

City of San Angelo, Texas  
Regular City Council Meeting  
Tuesday, September 18, 2018

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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 8:30 a.m. on Tuesday, September 18, 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 Thomas.

**3. Pledges**

The pledges were led by Cub Scout Packs 22 and 374.

**4. Proclamations/Recognitions**

October 7 -13, 2018 was proclaimed Fire Prevention Week

October 1, 2018 was proclaimed World Habitat 2018 and Affordable Housing Day

Julia Antilley was recognized for underwriting orange cat adoptions at the Animal Shelter

CVB Vice President Diann Bayes and City Manager Daniel Valenzuela were recognized by Allie Nichols for their efforts related to San Angelo obtaining the Texas Film Commission's Film Friendly Designation

**5. Public Comment**

Mayor Gunter thanked the following: leadership and staff for their response to last week's water main break; Toni Brinker Pickens who organized Operation Blue Shield and all participants; and, Carl White and staff for organizing River Fest.

Citizen Steve Hampton requested more information on items 6e, 6f, and 6g.

Water Utilities Director Allison Strube thanked all employees for the team effort in responding to last week's water main break.

Health Director Sandra Villarreal and Recreation Manager Brent Casey announced September as Healthy Aging Month and invited everyone to the September 20<sup>th</sup> Healthy Aging Wellness Fair.

City Manager Daniel Valenzuela emphasized the importance of all staff, which all council members reiterated.

## 6. Consent Agenda

- a. Approval of the September 4, 2018 City Council regular meeting minutes
- b. Authorization of the sole source purchase of Hydra-Stop Insta-Valve tapping machine in the amount of \$67,214 plus delivery, budgeted in FY18 Water Capital Funds and authorizing the City Manager to execute any related documents
- c. Authorization of the San Angelo Fire Department to accept and execute an Assistance to Firefighter's Grant for \$254,991 to install diesel exhaust systems in 6 fire stations, the matching portion for the city is \$23,181
- d. Acceptance of vehicle extrication equipment received by the San Angelo Fire Department from the Firehouse Subs Foundation grant. This equipment consists of extrication tools, portable scene lights, collapsible chocks, airbag controller and accessories valued at \$24,487.75
- e. Adoption of resolutions authorizing the adoption of Investment Policies for the City of San Angelo, Lake Nasworthy, and COSADC (Pg. 367, #2018-104; Pg. 379, #2018-105; Pg. 390, 2018-106)
- f. Second reading and adoption 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 (Pg. 398, #2018-107)
- g. Adoption of a resolution regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its statement of intent filed around June 1, 2018 (Pg. 401, #2018-108)

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve the consent agenda, with the exception of items 6c, 6e, 6f, and 6g. The motion carried unanimously (7) ayes to (0) nays.

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

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

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve item 6f, as presented. The motion carried unanimously (7) ayes to (0) nays.  
Item 6g Citizen Steve Hampton expressed concern.

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

## 7. Regular Agenda

- a. Public hearing and adoption of a resolution approving financing by Orchard Cultural Education Facilities Finance Corporation for the benefit of Baptist Memorials Ministries and related matters - (Presentation made by First Financial Bank Chairman, President & CEO Chris Evatt) (Pg. 419, #2018-109)

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

- b. Adoption of a resolution authorizing the City Manager to execute a second amendment to the Texas Parks and Wildlife State Boating Access Program 75% matching fund reimbursement grant

program agreement and related documents that will require 25% matching funds for the construction and renovation of boat ramps and related facilities at Lake Nasworthy and Middle Concho Park - (Presentation made by Parks and Recreation Director Carl White) **(Pg. 426, #2018-110)**

Citizen Steve Hampton expressed concern.

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

- c. First reading and public hearing of an ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)

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

- d. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" - (Presentation made by Planning & Development Services Director Jon James)

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

- e. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the City is required - (Presentation made by Planning and Development Services Director Jon James)

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

- f. First reading and public hearing of ordinances approving:  
1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street  
2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street - (Presentation made by Planning & Development Services Director Jon James)

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

- g. Final reading and public hearing to adopt 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) **(Pg. 428, #2018-111)**

Citizen Randy Bannert spoke regarding responses to staff's notification letters.

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve the Planned Development Zoning District with a requirement of no buildings,

structures, or outdoor storage or heavy construction activities within 45 feet of the entire eastern property line and other conditions as presented by staff. The motion carried unanimously (7) ayes to (0) nays.

*This item taken out of order.*

- h. Second public hearing and adoption 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 - (Presentation made by Finance Director Tina Dierschke) (Pg. 432, #2018-112)

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to adopt the ordinance as presented with the exception of increasing the expense budget to cover the equipment replacement items and to likewise increase the sales tax revenue. 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.

*This item taken out of order.*

- i. Final public hearing and adoption 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) (Pg. 490, #2018-113)

Mayor Gunter commented that she hopes this is the highest level of property tax we have and we hope to address that going forward.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to adopt an ordinance with a property tax rate that remains the same by the adoption of a tax rate of 0.7760 per \$100 valuation. The motion carried unanimously (7) ayes to (0) nays. 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.

*This item taken out of order.*

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

No action taken on this item.

*This item taken out of order.*

- k. Discussion regarding the use of fiscal year 2018 sales tax revenue surplus - (Presentation made by Finance Director Tina Dierschke, Parks & Recreation Director Carl White, and Neighborhood & Family Services Assistant Director Morgan Chegvidden)

Citizens Steve Hampton spoke in favor of paying down debt and Lynette Lucas spoke in favor of prioritizing projects that impact the whole city.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, for direction to staff to move forward with funding the following: Concho Riverbank Stabilization, Police Cars, Tree Irrigation, Animal Services Old Garage, New Garage, and Processing Room, Station 618 Parking, and Traffic Signal Battery Backup budget items as discussed and to include the equipment replacement funding needs in the Fiscal Year 19 budget discussion (item 6h). The motion carried unanimously (7) ayes to (0) nays.

- I. Consider a resolution enacting Standard Conservation Level of the City's Water Conservation/Drought Contingency Plan - (Presentation made by Water Utilities Director Allison Strube) **(Pg. 493, #2018-114)**

Council Members Carter and Hiebert asked to revisit the City's Water Conservation/Drought Contingency Plan at a future meeting.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item 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 551.072 Deliberations about Real Property regarding:
  1. Lake Nasworthy residential lots
  2. Lot 9D, Block 2, Section 9A, Red Arroyo Hills Addition
  3. Lease at San Angelo Regional Airport
- 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. Water Supply
  2. ~~West Texas Water Partnership~~

## **9. Follow Up and Administrative Issues**

- a. Consider items discussed in Executive Session

**Motion:** Council Member Thompson made a motion, seconded by Council Member Thomas, authorizing staff to begin the initial permitting process for a discharge from the Water Reclamation Facility Permit and Bed Banks Permit along the Concho River for the purpose of augmentation of the Concho River for water development. The motion carried unanimously (7) ayes to (0) nays.

- b. Consider approving various board nominations:

**Design and Historic Review Commission:** James Thomas (SMD2/Historian) to an unexpired term ending September 2019 and Lisa Wallace (SMD5/Designer) to an unexpired term ending September 2019

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

c. Announcements and consideration of Future Agenda Items

Council Member Thomas noted three upcoming Town Hall Meetings on Shaping the Future of Recycling for San Angelo.

d. Adjournment

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried (6) ayes to (1) nays with Mayor Gunter casting the dissenting vote.

There being no further business, the meeting adjourned at 1:40 p.m.

THE CITY OF SAN ANGELO

DocuSigned by:

*Mayor Gunter*

Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

*Julia Antile*

Julia Antile, Deputy 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.)