

CITY COUNCIL MINUTE RECORD

The City of San Angelo
Tuesday, June 3, 2014

Page 427
Vol. 105

OPEN SESSION

BE IT REMEMBERED City Council convened in a regular meeting at 9:01 A.M., Tuesday, June 3, 2014, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas. All duly authorized members of the Council, to-wit:

Mayor, Dwain Morrison
Councilmember Rodney Fleming
Councilmember Marty Self
Councilmember Johnny Silvas
Councilmember Don Vardeman
Councilmember Elizabeth Grindstaff
Councilmember Charlotte Farmer

were present and acting, with the exception of, thus constituting a quorum. Whereupon, the following business was transacted:

An invocation was given by John Begnaud, and pledge was led by Damian Herrera, son of Ashley Herrera, employee of the City Attorney's Department.

PROCLAMATION AND RECOGNITIONS

San Angelo Community Band, Silver Anniversary, was accepted by Donna Fowler.

"Just One Day", June 11, 2014 National Day of No Kill across the Country, to be accepted by Jenie Wilson, Executive Director of Concho Valley P.A.W.S. and Jodi Sobokta, President of P.A.W.S.

The City of San Angelo Finance/Budget Division for receiving the Government Finance Officers Association's (GFOA) Distinguished Budget Presentation Award, was accepted by Budget Manager Morgan Chegwiddden, and Senior Budget Analyst Jeremy Miller.

PUBLIC COMMENT

Public comments were made by Citizen John Cross, President and CEO of Lone Star Beef, regarding retaining and recruiting businesses to San Angelo.

CONSENT AGENDA

APPROVAL OF THE MAY 20, 2014 CITY COUNCIL REGULAR MEETING MINUTES

AWARD OF VM-07-14 BULLDOZER, UTILIZING BUYBOARD CONTRACT #424-13, IN THE AMOUNT OF \$163,135.00 TO ASCO EQUIPMENT AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

CONSIDERATION OF AWARDING WU-01-14 TRENCH REPAIR TO CM CONSTRUCTION COMPANY OF SAN ANGELO, TEXAS FOR A PERIOD OF 16 MONTHS IN THE AMOUNT OF \$1,365,131.85 FOR THE REPAIR OF CITY STREETS AND ALLEYS DUE TO OPERATION AND MAINTENANCE OF WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT DOCUMENTS (DISCUSSED IN REGULAR AGENDA)

CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRPORT LEASE AND LICENSE AGREEMENT AND RELATED DOCUMENTS WITH MATHIS FIELD CAFÉ, INC., LESSEE, OF CERTAIN FLOOR SPACE IN THE TERMINAL BUILDING LOCATED AT 8618 TERMINAL CIRCLE ROAD, SAN ANGELO REGIONAL AIRPORT-MATHIS FIELD, FOR PURPOSES OF SELLING AND SERVING FOOD AND NON-ALCOHOLIC BEVERAGES AND RELATED USE (DISCUSSED IN REGULAR AGENDA)

CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRPORT LEASE AND LICENSE AGREEMENT AND RELATED DOCUMENTS WITH SKYLINE FLIGHT SERVICES, INC. AS LESSEE, OF A CERTAIN HANGAR FACILITY LOCATED AT 8534 HANGAR ROAD, SAN ANGELO REGIONAL AIRPORT-MATHIS FIELD, FOR USE IN LESSEE'S AERONAUTICAL BUSINESS FOR THE PARKING AND STORAGE OF AIRCRAFT (DISCUSSED IN REGULAR AGENDA)

AUTHORIZATION FOR THE CITY OF SAN ANGELO TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TOM GREEN COUNTY SHERIFF'S OFFICE FOR THE PURPOSE OF JOINTLY APPLYING FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A BILL OF SALE TO THE CITY AND KEEP PAINT ROCK BEAUTIFUL FOR THE PETE CHAPA PLAYGROUND EQUIPMENT AND SUCH OTHER INSTRUMENTS AS MAY BE NECESSARY OR CONVENIENT FOR CARRYING OUT SUCH PURPOSES; AND, FINDING A PUBLIC PURPOSE AND BENEFIT THEREIN (Page 441, #2014-06-058)

CONSIDERATION OF APPROVING THE PUBLIC ART COMMISSION'S RECOMMENDATION TO RELOCATE THE "REBIRTH OF AN OLD FRIEND" BUFFALO WALLOW FROM ITS CURRENT LOCATION TO ANOTHER CLOSER TO OAKES STREET AND THE RALPH CHASE STATE OFFICE COMPLEX (DISCUSSED IN REGULAR AGENDA)

SECOND HEARING AND CONSIDERATION OF ADOPTING AN ORDINANCE REGARDING NUISANCE LIGHT ON RESIDENTIAL PROPERTIES (DISCUSSED IN REGULAR AGENDA)

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 8, OFFENSES & NUISANCES, OF THE SAN ANGELO CODE OF ORDINANCES, TO ADD A NEW ARTICLE 8.1200, ENTITLED "OUTDOOR LIGHTING" IN ORDER TO CREATE STANDARDS FOR OUTDOOR LIGHTING TO MINIMIZE LIGHT POLLUTION, GLARE AND LIGHT TRESPASS CAUSED BY INAPPROPRIATE OR MISALIGNED LIGHT FIXTURES, WHILE IMPROVING NIGHTTIME PUBLIC SAFETY, UTILITY AND SECURITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING THE INTERNATIONAL FIRE CODE-2009 EDITION SECTION (Page 443, #2014-06-059)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO BY AMENDING CHAPTER 4 "BUILDING AND CONSTRUCTION", ARTICLE 4.100 "ADMINISTRATION", RESTATING SECTION 4.101 "ADOPTION OF CODES", PART (A), SUBPART 7, ADOPTING THE INTERNATIONAL FIRE CODE-2009 EDITION ("FIRE CODE"), EXCEPTING THERE FROM AND RESTATING CERTAIN SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING THE 2013-2014 BUDGET
(Page 447, #2014-06-060)

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014, FOR CAPITAL PROJECTS AND EQUIPMENT REPLACEMENT

REMOVAL OF SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

Z 14-07: Aubrey L. Conner

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES, TO WIT: 1411 Orient Street, located at the southwest corner of the intersection at Orient Street and Avenue J; more specifically located in the Fort Concho Addition, Block 101, Lots 6-7, in south central San Angelo, changing the zoning classification from Two-Family Residential (RS-2) to Neighborhood Commercial (CN) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

SECOND HEARING AND CONSIDERATION OF ADOPTING AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO (DISCUSSED IN REGULAR AGENDA)

Z 14-05: Maurizio Iaquaniello

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES, TO WIT: 4230, 4424 and 4436 North Bryant Boulevard Frontage Road, located approximately 130 feet northeast of the intersection of North Bryant Frontage Road and Lake Drive; more specifically occupying approximately 15.03 acres of the SA & MG RR CO Survey 0011 Abstract 1954, in northwest San Angelo, changing the zoning classification from Ranch & Estate (R&E) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

City Clerk Alicia Ramirez requested agenda item Z 14-07: Aubrey L. Conner be removed from consideration noting the item had been denied at the May 20, 2014 meeting. City Council concurred.

City Council members requested the following items be considered in the Regular Agenda: WU-01-14 Trench Repair, Mathis Field Café, Inc., Skyline Flight Services, Inc., "Rebirth of an Old Friend" Buffalo Wallow, Nuisance Light on residential properties, and Z 14-05.

Councilmember Farmer reminded all of proper procedure during meetings. She also commented on her research regarding water issues, and commended all for their past efforts on the reports produced and should educate all regarding the past work accomplished by former councils.

Councilmember Silvas new road in Bentwood area – no posted speed limit sign

Councilmember Fleming wash out between Chadbourne and Oakes Street. He also commented on a procedural item on how items are posted on the agenda, Mr. Valenzuela explained the item was discussed in the COSADC executive session and should remain in executive session. Mayor Morrison added the agenda has an item on the agenda to discuss items discussed in executive.

Mayor Morrison concurred with Councilmember Farmer regarding meeting protocol, to keep the professionalism.

Motion, to approve the Consent Agenda, as presented, with the exception of WU-01-14 Trench Repair, Mathis Field Café, Inc., Skyline Flight Services, Inc., "Rebirth of an Old Friend" Buffalo Wallow, Nuisance Light on residential properties, and Z 14-05, was made by Councilmember Silvas and seconded by Councilmember Vardeman. Motion carried unanimously.

REGULAR AGENDA: PUBLIC HEARING AND COMMENT

AWARD OF WU-01-14 TRENCH REPAIR TO CM CONSTRUCTION COMPANY OF SAN ANGELO, TEXAS FOR A PERIOD OF 16 MONTHS IN THE AMOUNT OF \$1,365,131.85 FOR THE REPAIR OF CITY STREETS AND ALLEYS DUE TO OPERATION AND MAINTENANCE OF WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SAID CONTRACT DOCUMENTS

Assistant Director of Water Utilities Kevin W. Krueger presented background information. Councilmember Grindstaff stated she has received numerous complaints regarding recent street repair work. Mr. Krueger stated once distribution crews have completed repairs, temporary asphalt will be installed until a permanent street repair is made.

General discussion was held on the budget allocation, the existing list of streets scheduled for repair, and repair time.

Motion, to award the WU-01-14 Trench Repair to CM Construction Company, as presented, was made by Councilmember Grindstaff and seconded by Councilmember Farmer. Motion carried unanimously.

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRPORT LEASE AND LICENSE AGREEMENT AND RELATED DOCUMENTS WITH MATHIS FIELD CAFÉ, INC., LESSEE, OF CERTAIN FLOOR SPACE IN THE TERMINAL BUILDING LOCATED AT 8618 TERMINAL CIRCLE ROAD, SAN ANGELO REGIONAL AIRPORT-MATHIS FIELD, FOR PURPOSES OF SELLING AND SERVING FOOD AND NON-ALCOHOLIC BEVERAGES AND RELATED USE (Page 451, #2014-06-061)

Airport Director Luis Elguezabal presented background information. Responding to a question from Councilmember Vardeman, Mr. Elguezabal stated the lease rates are in compliance with the scheduled rates and charges. He noted the company was aware of the rate increase.

Motion, to adopt the Resolution, as presented, was made by Councilmember Vardeman and seconded by Councilmember Farmer. Motion carried unanimously.

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRPORT LEASE AND LICENSE AGREEMENT AND RELATED DOCUMENTS WITH SKYLINE FLIGHT SERVICES, INC. AS LESSEE, OF A CERTAIN HANGAR FACILITY LOCATED AT 8534 HANGAR ROAD, SAN ANGELO REGIONAL AIRPORT-MATHIS FIELD, FOR USE IN LESSEE'S AERONAUTICAL BUSINESS FOR THE PARKING AND STORAGE OF AIRCRAFT (Page 455, #2014-06-062)

Airport Director Luis Elguezabal presented background information. Responding to a question from Mayor Morrison, Mr. Elguezabal stated staff is negotiating with all lessees on their lease renewals and will begin the request for proposals on other hangers. He informed few lessees are on a month to month lease until lease renegotiations are finalized.

Motion, to introduce the Resolution, as presented, was made by Mayor Morrison and seconded by Councilmember Grindstaff. Motion carried unanimously.

APPROVAL OF THE PUBLIC ART COMMISSION'S RECOMMENDATION TO RELOCATE THE "REBIRTH OF AN OLD FRIEND" BUFFALO WALLOW FROM ITS CURRENT LOCATION TO ANOTHER CLOSER TO OAKES STREET AND THE RALPH CHASE STATE OFFICE COMPLEX

Parks and Recreation Director Carl White presented background information. Responding to a question from Councilmember Farmer, Mr. White informed the structure will be move by the support groups for approximately \$1,400-1,600. He noted the City will provide in-kind labor for approximately \$2,000.

Councilmember Farmer clarified her comment from the last meeting regarding her support of the Arts Group. She stated she spoke against the 5% HOT approved allocation but rather supported a set amount. Ms. Farmer noted other projects could utilize the additional funds.

Motion, to approve the recommendation, as presented, was made by Councilmember Farmer and seconded by Councilmember Silvas. Motion carried unanimously.

POSTPONEMENT OF SECOND HEARING AND ADOPTION OF AN ORDINANCE REGARDING NUISANCE LIGHT ON RESIDENTIAL PROPERTIES

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 8, OFFENSES & NUISANCES, OF THE SAN ANGELO CODE OF ORDINANCES, TO ADD A NEW ARTICLE 8.1200, ENTITLED "OUTDOOR LIGHTING" IN ORDER TO CREATE STANDARDS FOR OUTDOOR LIGHTING TO MINIMIZE LIGHT POLLUTION, GLARE AND LIGHT TRESPASS CAUSED BY INAPPROPRIATE OR MISALIGNED LIGHT FIXTURES, WHILE IMPROVING NIGHTTIME PUBLIC SAFETY, UTILITY AND SECURITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

Mayor Morrison commented on a letter received by Lee Pfluger regarding the lights at the river during the holiday season and suggested postponing approval of the item until all concerns are resolved.

Councilmembers Fleming and Grindstaff commented on the measurement of the light with a light meter as opposed to the view of the light bulb. Councilmember Vardeman suggested keeping the ordinance simple.

City Attorney Lysia H. Bowling stated staff will review the suggested changes, and possibly come up with a city event exception which is not related to a specific season.

Councilmember Grindstaff suggested striking the unnecessary ordinance language and Council approve the item with the recommended changes.

General discussion was held on the origination of the complaints, the ordinance language, and constituent's concerns.

Motion to adopt the Ordinance, as presented, and adding an exemption clause for City sponsored events, was made by Councilmember Farmer. After further discussion, Ms. Farmer withdrew her motion.

Motion, to postpone the item until next meeting, was made by Councilmember Farmer and seconded by Councilmember Vardeman. Motion carried unanimously

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO (Page 481, #2014-06-063)

Z 14-05: Maurizio Iaquaniello

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTIES, TO WIT: 4230, 4424 and 4436 North Bryant Boulevard Frontage Road, located approximately 130 feet northeast of the intersection of North Bryant Frontage Road and Lake Drive; more specifically occupying approximately 15.03 acres of the SA & MG RR CO Survey 0011 Abstract 1954, in northwest San Angelo, changing the zoning classification from Ranch & Estate (R&E) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Mayor Morrison spoke in opposition noting he has received several calls from constituents, including the school district, in opposition of this zone change.

Motion, to adopt the Ordinance, as presented, was made by Councilmember Grindstaff and Councilmember Self.

Public comment was made by Proponent and Project Engineer Brooks Baucom.

A vote was taken on the motion on the floor. AYE: Fleming, Self, Vardeman, and Grindstaff. NAY: Morrison, Silvas, and Farmer. Motion carried 4-3.

RECESS

At 10:00 A.M., Mayor Morrison called a recess.

RECONVENE

At 10:19 A.M., Council reconvened, and the following business was transacted:

PRESENTATION REGARDING THE CITY OF SAN ANGELO'S CONSERVATION PLAN AND POSSIBLE ORDINANCE CHANGES

Water Efficiency Action Group representatives Dale Britton and Stan Meador presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Mayor Morrison and City Council commended the group and appreciated the presentation.

Responding to a question from Councilmember Farmer, Mr. Meador explained the group's focus was in the winter watering schedule and their recommendations are presented with broad enough expert opinions and suggestions which may have a larger impact. Upper Colorado River Authority (UCRA) Education Coordinator Christy Youker confirmed the group had reviewed the current conservation plan and noted their suggested changes are based on the document. She noted although some changes seem small, e.g. the number conservation levels, utilizing conservation as opposed to drought levels, she informed the group is working closely with City staff.

General discussion was held on the City's stronger conservation ethic culture, how water sales are tied to the budget and establishing other revenue opportunities, adjusting the rate structure, imposing stronger penalties

at all stage levels for excessive use, providing more public education, reviewing the various trigger point timeframes, considering forecasts or a broader set of factors to allow flexibility in implementing the stages.

Responding to a question from Councilmember Silvas, Water Utilities Director Ricky Dickson stated the recent water release at Lake Nasworthy was due to the inflow at Pecan Creek which without the release, residents would have faced home and property flood damage. He informed the water flows to the Ivy Reservoir which then the City pays for to retrieve from Ivy.

In conclusion, Council agreed with the group's recommended levels and will further review other the various suggestions.

Former Tom Green County Extension Agent John Begnaud commended the group for their efforts. He acknowledged the plan needs some tweaking between the groups, specifically noting the plan needs some flexibility and ways to use water responsibly.

CONTINUANCE OF DROUGHT LEVEL II AND IMPLEMENTATION OF THE WATER SCHEDULE TO ONCE EVERY 7 DAYS AS OUTLINED IN THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

- NO ACTION ON ADOPTION OF A RESOLUTION IMPLEMENTING A STANDARD CONSERVATION LEVEL OF THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN
- NO ACTION ON ADOPTION OF A RESOLUTION IMPLEMENTING DROUGHT LEVEL I OF THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

Water Utilities Director Ricky Dickson presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.* He informed Section 11.204 Exception and Variance, allows City Council to apply any variance to the ordinance.

Motion, to remain in the Drought Stage Level (DSL) II until the first July meeting and to implement the watering schedule once every 7 days, with the understanding of creating a plan regarding the funding, was made by Councilmember Fleming seconded by Councilmember Vardeman.

General discussion was held on the repealing the DSL II effective immediately, the need to continue conserving versus allowing citizens to utilize water, the Hickory water source blended water treatment process and related issues, offering conservative landscape incentives, and addressing the budget situation in regards to water sales.

Mr. Dickson spoke in support of selling water to increase budget noting the current budget balance was at 53% projected amount. Acknowledging the need to conserve, he noted the account projection is for less than \$1M. Mr. Dickson did not recommend returning to DSL I or the standard level. He suggested Council consider addressing the rates as was done in Stage III. He informed there would not be a change in rates for approximately 29K+ users or even an increase in rates; the largest group, 88-99% of users, would create a larger impact.

Mayor Morrison suggested the levels should be adjusted by legislative action as opposed to an informal recommendation by staff to City Council.

Responding to a question from Councilmember Silvas, Mr. Dickson informed the services provided by the water department include core services: safe potable water, treatment of wastewater, repair leaks, and all related equipment, clean lines to provide the citizens with water.

Public comment was made by Citizens Jim Turner and Jim Moyer.

A vote was taken on the motion on the floor. Motion carried unanimously.

FIRST PUBLIC HEARING AND POSTPONEMENT OF THE INTRODUCTION OF AN ORDINANCE AMENDING THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 11, "UTILITIES AND SOLID WASTE", ARTICLE 11.200, "WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN", SECTION 11.203 ENTITLED "DROUGHT STAGES AND WATER MANAGEMENT MEASURES", "SUBPART (f) ENTITLED "WATER SUPPLY STAGE - DROUGHT LEVEL III", SUBPARAGRAPH (3) (A), PROVIDING FOR ADDITIONAL FEES FOR WATER USAGE FOR SINGLE-FAMILY RESIDENTIAL ACCOUNTS BASED ON VOLUME AND APPLICABLE UNDER WATER SUPPLY STAGE - DROUGHT LEVEL III; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Water Utilities Director Ricky Dickson presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Councilmember Farmer suggested further reviewing the item at the retreat and postpone action on the item.

Motion, to postpone the introduction of the Ordinance, as presented, was made by Councilmember Farmer and seconded by Councilmember Silvas. Motion carried unanimously.

FIRST PUBLIC HEARING AND DENIAL OF INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

Z14-08: Todd Neff

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: 4349 North US Highway 277, located approximately 440 feet north of the intersection of North US Highway 277 and North US Highway 67. This property specifically occupies 8.0004 acres of the Paul Gregory Addition, Tract I and 0.384 acres in Smith Boulevard, in northeast San Angelo, changing the zoning classification from Ranch Estate (R&E) to Heavy Manufacturing (MH) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Development Services Director Patrick Howard presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on the type of operation facility, concerns regarding the livestock and related stench, negative impacts to housing, growth within the area, and gateway to the city, possibly creating a planned development district to protect the area, possibly inheriting uses inconsistent with the comprehensive plan, potential improvements, zoning classification, and allowable and future uses.

Mr. Howard noted change may introduce other uses which may not be suitable for the area. He suggested a review of all zoning classifications to ensure the appropriate uses are authorized within each classification.

Motion, to deny the Ordinance, was made by Councilmember Vardeman and seconded by Councilmember Farmer.

Public comment was made by Citizen Jim Turner.

A vote was taken on the motion on the floor. AYE: Morrison, Vardeman, Grindstaff, and Farmer. NAY: Fleming, Self, and Silvas. Motion failed 4-3.

Councilmember Farmer and Councilmember Silvas left the meeting at 12:07 p.m.

DIRECTION TO STAFF REGARDING DEPARTMENT'S WATER BUDGETS AND IRRIGATION REQUIREMENTS FOR CITY-MAINTAINED PARKS AND SPORTS FIELDS, SANTA FE GOLF COURSE, AND FAIRMOUNT CEMETERY

Parks Superintendent Roger Havlak presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Councilmember Farmer returned to the meeting at 12:12 p.m. and Councilmember Silvas returned at 12:13 p.m.

General discussion was held on the current water rate, subsidizing the department via a reduced rate, the suggested options, whether to compromise on watering 33 inches of water per year per acre, utilizing sales tax versus general fund revenue, increasing and maintaining parks, and budgeting sufficient monies to maintain the parks.

Assistant City Manager Rick Weise explained when the item was presented to City Council during the 2013 budget session, Council made had a differences of opinion as to whether the department should or should not pay for the use of the water. He also noted Council was informed the allocated budget was insufficient to cover the watering needs of the department and staff was directed to present the item later in the fiscal year. As presented today, staff is presenting alternatives to their situation, e.g. lowering water rates for public use areas.

In conclusion, staff directed to continue with their current watering schedule.

Public comment was made by Fairmount Cemetery Board President Eva Horton.

RECESS

At 12:42 P.M., Mayor Morrison called a recess.

RECONVENE

At 12:56 P.M., Council reconvened, and the following business was transacted:

EXECUTIVE/CLOSED SESSION

At 12:56 P.M., Council convened in 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, Section 551.071(1) to consult with attorney on contemplated litigation; Section 551.072 to deliberate the purchase, exchange, lease, or value of real property; and Section 551.087 to discuss an offer of financial or other incentive to a company or companies with whom the City of San Angelo is conducting economic development negotiations and which the City of San Angelo seeks to have, locate, stay or expand in San Angelo.

RECESS

At 1:50 P.M., Mayor Morrison called a recess.

RECONVENE

At 2:00 P.M., Council reconvened, with the exception of Councilmember Silvas, and the following business was transacted:

FIRST PUBLIC HEARING AND TIED VOTE ON THE INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 12.600 "SIGN REGULATIONS" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 12.600 "SIGN REGULATIONS", OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO BY REPEALING SUBSECTION 12.606(1)(I) ENTITLED "PORTABLE SIGNS" IN ITS ENTIRETY; AND ENACTING A NEW SUBSECTION 12.606(1)(I) ENTITLED "PORTABLE SIGNS"; PROVIDING FOR PORTABLE SIGNS TO BE LIMITED TO ONE HUNDRED EIGHTY (180) DAYS; AND ENACTING A NEW SUBSECTION

12.606(1)(J) PROVIDING FOR THE REQUIREMENT OF IDENTIFYING LABELS VISIBLE FROM THE STREET INDICATING THE EXPIRATION DATE OF THE PORTABLE SIGN AT THIS LOCATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

Building Official Al Torres and PH presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.* Mr. Torres stated originally the ordinance was drafted to reduce the amount of visual clutter; however, this use is an economical option for small businesses. He noted the need to strike a balance between the two objectives.

Motion, to introduce the Ordinance, as presented, was made by Councilmember Fleming and seconded by Mayor Morrison.

General discussion was held on potential visual clutter created by temporary signs, effects on urban design, providing proper notification and feedback from various businesses regarding the ordinance change, safety concerns related to the temporary sign placement, and possibly directing staff to conduct a comprehensive review of the entire sign ordinance.

A vote was taken on the motion on the floor. AYE: Morrison, Fleming, and Vardeman. NAY: Self, Grindstaff, and Farmer. Motion tied 3-3.

FIRST PUBLIC HEARING AND POSTPONEMENT OF THE INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12, ENTITLED "PLANNING AND DEVELOPMENT," ARTICLE 12.600, ENTITLED "SIGN REGULATIONS," MORE PARTICULARLY BY AMENDING SECTION 12.604, ENTITLED "ON-SITE REGULATIONS," IN ORDER TO ALLOW FREESTANDING SIGNS TO BE PLACED AT AN ANGLE ON LOTS AT THE INTERSECTION OF TWO STREETS; AMENDING SUBSECTION 12.606, ENTITLED "PORTABLE SIGNS," IN ORDER TO EXTEND THE PERIOD A PORTABLE SIGN MAY BE PLACED FROM NINETY (90) DAYS TO ONE HUNDRED AND EIGHTY (180) DAYS, AND TO REQUIRE AN IDENTIFYING LABEL INDICATING THE EXPIRATION DATE OF A PORTABLE SIGN; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Building Official Al Torres presented background information.

Motion, to postpone, as presented, was made by Councilmember Self and seconded by Councilmember Farmer. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12, EXHIBIT "A", ENTITLED "ZONING ORDINANCE," MORE PARTICULARLY BY AMENDING ARTICLE 8, ENTITLED "DEFINITIONS", SECTION 803, ENTITLED "MEASUREMENTS", SUBSECTION 803(C) ENTITLED "FLOOR AREA", IN ORDER TO REMOVE ATTIC SPACE FROM THE DETERMINATION OF FLOOR AREA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

Development Services Director Patrick Howard presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to introduce the Ordinance, as presented, was made by Councilmember Grindstaff and seconded by Councilmember Vardeman. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

Z14-09: Concho Valley Turning Point Inc.

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: 528 East Highland Boulevard, located approximately 100 feet west of the intersection of East Highland Boulevard and Powell Street. This property specifically occupies approximately 0.35 acres of the Fort Concho Addition, the south 156.72 feet of Lot 12 and the south 156 feet of Lot 13, in central San Angelo, changing the zoning classification from Two-Family Residence District (RS-2) to Low Rise Multifamily Residence District (RM-1) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Development Services Director Patrick Howard presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to introduce the Ordinance, as presented, was made by Councilmember Grindstaff and seconded by Councilmember Vardeman. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

Z 14-04: Terry Shaner, Galilee CDC

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: An unaddressed tract of land located northeast of the intersection of Roosevelt Street and South Buchanan Street and northeast of the intersection of Roosevelt Street and South Florence Street. This property specifically includes approximately 3.3 acres of land out of the Robert Gerhardt Survey 325, Abstract 237, and 208 & 214 South Buchanan Street & 207, 211 & 215 S. Florence Street; more specifically being 2.13 acres of land out of the Robert Gerhardt Survey 325, Abstract 237, in central San Angelo, changing the zoning classification from Single-Family Residential (RS-1) to Low Rise Multi-Family Residential (RM-1) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Development Services Director Patrick Howard presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to introduce the Ordinance, as presented, was made by Councilmember Vardeman and seconded by Councilmember Fleming. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO

Z 14-10: Plateau Development, LLC

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: An unaddressed 1 acre tract located at the northwest corner of the

intersection of West Beauregard Avenue and Moritz Circle: more specifically occupying the Clar-Mor Heights Addition, Block 1, Lots 4-6, in southwest San Angelo, changing the zoning classification from Zero Lot Line, Twinhome and Townhouse Residence (RS-3) to Low Rise Multi-Family Residence (RM-1) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Development Services Director Patrick Howard presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to introduce the Ordinance, as presented, was made by Councilmember Farmer and seconded by Councilmember Grindstaff. AYE: Morrison, Self, Vardeman, Grindstaff, and Farmer. NAY: Fleming. Motion carried 5-1.

DISCUSSION ON THE FISCAL YEAR 2014-2015 BUDGET PREPARATION

Budget Manager Morgan Chegvidden presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Mr. Valenzuela noted project priorities will be discussed and reviewed at the retreat, as well as specific project pertaining to water resources and street maintenance.

Assistant City Manager/Chief Financial Officer Michael Dane stated the budget is full of issues as to funding and staff is diligently researching ways to adequately fund the budget.

TIED VOTE ON AUTHORIZATION FOR STAFF TO NEGOTIATE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FREESE AND NICHOLS, INC. FOR PROFESSIONAL SERVICES PER REQUEST FOR QUALIFICATIONS (RFQ) ES-02-14 PROFESSIONAL SERVICES - STORM WATER ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$100,000.00 PER YEAR, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF SAN ANGELO AND FREESE AND NICHOLS, INC.

City Engineer Karl Bednarz, PH, and Purchasing Manager Roger Banks presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on the contract negotiations, possibly reducing various project costs, the commensurate salary appropriated to pay for the project, utilizing local expertise and familiarity of the city, criteria of the company, and possibly applying a limit on travel.

Mr. Valenzuela informed staff has followed and abide by the request for qualifications procedure as outlined in the Texas Government Code noting the company was selected outlined in the criteria.

Motion, to authorize, as presented, with the understanding of limiting the travel by 5% of the project cost, was made by Councilmember Grindstaff and seconded by Councilmember Farmer.

Public comments were made by Bleyl & Associates representative Darren Fentress and Freese & Nichols Representative Allen Greer.

A vote was taken on the motion on the floor. AYE: Self, Grindstaff, and Farmer. NAY: Vardeman, Morrison, and Fleming. Motion tied 3-3.

Mayor Morrison stated the item will be presented again at the next meeting.

SELECTION OF MID-TEX OF MIDLAND FOR THE FIRE TRAINING CENTER (FD-01-14) CONSTRUCTION MANAGER AT RISK SERVICES, AUTHORIZATION FOR STAFF TO NEGOTIATE, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SAID CONTRACT

Construction Manager David Knapp presented background information.

General discussion was held on the project cost.

Motion, to select Mid-Tex, as presented, was made by Councilmember Farmer and seconded by Councilmember Self. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING ESTABLISHED BOUNDARIES OF SINGLE MEMBER DISTRICT 6

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS AMENDING AND ESTABLISHING THE BOUNDARIES OF SINGLE MEMBER DISTRICT NUMBER 6 FOR THE PURPOSE OF INCORPORATING A NEWLY ANNEXED AREA INTO SAID DISTRICT; AUTHORIZING AND DIRECTING ANY OTHER NECESSARY ACTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Clerk Alicia Ramirez presented background information.

Motion, to introduce the Ordinance, as presented, was made by Councilmember Farmer and seconded by Councilmember Self. Motion carried unanimously.

ADOPTION OF A RESOLUTION IN SUPPORT OF THE APPLICATION OF THE COUNTY COMMISSIONERS OF TOM GREEN COUNTY MADE TO THE TEXAS SECRETARY OF STATE FOR PARTICIPATION IN A PILOT PROGRAM TO ELIMINATE COUNTY ELECTION PRECINCT POLLING PLACES AND TO ESTABLISH COUNTYWIDE POLLING PLACES THAT WOULD INCLUDE THE GENERAL ELECTION TO BE HELD JOINTLY WITH THE COUNTY ON THE UNIFORM ELECTION DATE IN NOVEMBER 2014 (Page 483, #2014-06-064)

City Clerk Alicia Ramirez and Elections Administrator Vona McKerley presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on the cost,

Motion, to adopt the Resolution, as presented, was made by Councilmember Self and seconded by Councilmember Grindstaff. Motion carried unanimously.

FOLLOW UP AND ADMINISTRATIVE ISSUES

CONSIDERATION OF MATTERS DISCUSSED IN EXECUTIVE/CLOSED SESSION

No action was taken on matters discussed in Executive/Closed Session.

ANNOUNCEMENTS AND CONSIDERATION OF FUTURE AGENDA ITEMS

City Manager Daniel Valenzuela distributed the proposed June 3, 2014 Agenda and solicited Council comments and suggestions.

Councilmember Farmer inquired whether San Angelo was a regional district eligible to apply for the state water rainy day funds. She noted the submittal deadline is soon.

Councilmember Vardeman requested further review of the park's watering schedule and budget situation, specifically the amount of public park use and possibly considering whether to close some parks.

Councilmember Grindstaff requested a meeting with City Manager Daniel Valenzuela and related staff members regarding issues related to inspection services. She also inquired when the last joint meeting was held with City of San Angelo Development Corporation and requested the meeting minutes.

Councilmember Fleming requested an update and progress on the police department's boathouse at Lake Nasworthy.

AUTHORIZATION TO SET AND CONDUCT A RETREAT/WORK SESSION MEETING ON TUESDAY, JUNE 10, 2014 AT FT. CHADBOURNE

Motion, to set and conduct the retreat, as presented, was made by Councilmember Self and seconded by Councilmember Farmer. Motion carried unanimously.

ADJOURNMENT

Motion, to adjourn, was made by Councilmember Self and seconded by Mayor Morrison. Motion carried unanimously.

The meeting adjourned at 3:14 P.M.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Alicia Ramirez, 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.)