

NEW BUSINESS

ITEM #1

RECEIVED
NOV 30 2021

City of Blanco

Application for Variance Request Owner/Applicant Information

* 631 Academy

1. Owner Information (the holder (s) of a legal or equitable interest in the Subject Property as shown by the deed records of Blanco County.

Property owner's full legal name: * Joseph K. Sullivan		
Property owner's mailing Address:		
City: Blanco	State: TX	Zip Code: 78606
Home Phone:	Work Phone:	Cell: 360-672-1689
Email Address: JSullivan72(AT)AOL.COM		

2. Applicant Information (a person Seeking approval of an application ; can be the Owner or Designated Representative of the Owner)

<input checked="" type="checkbox"/> Same as Owner (if checked, skip to Section 3)		
Applicant's full legal name:		
Applicant's mailing address:		
City:	State:	Zip Code:
Home Phone:	Work Phone:	Cell Phone:
Email Address:		

3. Designated Contact (the individual who the Owner or Applicant has Chosen to receive all communications on his/her behalf related to the Application):

<input type="checkbox"/> Same as Owner (skip to section 4)	<input checked="" type="checkbox"/> Same as applicant (skip to Section 4)	
Contact name:		
Contact mailing address:		
City:	State:	Zip Code:
Home Phone:	Work Phone:	Cell Phone:

4. Additional Information Required Of Business Entities Only:

Is The Owner a Corporation or Partnership? Yes (complete this section) No (skip and go to section 5)

Attach a letter on company stationery, signed by an authorized individual, authorizing the Applicant to file an Application on behalf of the company.

Not Applicable. The Company is serving as the Applicant.

5. Owner's / Applicant's Certification

I hereby certify that the information provided herein is true and correct to the best of my knowledge.

Signature: *Joseph K. Sullivan*

Date: 28 Nov 2021

Printed Name: Joseph K. Sullivan

Special Use
Letters to MB
12/13/21

Feb 7 RZ
Feb 8 Council

Hardship Findings (attach additional sheets if necessary):

Describe the actual situation of the subject property and any special or unique condition(s) found thereon which may cause unusual and practical difficulty or unnecessary hardship if Applicant is made to comply with strict enforcement of the ordinance:

(See Attachment)

Describe how strict enforcement of the provisions of the ordinance that are sought to be varied will (A) deny the applicant the privileges or safety commonly enjoyed by neighboring or similarly situated property in the City of Blanco with similarly timed development and (B) deprive the Applicant the reasonable use of his/her land, and that failure to grant this variance would result in undue hardship to the Applicant:

We have invested a large sum of money to create a clean, comfortable environment for people to enjoy. Losing income from rentals will significantly hurt applicants!

Describe how the granting of a variance will not be detrimental to public health, safety, and welfare, will not be injurious to other property, or will not prevent the enjoyment/use of adjacent property owners:

Clean, modern, centrally located units. No health risks or safety concerns whatsoever!

Describe how the hardship sought to be avoided is NOT the result of (A) the applicant's own actions (self imposed or self created) and/or (economic or financial hardship)

We worked closely with city of Blanco representatives before, during and after the entire process.

Describe how the variance will improve the functionality of the property:

Provide an outstanding venue for rural visitors clean, close, quiet to downtown area

Attach any requested building plans, site plans, plats, surveys, or any other pertinent documents having any importance to this request behind this sheet and list documents and descriptions below:

- 1.
2. ** All Request were approved by MR DAVES*
3. *Between July 2020 and*
4. *Completion of project we*
5. *+ RIO Blanco contractors*
6. *had multiple meetings*
7. *to confirm code/permit*
8. *compliance.*

J.H. [Signature]

CITY OF BLANCO
CODE ENFORCEMENT OFFICER
WILL DAVES
CODECOMPLIANCE@CITYOFBLANCO.COM

300 PECAN STREET
P.O. BOX 750
BLANCO, TX 78606
830-833-4375

9.

Owner's/ Applicant's Certification:

I hereby certify and agree to the following:

1. I have carefully read the complete Application and know all statements herein and in the attachments hereto are true and correct to the best of my knowledge.
2. The Owner of the Subject Property, if different from the Applicant, has authorized the submittal of this application.
3. No work in relation to the requested variance may start until such variance is approved by the City Council of the City of Blanco.
4. Variance approval may be revoked if any false statements are made herein.
5. As the Owner of the above property or Duly Authorized Applicant, I hereby grant permission to the City of Blanco, its employees, officers and Duly appointed board and commission members to enter the premises to make all necessary inspections and to take all other actions necessary to review and act upon this Application.

Signature:

Joseph K. Sullivan

Print Name:

JOSEPH K. SULLIVAN

Date

18 NOV 2021

Required Documents for Variance Submittal

1. Legal description and plat of subject site.
Two (2) copies of field note description typed and attached on a separate sheet (plain bond paper, not letterhead, or the subdivision name with lot and block number.
2. Map, clearly showing the site in relation to the adjacent streets and distance to the nearest thoroughfare.
3. Names and Addresses of legal property owners within 200 feet of the block or parcel (this can be obtained at the Blanco County Appraisal District located at 615 Nugent Ave. Johnson City, TX 78636. (830) 838-4013.)
4. A completed application.
5. A filing fee of \$750.00 plus \$7.58 per property owner within 200 feet.

Joe + Lynda Sullivan
591 Stoneledge Pass
Blanco, Texas 78606

November 26, 2021

City of Blanco
Att: Planning and Zoning Review Board

Dear Review Board,

On August 21, 2020 we (Joe and Lynda Sullivan) went under contract with Rio Blanco Contractors to remodel two existing units located behind the main house located at 631 Academy Street. One unit is defined as a carport, the other as a wood shed (see attachment). With consultation between the City of Blanco Code and Compliance enforcement officer, Rio Blanco Contractors, and Joe + Lynda Sullivan (Jul, Aug 2020), it was determined that a remodel permit was needed to comply with code since no major structural changes were to be made to the existing structures. We were also ensured by Code and Compliance officer that the property was classified as mixed use (residential and commercial) and that the property was correctly classified for either short-term or long-term rental properties. Additionally, we worked with Blanco public works to determine best water/sewer options which would work best for both parties. At no time were we made aware of any additional requirement to pursue a special use permit for the two remodeled units.

The remodel project was completed in late June 2021 and we started renting the units as short-term properties. On November 1, 2021, we received a letter from Ms. Kelly Kuensler (City Administrator, Interim) informing us that our two short-term rental properties were not properly approved based on the documentation that she had. On November 17, 2021 we met with Ms. Kuenstler to determine the proper course of action. She recommended that we request a Special Use Permit (SUP) through the City of Blanco Planning and Zoning Review Board.

We have operated our business in good faith, in what we believed to be the correct process based on numerous interactions with the City of Blanco representation before, during and after the remodeling process. Additionally, all short-term rental properties have been correctly coded for water usage and all City of Blanco Hotel Tax (HOT) have been paid and are up to date.

We are requesting a SUP for the back two remodeled units (carport, wood shed) and for up to an additional two unit if we decide to pursue that opportunity after zoning laws change (request grandfathered in if we decide to pursue at a later date).

Since late June 2021, we have provided the City of Blanco with two clean, comfortable, strategically located units for visitors to enjoy. There is no doubt that the visitors are increasing the City of Blanco tax base by indulging in the many wonderful opportunities our community has to offer. Your assistance in this matter is greatly appreciated.


Joe and Lynda Sullivan

NEW BUSINESS

ITEM #2

City of Blanco

Application for Variance Request Owner/Applicant Information

413 9th St & 281

1. Owner Information (the holder (s) of a legal or equitable interest in the Subject Property as shown by the deed records of Blanco County.

Property owner's full legal name: Aqua Blu Services Inc		
Property owner's mailing Address: 808 Main St Blanco TX 78606		
City: Blanco	State: TX	Zip Code: 78606
Home Phone: 206074870	Work Phone: 210	Cell: 210 3832404
Email Address: Aqua Blu Services@gmail.com		

2. Applicant Information (a person Seeking approval of an application ; can be the Owner or Designated Representative of the Owner)

<input checked="" type="checkbox"/> Same as Owner (if checked, skip to Section 3)		
Applicant's full legal name:		
Applicant's mailing address:		
City:	State:	Zip Code:
Home Phone:	Work Phone:	Cell Phone:
Email Address:		

3. Designated Contact (the individual who the Owner or Applicant has Chosen to receive all communications on his/her behalf related to the Application):

<input checked="" type="checkbox"/> Same as Owner (skip to section 4)	<input type="checkbox"/> Same as applicant (skip to Section 4)	
Contact name: Melissa Cox		
Contact mailing address: 808 Main St		
City: Blanco	State: TX	Zip Code: 78606
Home Phone:	Work Phone:	Cell Phone: 210 3190940

4. Additional Information Required Of Business Entities Only:

Is The Owner a Corporation or Partnership? Yes (complete this section) No (skip and go to section 5)

Attach a letter on company stationery, signed by an authorized individual, authorizing the Applicant to file an Application on behalf of the company.

Not Applicable. The Company is serving as the Applicant.

5. Owner's / Applicant's Certification

I hereby certify that the information provided herein is true and correct to the best of my knowledge.

Signature: [Signature]
 Date: 6-18-2021
 Printed Name: Roi Bilon

Plat & Rezoning

**City of Blanco Application for a Variance Request
Property Information**

1. Owner Information:
Property Owner's Full Legal Name: <u>Roi Biton</u>

2. Property Information (the property or tract for which this application has been submitted.)				
911 street address of property (if established) <u>413 9th St Blanco TX 78606</u>				
Legal Description: <u>0.182 AC tract of land of Horace Eagleston Survey no 24</u> Abstract <u>no</u>				
Lot:	Block: <u>4</u>	Subdivision:	Sec:	Phase:
If not located in Subdivision: Survey:				
Abstract: <u>no 1</u>			Recorded (Vol/Page) <u>142 page 586</u>	

3. Type of Variance being requested
--

1. Sign
2. Building setback
3. Administrative
4. Other (please Explain) Re-zone to commercial

All Applicants Complete the Following:

Ordinance and section being appealed	Requirements of Regulation	Variance Sought from requirements

Hardship Findings (attach additional sheets if necessary):

Describe the actual situation of the subject property and any special or unique condition(s) found thereon which may cause unusual and practical difficulty or unnecessary hardship if Applicant is made to comply with strict enforcement of the ordinance:

N/A

Describe how strict enforcement of the provisions of the ordinance that are sought to be varied will (A) deny the applicant the privileges or safety commonly enjoyed by neighboring or similarly situated property in the City of Blanco with similarly timed development and (B) deprive the Applicant the reasonable use of his/her land, and that failure to grant this variance would result in undue hardship to the Applicant :

N/A

Describe how the granting of a variance will not be detrimental to public health, safety, and welfare, will not be injurious to other property, or will not prevent the enjoyment/use of adjacent property owners:

N/A

Describe how the hardship sought to be avoided is NOT the result of (A) the applicant's own actions (self imposed or self created) and /or (economic or financial hardship)

N/A

Describe how the variance will improve the functionality of the property:

more room for parking, and for my growing business

Attach any requested building plans, site plans, plats, surveys, or any other pertinent documents having any importance to this request behind this sheet and list documents and descriptions below:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

Owner's/ Applicant's Certification:

I hereby certify and agree to the following:

1. I have carefully read the complete Application and know all statements herein and in the attachments hereto are true and correct to the best of my knowledge.
2. The Owner of the Subject Property, if different from the Applicant, has authorized the submittal of this application.
3. No work in relation to the requested variance may start until such variance is approved by the City Council of the City of Blanco.
4. Variance approval may be revoked if any false statements are made herein.
5. As the Owner of the above property or Duly Authorized Applicant, I hereby grant permission to the City of Blanco, its employees, officers and Duly appointed board and commission members to enter the premises to make all necessary inspections and to take all other actions necessary to review and act upon this Application.

Signature: _____



Print Name: _____

Roi Biton

Date _____

6-18-2021

Required Documents for Variance Submittal

1. Legal description and plat of subject site.
Two (2) copies of field note description typed and attached on a separate sheet (plain bond paper, not letterhead, or the subdivision name with lot and block number).
2. ✓ Map, clearly showing the site in relation to the adjacent streets and distance to the nearest thoroughfare.
3. ✓ Names and Addresses of legal property owners within 200 feet of the block or parcel (this can be obtained at the Blanco County Appraisal District located at 615 Nugent Ave. Johnson City, TX 78636. (830) 838-4013.)
4. ✓ A completed application.
5. A filing fee of \$600.00 plus \$7.00 per property owner within 200 feet.

ALL APPLICATIONS MUST BE SUBMITTED TO CITY HALL 20 DAYS PRIOR TO THE FIRST MONDAY OF THE MONTH. LATE SUBMITTALS WILL BE SCHEDULED FOR THE FOLLOWING MONTHS PLANNING AND ZONING COMMISSION MEETING DUE TO NOTICE REQUIREMENTS.

HOW THE PROCESS WORKS

Once a complete application is submitted to City Hall it is reviewed by staff for completeness. If all required documents are submitted a public notice is mailed to all affected property owners within 200 feet of the parcel in question. A public hearing is then scheduled for the regularly scheduled meeting of the City of Blanco's Planning and Zoning Commission which is held on the first Monday of every month.

The Planning and Zoning Commission will review the application, have a public hearing and take comments from the applicant and affected property owners and decide by vote to approve or disapprove the rezoning. **This is a recommendation and not final approval.**

The Planning and Zoning recommendation is then sent to the City Council. The City Council meetings are scheduled for the 2nd Tuesday of every month. The City Council will again have a public hearing and take comments from the applicant and affected property owners and decide by vote to either approve or disapprove the request.

Once a decision has been rendered a letter will be sent to the application informing them of the decision.

IT IS HIGHLY RECOMMENDED THAT YOU AS THE APPLICANT ATTEND BOTH MEETINGS TO ANSWER ANY QUESTIONS THAT MAY ARISE.

The next regularly scheduled meeting of the Planning and Zoning Commission is:

_____ at _____ p.m. at the Byars Building located at 308 Pecan Street, Blanco TX.

The next regularly scheduled meeting of the City Council Meeting is:

_____ at _____ p.m. at the Byars Building located at 308 Pecan Street, Blanco TX.

If you have any further questions or concerns please contact City Hall (830)833-4525.

NEW BUSINESS

ITEM #3

NEW BUSINESS

ITEM #4



City of Blanco

P.O. Box 750 Blanco, Texas 78606
Office 830-833-4525 Fax 830-833-4121

STAFF REPORT: Independent Contractor Agreement for Interim Finance Director

DESCRIPTION: An independent contractor agreement for the position of Finance Director which is a 90-day term that can be extended 30 days at a time. Rosie Vela would be an independent contractor and not an employee of the City.

ANALYSIS: City of Blanco is a full-service city that provides many services to its citizens. The current finance director is currently unable to fulfill the duties of the position and we have contacted a qualified independent contractor who has been a finance director in several cities including San Marcos and most recently Ingleside, Tx. She has experience in Fund accounting, improving bond ratings, debt service, and has decades of experience helping towns of all sizes with their finances.

The City's current Finance Director is out indefinitely but may want to come back to work some time in the future. Working with an interim finance director will give the City flexibility and the expertise to complete work and financial reporting in a timely manner.

FISCAL IMPACT: Hourly rate of \$55 plus Contractor will be reimbursed for mileage expense, at the current IRS mileage rate, incurred for bimonthly travel to and from City Hall, in Blanco, Texas and her residence in Corpus Christi, Texas.

RECOMMENDATION:

Approve the contract as written.

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement (the "Agreement") is made effective the last date stated below between City of Blanco, Attn: City Administrator, 300 Pecan St., Blanco, Texas 76205, (the "City"); and Rosie Vela, 6125 Queen Jane St., Corpus Christi, Texas 78414, (the "Contractor"); as follows:

WHEREAS the City is of the opinion that the Contractor has the necessary qualifications, experience, and abilities to provide services to the City; and

WHEREAS the Contractor is agreeable to providing services to the City on the terms and conditions set out in this Agreement.

NOW THEREFORE, City and Contractor (individually the "Party" and collectively the "Parties") agree as follows:

Services Provided

1. The Parties agree to engage the Contractor to provide the City with services as Interim Finance Director, in accordance with customary and standard work, procedures and processes typically assigned to a finance director of a municipality of the size and characteristics of the City (the "Services").
2. The Services may also include other special tasks assigned to Contractor by City.

Term & Termination

3. The term of this Agreement (the "Term") will begin on March 8, 2022 and will remain in full force and effect through June 7, 2022, subject to earlier termination as provided in this Agreement; and further subject to an additional thirty (30) day extension at the City's option. Additionally, the Term of this Agreement may be extended by mutual written agreement of the Parties.
4. If either Party breaches a material provision under this Agreement, the non-defaulting Party may terminate this Agreement, for cause.
5. Either Party may otherwise terminate this Agreement at any time for any reason.

Compensation

6. For the services rendered by the Contractor as required by this Agreement, the City will provide compensation (the "Compensation") to the Contractor at an hourly rate of \$55.00 per

hour, not to exceed __ hours per week; provided, by mutual written agreement between City and Contractor the number of hours worked per week may be adjusted.

7. Contractor will provide monthly invoices to the City on or before the fifteenth (15th) of each month, and any such invoice shall include the dates and times of services rendered as well as total amount due. Thereafter, the City will make payment to Contractor within fifteen (15) business days of receipt of any such invoice; provided there is no question or dispute by the City, which shall be promptly resolved by consultation between the Parties.

8. Contractor understands and agrees that as an independent contractor she will receive gross payment for services rendered without any tax withholding of any kind. Therefore, Contractor is solely responsible for any tax due on account of payment under this Agreement.

Reimbursement of Expenses

9. Contractor will be reimbursed for mileage expense, at the current IRS mileage rate, incurred for bimonthly travel to and from City Hall, in Blanco, Texas and her residence in Corpus Christi, Texas. No other reimbursable expenses are anticipated in this agreement; provided, if any such expenses arise, they shall be submitted in advance for review and approval by the City.

Confidentiality

10. Confidential information (the "Confidential Information") refers to any data or information relating to the City, of any kind, which a) would reasonably be considered to be private or proprietary to the City, b) that is not otherwise known or public, and c) the release of which would reasonably be expected to cause harm of any kind to the City.

11. The Contractor agrees that she will not disclose, divulge, reveal, report or use, for any purpose, any Confidential Information which the Contractor has obtained, except as authorized by the City. This obligation will survive the expiration or termination of this Agreement and will continue indefinitely.

12. In addition to the foregoing, all written and oral information and materials disclosed, provided by, or relating to, the City, in the possession of the Contractor under this Agreement, is Confidential Information.

Ownership of Materials and Intellectual Property

13. All intellectual property and related materials (the "Intellectual Property"), including any related work in progress developed or produced under this Agreement, will be the sole property of the City.

14. The Contractor may not use the Intellectual Property for any purpose other than that contracted for in this Agreement, except by the written consent of the City. The Contractor will be responsible for any damages resulting from the unauthorized use of the Intellectual Property.

Return of Property

15. Upon the expiration or termination of this Agreement, the Contractor will return to the City any City property, documentation, or records, and any Confidential Information, in Contractor's possession.

Independent Contractor

16. The Contractor is acting as an independent, freelance contractor and not as an employee. The Contractor and the City acknowledge that this Agreement does not create a partnership or joint venture between them and is exclusively a contract for service.

Notices

17. All notices, requests, demands or other communications required or permitted by the terms of this Agreement shall be in writing and delivered to the Parties of this Agreement at the addresses stated above, or to such other address as any Party may provide to the other.

Indemnification

18. Each Party agrees to indemnify and hold harmless the other Party, and its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

Legal Expenses

19. In any legal action to enforce or interpret any term of this Agreement, the prevailing Party may recover, in addition to any other damages or award, all reasonable legal costs and fees associated with the action.

Modification of Agreement

20. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

Assignment & Entirety

21. The Contractor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the City. This Agreement states the entire agreement of the Parties, and there is no representation, warranty, collateral agreement, or condition affecting this Agreement except as expressly provided herein.

Governing Law & Venue

22. This Agreement and its enforcement is governed by the law of the State of Texas, without regard to any law relating to conflicts of law. Venue for any dispute hereunder shall lie exclusively in Blanco County, Texas.

Severability

23. If any of the provisions of this Agreement are determined to be invalid or unenforceable in whole or in part, all other provisions will remain valid and enforceable.

Waiver

24. The waiver by either Party of a breach, default, delay, or omission of any of the provisions of this Agreement by the other Party is not a waiver of any subsequent breach of the same or other provisions.

IN WITNESS WHEREOF the Parties have duly affixed their signatures hereto on the dates set forth below.

CITY OF BLANCO

ROSIE VELA

By: _____

Its: _____

Date: _____

Date: _____

NEW BUSINESS

ITEM #5

CITY OF BLANCO, TEXAS
RESOLUTION NO. 2022-R-002

- WHEREAS** City of Blanco contains and is located near the Upper Blanco River (segment 1813); and
- WHEREAS** The pristine streams within and around City of Blanco support the region's visitor and recreation-based economy; and
- WHEREAS** These streams are clear and pristine because they carry little or no nutrients, such as phosphorous; and
- WHEREAS** Even the best treated domestic wastewater direct discharge carries levels of nutrients, including phosphorus, that far exceed the natural levels found in these streams; and
- WHEREAS** The addition of nutrients, like phosphorus, to these pristine streams will degrade water quality and may result in algal blooms, fish kills and interruption of recreational use, and
- WHEREAS** These streams can be protected by prohibiting direct discharge of treated domestic wastewater within their drainages and instead requiring alternative means of disposal through land application, reuse, or other means, and
- WHEREAS** The City of Blanco city council recognizes the value of these pristine streams to the environment and economy of our City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BLANCO THAT**

The City of Blanco hereby supports the petitioned Texas Commission on Environmental Quality rule change (2022-1075-PET) prohibiting the agency from authorizing the discharge of treated domestic wastewater pollutants into any creeks and streams located within the drainage area of the portions of the Upper Blanco River.

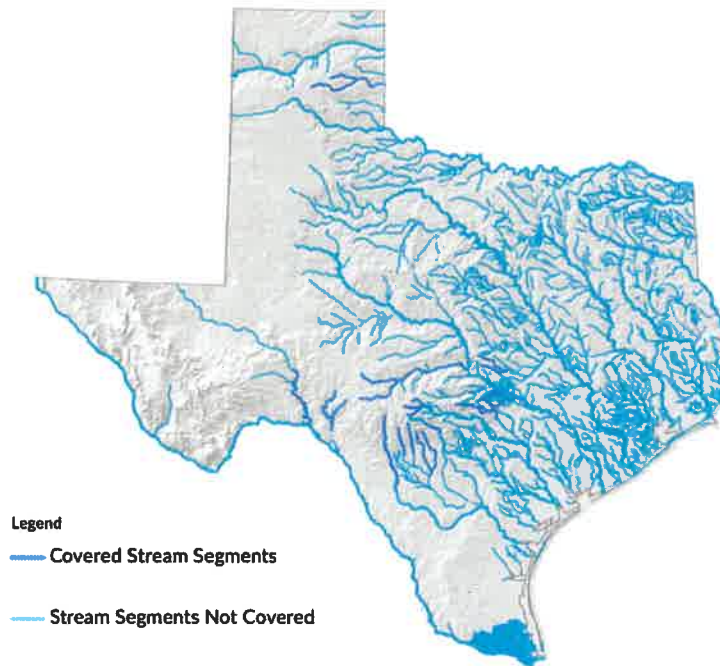
PASSED and APPROVED by the City Council of the City of Blanco on this the ____ day of _____, 2022.

CITY OF BLANCO, TEXAS

Rachel Lumpee, Mayor

ATTEST:

Laurie A. Cassidy, City Secretary



Source: TCEQ Surface Water Quality Monitoring Data, Selected segments (Exhibit B).
Map by Robin Gary, WVWA, 2/10/2022

The last thing we need in our last few pristine streams is wastewater!

Clean, clear pristine rivers and streams in Texas support the state's vibrant tourism and recreation-based economies and contribute known value to the lands that surround them, both public and private.

The map above highlights 22 stream segments and 1,373 miles of native, natural, pristine waterways. These are some of Texas' most beloved places—the aqua blue Devils, many cypress-lined Hill Country rivers like the Blanco, Frio and Nueces, two upper forks of the San Gabriel, and Barton, Hondo and Onion Creeks, among others.

These stream segments deserve special protection because they naturally carry very low levels of phosphorus. The addition of even highly treated domestic wastewater effluent carries levels of phosphorous and other nutrients that far exceed the natural levels found in these Texas streams. And sadly, experience has taught us that discharge of wastewater into pristine streams will degrade the water quality and turn it ugly.

These 22 stream segments contain an amount of Total Phosphorous below detectable levels (.06 mg/l) found in 90 percent of all samples taken in the last ten years of monitoring by the Texas Commission on Environmental Quality (TCEQ). This data is certified, stored and publicly available in the agency's official Surface Water Quality Monitoring (SWQM) database.

Today, we are asking the agency to promulgate a new rule that prohibits wastewater discharge into 22 stream segments where the addition of phosphorus will degrade water quality. This rule will provide much needed clarity for development, will save time and great expense for those who must organize to contest each individual domestic wastewater permit application, and will protect water quality in these unique and fragile, favorite places.

With a new rule in place to protect the specified stream segments, applicants who once may have sought a wastewater discharge permit will be directed to apply for a Texas Land Application Permit (TLAP) and to consider addition of a 210 Reuse authorization for one or more other beneficial uses.

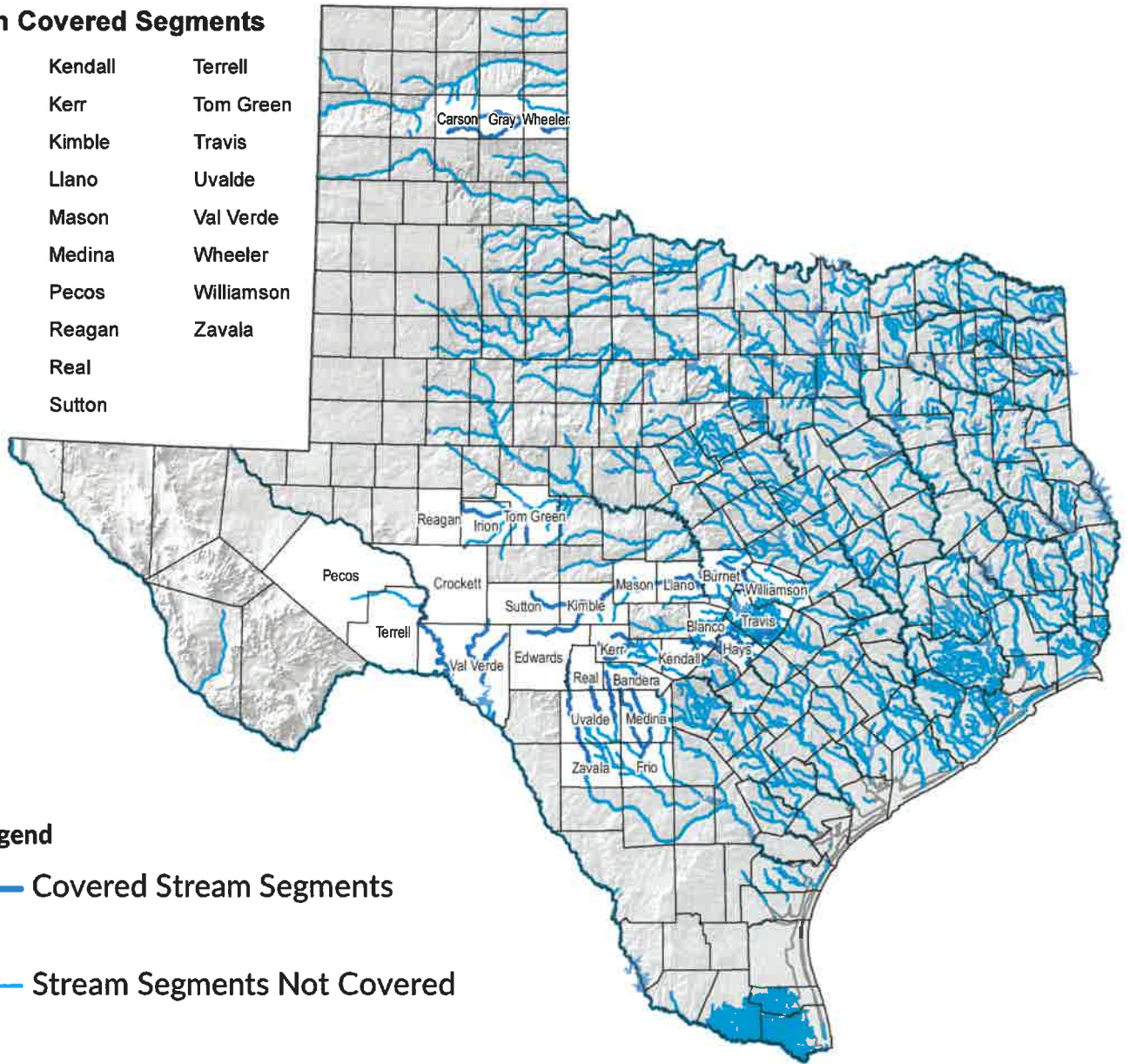
The attached Pristine Streams Petition, requesting the new rule, was filed with TCEQ on January 31, 2022. It is supported by landowners, community groups, conservationists and local governments who recognize the value of clean, clear streams for the well-being of all Texans.

The rule is a fair, balanced and necessary action to protect the last pristine streams in Texas.

Won't you join us?

Counties with Covered Segments

Bandera	Kendall	Terrell
Blanco	Kerr	Tom Green
Burnet	Kimble	Travis
Carson	Llano	Uvalde
Crockett	Mason	Val Verde
Edwards	Medina	Wheeler
Frio	Pecos	Williamson
Gray	Reagan	Zavala
Hays	Real	
Irion	Sutton	



Source: TCEQ Surface Water Quality Monitoring Data, Selected Segments (Exhibit B).
 Map by Robin Gary, WVWA, 2/10/2022

PETITION FOR RULEMAKING	§	BEFORE THE TEXAS COMMISSION ON
	§	ENVIRONMENTAL QUALITY
BY FRIENDS OF HONDO CANYON	§	
dba PRISTINE STREAMS TEAM,	§	
HILL COUNTRY ALLIANCE,	§	
SAVE BARTON CREEK ASSOCIATION,	§	
DEVILS RIVER CONSERVANCY, TEXAS	§	
HILL COUNTRY RIVER REGION, et al.	§	
	§	
	§	
TO ADOPT NEW RULES FOR PROTECTED	§	
WATERSHEDS (“SUBCHAPTER K”)	§	
FOR PRISTINE STREAM SEGMENTS	§	
FROM DEGRADATION CAUSED BY	§	
TREATED DOMESTIC WASTEWATER	§	
EFFLUENT	§	

ORIGINAL PETITION FOR RULEMAKING

FRIENDS OF HONDO CANYON dba PRISTINE STREAMS TEAM (“PST”), Hill Country Alliance, Save Barton Creek Association, Devils River Conservancy, Texas Hill Country River Region, et al file this Original Petition for Rulemaking to the Texas Commission on Environmental Quality (“TCEQ”), requesting the Commission adopt a new rule establishing a new “Subchapter K – Protected Watersheds” (“Subchapter K”) to be included in Chapter 311 of the Texas Administrative Code (the “TAC”). The proposed Subchapter K is attached as Exhibit A. The objective of the new rules in Subchapter K is to prohibit the permitting of the discharge of treated domestic wastewater effluent to certain “stream segments” and their “drainages”, often referred to herein as “pristine streams”.

The pristine stream segments to be protected from discharge permits are those which have a demonstrated record in TCEQ data files of Total Phosphorus content below 0.06 mg/l (a common limit of detection) in 90% or more of the water quality samples collected over a ten (10) year period prior to January 1, 2022. A comprehensive list of these stream segments is set forth in Exhibit B. These stream segments deserve special protection because they naturally carry very low levels of phosphorus, below common detectable limits, and the addition of treated domestic wastewater effluent containing phosphorus in any amount or concentration will degrade the water quality. Petitioners respectfully request that the Commission consider this Petition and adopt the attached new rule. Pursuant to the provision of 30 Tex. Admin. Code (“TAC”) Section 20.15, PST respectfully shows the following:

I. THE PETITIONERS

FRIENDS OF HONDO CANYON dba PRISTINE STREAMS TEAM, HILL COUNTRY ALLIANCE (HCA), SAVE BARTON CREEK ASSOCIATION (SBCA), TEXAS HILL COUNTRY RIVER REGION (HCRR) and DEVILS RIVER CONSERVANCY (DRC) are 501(c)(3) charitable corporations comprised of Texas citizens, riparian and other landowners, and supported by non-governmental organizations and various individuals. They are joined by individual petitioners who care deeply and feel strongly about the remaining pristine streams in Texas.

The petitioners for many generations have observed that these pristine stream segments, where one can clearly see the stream bottom in standing and running water at depths of many feet, have been tourism magnets, sources of boundless recreational enjoyment and prominent engines for local, area and state economic prosperity. Characteristic of these streams is the extremely low level of Total Phosphorus that they carry. All treated domestic wastewater effluent contains Phosphorus. The discharge of such wastewater into these streams will degrade their water quality.

II. BRIEF EXPLANATION OF PROPOSED RULE

The objective of the new rules in Subchapter K is to protect “stream segments” and their “drainages” from degradation by prohibiting the discharge of treated domestic wastewater effluent. These stream segments have a demonstrated record of Total Phosphorous values of less than 0.06 mg/l (the common detectable limit) in 90% or more of the water quality samples collected over a ten (10) year period prior to January 1, 2022, based on data stored in TCEQ’s Surface Water Quality Monitoring database. The segments proposed to receive protection (often referred to herein as “pristine streams”) are the limited number of ultra-clear streams found in various parts of our State. Examples are segments of the Blanco River, Frio River, Devils River, Llano River and others. A comprehensive list of pristine stream segments meeting the Phosphorus criteria have been identified by PST and TCEQ staff and are presented in the attached Exhibit B. The proposed rule ensures that these pristine stream segments and their drainage areas will not be degraded by the discharge of treated domestic wastewater effluent.

III. TEXT OF PROPOSED RULE

Petitioners propose the adoption of a new rule to be located in a new Subchapter K of Chapter 311 Watershed Protection, Title 30 Texas Administrative Code. Petitioners propose the text of the new rule as is set forth in Exhibit A.

IV. AUTHORITY FOR THE NEW RULE

The new rule is proposed to be adopted pursuant to Section 26.011 of the Texas Water Code, which requires the Commission to administer the provisions of Chapter 26 Water Quality Control and to establish the level of quality to be maintained in, and to control the quality of, the water in this state as provided in Chapter 26. Waste discharges or impending waste discharges covered by the provisions of Chapter 26 are subject to reasonable rules adopted or issued by the Commission in the public interest.

V. INJURY OR INEQUITY RESULTING FROM FAILURE TO ADOPT PROPOSED RULE

The Real and Continual Threat of Adding Treated Domestic Wastewater Effluent to Our Pristine Streams. According to scientific literature, the addition of phosphorus-containing wastewater to streams with low phosphorus content will cause significant adverse consequences. In freshwater streams where the presence of phosphorus is undetectable, even a modest increase in phosphorus can set off a chain of undesirable biologic events, including accelerated plant growth, algae blooms, low dissolved oxygen, and the death of certain fish, invertebrates, and other aquatic animals. Low-flow pristine streams are particularly adversely affected. Treatment of domestic wastewater, even when the treatment is to the highest level of purification, cannot eliminate all phosphorus from being present in the effluent discharge. Consequently, the introduction of *any* treated domestic wastewater effluent into the low-phosphorus pristine streams listed on Exhibit B will unquestionably degrade these pristine streams, and can result in unsightly algae blooms and potential loss of aquatic life caused by the accompanying oxygen loss. Yet, some businesses, land developers and governmental entities continue to apply for treated domestic wastewater discharge permits affecting these pristine streams. TCEQ's current rules do not prohibit or discourage this, despite the problematic consequences; TCEQ's current rules instead invite this. The natural beauty of the areas where pristine streams are located make them attractive targets for development of new businesses and planned residential communities, which requires proper management of their treated domestic wastewater effluent. There is no reason to believe that efforts for such development in the pristine stream areas will abate, or that applications to discharge treated domestic wastewater effluent into pristine streams will cease unless the TCEQ takes action. As a result, the threat to pristine streams today is real and continual. The looming degradation of these pristine streams places downstream landowners and businesses at risk of adverse property and commercial impacts and diminished recreational uses of their "river front" properties.

The Reasons Why the TCEQ Should Amend its Rules to Protect Our Pristine Streams. Listed below are multiple reasons why the TCEQ should amend its rules to protect these precious pristine streams:

(i) **The Proposal is Consistent with TCEQ’s Mission Statement.** TCEQ’s Mission Statement is: “The Texas Commission on Environmental Quality strives to protect our state’s public health and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.” The Proposal will protect a treasured natural resource of Texas that is at continual risk of degradation and potential elimination. Additionally, the communities in which the pristine streams are located depend on the continued pristine quality of their local streams for economic development. The measured Proposal, which balances the interests of all affected constituencies, will strengthen the economies of pristine stream communities, protect private property, promote Texas tourism, and allow for continued development in pristine stream areas in a sustainable and responsible way. By preventing the degradation of pristine streams caused by the introduction of treated domestic wastewater effluent, the Proposal plainly promotes clean water and the safe management of waste. The Proposal is fully consistent with TCEQ’s Mission Statement.

(ii) **The Proposal Advances the Intent and Objectives of the TCEQ’s Water Quality Monitoring Program.** Section 21.0135 of the Water Code provides: “The [TCEQ’s water quality] monitoring program shall provide data to identify significant long-term water quality trends, characterize water quality conditions, support the permitting process, and classify unclassified waters. The commission shall consider available monitoring data and assessment results in developing or reviewing wastewater permits and stream standards and in conducting other water quality management activities.... The data and reports shall also be used to provide sufficient information for the commission... to take appropriate action necessary to maintain and improve the quality of the state’s water resources.”

The Proposal advances the intent and objectives of these statutory provisions. The Proposal relies on historical TCEQ water quality monitoring data to “characterize water quality conditions,” “support the permitting process,” and “take appropriate action necessary to maintain and improve the quality of the state’s water resources.” The Proposal uses quality assured water samples from “stream segments” taken for approximately the last decade under the TCEQ’s stream water quality monitoring program to determine which ones contain undetectable phosphorus. It is reasonable for the TCEQ to use its historical quality assured water sampling data to take appropriate action necessary to maintain and improve the quality of the state’s water resources. Because existing TCEQ stream water sample data identifies the “stream segments” that have been shown to carry very low levels of phosphorus, and scientific literature tells us that adding more phosphorus to streams with very low and undetectable phosphorus causes degradation, the appropriate action of the TCEQ is to prohibit adding phosphorus to pristine streams and their drainages. That is exactly what the Proposal will do;

it prohibits the introduction of treated wastewater into no or low phosphorus pristine streams and their drainages because treated domestic wastewater effluent contains degrading phosphorus.

- (iii) **The Proposal Will Substantially Cut TCEQ's Operating Costs by Eliminating Protracted Wastewater Discharge Permit Disputes Where Pristine Streams are Involved.** Based on TCEQ records, applications to discharge treated domestic wastewater effluent into beloved pristine streams are invariably protested. In the past, affected local landowners and businesses, as well as river and nature-lovers across the State, have routinely spent hundreds of thousands of dollars on fees for attorneys, water quality experts, and water quality reports to protest such applications. Their costs are matched or exceeded by the applicants. The TCEQ staff is forced to spend hundreds of hours to evaluate these applications and protests, not to mention incur thousands of dollars on necessary related water quality analyses, travel expense, convening and participating in local area public meetings, etc. It is estimated that a contested case costs the contestants and TCEQ at least \$500,000 each.

In the upper Nueces River Basin, where no wastewater discharge permits have yet to be issued by TCEQ, there have been three (3) contested treated domestic wastewater effluent discharge application cases recently. Two (2) of these were resolved months after filing but prior to the scheduling of a contested case hearing because the applicant, once informed of the risks to the affected stream segment, decided to pursue a non-discharge alternative. The RR417, LLC (Camp Ozark) application for discharge into Commissioners Creek, a tributary to the pristine upper Hondo Creek, on the other hand, was prosecuted up until the eve of a full-blown contested case hearing and still resulted in a zero-discharge permit. An application to discharge treated domestic wastewater effluent into a tributary to Barton Creek was contested for four (4) years before the developer recently decided to change their plans.

These treated domestic wastewater effluent applications are only a subset of all contested such wastewater discharge cases involving pristine streams. The filing of many more contested applications for treated domestic wastewater effluent discharge permits is assured unless TCEQ provides the clear and firm rule guidance proposed. The treated domestic wastewater effluent discharge permitting process should not occur in protracted and expensive judicial proceedings presided over by judges without wastewater expertise. The TCEQ process for approval of a wastewater management application should be a time- and cost-efficient regulatory process where the rules are easily understood, science-based, and protect Texas' natural resources in a manner that fairly and reasonably balances the interests of all affected constituencies. Implementing the Proposal will allow the TCEQ to deploy its limited resources on much more meritorious issues and will keep the treated domestic wastewater effluent permitting process where it properly belongs, at the TCEQ.

- (iv) **The Proposal is Consistent with TCEQ's Philosophy.** On its website, TCEQ states that it will “base decisions on the law, common sense, sound science, and fiscal responsibility.” A decision to adopt the changes proposed is consistent with the statutory provisions related to the Texas Water Quality Monitoring Program. As previously discussed, the proposed changes are common sense ways to address all relevant interests related to the management of treated domestic wastewater effluent in pristine streams and their watersheds. These changes are grounded in sound science that correlates the addition of phosphorus to low phosphorus water with degradation. Adopting the changes is fiscally responsible and will eliminate the enormous costs currently associated with contested treated domestic wastewater effluent discharge cases involving pristine streams and their watersheds. Therefore, the changes are clearly in keeping with the TCEQ's philosophy.

Respectfully submitted,

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Onion Creek

EXHIBIT A

Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 311	WATERSHED PROTECTION
SUBCHAPTER K	PROTECTED WATERSHEDS

RULE 311.1 Definitions

The following words and terms, when used in this Subchapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) "Classified segment" means any water body or a portion of a water body identified in Appendices A and C of 30 T.A.C. Section 307.10 as it existed on [January 1, 2023].

(2) "Drainage area" means every unclassified water body, if any, that drains to a stream segment to which this Subchapter applies.

(3) "Protected Watershed" means a stream segment and its drainage area.

(4) "Stream segment" means a stream, creek, or river, or a portion of a stream, creek, or river, that is a classified segment to which this Subchapter applies.

(5) "Unclassified water body" means a water body other than a classified segment.

RULE 311.2 Applicability

This Subchapter applies to:

(1) any stream segment, other than a stream segment that is located directly beneath a lake, pond or impounded reservoir, that on [January 1, 2023] has had:

(A) at least 10 water quality samples taken from the stream segment over the 10 calendar years preceding January 1, 2020; and

(B) according to data in the commission's Surface Water Quality Monitoring Information System, a total phosphorus level below .06 milligrams per liter in 90 percent or more of all water quality samples taken from the stream segment taken over the 10 calendar years preceding January 1, 2020; and

(2) the drainage area of any stream segment that meets the requirements of Subdivision (1).

A list of all stream segments found by the commission to satisfy the requirements of Subdivision (1) is set forth in Appendix A of this Rule.

EXHIBIT A

RULE 311.3 Prohibition on Direct Discharge; Exceptions

(a) After the effective date of this Rule the commission shall not issue a new permit authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into a protected watershed.

(b) This Rule does not affect the authority of the commission to issue:

(1) an individual permit for a municipal separate storm sewer system; or

(2) a general permit for stormwater and associated non-stormwater discharges.

(c) This Rule applies only to an application for a permit that is submitted to the commission on or after the effective date of this Rule. An application for a permit that was submitted to the commission before the effective date of this Rule is governed by the law and commission rules in effect at the time the application was filed.

(d) After the effective date of this Rule the commission may not grant:

(1) any amendment to a permit in effect before the effective date of this Rule authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into a protected watershed if such amendment would authorize any increase in the amount of direct discharge; or

(2) any amendment to an initial permit granted after the effective date of this rule pursuant to an application filed before the effective date of this Rule and authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into a protected watershed if such amendment would authorize any increase in the amount of direct discharge.

RULE 311.4 Required Use of Texas Land Application Permits, Chapter 210 Authorizations and Other Zero Discharge Alternatives

(a) In instances where a new permit authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into a protected watershed is prohibited by Rule 311.3, the only permit or authorization obtainable by an applicant from the commission authorizing the disposal of such waste, effluent or pollutants shall be a Texas Land Application Permit, one or more reuse authorizations under Chapter 210 of Title 30 of the Texas Administrative Code, and/or an alternative zero discharge method for wastewater disposal acceptable to the commission.

EXHIBIT B

0224	Red River Basin	North Fork Red River	89.7	miles
1250	Brazos River Basin	South Fork San Gabriel River	41.26	miles
1251	Brazos River Basin	North Fork San Gabriel River	41.77	miles
1415	Colorado River Basin	Llano River	241.94	miles
1424	Colorado River Basin	Middle Concho/South Concho River	77.76	miles
1427	Colorado River Basin	Onion Creek	78.65	miles
1430	Colorado River Basin	Barton Creek	39.50	miles
1809	Guadalupe River Basin	Lower Blanco River	13.35	miles
1813	Guadalupe River Basin	Upper Blanco River	75.97	miles
1815	Guadalupe River Basin	Cypress Creek	15.71	miles
1816	Guadalupe River Basin	Johnson Creek	24.76	miles
1817	Guadalupe River Basin	North Fork Guadalupe River	28.16	miles
1818	Guadalupe River Basin	South Fork Guadalupe River	28.13	miles
1905	San Antonio River Basin	Medina River above Medina Lake	33.84	miles
2111	Nueces River Basin	Upper Sabinal River	45.69	miles
2112	Nueces River Basin	Upper Nueces River	126.70	miles
2113	Nueces River Basin	Upper Frio River	47.22	miles
2114	Nueces River Basin	Hondo Creek	80.15	miles
2115	Nueces River Basin	Seco Creek	74.11	miles
2309	Rio Grande Basin	Devils River	73.66	miles
2310	Rio Grande Basin	Lower Pecos River	85.79	miles
2313	Rio Grande Basin	San Felipe Creek	9.20	miles
22 Segments			1373.02	miles

NEW BUSINESS

ITEM #6

NEW BUSINESS

ITEM #7

TEXAS  STATE
UNIVERSITY[®]

The rising STAR of Texas

February 28, 2022

City of Blanco
Attn: Warren Escovy, City Administrator
300 Pecan Street
Blanco, TX 78606

RE: Revised Blanco Water Reclamation Task Force recommendation for consideration by Blanco City Council

Dear Mr. Escovy,

As Director of Watershed Services for The Meadows Center for Water and the Environment, I have served as the official facilitator of the Blanco Water Reclamation Task Force (Task Force) commissioned by the City of Blanco in September 2020. The purpose of this memo is to formally present a key recommendation of the Task Force for City Council consideration and possible action.

Task Force Recommendation

The City of Blanco should direct the City Engineer to proceed with the following:

1. Begin work with Texas Commission on Environmental Quality (TCEQ) staff to complete a phased Texas Land Application Permit (TLAP) application utilizing existing plant infrastructure, storage ponds and city-owned lands to minimize potential for treated effluent discharge into the Blanco River.
2. The TLAP permit should include additional phases to capture increased treatment capacity as additional storage and/or suitable lands become available for utilization under the TLAP.
3. To cover the balance of wastewater produced in exceedance of the capacity of the TLAP, complete a phased Texas Pollutant Discharge Elimination System (TPDES) to include water quality effluent limits that are protective of the nutrient-sensitive waters of the Blanco River. Final Phase of TPDES may not exceed a daily discharge rate of 0.225 MGD.
4. Upon completion of any and all water use agreements for treated effluent, seek permit coverage first under the TLAP. If water use agreements do not meet statutory/permit requirements of the TLAP, seek coverage for beneficial reuse of the maximum amount available of treated effluent through Ch. 210 Authorizations.

THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT

601 University Drive | Spring Lake Hall, Room 108 | San Marcos, Texas 78666-4616
phone: 512.245.9200 | *fax:* 512.245.7371 | WWW.MEADOWSCENTER.TXSTATE.EDU

This letter is an electronic communication from Texas State University.

Additionally, the City of Blanco should commit via a permit clause, settlement agreement, interlocal agreement or other binding document to the following process for managing future wastewater treatment capacity demands:

- A. The TLAP will be considered the City's primary permit for treated effluent disposal with the TPDES permit utilized only as a secondary means of reuse/disposal.
- B. As annual reclaimed water use demands are established through Ch. 210 Authorization(s), the City shall seek expanded capacity for these authorizations under the TLAP using Beneficial Reuse Credits.
- C. Every reasonable effort will be made by the City to ensure that treated effluent will be directed to land disposal and/or distributed as reclaimed water under Ch. 210 Authorization(s) prior to considering discharge to the Blanco River. This includes a commitment to maintaining additional lands under reclaimed water-use agreements for the life of the permit term to supplement City-owned property and prevent a maximum amount of wastewater effluent from being discharged.
- D. Future development agreements associated with management of wastewater through the City of Blanco should guarantee 100% beneficial reuse or land disposal of treated effluent. Options may include decentralized wastewater regimes, provisions for additional land and storage for coverage under the city's TLAP, purple pipe for coverage under a 210 Authorization.
- E. Adopt enhanced monitoring and reporting requirements of all irrigation operations designed to improve the City's ability to demonstrate firm demand for reclaimed water under the TCEQ's rules regarding Beneficial Reuse Credits.
- F. Implement third-party monitoring of effluent quality and Blanco River quality by POB, Meadows Center, or other qualified consultant to monitor impacts of transitional period on the Blanco River.

The Task Force is happy to facilitate, engage and provide ongoing support throughout the permit revision and application process.

Please feel free to contact me for additional information at 512.213.7389 or at nickdornak@txtate.edu.

Sincerely,

Nick Dornak

Nick Dornak
Director of Watershed Services,
The Meadows Center for Water and the Environment



P O Box 520
Blanco, Texas 78606

March 1, 2022

Dear Mayor Lumpee and members of the Blanco City Council,

Protect Our Blanco supports the recommendations of the Water Reclamation Task Force dated February 28, 2022 and in support of those recommendations offers the attached proposed permit terms to bring a little specificity to the discussions.

I have included two attachments to this letter. **Attachment A** reflects one possible permit scenario, beginning at 0.180 MGD total capacity. **Attachment B** is a spreadsheet showing the City's actual effluent volume for the past 6.5 years has averaged less than 144,000 gpd. POB acknowledges that the City's current permit is for 0.225 MGD total capacity; however, POB believes the proposed 0.180 MGD scenario is preferable if the City's goal is to transition to a 100% TLAP permit.

First, since the transition to a TLAP will potentially be a slow one—because this scenario does not impose any hard timeline on the City to make infrastructure improvements—the 0.180 MGD scenario has the effect of limiting the amount of wastewater that could end up being discharged into the Blanco River during the interim phases. The City would progress through these phases as it adds additional capacity with each improvement it makes (such as added storage or added irrigable land). At the same time, the 0.180 MGD scenario would not limit (or alter) the City's current practices or the City's ability to expand its capacity in future phases—that is entirely dependent on how much reclaimed water the City leases in the meantime (i.e., reuse credits are based on firm demand).

The second main reason POB prefers the 0.180 MGD scenario is because it incentivizes the City to transition to a 100% TLAP based on reasonably attainable infrastructure improvements identified today and to a robust reclaimed water program, by using reclaimed water credits for achieving a 100% TLAP. And POB's primary objective is to map out a clear and achievable path to transition from a TPDES permit to a 100% TLAP.

If you look at Attachment A, you'll see that POB estimates that with 19.1 MG of storage (to which the City has already committed) and with 60 acres of irrigable TLAP land that the City owns (which the City says is possible in its October 2020 permit application), the City could dispose of approximately 180,000 gpd under a TLAP, which would be more than sufficient considering the City's current reported average of roughly 144,000 gpd. POB further estimates that the Harbison reclaimed water lease (for 26 irrigable acres) could conservatively demand 20,000 gpd on average. Should the City be able to demonstrate 45,000 gpd through reclaimed water leases, then it could achieve a TLAP at 0.225 MGD. In fact, using reclaimed water credits, the City could eventually expand its total capacity to as much as 0.360 MGD.

Please keep in mind that the only way the City would need to discharge over 200,000 gpd in the next 20 years is if the City were to expand its City Limits or should enter into an agreement to provide services to some development outside the city limits - in both events the tax base and development fees could fund more storage or acquisition of irrigable acreage and those developments could be subject to the requirement of purple pipe treatment of effluent.

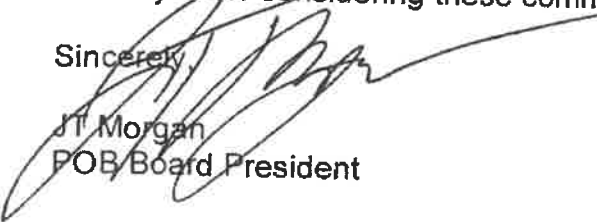
Finally, POB would like to be clear that its support for the above scenarios assumes that the City adopts effluent treatment quality as shown in Attachment A and that POB and the City can come to an agreement on some of the remaining issues in the Task Force recommendations regarding future land developments, enhanced monitoring and reporting requirements, and third-party monitoring of effluent quality and the Blanco River. Should the Council approve these remaining recommendations in principle, POB is confident that an agreement can be reached as to the precise details, but it will require additional negotiations to simply wrap up the remaining details.

Therefore, POB respectfully requests that the Council take the following actions:

1. Approve the Task Force recommendations (1)-(4) in the Task Force letter of February 28, 2022 and direct staff to work with TCEQ and amend the City's WWTP application with terms substantially similar to those in Attachment A; and
2. Approve the Task recommendations (a)-(g) and direct staff to continue good faith negotiations with the Task Force, POB, and other stakeholders regarding an agreement for how to deal with future developments, enhanced monitoring and reporting, and third-party monitoring of effluent quality and the Blanco River, in pursuit of avoiding any contested case hearing on the City's WWTP application.

Thank you for considering these comments. Please contact me with any questions.

Sincerely,


JT Morgan
POB Board President

ATTACHMENT A

POB's Proposed Permit Terms for the City of Blanco WWTP – 0.180-0.360 MGD

POB proposes a 5-year permit in several phases that moves the City to 100% TLAP utilizing Reuse Credits:

- **Phase I, 0.180 MGD** total capacity (43% TLAP / 57% TPDES)
(NOTE: The City is reporting less than 144,000 gpd monthly average, about 80% of 0.180 MGD)
 - TLAP: Blanco is authorized to dispose of the first 78,000 gpd on 26 acres of land owned by the City via spray irrigation and must maintain at least 9 MG of storage.
 - TPDES: Blanco is authorized to dispose of 102,000 gpd of via direct discharge.

- **Phase II, 0.195 MGD** total capacity (60% TLAP / 40% TPDES)
 - TLAP: Blanco is authorized to dispose of the first 120,000 gpd on 26 acres of land owned by the City via spray irrigation and must maintain at least 19.1 MG of storage (already committed in 2021).
 - TPDES: Blanco is authorized to dispose of 75,000 gpd of effluent via direct discharge.

- **Phase III, 0.210 MGD** total capacity (86% TLAP / 14% TPDES)
 - TLAP: Blanco is authorized to dispose of the first 180,000 gpd on 60 acres of land owned by the City via spray irrigation (as in existing permit application) and must maintain at least 19.1 MG of storage.
 - TPDES: Blanco is authorized to dispose of 30,000 gpd of effluent via direct discharge.

- **Final Phase, 0.225 MGD** total capacity (up to 100% TLAP w/ Reuse Credits)
 - TLAP: Blanco is authorized to dispose of 225,000 gpd on 60 acres of land owned by the City via spray irrigation and must maintain at least 19.1 MG of storage WITH REUSE CREDITS of at least 20,000 gpd.
 - For example, if the permitted flow is 225,000 gpd and the calculated beneficial reuse credit is 20,000 gpd, the City would use 205,000 gpd to calculate the required acreage of the land application area. If the City only owned 60 acres, it would have the ability to land apply 180,000 gpd and would need to retain the ability to discharge up to 25,000 gpd. But, if the City could demonstrate as much as 45,000 gpd in reuse credits, then the City could transition to a 100% TLAP at that time.
 - The City cannot expand beyond 0.225 MGD until it has transitioned to a 100% TLAP. The City would convert the discharge route to a reclaimed water delivery route.

- **Future Phases, up to 0.360 MGD total capacity (100% TLAP)**
 - TLAP: Blanco is authorized to dispose of 360,000 gpd on 60 acres of land owned by the City via spray irrigation and must maintain at least 19.1 MG of storage WITH REUSE CREDITS of 180,000 gpd.
 - Under current commitments, Blanco can expand to as much as 0.360 MGD of total capacity with reuse credits alone (would need to demonstrate firm demand of 180,000 gpd).

- **Special Conditions to the Permit – apply under ALL ABOVE PHASES:**
 - Blanco must first dispose of its effluent through TLAP and the levels stated above before utilizing TPDES (direct discharge) under either Phase I, II, III, or the Final Phase.
 - Blanco must store and reuse its effluent to the maximum extent possible before directly discharging under either Phase I, II, III, or the Final Phase.
 - Blanco must maintain a lease for reuse water on at least 26 acres for the life of the permit (5 years) (nothing prevents more reuse leases).
 - Once increased storage and increased TLAP land is brought online, Blanco is compelled to operate in the next phase.
 - Blanco is required to maintain ownership of at least the acres it currently owns around the plant for its purposes for the life of the permit.

- **Under TLAP**
 - City would take annual soil samples on area where it is land applying effluent, consistent with TCEQ requirements (e.g. pH, Electrical Conductivity, Nitrate-nitrogen, ammonium nitrogen, Total Kjeldahl Nitrogen (TKN), Total Nitrogen, Plant-available Phosphorus, and Plant-available Potassium.)

- **Under TPDES**
 - Any effluent discharged must meet TCEQ's standards in prior draft permit:
 - CBOD (5-day): 5 mg/l
 - Total Suspended Solids: 5 mg/l
 - Ammonia Nitrogen: 1.9 mg/l
 - Total Phosphorus: 0.15 mg/l
 - *E. coli*: 126
 - pH: 6.0-9.0
 - Dissolved Oxygen: ≥ 6.0 mg/l
 - Chlorine residual: 0.1 mg/l

ATTACHMENT B

	City of Blanco reported Average Daily Influent (gallons)
May-15	278,710
Jun-15	166,763
Jul-15	132,516
Aug-15	124,194
Sep-15	119,200
Oct-15	152,516
Nov-15	179,767
Dec-15	163,630
2015 Average	164,662
Jan-16	149,355
Feb-16	128,586
Mar-16	139,452
Apr-16	138,667
May-16	165,129
Jun-16	231,600
Jul-16	131,774
Aug-16	129,129
Sep-16	143,067
Oct-16	129,613
Nov-16	134,400
Dec-16	141,871
2016 Average	146,887
Jan-17	140,806
Feb-17	144,704
Mar-17	142,226
Apr-17	138,867
May-17	126,968
Jun-17	127,733
Jul-17	104,581
Aug-17	123,323
Sep-17	Not Available
Oct-17	122,387
Nov-17	116,733
Dec-17	124,806
2017 Average	128,467
Jan-18	115,677
Feb-18	110,179
Mar-18	112,355
Apr-18	108,167
May-18	114,323
Jun-18	111,233
Jul-18	Not Available
Aug-18	118,000
Sep-18	154,950
Oct-18	195,133

Nov-18	139,828
Dec-18	194,226
2018 Average	134,006
Jan-19	194,065
Feb-19	157,885
Mar-19	152,871
Apr-19	157,100
May-19	235,742
Jun-19	155,067
Jul-19	139,000
Aug-19	141,677
Sep-19	135,167
Oct-19	139,516
Nov-19	145,333
Dec-19	134,806
2019 Average	157,352
Jan-20	136,323
Feb-20	149,103
Mar-20	138,000
Apr-20	145,600
May-20	165,355
Jun-20	142,655
Jul-20	119,419
Aug-20	131,871
Sep-20	137,800
Oct-20	138,067
Nov-20	129,600
Dec-20	137,567
2020 Average	139,280
Jan-21	135,000
Feb-21	132,938
Mar-21	141,710
Apr-21	142,700
May-21	163,742
Jun-21	159,433
Jul-21	166,000
Aug-21	119,968
Sep-21	116,167
Oct-21	132,516
Nov-21	139,913
Dec-21	122,097
2021 Average	139,349
5/15– 12/21 TOTAL AVERAGE	143,576

NEW BUSINESS

ITEM #8



City of Blanco

P.O. Box 750 Blanco, Texas 78606
Office 830-833-4525 Fax 830-833-4121

STAFF REPORT: Authorize the City Administrator to negotiate a development agreement with the owner of the 42 on 32 RV Park and then bring back to City Council for action.

DESCRIPTION:

42 on 32 RV Park is an RV Park that is outside of Blanco and the Blanco ETJ but has received Water from the City around August of 2019. Currently, the park serves 114 connections and has plans to use additional City Water when proposed amenities (like a splashpad or small water park) are designed and constructed.

ANALYSIS: 42 on 32 RV Park has grown in the last 2 years and now includes connection to 114 RV sites. The rate code from August 2019 till November 2021 only charged for one "tap." In a letter dated on December 2015 the previous Interim City Administrator increased the unit numbers from 1 tap to 114 connections thereby increasing the total cost from about \$1400-\$1600 to about \$10,000+ for the next three months. The difference in cost is the \$77.25 per connection fee (per month). The City wasn't well served in providing water to a customer outside the City or it's ETJ for just the one tap when there were over a 100 connections.

Staff is requesting guidance from Council on what the development agreement should consist of:

1. The water volumetric charge could be raised while lowering the cost of each connection to be more fair in pricing during the off-season (winter) while increasing cost during summer when the water rate is sure to rise. In looking at usage it appears that each RV uses about 1800 gallons a month and the park is about 45% filled at this point. This would also allow for price increase if water amenities like a water park or lake were to be constructed.
2. Average usage of connections are probably 70% yearly (about 45% in winter, 85%/90% in spring summer). 114 connections x \$77.25 per connection is a connection charge of \$8806.5. 70% would be \$6164.55 which is a saving of about \$2700.

It should be noted that the City is not required to provide water to customers outside it's City limits unless they are already being served by the City. New development that wants any type of City service would normally be required to annex into the City if the development abutted the City limits. We are currently the water provider (not sewer) for 42 on 32 RV site and will



work with the business for an equitable solution.

FISCAL IMPACT: Water sold to the RV park brings in about \$10,000 to the City during the off-season.

RECOMMENDATION:

Authorize the City Administrator to negotiate with the owner/representative of 42 on 32 RV Park a development agreement that will go back to the City Council for their action.



City of Blanco

P.O. Box 750 Blanco, Texas 78606
Office 830-833-4525 Fax 830-833-4121

December 15, 2021

VIA HAND DELIVERY

42 on 32 RV Park
ATTN: Wayne Dworaczyk
711 Ranch Road 32
Blanco, TX 78606

RE: Water Service, 42 on 32 RV Park, 711 Ranch Road 32

Dear Mr. Dworaczyk:

The following has come to the attention of the City of Blanco regarding water service at the above address:

1. The City believes that you may be operating a public water system (serving at least 25 individuals for at least 60 days out of the year), which could violate TCEQ regulations governing systems operations. We have reported this possible violation to the regional office of TCEQ.
2. The water service application for your business that you submitted to the City of Blanco did not indicate that you would be operating a "public water system". Nor did your application indicate you would be serving 114 customers.
3. The City is distributing water to your business without a development agreement. Because your location is outside of the city limits, a development agreement with the City of Blanco is required and should have been negotiated and executed prior to establishing water service. To avoid termination of your water service, it is imperative that we initiate negotiations immediately and execute a development agreement as soon as possible.
4. Our records indicate you are paying the commercial rate for water for one unit charge. However, you should be charged for 114 units. Consequently, the unit numbers will increase to 114 on your next water bill, and you will begin paying the corrected amount to the City of Blanco.
5. The City of Blanco will be assessing the lost revenue to the City from the inception of your account, and you will be billed accordingly.



Please contact me so that we can begin to remedy the above conditions immediately.

Respectfully,

Kelly Kuenstler
City Administrator

xc: Tim Tuggey, City Attorney
Tom Turk, City Engineer
Chad Ahlgren, TCEQ



LINDEMAN LANE ENTERPRISES, LLC

42 on 32 RV park

895 RR 32 Blanco Tx 78606

RECEIVED
JAN 10 2022

Thursday January 6, 2022

Re: Water bill account # 1346

To the attention of the City of Blanco,

I am writing you in protest to the enormous hike in the water bill dated January 2022. This is not what was agreed to with former Mayor Herden. My agreement was to purchase water provided by the city of Blanco. When 42 on32 RV Park began service on August 12, 2019, there was never any mention of charges per site, nor was a development agreement discussed.

As far as I am concerned, the city of Blanco is at fault and I am being unfairly treated. There should have been some sort of compromise made before slamming my business with such a large increase in billing.

Had this been disclosed up front, I would have never invested money in this current infrastructure and never purchased water from the City of Blanco.

Regards,

Wayne B Dworaczyk
Lindeman Lane Enterprises,
Dba 42 on32 RV Park, Double L Storage
711 Ranch Rd 32
Blanco Tx 78606
(830)833-4232 business
(830)385-1255 cell

AUDIT HISTORY

Program Version 21.12.100

Account: 1346

42 ON 32 RV PARK
42 HWY 32 & 281

Date	Amount	Description	Balance
		Beginning Month Balance	\$1,399.50
9/7/2021	(\$1,399.50)	Payment Credit Card	\$0.00
9/16/2021	\$1,167.00	Usage of 75800 Water	\$1,167.00
		Beginning Month Balance	\$1,167.00
10/6/2021	(\$1,167.00)	Payment Credit Card	\$0.00
10/14/2021	\$1,582.50	Usage of 103500 Water	\$1,582.50
		Beginning Month Balance	\$1,582.50
11/8/2021	(\$1,582.50)	Payment Credit Card	\$0.00
11/16/2021	\$1,401.75	Usage of 91300 Water	\$1,401.75
		Beginning Month Balance	\$1,401.75
12/13/2021	\$140.18	Late Charge	\$1,541.93
12/21/2021	\$10,105.50	Usage of 89600 Water	\$11,647.43
12/21/2021		Billed for 114 units	
12/30/2021	(\$1,541.93)	Payment Credit Card	\$10,105.50
		Beginning Month Balance	\$10,105.50
1/10/2022	(\$10,105.50)	Payment Check # 2405	\$0.00
1/25/2022	\$8,806.50	Usage of 0 Water	\$8,806.50
1/25/2022		Billed for 114 units	
1/28/2022	\$1,386.00	Corrected Usage of 95400 Water	\$10,192.50
1/28/2022		Billed for 114 units	
		Beginning Month Balance	\$10,192.50
2/11/2022	\$1,019.25	Late Charge	\$11,211.75
2/16/2022	(\$1,019.25)	Manually Removed Late Charge	\$10,192.50
2/17/2022	(\$10,192.50)	Payment Check # 2425	\$0.00
2/18/2022	\$10,068.00	Usage of 87100 Water	\$10,068.00
2/18/2022		Billed for 114 units	
		Beginning Month Balance	\$10,068.00

Totals for Water	34,517.25
Totals for Late Charge	140.18
Payments Received	25,988.93
Total Usage Amount	542,700

Qualified By: Account # 1346
City of Blanco

Rate Code 7

Thursday, March 3, 2022

RATE CODE # 7 COMMERCIAL OSCL

Service	Charge	Usage Amount	Water Charge	Sewage Charge
Water	\$77.25	0	Minimum Charge	
Sewage	\$32.00	2,000	\$12.00	
Garbage		8,000	\$12.00	\$3.750
Infrastructure Fee		10,000	\$13.50	\$3.750
Brush Disposal		Remainder	\$15.00	\$3.750
Load Fees		0		
Other 4 Charge		0		
Late Charges		0		
Fixed		0		
Percentage	10.00 %	0		
Tax		0		
8.25 %				
		Billing Day	25	
		Due Day	10	

City of Blanco

NEW BUSINESS

ITEM #9



City of Blanco

P.O. Box 750 Blanco, Texas 78606
Office 830-833-4525 Fax 830-833-4121

STAFF REPORT from City Administrator: Change Order 4 and Change Order 5 for the Water Treatment Plant

DESCRIPTION:

1. CO4 is a **no-cost** scope only change order. We still need to have approval and process through the TWDB due to scope change. This basically changes the line item scope from rafter replacement to one rafter plate repair and 21 rafter seal welds to minimize erosion to the rafter ends. This was a recommendation in the corrosion report.
2. CO5 is to remove and replace the wier box within the GST and was also a recommendation from the corrosion report. This is a fee increase change order and include time, materials, and labor.

ANALYSIS:

CO4 is no cost, CO5 will replace the Wier Box within the GST at a cost of about \$6,000/

FISCAL IMPACT:

CO4= No Cost

CO5= \$6,000

RECOMMENDATION:

Authorize the mayor to sign off on both CO 4 and CO 5

From: Gary Freeland <gfreeland@freelandturk.com>
Sent: Wednesday, February 23, 2022 9:17 AM
To: Warren Escovy (cityadmin@cityofblanco.com)
Cc: Thomas Turk
Subject: Blanco WTP CO4 and CO5
Attachments: TWDB 62748 Blanco WTP CO5.pdf; TWDB 62748 Blanco WTP CO4.pdf

Warren,

Please see attached CO4 and CO5 for the WTP.

CO4 is a no-cost scope only change order. We still need to have approval and process through the TWDB due to scope change. This basically changes the line item scope from rafter replacement to one rafter plate repair and 21 rafter seal welds to minimize erosion to the rafter ends. This was a recommendation in the corrosion report.

CO5 is to remove and replace the wier box within the GST and was also a recommendation from the corrosion report. This is a fee increase change order and include time, materials, and labor.

If the City is in agreement, please execute and return and I will continue processing through the TWDB. Please let us know if you have any questions.

Sincerely,



Gary Freeland, P.E., CFM
Freeland Turk Engineering Group, LLC
TBPE Firm Registration Number F-21047
172 Creekside Park Rd, Suite 115
Spring Branch, TX 78070
Cell: (830) 377-4555
Email: gfreeland@freelandturk.com
Website: www.freelandturk.com

CHANGE ORDER NO.: [004]

Owner:	City of Blanco	Owner's Project No.:	62748
Engineer:	Freeland Turk Engineering Group, LLC	Engineer's Project No.:	100-100
Contractor:	Associated Construction Partners, Ltd	Contractor's Project No.:	ACP1309
Project:	1.0 MGD Water Treatment Plant Improvements		
Contract Name:			
Date Issued:	02-21-2022	Effective Date of Change Order:	Date signed by Owner

The Contract is modified as follows upon execution of this Change Order:

Description:

This is a scope change from the contract documents that eliminates the roof rafter replacement line item and replaces it replacing one connection plate and seal welding the remaining 21 roof rafters, as described in the attached letter. This scope change impacts Bid Item No. 22.01 and is a no cost scope change. A corrosion specialist was called in to look at the project once the tank was emptied and this was one of the recommended repairs.

Attachments: **Scope Change Letter**

Change in Contract Price	Change in Contract Times
Original Contract Price:	Original Contract Times:
\$ 5,741,700.00	Substantial Completion: 360 DAYS
	Ready for final payment: 420 DAYS
Increase from previously approved Change Orders:	Increase from previously approved Change Orders:
\$ 450,265.70	Substantial Completion: 187 DAYS
	Ready for final payment: 187 DAYS
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$ 6,191,965.70	Substantial Completion: 547 DAYS
	Ready for final payment: 607 DAYS
Increase this Change Order:	Increase this Change Order:
\$ 0	Substantial Completion: 0 DAYS
	Ready for final payment: 0 DAYS
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
\$ 6,191,965.70	Substantial Completion: 547 DAYS
	Ready for final payment: 607 DAYS

Recommended by Engineer (if required)

By: Gary Freehand
 Title: Principal
 Date: 02/21/2022

Authorized by Owner

By: _____
 Title: Mayor
 Date: _____

Accepted by Contractor

Fernando Cadena
 Project Manager
2/21/2022

Approved by Funding Agency (if applicable)

By: _____
 Title: _____
 Date: _____



215 W. Bandera Rd. Ste. 114-461
Boerne, Texas 78006
(210) 698-8714
www.acpartners.org
mgr@acpartners.org

February 15th, 2022

Mr. Gary Freeland, P.E, CFM
Freeland Turk Engineering Group, LLC
172 Creekside Park, Suite 115
Spring Branch, Texas 78070

Subject: Evaluation of the Roof Structure in the Standpipe Tank at the City of Blanco Water Treatment Plant – Rafter Scope Modifications

Dear Mr. Freeland,

Associated Construction Partners, LTD (ACP) has evaluated the report provided on January 27th, 2022, which Mr. Robert Boswell performed (attached), where the interior conditions of the ground storage tank (GST) were evaluated, and recommendations were given. The item referenced “priority 1” in the attached report, states “The 6th brace and rafter connection plate should be replaced due to too much corrosion thinning of the metal...The bolts that connect the rafters to the connection plates at the outer perimeter of the tank are severely corroded. We recommend that the connecting plates be seal welded to the rafter bolts will need to be removed due to the severe corrosion.”. The contract states to remove and replace four rafters at the ground storage tank. The new scope would require ACP to remove a connecting plate, fabricate a new one, weld it to the tank and corresponding rafter, and perform twenty-one welds at each rafter connecting plate. ACP was able to maintain our subcontractor cost the same for the new scope as the old scope, which means that the city of Blanco will have no additional costs for this proposed recommendation.

ACP asks that Bid Item No. 22.01, “Replace Roof Rafters” (QTY 4), be changed to reflect the new scope. Once this change is made, ACP can perform the new scope of work and bill accordingly to that bid item. If you have any questions, I am available anytime to discuss.

Best Regards,

A handwritten signature in black ink, appearing to read 'Fernando Cadena', is written over a light blue horizontal line.

Fernando Cadena
Project Manager
ACP, LTD
Fernando@acpartners.org
(210) 259-8276





BOSWELL & REYES
INTERNATIONAL, LLC.
a mbe/wbe owned company

CLIENT SERVICE IS NUMBER 1

1503 Sagebrush Drive
Round Rock, TX 78681

phone | 512-426-3380

e-mail | Robert@brintl.com

e-mail | Marylou@brintl.com

e-mail | Jessica@brintl.com

web | www.brintllc.com

January 18, 2022

Mr. Thomas N. Turk, P.E.
Freeland Turk Engineering Group
160 Creekside Park, Suite 200
Spring Branch, Texas 78070

Subject: Evaluation of the Roof Structure in the Standpipe Tank at the City of Blanco Water Treatment Plant

GPS Location: Latitude 30.093020, Longitude -98.430019

BRI Project Number: 142-2021

Dear Mr. Turk,

On Tuesday, January 18, 2022, Robert Boswell, CWI #96020121, ASNT NDE Level II, ASNT ACCP Level II # 160657, NACE Level III #11409, NACE Corrosion Technician #44663, Corrosion Specialist, FAA Licensed Unmanned Aircraft Pilot #4224490 and Jessica Reyes CWI #21024061, NACE Level I #76120, of Boswell & Reyes International (BRI) performed an evaluation of the roof structure in the Standpipe Tank at the City of Blanco Water Treatment Plant.

Access to the roof structure was gained with scaffolding that was in place inside the tank at the time of our site visit.

We have provided below our observations and recommendations for the roof structure. A few photos of the roof structure are also included with this report.

The roof structure had been abrasive blasted well enough for us to perform our evaluation. During our evaluation we observed heavy corrosion scale on several roof rafters, the angle brace support at the ends of the rafters and the center of the tank at the top of the column dollar plate. The heavy corrosion scale (scale) was able to be removed by hitting the rafters and braces with a hammer. Scale on the top of the column dollar plate and the ends of the rafters at the center of the tank could not be removed due to limited access on the top of the dollar plate.

#5

Removal of the scale on the rafters and braces can be accomplished by hitting with a hammer. Access for removal of the scale on the top of the dollar plate will have to be gained through the roof at the vent. We recommend installing a 24 inch diameter vent flange in the center of the tank to provide access for scale removal on the top of the dollar plate. We also recommend installing a "bull ring" in the center of the tank so that the rafters can be cut away from the column cap plate. This would provide much more access



BULL RING #6

for abrasive blasting and coating the the ends of the rafters. We have provided a sketch of a “typical bull” ring in this report. We recommend the distance of the “bull ring” 28 inches all around from the outer surface of the column.

PRIORITY 1

The 6th brace and rafter connection plate to the right of the manway from the inside of the tank should be replaced due to too much corrosion thinning of the material.

The bolts that connect the rafters to the connection plates at the outer perimeter of the tank are severely corroded and are on the verge failure. We recommend that the connecting plates be seal welded to the rafters. After seal welding, the bolts will need to be removed due to the severe corrosion.

#2

Due to severe corrosion of the overflow weir box it should be replaced.

#3

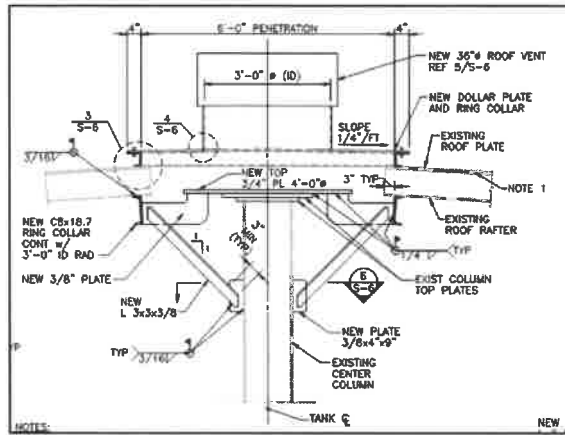
Due to severe corrosion the existing CPS handhole edges, they should be covered with welded cap plates and new holes cut in the roof. IN SCOPE ALREADY?

#4

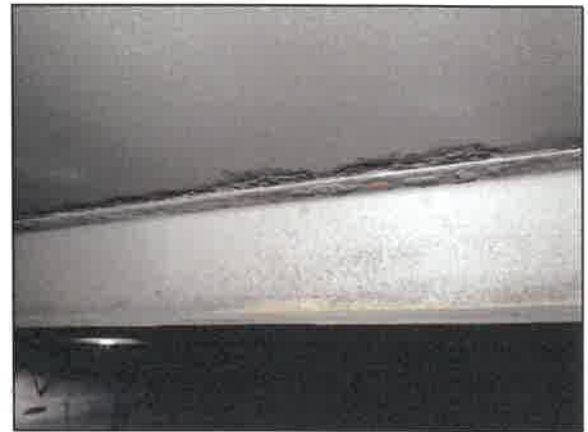
The opening for the roof hatch should be cut out larger to remove the severely corroded edges of the existing opening. IN SCOPE ALREADY WITH ROOF HATCH REPLACEMENT?

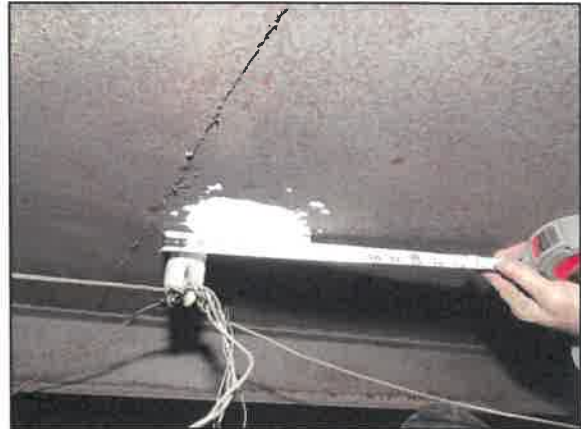
The welding contractor was preparing to replace the top section of severely corroded tank interior ladder during our site visit.





Bull Ring detail. Please note that dimensions shown are for a much larger tank. The dimensions would need to be adjusted accordingly for the Blanco Standpipe.





General Notes

An epoxy coating applied to the inside of the tank could last 10 to 12 years, depending on coating type, surface preparation, application process and environmental conditions during application. An elastomeric at 30 mils minimum applied to the inside of the tank could last 20 plus years, depending on coating manufacturer; surface preparation, application process and environmental conditions during application.

Before final abrasive blasting and coating, all sharp edges inside the tank should be ground to a minimum of a 1/8 inch radius.

If you have any questions or comments, please call Robert Boswell at 512-426-3380.

Robert Boswell
COO / Principal Professional

Jessica Reyes
Junior Professional

**CONFIRM
WHAT
COATING**

END OF REPORT

NEW BUSINESS

ITEM #10

CHANGE ORDER NO.: [005]

Owner: City of Blanco Owner's Project No.: 62748
 Engineer: Freeland Turk Engineering Group, LLC Engineer's Project No.: 100-100
 Contractor: Associated Construction Partners, Ltd Contractor's Project No.: ACP1309
 Project: 1.0 MGD Water Treatment Plant Improvements
 Contract Name:
 Date Issued: 02-21-2022 Effective Date of Change Order: Date signed by Owner

The Contract is modified as follows upon execution of this Change Order:

Description:

This change order includes labor and materials to replace the overflow weir box in the GST. A corrosion specialist was called in to look at the project once the tank was emptied and this was one of the recommended repairs.

Attachments: **Scope Change Letter**

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>5,741,700.00</u>	Original Contract Times: Substantial Completion: <u>360 DAYS</u> Ready for final payment: <u>420 DAYS</u>
Increase from previously approved Change Orders: \$ <u>450,265.70</u>	Increase from previously approved Change Orders: Substantial Completion: <u>187 DAYS</u> Ready for final payment: <u>187 DAYS</u>
Contract Price prior to this Change Order: \$ <u>6,191,965.70</u>	Contract Times prior to this Change Order: Substantial Completion: <u>547 DAYS</u> Ready for final payment: <u>607 DAYS</u>
Increase this Change Order: \$ <u>5,834.97</u>	Increase this Change Order: Substantial Completion: <u>4 DAYS</u> Ready for final payment: <u>4 DAYS</u>
Contract Price incorporating this Change Order: \$ <u>6,197,800.67</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>551 DAYS</u> Ready for final payment: <u>611 DAYS</u>

Recommended by Engineer (if required)

By: Gary Freeland
 Title: Principal
 Date: 02/21/2022

Authorized by Owner

By: _____
 Title: Mayor
 Date: _____

Accepted by Contractor

Fernando Cadena
Project Manager
2/21/2022

Approved by Funding Agency (if applicable)

By: _____
 Title: _____
 Date: _____



215 W. Bandera Rd. Ste. 114-461
 Boerne, Texas 78006
 mgr@acpartners.org
 210.698.8714

CHANGE ORDER COST SUMMARY

PROJECT NAME: Blanco 1.0 MGD WTP Improvements C.P. # 5
 PROJECT NO: 1309
 ENGINEER: Gary Freeland DATE: 2/17/2022

DESCRIPTION OF CHANGE:

Item #2 of GST Evaluation Report "Due to severe corrosion of the overflow weir box it should be replaced" - Fabricate, Install, and Weld Overflow Weir Box at Ground Storage Tank.

General Contractor Direct Costs

Additive Costs

A Labor	\$628.10
B Material	\$800.00
C Equipment	\$0.00
D Subtotal of Additive Cost	\$1,428.10

Deductive Costs (use minus sign to denote negative figures)

E Labor	\$0.00
F Material	\$0.00
G Equipment	\$0.00
H Subtotal of Deductive Cost	\$0.00

I Contractor's Total Direct Cost (D+H) \$1,428.10

J Contractor's Overhead and Profit
20% \$285.62

K **Total Contractor Direct Costs + Mark-up (Line I + J)** \$1,713.72

L Total Subcontractor Direct Costs \$3,925.00

M Contractor's Overhead and Profit on Subcontractor Direct Costs
5% \$196.25

N **Contractor Change Request (Line K + L + M)** \$5,834.97

O Bonds & Insurance 2% \$0.00

P **Total Contractor Change Request (Line N + O)** \$5,834.97

	2/17/2021
Contractor Signature	Date
Engineer Signature	Date
Owner Signature	Date

Additive Costs

215 W. Bandera Rd. Ste. 114-461
 Boerne, Texas 78006
 mgr@acpartners.org
 210.698.8714

1 Description of Work to be done
 Fabricate, Install, and Weld Overflow Weir Box at Ground Storage Tank.

Days Required

4

Labor Calculation

		#Emp	Rate		Days	Total
L03	Project Manager	1	628.10	x	1	\$ 628.10
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
NA	-	0	0.00	x	0	
Total Labor						\$628.10

Material

	Qty	Rate	
Scaffolding Rental (Daily Rate)	4	\$ 200.00	\$800.00
	0	\$ -	\$0.00
	0	\$ -	\$0.00
	0	\$ -	\$0.00
	0	\$ -	\$0.00
	0	\$ -	\$0.00
Total Material			\$800.00

Equipment

	# Days	Dly Rate	Fuel	Del
None	0	0	0	
None	0	0	0	
None	0	0	0	
None	0	0	0	
None	0	0	0	
None	0	0	0	
Total Material				\$0.00
Total				\$1,428.10

PROPOSAL

Quality Welding & Fabrication

9425 Schoenthal Road
New Braunfels, TX 78132

service@qwftexas.com

Phone 210-657-9090

DATE

2/11/2022

NAME / ADDRESS		ESTIMATE #	TERMS	DUE DATE
ASSOCIATED CONSTRUCTION PARTNERS, LTD 215 W BANDERA RD BOERNE, TX 78006		9707	Progressive Billing	2/11/2022
ITEM	DESCRIPTION	QTY	COST	TOTAL
CUSTOM JOB	BLANCO TANK FABRICATE NEW 24"X24" WEIR BOX CUT OUT OLD WEIR BOX INSTALL NEW WEIR BOX *INCLUDES LABOR AND MATERIALS	1	3,925.00	3,925.00
TOTAL				3,925.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner. Any additional materials will be added to the Invoice and labor will be billed at an hourly rate.

By signing below customer accepts this offer and agrees to services and to pay according to proposal terms.

SIGNATURE _____



Webpage: www.coatingss.com

Proposal to: Associated Construction Partners
Attn: Fernando Cadena
Project name: City of Blanco
CSS project #: TX 2021-09
Change order #: CO #2
Date: January 25, 2022

I. INTRODUCTION:

We are requesting a change order for the scaffold rent at the above referenced project.

II. SCOPE OF WORK:

- Scaffold rent for tank welding and repairs.

IV. COMMERCIAL TERMS:

Our price for this rent is: \$ 5,000.00

Monthly Rental Price/AVG 25
Working Days Per Month = \$200
Per Day

We expect that the above meets your requirements. If you have any questions, please do not hesitate to call us.

Cordially,



Francisco Rodríguez / Daniel Cardé

TX 2021-09 Change Order #2



**BOSWELL & REYES
INTERNATIONAL, LLC.**
a mbe/wbe owned company

CLIENT SERVICE IS NUMBER 1

1503 Sagebrush Drive
Round Rock, TX 78681
phone | 512-426-3380
e-mail | Robert@brintl.com
e-mail | Marylou@brintl.com
e-mail | Jessica@brintl.com
web | www.brintl.com

January 18, 2022

Mr. Thomas N. Turk, P.E.
Freeland Turk Engineering Group
160 Creekside Park, Suite 200
Spring Branch, Texas 78070

Subject: Evaluation of the Roof Structure in the Standpipe Tank at the City of Blanco
Water Treatment Plant
GPS Location: Latitude 30.093020, Longitude -98.430019
BRI Project Number: 142-2021

Dear Mr. Turk,

On Tuesday, January 18, 2022, Robert Boswell, CWI #96020121, ASNT NDE Level II, ASNT ACCP Level II # 160657, NACE Level III #11409, NACE Corrosion Technician #44663, Corrosion Specialist, FAA Licensed Unmanned Aircraft Pilot #4224490 and Jessica Reyes CWI #21024061, NACE Level I #76120, of Boswell & Reyes International (BRI) performed an evaluation of the roof structure in the Standpipe Tank at the City of Blanco Water Treatment Plant.

Access to the roof structure was gained with scaffolding that was in place inside the tank at the time of our site visit.

We have provided below our observations and recommendations for the roof structure. A few photos of the roof structure are also included with this report.

The roof structure had been abrasive blasted well enough for us to perform our evaluation. During our evaluation we observed heavy corrosion scale on several roof rafters, the angle brace support at the ends of the rafters and the center of the tank at the top of the column dollar plate. The heavy corrosion scale (scale) was able to be removed by hitting the rafters and braces with a hammer. Scale on the top of the column dollar plate and the ends of the rafters at the center of the tank could not be removed due to limited access on the top of the dollar plate.

#5

Removal of the scale on the rafters and braces can be accomplished by hitting with a hammer. Access for removal of the scale on the top of the dollar plate will have to be gained through the roof at the vent. We recommend installing a 24 inch diameter vent flange in the center of the tank to provide access for scale removal on the top of the dollar plate. We also recommend installing a "bull ring" in the center of the tank so that the rafters can be cut away from the column cap plate. This would provide much more access



BULL RING #6

for abrasive blasting and coating the the ends of the rafters. We have provided a sketch of a "typical bull" ring in this report. We recommend the distance of the "bull ring" 28 inches all around from the outer surface of the column.

PRIORITY 1

The 6th brace and rafter connection plate to the right of the manway from the inside of the tank should be replaced due to too much corrosion thinning of the material.

The bolts that connect the rafters to the connection plates at the outer perimeter of the tank are severely corroded and are on the verge failure. We recommend that the connecting plates be seal welded to the rafters. After seal welding, the bolts will need to be removed due to the severe corrosion.

#2

Due to severe corrosion of the overflow weir box it should be replaced.

#3

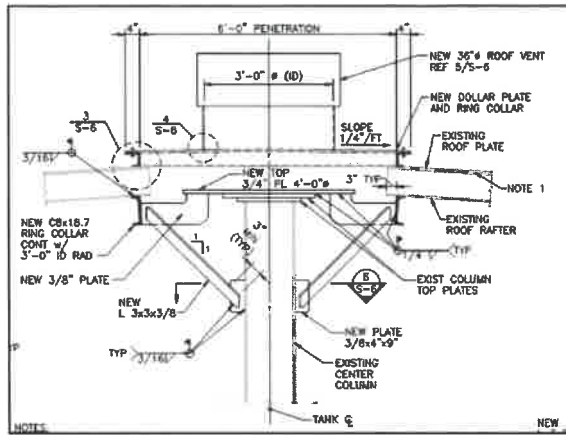
Due to severe corrosion the existing CPS handhole edges, they should be covered with welded cap plates and new holes cut in the roof. IN SCOPE ALREADY?

#4

The opening for the roof hatch should be cut out larger to remove the severely corroded edges of the existing opening. IN SCOPE ALREADY WITH ROOF HATCH REPLACEMENT?

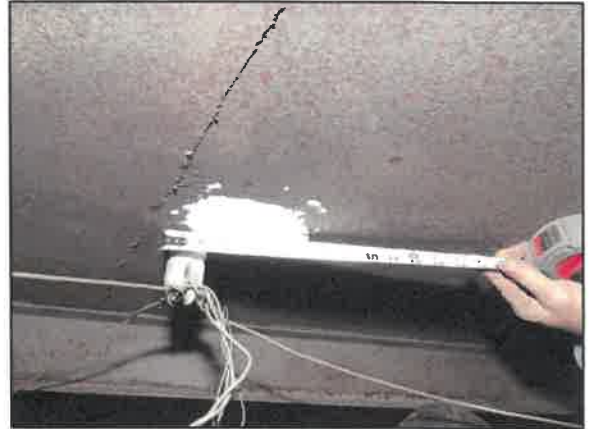
The welding contractor was preparing to replace the top section of severely corroded tank interior ladder during our site visit.





Bull Ring detail. Please note that dimensions shown are for a much larger tank. The dimensions would need to be adjusted accordingly for the Blanco Standpipe.







General Notes

An epoxy coating applied to the inside of the tank could last 10 to 12 years, depending on coating type, surface preparation, application process and environmental conditions during application. An elastomeric at 30 mils minimum applied to the inside of the tank could last 20 plus years, depending on coating manufacturer, surface preparation, application process and environmental conditions during application.

Before final abrasive blasting and coating, all sharp edges inside the tank should be ground to a minimum of a 1/8 inch radius.

If you have any questions or comments, please call Robert Boswell at 512-426-3380.


Robert Boswell
COO / Principal Professional


Jessica Reyes
Junior Professional

**CONFIRM
WHAT
COATING**

END OF REPORT