

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, January 17, 2017

Present:

Mayor Dwain Morrison
Mayor Pro tem Charlotte Farmer, SMD 6
Council Member Bill Richardson, SMD 1
Council Member Marty Self, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

1. Call to Order

With a quorum of the City Council Members present, Mayor Morrison called the regular session of the San Angelo City Council to order at 8:34 a.m. on Tuesday, January 17, 2017, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Pastor Ron Guzman with West Angelo Church of Christ; and the pledges were led by Essence Edwards a third grader with Fannin Elementary School

3. Proclamations/Recognitions

Parks employees were recognized for winning the Sports Complex of the Year Award (Texas Bank Sports Complex)

January 2017 was proclaimed "School Board Recognition Month" and the proclamation was accepted by SAISD School Board President Lanny Layman

January 16-21, 2017 were proclaimed "West Texas Rehabilitation Center Appreciation Days" and the proclamation was accepted by Fred Key and Dan Baker, members of the WTRC San Angelo Board of Directors

January 24, 2017 was proclaimed "Moebius Syndrome Awareness Day" and the proclamation was accepted by Kara DeLynn

4. Public Comment

Citizen Steve Hampton requested items 5e and 5i to be pulled for discussion.

Council Member Farmer invited everyone to attend her upcoming Town Hall meeting in February, noting that HEB would have a model of the new store plans. Ms. Farmer also noted the need for Trash Clean up at the 306 overpass. She further requested that items 5e, 5h, 5j, and 5k be pulled for discussion.

Council Member Thomas invited everyone to attend his upcoming Town Hall meeting regarding the Bell Street Reconstruction project.

Council Member Richardson requested item 5L be pulled for discussion.

5. Consent Agenda

- a. Approval of the December 6, 2016 City Council Regular Meeting minutes
- b. Adoption of the following resolutions:
 - 1. a resolution (English/Spanish) calling and ordering the General Election for May 6, 2017 **(Pg. 09 , #2017-01-001)**
 - 2. a resolution authorizing the City Manager to execute an Interlocal Agreement for Joint Election providing for holding of a joint election to be administered by Tom Green County Election Administration **(Pg. 10, #2017-01-002)**
- c. Award of NJPA quote from West Office Interiors for the purchase of office and classroom furniture for the new Fire Training Center in the amount of \$64,344.62 in association with NJPA contract #031715-KII, budgeted for purchase as a project expense and fully funded by the project
- d. Authorization of the sale of the following Lake Nasworthy property to current residential lot lease holder for the appraised value:
 - 1. 1506 Loop Drive; Lot 53-B, Block 3, Section 1, Group Shady Point, Lake Nasworthy - \$51,600
 - 2. 6658 Knickerbocker Rd; Lot 109, Block 6, Section 1, Group Shady Point, Lake Nasworthy - \$27,600
- e. Adoption of a resolution authorizing and directing distribution of settlement proceeds derived from litigation Cause No. B150116C with Martifer--Hirschfeld Energy Systems, LLC, ET AL. **(Pg. 23, #2017-01-003)**
- f. Approval of an amendment to extend an elevator maintenance and service Agreement between the City of San Angelo and ThyssenKrupp Elevator Corporation for one year for City Hall and the Community Development Building
- g. Approval of an interlocal agreement with Howard College to allow EMS students to do clinical ride-outs with San Angelo Fire Department. The students taking EMS classes at Howard would be allowed to ride on the ambulances to get clinical time to complete their certification
- h. Adoption of a resolution abandoning, vacating, and releasing a 20-foot wide access and utility easement totaling 3,966 square feet located in the Shahan Subdivision, Section 1A, generally located approximately 570 feet southwest of the intersection of Sherwood Way and Clare Drive, on 0.091 acres **(Pg. 25, 2017-01-004)**
- i. Adoption of a resolution authorizing the City Manager to negotiate a naming rights agreement with the San Angelo Stock Show and Rodeo Association and HEB Grocery Company for the City of San Angelo Fairgrounds Livestock Barn, Building No. 3 and to execute all necessary related documents **(Pg. 29, #2017-01-005)**
- j. Adoption of a resolution authorizing the City Manager, or designee, to negotiate and execute a Temporary Nonexclusive Sidewalk Use License Agreement to allow for encroachments into the public right-of-way adjacent to property located at 204 South Chadbourne Street **(Pg. 31, 2017-01-006)**
- k. Adoption of a resolution authorizing the City Manager, or designee, to negotiate and execute a Non-Exclusive Aerial Easement Appurtenant to allow for encroachments into the public right-of-way adjacent to property located at 135 West Twohig Avenue **(Pg. 35, #2017-01-007)**
- l. Second Reading and adoption of an ordinance amending Chapter 12, Exhibit "A," Zoning Ordinance, for Bed and Breakfast Establishments and Short Term Rentals**(Pg. 39, #2017-01-008)**

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to approve the consent agenda with the exception of items 5e, 5h, 5i, 5j, 5k, and 5L. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to approve item 5e. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Farmer made a motion, seconded by Council Member Carter, to approve item 5h. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to approve item 5i. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Farmer made a motion, seconded by Council Member Thomas, to approve items 5j and 5k. The motion carried unanimously (7) ayes to (0) nays.

Regarding item 5L, several citizens spoke in support and opposition of the short term rental ordinance.

Motion: Council Member Self made a motion, seconded by Council Member Gonzales, to approve item 5L, as presented. The motion carried (4) ayes to (3) nays, with Council Members Farmer, Carter, and Richardson casting the dissenting vote.

6. Regular Agenda

a. Presentation of the biannual report from Downtown San Angelo, Inc.

(A presentation was made by DSA Executive Director Del Velasquez)

b. Approval of the following items related to Solid Waste Services authorizing City Manager or designee to negotiate and execute all related documents:

1. An amendment to the Special Exclusive Contract for Solid Waste Collection and Disposal Services Section 8 titled "Duties of Provider" with Republic Services of Texas, LTD., providing every other week bulk pick-up and every other week collection of recyclables
2. First public hearing and consideration of an Ordinance amending Section A8.017 "Charge for Collection of Garbage and Trash"
3. First public hearing and consideration of an Ordinance amending Section 11.04.006 "Duties of the Residential Customer"

(A presentation was made by Operations Director Shane Kelton)

Citizen Christy Youker spoke in opposition of the amendment to the contract.

Motion: Council Member Farmer made a motion, seconded by Mayor Morrison, to approve the agreement with the exception of lowering the tipping fee minimum to a half-ton. The motion carried (5) ayes to (2) nays, with Council Members Thomas and Carter casting the dissenting votes.

Motion: Council Member Farmer made a motion, seconded by Council Member Gonzales, to approve the first reading of the ordinance amending Section A8.017 "Charge for Collection of Garbage and Trash", with the exception of lowering the tipping fee minimum to a half-ton. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Farmer made a motion, seconded by Council Member Thomas, to approve the first reading of the ordinance amending Section 11.04.006 "Duties of the Residential Customer". The motion carried unanimously (7) ayes to (0) nays.

c. Consider resolutions of general support for construction of Low Income Housing Tax Credit (LIHTC) projects Kirby Commons by Zimmerman Properties, LLC to construct an 80 unit affordable housing apartment complex for the general public on the corner of 29th St and MLK Blvd, and San Angelo Estates by Four Corners Development, LLC to construct a 48-60 unit

apartment complex for elderly renters near Surber and Baker Street (A presentation was made by Neighborhood Services Director Bob Salas) **(Pg. 45, #2017-01-009); (Pg. 49, #2017-01-010)**

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to adopt the resolutions, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. Consider authorizing the City Manager or his designee to negotiate and execute a contract with Concho Valley PAWS to manage animal shelter adoptions not to exceed \$60K and execute related documents in accordance with RFP NS-01-17
(A presentation was made by Neighborhood Services Assistant Director James Flores)

Several citizens spoke in support and opposition of this item.

Motion: Council Member Farmer made a motion, seconded by Council Member Self, to approve the contract, as presented. The motion carried (5) ayes to (2) nays, with Mayor Morrison and Council Member Richardson casting the dissenting votes.

- e. Consider authorizing the City Manager to negotiate an agreement with I-10 Race Promotions, Inc. (DBA Lucas Oil Drag Boat Racing Series) for the annual Craig Partush Drag Boat Races at Lake Nasworthy and to execute any documents related thereto
(A presentation was made by Parks & Recreation Director Carl White)

Motion: Council Member Lane Carter made a motion, seconded by Council Member Harry Thomas, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- f. First Reading and public hearing for an Ordinance approving an amendment to the Vision Plan component of the San Angelo Comprehensive Plan, to change the Future Land Use designation on eight properties: 2007 West Loop 306 and 2031 West Loop 306 from "Neighborhood" to "Commercial," 1981 West Loop 306 from "Neighborhood Center" and "Neighborhood" to "Commercial," 1883 and 1955 West Loop 306 from "Neighborhood Center" and "Neighborhood" to "Commercial," 4537- 4541 North Bentwood Drive and 4540-4544 North Bentwood Drive from "Neighborhood" to "Neighborhood Center," and 1801 West Loop 306 from "Neighborhood Center" to "Transitional"
(A presentation was made by Planning & Development Director Jon James)

Motion: Council Member Self made a motion, seconded by Council Member Richardson, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- g. First Reading and public hearing for Case PD16-06, an Ordinance approving a request for a rezoning from the General Commercial (CG) Zoning District to a Planned Development (PD) Zoning District to allow for all of those uses permitted in the Neighborhood Commercial (CN) Zoning District, and the additional uses of Warehouse and Freight Movement along with the assembly of goods, generally located approximately 400 feet southwest of the intersection of North Bentwood Drive and West Loop 306, on 1.30 acres
(A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Richardson made a motion, seconded by Council Member Self, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- h. First Reading and public hearing for Case Z16-08, an Ordinance approving a request for a rezoning from the Heavy Commercial (CH) and the General Commercial/Heavy Commercial (CG/CH) Zoning Districts to the General Commercial (CG) Zoning District, generally located along the northwest side of Executive Drive between Office Park Drive and Parkview Drive, on 1.010 acres (A presentation was made by Planning & Development Services Director Jon James)

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

- i. First Reading and public hearing for Case PD16-07, an Ordinance approving a request for a rezoning from the General Commercial / Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District for a short term and long term residential shelter / safe house, generally located at the southeast corner of the intersection of East 19th Street and Briant Street, on 0.804 acres
(A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- j. First public hearing and consideration of an Ordinance amending Chapter 10 of the Code of Ordinances to increase the speed limit on Scherz Boulevard beginning at the north boundary of Goodfellow Airforce Base and extending south to the south boundary of Goodfellow Airforce Base from 20 mph to 25 mph
(A presentation was made by City Engineer Russell Pehl)

Motion: Council Member Richardson made a motion, seconded by Council Member Farmer, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- k. First public hearing and consideration of an ordinance amending the existing One-Way operations of E. Washington St. and Burgess
(A presentation was made by Traffic Operations Superintendent Ryan Ward)

Motion: Council Member Thomas made a motion, seconded by Council Member Richardson, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- l. Consider awarding Buyboard quote for Centrac's Advance Traffic Management System (ATMS) Software, Maintenance Agreement and Controllers to Paradigm Traffic Systems, Inc., in the amount of \$264,464 budgeted for purchase Fiscal Year 2017, and authorizing the City Manager or designee to execute any related documents
(A presentation was made by Traffic Operations Superintendent Ryan Ward)

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

- m. Consider a resolution requesting the Texas State Legislature take action to approve legislation regarding handheld wireless communication device for text-based communication while operating a motor vehicle (Pg. 53, #2017-01-011)

Motion: Council Member Richardson made a motion, seconded by Council Member Farmer, to adopt the resolution, as presented. The motion carried unanimously (7) ayes to (0) nays.

- n. Consider a resolution supporting the extension of Interstate 27
(Requested by Mayor Morrison and Council Member Farmer) (Pg. 55, #2017-01-012)

Motion: Council Member Farmer made a motion, seconded by Council Member Carter, to adopt the resolution, as presented. The motion carried unanimously (7) ayes to (0) nays.

- o. First public hearing and consideration of an ordinance amending appendix A fee schedule of the code of ordinances, City of San Angelo Texas, by creating section A3.014 credit access business fee
(A presentation was made by Budget Manager Morgan Chegwidden)

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- p. First public hearing and introduction of an ordinance amending the 2016-2017 budget for grants, contributions and incomplete projects
(A presentation was made by Budget Manager Morgan Chegwidden)

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

- q. Update on the performance of Sales Tax revenue in the current fiscal year
(A presentation was made by Finance Director Tina Dierschke)

No action was taken on this item.

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 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
 - 1. ~~2013 Sealcoating Program Contract~~
 - 2. ~~Templeton Construction, Inc.~~
 - 3. ~~Alsay, Inc.~~
 - 4. Spillman Contract
- b. Section 551.072 Deliberations about Real Property regarding:
 - 1. 1. The Ford Ranch
 - 2. 2. 703 S. Chadbourne Street
- c. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the Insurance Services Organization Rating

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive/Closed Session, if needed

No action was taken on this item.

- b. Consider approving various Board nominations:
Civil Service Commission: Teresa Special (At-Large) to a 3rd full term ending January 2020 and Keith Hidalgo (At-Large) to a 2nd full term ending January 2020.

Motion: Council Member Farmer made a motion, seconded by Mayor Morrison, to approve the appointment of Teresa Special. The motion carried unanimously seven (7) ayes to zero (0) nays.

Motion: Council Member Self made a motion, seconded by Council Member Richardson, to approve the appointment of Keith Hidalgo. The motion carried unanimously seven (7) ayes to zero (0) nays.

Park & Recreation Advisory Board: Kenneth Dierschke (SMD1) to a 1st full term ending December 2018; Laurie Dicello (SMD3) to a 1st full term ending December 2018; and Francis Jelensperger to rotate from representing SMD1 to representing the Mayor in an unexpired 2nd term ending December 2017

Motion: Council Member Richardson made a motion, seconded by Council Member Self, to approve the appointment of Kenneth Dierschke. The motion carried unanimously seven (7) ayes to zero (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the appointment of Laurie Dicello. The motion carried unanimously seven (7) ayes to zero (0) nays.

Motion: Mayor Morrison made a motion, seconded by Council Member Farmer, to approve the rotation of Francis Jelensperger from representing SMD1 to representing the Mayor. The motion carried unanimously seven (7) ayes to zero (0) nays.

Planning Commission: Randal Schkade (SMD1) to a 1st full term ending January 2020; Mark Crisp (SMD2) to a 2nd full term ending January 2020

Motion: Council Member Richardson made a motion, to approve the appointment of Randal Schkade. The motion failed to obtain a second. No action was taken on this appointment.

Motion: Council Member Self made a motion, seconded by Council Member Thomas, to approve the appointment of Mark Crisp. The motion carried unanimously seven (7) ayes to zero (0) nays.

Zoning Board: John Hadyn (SMD2) to a 3rd full term ending January 2019

Motion: Council Member Self made a motion, seconded by Council Member Thomas, to approve the appointment of Mark Crisp. The motion carried unanimously seven (7) ayes to zero (0) nays.

c. Discussion and possible action related to the scheduling of the Strategic Planning Workshop

City Manager Daniel Valenzuela noted that staff would coordinate the scheduling of the Strategic Planning Workshop for either the 3rd week of February or the 1st week of March.

d. Announcements and consideration of Future Agenda Items

Council Member Carter requested a Sales Tax update agenda item once per month.

9. Adjournment

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to adjourn the meeting. The motion carried unanimously seven (7) ayes to zero (0) nays.

There being no further business, the meeting was adjourned at 2:44 p.m.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, 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.)