

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, May 3, 2016

Present:

Mayor Dwain Morrison
Mayor Pro tem Johnny Silvas, SMD 3
Council Member Rodney Fleming, SMD 1
Council Member Marty Self, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Elizabeth Grindstaff, SMD 5
Council Member Charlotte Farmer, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Morrison called the regular session of the San Angelo City Council to order at 8:38 a.m. on Tuesday, May 3, 2016, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Joe Hodges, Minister with Robert Lee Bible Baptist; and the pledges were led by Brice Carr (1st grader) from Wall Elementary

3. Proclamations/Recognitions

"Simply Texas Blues Festival Day" May 14, 2016, to be accepted by San Angelo Blues Society President Clay Hubbard

Recognition of "El Charro Diaz"

"Police Week" May 15-21, 2016, and "Peace Officers Memorial Day" May 15, 2016 was accepted by Assistant Police Chiefs: Kevin Hollway, Robert Martinez and Jeff Fant

"San Angelo Pan American Golf Association Day" May 14, 2016 was accepted by representatives from the San Angelo Pan American Golf Association

"Mental Health Awareness Month" May 2016, was accepted by Dusty McCoy, West Texas Counseling & Guidance Executive Director and Greg Rowe, MHMR Services for the Concho Valley Executive Director

"Historic Preservation Month" May 2016 was accepted by Del Velasquez, Executive Director of Downtown San Angelo

4. Public Comment

Citizen Harry Thomas encourages everyone to vote and noted it was the last day of early voting.

5. Consent Agenda

a. Approval of the:

April 19, 2016 City Council regular meeting minutes; and

April 19, 2016 City Council special joint meeting with City of San Angelo Development Corporation

- b. Approval of a resolution finding that AEP Texas North Company's application for approval of a Distribution Cost Recovery Factor to increase distribution rates in the amount of \$16,414,394 within the City should be denied; and finding that the City's reasonable rate case expenses shall be reimbursed by the Company
- c. Approval of Change Order No. 1. to the Fire and Security Equipment and Service Agreement between Ener-Tel Services, Inc. and the City of San Angelo to provide for the repair/replacement of the fire alarm and sprinkler systems and all associated work at 8193 Hangar Rd. in the amount of \$235,560
- d. Approval of a Memorandum of Agreement with Goodfellow Air Force Base (GAFB) for the exchange of services and authorizing City Manager to execute all related documents
- e. Approval of adopting a resolution authorizing the mayor to execute a tax-resale (quitclaim) deed conveying all right, title and interest of the City of San Angelo, and all other taxing units interested in the Tax Foreclosure Judgment or Tax Warrant:
 - 1415 N. Magdalen, Acct #24-44100-0000-002-00; Cause No. A-14-0041-TAX;\$16,353
 - 822 Antonio; Acct #02-11900-001-005-00; Cause No D-10-0076-TAX; \$3000
- f. Approval of accepting an Interlocal Agreement with the City of Fredericksburg, Texas for the occasional, temporary use of an asphalt milling machine owned by the City of San Angelo
- g. Second reading and approval of adopting an Ordinance approving a request for Case Z16-01 from Jared Matlock to authorize a Rezoning from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, on 0.14 acres generally located along the south side of West First Street, across from Farr Street
- h. Second reading and approval of adopting an Ordinance approving a request for Case Z16-02 from Bryan Burger to authorize a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, on 1.30 acres generally located at the corner of Knickerbocker Road and South Jackson Street
- i. Second reading and approval of adopting an ordinance amending the 2015-2016 budget for a capital project

Motion: Council Member Grindstaff made a motion, seconded by Council Member Fleming, to approve the Consent Agenda, as presented, with the exception of item 5c. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Grindstaff made a motion, seconded by Council Member Silvas, to approve item 5c, as presented. The motion carried unanimously (6) ayes to (0) nays, with Councilmember Self abstaining.

6. Regular Agenda

- a. Presentation of report from the Chamber of Commerce Economic Development Council and the Convention & Visitors Bureau (CVB) - (A presentation was made by CVB Vice President Pamela Miller and Chamber Vice President for Economic Development Michael Looney)

No action was taken on this item

- b. Update on issuance of Certificates of Obligation and Series 2008 and Series 2009 Refunding Bonds - (A presentation was made by Finance Director Tina Carriger and Vince Viaille, Specialized Public Finance, Inc.)

No action was taken on this item

- c. Approval of adoption of a resolution authorizing application for financial assistance from the Texas Water Development Board for water and sewer system improvements; and making certain findings in connection therewith - (A presentation was made by Water Utilities Director Bill Riley)

Public comments were made by Mike Boyd, Vince Vialle, Ted Weatherford, and H.R. Wardlaw.

Motion: Council Member Rodney Fleming made a motion, seconded by Council Member Marty Self, to adopt the resolution as presented. The motion carried (6) ayes to (1) nays, with Council Member Johnny Silvas casting the dissenting vote.

At 10:40 a.m. the Council convened into Executive Session for item 7b.

At 10:58 a.m. the Council reconvened into Regular Session

- d. Approval of First Reading and Public Hearing on an ordinance amending Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 10, "Tax Increment Reinvestment Zone Board", and removing Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 11, "Downtown Development Commission" - (A Presentation was made by Planning & Development Services Director Jon James)

Public comments were made by Lee Pfluger, Jim Turner, Travis Stribling, Del Velasquez, and Bill Dendle.

At 12:03 p.m. the Council recessed for a Special Joint Meeting with COSA DC.

At 1:06 p.m. the Council convened into Executive Session for item 7a and 7c.

At 1:49 p.m. the Council reconvened into Regular Session

Motion: Council Member Self made a motion, seconded by Council Member Grindstaff, to approve the first reading of the ordinance, as presented, with the exception of adding 1 nonvoting member from Downtown San Angelo, Inc., 1 nonvoting member from the Chamber of Commerce, designating the representatives from Goodfellow Air Force Base, San Angelo Independent School District, and Angelo State University as nonvoting members; and adding the stipulation that Council Members from Single Member Districts two, three, and four will nominate representatives who work, live or own property in the North TIRZ; adding the stipulation that Council Members from Single Member Districts one, five, and six will nominate representatives who work, live, or own property in the South TIRZ. The motion carried (6) ayes to (1) nays, with Council Member Farmer casting the dissenting vote.

- e. Postponement of discussion and consideration of amendments to the bylaws for the Tax Increment Reinvestment Zone Board

Consensus of City Council was to postpone this item until the next City Council Meeting.

- f. Presentation on the Wayfinding Master Plan and direction from Council - (A presentation was made by Planning & Development Services Director Jon James)

No action was taken on this item.

- g. Second public hearing and approval of adopting ordinances amending Appendix A fee schedule and chapter 11 of the code of ordinances:

- Amending article A6.000 "Park Use Fees" (Real Estate/Finance);
- Amending article A1.000 "Animal Control Services Fees";
- Amending article 11.05 "Water Conservation and Drought Contingency Plan" and article A.8000 "Utility Related Fees"; and
- Amending article A.8000 "Utility Related Fees" and chapter 11 "Utilities", article 11.02 "water and sewer service" - (A presentation was made by Budget Manager Morgan Chegwiddden)
Public comments were made by Del Velasquez.

Motion: Council Member Farmer made a motion, seconded by Council Member Self, to adopt the ordinance, as presented. The motion carried (6) ayes to (1) nays, with Mayor Morrison casting the dissenting vote.

- h. Approval of adopting a resolution enacting standard water conservation level of the City's Water Conservation / Drought Contingency Plan - (A presentation was made by Water Utilities Assistant Director Allison Strube)

Motion: Council Member Fleming made a motion, seconded by Council Member Self, to adopt the resolution, as presented. The motion carried unanimously (7) ayes to (0) nays.

7. Closed Session

Executive Session was held 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:
 1. ~~2013 Sealcoating Program Contract;~~
 2. Martifer-Hirschfeld Energy Systems, LLC ET. AL.
 3. ~~Templeton Construction, Inc.; and~~
 4. ~~Denise Kendall V COSA ZBA 16C070-L2 (3221 RED BLUFF ROAD)~~
- 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 the contract with the Health Foundation
- c. Section 551.072 Deliberations about Real Property regarding a future Police Administration Building

8. Follow Up and Administrative Issues

- a. Approval of action on matters discussed in executive/closed session

Motion: Council Member Fleming made a motion, seconded by Council Member Silvas, to adopt a resolution related of a settlement agreement terminating litigation between the City of San Angelo and City of San Angelo Development Corporation as plaintiffs and Martifer Hirschfeld Energy Systems, LLC, Et Al as defendants. The motion carried unanimously (7) ayes to (0) nays.

- b. Announcements and consideration of Future Agenda Items

9. Adjournment

Motion: Council Member Grindstaff made a motion, seconded by Council Member Silvas, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays.

There being no further business, the meeting was adjourned at 2:46 p.m.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, 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.)