

# DRAFT

## MINUTES REGULAR MEETING August 13, 2019

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on August 13, 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; Councilmember Allison Heyward; Councilmember Mark Davis; Councilmember Ralph Gutierrez; Councilmember Cedric Edwards; Councilmember David Scagliola; Mayor Pro-Tem Tim Brown

Absent: Councilmember Scott Larson

City Staff: City Manager Dr. Mark Browne; Assistant City Manager Brian James; City Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez

### **Call to Order – City Council Regular Session**

Mayor Carpenter called the regular meeting to order at 5:32 p.m. and went directly into closed session.

### **Closed Session**

1. City Council will meet in closed session under Section 551.072 (deliberations about real property) of the Texas Government Code, the City of Schertz will meet in closed session to discuss Northcliffe Golf Course.

Mayor Carpenter made a request that anyone going into the closed session leave all electronic devices capable of making recordings in the gallery.

### **Reconvene into Regular Session at 6:29 p.m.**

**Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Scagliola)**

## 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.*

Mayor Carpenter recognized the following to speak:

- Brent Bolter - 2623 Cloverbrook Lane - Expressed his concern for the city being involved with the Northcliffe Golf Course when we have other priorities previously planned for in our budget.
- Ferando Heyward - 2620 Hansel Heights - Thanked Council and Staff for all they do for our city and their pro-active and caring attitude.

- 1a.** Take any action based on discussion held in closed session under Agenda Item 1.

No action taken at this time.

## Presentations

- Presentation and recognition regarding the Building Officials Association of Texas (BOAT) - 2019 Official of the Year Award. ( M. Browne/B. James/L. Wood)

Mayor Carpenter recognized Director of Planning and Community Development Lesa Wood who introduced this item providing background information regarding the BOAT award and introducing Chief Building Official Gil Durant as the recipient of the award also providing Gil's many qualifications. Mayor Carpenter expressed his congratulations for a job well done and deserved.

## Workshop

2. Discussion and update on the Northcliffe Golf Course. (M. Browne/B. James)

Councilmember Scagliola provided his commentary regarding why he had requested this item be placed on the agenda. Councilmember Scagliola stated he wanted an update on information from the residents on their status of the Northcliffe Golf Course.

Mayor opened the floor back up for the hearing of residents to speak and recognized the following:

Andy Yeamans - 3509 Charleston - Asked for feedback from Council and stated the resident's of Northcliffe elected the Council to assist the resident's of Northcliffe with no results.

Mayor Carpenter stated he was able to meet with a resident in reference to his findings on the deed of trust, the signature on the deed and the name, address and phone number of the attorney, in San Antonio, who is the trustee. Mayor offered to share the same information with others who might be interested.

Janice Hall - 6112 Covers Cove - Expressed her concern with the dead ends their community representatives are coming up against. There seem to be no clear answers to help them with the Golf Course dilemma.

Richard Leon - 3761 Pebble Beach - Stated he had information for Council but would like to have a meeting behind closed doors to avoid rumors.

Bill Edmonds - 4909 Crestview Drive - stated the residents don't have the resources to obtain the answers requested from Council on the Northcliffe Golf Course. He asked that the city put their resources to work and help the Northcliffe community obtain the answers needed.

Rosemary Scott - 3576 Old Moss - Expressed her desire in having green spaces but not bleeding the city dry.

Councilmember Dr. Scagliola stated he received some information he needed and would like to schedule a meeting with Richard Leon and possibly the City Manager and Assistant City Manager/Managers included.

Mayor Carpenter paused to recognize Commissioners Cope and Wolverton who were in the audience.

City Manager Dr. Browne requested guidance from Council on attending the meeting suggested by Councilmember Scagliola.

Mayor Carpenter stated he would not have objection to the meeting with

Richard Leon and another Councilmember as is customary.

3. Update and discussion regarding the forecast/planning of SEDC reserves. (M. Browne/K.Kinateder)

Mayor Carpenter recognized Executive Director Economic Development Kyle Kinatedar who provided a Power Point presentation regarding the City of Schertz Economic Development Corporation (SEDC) strategy/policy for the SEDC reserves (the "Reserve Strategy") and answered questions from Council.

4. Presentation and discussion of the FY 2019-20 Proposed Budget. (B. James/J. Walters)

Mayor Carpenter recognized Finance Director James Walters who provided a Power Point regarding the upcoming FY 2019-20 proposed budget, goals, overview of the budget process, and budget key message.

Finance Director James Walters recognized Engineer John Nowak who updated Council on the Street Preservation and Maintenance (SPAM) Program.

Assistant City Manager Brian James gave an update regarding the FY 18-19 Parks projects as well as the FY 19-20 upcoming Parks and Recreation projects.

Fleet and Facilities Services Director Jon Harshman gave a recap of the projects for key maintenance areas in the city.

Finance Director James Walters gave an overview on the results of the Citizen Survey, next year highlights, property values, exemptions, property taxes, tax rates, budgets, sales tax, permits and fees, fines, various funds, personnel, operating expense, capital outlay, 5 year forecast and summary, debt services, Economic Development, and fund balance/equity and provided Council with the Public Hearing dates as well as dates for Community Budget Presentations and the second vote and final adoption of the tax rate.

Mr. Walters provided the information on the Tax Rate: Effective, Rollback, Current and Proposed Maximum. Staffs current proposal with the budget submitted is to set the preliminary rate at \$0.5146.

## 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:

5. **Minutes** – Consideration and/or action regarding the approval of the minutes of the special meeting of August 2, 2019 and minutes of the regular meeting of August 6, 2019. (B. Dennis)
6. **Resolution 19-R-95** - Consideration and/or action by the City Council of the City of Schertz, Texas approving a Resolution authorizing agreements with the Drug Enforcement Administration, and other matters in connection therewith. (C. Kelm/M. Hansen)
7. **Resolution No. 19-R-100** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an amendment to the Schertz Main Street Local Flavor Economic Development Program and other matters in connection therewith. (B. James)
8. **Resolution 19-R-101** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a Schertz Main Street Local Flavor Economic Development Grant for 602 Main Street and related matters in connection therewith. (B. James)

Moved by Councilmember Ralph Gutierrez, seconded by Councilmember David Scagliola to approve consent agenda items 5 through 8.

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

Passed

## Discussion and Action Items

The following item was read into record:

9. **Resolution No. 19-R-98** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a preliminary maximum tax rate for fiscal year 2019-20, scheduling public hearings, and other matter in connection therewith. (B. James/B. Martin)

Mayor Carpenter recognized Finance Director James Walters who stated that he would start his presentation over again. Mayor Carpenter answered great, and he made a motion from the Chair that we approve a preliminary maximum tax rate of \$0.5146 per \$100 evaluation, second by Councilmember Edwards. Mayor asked for further comments from Council and recognized Councilmember Scagliola who addressed questions to staff. Councilmember Scagliola expressed commentary that would justify an effective rate.

Moved by Mayor Michael Carpenter, seconded by Councilmember Cedric Edwards to approve Resolution No.19-R-98 setting the preliminary maximum tax rate at \$0.5146 per \$100 valuation, and scheduling public hearings for August 27, 2019, and September 3, 2019.

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

NAY: Councilmember David Scagliola

Passed

## Public Hearings

The following item was read into record:

10. **Resolution No. 19-R-94** - Conduct a public hearing, consideration and/or action approving a Resolution accepting a petition for voluntary annexation of approximately 58 acres of land located approximately 1000 feet west of the intersection of Engel Road and private street, Big John Lane, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado)

Mayor Carpenter recognized Planner 1 Emily Delgado who provided a Power Point overview of the petition submitted by Scrappy Development, LLC and answered questions from Council.

Mayor Carpenter opened the Public Hearing. As no one spoke; Mayor Carpenter closed the Public Hearing for Council discussion/action.

Moved by Councilmember Cedric Edwards, seconded by Councilmember David Scagliola to approve Resolution No. 19-R-94.

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

Passed

The following item was read into record:

- 11. Ordinance No. 19-S-20** - Conduct a public hearing, consideration and/or action for an Ordinance on a request to rezone approximately 64 acres of land to Planned Development District (PDD). The subject property is contiguous to the existing Parklands Planned Development, and approximately 1000 feet west of the intersection of Engel Road and private street, Big John Lane, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) *First Reading*

Mayor Carpenter recognized Planner 1 Emily Delgado who provided a Power Point/overview of the proposed rezone. Typically, with an annexation and zone change it is required for staff to have the ordinances for the annexation and zone change be on the same readings. Emily asked for Council to postpone any action on this item and table it for the August 27th meeting, so we can do the annexation and zone change ordinance, first readings, together and then come back on September 3rd for the second readings.

August 13, 2019: Resolution accepting the petition for voluntary annexation

August 27, 2019: Parklands II Annexation 1st reading & Parklands II Zone Change 1st reading

September 3, 2019: Parklands II Annexation 2nd reading & Parklands II Zone Change 2nd reading

Mayor Carpenter opened the Public Hearing. As no one spoke; Mayor Carpenter closed the Public Hearing for Council discussion. No action was taken as this item was tabled to the August 27th meeting.

### **Roll Call Vote Confirmation**

City Secretary Brenda Dennis provided the roll call vote confirmation on agenda items 5 through 11.

### **Requests and Announcements**

- Announcements by the City Manager.

Dr. Browne recognized Assistant City Manager Charles Kelm who provided the following announcements of upcoming events:

Wednesday, August 14  
Community Budget Presentation 6:30 pm  
Corbett Middle School  
12000 Ray Corbett Drive

Thursday, August 15  
TxDOT Open House- 5:00 pm  
Public Hearing 6:00 pm  
Morgan's Wonderland  
5223 David Edwards Drive, SA  
Public Hearing on I-35 Project from Loop 410 South to FM 3009

Saturday, August 17  
Child and Babysitting Safety Class  
Schertz EMS Training Room, Building # 7  
The Schertz EMS Community Health Department is now offering a Child and Babysitting Safety class that teaches adolescents how to prepare for the added responsibility of a child or infant. The course builds confidence in diapering, feeding, playtime activities, what to do in an emergency, and questions to ask before the job. The first class will be held on Saturday, August 17 from 9:00 a.m. to 4:00 p.m. in the Schertz EMS Training Room, 1400 Schertz Parkway Bldg. 7. For more information and to register contact Schertz EMS at (210) 619-1410.

Tuesday, August 20  
Chamber Luncheon 11:30 am  
Civic Center

Wednesday, August 21  
Community Budget Presentation 6:30 pm  
Community Center North  
3501 Morning Drive

Thursday, August 22  
Community Budget Presentation 6:30 pm  
Schertz United Methodist Church  
3460 Roy Richards Drive

Tuesday, August 27  
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.

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

Mayor Carpenter requested two workshop items for the September 12, 2019 meeting, the City Council Rules of Conduct and Procedures and the City Council Code of Ethics.

- 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

Councilmember Davis attended the following event:

- The Schertz Housing Authority meeting

Councilmember Gutierrez attended the following events:

- The YMCA ribbon cutting in Cibolo
- The Selma ribbon cutting ceremony for the bridge on Lookout Road

Councilmember Heyward attended the following events:

- The Selma ribbon cutting ceremony for the bridge on Lookout Road
- The ribbon cutting in Cibolo for Smiles Dental Clinic
- The YMCA ribbon cutting in Cibolo

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

12. SEDC Quarterly Report Q3 FY 2018-19 (M. Browne/K.Kinateder)

## **Adjournment**

As there was no further business Mayor Carpenter adjourned at 8:28 p.m.

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Michael R. Carpenter, Mayor

ATTEST:

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Gayle Wilkinson, Deputy City Secretary