

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 19, 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 8:30 a.m. on Tuesday, November 19, 2019, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

San Angelo Police Department Chaplain Ralph Dawkins provided an invocation.

3. Pledges

Pledges were led by Fort Concho fourth grader Peyton Behrens.

4. Proclamations/Recognitions

December 7, 2019 was proclaimed as Concho Christmas Celebration Day.

5. Public Comment

Council Member Gonzales announced Neighbors Café (at Rust Street Ministries facility) will offer free Thanksgiving Day lunch November 28th.

6. Consent Agenda

- a. Approval of the November 12, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Award of RFQ ES-06-19 for Professional Services to the 17 firms submitting qualifications including scope of services related to public works projects including surveying, schematic, environmental documents, plans, specifications, estimates (PS&E) and related documents not limited to streets, water and sewer utilities and that require completion in a time-sensitive manner to the responsive engineering firms and authorizing the City Manager to negotiate and execute all related documents (Lance Overstreet)
- c. Approval of the following Naming Rights Agreement for the San Angelo Stockshow and Rodeo Association, Inc. between City of San Angelo Fairgrounds Building No. 3 and HEB Grocery Company, LP (Carl White)
- d. Approval of:
 1. Allocating matching funds in the amount of ~~\$40,000~~ \$60,000 for the application of a grant with the Texas Parks and Wildlife Department for trail and trail-head improvements at the recreation lands at Twin Buttes Reservoir, and
 2. Allocating matching funds in the amount of \$15,000 for the City's portion of the cost, in cooperation with the Bureau of Reclamation, for a new dock at the main ramp on the north side

of Twin Buttes Reservoir and authorizing the City Manager to negotiate and execute all related documents (Carl White)

- e. Second reading on case Z19-16, and adoption of 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. (Jon James) (Pg. 608, 2019-148)
- f. Acceptance of an annexation petition for 8.401 acres of land out of C. Berberich Survey No. 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas, being part of a 25.361 acre tract described and recorded in Instrument No. 201616044, Official Public Records of Tom Green County, Texas; being a tract of land south of State Hwy Loop 306 adjacent to the city limits east of Karsten Creek Dr. and west of Foster Rd., and setting a Public Hearing on the annexation for the December 17, 2019 City Council meeting (Jon James)
- g. Second reading and adoption of an ordinance amending 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. (Jon James) (Pg. 611, 2019-149)
- h. Second reading and adoption of 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 (Jon James) (Pg. 614, 2019-150)

[Council Member Thompson recused himself from voting on item 6c.]

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the Consent Agenda with the exception of items 6b, 6d, 6f, and 6h. The motion carried unanimously (7) ayes to (0) nays for the remaining Consent Agenda, except item 6c. Item 6c carried unanimously (6) ayes to (0) nays, with (1) abstention by Council Member Thompson.

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

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

[Item 6d taken after other Consent Agenda items, prior to Regular Agenda items.]

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 6d, as presented by Carl White, changing the requested amount on 6d1 to \$60,000. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Adoption of a resolution for the use of Construction Manager At-Risk procurement for the expansion of the Hickory Water Supply (Presentation made by Scott Hibbs, Enprotec / Hibbs & Todd, Inc. and by Water Utilities Director Allison Strube) (Pg. 618, 2019-151)

Citizen Steve Hampton (SMD6) expressed concern.

Motion: Council Member Carter made a motion, seconded by Council Member DeWitt, to use the CMAR process for the Hickory Water Supply expansion to provide the best value and most efficient method of procurement for the City of San Angelo. The motion carried unanimously (7) ayes to (0) nays.

- b. First reading and public hearing of an ordinance approving the abandonment and vacation of approximately 2.378 acres of land that includes portions of Houston St., Dallas St., and alleys between Block 77, 78, and 86 of the Hatcher Addition; generally located between W. Houston Harte Expy. Frontage Rd., Millspaugh St., Freeland Ave., and Howe St. (Presentation made by Planning & Development Services Director Jon James)

Parkside Church Pastor Don Jackson spoke in opposition.

SKG representative Russell Gully and Angelo Christian Ministries representative Don Crabtree spoke in favor.

Motion: Council Member Carter made a motion, seconded by Council Member Thompson, to approve the item as presented, with the exception of not closing the section of Dallas St. between Alexander St. and Millspaugh St. The motion carried unanimously (7) ayes to (0) nays.

- c. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020, for capital items, donations, grants, and projects (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the item, as presented with the condition that prior to the second reading of the Budget Amendment Neighborhood and Family Services Director Bob Salas will make a presentation regarding the need for carryover funds for Bradford Storm Recovery. The motion carried unanimously (7) ayes to (0) nays.

[Item 9b taken here.]

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:

Quorum Present for item 8a (taken out of order):

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

- 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 West Texas Water Partnership

Quorum Present for items 8b and 8c (taken out of order):

Mayor Brenda Gunter

Mayor Pro tem Harry Thomas, SMD 3

Council Member Tom Thompson, SMD 2

Council Member Tommy Hiebert, SMD 1

Official Minute Record
November 19, 2019

Volume 2019
Page 606

Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5
Council Member Billie F. DeWitt, SMD 6

- 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 Sheila Andrews v. City of San Angelo
- c. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding: H.R. Wardlaw, Beverly Stribling, Lawrence A. Ricci v. City of San Angelo et. al.

9. Follow Up and Administrative Issues

Quorum Present for item 9a

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

- a. Consider items discussed in Executive Session

No Action Taken.

Quorum Present for item 9b (taken out of order, after Regular Agenda):

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

- b. Discussion and consideration of December meeting schedule

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to hold one December meeting, December 17, 2019. The motion carried unanimously (7) ayes to (0) nays.

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

- c. Announcements and consideration of Future Agenda Items

Assistant City Manager Rick Weise spoke regarding the possibility of a training session regarding development services. Further information will be sent to City Council regarding the proposed topic and meeting dates.

Council Member Thomas requested a discussion and review of fees associated with removal of unowned dead animals by Animal Services staff.

Official Minute Record
November 19, 2019

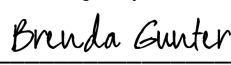
Volume 2019
Page 607

10. Adjournment

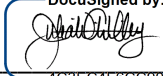
Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:54 a.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

65CC121DADBB40F
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

4C3EC4F6CC9044A...
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.)