. line of said State Highway 288;

THENCE, with said R.O.W. line, South 00 degrees 37 minutes 48 seconds East, a distance of 60.38 feet to a concrete monument found on the south line of aforesaid "Tract 1" of aforesaid 537.4 acres;

THENCE, with said south line, South 86 degrees 41 minutes 33 seconds West, a distance of 771.62 feet to a 5/8-inch capped iron rod stamped "GBI Partners" set at the southwest corner of said "Tract 1" of said 537.4 acres and the southeast corner of aforesaid 91.41 acres;

THENCE, with the south line of said 91.41 acres, South 87 degrees 07 minutes 47 seconds West, a distance of 1,374.00 feet to the **POINT OF BEGINNING** and containing 303.96 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A LAND TITLE SURVEY FILED IN THE OFFICES OF GBI PARTNERS UNDER JOB NO. 236901.

GBI PARTNERS
TBPELS Firm No.10130300
Ph: 281.499.4539
October 11, 2023

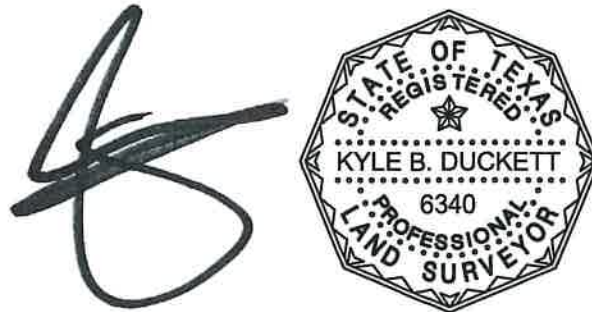
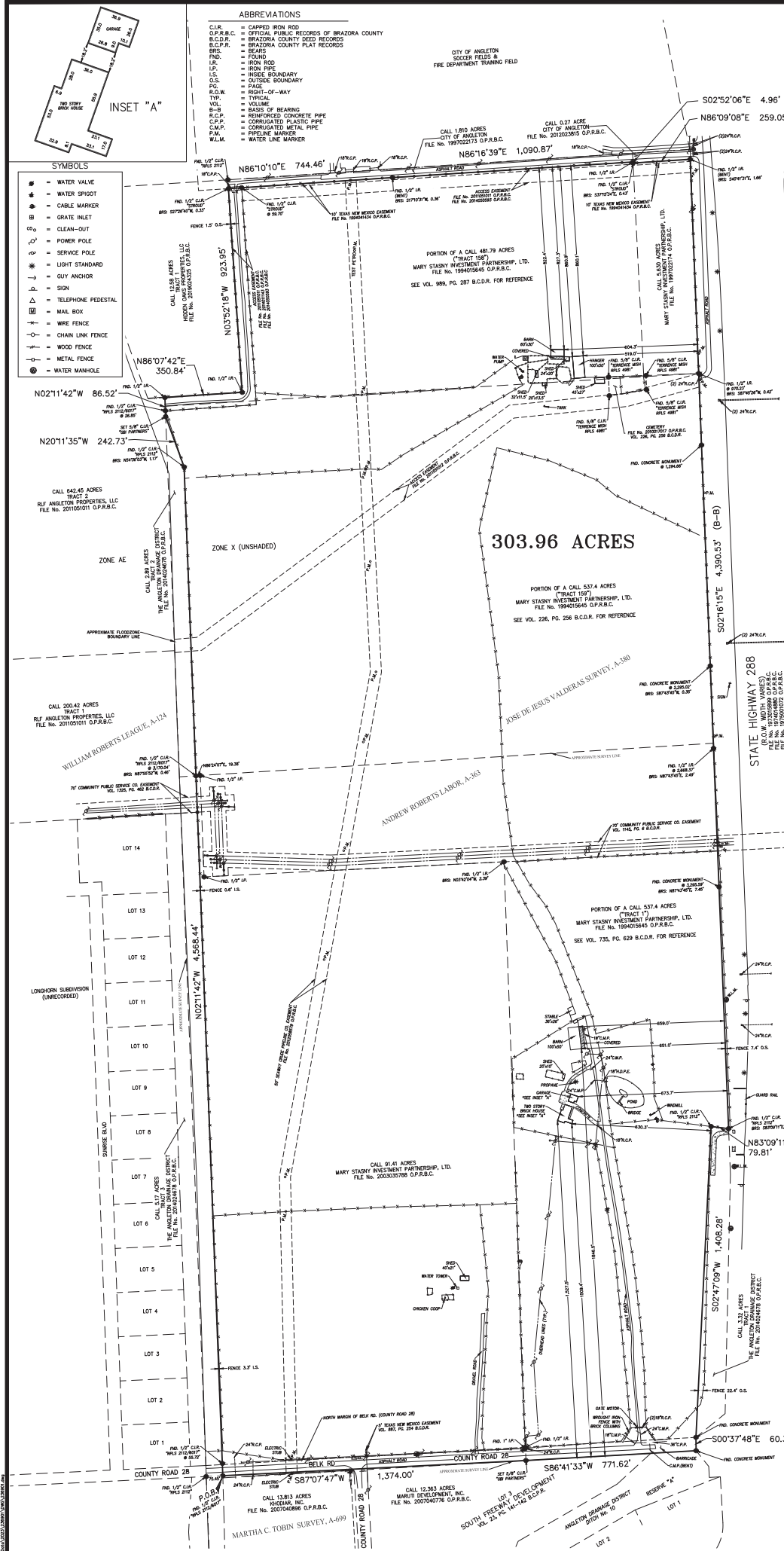
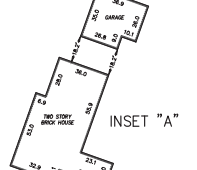


EXHIBIT B
Map of the Land

See attached.



- SYMBOLS**
- WATER VALVE
 - WATER SPIGOT
 - CABLE MARKER
 - ▢ GRATE INLET
 - CLEAN-OUT
 - POWER POLE
 - SERVICE POLE
 - LIGHT STANDARD
 - SIGN ANCHOR
 - GUY
 - △ TELEPHONE PEDESTAL
 - MAIL BOX
 - WIRE FENCE
 - CHAIN LINK FENCE
 - WOOD FENCE
 - METAL FENCE
 - WATER MANHOLE



This is to certify that this plat and the survey on which it is based were prepared in accordance with the rules and standards of Professional Surveyors Standards and Specifications for a Category 1A, Condition III Land Title Survey. Field work was completed on October 10, 2023.

GPI Partners
 KIM R. Duckett
 Registered Professional Land Surveyor
 Texas Registration No. 6340

- NOTES:**
- This survey was prepared with the benefit of a Commitment for Title Insurance, of No. 118840-GA78, issued by Fidelity National Title Insurance Company on December 14, 2023 (effective December 7, 2023).
 - According to FEMA Flood Insurance Rate Map (FIRM) No. 48030C4400, map revised December 30, 2020, the surveyed tract lies in Zone X (unshaded), defined by FEMA as areas outside the 0.2% annual chance floodplain.
 - Bearings are based on GPS observations. Distances are surface values and may be converted to grid by applying the combined adjustment factor 0.999870180805.
- SCHEDULE B ITEMS:**
- 10.d. Road Agreement, Vol. 790, Pg. 599 B.C.D.R. (not shown); located outside surveyed boundaries)
 - 10.e. 701 Community Public Service Company Easement for transmission lines, Vol. 1325, Pg. 462 B.C.D.R. (shown)
 - 10.f. Texas-New Mexico Power Company Easement, Vol. 841, Pg. 451 B.C.D.R. (Blanket as to call 121.9 acre tract as shown; existing power lines shown)
 - 10.g. Texas-New Mexico Power Company Easement, Vol. 887, Pg. 254 B.C.D.R. (shown)
 - 10.h. Texas-New Mexico Power Company Easement, File No. 1994041433 O.P.R.B.C. (Blanket as to call 121.9 acre tract; existing power lines shown)
 - 10.i. Texas-New Mexico Power Company Easement, File No. 1994041434 O.P.R.B.C. (shown)
 - 10.j. Texas-New Mexico Power Company Easement, File No. 1995009425 O.P.R.B.C. (shown)
 - 10.k. 30" Seaway Crude Pipeline Company Easement, File No. 2012058579 O.P.R.B.C. (shown)
 - 10.l. 60" Access Easement, File No. 201051011 O.P.R.B.C. (shown)
 - 10.m. 60" Access Easement, File No. 201051012 O.P.R.B.C. (shown)
- 11. Rights and privileges for existing easements, Vol. 226, Pg. 258 B.C.D.R. & File 201017017 O.P.R.B.C. (easement limits shown)**

FIELD NOTES FOR 303.96 ACRES
 Being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, Abstract No. 363 and the Jose De Jesus Valderas Survey, Abstract No. 380, in Brazoria County, Texas. Said 303.96 acres being conveyed by portions of a call 537.4 acre tract of land (as to those tracts styled "Tract 1" and "Tract 159" and a call 481.79 acre tract of land (as to those tracts styled "Tract 157" recorded in the name of Mary Stasny Investment Partnership, LLC in File No. 1994015645, all of a call 537.4 acre tract of land recorded in the name of Mary Stasny Investment Partnership, LLC in the Official Public Records of Brazoria County (O.P.R.B.C.) File No. 200305781, all in the official Public Records of Brazoria County (O.P.R.B.C.) Said 303.96 acres being more particularly described by metes and bounds as follows (bearings as referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations):

BEGINNING at a 1/2-inch capped iron rod stamped RPLS 2112/2017 found at the southwest corner of a call 517 acre tract of land (as to those tracts styled "Tract 1" and "Tract 157" recorded in the name of the Angleton Drilling District in File No. 201424878 of the O.P.R.B.C. and being on the south line of said 517 acre tract of land recorded in the name of the Angleton Drilling District in File No. 201424878 of the O.P.R.B.C. North 02 degrees 11 minutes 42 seconds West, of 65.29 feet; pass a common line between aforesaid 91.41 acre tract and aforesaid "Tract 159," from which a 1/2-inch capped iron rod stamped RPLS 2112/2007 found for reference bears North 87 degrees 55 minutes 52 seconds West, 0.46 feet; and a 1/2-inch capped iron rod stamped RPLS 2112/2012 found for reference bears North 88 degrees 24 minutes 07 seconds East, 19.38 feet, and continuing a total distance of 4,568.05 feet to the northeast corner of said 2.89 acre tract of land recorded in the name of Mary Stasny Investment Partnership, LLC in File No. 200305781, all in the Official Public Records of Brazoria County (O.P.R.B.C.) Said 2.89 acres being more particularly described by metes and bounds as follows (bearings as referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations):

LAND TITLE SURVEY
303.96 ACRES
 BEING PORTIONS OF THOSE CALL 537.4 AND 481.79 ACRE TRACTS OF LAND, ALL OF A CALL 5.680 ACRE TRACT OF LAND, AND A PORTION OF A CALL 91.41 ACRE TRACT OF LAND, ALL BEING RECORDED IN THE NAME OF MARY STASNY INVESTMENT PARTNERSHIP, LTD. IN FILE NOS. 1994015645, 1997022174 & 200305780 OF THE O.P.R.B.C., RESPECTIVELY.
 LOCATED IN THE
 ANDREW ROBERTS LABOR, A-363 & THE JOSE DE JESUS VALDERAS SURVEY, A-380 BRAZORIA COUNTY, TEXAS

EXHIBIT C
Certificate of Ownership

See attached.

BRAZORIA COUNTY APPRAISAL DISTRICT

Item 8.

MEMBERS OF THE BOARD

Kristin Bulanek
Tommy King
Gail Robinson
Bobby Brown
George Sandars
Susan Spoor

CHIEF APPRAISER

Marcel Pierel III
500 North Chenango
Angleton, Texas 77515
979-849-7792
Fax 979-849-7984

Ownership Certificate

**Re: Total of 303.96 acres;
145.38 Acres, Abstract A-363
& 158.58 Acres, Abstracts
A-363 & A-380**


Date: November 07, 2023

Certificate No. 0272

I, the undersigned, hereby certify that I have examined the 2023 appraisal roll of Brazoria County Appraisal District as of November 7, 2023, for the land described in the legal description attached, the described property is listed in the name(s) of:

| <u>Owner:</u> | <u>Account Number:</u> | <u>Market Value:</u> | <u>Appraised Value:</u> |
|-------------------------|------------------------|----------------------|-------------------------|
| 145.38 Acres: | | | |
| ANGLETON 300 RES DEV LP | 0363-0001-000* | \$3,833,350 | \$5,620 |
| ANGLETON 300 RES DEV LP | 0363-0002-000* | \$430,740 | \$1,860 |
| 158.58 Acres: | | | |
| ANGLETON STASNY LAND LP | 0380-0041-000* | \$3,915,980 | \$31,920 |
| ANGLETON STASNY LAND LP | 0380-0041-110* | \$157,410 | \$460 |
| ANGLETON STASNY LAND LP | 0363-0002-000* | \$430,740 | \$1,860 |
| | Partial* | | |

Certified this the 7th day of November, 2023



Marcel Pierel III
Chief Appraiser

Certificate Cost: \$10.00

Cert0272

Requested by: Mai Lynn Womack
Organization: Allen Boone Humphries
Robinson LLP

County: Brazoria
 Project: Serenity Oaks
 Job No. 236901
 MBS No. 23-606

FIELD NOTES FOR 303.96 ACRES

Being a tract containing 303.96 acres of land located in the Andrew Roberts Labor, Abstract No. 363 and the Jose De Jesus Valderas Survey, Abstract No. 380, in Brazoria County, Texas. Said 303.96 acres being comprised of portions of a call 537.4 acre tract of land (as to those tracts styled "Tract 1" and "Tract 159") and a call 481.79 acre tract of land (as to that tract styled "Tract 158") recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 1994015645, all of a call 5.630 acre tract of land recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 1997022174, and a portion of a call 91.41 acre tract of land recorded in the name of Mary Stasny Investment Partnership, Ltd. in File No. 2003035788, all in the Official Public Records of Brazoria County (O.P.R.B.C.). Said 303.96 acres being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations):

BEGINNING at a 1/2-inch capped iron rod stamped "RPLS 2112/6017" found at the southeast corner of a call 5.17 acre tract of land (styled "Tract 3") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C. and being on the south line of said 91.41 acres, from which a 1/2-inch capped iron rod stamped "RPLS 2112" found at the southwest corner of said 5.17 and 91.41 acres bears South 87 degrees 07 minutes 47 seconds West, 75.45 feet;

THENCE, with the east line of said 5.17 acres and a call 2.89 acre tract of land (styled "Tract 2") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C., North 02 degrees 11 minutes 42 seconds West, at 55.72 feet pass a found 1/2-inch capped iron rod stamped "RPLS 2112/6017", at 3,170.04 feet pass the common line between aforesaid 91.41 acres and aforesaid "Tract 159", from which a 5/8-inch capped iron rod stamped "RPLS 2112/6017" found for reference bears North 87 degrees 55 minutes 52 seconds West, 0.46 feet and a 1/2-inch iron pipe found at the upper northeast corner of said 91.41 acres bears North 86 degrees 24 minutes 07 seconds East, 19.38 feet, and continuing for a total distance of 4,568.44 feet to the northeast corner of said 2.89 acres, from which a found 1/2-inch capped iron rod stamped "RPLS 2112" bears North 54 degrees 36 minutes 03 seconds West, 1.17 feet;

THENCE, with the northeasterly line of said 2.89 acres, North 20 degrees 11 minutes 35 seconds West, a distance of 242.73 feet to a 5/8-inch capped iron rod stamped "GBI Partners" set at the northwest corner of said 2.89 acres and being on the east line of a call 642.45 acre tract of land recorded in the name of RLF Angleton Properties, LLC in File No. 2011051011 of the O.P.R.B.C.;

THENCE, with said east line, North 02 degrees 11 minutes 42 seconds West, at 26.85 feet pass a 1/2-inch capped iron rod stamped "RPLS 2112/6017" found for reference, and continuing for a total distance of 86.52 feet to a 1/2-inch iron rod found at the lower northeast corner of said 642.45 acres and being on the south line of a call 12.58 acre tract of land (styled "Tract 1") recorded in the name of Hidden Oaks Properties, LLC in File No. 2019024325 of the O.P.R.B.C.;

THENCE, with the south and east lines of said 12.58 acres, the following two (2) courses:

- 1.) North 86 degrees 07 minutes 42 seconds East, a distance of 350.84 feet to a 1/2-inch iron rod found at the southeast corner of said 12.58 acres;
- 2.) North 03 degrees 52 minutes 18 seconds West, a distance of 923.95 feet to the intersection of said east line with the south line of a call 1.810 acre tract of land recorded in the name of City of Angleton in File No. 1997022173 of the O.P.R.B.C., from which a found 1/2-inch capped iron rod stamped "Stroud" bears South 27 degrees 26 minutes 40 seconds West, 0.33 feet and a 1/2-inch capped iron rod stamped "RPLS 2112" found at the northeast corner of said 12.58 acres bears North 03 degrees 52 minutes 18 seconds West, 40.00 feet;

THENCE, with the said south line, the following two (2) courses:

- 1.) North 86 degrees 10 minutes 10 seconds East, at 59.70 feet pass a 1/2-inch capped iron rod stamped "Stroud" found for reference, and continuing for a total distance of 744.46 feet to a point from which a found 1/2-inch iron rod (bent) bears South 17 degrees 10 minutes 31 seconds West, 0.36 feet;
- 2.) North 86 degrees 16 minutes 39 seconds East, a distance of 1,090.87 feet to a 1/2-inch iron rod found at the southeast corner of said 1.810 acres and being on the west line of a call 0.27 acre tract of land recorded in the name of City of Angleton in File No. 2012023815 of the O.P.R.B.C.;

THENCE, with said west line, South 02 degrees 52 minutes 06 seconds East, a distance of 4.96 feet to the southwest corner of said 0.27 acre and northwest corner of aforesaid 5.630 acres, from which a found 1/2-inch capped iron rod stamped "Stroud" bears South 37 degrees 15 minutes 34 seconds East, a distance of 0.43 feet;

THENCE, with the common line between said 0.27 acre and said 5.630 acres, North 86 degrees 09 minutes 08 seconds East, a distance of 259.05 feet to the southeast corner of said 0.27 acre, the northeast corner of said 5.630 acres and being on the west Right-of-Way (R.O.W.) line of State Highway 288 (width varies) as recorded in File Nos. 1973015899, 1974014880 and 1975001072 of the O.P.R.B.C., from which a found 1/2-inch iron rod (bent) bears South 40 degrees 41 minutes 31 seconds East, a distance of 1.66 feet;

THENCE, with said R.O.W. line, South 02 degrees 16 minutes 15 seconds East, at 970.23 feet pass the southeast corner of said 5.630 acres, from which a found 1/2-inch iron rod bears South 87 degrees 45 minutes 26 seconds West, 0.42 feet, at 1,294.66 feet pass a concrete monument found for reference, at 2,295.02 feet pass a concrete monument found South 87 degrees 43 minutes 45 seconds West, 0.35 feet, at 2,668.37 feet pass a 1/2-inch iron rod found North 87 degrees 43 minutes 45 seconds East, 2.49 feet, at 3,295.59 feet pass a concrete monument found North 87 degrees 43 minutes 45 seconds East, 7.45 feet, and continuing for a total distance of 4,390.53 feet to the northeast corner of a call 3.32 acre tract of land (styled "Tract 1") recorded in the name of The Angleton Drainage District in File No. 2014024678 of the O.P.R.B.C., from which a found 1/2-inch capped iron rod stamped "RPLS 2112" bears South 83 degrees 09 minutes 11 seconds East, 7.74 feet;

THENCE, with the north and west lines of said 3.32 acres, the following two (2) courses:

- 1.) North 83 degrees 09 minutes 11 seconds West, a distance of 79.81 feet to a 1/2-inch capped iron rod stamped "RPLS 2112" found;
- 2.) South 02 degrees 47 minutes 09 seconds West, a distance of 1,408.28 feet to a concrete monument found at the southwest corner of said 3.32 acres and being on the westerly R.O.W. line of said State Highway 288;

THENCE, with said R.O.W. line, South 00 degrees 37 minutes 48 seconds East, a distance of 60.38 feet to a concrete monument found on the south line of aforesaid "Tract 1" of aforesaid 537.4 acres;

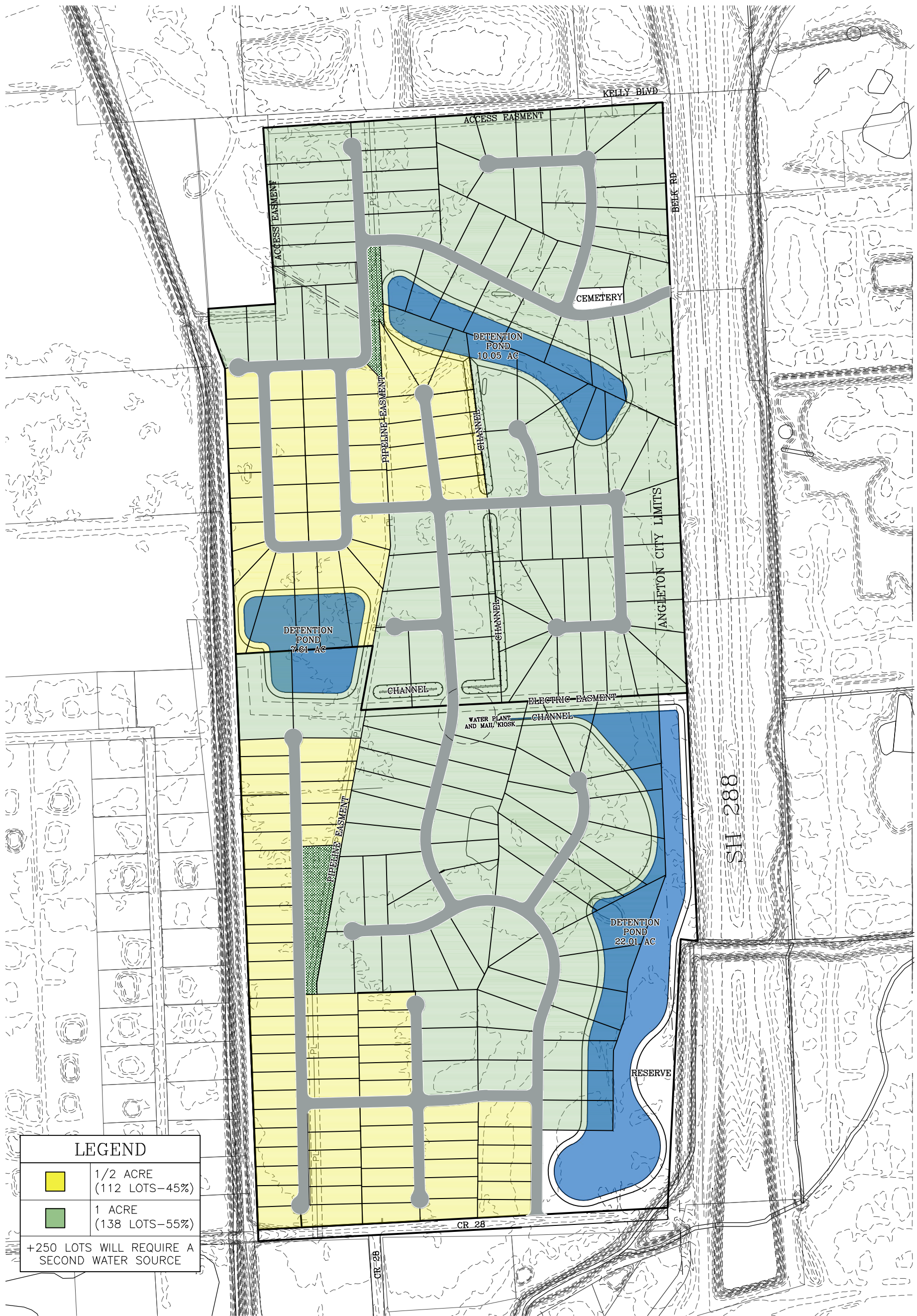
THENCE, with said south line, South 86 degrees 41 minutes 33 seconds West, a distance of 771.62 feet to a 5/8-inch capped iron rod stamped "GBI Partners" set at the southwest corner of said "Tract 1" of said 537.4 acres and the southeast corner of aforesaid 91.41 acres;

THENCE, with the south line of said 91.41 acres, South 87 degrees 07 minutes 47 seconds West, a distance of 1,374.00 feet to the **POINT OF BEGINNING** and containing 303.96 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A LAND TITLE SURVEY FILED IN THE OFFICES OF GBI PARTNERS UNDER JOB NO. 236901.

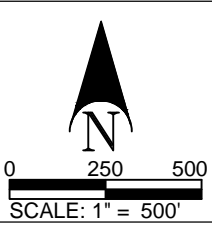
GBI PARTNERS
TBPELS Firm No.10130300
Ph: 281.499.4539
October 11, 2023



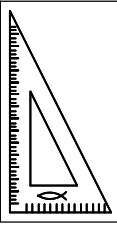


| LEGEND | |
|--|----------------------------|
| | 1/2 ACRE (112 LOTS-45%) |
| | 1 ACRE (138 LOTS-55%) |
| +250 LOTS WILL REQUIRE A SECOND WATER SOURCE | |

ANGLETON 304 - CONCEPTUAL LAND PLAN



| | |
|-----------------|----------------------|
| PROJECT NAME: | ANGLETON 304 |
| PROJECT NUMBER: | 13241 |
| PREPARED FOR: | BLG DEVELOPMENT INC. |
| DATE: | JUNE 16, 2023 |



Bleyl Engineering
 TEXAS FIRM REGISTRATION NO. F-678
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