

CITY COUNCIL MINUTE RECORD

The City of San Angelo
Tuesday, September 16, 2014

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Vol. 105

OPEN SESSION

BE IT REMEMBERED City Council convened in a regular meeting at 9:01 A.M., Tuesday, September 16, 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, thus constituting a quorum. Whereupon, the following business was transacted:

An invocation was given by Reverend Matthew Rowe and pledge was led by Alyssa Pagano and Rodrigo Hernandez, 7th grade students at Glenn Junior High School, and Charlie Hernandez, 5th grade student at Lamar Elementary School.

PROCLAMATIONS AND RECOGNITION

“Foster Care Awareness Day”, Saturday, September 27, 2014, was accepted by Janett Franco, Foster Care Administrator, High Sky Children’s Ranch.

“Meals for the Elderly Week”, September 15-19, 2014, in observance of its 40th Anniversary, was accepted by Charlyn Ocker, President & CEO of Meals for the Elderly, and Robin Bahlman and Katie Harrison.

“National Anti-Bullying Awareness Month”, October 2014, was accepted by Erica Morris, San Angelo Police Officer and Drug Resistance Education and Mentoring (D.R.E.A.M.) Program Officer, San Angelo Police Department.

“National Community Planning Month”, October 2014, was accepted by Patrick Howard, Development Services Director.

“Fire Prevention Week”, October 5-11, 2014, was accepted by Thomas Truett, Fire Investigator, City of San Angelo Fire Marshal’s Office.

City of San Angelo Fort Concho for receiving the Western Museum Award from the American Cowboy Culture Association at the 2014 National Cowboy Symposium and Celebration and was accepted by Robert Bluthardt, Fort Concho/Museum Manager.

PUBLIC COMMENT

Public comment was made by Citizens Deborah Bailey requesting the tax levy ordinance be considered during the regular agenda; Peggy Thorp, SMD 3 resident, and Jesse Martinez regarding a new establishing sand depot business within the residential community; and West Texas Opportunity Strategy representative member Jerry Sea regarding the transparency and inclusive government practice pertaining to delays on 19th and Chadbourne Street project, particularly noting the zone change in SMD 4 and Council action to stop the development.

Parks and Recreation Director Carl White invited the public to the River Fest Event this weekend.

REGULAR AGENDA: PUBLIC HEARING AND COMMENT

APPROVAL OF AN AMENDMENT TO VISION PLAN COMPONENT OF THE SAN ANGELO COMPREHENSIVE PLAN UPDATE ADOPTED IN 2009, SPECIFICALLY AN APPROXIMATELY 21.5 ACRE TRACT LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH BRYANT BOULEVARD AND BEN FICKLIN ROAD, IN SOUTHERN SAN ANGELO

Planning Manager Rebeca Guerra presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to approve the amendment, as presented, was made by Councilmember Fleming and seconded by Councilmember Grindstaff. 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

PD14-02: Kimley-Horn and Associates, 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: 3518, 3522, 3526 and 3602 Ben Ficklin Road and unaddressed tracts located in the southeast corner of South Bryant Boulevard and Ben Ficklin Road. This property specifically being around 21.5 acres out of the E. Hermes Survey 174, Abstract 349 and 2.699 acres of Century Terrace, Block 1, in south central San Angelo, changing the zoning classification from a combination General Commercial / Heavy Commercial (CG/CH), Ranch & Estate (R&E), Office Commercial (CO), Planned Development (PD) and Low Rise Multi-Family Residential (RM-1) to Planned Development (PD) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Planning Manager Rebeca Guerra presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on which Planning Commission members absent from the meeting which discussed the item (John Young and Darlene Jones), the proponent's request for the Commission to vote on the item, the public's concerns regarding property access, ingress and egress proposals, potential stormwater runoff and effect to surrounding river and water quality, and the Colorado River Authority's frequent water quality testing.

Development Service Director Patrick Howard informed the public's concerns regarding access to the property have been addressed as staff and the developer have modified the concept plan significantly.

Public comment was made by Citizens Stan Metters, Housing Association, Bob Housley, and Eddy Disnukes in opposition of the development.

Public comment was made by Walmart Representatives Mike Murray, of McMahan Surovik Suttle, Dan Skeehan, Engineer with Kinley-Horn & Associates regarding the development and their willingness to work with the community regarding the various proposals.

City Manager Daniel Valenzuela left the meeting at 10:40 and did not return. Assistant City Manager/Chief Financial Officer Michael Dane facilitated the meeting.

Further discussion was held on the proposed rock wall, installing a breakaway cross bar at the service entrance, and other proposed improvements; coordinating emergency access with the Fire Marshal's office, and installing necessary traffic control signs.

Mr. Metters commented on the limited exit turns from the apartment complex, prohibiting truck access within the neighborhood and whether such prohibitions will be followed.

Mr. Housley commented on the additional access and possible issues should access be granted on Jackson Street. He offered an additional access from his property off South Bryant Street.

In conclusion, Council reviewed and accepted the following conditions:

1. Except as otherwise specified or limited, the use and development of the subject property shall generally conform to the Neighborhood Commercial (CN) Zoning District.
2. Outdoor storage and display shall be limited to Type 2 Limited Outdoor Storage as reflected in Section 504 of the Zoning Ordinance.
3. Development shall be consistent with the Concept Plan dated "Received August 25, 2014," except as otherwise noted.
4. Construction shall adequately address all issues presented in Texas Department of Transportation (TxDOT) letter dated "Received August 11, 2014."
5. Overnight parking shall be prohibited. Parking shall be limited to a maximum of 12-hour intervals. Signage shall be erected, at the developer's expense, indicating the prohibition and limitation of all parking.
6. A minimum 4-foot high masonry or block wall shall be constructed along the southern property boundary adjacent to South Jackson Street along any existing vegetation which is to remain.
7. Landscape buffering shall be provided along the southern property boundary adjacent to South Jackson Street consistent with the Concept Plan dated "Received August 25, 2014," also allowing for limited areas of existing vegetation to remain (along Jackson Street and along the eastern property line beginning at Jackson Street). All new landscaping shall be in the form of drought-resistant trees, 3-inches in caliper, and 6 feet tall at the time of planting.
8. A cart retention system shall be installed as part of this development where no cart shall be able to be wheeled off of the property.
9. There shall be no truck freight access and/or activity related to this development along South Jackson Street and Century Drive. Further, signage shall be installed by the City, and at the developer's expense, along South Jackson Street and Century Drive which provides notification to motorists of the prohibited freight access and activity on these streets.
10. All exterior lighting shall be shielded and positioned in such a manner so as to not spill over onto any adjacent property.
11. A pedestrian crosswalk shall be provided, at the developer's expense, along Jackson Street with thermoplastic pavement marking.
12. A break-away crossbar at the Jackson Street entrance to the development shall be installed at the developer's expense.

Motion, to introduce the Ordinance, as presented, with the conditions at stated, all at the expense of Walmart, was made by Councilmember Fleming and seconded by Councilmember Silvas. Motion carried unanimously.

Councilmember Fleming stated per policy, Council may not impose a variance, however Council may indicate their preference for a 6 or 8 foot fence and then forward such request to the Zoning Board of Adjustments for consideration and approval.

RECESS

At 10:45 A.M., Mayor Morrison called a recess.

Councilmember Grindstaff left the meeting and did not return.

RECONVENE

At 11:04 P.M., Council reconvened, and the following business was transacted:

CONSENT AGENDA

APPROVAL OF THE SEPTEMBER 2, 2014 CITY COUNCIL REGULAR MEETING MINUTES

CONSIDERATION OF AUTHORIZING AN INCREASE AMOUNT FOR AWARDED CONTRACT VM-01-14 LIGHT DUTY VEHICLES FROM NOT TO EXCEED \$150,000 TO NOT TO EXCEED \$550,000 TO INCLUDE REMAINING FISCAL YEAR 2014 AND FISCAL YEAR 2015 PURCHASES (DISCUSSED IN REGULAR SESSION)

CONSIDERATION OF AWARDING BID VM-08-14 ANNUAL GENERATOR SERVICE, NOT TO EXCEED \$40,000.00 ANNUALLY TO GPC SERVICES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS (DISCUSSED IN REGULAR SESSION)

CONSIDERATION OF AWARDING VM-11-14 VAC-CON VACUUM TRUCK, UTILIZING BUYBOARD CONTRACT #430-13, IN THE AMOUNT OF \$321,154.00 TO FREIGHTLINER OF AUSTIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS (DISCUSSED IN REGULAR SESSION)

APPROVAL OF RECOMMENDED CHANGES TO THE COMMUNITY & HOUSING SUPPORT GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME HOUSING PROGRAMS

CONSIDERATION OF APPROVING THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION (COSADC) BOARD OF DIRECTOR'S AUTHORIZATION TO SECURE TRANSFER TO COSADC OF A CERTAIN AFFORDABLE HOUSING FIRST LIEN DEED OF TRUST FROM CROCKETT NATIONAL BANK FOR A SUM DUE ON THE NOTE, PLUS COSTS NOT TO EXCEED \$56,500.00, FOR PURPOSES OF RETAINING THE SUBJECT PROPERTY, LOCATED AT 2013 HUDSON STREET, AS AFFORDABLE HOUSING (DISCUSSED IN REGULAR SESSION)

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SAN ANGELO CULTURAL AFFAIRS COUNCIL (SACAC) FOR THE PROVISION OF PROGRAMS WHICH ENCOURAGE, DEVELOP, PROMOTE AND IMPROVE EDUCATIONAL AND CULTURAL OPPORTUNITIES IN THE COMMUNITY, PROVIDE PROGRAMS WHICH ENCOURAGE PARTICIPATION AND APPRECIATION OF THE ARTS, AND PROVIDE FOR THE ADMINISTRATION OF SUBGRANTS TO QUALIFYING ORGANIZATIONS, THROUGH FUNDING ALLOCATED FROM THE CITY HOTEL OCCUPANCY TAX REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE (Page 751, #2014-09-125)

AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY AND DR. STEPHEN SEIFERT ACCEPTING THE APPOINTMENT OF THE LOCAL HEALTH AUTHORITY AND TO BE COMPENSATED IN THE AMOUNT OF \$24,000.00 PER YEAR

CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO EXECUTE THE NEXUS IS, INC. (A TEXAS DIR VENDOR) AGREEMENT IN THE AMOUNT OF \$82,680.19 TO UPGRADE THE CITY'S CISCO VOICE OVER IP PHONE SYSTEM WITH THE LATEST HARDWARE AND SOFTWARE (DISCUSSED IN REGULAR SESSION)

CONSIDERATION OF APPROVING A REQUEST FOR PERMIT FOR THE TRANSPORT AND DISPOSAL OF GARBAGE, TRASH AND DEBRIS WITHIN THE SAN ANGELO CITY LIMITS AND ANY SERVICE THAT IS ALLOWED BY STATE LAW OR CITY ORDINANCE THAT DOES NOT CONFLICT WITH THE CITY'S CONTRACT WITH REPUBLIC WASTE SERVICES OF TEXAS (REPUBLIC) AND THE EXCLUSIVE RIGHTS GRANTED BY THAT CONTRACT TO REPUBLIC FOR J-BAR SOLUTIONS AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS (DISCUSSED IN REGULAR SESSION)

ADOPTION OF A RESOLUTION AUTHORIZING RELEASE OF A 20 FOOT BY 360 FOOT SEWER EASEMENT LOCATED WITHIN THE BOUNDS OF THE A.E. WHITE SURVEY 0001, ABSTRACT 3944, IN SOUTHWEST SAN ANGELO, AND PROVIDING FOR THE MAYOR TO EXECUTE AND DELIVER A LEGAL INSTRUMENT FORMALLY RELEASING AND RELOCATING SUCH EASEMENT (Page 753, #2014-09-126)

ADOPTION OF A RESOLUTION ACCEPTING THE U.S. DEPARTMENT OF JUSTICE FY 2014 JUSTICE ASSISTANCE GRANT IN THE SUM OF TWENTY-TWO THOUSAND FIVE HUNDRED THIRTY NINE AND NO/100 DOLLARS (\$22,539.00), AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH GRANT AWARD AND RELATED DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT FOR ACCEPTANCE OF THE GRANT (Page 755, #2014-09-127)

ADOPTION OF A RESOLUTION ACCEPTING THE DEPARTMENT OF JUSTICE 2014 BULLETPROOF VEST PARTNERSHIP GRANT IN THE AMOUNT OF \$9,045.25 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH GRANT AWARD AND RELATED DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT FOR ACCEPTANCE OF THE GRANT (Page 757, #2014-09-128)

APPROVAL OF THE CONTINUATION OF A CITY POLICY PROVIDING FOR PAID TIME OFF FOR CITY EMPLOYEES WHO CONTRIBUTE A "CARE SHARE", A "DOUBLE CARE SHARE", OR GREATER TO UNITED WAY CAMPAIGN IN 2015

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING THE WATER ADVISORY BOARD MEMBERSHIP COMPOSITION (Page 759, #2014-09-129)

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION", ARTICLE 2.3900, ENTITLED "WATER ADVISORY BOARD", MORE PARTICULARLY BY AMENDING SECTION 2.3901 ENTITLED, "CREATED; MEMBERS", IN ORDER TO REVISE THE MEMBERSHIP REQUIREMENTS AND QUALIFICATIONS OF WATER ADVISORY BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

SECOND HEARING AND CONSIDERATION OF ADOPTING AN ORDINANCE LEVYING PROPERTY TAXES FOR THE CITY OF SAN ANGELO FOR THE 2014 TAX YEAR (DISCUSSED IN REGULAR SESSION)

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 2014-2015 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

Councilmember Farmer requested the following items be removed to the regular agenda: VM-01-14 Light Duty Vehicles, VM-08-14 Annual Generator Service, VM-11-14 Vac-Con Vacuum Truck, Community & Housing Support Guidelines, Nexus IS, Inc., Request for Permit for the Transport and Disposal of Garbage, Trash and Debris, and Ordinance Levying Property Taxes. City Council concurred.

Motion, to approve the Consent Agenda, as presented, with the exception of VM-01-14 Light Duty Vehicles, VM-08-14 Annual Generator Service, VM-11-14 Vac-Con Vacuum Truck, Community & Housing Support Guidelines, Nexus IS, Inc., Request for Permit for the Transport and Disposal of Garbage, Trash and Debris, and Ordinance Levying Property Taxes, was made by Councilmember Self and seconded by Councilmember Vardeman. Motion carried unanimously.

REGULAR AGENDA: PUBLIC HEARING AND COMMENT

AUTHORIZATION OF AN INCREASED AMOUNT FOR AWARDED CONTRACT VM-01-14 LIGHT DUTY VEHICLES FROM NOT TO EXCEED \$150,000 TO NOT TO EXCEED \$550,000 TO INCLUDE REMAINING FISCAL YEAR 2014 AND FISCAL YEAR 2015 PURCHASES

Responding to a question from Councilmember Farmer, Vehicle Maintenance Manager Ryan Kramer stated the funds were budgeted in the General and Water Funds.

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

AWARD OF BID VM-08-14 ANNUAL GENERATOR SERVICE, NOT TO EXCEED \$40,000.00 ANNUALLY TO GPC SERVICES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

Responding to a question from Councilmember Farmer, Vehicle Maintenance Manager Ryan Kramer noted due to staff obtaining bids, the Purchasing Manager recommended approval by City Council.

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

AWARD OF VM-11-14 VAC-CON VACUUM TRUCK, UTILIZING BUYBOARD CONTRACT #430-13, IN THE AMOUNT OF \$321,154.00 TO FREIGHTLINER OF AUSTIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

Councilmember Farmer acknowledged the purchase had been discussed during the budget process and approved in the budget.

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

APPROVAL OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION (COSADC) BOARD OF DIRECTOR'S AUTHORIZATION TO SECURE TRANSFER TO COSADC OF A CERTAIN AFFORDABLE HOUSING FIRST LIEN DEED OF TRUST FROM CROCKETT NATIONAL BANK FOR

A SUM DUE ON THE NOTE, PLUS COSTS NOT TO EXCEED \$56,500.00, FOR PURPOSES OF RETAINING THE SUBJECT PROPERTY, LOCATED AT 2013 HUDSON STREET, AS AFFORDABLE HOUSING

Responding to a question from Councilmember Farmer, Neighborhood and Family Services Director Bob Salas stated the recommended changes were part of the foreclosure process for individuals defaulting on their mortgage.

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

AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE NEXUS IS, INC. (A TEXAS DIR VENDOR) AGREEMENT IN THE AMOUNT OF \$82,680.19 TO UPGRADE THE CITY'S CISCO VOICE OVER IP PHONE SYSTEM WITH THE LATEST HARDWARE AND SOFTWARE

Responding to a question from Councilmember Farmer, Information Technology John Eades confirmed the purchase was a budgeted item and necessary to provide services to the citizens.

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

APPROVAL OF A REQUEST FOR PERMIT FOR THE TRANSPORT AND DISPOSAL OF GARBAGE, TRASH AND DEBRIS WITHIN THE SAN ANGELO CITY LIMITS AND ANY SERVICE THAT IS ALLOWED BY STATE LAW OR CITY ORDINANCE THAT DOES NOT CONFLICT WITH THE CITY'S CONTRACT WITH REPUBLIC WASTE SERVICES OF TEXAS (REPUBLIC) AND THE EXCLUSIVE RIGHTS GRANTED BY THAT CONTRACT TO REPUBLIC FOR J-BAR SOLUTIONS AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

Responding to a question from Councilmember Farmer, Operations Director Shane Kelton stated the permit is required to utilize the City's streets to dispose items at the landfill.

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

SECOND HEARING AND ADOPTION OF AN ORDINANCE LEVYING PROPERTY TAXES FOR THE CITY OF SAN ANGELO FOR THE 2014 TAX YEAR (Page 763, #2014-09-130)

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 2014-2015 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

Councilmember Farmer stated the city has maintained and reduced the tax rate 10 cents over the last 10 years. Citizen Deborah Bailey expressed her concerns regarding San Angelo's tax base, comparable cities, city employee salary increases, and lacking industry within the City.

General discussion was held on the reduced tax rate over the last ten years totaling 10 cents, Council's continued review of salaries and setting the salaries within 85 to 90 percent the benchmark cities average, the

reasoning for the comparable cities, property evaluations based on state requirements and largely led by the school districts, the fact that some cities pay a hospital and college tax as well as other variables, and how Council is saddled with debt from previous years and paying off such debt.

Public comment was made by Citizen Wayne Hill.

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

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE CHANGING THE NAME OF VARSITY DRIVE, EXTENDING FROM DENA DRIVE TO UNIVERSITY AVENUE, TO PHIL GEORGE DRIVE

AN ORDINANCE TO CHANGE THE NAME OF A CERTAIN STREET SEGMENT TO WIT: Varsity Drive to Phil George Drive, over the complete length of this street's right-of-way between Dena Drive and University Drive, in central San Angelo; AND PROVIDING AN EFFECTIVE DATE

Planning Manager Rebeca Guerra 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 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

Z14-16: George and Sandra Rodriguez

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: Two unaddressed tracts located approximately 80 feet east of the intersection of Houston Street and Hassell Street; more specifically occupying the Hatcher Addition, Block 81, north parts of Lots 6 and 7 in western San Angelo, a request for approval of a Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN); PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Planning Manager Rebeca Guerra 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 Self and seconded by Councilmember Silvas. 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

SU 14-02: George and Sandra Rodriguez

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: 711 North Garfield Street, 2803 and 2807 Houston Street, and unaddressed tracts located south of Houston Street between Hassell Street and North Garfield Street; more specifically occupying the Hatcher Addition, Block 81, Lot 4 and the North Part of Lots 5, 6 and 7 in western San Angelo, a request for approval of a Special Use to allow for outside storage and display of merchandise in the Neighborhood Commercial (CN) zoning district; PROVIDING FOR SEVERABILITY AND PROVIDING

A PENALTY

Planning Manager Rebeca Guerra 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 Self 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

Z14-28: Rocky Templin and Mary Kampling

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: Five unaddressed tracts located at the northeast corner of Houston Street and Millspaugh Street; more specifically occupying the Hatcher Addition, Block 66, Lots 9 and 10 less 1114 square feet, and Lots 11, 12 and 13, in western San Angelo, a request for approval of a Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN); PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Planning Manager Rebeca Guerra presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Motion, to introduce adopt the Ordinance Resolution authorize approve award ratify direct staff to, 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

Z14-29: Rocky Templin

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: Three unaddressed tracts located approximately 90 feet west of the intersection of Waco Street and Millspaugh Street; more specifically occupying the Hatcher Addition, Block 56, Lots 13, 14, and 15, in western San Angelo, a request for approval of a Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN); PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Mayor Morrison left the meeting at 11:45 a.m. Mayor Pro Tem Self facilitated the meeting.

Planning Manager Rebeca Guerra 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 Silvas and seconded by Councilmember Self. Motion carried unanimously.

RECESS

At 11:45 A.M., Mayor Pro Tem Self called a recess.

RECONVENE

At 12:14 P.M., Council reconvened, and the following business was transacted:

EXECUTIVE/CLOSED SESSION

At 12:14 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 551.072 to deliberate the purchase, exchange, lease, or value of real property, including possible police department location and possible joint training facility location.

Mayor Morrison returned to the meeting during Executive Session at 12:19 p.m.

RECESS

At 12:28 P.M., Mayor Morrison called a recess.

RECONVENE

At 12:48 P.M., Council reconvened, and the following business was transacted:

CONSIDERATION OF FUTURE AGENDA ITEMS

Councilmember Vardeman requested an update, overview, and legal perspective on the various City liens.

Councilmember Farmer requested:

- 1) an update on the light and heavy manufacturing zoning clarifications.
- 2) Future annexation specifically Twin Mountain Drive. Development Services Director Patrick Howard remarked staff will be prepared to discuss the issue comprehensively at next meeting which may involve changes to the zoning ordinance.
- 3) Proposed Arden Road annexation

Councilmember Silvas noted with approval of south Walmart Supercenter, Council should consider creating a third TIRZ zone. He also noted traveling on East Beauregard and Main Street the intersection needs attention.

Councilmember Self requested also an update on the light and heavy manufacturing zoning clarifications. Development Services Director Patrick Howard states staff would like to present a plan in a methodical manner, specifically how to approach the issue.

Councilmember Fleming requested a discussion and possible action item to authorize a number of electrical spots to Grassy Meadows to assist with large events. He noted such would be considered at an investment and should be paid from the Lake Nasworthy fund.

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

Z14-19: Galen Weiershausen

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: 902 and 926 West 29th Street and two unaddressed tracts, located in northwest corner of the intersection of West 29th Street and Riverside Golf Club Road, changing the zoning from a combination of Low Rise Multi-Family Residential (RM-1) and Office Warehouse (OW) to General Commercial (CG) for an unaddressed 2.8 acre tract of the FE Cramer Survey 318, Abstract 112 and Heavy Commercial (CH) for the remaining eastern tracts that measure 1.29 acres, of the FE Cramer Survey 318 Abstract 112; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Planning Manager Rebeca Guerra presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Responding to a question from Councilmember Self, Ms. Guerra noted the applicant was not available to

respond as to the future use of the property.

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

Responding to a question from Councilmember Silvas, Ms. Guerra stated the owner is not required to disclose the future use or reasoning for the requested change. Mayor Morrison requested staff seek from the applicant the future use before the second reading.

A vote was taken on the motion on the floor. 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

Z14-31: Reed Shahan

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, located approximately 920 feet southeast of the intersection of Sherwood Way and Buick Street. This property specifically occupies the west 66 feet of the Shahan Subdivision, Section 3, Block 4, Lot A, in western San Angelo, changing the zoning classification from Office Commercial (CO) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

Planning Manager Rebeca Guerra presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Public comment was made by Proponent Reed Shahan noting the change will provide for the development of a future hotel.

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

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE REDUCING THE SPEED LIMIT ON A PORTION OF PENROSE STREET

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 10.200 OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, ALTERING THE MAXIMUM SPEED LIMIT ON PENROSE STREET BEGINNING AT THE INTERSECTION OF CHRISTOVAL ROAD AND EXTENDING EAST TO LA SALLE DRIVE, WITH SUCH STREET BEING LOCATED IN THE CITY OF SAN ANGELO, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE

City Engineer Karl Bednarz 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 Fleming and seconded by Councilmember Silvas. Motion carried unanimously.

POSTPONEMENT OF APPROVING NEW RATES FOR RENTAL BUILDINGS AT FORT CONCHO WITH AN EFFECTIVE DATE OF OCTOBER 1, 2014

Mayor Morrison stated the item has been postponed at the request of staff.

AUTHORIZATION AND DIRECTION TO STAFF REGARDING THE USE OF ONE-TIME LANDFILL LEASE REVENUE IN THE AMOUNT OF \$3,600,000.00

Requested by Mayor Morrison, Finance Director Tina Bunnell presented background information. She suggested postponing direction or action on the item until the end of the fiscal year thereby allowing staff to provide a fiscal year end balance report.

Motion, to authorize the concept directing staff to earmark the approximately \$3.6M revenue, applying such revenue to the water deficit in the operating water budget, and the remaining balance in an unassigned citizen account to be used for a special needs, was made by Mayor Morrison and seconded by Councilmember Silvas.

General discussion was held on the net loss within the water fund, possible uses for other funding needs, waiting until fiscal year end for final fund balance report, and November rebate review.

Public comment was made by Citizen Jim Turner regarding utilizing the fund for future common rate increase considerations.

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

APPROVAL OF ADDITIONAL HOLIDAYS FOR FY 2014/15 AND ANY ACTION IN CONNECTION THERETO

Human Resources Director Lisa Marley presented background information.

Motion, to approve the additional holidays, as presented, was made by Councilmember Silvas and seconded by Councilmember Vardeman. Motion carried unanimously.

REPORT ON THE STATUS OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION REVIEW FOR CONTRACT COMPLIANCE

Requested by Councilmember Farmer, Economic Development Coordinator Robert Schneeman presented background information noting a draft letter from the auditor will be available next week. He commented on one outstanding project, Glazers, noting the company is in the process of providing their financial statements.

DISCUSSION AND DIRECTION TO STAFF REGARDING ESTABLISHING A CHARTER REVIEW COMMITTEE

Requested by Councilmember Farmer, City Clerk Alicia Ramirez informed of the former committee members. General discussion was held on the former members and whether to appoint the same members. Ms. Ramirez suggested each individual City Council member consider and make their nominations at a future meeting. Council concurred.

Public comment was made by Citizen Jim Turner noting Council should also consider the specific items or subject matters that the committee may consider during the review, and considering a November versus May 2015 election. Citizen Harry Thomas stated he was willing to volunteer and serve on the committee.

FOLLOW UP AND ADMINISTRATIVE ISSUES

CONSIDERATION OF MATTERS DISCUSSED IN EXECUTIVE/CLOSED SESSION

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

APPROVAL OF A BOARD NOMINATION BY COUNCIL AND DESIGNATED COUNCILMEMBERS:

Planning Commission: Juan Flores, Jr., (SMD3) to an unexpired term January 2015

Motion, to approve the board nomination by Council and designated Councilmembers, was made by Councilmember Silvas and seconded by Councilmember Self. Motion carried unanimously.

Councilmember Farmer left the meeting at 1:43 p.m. and did not return.

NOMINATION OF CHARLOTTE FARMER TO THE PORTS-TO-PLAINS ADVISORY BOARD,
REPLACING MAYOR MORRISON

Requested by Mayor Morrison, Mr. Morrison nominated Councilmember Farmer.

Motion, to nominate Councilmember Farmer, as presented, was made by Mayor Morrison and seconded by Councilmember Silvas. Motion carried unanimously.

ANNOUNCEMENTS AND CONSIDERATION OF FUTURE AGENDA ITEMS

CANCELATION OF THE OCTOBER 7, 2014 CITY COUNCIL MEETING

Council suggested canceling the October 7, 2014 meeting due to the various councilor scheduling conflicts.

Assistant City Manager/Chief Financial Officer Michael Dane distributed the proposed October 21, 2014, 2014 Agenda and solicited Council comments and suggestions. Items considered earlier in the meeting.

ADJOURNMENT

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

The meeting adjourned at 1:47 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.)

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