

CITY COUNCIL MINUTE RECORD

The City of San Angelo
Tuesday, November 19, 2013

Page 31
Vol. 105

OPEN SESSION

BE IT REMEMBERED City Council convened in a regular meeting at A.M., Tuesday, November 19, 2013, in the San Angelo McNease Convention Center, 500 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 H.R. Wardlaw
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 Trenton Massey, Senior at TLC and pledge was led by Truett Bailey, Kindergartner, and Davis Bailey, 2nd Grader at Angelo Catholic School.

RECOGNITIONS

Brian Groves, Multimedia Coordinator for the City of San Angelo, recognized for his selection as one of the Standard-Times' 20 Under 40 honorees, recognizing accomplished young professionals in our community.

Brian Groves, Multimedia Coordinator for the City of San Angelo, recognized for the six statewide video awards our office won at last month's annual convention of the Texas Association of Telecommunications Officers and Advisors. That included five second-place awards and one first-place honor.

Students recognized for participating in the San Angelo Independent School District Vocational Program and working for various City of San Angelo Departments: Students: John Gibson, Jarrod Weiss, Alberto Frias, Quirt Edwards; Job Coaches: Tawnya Fowler and Leslie Deans; Staff Speaking: Becca Flores, Vocational Adjustment Coordinator for SAISD.

PUBLIC COMMENT

Mayor Morrison recognized San Angelo Central High School Bobcat Football players Jonathan Flores, John Garcia, Braden Lee, and Coach Brent Davis for their recent district win.

Mayor Morrison also recognized TLC High School Eagles Football players Jay Mayberry, Chris Marris, Trenton Massey, Brian Garcia, and Cheerleaders Stephanie Sjorgen, Rebecca Way, and Isabel Rosales for their district win.

Mayor Morrison announced City Manager Daniel Valenzuela will be attending a West Texas Water Partnership meeting in Odessa and Assistant City Manager/Chief Financial Officer Michael Dane will be facilitating the meeting.

Kathy Ballard, Concho Valley Workforce Development Board, announced and invited the public to the West Texas Energy Consortium Inaugural Conference and Economic Impact Presentation at Howard College in Big Spring, Texas, on December 3, 2013.

Public comments were made by Jerry Sea, WTOS Member and St. Paul Baptist Church.

A farewell speech was given by Jeff Hintz, outgoing Interim Senior Planner.

Councilmember Silvas commented on a constituent's water bill and stressed the importance of contacting the Water Utilities Billing Department for assistance.

CONSENT AGENDA

APPROVAL OF THE NOVEMBER 5, 2013 CITY COUNCIL REGULAR MEETING MINUTES

AWARD OF BID TR-02-13/THERMOPLASTIC STRIPING TO FLAT LINE INC. (CHILDRESS, TX) FOR INSTALLATION OF PAVEMENT MARKINGS ON 2013 SEAL COATED STREETS, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS (P.FRERICH)

SELECTION OF SUDDENLINK BUSINESS FOR RFP IT-01-13 TO PROVIDE LONG DISTANCE PHONE SERVICE AND PHONE CONNECTIVITY (PRIS AND POTS) SERVICES, AUTHORIZATION FOR STAFF TO NEGOTIATE A FIVE YEAR CONTRACT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT

AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUPPLEMENTAL LEASE AGREEMENT NO. 4 TO LEASE GS-07B-15605, IN SUBSTANTIALLY THE ATTACHED FORM, AND ALL RELATED DOCUMENTS BETWEEN THE CITY OF SAN ANGELO AND THE UNITED STATES GENERAL SERVICES ADMINISTRATION (U.S. GSA) AT SAN ANGELO REGIONAL AIRPORT

AUTHORIZATION FOR THE CITY MANAGER OR HIS DESIGNEE TO ESTABLISH THE FAIR MARKET VALUE OF 0.067 ACRES OF SURPLUS PROPERTY ADJACENT TO LOT 1, BLOCK 1, GROUP 4, LAKE NASWORTHY ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, IN SOUTHWEST SAN ANGELO, FOR PURPOSES OF DISPOSING OF SURPLUS PROPERTY AND THE AUTHORITY TO EXECUTE ALL DOCUMENTS NECESSARY TO CONVEY THE SURFACE ESTATE ONLY IN THE SURPLUS PROPERTY BY SPECIAL WARRANTY DEED TO THE ADJACENT LOT OWNER, RESERVING UNTO THE CITY OF SAN ANGELO BLANKET DRAINAGE AND UTILITY EASEMENTS

AUTHORIZATION FOR THE SALE OF THE FOLLOWING PROPERTIES FOR THE APPRAISED VALUE AND AUTHORIZATION FOR THE MAYOR, CITY MANAGER, OR WATER UTILITIES DIRECTOR TO EXECUTE ALL NECESSARY LEGAL DOCUMENTS PERTAINING TO THE SALE OF SUBJECT PROPERTIES, SUBJECT TO COMPLETION OF ALL CURATIVE REQUIREMENTS

3005 Red Bluff Circle, Lot 56, Group Red Bluff, \$93,700.00 (Durham)
2171 Gun Club Road, Lot 11A, Block 1, Group 10, \$23,900.00 (Ng)

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT FOR AERIAL DECK AND SUPPORTING STRUCTURES BETWEEN THE CITY OF SAN ANGELO AND 333 SOUTH CHADBOURNE LLC FOR CONSTRUCTING AND MAINTAINING ONE AERIAL DECK AND SIX SUPPORTING STRUCTURES ON AND OVER CITY-OWNED PROPERTY IDENTIFIED AS LOT 4 OF THE O. B. SAMPSON SUBDIVISION OF LOTS 1 TO 10 IN BLOCK B OF THE MAIN PART OF THE CITY, AND SUCH OTHER INSTRUMENTS AS MAY BE NECESSARY OR CONVENIENT FOR CARRYING OUT SUCH PURPOSES; AND FINDING A PUBLIC PURPOSE AND BENEFIT THEREIN (Page 41 , #2013-11-153)

ADOPTION OF A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A TAX-RESALE (QUITCLAIM) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SAN ANGELO, AND ALL OTHER TAXING UNITS INTERESTED IN THE TAX FORECLOSURE JUDGMENT OR TAX WARRANT: (Page 43, #2013-11-154)

2118 Shelton, (Stephens), S 50' of N 100' of W 150' of Lot 7, Block 3, Home Acres, \$1,886, Suit No. A-11-0193-TAX

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANGER TO EXECUTE AN EASEMENT AND RIGHT OF WAY TO AEP TEXAS NORTH COMPANY, GRANTING A 15' PERPETUAL EASEMENT AND RIGHT OF WAY FOR ELECTRIC DISTRIBUTION LINES ON 20.087 ACRES OF LAND OWNED BY THE CITY OF SAN ANGELO AND UNDER LEASE TO HOWARD COUNTY JUNIOR COLLEGE DISTRICT; SAID LAND BEING LOCATED AT 3501 N. US HWY 67, COMMONLY KNOWN AS THE WEST TEXAS TRAINING CENTER, AND BEING FOR THE BENEFIT OF HOWARD COUNTY JUNIOR COLLEGE DISTRICT (Page 45, #2013-11-155)

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING THE 2013-2014 BUDGET FOR A CONTRACT CHANGE ORDER (Page 47, #2013-11-156)

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 A CONTRACT CHANGE ORDER

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO (Page 51, #2013-11-157)

Z 13-36: SAS Texas Properties 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 tract, located approximately 800 feet south from the intersection of Humble Road & North Bryant Boulevard. This property specifically occupies the Lakeside Gardens Addition, Block One, Lots 28-31 in northwestern San Angelo, changing the zoning classification from Heavy Commercial (CH) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO (Page 53, #2013-11-158)

Z 13-34: The River San Angelo Church, 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: 5050 Lake Drive, located approximately 800 feet southeast of the intersection of North Chadbourne Street and Lake Drive; more specifically occupying the Julia A. Bailey Subdivision, being 4.384 acres out of the south part of Block 8, Lot 2, in northwest San Angelo, changing the zoning classification from Ranch & Estate (R&E) and General Commercial/Heavy Commercial (CG/CH) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

SECOND HEARING AND ADOPTION OF AN ORDINANCE AUTHORIZING ABANDONMENT OF THE COMPLETE UNIMPROVED 60-FOOT WIDE PUBLIC RIGHT-OF-WAY FOR NELSON AVENUE EXTENDING NORTH FOR A DISTANCE OF 485 FEET FROM ERA STREET, EAST OF BLOCK 3, LOTS 8-13 OF THE GOODFELLOW COURT ANNEX, AND IMMEDIATELY WEST TO PROPERTY OUTSIDE OF THE CITY LIMITS, -AND- AN ABANDONMENT OF THE COMPLETE 13-FOOT WIDE RIGHT-OF-WAY FOR AN ALLEY EXTENDING WEST OF NELSON AVENUE AND DIRECTLY

NORTH OF THE GOODFELLOW COURT ANNEX, BLOCK 3, AND ADJACENT TO THE ENTIRE NORTHERN LENGTH OF LOT 8 OF SAME SUBDIVISION IN EAST SAN ANGELO (Page 55, #2013-11-159)

AN ORDINANCE PROVIDING FOR THE ABANDONMENT AND CLOSING OF THE FOLLOWING UNIMPROVED STREET SEGMENT AND UNIMPROVED ALLEY SEGMENT TO WIT: a complete unimproved 60-foot wide public right-of-way for Nelson Avenue extending north for a distance of 485 feet from Era Street, east of Block 3, Lots 8-13 of the Goodfellow Court Annex, and immediately west to property outside of the City Limits, -AND- an abandonment of the complete 13-foot wide right-of-way for an alley extending west of Nelson Avenue and directly north of the Goodfellow Court Annex, Block 3, and adjacent to the entire northern length of Lot 8 of same subdivision in east San Angelo; AUTHORIZING THE CONVEYANCE THEREOF TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE; AND PROVIDING FOR THE MAYOR TO EXECUTE AND DELIVER A QUIT CLAIM DEED TO THE ABUTTING PROPERTY OWNERS

Motion, to approve the Consent Agenda, as presented, was made by Councilmember Farmer and seconded by Councilmember Vardeman. Motion carried unanimously.

REGULAR AGENDA: PUBLIC HEARING AND COMMENT

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

Z13-28: Greg Huling

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 5 acre tract, located approximately 280 feet south of the intersection of Southland Boulevard and Green Meadow Drive. This property specifically occupies the Community of Faith subdivision, Block 1, Section 1, Lots 1 & 2, in western 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

Interim Senior Planner Jeff Hintz presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on the area's new home development, traffic flow and congestion, the number of protest letters received, the petition circulated against the zone change, property devaluation, future plans to widen the road, and the issues related to this area and the entire city regarding large trucks utilizing neighborhood streets as truck routes.

Motion, to deny the introduction of the Ordinance, as presented, was made by Councilmember Farmer and seconded by Councilmember Wardlaw.

Public comments were made by Proponents Greg Huling and Planning Commissioner Teri Jackson, and opponents/citizens John Moore, Tamara Stone, Linda Silva, Jack Brandt, and Jeff Curry.

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

RECESS

At 10:24 A.M., Mayor Morrison called a recess.

RECONVENE

At 10:42 A.M., Council reconvened, and the following business was transacted:

APPROVAL OF A PETITION FOR VARIANCE UNDER THE CODE OF ORDINANCES, WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION 11.203 (E), TO THE ALLOWABLE WATERING FREQUENCIES AND TIME OF DAY FOR NEWLY PLANTED LANDSCAPE SUBMITTED BY THE SAN ANGELO INDEPENDENT SCHOOL DISTRICT

Water Utilities Director Ricky Dickson presented background information.

Responding to a question from Councilmember Fleming, Jim Elson, Maintenance Director, informed the ball fields were seeded last year and are seeded based on ground temperature. Mr. Elson also informed the school board approved the installation of artificial turf to three areas and he hoped to receive approval for other areas. He also noted the areas will be monitored closely as staff monitors all utilities on a monthly basis.

Motion, to approve the petition for the variance, as presented, was made by Councilmember Farmer and seconded by Councilmember Vardeman.

Public comment was made by SAISD Trustee Bill Dendle.

A vote was taken on the motion on the floor. AYE: Self, Silvas, Vardeman, Wardlaw, and Farmer. NAY: Morrison and Fleming. Motion carried 5-2.

FIRST PUBLIC HEARING AND DENIAL OF AN INTRODUCTION OF AN ORDINANCE INCREASING THE NUMBER OF MEMBERS ON THE PUBLIC HOUSING AUTHORITY (PHA) FROM FIVE (5) TO SEVEN (7) AND OTHER RELATED PROVISIONS

AN ORDINANCE AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION", ARTICLE 2.2700 ENTITLED "HOUSING AUTHORITY", SECTION 2.2701 ENTITLED "CREATED; MEMBERS; TERMS", OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, BY INCREASING THE NUMBER OF MEMBERS ON THE HOUSING AUTHORITY FROM FIVE (5) TO SEVEN (7); PROVIDING THAT TWO (2) MEMBERS BE TENANTS OF PUBLIC HOUSING; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Clerk Alicia Ramirez and PHA Executive Director Becky Salandy presented background information. Ms. Salandy noted the increased membership offered more diversity and assisted the board with meeting the quorum requirement.

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

General discussion was held on the concerns to meet the quorum, current membership, and the reasons for the increased membership.

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

UPDATE AND PRESENTATION BY THE PUBLIC HOUSING AUTHORITY (PHA) AND RELATED MATTERS

PHA Executive Director Rebecca Salandy presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

Mayor Morrison left the meeting at 11:09 a.m. and returned at 11:13 a.m.

Councilmember Wardlaw left the meeting at 11:13 a.m.

Councilmember Farmer requested quarterly updates from the PHA. Council concurred.

Responding to a question from Councilmember Silvas, Ms. Salandy stated a security assessment is conducted by REACT and properties are inspected every other year per HUD requirements. She also noted additional inspections are conducted by local inspectors.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 10, TRAFFIC CONTROL REGARDING THE OPERATION OF GOLF CARTS

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 10, TRAFFIC CONTROL, OF THE SAN ANGELO CODE OF ORDINANCES, TO ADD A NEW ARTICLE 10.1700, ENTITLED "OPERATION OF GOLF CARTS ON PUBLIC STREETS" IN ORDER TO ALLOW AND REGULATE THE OPERATION OF GOLF CARTS ON ANY PART OF THE TRAFFIC AREA OF ANY PUBLIC STREET OR HIGHWAY WITHIN THE CITY LIMITS WHERE THE POSTED SPEED LIMIT IS NOT MORE THAN THIRTY (30) MILES PER HOUR, PROVIDING DEFINITIONS, ESTABLISHING LIMITATIONS ON SUCH OPERATION, ESTABLISHING REQUIREMENTS FOR EQUIPMENT, ANNUAL REGISTRATION, ESTABLISHING ADMINISTRATIVE PROCESSES, ESTABLISHING A REGISTRATION FEE, PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND AMENDING APPENDIX A, ENTITLED ARTICLE 3.000 BUSINESS RELATED FEES TO ADD A NEW SECTION 3.1300 GOLF CART REGISTRATION FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

Councilmember Wardlaw returned to the meeting at 11:18 a.m.

Police Chief Tim Vasquez presented background information noting the ordinance was further reviewed by the City Attorney and revised per City Council direction.

Responding to a question from Councilmember Fleming, Chief Vasquez informed state law provisions all those individuals to use a golf carts within a 2 mile radius of a golf course. He further explained, per the ordinance, permitted golf carts may be used on street with a 30 MPH designation.

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

General discussion was held on golf cart use at apartment complexes and required inspections.

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

AUTHORIZATION OF A FUNDING INCREASE IN THE SUPPORT FOR THE TOM GREEN COUNTY MENTAL HEALTH UNIT AND TOM GREEN COUNTY CRISIS INTERVENTION UNIT

Police Chief Tim Vasquez presented background information and informed the request was submitted as part of the 2013-14 Budget discussion, but not approved.

Motion, to authorize the increase \$37,539.00, as presented, was made by Councilmember Fleming and seconded by Councilmember Silvas.

Responding to a question from Councilmember Farmer, Budget Manager Morgan Chegwidden stated funds will be allocated from the General Fund contingency funds and as an internal budget amendment.

Responding to question from Councilmember Farmer, TGC Sheriff David Jones stated the program is a shared funded program between MHMR, county, and city as well as other grant funding.

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

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE RELATING TO THE CITY OF SAN ANGELO'S APPLICATION OF EXISTING POLICIES REGARDING COMMERCIAL PROPERTY DEVELOPMENT MORATORIUM AND RELATED MATTERS

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, ("CITY") ADOPTING A COMMERCIAL PROPERTY DEVELOPMENT MORATORIUM IN ACCORDANCE WITH STATE LAW UPON PUBLIC HEARING AND ISSUANCE OF WRITTEN FINDINGS; TO EXPIRE NINETY (90) DAYS AFTER THE DATE THE MORATORIUM IS ADOPTED; INCLUDING BUT NOT LIMITED TO, APPROVAL OF NEW APPLICATIONS FOR COMMERCIAL PROPERTY DEVELOPMENT RELATING TO MOBILE HOMES, MANUFACTURED HOUSING PARKS AND RECREATIONAL VEHICLE PARKS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

Interim Development Services Director AJ Fawver and Interim Senior Planner Jeff Hintz presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on the 90 day requirement and clarified any prior applicants requesting such development would be required to follow the new policy.

Motion, to introduce the Ordinance extending the 90 day moratorium and retaining the committee in order to complete and finalize the policy, as presented, was made by Councilmember Fleming and seconded by Councilmember Silvas. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING THE CONTINUANCE TO LEVY AND COLLECT A ONE-HALF CENT SALES AND USE TAX AS APPROVED BY THE VOTERS IN THE NOVEMBER 2, 2010 SPECIAL ELECTION

AN ORDINANCE AMENDING ARTICLE 2.3600 ECONOMIC DEVELOPMENT CORPORATION OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS BY AMENDING SECTION 2.3606 TO ADD A NEW SUBSECTION 1 TO INCLUDE THE PROJECTS ALLOWED IN SECTION 4B OF ARTICLE 5190.6 V.A.C.S., AS AMENDED, (HEREINAFTER "ACT") FOR THE CITY OF SAN ANGELO TO CONTINUE TO LEVY AND COLLECT A ONE-HALF CENT SALES AND USE TAX, SAID PROJECTS HAVING BEEN APPROVED BY THE VOTERS IN THE NOVEMBER 2, 2010 SPECIAL ELECTION TO BE UNDERTAKEN AS ALLOWED BY THE ACT IN ACCORDANCE WITH THE RESULTS OF THE SAID SPECIAL ELECTION; AND TO RESTATE AND RENUMBER SECTION 2.3606 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

Interim Economic Development Director Bob Schneeman presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on how the funds can be used, possibly holding a special May 2014 election, sales tax project's eligibility, and addressing perpetual needs, i.e. infrastructure.

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

Public comment was made by Citizen Jim Turner and Billy DeWitt.

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

RECESS

At 11:57 A.M., Mayor Morrison called a recess.

EXECUTIVE/CLOSED SESSION

At 12:19 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 a contemplated settlement offer to ACAP Health for clinical care engineering services for the City health insurance program (Marley);

Section 551.071(2) to consult with 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 quarterly invoices dated 9/17/2013 and 10/29/2013 for services rendered pursuant to the Interlocal Agreement between cities of Abilene, Midland and San Angelo effective 4/9/2011 (West Texas Water Partnership) and subject to confidentiality under said Interlocal Agreement; Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding Lake Nasworthy area (Fawver), South Concho River and Lake Nasworthy real property recreational and grazing lease (Preas), West Texas Christian Foundation, Aka Christian Village Property, and West Texas Water Partnership; and, Section 551.074(a)(1) to deliberate the evaluation and duties of the City Manager.

RECESS

At 1:55 P.M., Mayor New called a recess.

RECONVENE

At 2:00 P.M., Council reconvened, and the following business was transacted:

APPROVAL OF AN AMENDMENT TO THE THOROUGHFARE PLAN COMPONENT OF SAN ANGELO'S COMPREHENSIVE PLAN, SPECIFICALLY PLANNED PROJECTIONS COLLECTOR STREETS BOUNDED BY JACKSON STREET TO THE NORTH, KNICKERBOCKER ROAD TO THE WEST, SOUTH BRYANT BOULEVARD TO THE EAST, AND LOOP 306 TO THE SOUTH IN SOUTH-CENTRAL SAN ANGELO

Interim Development Services Director AJ Fawver 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 Silvas. Motion carried unanimously.

ACCEPTANCE OF THE CITY OF SAN ANGELO'S FISCAL YEAR 2012 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND SINGLE AUDIT AS PRESENTED BY THE CITY'S EXTERNAL AUDITOR

Finance Director Tina Bunnell, Freddy Moore and Gayla Thorn of Armstrong, Backus & Co., LLC presented background information.

Mr. Moore reported there were no material misstatements and were pleased with City Management's action plan to correct errors.

Ms. Thorn stated due to the amount of grants received by the City and audit requirements, further audits were done on 25% of the grants noting one finding of significant insufficiency regarding the reporting requirements.

Assistant City Manager/Chief Financial Officer Michael Dane stated the corrective action included hiring an individual to oversee the grants and internal department transfers to further concentrate on the tasks. Ms. Thorn reported on the changes to the future report.

Responding to a question from Councilmember Wardlaw, Ms. Thorn stated unfunded liability benefits for retiree health benefits will be added to the financial statements incrementally per GASB regulations. She noted the entire liability was not required to be added to the statements. Ms. Thorn informed the City allocates \$4M annually and the upcoming GASB only relates to the defined benefit plan.

Councilmember Vardeman left the meeting at 2:20 p.m.

Motion, to accept the 2012 CAFR, as presented, was made by Councilmember Farmer and seconded by Councilmember Silvas. Motion carried unanimously.

DENIAL TO ISSUE A REBATE FOR WATER FEES

Budget Manager Morgan Chegwiddden presented background information. *A copy of the presentation is part of*

the Permanent Supplemental Record. Staff recommends no action at this time.

General discussion was held on how the 75 day goal fund balance calculation, unrestricted funds remain in fund balance, ability to increase or decrease based on increased or decreased revenue,

Motion, to accept staff's recommendation to deny the issuance of a rebate, as presented, was made by Councilmember Wardlaw and seconded by Councilmember Farmer. Motion carried unanimously.

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AMENDING THE 2013-2014 BUDGET

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 ENCUMBRANCES, RESTRICTED AND DEDICATED MONEYS, INCOMPLETE PROJECTS, AND GRANTS.

Budget Manager Morgan Chegwiddden presented background information.

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

DISCUSSION AND DIRECTION TO THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION REGARDING THE FISCAL YEAR 2013-2014 BUDGET

Requested by Council Member Farmer, BS reviewed the recommended cuts requested by City Council.

General discussion was held on the advertisement budget, the allocation to the Chamber for similar advertisements, the 20 under 40 banquet, eligible and increased expenses with little return, need to concentrate more on water related projects, extended an invitation to Council in forming a committee in setting goals for the Chamber's performance measures,

Councilmember Wardlaw left the meeting at 2:47 p.m.

DISCUSSION AND DIRECTION TO STAFF TO COORDINATE AND HOSTING A JOINT MEETING WITH CITY COUNCIL, TOM GREEN COUNTY COMMISSIONER'S COURT, AND SAN ANGELO INDEPENDENT SCHOOL DISTRICT TRUSTEES REGARDING THE COORDINATION OF SHARED RESOURCES

Mayor Morrison as one of the representative from the three local governing entities, he suggested the City host a meeting with all entity representatives and conduct a round table discussion regarding developing a working partnership. Mr. Morrison suggested the meeting be held in the evening with a 30 minute of public participation period. Council concurred.

Mayor Morrison directed staff to approach the entities and schedule the meeting in January or February 2014.

Public comment was made by Citizen Jim Turner.

FOLLOW UP AND ADMINISTRATIVE ISSUES

CONSIDERATION OF MATTERS DISCUSSED IN EXECUTIVE/CLOSED SESSION

Mayor Morrison reported no decision was made on the West Texas Christian Foundation, Aka Christian Village Property.

Motion, regarding the contemplated settlement offer to ACAP Health for clinical care engineering services for the City health insurance program, to acknowledge Council does not have a sufficient basis or sufficient information to make or reach any decision on the matter, was made by Councilmember Farmer and seconded by Councilmember Silvas. Motion carried unanimously

AUTHORIZATION OF PHASE I FUNDING AND PAYMENT FOR CITY'S PROPORTIONATE SHARE OF COSTS INCURRED FOR SERVICES PURSUANT TO THE INTERLOCAL AGREEMENT BETWEEN CITIES OF ABILENE, MIDLAND AND SAN ANGELO, EFFECTIVE APRIL 9, 2011 (WEST TEXAS WATER PARTNERSHIP), FOR THE QUARTERLY INVOICE DATED SEPTEMBER 17, 2013 AND OCTOBER 29, 2013

Motion, to authorize Phase I invoices (acknowledging Phase I has been completed) and to authorize payment for the Phase I invoices from the ½ cent sales tax revenue, as presented, was made by Councilmember Silvas and seconded by Councilmember Fleming. Motion carried unanimously.

ANNOUNCEMENTS AND CONSIDERATION OF FUTURE AGENDA ITEMS

Assistant City Manager/Chief Financial Officer Michael Dane distributed the proposed December 3, 2013 Agenda and solicited Council comments and suggestions.

Councilmember Vardeman requested and update on stormwater fees.

Councilmember Farmer requested an updated quarterly COSADC report.

Mayor Morrison requested information regarding the May 2014 Election Calendar for possible special ½ sales tax election.

ADJOURNMENT

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

The meeting adjourned at 3:03 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.)