

City of San Angelo, Texas
Regular City Council Meeting
Thursday, May 4, 2023

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 8:30 a.m. on Thursday, May 4, 2023, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

An invocation was provided, and pledges were led, by San Angelo Police Department Chaplain Ralph Dawkins.

3. Proclamations/Recognitions

May 5, 2023 was recognized as SAISD Difference Maker Day.

May 2023 was proclaimed as Community Action Agency Month.

May 2023 was proclaimed as Mental Health Awareness Month.

May 2023 was proclaimed as Motorcycle Awareness Month.

May 2023 was proclaimed as Stop the Bleed Month.

4. Public Comment

Keep San Angelo Beautiful Manager Charlotte Anderson provided an update on the Don't Mess with Texas Trash Op that took place on April 1, 2023.

5. Consent Agenda

- a. Approval of the April 18, 2023, City Council regular meeting minutes (Heather Stastny)
- b. Approval of an Airport Raw Land Lease with Angelo State University for 137,700-sq. ft. of land in the amount of \$16,524 per year and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)
- c. Ratification of a lease agreement between the City of San Angelo Development Corporation and 4L Roofing & Restoration, LLC, and authorizing the Board President to execute all necessary documents (Nora Nevarez)
- d. Adoption of a resolution approving the donation of 70 bags (one cubic foot each) of garden compost/mulch from Walmart Supercenter (610 W. 29th St.) with an estimated value of \$200 (Roger Havlak) (Pg. 218, 2023-047)

- e. Adoption of a resolution finding that AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the city should be denied and authorizing the city to participate with other cities served by AEP to hire legal counsel with expenses to be reimbursed by the AEP (Theresa James) (Pg. 219, 2023-048)
- f. Public hearing and adoption of a resolution authorizing a Professional Services Contract with Eiland & Bonnin, P.C., Baron & Budd, and Cossich, Sumich, Parsiola & Taylor to represent The City of San Angelo in litigation to pursue claims for monetary damages, declaratory relief, and other legal remedies against manufacturers, designers, marketers, distributors, formulators, promoters, and/or sellers of firefighting foam products and/or other products containing PFAS including PFOS (perfluorooctane sulfonic acid) and PFOA (perfluorooctanoic acid), and related compounds contingent upon an approval of the fee contract by the Office of the Attorney General, pursuant to Texas Government Code Section 2254, Subchapter C (Theresa James) (Pg. 221, 2023-049)
- g. Second reading and adoption of an ordinance to rezone property from the Neighborhood Commercial zoning district to a Planned Development (PD23-02) to allow a base zoning of General Commercial also allowing a welding shop and outdoor storage, being 4.651 acres located at 2025 E Houston Harte Expy. (Jon James) (Pg. 225, 2023-050)
- h. Second reading and adoption of ordinance to rezone property from a Planned Development (PD02-03) to a new Planned Development (PD23-03), being 9.088-acres located at the southeast corner of Melrose Ave. and Stratford Ave. (Jon James) (Pg. 228, 2023-051)
- i. Second reading and adoption of an ordinance to rezone property from the Single-Family Residential zoning district to a Planned Development (PD23-04) to allow reduced setbacks and an increase in the maximum Floor Area Ratio, being 9.595 acres located along Riviera Ct., south of Club House Ln. (Jon James) (Pg. 232, 2023-052)

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Thompson, to approve the Consent Agenda with exception of items 5e, 5f, and 5g. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

Motion: Council Member Miller made a motion, seconded by Council Member Gonzales, to approve item 5e, as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

Motion: Council Member Gonzales made a motion, seconded by Council Member Hesse Smith, to approve item 5f, as presented. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Gonzales, to approve item 5g, as presented. The motion carried (5) ayes to (2) nays, with Council Member Thompson and Mayor Gunter casting the dissenting votes. No public comment.

6. Regular Agenda

- a. Acceptance of the City's fiscal year 2022 Annual Comprehensive Financial Report and Single Audit (Presentation made by Armstrong, Backus & Company, LLC Partner Gayla Thornton)

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

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- b. Adoption of an Ordinance Authorizing the Issuance and Sale of City of San Angelo, Texas Waterworks and Sewer System Improvement Revenue Bonds, Series 2023; establishing procedures for the sale and delivery of the Bonds; providing for the security for and payment of such Bonds; and authorizing and enacting other matters and provisions relating to the subject (Presentation made by Finance Director Tina Dierschke) (pg. 236, 2023-053)

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, with no public comment.

[Public Works Executive Director Shane Kelton gave an update on the expansion of the Hickory well fields.]

- c. An appeal of the Planning Commission's action on March 20, 2023, to deny an application for a Conditional Use for a Short Term Rental at 3221 Red Bluff Road West (Presentation made by Planning & Development Services Director Jon James)

No Action Taken on this item. Moved to June 6, 2023, Regular Agenda.

- d. Denial of ratification of COSADC authorization for the Board President to negotiate and execute Amendment 1 to the 2023 COSADC-Chamber of Commerce Professional Services Performance Agreement with ratification by City Council (Presentation made by Interim Economic Development Director Michael Dane)

Chamber of Commerce President/CEO Walt Koenig asked Council to approve the agreement as presented.

Motion: Mayor Gunter made a motion, seconded by Council Member Thompson, to deny the item, as presented. The motion carried (4) ayes (Council Members Thompson, Gonzales, Hesse Smith, and Mayor Gunter) to (3) nays (Council Members Hiebert, Thomas, Miller).

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 and possible action regarding items discussed in Closed Session, if needed

No Action Taken on this Item.

- b. 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 10:17 a.m.

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ATTEST:

DocuSigned by:



Heather Stastny, City Clerk

DocuSigned by:



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Brenda Gunter, Mayor

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.)