

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, October 15, 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 8:31 a.m. on Tuesday, October 15, 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 Ed Lopez.

3. Pledges

Pledges were led by Angelo Catholic School students, Ryley (7th grade) and Blaise Buckner (2nd grade).

4. Proclamations/Recognitions

October 23 - 31, 2019 was proclaimed as Red Ribbon Week.

5. Public Comment

Citizen B.A. Reid (SMD3) spoke regarding the history of golf.

Citizen Alan Prest (SMD1) spoke regarding city board meetings.

Citizen Rick Abbott (SMD1) spoke regarding the Lake Nasworthy Trust Fund.

6. Consent Agenda

- a. Approval of the October 1, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 100 days delinquent) on the following properties: (Cindy Preas)
 1. 1706 Shad Rd.; Lot 2, Group Shady Point; Carol L. Buie, Estate (\$1,500)
 2. 6638 Knickerbocker Rd.; Lot 114, Group Shady Point; Gayla S. Cook (\$922)
 3. 1816 Shady Point Cir.; Lot 20, Group Shady Point; Joe Koby & Becky Koby (\$923)
 4. 1850 Shady Point Cir.; Lot 21, Group Shady Point; Kippy Joiner & Israel Joiner (\$1,208)
 5. 6606 Knickerbocker Rd.; Lot 122, Group Shady Point; Conor Owen (\$820)
- c. Authorization of the City Attorney to terminate the Recreational and Agricultural Lease of approximately 2.214 acres of land, adjacent to Lot 10, Pecan Ridge Estates, for non-payment of annual rent (more than 160 days delinquent) (Cindy Preas)

- d. Adoption of a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant for 920 W. 17th St., being Lot 6, Block 2, T L Salvato Addition (\$1,000) (Cindy Preas) (Pg. 504, 2019-132)
- e. Authorization of the City Manager to execute a 15' Easement and Right-of-Way with AEP Texas, Inc. for the benefit of City's Tenant, Sports Next Level LLC, on property commonly known as 2838 College Hills Blvd. (Cindy Preas)
- f. Approval of BuyBoard Contract #555-18 with Insituform Technologies, LLC, for sewer infrastructure rehabilitation in the amount of \$708,655 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- g. Award of RFB FS-11-19 Patrol Utility Vehicles to Jim Bass Ford (San Angelo, TX) in the amount of \$527,445, for the purchase of 12 units with the option to purchase 3 additional units annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- h. Award of RFB FS-13-19 Medium Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$527,000, for the purchase of 14 units with the option to purchase 3 additional units annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- i. Award of RFB FS-14-19 Half Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$704,000, for the purchase of 18 units with the option to purchase 4 additional units annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- j. Adoption of a resolution accepting the donation of two treadmills to the San Angelo Police Department (Frank Carter) (Pg. 505, 2019-133)
- k. Authorization of the San Angelo Fire Department to participate in the 2019 Muscular Dystrophy Association (MDA) Fill the Boot Campaign (Brian Dunn)
- l. Approval of a Memorandum of Understanding between the City of San Angelo and Downtown San Angelo, Inc. for the construction of an entryway into downtown San Angelo (Shane Kelton)
- m. Approval of Tax Increment Reinvestment Zone (TIRZ) incentive funding for four private projects in the North TIRZ area for the properties located at 1715 N. Chadbourne, 1816 N. Chadbourne, 1822 N. Chadbourne, and 2934 N. Chadbourne totaling \$233,985 (Jon James)
- n. Approval of the following:
 - 1. Second reading and adoption of an ordinance amending Appendix A "Fee Schedule" in the Code of Ordinances and requiring a fee schedule to be adopted by Resolution of Council (Pg. 506, 2019-134)
 - 2. Adoption of a resolution approving the Schedule of Fees and Charges (Pg. 531, 2019-135)
 - 3. Adoption of a resolution approving the Budget Policy (Theresa James and Tina Dierschke) (Pg. 532, 2019-136)

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the Consent Agenda with the exception of items 6l, 6m, and 6n. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve item 6l, as presented by Patrick Frerich. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve item 6m, as presented by Shannon Scott. The motion carried unanimously (7) ayes to (0) nays.

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

Citizen Steve Hampton (SMD6) expressed concern on item 6n.

7. **Regular Agenda**

- a. Report from the Convention & Visitors Bureau (CVB) and Chamber of Commerce Economic Development Council (Presentations made by CVB Director Diann Bayes and Chamber Vice President for Economic Development Michael Looney)

No action taken on this item.

- b. Public hearing on proposed development and adoption of a resolution of general support for a Low Income Housing Tax Credit (LIHTC) project in SMD2 by SA Villas at Shriner's Point, L.P. to construct affordable housing apartments in San Angelo on 37th St. and 40th St. (Presentation made by Neighborhood Services Director Bob Salas and SA Villas representative Grainger MacDonald) (Pg. 533, 2019-137)

Handouts given to City Council mirror Grainger MacDonald's presentation slides.

Motion: Mayor Gunter made a motion, seconded by Council Member Thompson, to adopt a resolution in support of the project, as presented. The motion carried unanimously (7) ayes to (0) nays.

New Quorum 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

- c. Adoption of an ordinance authorizing the issuance and sale of City of San Angelo, Texas Waterworks and Sewer System Improvement Revenue Bonds, Series 2019; establishing procedures for the sale and delivery of the Bonds; providing for the security for and payment of such Bonds; and authorizing and enacting other matters and provisions relating to the subject (Presentation made by Finance Director Tina Dierschke and Water Utilities Director Allison Strube) (Pg. 534, 2019-138)

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. First reading and public hearing of:
 - 1. Adopting an ordinance approving CP19-02, an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being the east 5.9 acres of an unaddressed 11.3374 acre tract located approximately 250-ft west of the intersection of Sunset Dr. and YMCA Dr.
 - 2. Adopting an ordinance for Z19-15, a rezoning from the Heavy Commercial (CH) Zoning District to the General Commercial (CG) Zoning District, being an unaddressed 11.3374 acre tract located approximately 250-ft west of the intersection of Sunset Dr. and YMCA Dr. (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.

Quorum Present for item 7e (taken out of order, after 7b):

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- e. First reading and public hearing of an ordinance ~~approving~~ denying a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD19-08) Zoning District to allow for an indoor entertainment facility with accessory alcoholic beverage sales for on-premise consumption, outdoor recreation and entertainment, and mobile food units, being 1.0720 acres located at 4382 Southwest Blvd. (Presentation made by Planning & Development Services Director Jon James)

Additional letters of opposition given to City Council were added to the Supplemental Minutes.

Citizens Boady Jennings (Southland Blvd), Gerald Turn (SMD3), Stephen Cozad, Jim Meadow, Don Knight, Hugh DeLong (Indian Path), Lois Knight, Deborah Meadow, Dixie Cozad, and Jenny Black spoke in opposition.

Developers Brian Benson and Brittany Ionita spoke in support of the project and responded to questions from City Council.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to deny the rezoning. The motion to deny carried with (4) ayes and (3) nays, with Council Members Gonzales, Thomas, and Mayor Gunter dissenting.

Quorum for Remainder of Meeting:

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

- f. First reading and public hearing of an ordinance approving the abandonment and vacation of a 20-ft wide by 190-ft long, 0.0872 acres (3,800-sq ft) north/south alley located within Block 30 of Angelo Heights Addition (Presentation made by Planning & Development Services Director Jon James)

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

- ~~g. Consider an appeal of the Planning Commission's decision to deny the applicant's request for an amendment to Planned Development PD19-04 to modify an approved off-site monument sign to allow a digital monument sign in the triangle generally bound by Sherwood Ave. to the north, W. Beauregard Ave. to the south, S. Tyler St. to the west and S. Harrison St. to the east, at 1909 W. Beauregard Ave. (Presentation made by Planning & Development Services Director Jon James)~~

Item removed from the Agenda for discussion at a future meeting.

- h. Adoption of a resolution authorizing the City Manager, or designee, to apply for and accept a Texas Historical Commission Certified Local Government Program Grant for fiscal year 2019-2020 for a total project amount of \$35,000; approving provision for matching funds equal to

fifty percent of the project costs in the form of a combination of matching funds and value of in kind services; and designating the City Manager as the City's Authorized Grant Official (Presentation made by Planning & Development Services Director Jon James) (Pg. 574, 2019-139)

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

- i. 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 regarding:
- Millspaugh Addition, Block 24
- 1521/1525 S. Concho Park Dr.
- 141.670 +/- acres out of WC RR Co Survey and 200.1100 +/- acres out of W Johnson Survey
- b. Section 551.089(1) to deliberate regarding security assessments or deployments relating to information resources technology, regarding: Avolve Agreement

9. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session

Motion: Council Member Gonzales made a motion, seconded by Mayor Gunter, to approve an agreement with Avolve. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to extend the deadline for Recurrent Energy to gain access to the substation until December 31, 2019. The motion carried unanimously (6) ayes to (0) nays.

- b. Announcements and consideration of Future Agenda Items

The next City Council meeting will be held November 12, 2019.

The City's Special Election will take place November 5, 2019.

10. Adjournment

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

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

THE CITY OF SAN ANGELO

DocuSigned by:

Brenda Gunter

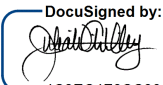
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Brenda Gunter, Mayor

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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.)