

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 2, 2021

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1
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, March 2, 2021 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

San Angelo Police Department Chaplains Marcella Jenkins provided an invocation and Gary Jenkins provided a prayer of gratitude for the council and city staff and led the pledges.

3. Proclamations/Recognitions

- a. February 12, 2021 was proclaimed the NAACP Local Chapter's 75th Anniversary
- b. March 2021 was proclaimed Disability Awareness Month
- c. John Rangel was recognized for his retirement after 30 years of service to the City of San Angelo

4. Public Comment

Mayor Gunter spoke regarding Winter Storm Uri and thanked the citizens for caring for others while enduring their own power and water outages, along with grocery shortages, and long waits for plumbers due to damages in our area and throughout the state. She also thanked city staff and Johnson Street Church of Christ members for handwriting thank you notes to the City. Citizens were reminded that the sidewalks along Knickerbocker have not, and will not, be funded by the City. Additionally, she stated that the city has authorized private ambulance companies to provide transport services but stated the City of San Angelo ambulances are still available for transport services.

City Attorney Theresa James provided various governmental websites for citizens experiencing personal damages to their home/business: www.disasterassistance.gov, www.FEMA.gov, and <https://www.cosatx.us/winterstorm>.

Operations Director Shane Kelton updated council and citizens on road damage due to the storm and stated the damage will increase with spring rain and heating/thawing of the ground. Operations staff has assessed all streets and submitted 307 new work orders for street repairs. In several areas entire blocks of street were lost. This focus on storm related repairs has diverted crews from the annual projects done this time of year in preparation for the annual sealcoating. Citizens are encouraged to allow time for initial repairs before reporting new potholes that emerge.

Finance Director Tina Dierschke announced the Capital Improvement Program kicks off this week, and the city will seek public input through the website from March 4th to 24th, 2021.

Citizen Chrisandra Holden (SMD4) spoke regarding the water contamination in the PaulAnn neighborhood, the side effects she and her family have experienced, and stated she would like the responsible parties to be held accountable.

Citizen Cathy Brown (3518 W. Beauregard) thanked the council and staff for their response to the storm and expressed concern over the Covid-19 spikes and safety issues associated with the carnivals located at the mall parking lot.

Citizen Juanita Brown (4845 Bermuda Drive) expressed concern over safety issues in the city, particularly in the Southland area in regards to carnivals in the mall parking lot.

5. Consent Agenda

- a. Approval of the February 16, 2021 regular meeting and February 19, 2021 and February 20, 2021 emergency meeting City Council minutes (Julia Antilley)
- b. Authorization of the City Manager to sign all documents necessary to dedicate a portion of a city-owned property as a public right-of-way, providing public access to residential Lots 24-A and 24-B, Block 3, Section Sixteen-E, Bentwood Country Club Estates, said right-of-way will be an extension of Beaty Rd. (Cindy Preas)
- c. Award of PK-01-21 Twin Buttes Courtesy Dock to Futra-Vest Construction in the amount of \$58,999.99 budgeted for purchase with Bureau of Reclamation and City funding, and authorizing the City Manager to negotiate and execute all related documents (Charles Michalewicz)
- d. Adoption of a resolution authorizing the Fire Department to accept a donation of four Onan portable generators from a private citizen, with a value of \$5,000 (Patrick Brody) (Pg. 79, 2021-026)
- e. Adoption of a resolution renewing a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the management of public hunting at the Twin Buttes Reservoir and authorizing the City Manager to negotiate and execute all related documents (Carl White) (Pg. 80, 2021-027)
- f. Approval of the 2019 Consolidated Annual Performance and Evaluation Report (CAPER) (Bob Salas)
- g. Second reading and adoption of an ordinance annexing into the City of San Angelo, by petition of the property owner, for 1.658 acres out of Casper Berberich Survey 177, Abstract No. 52, Tom Green County, Texas; and authorizing the City Manager to negotiate and execute all related documents (Jon James) (Pg. 81, 2021-028)
- h. Second reading and adoption of ordinances approving cases:
 1. CP20-08, amending the City of San Angelo Comprehensive Plan, changing certain lands from the "Neighborhood" Future Land Use to the "Transitional" Future Land Use, being 1.658 acres (Pg. 89, 2021-029);
 2. Z20-21, rezoning property from the Single-Family Residential zoning district to the General Commercial zoning district, Lots 1, 2 & Tract A in the Lucky Lou Addition, being 8.916 acres generally located south of Loop 306, west of Old Stone Dr., and east of N. Bentwood Dr. (Jon James) (Pg. 92, 2021-030)
- i. Second reading and adoption of an ordinance approving case Z20-22, a request for approval of a rezoning from the Neighborhood Commercial, General Commercial, General Commercial/Heavy Commercial, and Low Rise Multi-Family Residential zoning districts to the Central Business District, being 0.54 acres located at 2 N. Koenigheim St. and 2.72 acres west of Martin Luther King Dr., north of W. Harris Ave., and south of W. College Ave. (Jon James) (Pg. 95, 2021-031)

- j. Second reading and adoption of an ordinance approving a request to name private streets to Tractor Trl. and Roy Robb Dr., over the complete length from N. US Hwy. 67/277 extending 0.25 miles southeast and then 0.45 miles northeast, located in northeast San Angelo near the Tom Green County Detention Center (Jon James) (Pg. 98, 2021-032)
- k. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items, grants, and programs (Tina Dierschke) (Pg. 101, 2021-033)
- l. Authorization of the City Manager to negotiate and execute all related documents for a temporary monitoring well in the city's right-of-way (Kevin Pate)

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

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve item 5l, as presented by Interim City Engineer Kevin Pate, with the condition that the owner of Randall Motors be notified regarding the exact well placement and length of monitoring before the project moves forward. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Adoption of a resolution and public hearing approving a substantial amendment to the 2020 Annual Action Plan for use of CARES Act II CDBG-CV grant funds and authorizing the City Manager to execute all related documents (applications, required certifications, and annual funding agreement) for the additional allocation of \$582,116 of CDBG-CV funding (Presentation made by Neighborhood Services Director Bob Salas) (Pg. 104, 2021-034)

MHMR Executive Director Greg Rowe spoke regarding their request for funds to use towards their rental assistance program for MHMR clients, those with mental illness or substance abuse disorders, as they recover from the economic impacts of Covid-19 and wait on potential HUD-funded housing.

CVCAA Executive Director Mark Bethune spoke regarding their request for utility assistance funds to support those that do not qualify for federal funding but need assistance due to increased utility bills related to Covid-19 work-from-home increased expenses.

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

- b. First reading and public hearing of an ordinance approving EMS Compliance and Fire Compliance Assignment Pay (Presentation made by Fire Chief Brian Dunn)

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

- c. MLK/Parks restroom discussion

NAACP Chapter President Sherley Spears gave an update on the request for permanently constructed restrooms at the Martin Luther King Memorial Park in SMD4. She stated the porta-potties currently on site have been there approximately twenty years due to the former restrooms being unable to meet code standards in the 2003/2004 park renovations. She noted members of the NAACP requested permanent restroom facilities through the 2019 CIP process, but funding (estimated between \$196,000 and \$262,000) was not identified at the time. She noted a city-wide petition is circulating with over 550 signatures to date.

Council Member Gonzales expressed her continued interest in exploring funding options for the project.

City Manager Daniel Valenzuela clarified that the park is still classified as a neighborhood park, spoke regarding the upcoming CIP process, and noted the decreased revenues citywide due to Covid-19.

City Council asked staff to provide an updated cost estimate for construction of permanent restrooms, spoke about potential grants, and a need to educate council on the definition of neighborhood versus community parks to better understand the criteria and whether this would lead other parks in the system to be reclassified. In addition, the cost of cleaning and maintenance need to be included in considering the overall project costs.

No Action Taken on this Item.

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. 551.071 Consultation with Attorney regarding:
 - 1. contract for judicial services at Municipal Court
 - 2. Rodolfo Navarrette v. City of San Angelo
 - 3. water contamination issue
- b. 551.072 Deliberations about Real Property regarding:
 - 1. Block 18, San Angelo Addition
 - 2. Block 1, Kleck Addition
 - 3. Lot 9D, Section 9A, Red Arroyo Hills Addition

8. **Follow Up and Administrative Issues**

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

Water Utilities Director Allison Strube gave an update on the water contamination issue in the northern area of town (white section on the maps). She announced this was not a contamination of ground water or surface water, it occurred when a customer's backflow failed and their contaminants entered the city's water supply. This contamination impacted an isolated area, the northeast quadrant.

She stated four Customer Service Inspectors are in town and the search to identify the responsible party remains ongoing. The CSIs are going to every commercial industrial business in the area to identify the source of the contamination and any deficiencies so updates can be made to prevent the issue from occurring again.

The northern industrial area of town (zoned white) has been valved off to protect the rest of the water system, and weekly samples will be collected with results posted online.

- b. Approval of various Board nominations
Construction Board of Adjustment & Appeals: John Rogers (SMD3) to a second term, Brooks Wehner (SMD5) to a third term, Lyndon Butler (SMD6) to a third term, and Scott Allison (Mayor) to a first full term, all ending February 2023, Roger Julien (Mayor) to a second term, and David Jacobo (Mayor) to a third term, both ending February 2022
Economic Development Corporation: Max Puello (SMD3) to a second term, Erika Lara (SMD4) to a second term, and Garland Freeze (SMD6) to a second term, all ending February 2023

Official Minute Record
March 2, 2021

Volume 2021
Page 78

Fort Concho Museum Board: Roger Banks (Mayor) to a third term, and Donald Barnhart (Mayor) to a first term, both ending January 2023

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.

c. **Announcements and consideration of Future Agenda Items**

No Action Taken on this Item.

9. **Adjournment**

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:40 a.m.

THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Brenda Gunter

Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Julia Antley

Julia Antley, 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.)