

City of San Angelo, Texas
City Council Meeting
Tuesday, September 19, 2023

Present:

Mayor Brenda Gunter
Mayor Pro tem Lucy Gonzales, SMD 4
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
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 8:33 a.m. on Tuesday, September 19, 2023, 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, and pledges were led by San Angelo Police Department Chaplain Gary Jenkins.

3. Proclamations/Recognitions

September 15 – October 15, 2023, was proclaimed as National Hispanic Heritage Month.

4. Public Comment

Suzanna Valenzuela (SMD1) thanked Council for their previous support of the Railway Museum and requested Council consider amending the lease agreement.

Edwin Guthrie (SMD1) asked Council to consider eliminating the \$0.50 fee passed to customers for the recycling fee.

5. Consent Agenda

- a. Approval the August 29, 2023, City Council special meeting minutes, August 29, 2023 Budget Workshop minutes, and September 7, 2023 City Council regular meeting minutes (Heather Stastny)
- b. Approval of a lease agreement between the City of San Angelo and American Legion Post 572 for the building and property at 616 N. Washington St. for activities associated with the Boy Scouts of America program, and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- c. Approval of a contract with the San Angelo Cultural Affairs Council allocating \$75,000 of Hotel Occupancy Tax receipts for eligible activities and authorizing the City Manager to negotiate and execute all related documents (Tina Dierschke)
- d. Approval of an agreement with the Alcohol and Drug Awareness Center of the Concho Valley for the administration of opioid settlement proceeds received by the City of San Angelo and authorizing the City Manager to negotiate and execute all related documents (Tina Dierschke)
- e. Approval of an amendment to the TIRZ Incentive Policy regarding submission requirements and eligibility and priority of accessibility improvements (Jon James)

- f. Adoption of a resolution authorizing the correction of a scrivener's error in ordinance 2023-052 regarding the rezoning of Planned Development PD23-04 on Riviera Lane in the Bentwood Subdivision (Jon James) (Pg. 419, 2023-083)
- g. Second reading and adoption of an ordinance amending Appendix A, Article A8.000, Subsection A8.021 Municipal Drainage Utility System Fees (Shane Kelton) (Pg. 421, 2023-084)
- h. Second reading and adoption of an ordinance amending Appendix A, Article A8.000, Subsection A8.002 Monthly Water and Water Reclamation Rates (Shane Kelton) (Pg. 424, 2023-085)

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the Consent Agenda, with the exception of items 5e and 5f. The motion carried (6) ayes to (0) nays, with (1) abstention by Council Member Miller.

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

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

Derek Darby (SMD5) spoke in opposition to correcting the signed ordinance, scrivener's error.

6. Regular Agenda

- a. Presentation of the Downtown San Angelo, Inc. biannual report (Presentation made by DSA Executive Director Del Velasquez)

No action taken on this item.

Items 6f. – 6k., Items 7a. -7c., and Item 8a. were taken out of order, following Item 6a.

Items 6b. – 6e. were taken out of order, following Item 8a.

The remainder of the agenda, Items 8b. -8c., followed item 6e.

- b. Discussion related to a rolling debt program to provide funds for public safety and other equipment replacement (Presentation made by Finance Director Tina Dierschke)

No action taken on this item.

- c. Discuss and consider adoption of an ordinance authorizing the issuance and sale of the City of San Angelo, Texas Tax and Revenue Anticipation Note, Series 2023B, and enacting other provisions related thereto (Presentation made by Director of Finance Tina Dierschke) (Pg. 431, 2023-086)

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, with no public comment.

- d. Second reading and public hearing of an ordinance adopting the budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024. This budget will raise more total property taxes than last year's budget by \$1,871,755 (3.80%), and of that amount, \$812,634 is tax revenue to be raised from new property added to the tax roll. (Presentation made by Finance Director Tina Dierschke) (Pg. 447, 2023-087)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item as presented. A record vote was taken, and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Hesse Smith, Miller, and Mayor Gunter) to (0) nays, with no public comment.

President of the Railway Museum Suzanna Valenzuela (SMD1) made a request to Council for \$25,000 in HOT funds.

[Staff was directed to bring a budget amendment to the next City Council meeting for \$25,000 in HOT funding to the Railway Museum.]

- e. Second reading and public hearing of 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 2023-2024 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 website; and, providing for an effective date (Presentation made by Finance Director Tina Dierschke) (Pg. 457, 2023-088)

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

- f. Consider approving Sourcewell Contract #091422-WCP for the purchase of a concrete placement boom from White Cap in the amount of \$119,980 utilizing Stormwater fund balance and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Senior Fleet Manager Ryan Kramer)

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.

- g. First reading and public hearing of an ordinance deleting the juvenile curfew from Chapter 8, Article 8.07, Division 2 of the Code of Ordinances (Presentation made by City Attorney Theresa 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, with no public comment.

- h. Consider ratifying a COSADC resolution authorizing a project under Chapters 501 and 505 of the Texas Local Government Code to utilize sales and use tax funds in an amount not to exceed \$2,000,000 to partially fund construction of a flight training facility by Angelo State University, subject to City Council approval and authorizing the Board President to negotiate and execute all necessary documents (Presentation made by Interim Economic Development Director Michael Dane)

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

Provost and VP for Academic Affairs Dr. Donald Topliff answered questions from Council regarding Angelo State University's Bachelor of Aviation degree program.

- i. Consider approving Tax Increment Reinvestment Zone incentive funding for a private non-profit project at 1720 Martin Luther King (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve the item as presented. Requiring a super-majority vote, the motion failed, (5) ayes to (2) nays, with Council Member Thompson and Mayor Gunter casting the dissenting votes.

Citizens William McClendon (SMD6), Craig Meyers (SMD5), Evelyn Smith (SMD5), Theodore Boone (SMD4), Michael LePak (SMD3), and Sally Ayana (SMD4) spoke in favor of TIRZ incentive funding for the proposed project.

TIRZ Chair Jon Mark Hogg (SMD5) provided insight on the Board's perspective on their vote to approve TIRZ incentive funding for the proposed project and answered questions from Council.

- j. First reading and public hearing on an ordinance to rezone from Single Family Residential to Two Family Residential property located at 2718 Forest Park Ave. (Presentation made by Planning & Development Services Director Jon James)

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

- k. First reading and public hearing of an ordinance amending the Future Land Use Map in the Comprehensive Plan from Commercial to Neighborhood Center and rezoning from Light Manufacturing to the Zero Lot Line, Twinhome, and Townhome Residence District, for property located at 3480 Edgewood (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried (6) ayes to (1) nay, with Council Member Hesse Smith casting the dissenting vote.

Citizens Edwin Guthrie (SMD1) and Stephen Lawson (SMD1) spoke in opposition of the proposed rezoning.

Applicant Zane Willard (SMD1) discussed the project and answered questions from Council.

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 551.072 – Discussion regarding response to RFP RE-01-23 Sarah R. Robertson Survey 178
- b. Section 551.072 – Deliberations about real property regarding Commercial Lease and possible sale of Lots 2 & 3, Block 1, Group Middle Concho, Lake Nasworthy Addition
- c. Section 551.072 – Deliberations about real property regarding Santa Fe Train Depot

8. Follow Up and Administrative Issues

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

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Motion: Council Member Hesse Smith made a motion, seconded by Council Member Gonzales, to amend the lease to Historic Orient-Sante Fe Depot to allow for the request of HOT funding and authorizing Assistant City Manager Michael Dane to negotiate and execute all related documents. The motion carried unanimously (7) ayes to (0) nays, with no public comment.

b. Approval of various Board nominations:

ADA Advisory Committee: Jordan Diibon to a first term ending April 2025

Design and Historic Review Commission: David Mazur (Mayor) to a third term, Kenna Archer (SMD2) and Donna Crisp (SMD5) to a first full term, all ending September 2025

Public Arts Commission: Mark Stevenson (SMD1) to a first term ending April 2025

Motion: Council Member Gonzales made a motion, seconded by Council Member Miller, 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

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.

There being no further business, the meeting adjourned at 1:47 p.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Brenda Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

HStastny

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Heather Stastny, 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 of 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.)