

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 5, 2017

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, 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 8:32 a.m. on Tuesday, September 5, 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 City Clerk Bryan Kendrick; and the pledges were led by Elia Robinson and Hailee Harris (5th graders) with Cornerstone Christian School.

3. Proclamations/Recognitions

Western intermediate Little League was recognized for making it to the World Series

Mason Matthews was recognized for his leadership and coordination of the 2017 Texas Firefighter Summer Games

Jeremy Bryant, the voice of Angelo State University, was recognized for winning the Lone Star Broadcaster of the Year Award for an unprecedented fifth time.

The United Way of the Concho Valley was recognized for its 2017 campaign, themed "Change Starts Here"

September 2017 was proclaimed as "National Childhood Cancer Awareness Month"

The week of September 10, 2017 was proclaimed as "Direct Support Professional Recognition Week"

4. Public Comment

Citizen Steve Hampton expressed concerns over the budget and the Consent Agenda.

5. Consent Agenda

- a. Approval of the August 15, 2017 and August 22, 2017 City Council meeting minutes
- b. Approval of authorizing the sale of the following Lake Nasworthy property to the current residential lot lease holder for the appraised value:
 1. 1708 Shad Road; Lake Nasworthy Addition; \$91,500
 2. 2246 Joy Road; Lake Nasworthy Addition; \$96,000

- c. Adoption of 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 property: (Pg. 207, #2017-09-126)
 - 1. South 25 feet of Lot 3, Block 27, H C Upton Addition; Escobar (\$1,400)
- d. Adoption of a resolution authorizing emergency fuel purchases pursuant to Texas Local Government Code Section 252.022(a)(2) and authorizing the City Manager to execute any related documents (Pg. 208, #2017-09-127)
- e. Approval of awarding FS-12-17 Asphalt Compactor to Sakai America, Inc. utilizing Buyboard Contract #515-16, in an amount of \$79,950, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents
- f. Approval of the Assignment of a Services Agreement (RFB:CFM-02-14) with Electrical by Deb to MC Electrical for the remainder of the contract period and any options to extend and authorizing City Manager to negotiate and execute all related documents
- g. Approval of authorizing the City Manager to approve an Interlocal Agreement with SAISD for use of Carl Ray Johnson Recreation Center for emergency use by Carver Learning Center
- h. Approval of TIRZ incentive requests for 2 North-TIRZ private projects totaling \$123,452
- i. Adoption of a resolution authorizing the City Manager, or his designee, to execute a Temporary Nonexclusive Sidewalk Use License Agreement with Shannon Medical Center to allow for the erection of three illuminated, wayfinding directional signs within the public right-of-way, adjacent to 120 East Harris Avenue, on the north side of East Harris Avenue (Pg. 209, #2017-09-128)
- j. Adoption of a resolution authorizing the City Manager, or his designee, to execute a Temporary Nonexclusive Sidewalk Use License Agreement with San Angelo ISD to allow for an existing 6-foot high chain link fence with modifications within the public right-of-way, adjacent to East Highland Boulevard in front of Fort Concho Elementary School at 422 East Highland Boulevard (Pg. 217, #2017-09-129)
- k. Second reading and adoption of an ordinance amending Chapter 1, Section IV, Subsection C, "Appeal to City Council" of the City's Land Development and Subdivision Ordinance to allow the Planning Director or Director of Public Works to appeal variances, granted or denied by the Planning Commission, to City Council (Pg. 222, #2017-09-130)
- l. Second reading and adoption of an ordinance amending Chapter 12, Article 12.03 Division 2 of the City Code of Ordinances and Chapter 12, Article 3 of Exhibit "A," City's Zoning Ordinance to allow for an approval process for manufactured homes to be placed on residentially-zoned properties with additional development standards (Pg. 224, #2017-09-131)
- m. Second reading and adoption of an ordinance amending the City Code of Ordinances, Chapter 4, Section 4.04.035, Concrete and Foundation Construction, which would introduce a procedure for ensuring the accurate placement of residential building foundations (Pg. 231, #2017-09-132)
- n. Second reading and adoption of an ordinance amending the 2016-2017 budget for incomplete projects, equipment replacement, and grants (Pg. 233, #2017-09-133)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the consent agenda, 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 Director Diann Bayes and Chamber Vice President for Economic Development Michael Looney)

- b. Presentation of the annual report from the San Angelo Cultural Affairs Council - (A presentation was made by Director of SACAC Cynthia Lackey)
- c. Approval of authorizing the City Manager to reject the bid received from Reece Albert, Inc. for the RFB No. ES-11-17, Bell Street Phase 1 Improvements Project - (A presentation was made by City Engineer Russell Pehl)

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to reject the bid and rebid all three phases. The motion carried unanimously (7) ayes to (0) nays.

- d. Approval of first public hearing and introduction of an ordinance deleting and replacing Chapter 2, Article 2.08, Section 2.08.002 "Classification Plan" of the San Angelo Code of Ordinances - (A presentation was made by City Attorney Theresa James)

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

- e. Approval of matters related to the fiscal year 2017-2018 operating budget including:
 1. First public hearing and introduction of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018. This budget will raise more total property taxes than last year's budget by \$1,540,425 (4.29%), and of that amount, \$635,425 is tax revenue to be raised from new property added to the tax roll this year
 2. Conduct a separate record vote to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for the September 5, 2017 regular meeting of the City Council as an action item – (A presentation was made by Finance Director Tina Dierschke)

This item was pulled into executive session under Section 55.071(2) consultation with an attorney.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the ordinance (item 6e1), as presented. The motion carried unanimously (7) ayes to (0) nays

Motion: Council Member Carter made a motion, seconded by Council Member DeWitt, to ratify the property tax revenue increase and place the adoption of this tax rate on the agenda, as presented. The motion carried unanimously (7) ayes to (0) nays

- f. Approval of first public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2017 tax year:
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 2017-2018 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 web site; and, providing for an effective date - (A presentation was made by Finance Director Tina Dierschke)

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

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. v. City of San Angelo, Texas Carollo Engineers, Inc.~~
- b. Section 551.072 Deliberations about Real Property regarding 703 S. Chadbourne
- c. Section 551.071(2) consultation with attorney regarding: 703 S. Chadbourne *and item 6e on this agenda.*
- d. Section 551.087(1) to discuss or deliberate PROJECT 2017-223G regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session:

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, not to renew the lease related to 703 S. Chadbourne. The motion carried unanimously seven (7) ayes to zero (0) nays.

- b. Announcements and consideration of Future Agenda Items

Council Member Carter asked for an update on the Water Rate Structure and its relationship to the most recent contract hiring a consulting firm for future water projects. Mr. Carter also asked for an update related to the status of the West Texas Water Partnership.

City Manager Daniel Valenzuela invited everyone to attend the rededication of the 911 monument on September 8th.

Mayor Gunter asked for an update/presentation on the previous contracts with Consulting firms related to Water projects concerning what benefits were realized.

9. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, 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 12:21 p.m.

Official Minute Record
September 5, 2017

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DocuSigned by:
Brenda Gunter
65CC121DADB40F...
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:
Bryan Kendrick
EE8995EDAE1475...
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.)