

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, December 17, 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 8:33 a.m. on Tuesday, December 17, 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

Pledges were led by local and regional athletes Leslie Salas, Kyler O'Neal, Saedye Moreno, and Christian English from various local schools.

4. Proclamations/Recognitions

John Henry Perez was recognized for the Texas Amateur Athletic Federation (TAAF) President's Excellence Award.

Kyler O'Neal and Leslie Salas were named male and female local athletes of the year.

Christian English and Saedye Moreno were named male and female regional athletes of the year.

SAISD was given the TAAF Contributor Appreciation Award.

Tony Allen was recognized for serving as a sports official.

Marty Lopez was recognized for serving as youth basketball coordinator.

Recreation staff was recognized for their 5th year as a TAAF gold member.

5. Public Comment

Water Utilities Director Allison Strube gave an update on the sewer line collapse, stating a goal to complete underground work by Christmas with a goal of completion by the one-month mark of the incident.

Citizen Diarmid Campbell spoke regarding wage theft. Handouts were scanned and included in the official record.

Citizen Steve Hampton (SMD6) spoke regarding security risks to the city.

6. Consent Agenda

- a. Approval of the November 18, 2019 special meeting, November 19, 2019 regular meeting, and December 10, 2019 special meeting City Council minutes (Julia Antilley)

- b. 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 on the following properties: (Cindy Preas)
 - 1. Lots 3 & 4, Block 8, Heckert's Addition; Perez (\$1,000)
 - 2. A tract of land approximately 100' x 235' out of J. Williams S-121.5, A-5670; Duran (\$6,000)
 - 3. 0.1809 acres out of Lot 47, Miles Addition; Chavez (\$6,000) (Pg. 630, 2019-153)
- c. Declaration of a small triangularly shaped parcel of land, being 0.175 acres out of South Concho Dr. right-of-way adjacent to Tracts 3, 4, and 5 of South Concho Pearl Addition, surplus for the purpose of disposing of surplus property and authorizing the City Manager to negotiate and execute all related documents to convey the surface estate only in the surplus property by Special Warranty Deed to the adjacent property owner, reserving unto the City of San Angelo a blanket easement and all mineral interests, surface and ground water rights (Cindy Preas)
- d. Approval of an amendment to the current Lease Agreement with the Vessel Church and COSA Parks & Recreation Department that would add the use of half the Activity Room at Station 618 Senior Center and remove use of the Conference Room at Santa Fe Crossing, also increasing monthly lease rate (Sandra Aguilar)
- e. Authorization of the City Manager to execute a Consent to Assignment of City of San Angelo Regional Airport—Mathis Field Lease and License Agreement for the café located in the Airport Terminal Building from Mathis Field Café, Inc. to DCAT, LLC (Jeremy Valgardson)
- f. Approval of Task Order No. 111, RFQ AP-02-15 with KSA Engineers, Inc., for professional services to update the existing Airport three year Disadvantage Business Enterprise Plan (DBE) as required by the FAA in an amount not to exceed \$16,800 (Jeremy Valgardson)
- g. Approval of a janitorial services contract with ABM Building Services, LLC through TIPS contract #181101 in the amount of \$217,680 and authorizing the City Manager to negotiate and execute all related documents (Ron Lewis)
- h. Approval of Sourcwell contract #021815-DAC for the purchase of one tractor and shredder from Deere & Company, in the amount of \$80,234.30, budgeted in fiscal year 2020 (Ryan Kramer)
- i. Approval of Sourcwell contract #041719-TER for the purchase of one towable man-lift from Cisco Equipment, in the amount of \$59,375, budgeted in fiscal year 2020 (Ryan Kramer)
- j. Approval of Buyboard contract #529-17 for the purchase of four mowers, with the option to purchase one additional mower, from Kubota Tractor Corporation, in the amount of \$68,986.10, budgeted in fiscal year 2020 (Ryan Kramer)
- k. Approval of RFB ES-01-20, Chadbourne Street Utility Improvements, to Darnell Construction, LLC in the amount of \$2,371,700 and authorizing the City Manager to negotiate and execute all related documents (Lance Overstreet)
- l. Authorization of the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services with associated costs not to exceed \$21,992 for fiscal year 2020 (Frank Carter)
- m. Authorization of the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services with associated costs not to exceed \$123,864 for fiscal year 2020 (Frank Carter)
- n. Adoption of a resolution approving the donation of unused animal services assets to Concho Valley PAWS (Morgan Chegwiddden) (Pg. 632, 2019-154)
- o. Approval of revised bylaws approved by the Public Art Commission (Carl White)

- p. Ratification of COSADC's adoption of a resolution authorizing the Board President to negotiate and execute a first amendment to Economic Development Grant Project Agreement with Howard County Junior College District extending the term of the agreement (Guy Andrews)
- q. Approval of the 2018 Consolidated Annual Performance and Evaluation Report (CAPER) (Bob Salas)
- r. Adoption of a resolution creating Designated Truck Routes pursuant to Section 1.01.019(A)(2) of the San Angelo Code of Ordinances to allow the inclusion of the newly constructed W. 33rd St. and a portion of Riverside Golf Club Rd. (Patrick Frerich) (Pg. 634, 2019-155)
- s. Second reading and adoption 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. (Jon James) (Pg. 636, 2019-156)

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

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

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

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

7. Regular Agenda

- a. First reading and public hearing of an ordinance approving the abandonment of approximately 8,800-sq ft of the E. Ave. D public right-of-way; generally located west of S. Chadbourne St., south of W. Ave. C, and north of W. Washington Dr. (Presentation made by Planning & Development Services Director Jon James)

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.

- b. First reading and public hearing of an ordinance requesting to abandon the 20-ft x 350-ft east/west alley in Block 49, Fairview Addition between N. Cecil St. and N. Archer St. and E. Houston Harte Expy. and Veck St. (Presentation made by Planning & Development Services Director Jon James)

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.

- c. Annexation public comment hearing and consideration on a request, by petition of the property owner, for annexation of an 8.401 acre tract generally described as an area of land out of Casper Berberich Survey 177, abstract no. 52 and also being out of a 25.361 acre tract described and recorded in instrument no. 20166044, official public records of Tom Green County, Texas: 1. First public hearing on possible annexation

2. First reading and public hearing of an ordinance annexing into the City of San Angelo the property referenced above and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Planning & Development Services Director Jon James)

[Public hearing on annexation (item 7c1) resulted in no public comment.]

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

- d. Approval of an appeal of the Planning Commission's decision to approve partial variances from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance in the First Replat in Block 11, Lakeview Addition: to allow E. 48th St. and E. 49th St. to pave their incremental half and no curb and gutter, in lieu of the required 40-ft width with curb and gutter, based on the width of these streets west of Bowie St., with an option to defer these required improvements through a developer agreement (Presentation made by Planning & Development Services Director Jon James)

Citizen Steve Hampton (SMD6) spoke in opposition to the appeal.

Developers Chad Decker and Michael Biggerstaff spoke in support of the appeal. Handouts were scanned and included in the official record.

Motion: Council Member Carter made a motion, seconded by Council Member Thomas, to approve the appeal, giving the developer full variances from the street construction requirements, allowing for the developer to not pave, curb, or gutter any portion of the roadway. The motion carried (6) ayes to (1) nays, with Council Member DeWitt casting the dissenting vote.

- e. Adoption of a resolution designating the number of votes to be cast for each nominee for the Board of Directors of the Tom Green County Appraisal District (Presentation made by City Clerk Julia Antilley) (Pg. 639, 2019-157)

Motion: Mayor Gunter made a motion, seconded by Council Member Carter, to split the number of votes evenly across the five nominees, with the remaining three votes going to the newest member of the board, Kandi Pool. The motion carried unanimously (7) ayes to (0) nays.

- f. Discussion and possible action related to animal services \$25 animal pick up fee (Presentation made by Neighborhood & Family Services Assistant Director Morgan Chegwidan)

Direction: Staff was directed to address the animal pick up fee in January (with a fee for domesticated animals and free removal of wild animals) and to prioritize the removal of wild, dead animals from public and private property.

- g. Ratification of COSADC's resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$36,000 to provide an Economic Development Incentive to Centurion Planning & Design, LLC (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

[Council Member Hiebert recused himself from voting on item 7g.]

Centurion representative David Alexander answered questions related to the item.

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

- h. Ratification of COSADC's resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$1,057,300 to provide an Economic Development Incentive to Ethicon, Inc. (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Ethicon Plant Manager Ray Gonzales answered questions related to the item.

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

- i. Approval of allocating up to \$100,000 for capital projects from the Civic Event's fund balance for facility improvements (Presentation made by Civic Events Manager Sidney Walker)

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

- j. Second reading and adoption 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) (Pg. 641, 2019-158)

Galilee representative Stephanie Hamby questioned the delay in Bradford Street funding.

Motion: Mayor Gunter made a motion, seconded by Council Member Carter, to approve the budget amendment, with the exception of the Bradford Street line item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- k. Approval of HGAC Contract SW04-18 for the purchase of one street sweeper from Tymco, Inc., in the amount of \$260,895, budgeted in fiscal year 2020 (Presentation made by Senior Fleet Manager Ryan Kramer)

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

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

No action taken.

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 Ford Ranch
- ~~b. 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~~
- c. 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:
 - a portion of G Schubitz S-0326
 - Windstone Park Addition
 - parts of Lots 1 & 10, Block C, Main Part Addition
 - 141.670 +/- acres out of WC RR Co Survey and 200.1100 +/- acres out of W Johnson Survey

9. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session

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Motion: Council Member Thompson made a motion, seconded by Council Member DeWitt, to extend the deadline on a lease agreement with Recurrent Energy through March 31, 2020. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to accept two parcels of 12.398 acres and 12.888 acres, totaling 25.286 acres, located in Windstone Park Addition. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to authorize the City Manager to negotiate and accept the following properties:
1) a 12.6' x 100' strip of land from Freedom Fellowship Church
2) a 123' x 20' strip of land from Citibank
The motion carried unanimously (7) ayes to (0) nays.

[Item taken out of order.]

Motion: Mayor Gunter made a motion, seconded by Council Member Carter, conveying a portion of the G Schubitz S-0326 property to the adjacent property owner and authorizing the City Manager to negotiate and execute all documents. The motion carried unanimously (7) ayes to (0) nays.

b. Approval of various Board nominations:

Civic Events Advisory Board: Karen Abbott (SMD1) to a second term and Tim Condon (SMD2) to a third term, both ending December 2021

Parks and Recreation Advisory Board: Edward Dotson (SMD2) to a third term, Jon Mark Hogg (SMD5) to a first full term, and Steve Hampton (SMD6) to a first full term, all ending December 2021

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.

c. Consideration of possible dates for Strategic Planning Workshop

Consensus: Mayor Gunter suggested February 25, 2020 at 8:30 a.m. for the first workshop date.

d. Announcements and consideration of Future Agenda Items

City Council wished everyone a Merry Christmas.

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The meeting was adjourned by consensus.

There being no further business, the meeting adjourned at 12:23 p.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Mayor Gunter

Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Julia Antille

Julia Antille, City Clerk

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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.)