

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 12, 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 special session of the San Angelo City Council to order at 10:01 a.m. on Tuesday, November 12, 2019, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

San Angelo Police Department Chaplain Gary Jenkins provided an invocation.

3. Pledges

Gary and Marcella Jenkins led pledges.

4. Proclamations/Recognitions

November 2019 was proclaimed National Home Care & Hospice month.

5. Public Comment

None.

6. Consent Agenda

- a. Approval of the October 15, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Approval of a lease agreement between the City of San Angelo WIC and the Cornerstone Community Action Agency in Coleman, TX in the amount of \$250 monthly for rent of space to host WIC satellite clinic services and authorizing the City Manager to negotiate and execute all related documents (Cristina Eureste)
- c. Approval of an amendment to the agreement with Water Dawgs, LLC for the lease of City property at Mary E. Lee Park at Lake Nasworthy for a boat rental concession and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- d. Award of an ambulance box from Frazier in the amount of \$182,285 off HGAC contract AM10-18 and authorizing the City Manager to negotiate and execute all related documents (Brian Dunn)
- e. Extension of the award of WU-02-15 Water Reclamation Facility Liquid Polymer to Polydyne Inc. in the amount of \$150,000 annually for one year, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- f. Award of ES-07-19: Avenue R Bridge Repair to Futra Vest Construction (San Angelo, TX) in the amount of \$99,000, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Lance Overstreet)

- g. Award of RFB SB-02-19 DS-Plus Cold Patching Material to Vulcan Construction Materials, LLC., in the amount of \$300,000 budgeted annually, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- h. Authorization for the City Manager to negotiate and execute an agreement and all related documents with the Southern Drag Boat Association (SDBA) for the annual Drag Boat Races at Lake Nasworthy (Carl White)
- i. Adoption of a resolution allowing the City Manager to negotiate and execute a contract with the Chamber of Commerce Convention & Visitors Bureau allocating Hotel Occupancy Tax funds (Tina Dierschke) (Pg. 580, 2019-140)
- j. Adoption of a resolution allowing the Police Department to accept donations for the SAPD K-9 unit to purchase a working K-9 and K-9 related equipment (Frank Carter) (Pg. 582, 2019-141)
- k. Adoption of a resolution allowing Fort Concho Museum to accept the donation of a trailer (Bob Bluthardt) (Pg. 583, 2019-142)
- l. Ratification of a COSADC resolution authorizing the president to negotiate and execute a professional services agreement, with Centurion Planning and Design in an amount not to exceed \$24,765, to perform professional engineering and surveying services for a right turn lane and driveway approach design and final TXDOT permit application services for a project for a portion of the remainder of Block 1 San Angelo Gateway Addition Section 1 of the San Angelo Business & Industrial Park, subject to approval of the City Council (Guy Andrews)
- m. Ratification of COSADC's resolution of the City of San Angelo Development Corporation Board of Directors authorizing the Board President to negotiate and execute a first amendment to the economic development performance agreement with CalTech Software Systems, Inc., amending the job creation and employee training assistance provisions therein with a commensurate reduction in grant incentives payable (Shannon Scott)
- n. Second reading and adoption 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 (Jon James) (Pg. 584, 2019-143)
- o. Authorization for the City Manager to negotiate and execute an annexation agreement and all related documents regarding approximately 977.9 acres of property located outside the city limits adjacent to US Highway 277 (Jon James)
- p. Second reading and adoption of:
 - 1. 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. (Pg. 587, 2019-144)
 - 2. 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. (Jon James) (Pg. 590, 2019-145)

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

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

- Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to approve item 6h, as presented by Carl White. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve item 6m, as presented by Shannon Scott. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Mayor Gunter made a motion, seconded by Council Member Hiebert, to approve item 6o, as presented by Jon James. The motion carried unanimously (7) ayes to (0) nays.

7. **Regular Agenda**

- a. Approval of items related to an amendment to 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.:

1. Approval of an appeal of the Planning Commission's decision to deny the applicant's request for an amendment to Planned Development PD19-04

2. First reading and public hearing on an ordinance amending PD19-04 (Presentation made by Planning & Development Services Director Jon James)

Citizen Steve Hampton (SMD6) spoke in support of the business.

- Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to overturn the Planning Commission's denial and approve the amended Planned Development changing the third condition requiring the sign be displayed a minimum of 60-seconds. The motion carried unanimously (7) ayes to (0) nays.

- b. Adoption of a resolution approving case SU19-04, a Special Use to allow a Nursing Home on property zoned Heavy Commercial (CH), being 8.25 acres generally located on YMCA Dr., 850-ft northwest of the intersection of YMCA Dr. and Sunset Dr. (Presentation made by Planning & Development Services Director Jon James) (Pg. 593, 2019-146)

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

- c. First reading and public hearing on case Z19-16, an ordinance rezoning property from the Ranch & Estate (R&E) zoning district to the Light Manufacturing (ML) zoning district, on 10 acres located at 3927 Old Ballinger Hwy. (Presentation made by Planning & Development Services Director Jon James)

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

- d. First reading and public hearing on an ordinance amending the Land Development and Subdivision Ordinance, Chapters 1, 9, and 10, to address adequate public facilities, to rename Chapter 9, to amend design requirements to refer to City Engineer specifications, and to create an administrative exemption for reduced street standards in infill areas (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. Award of ES-08-19 Avenue P Detention Basin to Darnell Construction, LLC (San Angelo, TX) in the amount of \$2,351,118, budgeted for purchase in fiscal year 2020, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by City Engineer Lance Overstreet)

Citizen Steve Hampton (SMD6) requested clarification.

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.

f. Approval of the following:

1. Acceptance of the Rescindment of Award recommendation from KSA Engineers and rejection of the bid from American Road Maintenance for failure to produce the mandatory Disadvantaged Business Enterprise plan in the bid documents for Airport Improvement Program (AIP) 39, Runway 18/36 Rehabilitation and Commercial Ramp Rehabilitation (Presentation made by KSA representative Craig Phillips)

2. Rejection of all bids and approval to restructure and rebid AIP-39, Runway 18/36 Rehabilitation and Commercial Ramp Rehabilitation, due to the lack of available FAA grant funding (Presentation made by Airport Director Jeremy Valgardson)

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve item 7f1, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve item 7f2, as presented. The motion carried unanimously (7) ayes to (0) nays.

g. Approval of a contract with US Digital Designs via NNPgov contract VH1164 for the purchase of a Fire Station Alerting System in the amount of \$539,582 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Information Technology Director Bucky Hasty)

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.

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

No action taken on this item.

8. Special Agenda

a. Consider a resolution canvassing returns and declaring the results of the Special Election held November 5, 2019; providing severability and an effective date (Presentation made by City Clerk Julia Antilley)

[Mayor Gunter expressed her appreciation for Rick Abbott's leadership and insight during the election.]

No action taken on this item.

[A meeting to canvass the official Special Election results was scheduled for Monday, November 18, 2019 at 11:30 a.m. in the San Angelo McNease Convention Center with a minimum of the Mayor and Mayor Pro tem in attendance.]

9. 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(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: Amendment to SAPAC agreement

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- 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:

1. 0.50 +/- Acre tract out of G Blum Survey 166

2. Ford Ranch

10. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to allow the City Manager to negotiate and execute all associated documents with the sale of the half-acre tract out of the G. Blum Survey 166. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Thomas, to A) allow the City Manager to negotiate and execute an amendment to the SAPAC agreement that: 1) sets City contribution to \$50,000 for ten years, 2) changes composition of the FMIF Committee, 3) Provides requirements for annual report, and 4) allows drinks in the Auditorium with requirements and B) City Manager is directed to modify the facilities policy to allow right of first refusal to SAPAC for the rental of the East Mezzanine during events in the Auditorium. The motion carried unanimously (7) ayes to (0) nays.

- ~~b. Announcements and consideration of Future Agenda Items~~

11. 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.

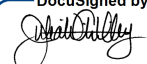
There being no further business, the meeting adjourned at 1:56 p.m.

THE CITY OF SAN ANGELO

DocuSigned by:

65CC121DADB40F...
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

4C3EC4F6CC904A...
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.)