

City of San Angelo, Texas  
Regular City Council Meeting  
Tuesday, November 17, 2020

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Present:

Mayor Brenda Gunter  
Mayor Pro tem Harry Thomas, SMD 3  
Council Member Tommy Hiebert, SMD 1 (virtually via Zoom)  
Council Member Tom Thompson, SMD 2  
Council Member Lucy Gonzalez, SMD 4  
Council Member Lane Carter, SMD 5  
Council Member Billie DeWitt, SMD 6

**1. Call to Order**

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:31 a.m. on Tuesday, November 17, 2020, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

**2. Chaplain Prayer & Pledges**

San Angelo Police Department Chaplain Gary Jenkins provided an invocation and Chaplain Marcella Jenkins led the pledges.

**3. Proclamations/Recognitions**

December 9, 2020 was recognized as San Angelo Reads Day.

**4. Public Comment**

Mayor Gunter spoke regarding the continued rise in Covid cases. The City of San Angelo had over 1,000 new positive cases last week. She also announced the two groups with the biggest increase in cases are those from 20-29 and 30-39 years of age.

**5. Consent Agenda**

- a. Approval of the November 3, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Adoption of a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant for 3022 Rock Brook, being Lot 6, Block 36, Section 16, Southland Park Addition (\$16,500) (Cindy Preas) (Pg. 496, 2020-103)
- c. Adoption of a resolution approving non-monetary in-kind support for the Downtown San Angelo Inc. "Reverse Parade" for Christmas to be held December 12, 2020 (Carl White) (Pg. 497, 2020-104)
- d. Approval of a Buyboard contract #592-19 with Exerplay, Inc. for playground equipment and safety surfacing for Unidad Park in the amount of \$396,477.65 and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- e. Award of a WU-01-21 to Darnell Construction, LLC for the construction of the North Bentwood Lift Station and Site Improvements in the amount of \$1,352,217.50, budgeted for purchase in fiscal year 2021 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- f. Approval of an agreement with Computer Solutions, Inc. for purchase and installation of core networking switches at the San Angelo Police Department and Public Safety Communications

Data Center via DIR TSO-4167 in the amount of \$76,704.29 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Bucky Hasty)

- g. Approval of a purchase of Microsoft Office Professional Plus Licenses in the amount of \$141,591.78 from SHI Government Solutions via DIR-TSO-4092 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Frank Carter)
- h. Authorization of the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services with associated costs not to exceed \$120,391 for fiscal year 2021 (Frank Carter)
- i. Authorization of the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services with associated costs not to exceed \$36,045 for fiscal year 2021 (Frank Carter)
- j. Adoption of a resolution allowing the Fire Department to accept a donation of eight Webber Smokers from Lowes Home Improvement Store, estimated value of donation \$8,000 (Patrick Brody) (Pg. 498, 2020-105)
- k. Confirmation of appointments to MHMR Services for the Concho Valley Board of Trustees recommended by the Liaison Representative Committee (Julia Antilley)
- l. Second reading and adoption of an ordinance approving case Z20-13, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.97 acres located at 1801 and 1819 Knickerbocker Rd. and adjacent vacant lots located on Industrial Ave. between Market St. and Commerce St. (Jon James) (Pg. 499, 2020-106)
- m. Second reading and adoption of an ordinance approving case Z20-16, a rezoning from Low Rise Multifamily Residence, Neighborhood Commercial, and Light Manufacturing to the Central Business District zoning district, being 6.487 acres located at 122 W. 2nd St., 209 & 215 Gillis St., 34 W. 3rd St., 214 & 218 Farr St. and other unaddressed properties in the 100 and 200 blocks of W. 2nd St. and W. 3rd St. (Jon James) (Pg. 502, 2020-107)
- n. Second reading and adoption of an ordinance amending Article 12.04 "Signs" in Chapter 12 of the City Code of Ordinances by amending Section 12.04.005 "On-site Regulations" and deleting Section 12.04.006 "Off-site Regulations" in its entirety (Jon James) (Pg. 506, 2020-108)
- o. Authorization of a Memorandum of Understanding with Peoplefund, a community development financial institution, for the administration of financial assistance in the form of grants to eligible businesses in our community (Tina Dierschke)

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the Consent Agenda, with the exception of items 5h, 5i, and 5o. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve items 5h and 5i together, as presented by Assistant Police Chief David Howard. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve item 5o, as presented by Finance Director Tina Dierschke. The motion carried unanimously (7) ayes to (0) nays.

## 6. Regular Agenda

- a. Approval of a Change Order to the Ave. P Stormwater Detention Basin Construction Agreement with Darnell Construction, increasing the total contract amount from \$1,550,145 to \$1,793,137, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by City Engineer Lance Overstreet)

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Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to approve the item, as presented, using \$106,700 of the surplus fiscal year 2020 sales tax revenue to fund the change order. The motion carried unanimously (7) ayes to (0) nays.

- b. Adoption of a resolution nominating W&W-AFCO Steel, LLC to the Office of the Governor, Economic Development and Tourism (EDT) through the Economic Development Bank for designation as an Enterprise Project pursuant to the Texas Enterprise Zone Act (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott) (Pg. 511, 2020-109)

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- c. First reading and public hearing of an ordinance amending Chapter 6 "Fire and Rescue", Article 6.05 "Ambulances and Ambulance Companies" allowing for private ambulances (Presentation made by Fire Chief Brian Dunn)

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve the item, as presented, with a provision regarding the amount of licenses the city may issue. The motion carried unanimously (7) ayes to (0) nays.

- d. First reading and public hearing of an ordinance amending Chapter 8 "Offenses and Nuisances", Article 8.11 "Outdoor Lighting", Section 8.11.002 "Outdoor Lighting Standard" to clarify lighting standard measurements (Presentation made by Neighborhood & Family Services Director Bob Salas)

*Citizens Jennifer Pape and Shane Bearden (SMD5) spoke regarding light trespass emitted from LED lights at a sports complex near their home.*

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the item, as presented, with a clarification that the revised ordinance should allow for measuring LED light emissions. The motion carried unanimously (7) ayes to (0) nays.

- e. First reading and public hearing of an ordinance amending Chapter 10 "Traffic Control", Article 10.01 "General Provisions" amending Section 10.01.013 "Pedestrian's Rights and Duties" (Presentation made by City Attorney Theresa James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve the item, as presented, with a clarification of which highways are impacted. The motion carried unanimously (7) ayes to (0) nays.

- f. First reading and public hearing of an ordinance amending Chapter 5 "Business and Commerce", Article 5.04 "Itinerant Merchants" by amending Section 5.04.003 "Hours of Solicitation" (Presentation made by City Attorney Theresa James)

Motion: Council Member Thompson made a motion, seconded by Council Member DeWitt, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- g. Public hearings on proposed annexations and first reading of ordinances annexing into the City of San Angelo, by petition of the property owner, for the following properties, and authorizing the City Manager to negotiate and execute all related documents:  
1) 10.480 acres out of the C. Berberich Survey No. 177, Abstract No. 52, generally located south of Loop 306 along Old Stone Dr.  
2) 18.753 acres out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, generally located east of the intersection of Club House Ln. and Enclave Ct.

3) 18.325 acres out of Abstract: 8108, Survey: 0008, A. Willeke, out of the west ½ of Survey 8, generally located west of the intersection of Dominion Ridge and Coral Way

4) 88.936 acres out of Tract 2 and Tract 3, Block 1, Section One, Tom Green County Business Park, generally located east of N. US Hwy 277 north of Tractor Trl. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- h. First reading and public hearing of an ordinance approving case Z20-14, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 10.480 acres located along south Old Stone Dr. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented, with a clarification that the city is not responsible for extending the sewer line to homes (either as the area develops or as septic system needs to be replaced). The motion carried unanimously (7) ayes to (0) nays.

- i. First reading and public hearing of an ordinance approving case Z20-15, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.753 acres located east of the intersection of Club House Ln. and Enclave Ct. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- j. First reading and public hearing of an ordinance approving case Z20-17, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.325 acres located west of the intersection of Dominion Ridge and Coral Way (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

- k. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items, donations, grants, and projects (Presentation made by Finance Director Tina Dierschke)

[The fiscal year 2020 sales tax surplus for the Ave. P Stormwater Detention Basin Construction project (item 6a) will be added to this Budget Amendment prior to the second reading.]

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (7) ayes to (0) nays.

## **7. Closed Session**

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 under the following sections:

- a. 551.072 Deliberations about Real Property regarding:
  - 1. Water Rights
  - 2. Block 24, Millspaugh Addition
  - 3. Lands near or adjacent to Red Bluff and Middle Concho Roads
- b. 551.071 Consultation with Attorney regarding Sheila Andrews

**Quorum for Remainder of Meeting:**

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Council Member Tommy Hiebert, SMD 1 (virtually via Zoom, but without audio)  
Council Member Tom Thompson, SMD 2  
Council Member Lucy Gonzalez, SMD 4  
Council Member Lane Carter, SMD 5  
Council Member Billie DeWitt, SMD 6

**8. Follow Up and Administrative Issues**

a. Consideration of items discussed in Closed Session, if needed

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to authorize the City Manager to execute all documents necessary to convey a small, narrow strip of land being the west 6 inches of Lot 1, Block 24, Millspaugh Addition to the adjacent property owners (Terry M. Sinclair and Deborah Smith) and enter into a license agreement with Sinclair and Smith for the west 7 foot, 6 inches of Lot 1, Block 24 Millspaugh Addition providing for the maintenance of support beams for the wall. The motion carried unanimously (6) ayes to (0) nays.

b. Approval of various Board nominations:

**Fort Concho Museum Board: Yukio Kuniyuki (SMD3) to an unexpired term ending January 2021**

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

No Action Taken on this Item.

**9. Adjournment**

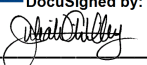
Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting was adjourned at 12:06 p.m.

**THE CITY OF SAN ANGELO, TEXAS:**

**ATTEST:**

DocuSigned by:  
  
Brenda Gunter, Mayor

DocuSigned by:  
  
Julie Antille, 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.)