

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, October 17, 2023

Quorum 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 via Zoom
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 Tuesday, October 17, 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 Gary Jenkins, and pledges led by San Angelo Police Department Chaplain Marcella Jenkins.

3. Proclamations/Recognitions

October 22-28, 2023, was proclaimed as EnPleinAirTexas Week.

October 23-31, 2023, was proclaimed as Red Ribbon Week.

October 2023 was proclaimed as Energy Efficiency Month.

4. Public Comment

Citizen Michael LePak (SMD 3) invited citizens and Council to attend Markets Along the Concho.

Citizen Alex Rios (SMD 5) requested Council consider a downtown parking permit as an alternative for downtown business owners and employees as an alternative to the three-hour parking limitations.

Citizen Evelyn Smith (SMD5) spoke in support of Markets Along the Concho.

Citizens Alfredo Castro (SMD5) and Caden Tucker (SMD5) requested attention to speeding along Live Oak between Johnson and Washington.

5. Consent Agenda

- a. Approval of the October 3, 2023, City Council regular meeting minutes (Heather Stastny)
- b. Authorization of the sale of 3338 Jaycee Road, Lots 2 & 3, Block 1 to the current lease holder for the appraised value, and authorizing the City Manager to negotiate and execute all related documents (\$187,000) (Sarah Tackett-Torres)
- c. Approval of Change Order #3 to BuyBoard Contract #635-21 with Insituform Technologies, LLC for the A&M Waterline Pipe Bursting Project in the amount of (\$113,223.20) and authorizing the City Manager to negotiate and execute all related documents (Shane Kelton)
- d. Approval of Change Order #3 to RFB ES-01-22 College Hills Blvd. Reconstruction to Reece Albert Inc. in the amount of (\$160,309.62) and authorizing the City Manager to negotiate and execute all related documents (Patrick Frerich)

- e. Adoption of two resolutions approving an Advanced Funding Agreement between the City of San Angelo and the State of Texas, per the terms of TxDOT's Highway Safety Improvement Program (HSIP), being related to the Traffic and Pedestrian Signal at:
 - 1. Grape Creek Rd. and 29th St. with the City's contribution of funding in an amount not to exceed \$21,883; (Pg. 483, 2023-096)
 - 2. W. Ave N from College Hills to Austin St. with the City's contribution of funding in an amount not to exceed \$20,792 (Patrick Frerich) (Pg. 485, 2023-097)
- f. Approval of interlocal agreement with Tom Green County providing for Crisis Intervention Unit services with associated costs not to exceed \$23,101 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)
- g. Approval of interlocal agreement with Tom Green County providing for Mental Health Unit services with associated costs not to exceed \$146,730 for fiscal year 2024, and authorizing the City Manager to negotiate and execute all related documents (David Howard)
- h. Ratification of the Fiscal Year 2023 San Angelo Police Department Seizure/Forfeiture fund purchases (David Howard)
- i. Approval of amendments to Civic Events policies (Sidney Walker)
- j. Approval of amendments to Civic Events by-laws (Sidney Walker)
- k. Ratification of a resolution by COSADC authorizing a project under Chapter 501 and 505 of the Texas Local Government Code to utilize sales and use tax funds in an amount not to exceed \$29,700 as an Economic Development Incentive to Lip Chip, LLC, subject to City Council approval and authorizing the board president to negotiate and execute all necessary documents (Michael Dane)
- l. Second reading and adoption of an ordinance reauthorizing Article 1.09 Taxation, Division 3 Uniform Tax Abatement Policy of the City Code of Ordinances which expired November 15, 2018 (Michael Dane) (Pg. 487, 2023-098)
- m. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, for Historic Orient Sante Fe Depot, Inc. (Tina Dierschke) (Pg. 488, 2023-099)

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

Motion: Council Member Miller made a motion, seconded by Council Member Hiebert, to approve 5e, as presented by Operations Director Patrick Frerich. The motion carried (7) ayes to (0) nay, with no public comment.

6. **Regular Agenda**

- a. Chamber of Commerce Economic Development Midyear Update & 2022 look back presentation (Presentation made by Chamber Vice President of Economic Development Michael Looney)

No Action Taken on this item.

- b. Consideration of a request for an appeal of the Planning Commission's denial of a Conditional Use, CU23-41 for a Short-Term Rental, located at 2274 Joy Rd. in the RS-1 zoning district (Presentation made by Planning & Development Services Director Jon James)

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Applicant Tim White (SMD 6) spoke in favor of the conditional use permit and answered questions from Council about the property and plans.

Citizens Jerry Lancaster (SMD1) and Ken Taylor (SMD1) spoke in opposition of the conditional use for a Short-Term Rental.

Motion: Council Member Hiebert made a motion, seconded by Council Member Hesse Smith, to uphold the Planning Commission's denial of CU23-41 for a Short-Term Rental. The motion carried (6) ayes to (1) nay, with Council Member Gonzales casting the dissenting vote.

Quorum for 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

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. 087 - Business prospect negotiations regarding:
 1. Project Bess
 2. Technology Tower
 3. Project Braided Mane
 4. Project Reserve
 5. Project Scatter
 6. Project Aquatex
- b. Section 551.071 — Consultation with attorney regarding Marc 3 Border Patrol hangar paving

8. Follow Up and Administrative Issues

- a. Consideration of items discussed in Closed Session, if needed
- b. Approval of various Board nominations
Airport Advisory Board: Mark Clark (SMD 3) to a second term, Paul Rothband (SMD 4) to a first term, both ending October 2025
Tax Increment Reinvestment Zone Board: Carlos Rodriguez (SMD 5) to a first term ending July 2025

Motion: Council Member Hiebert 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.

- c. Announcements and consideration of Future Agenda Items

9. Adjournment

Consensus: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to adjourn the meeting.

There being no further business, the meeting adjourned by consensus at 11:15 a.m.

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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.)