

City of San Angelo, Texas  
Regular City Council Meeting  
Tuesday, December 13, 2022

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Present:

Mayor Brenda Gunter  
Mayor Pro tem Tom Thompson, SMD 2  
Council Member Tommy Hiebert, SMD 1  
Council Member Harry Thomas, SMD 3  
Council Member Lucy Gonzales, SMD 4  
Council Member Karen Hesse Smith, SMD 5  
Council Member Larry Miller, 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 8:32 a.m. on Tuesday, December 13, 2022 at the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

**2. Chaplain Prayer & Pledges**

An invocation was provided by San Angelo Police Department Chaplain Marcella Jenkins. Pledges were led by San Angelo Police Department Chaplain Gary Jenkins.

**3. Proclamations/Recognitions**

**4. Public Comment**

Citizen and NAACP President Sherley Spears (SMD 5) invited the City Council and the public to the Buffalo Soldiers Memorial Groundbreaking at the Paseo following the council meeting.

Citizen Zane White (SMD 6) expressed concern regarding the city's enforcement of the sign ordinance.

Citizen Jatón Geise (SMD 5) expressed concern regarding closure of the animal shelter's canine intake.

Citizen Kim Henry (SMD 3) thanked the staff for their work on her accessibility concerns and asked for item 5m to be pulled for discussion regarding the associated pedestrian ramp.

Council Member Thompson announced to the Edmund & Glenna residents that he is aware of the US Postal Service moving from individual to community mailboxes and is discussing concerns with Public Works Executive Director Shane Kelton.

**5. Consent Agenda**

- a. Approval of the November 15, 2022 City Council regular and November 22, 2022 canvassing meeting minutes (Julia Antilley)
- b. Approval of special recreation lease renewals with the following tenants and authorizing the City Manager to execute the same (Carl White, Manda Salladay):
  1. Concho Bass Club
  2. Concho Boat Club
  3. Concho Valley Archery Association
  4. Deborah Pappas and Denise Jackson
  5. Korden Lee Sonnenberg
- c. ~~Consider authorizing the City Manager to negotiate and execute all documents necessary to renew a ten-year lease with DHL Wendland, LLC for 0.604 acres out of M. Himmer Survey No. 321, Abstract 355 (Manda Salladay)~~

- d. Authorization of the Mayor to execute a deed transferring title of tax sale property Lot 19, Block 5E, Chapman's Subdivision to The Estate of Hubert Dennis Sanders (Manda Salladay)
- e. Approval of a lease agreement between the City of San Angelo and Shannon Medical Center for the Health Department Nursing Division clinical/office space at 2030 Pulliam St., Suite 8 and authorizing the City Manager to negotiate and execute all related documents (Sandra Villarreal)
- f. Award of FS-01-23 Police Boat to Bryan Marine, Inc. (Bryan, TX) in the amount of \$75,587.85, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- g. Award of FS-04-23 Half Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$570,400 for the purchase of 11 units, with the option to purchase three additional units annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- h. Award of FS-05-23 Dump Trucks to Lone Star Truck Group (San Angelo, TX) in the amount of \$406,563, for the purchase of two units with the option to purchase one additional unit annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- i. Award of FS-06-23 Passenger Cars to Jim Bass Ford (San Angelo, TX) in the amount of \$103,996, for the purchase of three units with the option to purchase one additional unit annually, and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- j. Award of FS-07-23 Quarter Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$144,125, for the purchase of three units with the option to purchase two additional units annually and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- k. Award of CFM-01-23 HVAC Maintenance and Repair Services to Advanced Service Group, Barry Hooker Heating and Air, and Duncan Mechanical Services and authorizing the City Manager to negotiate and execute a fixed price agreement with the multiple vendors (Kyle Henry)
- l. Amendment of WU-05-21 Professional Engineering Services - Upper Colorado Regional Flood Planning Technical Consultant with HDR Engineering, Inc. increasing the contract amount by \$104,000, funded by Texas Water Development Board Grant, bringing the new contract total to \$1,575,200 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- m. Approval of Change Orders #9 and #10 to ES-03-20 Chadbourne Street Improvements - Phase A Project contract with Ti-Zack Concrete, Inc. reducing the current \$7,588,971.75 project cost by \$83,685.07 and bringing the revised project cost to \$7,505,286.68 (Kevin Pate)
- n. Amendment of SB-02-20 Street Materials with CSA Materials, Inc. to allow for a materials price increase, allowing an optional annual price escalation of up to six percent, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- o. Ratification of an agreement with Oncor Electric Delivery, LLC, in the amount of \$324,545.44 for the installation of electrical delivery facilities at the Hickory Well Field expansion site (Shane Kelton)
- p. Adoption of a resolution approving the donation of a Teq Lite Teqball table to the City of San Angelo Recreation Division with an estimated value of \$2,200 from Teqball USA, LLC (Brent Casey) (Pg. 433, 2022-095)
- q. Adoption of a resolution approving non-monetary in-kind support, and authorizing pre-booking dates for the Downtown San Angelo, Inc. "A Star Spangled Banner Concert" event for the Fourth of July to be held July 3, 2023, 2024, and 2025 at the Bill Aylor Memorial River Stage (Carl White) (Pg. 434, 2022-096)

- r. Approval of an agreement with Art in Uncommon Places allocating \$25,000 of Hotel Occupancy Tax receipts for eligible activities and authorizing the City Manager to negotiate and execute any related documents (Carl White)
- s. Approval of the 2021 Consolidated Annual Performance and Evaluation Report (CAPER) (Bob Salas)
- t. Approval of an agreement with the Tom Green County Election Administration's Office to continue providing election services for the city from January 1, 2023 through December 31, 2032 and authorizing the City Manager to negotiate and execute all related documents (Julia Antilley)
- u. Ratification of an information technology support services agreement in the amount of \$7,500 between the City of San Angelo Development Corporation and Russ Wallace dba CTR Data and authorizing the Board President or their designee to negotiate and execute all necessary documents (Michael Dane)
- v. Ratification of COSADC's approval of a one-year agreement with the Chamber of Commerce for Marketing and Recruitment Services at a cost of \$262,500 and authorizing the COSADC Board President to negotiate and execute the agreement and any related documents (Michael Dane)
- w. Approval of Aetna as the Stop Loss coverage provider related to medical claims (Bryan Kendrick)
- x. Second reading and adoption of an ordinance for Z22-21 to rezone properties from the Single-Family Residential zoning district to the Two-Family Residential zoning district, being 0.314 acres, located at the northwest corner of N. Marie St. and Beacon St. (Jon James) (Pg. 435, 2022-097)
- y. Second reading and adoption of an ordinance for Z22-22 to rezone properties from the Neighborhood Commercial to the Low Rise Multifamily Residential zoning district, being 0.413 acres, located at the southwest corner of S. Pierce St. and W. Beauregard Ave. (Jon James) (Pg. 438, 2022-098)

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve the Consent Agenda, with the exception of items 5c, 5l, 5m, and 5o. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

[Item 5c – removed from agenda - no action taken on this item.]

*Citizens Andrea Souffle (SMD 1) and Kim Henry (SMD 3) expressed concern over the funds used on the Chadbourne St. ramp included in item 5m and asked to be included in future discussions regarding projects with an accessibility component.*

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve items 5l, 5m, and 5o, as presented. The motion carried unanimously (7) ayes to (0) nays.

## 6. Regular Agenda

- a. Update and discussion regarding the Charter Review Committee's progress on evaluating Sections 60-64 Chief of Police of the City Charter (Charter Review Committee)  
*Citizen Jatón Geise (SMD 5) expressed concern over more restrictions, but was in favor of aligning the terms of office.*

Direction: Direction was given to staff to bring back the proposed language as presented by the Charter Review Committee for inclusion on the May 2023 ballot.

- b. Approval of a policy to address Repeat Open Records Requestors to provide a reasonable limit on the amount of time spent on public information requests submitted by vexatious requestors (Presentation made by City Clerk Julia Antilley)

[Building Official Charlie Kemp and Fire Marshal Billy Clemmons spoke in support of the policy.]

*Media representative Joe Hyde expressed concern over news media exceptions.*

*Citizen Jaton Geise (SMD 5) stated we should offer more information online so the public can do their own research.*

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried (5) ayes to (2) nays, with Mayor Gunter and Council Member Miller casting the dissenting votes.

- c. Authorization of Tax Increment Reinvestment Zone funds in the amount of \$105,382 for the purpose of maintenance activities within the zones, including maintenance of landscaping, weeds, trash pickup, and similar tasks to ensure aesthetic streetscapes along streets within the North and South TIRZ areas (Presentation made by Planning & Development Services Director Jon James)

Public Works Executive Director Shane Kelton spoke regarding the maintenance of the project, now and once the project is completed and turned over to the City of San Angelo.

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Gonzales, to approve the item, as presented.

Motion: Council Member Hesse Smith revised her motion to fund the annual maintenance with 80% from North TIRZ funds and 20% from South TIRZ funds. Council Member Gonzales failed to second the revised motion.

Motion: Council Member Hesse Smith made a motion, seconded by Mayor Gunter, to approve the item as presented, with the exception that 80% of the annual maintenance funds should come from North TIRZ and 20% from South TIRZ. The motion carried (5) ayes to (2) nays, with Council Members Gonzales and Thomas casting the dissenting votes.

- d. Discussion and direction on the Tax Increment Reinvestment Zone regarding moving boundary lines between the North and South areas and the issue of North TIRZ funding for non-profit organizations (Presentation made by Planning & Development Director Jon James)

Direction: City Council directed staff to ask the TIRZ board to review 1) the boundary line separating the North and South TIRZ areas, proposing to move the line to Harris St. and 2) to remove the ability for non-profits in the North TIRZ to apply for funding.

- e. First reading and public hearing of an ordinance extending the temporary changes to Chapter 12 "Planning and Development" Article 12.04 "Signs" in the City Code of Ordinances, to allow additional time for preparation of permanent amendments to the Sign Ordinance (Presentation made by Planning & Development Services Director Jon James)

*Citizen Susan Mertz (SMD 5) thanked council for agreeing to create a citizens review committee.*

*Citizen Zane White (SMD 5) stated he does not believe the two supreme court decisions apply to our sign ordinance and it's applicability to the Cactus Hotel sign.*

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.

- f. First reading and public hearing of an ordinance for PD22-03 to rezone from the Zero Lot Line, Twinhome and Townhome Single-Family Residential and Low Rise Multi-Family Residential zoning districts to a Planned Development zoning district to allow an underlying base zoning of Zero Lot Line, Twinhome and Townhome Single-Family Residential, with the additional use of Single-Family homes, subject to development standards outlined in the Ordinance, being 37.5 acres, located southeast of Valleyview Blvd. and Stone Canyon Trl. (Presentation made by Planning & Development Services Director Jon James)

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*Citizen Andrea Souffle (SMD 1) spoke in support of placing sidewalks along Valleyview Blvd. and greenspaces for the wildlife in the area.*

*Applicant representative James Duncan spoke in support of the project.*

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

- g. First reading and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, for ongoing projects and capital items (Presentation made by Finance Director Tina Dierschke)

Construction & Facilities Manager Ron Lewis, Operations Director Patrick Frerich, Fire Chief Patrick Brody, and Fort Concho Manager Bob Bluthardt all spoke in support of their carryover items.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

## **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:~~

## **8. Follow Up and Administrative Issues**

- a. Consideration of items discussed in Closed Session, if needed

No action taken on this item.

- b. Approval of various Board nominations

**Civic Events Advisory Board:** Del Velasquez (Mayor) to a third term ending December 2024

**Park Commission:** Heidi Brooks (At-Large) to a 1st term, Bitsy Stone (At-Large) to a 4th term, and Allison Watkins (At-Large) to a 2nd term, all ending January 2027

**Parks and Recreation Advisory Board:** Debbie Wilson (SMD4) to a third term ending December 2024

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, with no public comment.

- c. Announcements and consideration of Future Agenda Items

No action taken on this item.

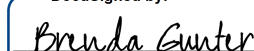
## **9. Adjournment**

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

There being no further business, the meeting adjourned at 11:30 a.m.

**THE CITY OF SAN ANGELO, TEXAS:**

DocuSigned by:



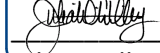
Brenda Gunter, Mayor

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**ATTEST:**

DocuSigned by:

A handwritten signature in blue ink, appearing to read "Julia Antley", is written over a horizontal line.

Julia Antley, 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.)