

## **CITY COUNCIL MINUTE RECORD**

The City of San Angelo  
Tuesday, June 4, 2013

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Vol. 104

### **OPEN SESSION**

BE IT REMEMBERED City Council convened in a regular meeting at 9:02 A.M., Tuesday, June 4, 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, Alvin New  
Councilmember Paul Alexander  
Councilmember Marty Self  
Councilmember Johnny Silvas  
Councilmember Don Vardeman  
Councilmember Kendall Hirschfeld  
Councilmember Charlotte Farmer

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

An invocation was given by Councilmember Farmer and pledge was led by Hannah Robinson, 5<sup>th</sup> Grader at Cornerstone Christian School.

### **PROCLAMATIONS AND RECOGNITIONS**

Mr. & Mrs. Bennie Jackson, July 13, 2013, 50th Wedding Anniversary, will be presented to Mrs. Bennie Jackson.

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 Chegwidan, and Senior Budget Analyst Laura Brooks.

### **PUBLIC COMMENT**

Public comments were made by Citizen Jim Turner regarding the City's website address and related changes. He also expressed his concerns on how information is released and displayed to the public.

### **CONSENT AGENDA**

#### **APPROVAL OF THE MAY 21, 2013 CITY COUNCIL REGULAR MEETING MINUTES**

#### **AWARD OF BID(S) AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS:**

TR-01-13: Traffic Signs and Blanks; Vulcan Signs (Foley, AL) primary supplier, and Safeway Signs (Adelanto, CA) or Pathmark Traffic Products (San Marcos, TX) alternate suppliers, \$35,000.00  
VM-05-13: Auto Body Repair Service; Santellano's Collision, Pardner's Body Shop, Shirley Auto Repair, Hargraves' Truck and Equipment, J&T's Welding, and Century Trailer (all from San Angelo, TX); \$75,000.00  
WU-11-13: Water Utilities Inventory Supplies, Benchmark Supply (Midland, TX), HD Supply Waterworks (San Angelo, TX), Morrison Supply (San Angelo, TX), and Western Industrial Supply (Odessa, TX), Various Quotes

#### **CONSIDERATION OF AWARDED BID ES-02-13 FOR THE 2013 MILL & OVERLAY PROJECT TO REECE ALBERT, INC. (SAN ANGELO, TX), IN SUBSTANTIALLY THE ATTACHED FORM. IN THE**

AMOUNT OF \$1,319,556.23, AND AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED DOCUMENTS (DISCUSSED IN REGULAR AGENDA)

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 575, #2013-06-082)

28 W 13th Street, (Jones), Lot 14 & W 25' of 15, Block 61, Miles Addition, \$4,200, Suit No. B-99-0038-T  
Next to 2002 Brown Street, (Orona), N 75' of Lot 11, Block 2, Home Acres, \$1,200, Suit No. B-07-0113-T  
21 W 9th Street, (DeLaughter), Lot 6, Block 30, Miles, \$1,500, Suit No. B-96-0220-T  
25 W 9th Street, (DeLaughter), Lot 7, Block 30, Miles, \$1,500, Suit No. B-96-0203-T

ADOPTION OF A RESOLUTION RATIFYING THE APPLICATION AND CONTRACT FOR, AND ACCEPTING, IF AWARDED, ADDITIONAL FY2014 TEXAS DEPARTMENT OF STATE HEALTH SERVICES, REGIONAL LOCAL SERVICES SYSTEM (RLSS)/LOCAL PUBLIC HEALTH SERVICES (LPHS) GRANT FUNDS IN THE AMOUNT OF \$20,000.00, TO ADDRESS PUBLIC HEALTH IMMUNIZATION AND DISEASE PREVENTION ACTIVITIES AND SERVICES (Page 577, #2013-06-083)

ADOPTION OF A RESOLUTION AUTHORIZING THE RELEASE OF AN EAST/WEST RUNNING UTILITY EASEMENT IN THE BLUFFS ADDITION, THIRD REPLAT IN SECTION 28, BLOCK 44, TRACT H, BEING LOT 1A IN SOUTHWEST SAN ANGELO (Page 579, #2013-06-084)

CONSIDERATION OF APPROVING THE PARKS AND RECREATION ADVISORY BOARD'S RECOMMENDATION TO WAIVE FEES FOR THE TEXAS WEST LITTLE LEAGUE STATE TOURNAMENT, JULY 5-7, 2013 AND JULY 18-21, 2013 AT THE TEXAS BANK SPORTS COMPLEX. (DISCUSSED IN REGULAR AGENDA)

APPROVAL OF VARIANCES TO THE CITY CODE FOR THE 7<sup>TH</sup> ANNUAL DRAG BOAT RACES ON JUNE 21-23, 2013, AT LAKE NASWORTHY

ADOPTION OF A RESOLUTION BY THE CITY OF SAN ANGELO, TEXAS ("CITY"), APPROVING AND ADOPTING RATE SCHEDULE "RRM – RATE REVIEW MECHANISM" FOR ATMOS ENERGY CORPORATION, MID-TEX DIVISION TO BE IN FORCE IN THE CITY FOR A PERIOD OF TIME AS SPECIFIED IN THE RATE SCHEDULE; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY (Page 581, #2013-06-085)

ADOPTION OF A RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE RUNOFF ELECTION TO BE HELD ON JUNE 15, 2013; AND PROVIDING FOR AN EFFECTIVE DATE (Page 585, #2013-06-086)

SECOND HEARING AND ADOPTION OF AN ORDINANCE AMENDING THE 2012-2013 BUDGET FOR GRANTS, NEW PROJECTS AND INCOMPLETE PROJECTS (Page 589, #2013-06-087)

AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, FOR NEW PROJECTS, INCOMPLETE PROJECTS, CAPITAL PROJECTS, AND GRANTS

Motion, to approve the Consent Agenda, as presented, with the exception of BID ES-02-13 and Parks and Recreation Advisory Board's Recommendation, was made by Councilmember Hirschfeld and seconded by Councilmember Farmer. Motion carried unanimously.

**REGULAR AGENDA: PUBLIC HEARING AND COMMENT**

**AWARD OF BID ES-02-13 FOR THE 2013 MILL & OVERLAY PROJECT TO REECE ALBERT, INC. (SAN ANGELO, TX), IN SUBSTANTIALLY THE ATTACHED FORM, IN THE AMOUNT OF \$1,319,556.23, AND AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED DOCUMENTS**

Interim City Engineer Tim Wolff presented background information and explained the mill and overlay process and named the streets considered under the bid project.

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

**DENIAL OF THE PARKS AND RECREATION ADVISORY BOARD'S RECOMMENDATION TO WAIVE FEES FOR THE TEXAS WEST LITTLE LEAGUE STATE TOURNAMENT, JULY 5-7, 2013 AND JULY 18-21, 2013 AT THE TEXAS BANK SPORTS COMPLEX; AND DIRECTION FOR STAFF TO ESTABLISH CRITERIA GUIDELINES FOR FUTURE REQUESTS**

Recreation Manager Maryann Vasquez presented background information and informed the variances were based on economic impact in comparison to the fees that would be assessed. General discussion was held on the economic impact of the event, the precedence may be created by this approval, the probability to continue to host future tournaments, the possibly of offering sign-on bonuses for future tournaments, the profits to the entity after receiving in-kind services, and forgoing the City's percentage on the concessionaire services.

Further discussion was held with Parks and Recreation Board Chairperson AJ Turner regarding the Convention and Visitor's Bureau Sports Board and their support of the proposal.

City Manager Daniel Valenzuela suggested staff establish a criterion for future requests.

Motion, to approve the recommendation for \$14,618.75, as presented, was made by Councilmember Silvas and seconded by Councilmember Hirschfeld. AYE: Silvas and Hirschfeld. NAY: New, Self, Alexander, and Farmer. Motion failed 2-4.

Mayor New commented on the City's investments on the complex, the need to generate revenue to support the venue, setting a negative precedence, and establishing a set of guidelines on such requests.

Responding to a question from Councilmember Silvas, Ms. Vasquez stated the tournament is set and posted on their website.

Responding to a question from Councilmember Hirschfeld, Ms. Vasquez stated the agreed upon commitments included assistance with the mounds, number of motel rooms, number of volunteers to work tournament, vendor fee (CVB money), and concessions. He recommended approving what was negotiated.

Ms. Vasquez informed the following was not included in initial negotiations:

- Field rental = \$3,493.75 17 fields of varying numbers over 4 days)
- Field Services = 4,800.00 4 people x \$20/hour x 60 hours)
- Gate Fees = \$2400.00 If gate is charged; fees applicable 4 gates x \$150 x 4 days  
20% Concessions Revenue
- Restroom Service = \$525.00 1 person at \$15/hour x 35 hours) request exclusion of this item.

Responding to a question from Councilmember Farmer, Ms. Vasquez stated the street closure was requested due to tournament sponsors charging for parking, including two uniformed police officers on staff. Mr. Turner added medical personnel would also be available on site.

Mayor New recalled Council's prior discussion to provide assistance on a first time event; however, the City has not secured a future event with the applicant. Therefore, he suggested establishing a criteria or policy to provide future subsidy assistance.

Motion, to approve ½ of the requested assistance, was made by Councilmember Farmer. Motion failed due to lack of a second.

Motion, to approve the requested cash assistance up to \$3500.00 as a sign-on bonus contingent on the applicant returning next year, was made by Councilmember Alexander. Motion failed due to lack of a second.

Responding to a question by Councilmember Farmer, Mr. Roger Havlak stated a city representative will be available to ensure the fields are prepared according to the City's standards.

Parks and Recreation Director Carl White recommended the City provide the in-kind support, and the applicant can pay for the field rental, field services, gate fees, and restroom service. He informed the applicant will receive all of the revenue generated from the tournament.

Responding to a question from Councilmember Self, Mr. Turner stated this is the first year for the City to host this even and the applicant is seeking a home for future tournaments. He noted once the first year is established and income and expenses are calculated, then a better forecast would be available for hosting entity to commit or sign a 3 to 5 year contract.

Motion, to approve, as presented, was made by Councilmember Silvas. Motion failed due to the lack of a second.

Motion, to approve, as presented, with the exception of the 20% commission from the concessionaire, and if the applicant agrees to return next year, then the applicant will receive the 20% as a sign-on bonus, was made by Councilmember Self and seconded by Councilmember Alexander.

Councilmember Hirschfeld remarked approval of the request requires more long-term planning by staff and expressed interested in seeing the development of this endeavor.

Further discussion was held on the motion on the floor. Councilmember Alexander withdrew his second. Councilmember Silvas seconded.

A vote was taken on the motion on the floor. AYE: Silvas and Self. NAY: New, Alexander, Hirschfeld, and Farmer. Motion failed 2-4.

In conclusion, Mayor New suggested staff establish criterion to address future requests and present such at a future meeting.

### **RECESS**

At 9:58 A.M., Mayor New called a recess.

### **RECONVENE**

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

### **APPROVAL OF THE RENEWAL OF RESIDENTIAL LEASES FOR THE FOLLOWING PROPERTIES AND AUTHORIZING THE MAYOR, CITY MANAGER, OR WATER UTILITIES DIRECTOR TO EXECUTE ALL NECESSARY LEGAL DOCUMENTS PERTAINING TO THE LEASE RENEWAL:**

Lot 19, Group 2, 2029 American Legion Road (Simpson)

Lot 1, Group 16, 2262 Joy Road (Furlong)

Water Utilities Director Ricky Dickson presented background information.

General discussion held on the requirements by the financing institutions, the ordinance language regarding the rent escalation based on appraised market value after the time period elapses, the annual rent shall equal the appraised market value of land multiplied by a factor of 0.08.

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

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL LEASE AGREEMENT EXTENDING THE TERM OF A LEASE WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND CUSTOMS ENFORCEMENT AS LESSEE, OF CERTAIN PROPERTY LOCATED AT 5575 STEWART LANE, SAN ANGELO REGIONAL AIRPORT – MATHIS FIELD (AIRPORT) (Page 593, #2013-06-088)

Airport Director Luis Elguezabal presented background information.

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

TABLING OF AN AMENDMENT TO VISION PLAN COMPONENT OF THE SAN ANGELO COMPREHENSIVE PLAN UPDATE ADOPTED IN 2009, SPECIFICALLY PROPERTIES SITUATED SOUTH AND EAST FROM THE INTERSECTION OF DAN HANKS LANE AND SOUTH CHADBOURNE STREET AND EXTENDING EASTWARD ON THE SOUTH SIDE OF SOUTH CHADBOURNE STREET, CONTINUING TO OLD EOLA ROAD, THEN SOUTHWARDS ALONG SOUTH LOOP 306, ENCOMPASSING THE EXISTING CITY LIMITS AND PROPERTIES SITUATED JUST OUTSIDE THE CURRENT CITY LIMITS IN THE FAR SOUTHEAST PORTION OF SAN ANGELO

Interim Senior Planner Jeff Hintz noted the proponent requested the item be postponed to a future meeting.

Motion, to table the item, was made by Councilmember Farmer and Councilmember Hirschfeld. 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

Z13-17: P.V. McMinn, Jr.

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. This property specifically occupies the Clar-Mor Heights Addition, Block 1, Lots 4 - 6, in southwest San Angelo, changing the zoning classification from Single-Family Residential (RS-1) to Zero Lot Line, Twinhome and Townhouse Residential (RS-3) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

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

General discussion was held on the drainage of the area and staff’s process to follow up on letters of opposition.

Motion, to introduce the Ordinance, as presented, was made by Councilmember Farmer 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

Z 13-18: Loren Edwards

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: 4398 Jackrabbit Trail; located approximately 1,390 feet southeast from the intersection at Jackrabbit Trail and South Chadbourne Street; property specifically occupies the Concho River Estates, 2.4170 Acres in Tract 19-B, south central San Angelo, changing the zoning classification from a Ranch & Estate (R&E) to a Heavy Commercial (CH) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

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

Motion, to introduce the Ordinance, as presented, was made by Councilmember Hirschfeld 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

Z 13-12: NE Interests- Charlie Nicholas

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; specifically occupying 15.00 acres of land out of the Deaf & Dumb Asylum Lands Survey 2, Abstract 82. This property occupies a proposed Final Plat of the Boulevard San Angelo, Section 2, Block D, Lot 1 in far southwest San Angelo, changing the zoning classification from a Ranch & Estate (R&E) to a High Rise Multifamily Residential (RM-2) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

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

Motion, to introduce the Ordinance, as presented, was made by Councilmember Hirschfeld 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

Z13-16: OK Holdings, 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 5 acre tract, located approximately 900 feet northwest of the intersection of Link Road and Christoval Road. This property specifically occupies the Concho River Estates, proposed Lot 35B, in southern San Angelo, changing the zoning classification from Heavy Commercial (CH) to Office Warehouse (OW) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

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

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

General discussion was held on the property in relation to the city limits.

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

Z 13-19: Rocky Spoons

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: 815 South Abe Street, located on the northwest corner of the intersection of South Abe Street and West Washington Avenue. This property specifically occupies the Park Heights addition, Block 16, east 145 feet of lots 9-10, and the south 37 feet of the east 145 feet of Lot 8 in central San Angelo, changing the zoning classification from Low Rise Multi-Family Residential (RM-1) to Office Commercial (CO) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

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

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

General discussion was made on the historic designation of the building noting the area was not officially designated as such. Ms. Fawver informed the proponent was made aware of the designation issue.

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

FIRST PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE AUTHORIZING ABANDONMENT OF PUBLIC RIGHT-OF-WAY FOR ELLIS STREET EXTENDING APPROXIMATELY 315' EAST/WESTWARD BETWEEN BLOCKS 5 & 6 OF THE EASTLAND HEIGHTS ADDITION, IMMEDIATELY ADJACENT TO PROPERTY OWNED BY A RAILROAD COMPANY IN NORTH CENTRAL SAN ANGELO

AN ORDINANCE PROVIDING FOR THE ABANDONMENT AND CLOSING OF THE FOLLOWING STREET SEGMENT, TO WIT: An approximately 42' wide portion of the unimproved public right-of-way for Ellis Street, extending approximately 315' eastward between Blocks 5 & 6 of the Eastland Heights Addition, immediately adjacent to property owned by a railroad company 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

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

Motion, to introduce the Ordinance, was made by Councilmember Hirschfeld and seconded by Councilmember Farmer.

General discussion was held on the future use of the property as a salvage yard and the fact that there was no opposition by nearby residences to the future use of the property.

Public comment was made Citizen Sally Ayana.

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

FIRST PUBLIC HEARING REGARDING PUBLIC COMMENTS FOR OR AGAINST THE ANNEXING (TO SAN ANGELO'S CITY LIMITS) OF CERTAIN PROPERTIES SITUATED IMMEDIATELY WEST/SOUTHWEST OF SAN ANGELO AND ENCOMPASSING A VACANT 24.484 ACRE TRACT EXTENDING NORTHWEST FROM MILLS PASS DRIVE, AND LOCATED DIRECTLY WEST OF AN

8.995 ACRE TRACT ANNEXED TO THE CITY LIMITS ON MARCH 5, 2013 THAT COMPRISES THE PROPOSED PRESTONWOOD ADDITION, SECTION TWO

Interim Director of Development Services AJ Fawver presented background information noting staff was seeking public comment for or against the annexation of the property. *A copy of the report/presentation is part of the Permanent Supplemental Record.*

Mayor New opened the floor to hear public comment. No comments were made. Mayor New closed the public comment period.

APPROVAL OF A PETITION FOR A VARIANCE UNDER SEC. 11.204 (B), FROM THE REQUIREMENTS OF SEC.11.203 (E) WATER SUPPLY STAGE - DROUGHT LEVEL II REGARDING SECTION 2 (C) WATERING OF "NEW LANDSCAPE" SHALL NOT BE ALLOWED AS STATED IN SECTION 11.202 FOR "NEW LANDSCAPE." TO FARMERS DAUGHTER

Water Utilities Director Ricky Dickson presented background information.

Responding to a question by Councilmember Hirschfeld, Petitioner Tam Honaker described the location for the variance between Guadalupe and Campus Streets and noted the petition, as stated, was to seek approval to water what has already been planted.

Motion, to approve the variance based on Code of Ordinance Section 11.204(2)(b) & (c), as presented, was made by Councilmember Alexander and seconded by Councilmember Hirschfeld. Motion carried unanimously.

TABLING OF DISCUSSION ON THE FISCAL YEAR 2012-2013 BUDGET AS IT RELATES TO AMBULANCE FEE REVENUE

Motion, to table the item, was made by Councilmember Farmer and seconded by Councilmember Self.

Councilmember Hirschfeld recommended discussing the item during the budget hearing in its entirety as opposed to individual departments.

A vote was taken on the motion on the floor. AYE: New, Self, Silvas, Hirschfeld, and Farmer. NAY: Alexander. Motion carried 5-1.

TABLING OF DISCUSSION ON CODE OF ORDINANCE SEC. 8.105: NOISE FROM A MOTOR VEHICLE REGARDING ENFORCEMENT MEASURES OF LOUD STEREO MUSIC EMITTING FROM VEHICLES

Requested by Councilmember Silvas, Council recommended tabling the item and that staff be available and present the item at a future agenda.

General discussion was held on how to police the behavior.

Public comment was made by Citizen Gary Gibbs regarding the enforcement of the ordinance and inquired how many citations or warnings had been issued.

**RECESS**

At 11:00 A.M., Mayor New called a recess.

**RECONVENE**

At 11:17 A.M., Council reconvened, and the following business was transacted:

**EXECUTIVE/CLOSED SESSION**

At 11:17 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 551.071 to consult with 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; 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 12:06 P.M., Mayor New called a recess.

### **RECONVENE**

At 12:11 P.M., Council reconvened, and the following business was transacted:

### **FOLLOW UP AND ADMINISTRATIVE ISSUES**

#### **CONSIDERATION OF MATTERS DISCUSSED IN EXECUTIVE/CLOSED SESSION**

#### **APPROVAL OF THE RECOMMENDATION BY CITY OF SAN ANGELO DEVELOPMENT CORPORATION AUTHORIZING THE SALE OF PROPERTY AT THE INDUSTRIAL PARK TO SCOTT MEASUREMENT SERVICES INCORPORATED, FOR THE SALE OF 6 ACRES IN THE AMOUNT OF \$17,500.00 PER ACRE**

Interim Economic Development Director Bob Schneeman provided background information noting the offer was made by Scott Measurement Services Incorporated and approved unanimously by the City of San Angelo Development Corporation.

Motion, to approve the recommendation by City of San Angelo Development Corporation authorizing the sale of property at the Industrial Park to Scott Measurement Services Incorporated, for the sale of 6 acres in the amount of \$17,500.00 per acre, was made by Councilmember Self and seconded by Councilmember Silvas. Motion carried unanimously.

#### **ANNOUNCEMENTS AND CONSIDERATION OF FUTURE AGENDA ITEMS**

City Manager Daniel Valenzuela distributed the proposed June 18, 2013 Agenda and solicited Council comments and suggestions.

Amendment to the Vision Plan Component item

Councilmember Silvas commented on the safety/security factor regarding the numbering on resident mailboxes or incorrect numbers displayed on houses. Staff advised this is handled through the United States Post Office.

Councilmember Hirschfeld requested an update on the Housing Subcommittee.

Councilmember Farmer commented on the drainage lot between Christian Village and Big Lots. Daniel Valenzuela, City Manager suggested he, Mr. Dane and Mr. Wolff meet to discuss a resolution. Ms. Farmer also requested an update on Mr. Murry's issues regarding Grape Creek Road and 43<sup>rd</sup> Street.

Mayor New announced he would not be present at the June 18<sup>th</sup> meeting.

Councilmember Farmer announced she would not be present at the June 25<sup>th</sup> special meeting.

Councilmember Alexander requested an update on the use of golf carts on public streets and how such use could be incorporated as special use guidelines within the ordinance at the next meeting.

ADJOURNMENT

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

The meeting adjourned at 12:19 P.M.

THE CITY OF SAN ANGELO

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Alvin New, Mayor

ATTEST:

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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.)