City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 7, 2017

Present:

Mayor Dwain Morrison
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 8:31 a.m. on Tuesday, March 7, 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 Paul Ann Baptist Church Pastor Phil Todd; and the pledges were led by Lake View High School Student Johnny Espinoza.

As part of Mayor Morrison's plan to showcase local musician talent, Leon and Billy Dan Langley performed three songs.

3. Proclamations/Recognitions

The Lake View High School Chiefs Boys Basketball team was recognized for their accomplishments this season.

City Videographer Brian Groves & the Public Information Office were recognized for winning five American Advertising Awards, including two gold awards and a pair of judge's commendations.

Bianca Briseno for 30 years Service, to the City of San Angelo.

March 23, 2017 was proclaimed as the fourth annual "West Texas Hunger Summit", the proclamation was received by Mary Herbert.

4. Public Comment

Several Comments were made in support of the Butler Farms/Foster Rd. Capital Improvement Project.

Citizen Billie DeWitt thanked the City Council for the Tax Increment Reinvestment Zone program.

Council Member Thomas noted several constituents had asked about the homeless people living under the bridge, and asked for a future agenda item to discuss the issue.

5. Consent Agenda

a. Adoption of a resolution (English/Spanish) calling and ordering the Special Election for May 6, 2017 **(Pg. 155, #2017-03-032)**
b. Authorization for the City Manager to negotiate and execute a Lease Agreement with Shannon Medical Center for San Angelo Health Department Nursing Division office and clinic space at 2030 Pulliam Street, Suite 8. Lease amount is $34,410.96/year
c. Approval of a new 40-year lake lot residential lease with the following Tenant

6686 Knickerbocker Road; Lot 102, Block 6, Section 1, Group Shady Point, Lake Nasworthy Addition

d. Approval of awarding RFP No. ES-03-17, COSA DC Project, Industrial Park Sewer Extension to Reece Albert Inc. in the amount of $68,322.38 and authorizing the City Manager or designee to execute any related documents
e. Rejection of the sole bid for the proposed concession building at Texas Bank Sports Complex because bid price was over budget
f. Ratification of a Resolution by the City of San Angelo Development Corporation authorizing the Board President to execute a Memorandum of Understanding with the City of San Angelo providing funding not to exceed $100,000 for a project necessary to construct an extension of sewer main into Phase II of the San Angelo Business and Industrial Park **(Pg. 165, 2017-03-033)**
g. Second reading and adoption of an Ordinance related to the dis-annexation of properties generally located north of F.M. 380 and east of U.S. Highway 67 & 277 **(Pg. 167, #2017-03-034)**
h. Second reading and adoption of an ordinance amending appendix a, "Fee Schedule", Article A15.000, "Facility Use Fees", by adding Section A15.002 "Fort Concho facility, membership and attendance fees"; providing for severability; and, providing for an effective date **(Pg. 175, #2017-03-035)**
i. Failure to obtain 4 aye votes on the motion to adopt an ordinance amending appendix A fee schedule, article A9.000 planning and related fees, by repealing in its entirety section A9.009 fees for sign placement or erection, amending section A9.007 miscellaneous planning fees, to provide for adjustment of certain fees and addition of fees for additional planning services, providing for severability and an effective date
j. Postponement of second reading for an ordinance amending Appendix A, "Fee Schedule", Article A2.000 "Building and Construction Related Fees", Section A2.001 "General Provisions", restating subpart (c) building valuations and repealing subpart (d) inspections and permits in the ETJ; amending Section A2.002 "Building Permit Fees", restating subpart (f) expedited plan review fees, and adding subpart (g) intermodal container placement fees; amending Section A2.004 "Miscellaneous Permit Fees" by restating subpart (d) "thirty day partial or temporary occupancy permit; amending Section A2.009 "Sign Permit Fees" by adding subpart (e) "public event banner fee"; amending Section A2.010 "General Fees" by adding subpart (g) fee for appeals from building official to the board of adjustment and appeals; amending section a2.012 "permit extensions" by restating said section to provide for permit renewals; repealing Section A2.013 "Licensing" (electrical)
k. Second reading for an ordinance of the City of San Angelo amending appendix A fee schedule by repealing article A5.000 street use fees in its entirety, providing for severability and an effective date **(Pg. 179, #2017-03-036)**

Motion: Council Member Self made a motion, seconded by Council Member Gonzales, to approve the consent agenda with the exception of items 5C, 5I, and 5J. The motion carried unanimously (5) ayes to (0) nays.

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

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve item 5i. The motion received (3) ayes to (2) nays, with Mayor Morrison and Council Member Carter casting the dissenting votes. The ordinance failed to receive the 4 votes necessary to enact an ordinance.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to postpone item 5j to the next meeting. The motion carried unanimously (5) ayes to (0) nays.

6. Regular Agenda

a. First reading and public hearing for an ordinance amending the Planned Development (PD15-04) Zoning District to expand the PD boundary for Shannon Medical Center for four additional properties changing from General Commercial/Heavy Commercial (CG/CH) to Planned Development (PD15-04) and to allow for a Master Sign Plan, generally located North of Twohig Avenue, West of Main Street, South of 2nd Street, and East of Chadbourne Street
A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the ordinance as presented. The motion carried unanimously (5) ayes to (0) nays.

b. First public hearing regarding the voluntary annexation of 17.192 acres generally located south of U.S. Highway 67 and west of Southland Boulevard at the end of Willeke Drive and Pinon Ridge Drive
A presentation was made by Planning & Development Services Director Jon James

No action was taken on this item

c. Approval of a resolution upholding an appeal of an approval by the Planning Commission and deny a Conditional Use to allow for a Telecommunication Facility in the General Commercial & Heavy Commercial (CG/CH) Zoning District on property generally located along the south side of Macann Street, between South Bell and Fulton Streets **(Pg. 181, #2017-03-037)**
A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Thomas made a motion to deny the appeal but failed to receive a second.

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to uphold the appeal, denying the conditional use, citing that would present an eyesore in the area. The motion carried (4) ayes to (1) nays.

d. Upholding of a denial by the Planning Commission in regard to the Second Replat in Tract 213, Red Creek Subdivision and requests for Variances from the following Sections of the Land Development and Subdivision Ordinance: (a) a Variance from Section 9.III.A.5 requiring the dedication of five feet of right-of-way to meet the requirements of a rural Local Road, Landers Road; (b) a Variance from Section 9.V requiring the installation of sidewalks along Landers Road, a roadway containing pavement that is less than thirty-six feet in width; (c) a Variance to Section 9.III.C.2, which prohibits dead-end roadways (Landers Road) from exceeding 750 linear feet in length; (d) a Variance from Section 9.III.C.2 to allow for more than forty lots or tracts to have exclusive frontage along a dead-end road (Landers Road); and (e) a Variance from Section 10.III.A.2 requiring the improvement of Landers Road by five feet in order to meet minimum pavement widths for a rural Local Road; on property generally located outside of the San Angelo municipal corporate limits and within the City's extraterritorial jurisdiction (ETJ) at the southwest corner of Fairview and Fairview School Roads
A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Self made a motion, seconded by Council Member Thomas, to uphold the denial, provide for the waiving of fees related to a future replat, and direct staff to bring back an ordinance revision as discussed. The motion carried unanimously (5) ayes to (0) nays.

e. Approval of:
   1. Adoption of a Resolution to certify local funding and support of the City of San Angelo Chadbourne Street Corridor Improvements grant application to the Texas Department of Transportation's call for projects under the Transportation Alternatives Set-Aside Program ("Project"); **(Pg. 189, 2017-03-038)**
   2. Authorization for the City Manager to negotiate and execute a contract with Halff Associates, INC., in the sum of $79,000, for Professional Services relating to Phase A of the Project, which includes public engagement and conceptual design plus cost estimates, and the preparation and submittal assistance of the TA Set-Aside Programs application to TxDOT;
   3. Adoption of a resolution of the City of San Angelo Development Corporation in support of the City's application for a Texas Department of Transportation Alternatives Set-Aside Program grant to improve Chadbourne Street Corridor's mobility for non-motorized users and allocating up to and not to exceed $100,000 for such purpose; and
   4. Adoption of a resolution of the Tax Increment Reinvestment Zone Board in support of the City's application for a Texas Department of Transportation Alternatives Set-Aside Program grant to improve Chadbourne Street Corridor's mobility for non-motorized users and allocating up to fifty thousand dollars in TIRZ funds for such purpose

   A presentation was made by Assistant City Manager Rick Weise

Motion: Council Member Self made a motion, seconded by Council Member Thomas, approve items 6e1, 6e2, 6e3, and 6e4. The motion carried unanimously (5) ayes to (0) nays.

f. Consider awarding RFP No. ES-04-17, 2016 Water Line Improvements Project to M&C Fonseca Construction Company in the amount of $1,012,521.75 and authorizing the City Manager or designee to execute any related documents

   A presentation was made by City Engineer Russell Pehl

Motion: Council Member Gonzales made a motion, seconded by Council Member Self, approve awarding the RFP, as presented. The motion carried (4) ayes to (1) nays with Mayor Morrison casting the dissenting vote.

g. Discussion regarding amending City policy to support Low Income Housing Tax Credit (LIHTC) projects city wide and not limit projects to neighborhoods targeted for revitalization

   This item was requested by Council Member Self and a presentation was made by Neighborhood Services Director Bob Salas

Consensus of Council was to direct staff to make the changes, as presented.

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. The Ford Ranch
   2. Fairgrounds/Coliseum

8. <u>Follow Up and Administrative Issues</u>

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

No action was taken on this item.

b. Announcements and consideration of Future Agenda Items

Council Member Carter concurred with Council Member Thomas' earlier request for an item on a future agenda related to the homeless issue under the bridge.

9. <u>Adjournment</u>

Motion: Council Member Self made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously five (5) ayes to zero (0) nays.

There being no further business, the meeting was adjourned at 12:25 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.)