

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 4, 2018

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 8:33 a.m. on Tuesday, September 4, 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 Carter

3. Pledges

The San Angelo Lakers Organization - 11 year olds Michael Robinson, Jordan Sellars, Joseph Saldago, and Isaac Harding - led the pledges.

4. Proclamations/Recognitions

September 2018 was proclaimed as National Childhood Cancer Awareness Month

5. Public Comment

No public comments were made.

6. Consent Agenda

- a. Approval of the August 21, 2018 City Council regular meeting and August 28, 2018 special meeting and budget workshop minutes
- b. Authorization of the sale of the following Lake Nasworthy properties to current residential lot leaseholder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties:
 1. 1616 Canal Road (\$25,877)
 2. 2586 Sleepy Hollow (\$99,987)
 3. 2602 Sleepy Hollow (\$96,707)
- c. Acceptance of a non-warranty deed conveying to the City of San Angelo the following properties:
 1. "Park Area" as designated out of Block 3, Section 1, Meadowcreek Addition
 2. "Park Area" as designated out of Block 6, Section 1, Meadowcreek Addition
 3. "Park Area" as designated out of Block 6, Section 4, Meadowcreek Addition
 4. "Park Area" as designated out of Block 10, Section 5, Meadowcreek Addition
 5. "Park Area" as designated out of Block 22, Section 8, Meadowcreek Addition

- d. Approval of the Federal Aviation Administration's FY-2018 Grant No. 37 (AIP Project No. 3-48-0191-037-2018) for improvements at San Angelo Regional Airport and Task Order No. 110 with KSA Engineers, Inc. (awarded under AP-02-15) in the amount of \$173,000 and authorizing City Manager to negotiate and execute all related documents (Pg. 348, 2018-099)
- e. Approval of awarding RFP WU-08-18 Lake Water Pumping System to Barco Pump, budgeted in FY18 and FY19, and authorizing the City Manager to execute any related documents
- f. Approval of modifying a resolution by the City of San Angelo authorizing the City Manager or his designee to accept the Homeland Security Grant #3534001 in the amount of \$67,537.62 for a communications trailer/satellite equipment. Also, a written assurance that in the event of loss or misuse of grant funds, the governing body will return the funds to HSGD (Pg. 349, 2018-100)
- g. Second reading and adoption of an ordinance for the abandonment and vacation of a 25-foot wide, 0.162-acre (7,096-square foot) segment of the Ben Ficklin Rd public right-of-way and a 10-foot wide, 0.061-acre (2,678-square foot) public alley, located immediately east and between Lots 1-5 and 22-27 within Block 4 of the Monterrey Addition (Pg. 350, 2018-101)
- h. Second reading and adoption of ordinances approving:
 - 1. Case CP18-05, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.36 acres located at 320 W. Ave O (Pg. 355, 2018-102)
 - 2. Case Z18-14, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Office Commercial (CO) Zoning District, being 0.36 acres located at 320 W. Ave O (Pg. 358, 2018-103)

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the Consent Agenda, with the exception of item 6c. The motion carried unanimously (7) ayes to (0) nays.

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

7. Regular Agenda

- a. Discussion of possible options for the curbside recycling program and any possible amendments - (Requested by Republic Services, Presentation made by Republic Services General Manager Davy Daniel)

This item was also discussed in Closed Session under section 551.071(2) Consultation with 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 item 7A Curbside Recycling Discussion.

- b. Postponement of second reading and adoption of an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, or alternatively to the Planned Development (PD18-04) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James)

Consensus: Consensus of Council was to postpone item 7b to the September 18, 2018 City Council Meeting

- c. Denial of an appeal from a denial by the Design and Historic Review Commission (DHRC) regarding exterior improvements to a building located at 220B N. Chadbourne St -
(Presentation made by Planning and Development Services Director Jon James)

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

- d. Ratification of a resolution by COSADC authorizing the use of sales and use tax funds in an amount not to exceed \$121,000 to provide master planning services for a business and industrial park located at the City of San Angelo Airport (Mathis Field) with participation by the City of San Angelo for a project authorized under Chapter 505 of the Local Government Code for Type B Development Corporations - (Presentation made by Economic Development Director Guy Andrews)

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

- e. Ratification of a resolution by COSADC authorizing the use of sales and use tax funds in an amount not to exceed \$46,435 to provide an economic development incentive to U.S. Customs and Border Protection Air and Marine Operations with participation by the City for a Project authorized under the Texas Economic Development Corporation Act -
(Presentation made by Economic Development Director Guy Andrews)

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

- f. Ratification of a resolution by COSADC making application to the City Council for approval of Second Amendment to the Articles of Incorporation providing for term limits of its board members - (Presentation made by Economic Development Director Guy Andrews)

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

- g. Discussion and action on matters related to the fiscal year 2018-2019 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, 2018, and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$626,546 (1.67%), and of that amount, \$383,414 is tax revenue to be raised from new property added to the tax roll.

Motion: Mayor Gunter made a motion, seconded by Council Member Hiebert, for the City to fund the entire increase in the health insurance premiums. The motion carried unanimously (7) ayes to (0) nays.

Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to approve the ordinance, with the exception of reducing the Loyalty Pay Plan for the Police Department and applying that reduction and the reduction from the estimated Health Insurance contribution to likewise reduce the Sales Tax Forecast. The motion carried unanimously (7) ayes to (0) nays.

2. A separate record vote was taken 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 18, 2018, regular meeting of the City Council as an action item - (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax on the agenda for the September 18, 2018 regular meeting of the City Council as an action item. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

h. Second public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2018 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 2018-2019 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 - (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. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

i. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018 for equipment replacement, grants, reimbursed expenses, and obligations - (Presentation made by Finance Director Tina Dierschke)

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.

j. Approval of increasing award of RFB FS-01-18 Patrol Utility Vehicles to Jim Bass Ford (San Angelo, TX) in the amount of \$736,080, for the purchase of 24 additional units, and authorizing the City Manager to execute any related documents - (Presentation made by Fleet Superintendent Ryan Kramer)

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

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 551.087(1) to discuss or deliberate 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 negotiation relating to MedHab, LLC
- b. Section 551.072 Deliberations about Real Property regarding 30 W. Twohig
- c. Section 551.071(2) Consultation with 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 item 7A (Curbside Recycling Discussion)

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9. Follow Up and Administrative Issues

a. Consider items discussed in Executive Session

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, authorizing the city manager to negotiate a lease for the property located at 30 W. Twohig. The motion carried unanimously (7) ayes to (0) nays.

b. Consider approving the following board nomination:

Design and Historic Review Commission: Clay Engdahl (SMD1/Downtown Development Organization) to an unexpired term ending September 2019

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

c. Announcements and consideration of Future Agenda Items

Council Member Thomas noted an upcoming Town Hall Meeting at Fort Concho Elementary School to discuss the proposed closure of the portion of Avenue D that goes through the fort. Meeting will be held Tuesday, September 11, 2018 beginning at 5:30 p.m.

Mayor Gunter noted dangerous traffic issues on Avenue D.

City Manager Daniel Valenzuela noted the upcoming 9/11 memorial event held September 11, 2018 at 10 a.m. at the 9/11 Memorial Site and sponsored by the Fire Fighter's Association.

10. Adjournment

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

There being no further business, the meeting adjourned at 12:44 p.m.

THE CITY OF SAN ANGELO

DocuSigned by:

Mayor Gunter

Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Bryan Kendrick

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.)