

City of San Angelo, Texas
City Council Meeting
Thursday, September 7, 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 8:31 a.m. on Thursday, September 7, 2023, at 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

September 11, 2023, was proclaimed as the 100th Anniversary of the San Angelo Downtown Lions Club.
September 15, 2023, was proclaimed as National POW/MIA Recognition Day.

4. Public Comment

KSAB Manager Charlotte Anderson gave a program update and invited the public to attend a mural unveiling and Ribbon Cutting on September 21, and the Fall Sweep on October 14, 2023.

County Resident Susan Perry spoke about enforcement of the animal spay/neuter and microchip ordinance and animal shelter operations.

Texas Disposal System Municipal Sales Manager Jay Howard urged Council to consider other bid options for solid waste disposal when the current contract expires next year.

Fire Chief Patrick Brody invited the public to attend the 9/11 Memorial on September 11, 2023, at 9:00 a.m.

5. Consent Agenda

- a. Approval of the August 14, 2023, Budget Workshop and the August 15, 2023, City Council meeting minutes (Heather Stastny)
- b. Adoption of a resolution accepting approximately .218 acres out of Fairview Addition, Lot 7, Block 32, from the Estate of Maymegene Williams Roberts, for use by the Public Works Department, Stormwater Division and authorizing payment of closing costs associated with the conveyance not to exceed \$4,000 (Patrick Frerich, Sarah Tackett-Torres) (Pg. 409, 2023-080)
- c. Approval of an access and encroachment easement to Rio Concho Manor and a Pedestrian Easement from Rio Concho Manor, and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich, Sarah Tackett-Torres)

- d. Approval of a fifth amendment to the Commercial Lease Agreement - Spring Creek Marina with Golden Antlers, Inc, Lessee, including one small parcel previously leased to Lake Nasworthy Tours, LLC, the Tule Princess Steamboat, for boat docking rental services, and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- e. Authorization of the City Manager to reject the bid received for AP-01-23 for Runway 9-27 conversion and South Taxilane Construction (Jeremy Valgardson)
- f. Approval of a Change Order #1 to RFB ES-03-23 Jackson St. Improvements to Reece Albert Inc. in the amount of (\$62,712.91) and moving the savings to contingency funds and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- g. Award of RFP FS-11-23 Auctioneer Services to Rene Bates Auctioneers, Inc. and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- h. Award of RFB FS-12-23 Fuel Purchases in an annual amount not to exceed \$3,000,000 and authorizing the City Manager to negotiate and execute all related documents (Ryan Kramer)
- i. Award of ES-04-23 South A&M Ave Mill and Overlay Project to Reece Albert, Inc. in the amount of \$1,011,158.38 and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)
- j. Approval of the removal and replacement of trees located at the City Hall Annex (Patrick Frerich)
- k. Ratification of a COSADC resolution authorizing an expenditure in an amount not to exceed \$200,000 for land, buildings, equipment, facilities, and improvements required or suitable for the promotion of development and expansion of affordable housing, a project authorized pursuant to Section 505.153 of the Texas Local Government Code; and authorizing the Board President, or his designee, to negotiate and execute all related documents, subject to City Council approval (Bob Salas)
- l. Approval of an agreement with HUD in the amount of \$186,630 to fund a Rapid Rehousing for the Homeless program and authorizing the City Manager to negotiate and execute all related documents (Bob Salas)
- m. Approval of an interlocal agreement between San Angelo Police Department and the Tom Green County Sheriff's Department for Edward Byrne Memorial Justice Assistance Grants, allocating \$22,212 to the San Angelo Police Department and \$8,767 to the Tom Green County Sheriff's Department, and authorizing the City Manager to negotiate and execute all related documents (Frank Carter)
- n. Adoption of a resolution amending the Schedule of Fees and Charges to amend changes for Planning related fees (Tina Dierschke) (Pg. 410, 2023-081)
- o. Adoption of a resolution aligning City Holidays with the Tom Green County Holiday Schedule (Bryan Kendrick) (Pg. 413, 2023-082)

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

6. Regular Agenda

- a. First reading and public hearing of an ordinance amending Appendix A, Article A8.000, Subsection A8.002 Monthly Water and Water Reclamation Rates (Presentation made by Public Works Executive Director Shane Kelton)

Motion: Council Member Thomas 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.

- b. First reading and public hearing of an ordinance amending Appendix A, Article A8.000, Subsection A8.021 Municipal Drainage Utility System Fees (Presentation made by Public Works Executive Director Shane Kelton)

Motion: Council Member Thompson 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.

- c. Discussion and consideration of matters related to the fiscal year 2023-2024 operating budget including:
1. first reading and public hearing of an ordinance approving and 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; and
2. conducting a separate vote to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for September 19, 2023, a regular meeting of the City Council as an action item (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, 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.

This item was taken out of order following item 6j. The remainder of the agenda was heard in order.

- d. Introduction of an ordinance levying property taxes for the City of San Angelo for the 2023 tax year:
Public hearing and first reading 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)

Motion: Mayor Gunter 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.

Quorum for Items 6e through 6h, and remainder of meeting:

Mayor Brenda Gunter
Mayor Pro tem Lucy Gonzales, SMD 4
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Karen Hesse Smith, SMD 5
Council Member Larry Miller, SMD 6

- e. Award of Task Order #11 under IDIQ contract ES-06-19 Engineering Services for Bank Stabilization to Freese and Nichols in an amount of \$862,895 for Stabilization Design, Data Collection, Construction Documents, Drainage Analysis, Survey Services, Geotechnical Investigation, and CLOMR Package Submittal, utilizing \$146,588 from the General Capital Projects Fund balance and authorization of the City Manager to negotiate and execute all related documents (Presentation made by Construction Manager Alfonso Torres)

Motion: Council Member Thompson made a motion, seconded by Council Member Hesse Smith, to approve the item as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- f. Approval of a "Not to Exceed" proposal for the 29th Street Youth Sports Practice Area from Basic IDIQ in an amount not to exceed \$1,500,000 for construction services, and authorization of the City Manager to negotiate and execute all related documents (Alfonso Torres)

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the item as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- g. Approval of Sourcewell Contract #031121-HSQ for the purchase of autonomous mowing equipment from Husqvarna Professional Products, Inc. in the amount of \$63,139.86 utilizing the Texas Bank Sports Complex fund balance and authorization of the City Manager to negotiate and execute all related documents (Presentation made by Senior Fleet Manager Ryan Kramer)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

- h. Approval of an appeal of the Planning Commission's denial of CU23-28 for a Short-Term Rental located at 2310 W. Twohig (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Hesse Smith made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried unanimously (6) ayes to (0) nays, with no public comment.

Applicant Eleazar Cano (Brewster County Resident) addressed Council regarding history of the property and use as an STR.

- i. Approval of a request by Howard College for a waiver of development-related fees related to the construction of a new electrical and plumbing trades building (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 unanimously (7) ayes to (0) nays.

Citizen Judy Wood (SMD4) spoke in favor of additional training opportunities in San Angelo.

This item was taken out of order following item 6b.

- j. First reading and public hearing on an ordinance amending PD07-03 at 2909 S. A&M to allow for a school, daycare, job training, and bakery/cafe, including appeal of a denial of the bakery/cafe (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Miller made a motion, seconded by Council Member Thomas, to table the item until the October 17 City Council meeting. The motion carried unanimously (7) ayes to (0) nays.

Catholic Diocese of San Angelo Chancellor Mike Wyse (County Resident) stated the diocese has been in negotiations to receive the subject property from property owner Jack Gabriel.

Applicant Philip Wright (SMD4) provided additional information for the proposed development project.

Citizen Flo Loika (SMD5) spoke in opposition of the proposed development.

Citizen Ken Reese (SMD5) spoke in favor of the proposed development.

This item was taken out of order following item 6i. Agenda order resumed with item 6c.

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~~
- b. Approval of various Board nominations:
 - Civic Events Advisory Board:** John Austin Stokes (SMD5) to an unexpired term ending December 2024
 - Tax Increment Reinvestment Zone:** Sherley Spears (SMD4) to an unexpired term ending July 2024

Motion: Council Member Hesse-Smith made a motion, seconded by Council Member Miller, to approve the item, as presented. The motion carried unanimously (6) 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 (6) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:46 a.m.

Official Minute Record
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THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

DocuSigned by:

Hstastny

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Heather Stastny, City Clerk

DocuSigned by:

Brenda Gunter

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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 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.)