

City of San Angelo, Texas
Regular City Council Meeting
Wednesday, September 4, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
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 8:34 a.m. on Wednesday, September 4, 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 all victims of the Odessa shooting.

3. Pledges

Pledges were led by fourth grader Giuliana Johnson and third grader London Johnson, both of Santa Rita Elementary.

4. Proclamations/Recognitions

September 2019 was proclaimed Hunger Action Month

The Cowboy Gathering Festival was recognized for their 7th anniversary

5. Public Comment

Citizen Don Chavez spoke regarding Tom Green County and various intersections and signals.

Operations Director Shane Kelton gave an update on potholes and encouraged citizens to report new potholes online or at 657-4231. He also mentioned job applications for positions on his crews are available at City Hall.

Public Information Officer Brian Groves introduced Lorelei Day as the new Communications Coordinator.

Citizen Steve Hampton (SMD 6) expressed concern on items 6g and 6h.

6. Consent Agenda

- a. Approval of the August 20, 2019 City Council regular meeting minutes and August 27, 2019 budget workshop meeting minutes (Julia Antilley)
- b. Acceptance of the following lots from the Fort Concho Museum Board and Directors of the Museum Board of the City of San Angelo:
 1. Lots 1, 2, 3, 4, 5, 6, 10 and the South 62' of Lots 11 and 12, Block 58, Fort Concho Addition
 2. Lots 11 and 12, Block 60, Fort Concho Addition (Cindy Preas)
- c. Award of CFM-01-19 Electrical Maintenance and Repair Service to MC Electric and authorizing the City Manager to negotiate and execute all related documents (Ron Lewis)

- d. Approval of Buyboard Contract #521-16 for the purchase of one Ford F-550 from Grande Truck Center (San Antonio, TX), in the amount of \$66,754, budgeted in fiscal year 2019 (Ryan Kramer)
- e. Approval of a contract with King Consultants, DBA Construction Consulting 3, Inc., through TIPS #181101 in the amount of 192,661.20 and authorizing the City Manager to negotiate and execute all related documents for the asbestos abatement, demolition, and site restoration at Lot 1, Block 24, Millspaugh Addition (also known as 711, 713, 715, 717, and 721 S. Oakes St.) (Ron Lewis)
- f. Ratification of a resolution by COSADC authorizing the use of Sales and Use Tax funds in an amount not to exceed \$638,861, for Affordable Housing Assistance Program (AHAP) to assist low income qualifying homeowners in rehabilitation of residential structures damaged citywide by the E2 tornado occurring on May 18, 2019 (Bob Salas)
- g. Approval of a Charity Care Policy (Tina Dierschke/Brian Dunn)
- h. Approval of updates to the 2019 Water Conservation Plan as requested from Texas Water Development Board (Allison Strube)
- i. Second reading, public hearing, and adoption of an ordinance amending Chapter 2 "Administration and Personnel", Article 2.07 "Boards, Committees, and Commissions" (Julia Antilley) (Pg. 407, 2019-110)
- j. Second reading and adoption of an ordinance approving Z19-13, a rezoning from Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District on 0.482 acres located at 215, 217, and 219 S. Washington St. (Jon James) (Pg. 409, 2019-111)
- k. Second reading and adoption of an ordinance approving Z19-14, a rezoning from the General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), Neighborhood Commercial (CN), Office Commercial (CO), and Low Rise Multi-Family Residential (RM-1) Zoning Districts to the Central Business District (CBD) Zoning District, on approximately 80 acres generally located north of the Concho River, south of W. Harris Ave., east of Santa Fe Park Dr., and west of S. Randolph St. (Jon James) (Pg. 412, 2019-112)
- l. Second reading and adoption of ordinances approving:
 - 1. PD19-07, a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial (CG) Zoning District and a shared sign plan on 4.951 acres located at 4150 and 4238 Sunset Dr. (Pg. 416, 2019-113)
 - 2. Z19-10, a rezoning from the Ranch & Estate (R&E) Zoning District and General Commercial/Heavy Commercial (CG/CH) Zoning District to the General Commercial (CG) Zoning District on 0.484 acres located at 4744 N. Chadbourne St. (Pg. 420, 2019-114)
 - 3. Z19-11, a rezoning from the Ranch & Estate (R&E) Zoning District to the General Commercial (CG) Zoning District on 6.109 acres located at 5026 Link Rd. (Pg. 423, 2019-115)
 - 4. Z19-12, a rezoning from the Heavy Commercial (CH) Zoning District to the Light Industrial (ML) Zoning District on 5.95 acres located at 6993 and 7005 S. U.S. Highway 277 (Jon James) (Pg. 426, 2019-116)
- m. Second reading and adoption of an ordinance approving the abandonment and vacation of a 20-ft wide by 300-ft long, 0.1370 acres (6,000-sq ft) public alley; the north/south alley located south of W. Beauregard Ave., north of W. Colorado St. between S. Jefferson St. and S. Madison St. (Jon James) (Pg. 429, 2019-117)
- n. Second public hearing 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 and updating the number of authorized full time equivalent positions (Tina Dierschke)
(Pg. 432, 2019-118)

- o. Approval of a resolution accepting the Donation of Funds for the purchase of firearms for the San Angelo Police Department (Frank Carter) (Pg. 436, 2019-119)

- Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve only items 6a, 6b, 6d, 6j, 6k, 6l, 6m, 6n, and 6o from the Consent Agenda. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve item 6c, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve item 6e, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member Gonzales made a motion, seconded by Council Member Hiebert, to approve item 6f, as presented. The motion carried unanimously (7) ayes to (0) nays.

Citizen Steve Hampton (SMD6) requested clarification on the program.

- Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve item 6g, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to approve item 6h, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 6i, as presented.
- Motion: Council Member Hiebert amended the motion, the second was amended by Council Member Thompson, to approve item 6i, as presented, keeping Civic Events Board Meetings quarterly, with additional meetings called by the City Manager, if necessary. The motion carried unanimously (7) ayes to (0) nays.

Civic Events Advisory Board Chair Billy Najara proposed the board meet eight times per year and discussed attendance.

Citizen Steve Hampton (SMD 6) requested information regarding attendance.

Civic Events Advisory Board member Del Velasquez spoke in support of quarterly board meetings.

7. Regular Agenda

- a. Public hearing and first reading for:
 1. An amendment to the zoning ordinance creating a new Section 212 "River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone" and establishing standards for development within these zones; creating a new Section 309 "River Corridor District Overlay Zone", Section 310 "Downtown District Overlay Zone", and Section 311 "Cultural District Overlay Zone" and identifying their purpose, applicability and review procedures; rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; rezoning properties generally located north of Neff's Way, east of Randolph St., south of 3rd St., and west of N. Emerick St. to apply the Downtown Overlay Zoning District; and rezoning properties generally located North of Ave. A, east of Oakes St., south of the Concho River to apply the Cultural Overlay Zoning District
 2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River

Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, "River Corridor Development Ordinance"

3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented, with direction to not charge a fee for an administratively approved change to the building color (within historic color palette); exempt single-family homes, except those adjacent to the river; and, remove permit fees for single-family homes adjacent to the river. The motion carried unanimously (7) ayes to (0) nays.

- b. Ratification of a resolution by COSADC authorizing the Board President to negotiate and execute a Memorandum of Understanding with the City of San Angelo providing funding not to exceed \$13,000 for a project for Air Service Marketing and Recruitment services (Presentation made by Airport Director Jeremy Valgardson)

[Council Member Hiebert recused himself from the discussion.]

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried with (6) ayes, (0) nays, and (1) abstention, with Council Member Hiebert abstaining from the vote.

- c. Discussion and consideration of body worn camera program for San Angelo Police Department (Presentation made by Police Chief Frank Carter and Sergeant Travis Griffith)

Support: Council was supportive of bringing forward the financial discussion related to a body worn camera program.

- d. Discussion and direction related to funding Public Safety equipment needs (Presentation made by Finance Director Tina Dierschke, IT Director Bucky Hasty, and Fire Chief Brian Dunn)

Direction: Council directed staff to bring these items back as an action item for the September 17, 2019 meeting (along with the use of Sales Tax surplus funds for streets) as carryover items for fiscal year 2020 budget.

- e. Approval of a financial incentive program to promote infill development in neighborhoods targeted for revitalization (Presentation made by Neighborhood & Family Services Director Bob Salas)

Citizen Steve Hampton (SMD 6) requested clarification.

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

- f. Discussion and consideration of matters related to the fiscal year 2019-2020 operating budget including:
 1. First public hearing and introduction of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. This budget will raise more total property taxes than last year's budget by \$1,365,635 (3.58%), and of that amount, \$405,140 is tax revenue to be raised from new property added to the tax roll.

Citizen Don Chavez requested clarification.

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

2. A separate record vote was taken to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for the September 17, 2019, regular meeting of the City Council as an action item (Presentation made by Finance Director Tina Dierschke)

Citizen Don Chavez requested clarification.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 17, 2019 regular meeting of the City Council as an action item. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt, and Mayor Gunter) to (0) nays.

- g. Second public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2019 tax year:

Public hearing and first reading of an ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2019-2020 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to assess 0.7760 as the proposed property tax rate for fiscal year 2020. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, 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 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding: Levi Chaparro v. City of San Angelo; Christopher Herrington, Tanner Tumlinson, Abraham Flores, Chase Hill and Zac Villareal, Individually and in their official capacities as Peace/Police Officers for San Angelo Police Department
- b. 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 the water utility property in the area of Hillside Dr. and Gun Club Rd.

9. Follow Up and Administrative Issues

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

No action taken on this item.

- b. Announcements and consideration of Future Agenda Items

No action taken on this item.

New Quorum Present:

Mayor Brenda Gunter

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Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

10. Adjournment

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

There being no further business, the meeting was adjourned at 12:29 p.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Brenda Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Julia Antile

403564FFCC9004A

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.)