City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 1, 2016

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 8:32 a.m. on Tuesday, November 1, 2016, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Dr. Taylor Sandlin, Pastor of Southland Baptist Church; and the pledges were led by Cash Visney (2nd grade) Crockett Elementary School

3. Proclamations/Recognitions

Council Member Charlotte Farmer was recognized for winning the Elected Women of Excellence Award for 2016 from the National Foundation for Women Legislators

November 17, 2016 was proclaimed as the second annual "Empty Bowls Event" in San Angelo and was received by Mary Herbert Regional Director of Texas Hunger Initiative San Angelo.

The month of November was proclaimed "Veterans Appreciation Month" in San Angelo and was received by Friends of Fairmount Historical Cemetery.

4. Public Comment

Public Information Officer Anthony Wilson made comments about the change in allowed watering times from November 1, 2016 to March 31, 2016

Council Member Farmer made comments about an upcoming Town Hall Meeting, and thanked everyone for the positive response to the recent Ports-to-Plains Conference.

Council Member Carter wished his mother a Happy Birthday.

Council Member Gonzales thanked the veterans for their service in light of the upcoming Veteran's Day.

Council Member Thomas made comments about the upcoming Veterans Event at the Elk's Lodge

5. Consent Agenda

a. Approval of the October 18, 2016 City Council regular meeting minutes
b. Approval of awarding FS-05-17 Asphalt Recycler to Cooper Equipment Co., utilizing Buyboard contract #424-13 in an amount of $171,855, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents

c. Approval of adopting a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties: **(Pg. 699, #2016-11-117)**
   1) N 50' Lots 9 & 10, Block 35, Miles Addition; 916 N Irving; Habitat for Humanity ($1,500)
   2) S 1/2 Lots 9 & 10, Block 35, Miles Addition; 914 N Irving; Habitat for Humanity ($1,500)
   3) Lot 7, D H Cathey Addition; Habitat for Humanity ($750)
   4) Lot 7, Block 76, Miles Addition; 126 W. 10th St; Habitat for Humanity ($750)
   5) N 62' Lot 7 & N 62'W 1/2 Lot 8, Block 2, Hillcrest Addition; 117 W 26th St; Medellin ($750)

d. Approval of a new 40-year lake lot residential lease with the following Tenants:
   1) 1.) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy Addition
   2) 2.) Lot 50, Group Shady Point, Lake Nasworthy Addition

e. Approval of authorizing the City Manager to execute an Easement and Right of Way to AEP Texas North Company

f. Approval of authorizing the sale of the following Lake Nasworthy property to current residential lot lease holder for the appraised value:
   Lot 10, Block 1, Group 14, Lake Nasworthy Addition; 2458 Fisherman's Road ($123,000)

g. Approval of the Analysis of Impediments to Fair Housing Choice covering the period of October 1, 2016 thru September 30, 2020

h. Approval of adopting a resolution authorizing staff to submit a bid to host the 2019 Texas Recreation and Park Society (TRAPS) Annual Institute and EXPO, in cooperation with the Southwest Region of the National Recreation and Park Association **(Pg. 701, #2016-11-118)**

i. Approval of a resolution allowing the City Manager or his designee to negotiate and execute a contract with the Chamber of Commerce Convention & Visitors Bureau allocating Hotel Occupancy Tax fund

j. Approval of an emergency facilities repair contract with A&D Plumbing in the amount of $67,500 from budgeted funds and authorizing City Manager to negotiate and execute all related documents

k. Approval of the Second Reading for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres **(Pg. 703, #2016-11-119)**

l. Approval of the Second Reading for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres **(Pg. 707, #2016-11-120)**

m. Approval of the Second reading and consider adopting an ordinance amending chapter 10, "Traffic Controls", Article 10.04 "Stopping, Standing and Parking", section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, providing for severability and an effective date **(Pg. 713, #2016-11-121)**

n. Approval of the Second reading and consider adopting an ordinance amending the 2016-2017 budget for grants, contributions and capital projects **(Pg. 717, #2016-11-122)**

Motion: Council Member Farmer made a motion, seconded by Council Member Thomas, to approve the consent agenda, with the exception of item 5c, and the postponement of item 5i. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Richardson made a motion, seconded by Council Member Thomas, to approve item 5c, as presented. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

a. Presentation of report from the Chamber of Commerce Economic Development Council and the Convention & Visitors Bureau (CVB)
A presentation was made by CVB Vice President Pamela Miller and Chamber Vice President for Economic Development Michael Looney

No action was taken on this item.

b. Approval of first reading and Public Hearing on an Ordinance amending Chapter 5 "Business and Commerce" of the Code of Ordinances by adding Article 5.11 "Credit Access Businesses"
A presentation was made by City Attorney Theresa James.

Comments were made by several citizens in support of the ordinance.

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.

c. Presentation on feedback received from waste collection survey and public forums regarding possible changes to waste collection service
A presentation was made by Operations Director Shane Kelton

No action was taken on this item.

d. Postponement of first public hearing and consideration of an ordinance amending Appendix A Fee Schedule, Article A4.000, Section A4.002 "Garbage, weeds, junk, and unsanitary conditions abatement fees" of the City of San Angelo Code of Ordinances to change the administrative fee from $150 to $90 per non-complied violation assessed to the property owner of a lot, tract or parcel of land for the cost of abatement under section 7.02.070 of the Code of Ordinances
A presentation was made by Assistant Neighborhood Services Director James Flores

Citizen Jim Turner spoke in support of a sliding scale for the elderly and disabled

Consensus of City Council was to postpone this item until the next City Council Meeting, with the change to sliding fee scale for the elderly and disabled.

e. Approval of first reading and Public Hearing for Case Z16-07, an Ordinance approving a request for a rezoning from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for property generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, on 30.00 acres
A presentation was made by Planning & Development Director Jon James

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

f. Approval of adopting a resolution by the City of San Angelo City Council finding a public necessity for street improvements to Twin Mountain Drive between April street and Tarin street; approving specifications prepared by the City Engineer for such street improvements; and approving an estimate of the total cost of such improvements, including the proportion of such total proposed to be assessed against owners of abutting property in accordance with

article 4.08 of the city code of ordinances; and setting a public hearing on the proposed assessment **(Pg. 719, #2016-11-123)**
A presentation was made by City Engineer Russell Pehl

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

g. Discussion of Data Monitoring System implementation status for City Fleet
A presentation was made by Fleet Services Superintendent Ryan Kramer

No action was taken on this item.

h. Approval of first public hearing of an ordinance amending Chapter One "General Provisions" of the Code of Ordinances by amending Section 1.04 through 1.09
A presentation was made by City Attorney Theresa James and City Clerk Bryan Kendrick; this item was requested by Council Member Thomas

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

i. Approval of the Tax Increment Reinvestment Zone (TIRZ) board recommendations for funding under the Fall 2016 TIRZ Incentives Policy for the following applications: (a) 1313 North Bryant; (b) 601 W. 11th; (c) 38 N. Chadbourne; (d) 204 S. Oakes; (e) 35 E. Concho; (f) 220 MLK; (g) 204 S. Chadbourne; (h) 12 N. Chadbourne; (i) 19 E. Concho Ave; (j) 114 S. Chadbourne; (k) 138 W. Concho Ave
A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to approved the recommendations, as presented. The motion carried (6) ayes to (1) nays, with Council Member Richardson casting the dissenting vote.

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.~~
b. 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:
1. Assignment of water rights on the Ford Ranch
~~2. West Texas Water Partnership~~
3. Short Term Rentals on City leased properties
4. Insurance Services Organization Rating
c. Section 551.072 Deliberations about Real Property
d. Section 551.074(1) to deliberate the annual performance evaluation of the City Manager

8. Follow Up and Administrative Issues

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

No action was taken on this item.

b. Approval of the following Board nomination:
Airport Advisory Board: Fred Key (SMD1) to a 6th full term ending October 2020

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

c. Approval of the re-appointment of Council Member Charlotte Farmer for a two year term to the Ports-to-Plains Advisory Board

Motion: Council Member Self made a motion, seconded by Council Member Thomas, to approve the re-appointment, with the additions of naming Council Member Thomas as the backup, and a re-evaluation in May 2017. The motion carried unanimously (7) ayes to (0) nays.

d. Approval of appointing a member of the City Council to the MHMR Nominating Committee

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to appoint Council Member Lucy Gonzales. The motion carried unanimously (7) ayes to (0) nays.

e. Announcements and consideration of Future Agenda Items

Council Member Thomas asked for an item to discuss the possibility of postponing the Short Term Rental Ordinance until the first meeting in March.

Council Member Richardson asked for a joint photo to be taken of the Current City Council.

Council Member Farmer asked for City Manager Daniel Valenzuela set a meeting date with the Finance Director, the Internal Auditor, Council Member Gonzales and herself to review fund balances.

City Clerk Bryan Kendrick asked Council if they wanted to discuss the cancellation of the December 20th Meeting. Consensus of Council was to bring that discussion back at the next council meeting.

9. Adjournment

Motion: Council Member Self made a motion, seconded by Council Member Gonzales, 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 2:06 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.)