

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, August 6, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5
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 8:30 a.m. on Tuesday, August 6, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer

An invocation was provided by San Angelo Police Department Chaplain Marcella Jenkins. Following the prayer Mayor Gunter asked for a moment of silence for the victims of the El Paso shooting.

3. Pledges

Pledges were led by incoming 2nd grader Aubrey Groves.

4. Proclamations/Recognitions

The City of San Angelo Budget division was recognized for receiving the Government Finance Officers Association's (GFOA) Distinguished Budget Presentation Award.

5. Public Comment

San Angelo Chamber of Commerce Vice President of Economic Development Michael Looney and Economic Development Director Guy Andrews presented COSADC and SMD1 with a framed copy of an award from SMC Global.

Economic Development Project Manager Bob Schneeman announced it was Economic Development Director Guy Andrews' birthday.

Citizen Anna Bartosh spoke regarding the need for a drainage study regarding Foster Road.

Citizen Betty Damron spoke about the dangerous conditions that the patio homes and Rio Concho manor residents face when crossing Rio Concho Drive.

6. Consent Agenda

- a. Approval of the July 16, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to negotiate and execute a First Amendment to Commercial Lease Agreement - Spring Creek Marina with Golden Antlers, Inc., Lessee, providing for an additional 22.89 acres to be included in the Leased Premises, for a total lease area of 34.915 acres (Carl White)
- c. Authorization of the City Manager to execute an agreement with the San Angelo Soccer Association (SASA) for the use of some of the property the city leases from the United States Army Corps of Engineers for the purpose of youth sports programming (Carl White)

- d. Approval of Buyboard Contract #515-16 for the purchase of two Compact Excavators from Bobcat Company, in the amount of \$110,678.03, budgeted in fiscal year 2019 (Ryan Kramer)
- e. Approval of Buyboard Contract #521-16 for the purchase of one Brush Truck from Freightliner of Austin, in the amount of \$308,769, budgeted in fiscal year 2019 (Ryan Kramer)
- f. Approval of Task Order No. 109-A with KSA Engineers, Inc. for professional services relating to San Angelo Regional Airport Taxiway Reconfiguration Project in the amount of \$62,331 (Jeremy Valgardson)
- g. Authorization of the City Manager to execute a renewal of a contract with Downtown San Angelo, Inc. for a five-year term (Jon James)
- h. Approval of an agreement with Atmos Energy in the amount of \$23,691.15 for the execution of a low income weatherization program for San Angelo citizens who are Atmos customers and authorizing the City Manager to execute related documents (Bob Salas)
- i. Approval of a resolution approving annual re-certification for Galilee Community Development Corporation as a Community Housing Development Organization (CHDO) (Bob Salas) (Pg. 333, 2019-096)
- j. Ratification of a resolution by COSADC authorizing the use of Sales and Use Tax funds in an amount not to exceed \$600,000, for purchase of a vacant tract of land generally located adjacent to the south right-of-way of FM 2105, 1.5 miles west of Hwy 277, a project authorized under Chapter 505 of the Texas Development Corporation Act for Industrial and Commercial Development necessary to promote economic development and expanded business enterprises that create or retain primary jobs (Robert Schneeman)
- k. Acceptance of a WIC grant for fiscal year 2020 including that the City provide certain services for the WIC program; authorization for the City Manager to execute a contract with the Texas Department of State Health Services for an award of \$832,472 for fiscal year 2020; authorization for the City Manager to execute other contracts or addendums for grant funding for the balance of the fiscal year; and, any related documents (Cristina Eureste)
- l. Approval of a resolution designating an officer for public information requests (Julia Antilley) (Pg. 334, 2019-097)
- m. Approval of a resolution supporting an expansion of the Central Texas Corridor as part of the I-14 expansion (Mayor Gunter and Daniel Valenzuela) (Pg. 335, 2019-098)
- n. Approval of the revised Fort Concho Museum Board bylaws (Bob Bluthardt)
- o. Approval of a resolution finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied and requiring reimbursement of Cities' rate case expenses (Theresa James) (Pg. 337, 2019-099)
- p. Approval of a resolution responding to the application of Atmos Energy Corporation – Midtex Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the city to continue to participate in a coalition of cities known as the "Atmos Texas Municipalities;" determining that the meeting at which the resolution was adopted complied with the Texas open meetings act; making such other findings and provisions related to the subject; and declaring an effective date (Theresa James) (Pg. 339, 2019-100)

q. Second reading and adoption of:

1. An ordinance for CP19-01, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Center Future Land Use to Industrial Future Land Use, being 8.98 acres located generally southeast of the intersection of Houston Harte Expy. Frontage Rd. and Smith Blvd. (Pg. 341, 2019-101)

2. An ordinance for Z19-09, a rezoning from General Commercial (CG) to Light Manufacturing (ML) being 8.98 acres generally southeast of the intersection of Houston Harte Expy. Frontage Rd. and Smith Blvd. (Jon James) (Pg. 344, 2019-102)

r. Second reading and public hearing adopting an ordinance approving PD19-06, a rezoning from the Low Rise Multifamily Residential (RM-1) Zoning District to the Planned Development (PD) Zoning District to allow retail sales and service uses and offices with Type 1 outdoor storage, being 1.425 acres located at 3824 Green Meadow Dr. (Jon James) (Pg. 347, 2019-103)

s. Second reading and adoption of an ordinance approving the abandonment and vacation of a 15-ft wide by 200-ft long, 0.0685 acres (3,000-sq ft) public alley; located south of W. Beauregard Ave., north of W. Colorado St. between S. Tyler St. and S. Polk St. (Jon James) (Pg. 351, 2019-104)

t. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for reimbursed expenses and grants (Tina Dierschke) (Pg. 354, 2019-105)

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the Consent Agenda with the exception of items 6f, 6g, 6i, 6m, 6n, and 6p. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve item 6f, as presented by Jeremy Valgardson. The motion carried unanimously (6) ayes to (0) nays.

Citizen Steve Hampton spoke in support of continuing reports at Council meetings.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve item 6g, as presented by Jon James. The motion carried unanimously (6) ayes to (0) nays.

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

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve item 6m, as read by Mayor Gunter. The motion carried unanimously (6) ayes to (0) nays.

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

Citizen Steve Hampton expressed concern regarding the proposed increase.

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve item 6p, as presented by Theresa James. The motion carried unanimously (6) ayes to (0) nays.

7. Regular Agenda

- a. Update on Housing Study conducted by Community Development Strategies (Presentation made by Community Development Strategies' President Steve Spillette)

[Bob Salas, Jon James, and Guy Andrews spoke regarding the findings.]

No Action Taken on this item.

- b. Uphold and modification of the decision of the Planning Commission's approval of a Conditional Use, CU19-09, to allow for household living, including multi-family living, in the General Commercial (CG) and Office Commercial (CO) zoning districts, being 20.192 acres located within the 1800 block of West Loop 306 near North Bentwood Dr. (Presentation made by Planning & Development Services Director Jon James)

Developers Kevin Collins and Mitch Elliot and appellant Sergio Velasquez spoke regarding the item. Fire Chief Dunn spoke regarding public safety. Citizens Dave Dierker, Anna Bartosh, and Dave Antle expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to uphold the Planning Commission's decision, incorporating their conditions with the following modifications:

- Modify the 6-ft opaque privacy fence to 7-ft.
 - Eliminate the two buildings closest to the back (closest to Castle Pines St./Pine Valley St.) and shorten the two Type C buildings (running perpendicular to Loop 306) to not extend beyond the length of the Type D buildings to allow for a green space, placing trees 35-45 ft. apart along the line
 - Keep construction and landscaping aesthetics consistent with the images presented
- The motion carried unanimously (6) ayes to (0) nays.

- c. First reading and public hearing considering an amendment to the City's Land Development and Subdivision Ordinance, Chapter 1 "General Provisions"; Chapter 3 "Definitions"; Chapter 5 "Procedural Requirements for Subdivisions"; Chapter 6 "Guarantee of Performance"; Chapter 9 "Subdivision Design Policies"; and Chapter 11 "Water Facilities" (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 (6) ayes to (0) nays.

- d. Ratification of COSADC's resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$59,000 to provide an Economic Development Incentive to West Texas Steel and Supply, Inc. (WTS) (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

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

- e. Award of FC-01-19 (Fort Concho Roof Replacement) to Harrison Roofing, Inc. in the amount of \$953,791.50 and authorizing the City Manager to execute any related documents (Presentation made by Fort Concho Manager Robert Bluthardt)

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

- f. Budget presentation - health insurance discussion and update (Presentation made by Holmes Murphy Senior Client Service Consultant Julie Rickman)

No Action Taken on this item.

- g. Discussion and direction regarding ballot language for the November 2019 special election (Presentation made by City Manager Daniel Valenzuela)

Direction: Mayor Gunter and Council Members Hiebert and Thomas agreed they support taking an item to the voters, recommending the use of the Lake Nasworthy Trust Fund principal in an amount up to \$6 million for quality of life improvements at Lake Nasworthy and using the balance of the fund as of election day towards the sewer project at Lake Nasworthy.

- h. Record vote to propose a property tax rate and discussion regarding the Fiscal Year 2019-2020 budget preparation (Presentation made by Finance Director Tina Dierschke)

Motion: Mayor Gunter made a motion, seconded by Council Member DeWitt, to approve the property tax rate, as presented at 0.7760/\$100 valuation. A record vote was taken and the motion carried unanimously (6) ayes (Council Members Hiebert, Thomas, Gonzales, Carter and DeWitt and Mayor Gunter) to (0) nays.

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 regarding Friedrich Heinemann S-327 & Windstone Park Addition
- b. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding CLEAT or TMPA
- c. ~~Section 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee regarding the annual evaluation of the City Manager~~

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:
Water Advisory Board: Judge Stephen Floyd (TGC Commissioner) to a second term ending April 2020, Chuck Brown (UCRA Director of Operations) to a second term ending April 2020, and Bruce Partain (Chamber of Commerce Employee) to a first term ending April 2020
Zoning Board of Adjustment: Stephanie Hamby (Mayor Pro-Tem - Alternate 1) to a first term ending January 2021

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

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c. Announcements and consideration of Future Agenda Items

Mayor Gunter announced the first budget workshop will be held Tuesday, August 13th at 8:30 a.m. in Council Chambers.

Council Member DeWitt announced a Community Meeting will be held Thursday, August 8th at TLCA.

Council Member Hiebert stated he would like to see a 3% increase for employees on a future agenda item and asked if the City Council could receive the Agenda earlier, perhaps noon Thursdays when possible.

Mayor Gunter announced she would like to set the stage for budget talks saying she would support no more than a 2% increase for employees.

10. Adjournment

Consensus: Council Member Hiebert made a motion to adjourn the meeting. The meeting was adjourned by consensus.

There being no further business, the meeting was adjourned at 12:48 p.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Brenda Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Julia Antile

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Julia Antile, 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.)