MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
CITY OF WHITE SETTLEMENT, TEXAS
6:30 P.M. – Tuesday, February 1, 2022
City Hall – Council Chambers
214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

Mayor Pro Tem Spurlock called the meeting to order at 6:30 p.m. with a quorum of members present as follows: Council Member Paul Moore, Mayor Pro Tem Evelyn Spurlock, Council Member Amber Munoz, Council Member Eddie Delgado and Council Member Gregg Geesa. Mayor White was absent due to illness.

Executive Staff present included City Manager Jeffrey J. James, City Secretary Amy Arnold and City Attorney Drew Larkin. Other staff present included Executive Administrative Assistant Ann Elias, Community Services Director Rich Tharp, Finance Director Krystal Crump (Foght), Public Works Director Larry Hoover, Assistant Police Chief Tim Denison, Fire Chief Brandon Logan, City Marshal Randy Rogers and Communications Manager Aaron Hall. Building Official Robert Nunley was absent due to illness.

INVOCATION / PLEDGE OF ALLEGIANCE

Council Member Geesa offered the invocation followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Katherine Bastidas of (stated 724 June Drive and listed 7926 Harwell St. lot 6) addressed the City Council requesting consideration of allowing her to be food truck (ice cream) vendor in city parks.

PRESENTATIONS

The following presentations were made:

MAYOR / COUNCIL MEMBER PRESENTATIONS:

1. Proclamation in recognition of Black History Month

Mayor Pro Tem Spurlock read the proclamation recognizing Black History Month into record.

STAFF PRESENTATIONS:

2. City Manager presentation of items of community interest.

City Manager Jeff James made a presentation to the family of the late Steve Groomer, an active volunteer who served on various boards for a number of years. A letter from Governor Abbott was read and presented.

City Manager Jeff James introduced the Interim Police Chief, discussed plans for expected severe weather and mentioned upcoming events including Recycling on February 26th and Community Garden Cleanup.

3. 2021 Racial Profiling Report - White Settlement Police Department

Assistant Police Chief Tim Denison presented the report stating the city contracted with DelCarmen Consulting to analyze the data; no cause for concern with any officer or the department was found and the department policies comply with all laws.

4. Presentation by Abel Moreno of Waste Connections regarding trash hauling services.

Abel Moreno of Waste Connections made introductions, discussed options and presented information (attached to final approved minutes) regarding extension options, length of time with the City (2007), automation solid waste service comparison as well as breakdown of current service.

5. Present Finance with Certificate of Achievement for Excellence in Financial Reporting

Finance Director Krystal Crump provided information on the award.

CONSENT AGENDA

Council Member Moore made a motion to approve the Consent Agenda. Council Member Munoz seconded the motion which carried unanimously. Approval of the consent agenda included the following:

6. Approval of City Council meeting minutes for January 4, 2022 and January 11, 2022.
7. Acknowledge receipt of Monthly Financial Statements for FY 21-22 as of November 30, 2021.
8. Acknowledge receipt of Monthly Financial Statements for FY 21-22 as of December 31, 2021.
9. Acknowledge receipt of the Quarterly Investment Report for the period ending December 31, 2021
10. Acknowledge receipt of the 2021 White Settlement Police Department Racial Profiling Report.
11. Approval of a resolution authorizing continued participation with the Atmos Cities Steering Committee (ACSC); and authorizing the payment of five cents ($0.05) per capita to the ACSC to fund regulatory and related activities related to Atmos Energy Corporation. *Resolution 2022-02-001-06*
12. Approval of the Metropolitan Area EMS Authority Board of Directors 2022 ballot selection of Bryce Davis, the sole candidate, to serve on the Board of Directors.

DELIBERATION AGENDA

FINANCIAL:

13. Discuss and consider Fiscal Year 2022-2023 Proposed Budget Calendar, accepting meeting dates and confirming attendance by roll call vote.

Finance Director Krystal Crump presented the calendar mentioning the April 16th proposed date could be changed to April 23rd as the 16th falls on Easter weekend; August 23rd is changed to August 30th at staffs request due to other date requirements.

Council members were in agreement with the proposed change and confirmed ability to attend on the dates presented.

Council Member Geesa made a motion to adopt the budget meeting calendar with the changes mentioned. Council Member Delgado seconded the motion which carried unanimously.

PLANNING & DEVELOPMENT:

14. Hold a Public Hearing to consider a re-plat for McDonald Parkside Addition, Lots A-R, Block 1. More commonly known as 9013 Moran St.

Building Official Robert Nunley presented the item discussing Planning and Zoning Commission comments and conforming with the comprehensive plan.

Mayor Pro Tem Spurlock opened the Public Hearing at 7:35 p.m. Hearing no comments, Mayor Pro Tem Spurlock closed the Public Hearing at 7:36 p.m.

Council Member Delgado made a motion to approve the replat for McDonald Parkside Addition, Lots A-R, Block 1. More commonly known as 9013 Moran St, as presented. Council Member Munoz seconded the motion which carried unanimously.

15. Hold a Public Hearing to consider a re-plat for McDonald Parkside Addition, Lot B, Block 1. More commonly known as 9009 Moran St.

Building Official Robert Nunley presented the item stating this is a final replat for a vacant piece of property which has been presented to and approved by the Planning and Zoning Commission.

Mayor Pro Tem Spurlock opened the Public Hearing at 7:36 p.m. Hearing no comments, Mayor Pro Tem Spurlock closed the Public Hearing at 7:36 p.m.

Council Member Munoz made a motion to approve the replat for McDonald Parkside Addition, Lot B, Block 1. More commonly known as 9009 Moran St. as presented. Council Member Geesa seconded the motion which carried unanimously.

COMMUNITY SERVICES:

16. Discuss and Consider award of RFP 2021-002, Parks Mowing Services, to MG Lawn & Landscape, LLC in the amount of $117,000.00.

Community Services Director Rich Tharp presented the item explaining information on the request for proposals including a pre-bid meeting, receipt of 9 proposals, review by selection committee and information on selected vendor. Mr. Tharp stated staff recommends approval.

Council members clarified insurance and reference checks. Mr. Tharp confirmed both.

Council Member Delgado made a motion to approve awarding the parks mowing services to MG Lawn & Landscape, LLC in the amount of $117,000.00. Council Member Moore seconded the motion which unanimously.

17. Discuss and consider approval of the 2022 WSISD Brewer High School National Art Honor Society Mural Art Wall Project .

Community Services Director Rich Tharp presented the item explaining the project and giving locations.

Council Member Munoz made a motion to approve the project. Council Member Geesa seconded the motion which carried unanimously.

PUBLIC WORKS:

18. Discuss and consider a Professional Services Agreement (PSA) with Freese and Nichols Inc, (FNI) for Engineering Design, Bidding, Construction and Implementation of Corrosion Control chemical feed equipment at Well site 10 at 1101 Lakeview Ridge in the amount of $151,007.

Public Works Director Larry Hoover presented the item by first recognizing professional affiliations and staff assisting with corrosion control; Public Works employee Dennis Brown noting his 30 years of experience and qualified licensing, Freese and Nichols representatives Andrew Franko and James Nalor who also have extensive experience, all of whom were present during the meeting.

Mr. Hoover stated FNI performed a corrosion control study and submitted the findings to TCEQ. He explained required implementation of corrosion control strategies to address lead exceedances from 2017, noting the 2018, 2019, and 2020 lead and copper concentrations have been within compliance.

Mr. Hoover explained details of the proposed PSA in the amount of $151,007; TCEQ review and approval; project funding through FY 2021-2022 Water Capital Fund and staff recommendation for approval.

Council members question whether the project would make drinking water safer and if water taste would change. Mr. Hoover stated the water will be safer for pipes in the system and taste would not change.

Council Member Moore made a motion to approve the Professional Services Agreement (PSA) with Freese and Nichols Inc, (FNI) for Engineering Design, Bidding, Construction and Implementation of Corrosion Control chemical feed equipment at Well site 10 at 1101 Lakeview Ridge in the amount of $151,007. Council Member Munoz seconded the motion which carried unanimously.

PUBLIC SAFETY:

19. Discuss and consider acceptance of a grant from Texas A&M Forest Service in the amount of $50,000 for Brush Truck Chassis with upfitting for firefighting equipment to be purchased at a later date.

Fire Chief Brandon Logan presented the item by explaining the current truck is no considered a front line vehicle due to the age and condition. Chief Logan discussed sixty day timeframe to accept the grant funding as well as receiving partial grant funding due to department status as full time. Chief Logan provided details mentioning the grant amount of $50,000 will be used to cover the chassis with the remaining costs of required equipment to be included in the 2022-2023 FY budget due to the timeframe of receiving and upfitting the vehicle. Chief Logan clarified for members the timeline, frequency of use of the vehicle and certification that provides for use of the vehicle during wildfires.

Council Member Geesa made a motion to approve a grant from Texas A&M Forest Service in the amount of $50,000 for Brush Truck Chassis with up fitting for firefighting equipment to be purchased at a later date. Council Member Moore seconded the motion which carried unanimously.

ADMINISTRATIVE:

20. Discuss and consider a Council Chambers Audio/Visual Improvements Project proposal from Digital Resources in the amount of $165,132.50.

Community Services Director Rich Tharp presented the item explaining the need to bring council chambers in compliance with the Texas Videoconferencing Guidelines to support House Bill 283 (2015) minimum standards requirements. Mr. Tharp explained the upgrades would allow for virtual and in-person with virtual public meeting participation. Mr. Tharp noted the proposal is a buy-board co-op contract which does not require a sealed bid proposal process. He concluded by explaining the project will be funded through American Rescue Plan Act (ARPA) funds (account 26-501-40-415) which are included in the current budget as well as providing a timeline of installation and completion anticipated dates.

Council Member Munoz made a motion to approve council chambers audio/visual Improvements proposal from Digital Resources in the amount of $165,132.50. Council Member Delgado seconded the motion which carried unanimously.

21. Discuss and consider calling a joint workshop between the Economic Development Corporation and the City Council to be held on February 15, 2022, beginning at 6 p.m. The workshop will be to receive financial and operational information relating to Splash Dayz Water Park; and to discuss the continuation or dissolution of the water park.

City Manager Jeff James noted this item is to rescheduled a meeting that could not be held in January. Mr. James states the proposed date is within the budget timeline.

Patricia England of 852 McCully Street addressed the Council unrelated to the item offering suggestions for paying down a loan.

Council Member Munoz made a motion to call a joint workshop between the Economic Development Corporation and the City Council to be held on February 15, 2022, beginning at 6 p.m. Council Member Geesa seconded the motion which carried unanimously.

22. Discuss and consider entering into a service extension agreement with Waste Connections for trash hauling services.

City Manager Jeff James stated the item is an extension of the earlier presentation. During member discussions Mr. James mentioned staff comments relating to the current provider being accommodating and easily accessible when needed, works well with staff and responds timely to concerns brought to their attention. Mr. James stated staff is okay with time of extension and requests direction from city council.

Extensive discussion was had between members including term of current contract with no new contract in place, options, desire for community input, unwilling to rush the decision, timeframe to obtain equipment depending upon service option selected, and confirmed with the city attorney the ability to consider options presented earlier under this item.

Abel Moreno addressed some of the questions posed by members by stating no equipment (truck) change takes place under current services versus new equipment (trucks) required under automation collection services. Mr. Moreno mentioned by selecting the three year option the city would lock in CPI and allowing for time to get the equipment if automation was selected. Mr. Moreno informed members he does not feel one year would be enough time due to current concerns with receiving new vehicles.

Patricia England of 852 McCully addressed the city council in favor of the provider stating she was pleased with both the presentation and services she receives mentioning most issues are customer created.

Council Member Moore made a motion to approve a one year extension option authorizing the city manager to finalize and execute. Council Member Munoz seconded the motion which carried with a vote of 3 to 2 as follows:

Moore	**Aye**
Spurlock	**Aye**
Munoz	**Aye**
DelgadoNay	
Geesa	**Nay**

23. Discuss and consider proposals to assist and support the City's procurement of solid waste collection services with private companies.

City Manager Jeff James and Finance Director Krystal Crump explained staff requests assistance for procurement of solid waste collection services in order to provide professional input and gain unbiased opinions. Finance Director Krystal Crump explained the city received two proposals, giving details of each for members to consider.

Council Member Geesa made a motion to approve proposal from NewGen Strategies for Solid Waste Collection Procurement in the amount of $46,500 as presented. Council Member Munoz seconded the motion which carried unanimously.

24. Discuss and Consider a Restated Employment Agreement with Amy Arnold. *This agreement does not make any substantive amendments and the purpose of this agreement is to consolidate all previous amendments into one document.

City Attorney Drew Larkin mentioned items 24 and 25 can be discussed together. Mr. Larkin stated the items are presented at his request to consolidate each agreement with its amendments into one document. Mr. Larkin confirmed no changes to the agreements have been made and all portions are still in effect.

Council Member Munoz made a motion to approve the Restated Employment Agreement with Amy Arnold and the Restated Employment Agreement with Jeff James. Council Member Moore seconded the motion which carried unanimously.

25. Discuss and Consider a Restated City Manager Agreement with Jeff James. *This agreement does not make any substantive amendments and the purpose of this agreement is to consolidate all previous amendments into one document.

Discussion and action for this item is under item 24.

BOARD APPOINTMENTS:

26. Discuss and consider appointments to the following boards for current members who have made a request to be considered for reappointment:
    a. Board of Adjustment and Appeals (BAA) Place 2, currently held by Ann Smith, with a term to expire February 2024
    b. Board of Adjustment and Appeals (BAA) Place 4, currently held by Mark Simeroth, with a term to expire February 2024.
    c. Crime Control and Prevention District (CCPD) Place 4, currently held by Faron Young, with a term to expire February 2025.
    d. Crime Control and Prevention District (CCPD) At-Large, currently held by JoAnn Grammer, with a term to expire February 2025.
    e. Library Board Place 6, currently held by Johanna Tanori, with a term to expire February 2024.
    f. Parks and Recreation Place 6, currently held by April McKenzie, with a term to expire February 2025.
    g. Park and Recreation Board Place 4, currently held by Angela Destro, with a term to expire February 2024

Council Member Moore made a motion to approve reappointments as listed. Council Member Munoz seconded the motion which carried unanimously.

27. Discuss and consider appointments to the following vacant board positions for which an application has been received:
    a. Board of Adjustment and Appeals (BAA) Alternate 1, currently vacant, with a term to expire February 2024.

b. Board of Adjustment and Appeals (BAA) Alternate 2, currently vacant, with a term to expire February 2024.
c. Library Board Place 7, currently vacant, with a term to expire February 2024.
d. Parks and Recreation Place 5, currently vacant, with a term to expire February 2024.
e. Parks and Recreation Board Place 7, currently vacant, with a term to expire February 2025.
f. Planning and Zoning (P&Z) Place 2, currently vacant, with a term to expire February 2025.
g. Planning and Zoning (P&Z) Place 4, currently vacant, with a term to expire February 2023.

Council Member Munoz made a motion to appoint Joshua Lemons to BAA Alternate 1 and Marcie Delgado to BAA Alternate 2. Council Member Geesa seconded the motion which carried unanimously.

Council Member Moore made a motion to postpone the appointment to Library Board Place 7 at staff's request. Council Member Geesa seconded the motion which carried unanimously.

Council Member Geesa made a motion to appoint William Wright to Park and Recreation Board place 5 and Leigha Mitchell to Park and Recreation Board Place 7. Council Member Munoz seconded the motion which carried unanimously.

For items F and G, City Secretary Amy Arnold mentioned the infrequency of BAA meetings and ability to obtain a quorum as well as the frequency of P&Z meetings and the inability to obtain a quorum.
Council Member Munoz made a motion to remove Joshua Lemons from BAA Alternate 1 and Marcie Delgado from BAA Alternate 2; to appoint Joshua Lemons to Planning and Zoning Place 2 and Marcie Delgado to Planning and Zoning Place 4. Council Member Delgado seconded the motion which carried unanimously.

28. Discuss and consider appointment to the following board positions for which the current member does not seek reappointment:
    a. Crime Control and Prevention District, (CCPD) Place 5, currently held by Judith Smith, with a term to expire February 2025.
    b. Library Board Place 5, currently held by Lindsey Walker, with a term to expire February 2024.
    c. Planning and Zoning (P&Z) Place 1, currently held by Roger Chambers, with a term to expire 2025.

Council Member Geesa made a motion to appoint Garry Wilson to CCPD Place 5 and Rachel Wood to Library Board Place 5. Council Member Munoz seconded the motion which carried unanimously. *(no appointment was made to P&Z place 1)*

ADJOURNMENT
With there being no further discussion Mayor Pro Tem Spurlock adjourned the meeting at 8:57 p.m.

Approved this 1st day of March, 2022.

Evelyn Spurlock, Mayor Pro Tem

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary