

CITY COUNCIL MINUTE RECORD

The City of San Angelo
Tuesday, December 17, 2013

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Vol. 105

OPEN SESSION

BE IT REMEMBERED City Council convened in a regular meeting at 9:06 A.M., Tuesday, December 17, 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 Councilmember Farmer, thus constituting a quorum. Whereupon, the following business was transacted:

An invocation was given by Frank Berthold, Minister at Chadbourne North Church of Christ, and pledge was led by Abbie Harrison, 3rd Grader at Cornerstone Christian Church.

RECOGNITIONS

“Wall Hawk Football Team”, 2013 State Champions, was accepted by Coach Houston Guy, football team, and cheerleaders.

“Central High School Girls Volleyball Team”, was accepted by Coach Connie Bozarth and team members.

PUBLIC COMMENT

Public comment was made by Harry Thomas inviting the public to a reception at the Boys and Girls Club honoring Drew Darby on January 16, 2014 at 4:30 p.m. Further comments were made by Stan Meader regarding light pollution and shielding.

City Manager Daniel Valenzuela offered his condolences to Water Utilities Director Ricky Dickson on the loss of his mother.

CONSENT AGENDA

APPROVAL OF THE DECEMBER 3, 2013 CITY COUNCIL REGULAR MEETING MINUTES

AWARD OF VM-14-13 POLICE COMPUTERS AND DIGITAL VIDEO EQUIPMENT, UTILIZING THE STATE DIR CONTRACT# TX-DIR-SDD-1365, IN AN AMOUNT NOT TO EXCEED \$67,000.00 FROM VETSOURCE MOBILITY AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS

ADOPTION OF A RESOLUTION OF THE CITY OF SAN ANGELO 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 99, #2013-12-166)

2517 Abilene Street, (Duran), Lot 2, Block 61, Hatcher, \$2,100.00, Suite No. B-11-0178-TAX
136 11th Street, (TSU Properties), Lots 19 & 20, Block 56, Miles, \$1,535.00, Suit No. D-12-0160-TAX
407 N Emerson Street, (Deanda), N60' of Lots 15 & 16, Block 19, Ellis, \$3,800.00, Suit No. C-11-0155--TAX

APPROVAL OF AN UPDATED INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANGELO AND THE COOPERATIVE PURCHASING NETWORK (TCPN) AUTHORIZING FUTURE CITY PURCHASES AS ALLOWED BY THE STATE OF TEXAS GOVERNMENT CODE, SECTION 271, IN SUBSTANTIALLY THE ATTACHED FROM, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SAID AGREEMENT

CONFIRMATION OF THE PARK COMMISSION'S APPOINTMENT MS. JULIA LANE TO SERVE AND FILL A 1ST FULL TERM ON THE PARK COMMISSION

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO (Page 101, #2013-12-167)

Z13-37: SKG Engineering

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: 17 West 8th Street, located approximately 200 feet west of the intersection of West 8th Street and North Chadbourne Street. This property specifically occupies the Miles Addition, Block 23, Lot 5, in north central San Angelo, changing the zoning classification from Two-Family Residential (RS-2) to General Commercial (CG) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

SECOND HEARING AND ADOPTION OF AN ORDINANCE AUTHORIZING ABANDONMENTS OF PUBLIC STREETS AND RIGHT-OF-WAYS IN THE FAIRVIEW ADDITION, BLOCK 66, 67 AND 74 IN NORTH CENTRAL SAN ANGELO (Page 103, #2013-12-168)

AN ORDINANCE PROVIDING FOR THE ABANDONMENT AND CLOSING OF UNIMPROVED STREETS AND ALLEY SEGMENTS, TO WIT: An 80' wide portion of the unimproved public right-of-way for Florence Street, extending approximately 680' northward from Hughes Street and immediately south of the railroad right-of-way (to include portions of the 100' right-of-way of Hughes Street), an approximately 100' x 270' portion of unimproved public right-of-way of Velma Street - And - a 20' x 430' alley right-of-way in Blocks 66 and 67 and 20' x 35' alley right-of-way in Block 74 of the Fairview Addition, in north central 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

SECOND HEARING AND ADOPTION OF AN ORDINANCE AUTHORIZING ABANDONMENTS OF PUBLIC STREETS AND RIGHT-OF-WAYS IN THE MILES ADDITION BLOCK 32 IN NORTH-CENTRAL SAN ANGELO (Page 109, #2013-12-169)

AN ORDINANCE PROVIDING FOR THE ABANDONMENT AND CLOSING OF THE FOLLOWING ALLEY, TO WIT: An approximately 20 foot wide x 495 foot long portion of alley running east to west, perpendicular to Martin Luther King Drive located in Block 32 of the Miles Addition in north-central 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 Fleming and seconded by Councilmember Self. Motion carried unanimously.

REGULAR AGENDA: PUBLIC HEARING AND COMMENT

PRESENTATION OF THE 3RD AND 4TH QUARTER 2013 REPORTS FROM THE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT COUNCIL AND THE CONVENTION & VISITORS BUREAU (CVB)

CVB Vice President Pamela Miller and Vice President for Economic Development John Dugan presented background information.

General discussion was held on recent business closures, board memberships, hotel/motel room rates, and potential full service hotels.

Public comment was made by Citizen Sally Ayana regarding future full service hotels.

RECESS

At 10:08 A.M., Mayor Morrison called a recess.

RECONVENE

At 10:27 A.M., Council reconvened, and the following business was transacted:

ACCEPTANCE OF THE DOWNTOWN MASTER DEVELOPMENT STRATEGIES DOCUMENT PREPARED BY CATALYST URBAN DEVELOPMENT AS PART OF PL-01-12

Interim Development Services Director AJ Fawver and Paris Rutherford of Catalyst Urban Development presented background information. *A copy of the presentation is part of the Permanent Supplemental Record.*

General discussion was held on future infrastructure improvements, recruiting a variety of downtown businesses, offering more services within the downtown area, and improving the overall quality of life.

Motion, to accept the Downtown Master Development Strategies document, as presented, was made by Councilmember Fleming and seconded by Councilmember Silvas. Motion carried unanimously.

DIRECTION TO STAFF REGARDING STRATEGIES FOR OBTAINING COMPLIANCE WITH ZONING ORDINANCE FOR EXISTING PARKS AROUND SAN ANGELO CONTAINING RECREATIONAL VEHICLES, MANUFACTURED HOUSING, AND MOBILE HOMES

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

General discussion was held on coordinating the approval of the zoning compliance with the Housing Committee to reach conformity and fairness, limiting negative impacts to the existing parks with the new compliance guidelines, addressing public safety and risk concerns, obtaining the appropriate permits, perpetual conditional use, reviewing staff's recommended options, coordinating a private/public partnership for family camps, increasing the allowable recreational vehicle limitation percentage from 30 to 50%, the existing moratorium, the goal to have an ordinance approved prior to the expiration of the moratorium, and locating the man camps within the vicinity of oil drilling businesses.

In conclusion, Councilors directed staff to conduct simultaneous reviews, in conjunction with the Housing Committee, on the rules for existing and new parks, to examine the allowable 30% recreational vehicle limitation and possibly increase to 50%, to coordinate a private/public partnership for family camps, to possibly consider different classifications for existing and new park development, and to provide details on the legal protection of the existing parks.

Public comments were made by Citizens Kevin Kline and Jerry Sea.

Mayor Morrison directed staff to formalize and present a draft policy at a future meeting.

ACCEPTANCE OF A PETITION SEEKING ANNEXATION (TO SAN ANGELO'S CITY LIMITS) OF CERTAIN PROPERTY SITUATED DIRECTLY NORTH, SOUTH, EAST AND WEST OF SAN ANGELO AND ENCOMPASSING A VACANT 4 ACRE TRACT EXTENDING SOUTHWEST FROM SOUTHLAND BOULEVARD AND LOCATED DIRECTLY EAST OF AN 8.995 ACRE TRACT ANNEXED TO THE CITY LIMITS ON MARCH 5, 2013 THAT COMPRISED THE PRESTONWOOD ADDITION, SECTION TWO

Interim Development Services Director AJ Fawver presented background information. *A copy of the report/presentation is part of the Permanent Supplemental Record.*

Mayor Morrison left the meeting at 11:20 a.m.

Motion, to accept the petition seeking annexation, as presented, was made by Councilmember Fleming and seconded by Councilmember Vardeman.

Mayor Morrison returned to the meeting at 11:23 a.m.

General discussion was held on the impact to existing infrastructure and the required public notification area.

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

ADOPTION OF A RESOLUTION CASTING VOTES FOR ONE NOMINEE OR DISTRIBUTING THEM AMONG NOMINEES FOR A POSITION ON THE BOARD OF DIRECTORS OF THE TOM GREEN COUNTY APPRAISAL DISTRICT FOR THE JANUARY 1, 2014 THROUGH DECEMBER 31, 2015 TERM OF OFFICE (Page 111, #2013-12-170)

City Clerk Alicia Ramirez presented background information. General discussion was held on whether to assign the eligible votes to one specific nominee or split the votes equally among the five candidates. In conclusion, City Council suggested splitting the votes equally.

Motion, to adopt the Resolution and to distribute the votes equally among the five candidates, was made by Councilmember Self and seconded by Councilmember Silvas. Motion carried unanimously.

FOLLOW UP AND ADMINISTRATIVE ISSUES

APPROVAL OF BOARD NOMINATIONS BY COUNCIL AND DESIGNATED COUNCILMEMBERS:

Airport Board: Patrick Nuytten (SMD4) to a 2nd full term October 2017, David Herbert (SMD5) to a 2nd full term October 2017, Elizabeth Grindstaff (SMD6) to a 1st full term October 2017, and Dave Dierker (Mayor) to a 1st full term October 2017

Motion, to approve the nomination for Patrick Nuytten, David Herbert, and Dave Dieker, was made by Councilmember Self and seconded by Councilmember Vardeman. Motion carried unanimously.

Motion, to deny the nomination for Elizabeth Grindstaff, was made by Mayor Morrison and seconded by Councilmember Silvas. AYE: Morrison and Silvas. NAY: Fleming, Self, Vardeman, and Wardlaw. Motion failed 2-4.

Motion, to approve the nomination for Elizabeth Grindstaff, was made by Councilmember Wardlaw and seconded by Councilmember Vardeman. AYE: Fleming, Self, Vardeman, and Wardlaw. NAY: Morrison and Silvas. Motion carried 4-2.

Civic Events Board: Timothy Condon (SMD2) to a 2nd full term October 2016

Design & Historic Review Commission: Margaret Mallard (SMD4) to a 2nd full term September 2015 and David Mazur (Mayor) to a 2nd full term September 2015

Parks & Recreation Advisory Board: Susan Gober (SMD1) to an unexpired term December 2015

Public Art Commission: Quang Le (SMD2) to a 1st full term April 2015

Water Advisory Board: Paul Alexander (SMD3) to a 1st full term September 2015

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

AUTHORIZATION TO CONDUCT FUTURE EVENING CITY COUNCIL MEETINGS

Councilmember Vardeman proposed an evening meeting to discuss items regarding the capital budget, stormwater budget, sales tax, and possibly the recreational vehicle parks items. City Council suggested conducting a special meeting in February 2014.

City Clerk Alicia Ramirez reminded Council of the requested joint meeting with the local governing entities to discuss the possibility of coordinating shared resources. She noted the meeting had been tentatively scheduled for January 28, 2014.

RECESS

At 11:39 A.M., Mayor Morrison called a recess.

RECONVENE

At 11:54 A.M., Council reconvened, and the following business was transacted:

EXECUTIVE/CLOSED SESSION

At 11:54 A.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 regarding lease of City owned property in the downtown area and Section 551.074(a)(1) to deliberate the evaluation and duties of the City Manager.

RECESS

At 12:13 P.M., Mayor Morrison called a recess.

RECONVENE

At 12:19 P.M., Council reconvened, and the following business was transacted:

CONSIDERATION OF MATTERS DISCUSSED IN EXECUTIVE/CLOSED SESSION

City Manager Daniel Valenzuela explained staff is seeking approval by the City Council for the City Manager to execute the Memorandum of Understanding (MOU) with Catalyst Urban Development. He informed the MOU outlines the proposed terms for the development of the initial phase of the Riverfront Downtown Development District project on city –owned parcels adjacent to the Concho River in the downtown area.

Mayor Morrison further clarified the MOU is at no cost to the City, will not commit the City to Phase 2 of the project, and will not automatically create an inception date or tie in to the next phase. Councilors spoke in support of the investment.

Motion, to authorize the City Manager to enter into an MOU with Catalyst Urban Development, as presented, at no cost to the City, was made by Councilmember Silvas and seconded by Councilmember Fleming.

Councilmember Fleming noted this will be a huge investment for Catalyst and the MOU allows the company 180 days to research whether it is a viable and feasible project. Once completed, he noted a recommendation may be made to authorize a future ground lease. General discussion was held on the positive impacts to the district, working with local and regional businesses, trades, industries, and the future viability of the project.

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

ANNOUNCEMENTS AND CONSIDERATION OF FUTURE AGENDA ITEMS

City Manager Daniel Valenzuela distributed the proposed January 7, 2014 Agenda and solicited Council comments and suggestions.

Councilmember Self commented on the City manager's evaluation, specifically noting a full City Council is required to conduct the evaluation.

Councilmember Wardlaw requested an update on the West Texas Christian Foundation, AKA Christina Village Property matter.

ADJOURNMENT

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

The meeting adjourned at 12:30 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.)