

DRAFT

MINUTES REGULAR MEETING July 23, 2019

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on July 23, 2019, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Michael Carpenter; Mayor Pro-Tem Allison Heyward; Councilmember Mark Davis; Councilmember Ralph Gutierrez; Councilmember Scott Larson; Councilmember Cedric Edwards; Councilmember Tim Brown

Absent: Councilmember David Scagliola

City City Manager Dr. Mark Browne; Assistant City Manager Charles Kelm;
Staff: Assistant to the City Manager Sarah Gonzalez; City Attorney Daniel Santee;
 City Secretary Brenda Dennis; Deputy City Secretary Gayle Wilkinson

Call to Order – City Council Regular Session

Mayor Carpenter called the regular meeting to order at 6:02 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Mayor Michael Carpenter)

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)

Assistant to the City Manager Sarah Gonzalez made the following announcements:

Friday, July 26

Movie in the Park-featuring Incredibles 2
Rhine Valley Park-9958 Mulhouse Drive
7:00 pm—Movie begins at sundown.

Friday, August 2

City Council Budget Retreat
Community Center

8:30 am

Saturday, August 3
National Watermelon Day
Pickrell Park Pool
12:30 pm

Friday, August 2
TML Region 7 Meeting, City of Eagle Pass/Eagle Pass International Center for Trade Reception begins at 5:00 pm, Dinner served at 6:00 pm. If interested please contact the City Secretary's office X 1030/1031. Deadline to register is Friday, July 26th.

Tuesday, August 6
City Council Meeting 6:00 pm
Council Chambers

Filing for Schertz City Council and Mayor Election for November 5, 2019 began July 22, 2019. The City of Schertz will be holding its General Election on November 5, 2019 for the purpose of electing Council Members in Place 1, Place 2 and for Mayor for a three-year term, from November 2019 to November 2022.

Any candidate desiring to have his or her name on the Official Ballot shall file an application with the City Secretary's office no later than Monday, August 19, 2019, by 5:00 pm. The application shall be in writing in the form prescribed by the Texas Election Code requesting that his or her name be placed on the Official Ballot and declaring themselves as a candidate.

The Candidate packet is available in the City Secretary's office at 1400 Schertz Parkway, Building 2, or it can be found online at www.schertz.com. Should you have any questions, please contact the City Secretary's office at (210) 619-1030.

- Announcements and recognitions by the City Manager (M. Browne)

None were made at this time.

- Announcements and recognitions by the Mayor (M. Carpenter)

None were made at this time.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

There were no residents to speak.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

The following Consent items were read into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of July 9, 2019. (B. Dennis)
2. **Ordinance No. 19-S-15** - Consideration and/or action approving an Ordinance authorizing a Specific Use Permit to allow an Automobile Repair, Major land use on approximately 1.5 acres of land generally located 1500 feet south of the intersection between IH-35 and FM 1103, more specifically described as 5702 FM 1103, City of Schertz, Guadalupe County, Texas. (B. James/L. Woods/N. Kopyay) ***Final Reading***
3. **Ordinance No. 19-S-16** - Consideration and/or action regarding approval of an Ordinance authorizing a name change of Wiederstein Road to Cibolo Valley Drive for the portion of Wiederstein Road from Cibolo Valley Drive to the northbound frontage road of IH 35. (B. James/L. Woods/E. Delgado) ***Final Reading***
4. **Resolution No. 19-R-89** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into an agreement with Hanson Aggregates LLC, for the lease of 200 acre/ft of Edwards Aquifer Permitted Water. (B. James/J. Hooks)

5. **Resolution 19-R-85** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing expenditures in excess of \$50,000 with Deere & Company in Fiscal Year 2018-2019 and other matters in connection therewith. (C. Kelm/J. Hooks/J. Kurz)
6. **Resolution No. 19-R-90** - Consideration and/or action approving a Resolution authorizing the City Manager to execute and deliver an amendment of an Interlocal Agreement for Dispatch Services with the City of Cibolo and other matters in connection. (C. Kelm/M. Hansen)
7. **Resolution No. 19-R-91** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing expenditures with Siddons-Martin Emergency Group not to exceed \$345,000.00 for equipment, maintenance, and repairs during the 2018-2019 Fiscal Year and other matters in connection therewith. (C. Kelm/K. Long)
8. **Resolution No. 19-R-86** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the selection of Pattillo, Brown & Hill for financial audit services. (M. Brown/J. Walters)
9. **Resolution No. 19-R-92** - Consideration and/or action approving a Resolution appointing members to the Alamo Area Council of Governments Regional Emergency Preparedness Advisory Committee (REPAC). (C. Kelm/K. Long)
10. **Resolution No. 19-R-88**- Consideration and/or action approving a Resolution authorizing expenditures in excess of \$50,000, but not to exceed \$160,000 in fiscal year 2018-2019, with T.F. Harper & Associates, a BuyBoard Purchasing Cooperative vendor, and other matters in connection therewith. (B. James/ L. Shrum)
11. **Resolution 19-R-93** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing additional expenditures with the Ovid Bell Press, Inc. totaling no more than \$119,571.48 for printing services and other matters in connection therewith. (S. Gonzalez/L. Klepper)
12. **Resolution No.19-R-87** - Consideration and/or action approving a Resolution authorizing the City Manager to enter into an Interlocal Agreement with the Schertz Housing Authority for Cooperative Purchasing Agent Services and other matters in connection therewith. (C. Kelm/J. Kurz/J. Gohlke)

13. **Resolution No. 19-R-82** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing expenditures with O'Reilly Auto Parts totaling no more than \$65,000.00 for vehicle and equipment parts and supplies during the 2018-2019 Fiscal Year and other matters in connection therewith. (C. Kelm/J. Harshman)

Councilmember Mark Davis asked for Items #4 and #6 be pulled off of Consent for separate discussion.

Moved by Mayor Michael Carpenter, seconded by Councilmember Cedric Edwards to approve Consent items 1-3,5,7-13.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

Discussion and Action Items

The following item was read into record:

4. **Resolution No. 19-R-89** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into an agreement with Hanson Aggregates LLC, for the lease of 200 acre/ft of Edwards Aquifer Permitted Water. (B. James/J. Hooks)

Water/Wastewater Manager Jimmy Hooks answered questions from Council.

Moved by Councilmember Scott Larson, seconded by Councilmember Cedric Edwards to approve Resolution 19-R-89.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

The following item was read into record:

6. **Resolution No. 19-R-90** - Consideration and/or action approving a Resolution authorizing the City Manager to execute and deliver an amendment of an Interlocal Agreement for Dispatch Services with the City of Cibolo and other matters in connection. (C. Kelm/M. Hansen)

Police Chief Michael Hansen answered questions from Council.

Moved by Councilmember Cedric Edwards, seconded by Councilmember Ralph Gutierrez to approve Resolution 19-R-90.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

14. **Ordinance No. 19-B-17** - Consideration and approval of an Ordinance authorizing the issuance of “City of Schertz, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2019”; providing for the payment of said certificates by the levy of an Ad Valorem Tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the pledged revenues of the system; providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said certificates, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and an official bid form; complying with the requirements of the letter of representations previously executed with the depository trust company; authorizing the execution of any necessary engagement agreements with the City’s Financial Advisors and/or Bond Counsel; and providing an effective date. (M. Browne/J. Walters/M. McLiney) ***First and Final Reading.***

Finance Director James Walters introduced Mark McLiney with SAMCO Capital who gave an overview/explanation of our bid process and results for Certificate of Obligations and also commented on our impressive Bond Rating of AA+. Mr. McLiney also recognized Jeffery Kuhn our Bond Legal Council with Norton Rose Fulbright and answered questions from Council.

Moved by Mayor Michael Carpenter, seconded by Councilmember Cedric Edwards to adopt an Ordinance authorizing the issuance of "City of Schertz, Texas combination tax and limited pledge revenue certificates of obligation, Series 2019." First and Final reading.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Ralph Gutierrez, Councilmember Scott Larson,
Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

- 15. Ordinance No. 19-M-18** - Consideration and/or action to approve an Ordinance by the City Council of the City of Schertz, Texas amending the City of Schertz Code of Ordinances and certain other Ordinances by amending and establishing fees for certain licenses, permits, and other services provided by the city of Schertz. (M. Browne/B. James/J. Walters)
First Reading.

Finance Director James Walters gave a review on our updated annual Fee Schedule and provided a Power Point presentation provided by Willdan.

Moved by Councilmember Scott Larson, seconded by Councilmember Cedric Edwards to approve Ordinance 19-M-18. First reading.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Ralph Gutierrez, Councilmember Scott Larson,
Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

Public Hearings

The following item was read into record:

- 16. Ordinance No 19-S-19-** Conduct a public hearing and consideration and/or action regarding approval of an Ordinance on a request to rezone the northeast corner of the intersection of Main Street and Williams Street, more specifically described as Guadalupe County Property IDs: 67715 and 67570, approximately 0.60 acres of land, from Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU). (B. James, L. Wood, E. Delgado) ***First Reading.***

Planner 1 Emily Delgado provided a Power Point of the rezoning request at the northeast corner of the intersection of Main Street and Williams Street and answered questions from Council. Emily introduced the applicant/developer Steve Bacon who made a brief presentation on his development plans.

Mayor Carpenter opened the Public Hearing. As there were no speakers, Mayor Carpenter closed the Public Hearing for Council discussion/action.

Moved by Mayor Michael Carpenter, seconded by Councilmember Mark Davis to approve Ordinance 19-S-19 first reading.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember Cedric Edwards, Councilmember Tim Brown

Passed

Roll Call Vote Confirmation

Deputy City Secretary Gayle Wilkinson gave the roll call for items 1-16.

Workshop

17. Discussion and consideration and/or action regarding the confirmation, appointment or election of the Mayor Pro-Tem.

Mayor Carpenter suggested we continue to choose our Mayor Pro-Tem on rotation with no objections from Council. Mayor Carpenter thanked Mayor Pro-Tem Heyward for her excellent work as she filled the many needs during her time serving as Mayor Pro-Tem.

Moved by Mayor Michael Carpenter, seconded by Councilmember Cedric Edwards to nominate Councilmember Tim Brown as Mayor Pro-Tem for the next six months.

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember Cedric Edwards

NAY: Councilmember Tim Brown

Passed

Mayor Carpenter announced Councilmember Tim Brown will be sworn in at the next regular City Council meeting 08/06/2019.

Roll Call Vote Confirmation

Deputy City Secretary Gayle Wilkinson gave the roll call for Workshop Item #17.

Requests and Announcements

- Announcements by the City Manager.

None at this time.

- Requests by Mayor and Councilmembers that items be placed on a future City Council agenda.

None at this time.

- Announcements by Mayor and Councilmembers

- City and community events attended and to be attended
- City Council Committee and Liaison Assignments (see assignments below)
- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Mayor Pro-Tem Allison Heyward attended the following events:

- City Managers Luncheon Region 8 - thanked all City Managers and Assistant City Managers.

Councilmember Ralph Gutierrez attended the following events:

- TML Budget Workshop.
- Breakfast with the Schertz Police Department.
- Ribbon Cutting ceremony for TJ Family Clinic.
- The Chamber Luncheon.
- TCMA Regional 8 meeting.

Councilmember Tim Brown attended the following events:

- TCMA Regional 8 meeting.

Information available in City Council Packets - **NO DISCUSSION TO OCCUR**

18. Traffic Enforcement in Gated Communities. (C. Kelm)
19. San Antonio River Authority Annual Wastewater Rate Update for residents being served by SARA facilities.(J. Hooks)

Adjournment

As there was no further business Mayor Carpenter adjourned at 6:52 p.m.

Michael R. Carpenter, Mayor

ATTEST:

Gayle Wilkinson, Deputy City Secretary