

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, April 16, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:29 a.m. on Tuesday, April 16, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

An invocation was provided by San Angelo Police Department Chaplain Ralph Dawkins.

3. Pledges

Pledges were led by 8U D2 Girls Xtreme Basketball Team members.

4. Proclamations/Recognitions

The 8U D2 Girls Xtreme Basketball Team was recognized as Texas Amateur Athletic Federation State basketball champions.

The 10U D2 Girls San Angelo F.3.A.R. Basketball Team was recognized as Texas Amateur Athletic Federation State basketball champions.

Beta Sigma Phi was recognized for its service to the community.

La Esperanza Clinic was recognized for its 25th year anniversary.

April 2019 was proclaimed as National Autism Awareness Month.

May 6-11, 2019 was proclaimed as National Small Business Week.

5. Public Comment

Communications Director Anthony Wilson announced City offices will be closed Friday, April 19th, in observance of Good Friday. Additionally, Lake Nasworthy parks will begin collecting entry fees on weekends and holidays through Labor Day.

6. Consent Agenda

- a. Approval of the April 1, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to renew a recreational and agricultural lease of approximately 12,434-sq ft of land out of Lot 26, Block 1, Group 9, Lake Nasworthy Addition (Cindy Preas)
- c. Authorization of the City Manager to execute a consent to assignment of the Spring Creek Marina Commercial Lease Agreement to Golden Antlers Corporation (Carl White)

- d. Award of the purchase of Asset Management Software and Services to Data Transfer Solutions, LLC through HGAC Contract #HP10-17 in the amount of \$280,000, budgeted for purchase in fiscal year 2019 with \$48,000 budgeted annually, and authorizing the City Manager to execute any related documents (Patrick Frerich)
- e. Award of RFP PK-01-19 Comprehensive Parks and Recreation Master and Strategic Plan to Dunaway Associates (Midland, TX) for professional services in the amount of \$70,000 budgeted for purchase, fiscal year 2019, and authorizing the City Manager to execute any related documents (Carl White)
- f. Approval of Buyboard Contract #521-16 from Rush Medium Duty Truck Center (Dallas, TX) in the amount of \$167,869 budgeted in fiscal year 2019 for the purchase of a Sewer Closed Circuit Digital Camera Van and authorizing the City Manager to execute any related documents (Lance Overstreet)
- g. Approval of Texas Smartbuy Contract #TXMAS-18-23V02 for the purchase of three tractors and two shredders from Deere & Company (San Angelo, TX), in the amount of \$197,761, budgeted in fiscal year 2019 (Ryan Kramer)
- h. Award of RFB FS-07-19 Medium Pickups to Jim Bass Ford, Inc. (San Angelo, TX) in the amount of \$240,000 per fiscal year, for the purchase of six units (with the option to purchase two additional units), and authorizing the City Manager to execute any related documents (Ryan Kramer)
- i. Award of RFB FS-08-19 Electric Cars to Jim Bass Ford, Inc. (San Angelo, TX) in the amount of \$55,200, for the purchase of two units, budgeted in fiscal year 2019, and authorizing the City Manager to execute any related documents (Ryan Kramer)
- j. Authorization of a software service agreement with Neptune Technology Group and its vendor Core & Main in the amount of \$6,500 for Year 1 for web hosted meter collector data software platform and option for two additional one-year periods (Year 2 pricing \$0.75 per meter with estimated annual payment of \$28,125; Year 3 pricing \$1.05 per meter with estimated annual payment of \$39,375), replacing in-kind locally hosted servers and software and authorizing the City Manager to execute any related documents (Lance Overstreet)
- k. Second reading of an ordinance approving the abandonment and vacation of all public alleys comprising 0.267 acres (12,030-sq ft) within Block 15 of the Millspaugh Addition; generally located north of W. Washington Dr.; west of S. Chadbourne St.; south of Santa Fe Depot; and east of S. Irving St. (Jon James)
- l. Adoption of a resolution in support of the 2021 Texas Police Games as organized by the Texas Police Athletic Federation, San Angelo Police Department, and the Chamber of Commerce Convention & Visitors Bureau (David Howard)
- m. Adoption of a resolution authorizing a special event known as "Devoted Onez Car Club Car Show" and approving variances to City ordinances at Spring Creek Park for August 3, 2019 (Carl White)
- n. Approval of a Memorandum of Understanding with the Office of the Governor outlining the City's responsibilities for the maintenance of the Texas Music Industry Directory (Daniel Valenzuela)
- o. Adoption of a resolution in opposition to S.B. 1152 and H.B. 3535 regarding telephone/cable franchise fees (Tina Dierschke)
- p. Approval of an amendment to the contract with Reece Albert, Inc. in the amount of \$64,500.49 to be reimbursed by design engineer's insurance and authorizing the City Manager to execute any related documents (Russell Pehl)

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the consent agenda, excluding items 6e, 6f, 6i, 6m, 6o, and 6p.

Citizen Steve Hampton requested item 6n also be discussed separately.

Motion: Council Member DeWitt amended the motion, the second was amended by Council Member Hiebert, to approve the consent agenda, excluding items 6e, 6f, 6i, 6m, 6n, 6o, and 6p. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve item 6e, as presented by Carl White. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve item 6f, as presented by Lance Overstreet. The motion carried unanimously (7) ayes to (0) nays.

Citizens Steve Hampton and Anna Bartosh requested clarification of the item.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve item 6i, as presented by Ryan Kramer. The motion carried unanimously (7) ayes to (0) nays.

Citizens Osvaldo Martinez and Tito Reyes clarified their variance request.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 6m, approving the on-grass parking variance for all hours requested and denying the noise ordinance variance for all hours requested. The motion failed (2) ayes to (5) nays, with Mayor Gunter, Council Member Thomas, Council Member Gonzales, Council Member Carter, and Council Member DeWitt casting the dissenting votes.

Citizen Steve Hampton suggested the Noise Ordinance be reviewed between now and August 3rd and consider this item at a later date. Citizen Sally Ayana stated that family reunions must abide by the noise ordinance and stated the live music is enjoyable to some.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve item 6m, approving the on-grass parking variance for all hours requested and approving the noise ordinance variance from 12pm to 7pm on August 3, 2019. The motion passed (5) ayes to (2) nays, with Council Member Hiebert and Council Member Thompson casting the dissenting votes.

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve item 6m, approving all additional variances for all hours requested, as presented by Carl White. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve item 6n, as presented by Chamber Vice President Diann Bayes. The motion carried unanimously (7) ayes to (0) nays.

Communications Director Anthony Wilson alerted City Council that this bill was passed by the State Senate and is in the State House. He advised if people see their State Representative, they should voice their concerns.

Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to approve item 6o, as presented by Tina Dierschke. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Thompson, to approve item 6p, as presented by Russell Pehl. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Public hearing and first reading of an ordinance amending Chapter 11 "Utilities", Article 11.05 "Water Conservation and Drought Contingency Plan" by deleting the adoption date from ordinance language (Presentation made by Water Utilities Director Allison Strube)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- b. First reading and public hearing of an ordinance amending Chapter 8 "Offenses and Nuisances", Article 8.11 "Outdoor Lighting", Section 8.11.005 "Light Trespass" to change the allowable maximum intensity to 0.5 footcandles (Presentation made by City Attorney Theresa James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- c. First reading and public hearing of an ordinance approving a street name change for "King Mill Dr." and "Wedgewood Ct." to "King Mill Cir.", over the complete length of these street rights-of-way, 340 and 345 linear ft respectively (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. First reading and public hearing of an ordinance approving the abandonment of approximately 45.6-sq ft of the N. Chadbourne St. public right-of-way; located adjacent to 50 N. Chadbourne St. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. First reading and public hearing of an ordinance approving case Z19-03 a rezoning from the existing General Commercial/Heavy Commercial Zoning District (CG/CH) and Two Family Resident District (RS-2) to General Commercial (CG) on property located at 918 N. Chadbourne St. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- f. First reading and public hearing of an ordinance for Z19-04, approving a rezoning from the Neighborhood Commercial (CN) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) and Office Commercial (CO) Zoning Districts for land generally located between W. Houston Harte Expy., Howe St., Freeland Ave., and Millsbaugh St.; comprising a total of 7.04 acres (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Carter made a motion, seconded by Council Member DeWitt, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- g. Ratification of COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$200,000 to provide an Economic Development Incentive to SMC-Global (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott & Chamber Vice President of Economic Development Michael Looney)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- h. Ratification of COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed \$50,000 to provide an Economic Development Incentive to Ener-Tel Services (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- i. Approval of amending Civic Events policies as recommended by the Civic Events Advisory Board (Presentation made by Civic Events Manager Sidney Walker)

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- j. Approval of allocating up to \$50,000 for capital projects from the Civic Event's fund balance for facility improvements (Presentation made by Civic Events Manager Sidney Walker)

Citizen Steve Hampton supports the repairs but expressed concern regarding incorrect estimates.

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- k. Adoption of a resolution authorizing application for financial assistance from the Texas Water Development Board for water system improvements; expressing official intent to reimburse costs of said projects; and making certain findings in connection therewith (Presentation made by Finance Director Tina Dierschke)

Citizen Steve Hampton expressed concern.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- l. Update on Sales Tax revenue performance (Presentation made by Finance Director Tina Dierschke)

No action taken on this item.

8. Closed Session

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

- a. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person on:
 - 1. Millspaugh Addition, Block 24
 - 2. Property commonly known as "City Farm"
 - 3. Lake Nasworthy Addition, Group 7
 - 4. Lake Nasworthy Residential Lot Leases
 - 5. 2838 College Hills Blvd.
 - 6. 1/4 section +/- out of Abstract A-8071-5-0178, J.C. Matthews Survey, northeast of the City within the ETJ

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed

No action taken on this item.

- b. Approval of various board nominations:
Concho River Watermaster Advisory Committee: Allison Strube (Director of Water Utilities) to a term ending August 2020 and Chuck Brown (Consultant/Upper Colorado River Authority) to a term ending August 2021
Economic Development Corporation: Todd Kolls (Mayor) to a second term ending February 2020

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Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

Mayor Gunter requested that a raw water pricing discussion be brought to City Council within the next 60 to 90 days.

10. Adjournment

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

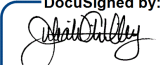
There being no further business, the meeting was adjourned at 1:03 p.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

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Julia Antilley, City Clerk

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