

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 20, 2016

Present:

Mayor Dwain Morrison
Mayor Pro tem Charlotte Farmer, SMD 6
Council Member Bill Richardson, SMD 1
Council Member Marty Self, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

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 8:35 a.m. on Tuesday, September 20, 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 San Angelo Bible Church Pastor Jim Stanley; and the pledges were led by West Texas RSVP Director Dolores Schwertner.

3. Proclamations/Recognitions

The United Way of the Concho Valley's 2016 was recognized.

"Family Health & Fitness Day" September 25, 2016 was proclaimed.

"RSVP Volunteer Recognition Day" September 29, 2016 was proclaimed.

4. Public Comment

Several public comments were made in support of a raise for the police department.

R.A. Cantrell spoke about the need to begin alley pickup for trash.

5. Consent Agenda

- a. Approval of the September 6, 2016 City Council regular meeting minutes
- b. Approval of a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services; making provision for city participation in the costs associated with the MHU not to exceed \$117,570, for fiscal year 2016-2017; and finding a public purpose and benefit (Pg. 621, #2016-09-095)
- c. Approval of a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services; making provision for city participation in the costs associated with the CIU not to exceed \$42,919, for fiscal year 2016-2017; and finding a public purpose and benefit (Pg. 623, #2016-09-096)
- d. Approval 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 to the following properties: (Pg. 625, #2016-09-097)
Lot 4, Block 11, Mineola Addition; Galilee Community Development Corporation (\$750)

- Lot 4, Block 69, Miles Addition; Lorenzo A. and Maria Carmen Cuellar (\$750)
- e. Approval of a resolution authorizing the expenditure up to and not to exceed \$115,000 of TIRZ funds for design and surveying services for widening West Concho Avenue from South Koenigheim Street to South Randolph Street (Pg. 627, # 2016-09-098)
 - f. Approval of a resolution authorizing the expenditure of \$120,000 of TIRZ funds assisting with the existing Transportation Enhancement Grant Project for bicycle and pedestrian improvements along Martin Luther King Blvd, Rio Concho Drive, and south of downtown San Angelo. The City is required to match approximately \$260,000. The TIRZ board unanimously supported use of TIRZ funds (Pg. 629, #2016-09-099)
 - g. Approval of an agreement between the City of San Angelo and ATMOS Energy in the amount of \$28,500 for the execution of a low income weatherization program for San Angelo citizens who are ATMOS customers and authorizing the City Manager or his designee to execute related documents
 - h. Postponement of awarding RFB FS-06-16 Truck Chassis with Dump System to Summit Truck Group (San Angelo, TX) in the amount of \$206,000 per fiscal year, budgeted each fiscal year, for the purchase of one (1) unit (with the option to purchase one (1) additional unit), and authorizing the City Manager or designee to execute any related documents
 - i. Approval of a resolution authorizing the City Manager, or designee, to execute an aerial easement over a 20-foot by 50-foot portion of a public alley adjacent to Lots 6 through 15 in Block N of the Miles Addition of the subject property at 316 Martin Luther King Drive (Pg. 631, #2016-09-100)
 - j. Approval of a contract to lease uniforms from UniFirst through BuyBoard contract #507-16 in the amount of \$32,000 per fiscal year, budgeted each fiscal year by department with the option to add departments currently on the uniform purchasing program at an estimated cost of \$375 per employee, and authorizing the City Manager to negotiate and execute all related documents
 - k. Approval of a approving a fifth amendment to the agreement with Concho Valley Transit District in the amount of \$0 and authorizing City Manager to negotiate and execute all related documents
 - l. *This item was pulled for discussion during the Regular Agenda*
 - m. Approval of the second public hearing and adoption of an ordinance amending the 2015-2016 budget for grants and program expenses (Pg. 639, #2016-09-101)
 - n. Approval of the second reading and consider adopting an ordinance amending Chapter 7 "Health and Sanitation", Article 7.02 "Property Maintenance", Section 7.02.063 "Weeds & vegetation" of the San Angelo Code of Ordinances to add affirmative defenses in cases where developed property is ten (10) acres or more (Pg. 641, #2016-09-102)

Motion: Council Member Farmer made a motion, seconded by Council Member Self, to approve the consent agenda, with the exception of items 5e, 5L, and 5n; and allowing for the postponement of item 5h. The motion carried unanimously (7) ayes to (0) nays.

Citizens R.A. Cantrell and Steve Hampton expressed concerns related to the timing and expense of item 5e.

Motion: Council Member Farmer made a motion, seconded by Council Member Thomas, to approve item 5e, as presented. The motion carried (5) ayes to (2) nays, with Council Members Gonzales and Richardson casting the dissenting vote.

Silvia Martinez expressed concerns over possible special treatment in the ordinance presented as item 5n.

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to approve item 5n, as presented. The motion carried (6) ayes to (1) nays, with Council Member Richardson casting the dissenting vote.

6. Regular Agenda

a. Update on the Sherwood Way Improvement Project

This item was requested by Council Member Farmer and a presentation was made by John Dewitt, Jr., TxDot Director of Transportation Planning and Development

No action was taken on this item.

b. Approval of a resolution authorizing the City Manager to negotiate and execute a construction contract with Reece Albert, Inc. pursuant to RFB No. ES-03-16 MLK Transportation Enhancement Project for street reconstruction, sidewalk and ADA accessibility, bicycle elements and utility construction services in the sum of \$5,806,443 with a 10% contingency for a total amount of \$6,387,088 (Pg. 645, #2016-09-103)

A presentation was made by City Engineer Russell Pehl

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

Recess: At 10:02 a.m. the meeting was recessed.

Reconvene: At 10:24 a.m. the meeting was reconvened.

c. Approval of the First Reading and Public Hearing for Case VP16-01, an Ordinance approving a request to authorize an amendment to the Vision Plan component of the San Angelo Comprehensive Plan adopted in 2009, to change the Future Land Use designation from "Neighborhood Center" to "Neighborhood," on an approximately 0.14 acre tract, located at 14 South Bishop Street.

A presentation was made by Planning & Development Director Jon James

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

d. Approval of the First Reading and Public Hearing for Case Z16-05, an Ordinance approving a request to authorize a rezoning from General Commercial/Heavy Commercial (CG/CH) Zoning District to the Two-Family Residential (RS-2) Zoning District for property located at 14 South Bishop Street, on 0.14 acres.

A presentation was made by Planning & Development Director Jon James

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

e. Approval of the First Public Hearing and consideration of amending Chapter 7, Article 7.02 "Property Maintenance" Section 7.02.070 "Abatement, expenses and lien" to allow citizens an option to request a judicial case review and recommendation prior to abatement

A presentation was made by Assistant Director of Neighborhood & Family Services James Flores

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

- f. Consider the following items related to the budget:
1. Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2016, and ending September 30, 2017; Authorizing employee compensation schedules; Providing for the general appropriation of funds; Reserving unto the City Council the authority to transfer appropriations budgeted, ratifying transfers of appropriations occurring in the 2015-2016 fiscal year and amending that budget ordinance accordingly; Providing for lapse of all unencumbered or unobligated funds for the prior fiscal year and for carryover of all appropriations of encumbered, obligated or restricted funds; Reserving unto the City Council the power, only as permitted by law, to amend or make changes in the budget for municipal purposes; Providing authority for the city manager or his designee to make certain adjustments from time to time in or between budgeted allocations; Authorizing the city manager or his designee to apply for certain grants and execute any related documents; and, providing for filing of the budget. **(Pg. 647, #2016-09-104)**

This budget will raise more total property taxes than last year's budget by \$1,495,628 (4.34%), and of that amount, \$442,215 is tax revenue to be raised from new property added to the tax roll this year

2. Authorize the City Manager to negotiate and execute an amendment to the Meet and Confer Agreement, as necessary

A presentation was made by Budget Manager Morgan Chegwiddden

Motion: Council Member Farmer made a motion, seconded by Council Member Carter, to approve item 6f1 (Budget Ordinance), as presented. The motion carried (6) ayes to (1) nays, with Council Member Richardson casting the dissenting vote.

Citizen Silvia Martinez expressed concerns related to the decision not to provide raises for the Police Department.

Motion: Council Member Gonzales made a motion, seconded by Council Member Farmer, to approve item 6f2 (Meet and Confer Agreement), with the condition that there is no monetary impact commitment in the agreement extension. The motion carried unanimously (7) ayes to (0) nays

Item 5L Approval of the second public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2016 tax year. (Pg. 655, 2016-09-105)

An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2016-2017 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date

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

7. 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 551.074(1) to deliberate the annual evaluation of the City Manager.
- b. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property related to Lot 1, Group 7, Lake Nasworthy Addition.
- 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:
 1. 2013 Sealcoating Program Contract
 2. Templeton Construction, Inc.
 3. Alsay, Inc.
- d. 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:
 1. Assignment of rights Hickory wellfield property
 2. The Martifer Hirschfeld agreement
- e. 551.087(2) to deliberate the offer of a financial or other incentive to an aeronautical services company at the airport

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive/Closed Session, if needed

No action taken on this item.

- b. Announcements and consideration of Future Agenda Items

Council Member Carter reminded the audience of the upcoming Trash Forum and an upcoming Town Hall meeting on Short Term Rentals.

Consensus of Council was to set the Short Term Rental discussion item for the first meeting in October.

9. Adjournment

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

There being no further business, the meeting was adjourned at 12:33 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.)