

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, July 17, 2018

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
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 8:33 a.m. on Tuesday, July 17, 2018, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

An invocation was provided by Council Member Tommy Hiebert.

3. Pledges

The pledges were led by Aubrey Groves (daughter of City Videographer Brian Groves).

4. Proclamations/Recognitions

The Public Information Office was recognized for winning three awards at the state conference of the Texas Association of Municipal Information Officers.

5. Public Comment

Chamber of Commerce representatives Michael Looney and Bruce Partain presented Assistant City Manager Michael Dane with an award for his support of the Chamber and its mission.

6. Consent Agenda

- a. Approval of the June 19, 2018 City Council regular meeting minutes
- b. Adoption of a resolution authorizing the donation of salvaged lighting to the San Angelo Soccer Association and finding a public purpose for the donation (Pg. 251, 2018-078)
- c. Adoption of a resolution for the release of a part of a twenty foot wide drainage easement that was recorded as part of the 2nd Replat in Section 2, T.J.A.K. Addition for property located at 1806 Harbor Ct (Pg. 252, 2018-079)
- d. Approval of authorizing the sale of the following Lake Nasworthy properties to current residential lot leaseholders for the appraised values and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties:
 1. 1623 Canal Rd (\$26,734)
 2. 1710 Shad Rd (\$70,749)
 3. 2145 Hillside Dr (\$96,900)
 4. 2217 Hillside Dr (\$99,200)
 5. 2890 Red Bluff Cir (\$109,400)
 6. 6421 Lincoln Park Rd W (\$27,840)

- 7. 6442 Lincoln Park Rd W (\$23,658)
- 8. 2366 Fisherman's Rd (\$67,593)
- e. Declaration of the following vacant properties surplus and disposing of said surplus properties under published RFB No. RE-01-18 for the highest sealed bid and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the surplus properties by Special Warranty Deed, reserving unto the City of San Angelo mineral interests, surface and ground water rights:
 Tract One: Lots 12, 13 & 14, Block 15, Angelo Heights Addition; being 618, 622 & 626 Elm St
 Tract Two: Lots 3 and 4, Block 15, Angelo Heights Addition; being 607 and 609 Locust St
 Tract Three: 13,175 square feet of land North of Lot 14, Block 15, Angelo Heights Addition
 Tract Four: 8,810 square feet of land North of Lot 1, Block 15, Angelo Heights Addition
- f. Second reading and adoption of an ordinance granting to Atmos Energy Corporation, a Texas and Virginia corporation, a franchise to construct, maintain, and operate pipelines and equipment in the City of San Angelo, Tom Green County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes (Pg. 254, 2018-080)
- g. Second reading and adoption of an ordinance for Case SU18-01, a Special Use to allow for the placement of a manufactured home on a 2.5-acre property zoned Ranch and Estate (R&E) located at 5333 S Gas Plant Rd (Pg. 263, 2018-081)

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the consent agenda, as presented. The motion carried unanimously (6) ayes to (0) nays.

7. Regular Agenda

- a. Public hearing and postponement of first reading for:
 - 1. An amendment to the zoning ordinance creating a new Section 212 River Corridor District Overlay Zone, Downtown District Overlay Zone, and Cultural District Overlay Zone and establishing standards for development within these zones; Creating a new Section 309 River Corridor District Overlay Zone, Section 310 Downtown District Overlay zone, and Section 311 Cultural District Overlay Zone and identifying their purpose, applicability and review procedures; Rezoning properties along the Concho River to apply the River Corridor Overlay Zoning District; Rezoning properties generally located north of Neff's Way, east of South David St, south of Houston Harte, and west of N Emerick St to apply the Downtown Overlay Zoning District; and Rezoning properties generally located North of East Highland Blvd, East of Rust St, South of Bakers St and West of Hill St to apply the cultural overlay zoning district.
 - 2. An amendment to the zoning ordinance revising the standards in Section 211 "Historic Overlay Zone" and Section 308 "HO – Historic Overlay Zone" to clarify when a Certificate of Appropriateness is required; amending Section 12.04.017 "River Corridor Area," of the City Code of Ordinances, replacing the "River Corridor" sign review area with the new "River Corridor District," "Downtown District," and "Cultural District" overlays; and repealing Article 12.06, River Corridor Development Ordinance, the Old Town District and boundary map (Z10-14), and Section 12.04.018 "Fort Concho Historic District"
 - 3. An amendment to the zoning ordinance revising Section 301 "Establishment of Districts" by providing designations for River Corridor, Downtown, and Cultural District Overlay Zones - (Presentation made by Planning & Development Services Director Jon James)

Several citizens spoke in opposition of the item.

Consensus: This item was postponed to the August 21, 2018 City Council Meeting

- b. Adoption of a resolution and public hearing approving the 2018 Annual Action Plan for use of CDBG and HOME grant funds and authorizing City Manager to execute the applications, required certifications, related documents and annual funding agreement for the allocation of \$699,822 of CDBG and \$338,495 HOME grant funds and \$55,000 in program income - (Presentation made by Neighborhood Services Director Bob Salas) (Pg. 265, 2018-082)

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to adopt the resolution, as presented. The motion carried unanimously (6) ayes to (0) nays.

- c. Adoption of a resolution enacting Drought Level I of the City's Water Conservation/Drought Contingency Plan - (Presentation made by Water Utilities Director Allison Strube) (Pg. 266, 2018-083)

Citizen Steve Hampton expressed concern.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to adopt the resolution, as presented. The motion carried unanimously (6) ayes to (0) nays.

- d. Approval of the development of a volunteer program by the Water Utilities Department to be known as "conserve-a-spot", providing for the beautification of selected parcels of city land through restoration, landscaping and regular maintenance that implement water-wise practices, including adoption of a written program policy and volunteer agreement and release, in a form approved by the City Attorney - (Presentation made by Water Utilities Analyst Paulina Levy)

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

- e. Second reading and adoption of an ordinance amending Chapter 10 "Traffic Control," Article 10.03 "Operation of Motor Vehicles", Section 10.03.035 "Lake Nasworthy and Twin Buttes", by amending the speed limit on a portion of Camper Rd around Spring Creek Marina from 20 mph to 10 mph - (Presentation made by Parks and Recreation Director Carl White) (Pg. 267, 2018-084)

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to adopt the ordinance. The motion carried (5) ayes to (1) nays, with Council Member Gonzales casting the dissenting vote.

- f. Approval of a rental agreement with The Vessel Church for six months use of some of the rental spaces at Santa Fe Crossing Senior Center on Sundays for church services with a monthly rental rate of \$1,150 (discounted, due to multiple use, from the approved fee schedule of \$1,680 a month) and authorizing the City Manager to negotiate and execute all related documents - (Presentation made by Parks and Recreation Director Carl White)

Citizen Justin Smith provided clarification on the item.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the rental agreement, as presented. The motion carried unanimously (6) ayes to (0) nays.

- g. First reading and public hearing of ordinances approving:

1. Case CP18-04, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Industrial" to "Neighborhood Center," being 5 acres located at 4001 S Chadbourne St
2. Case Z18-06, a rezoning from the Light Manufacturing (ML) Zoning District to the Low Rise Multifamily (RM-1) Zoning District, being 5 acres located at 4001 S Chadbourne St - (Presentation made by Planning & Development Services Director Jon James)

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

- h. Public hearing and approval of first reading of an ordinance for the abandonment of a 4,897.17-square foot portion of the Harbor Court public right-of-way - (Presentation made by Planning & Development Services Director Jon James)

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

- i. Adoption of a resolution related to the Chadbourne Street project RFQ for Professional Services to complete construction documents in phases - (Presentation made by Assistant City Manager Rick Weise) **(Pg. 269, 2018-085)**

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adopt the resolution, with Council Members Harry Thomas, Lucy Gonzales and Mayor Brenda Gunter to be listed on the resolution. The motion carried unanimously (6) ayes to (0) nays.

- j. First public hearing and approval of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects, grants, reimbursements, and donations - (Presentation 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 (6) ayes to (0) nays.

- k. Update on Sales Tax revenue performance - (Presentation made by Finance Director Tina Dierschke)

No action was taken on this item.

8. 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 551.072 Deliberations about Real Property regarding:
 1. City Farm leases
 2. Block 15, Angelo Heights Addition
 3. ~~703 S. Chadbourne~~
- 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:

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1. Water rights and contracts for Lake Nasworthy
2. Operational agreement for the Santa Fe Golf Course

9. Follow Up and Administrative Issues

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

No action was taken on this item.

- ~~b. Consider adjusting all City of San Angelo Development Corporation appointments in alignment with the ordinance approved June 19, 2018:~~

~~Edward Carrasco (SMD1) to a first term ending February 2020~~

~~William Dendle (SMD2) to a first term ending February 2020~~

~~Aaron Padilla (SMD3) to a first term ending February 2020~~

~~John Bariou Jr. (SMD4) to a first term ending February 2020~~

~~David Cummings (SMD5) to a first term ending February 2020~~

~~Oscar Casillas (SMD6) to a first term ending February 2020~~

~~Todd Kolls (Mayor) to a first term ending February 2020~~

This item was not discussed.

- c. Announcements and consideration of Future Agenda Items

No announcements were made.

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting was adjourned at 12:37 p.m.

THE CITY OF SAN ANGELO

DocuSigned by:

Mayor Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Bryan Kendrick

EE8995EDA5A1475...
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.)