

DRAFT

MINUTES REGULAR MEETING September 10, 2019

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on September 10, 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 Tim Brown; Councilmember Mark Davis; Councilmember Ralph Gutierrez; Councilmember Scott Larson; Councilmember David Scagliola; Councilmember Allison Heyward

Absent: Councilmember Cedric Edwards due to family illness

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

Call to Order – City Council Regular Session

Mayor Carpenter called the regular meeting to order at 6:00 p.m.

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

Presentations

- 1. Guadalupe Regional Medical Center - Prescription Assistance report.**
(Mayor/Council/J. Riggs)

Mayor Carpenter recognized Dr. Riggs who thanked the City of Schertz for their contribution and gave a brief overview of their program and financial status.

Mayor Carpenter thanked Dr. Riggs for their program and the great service they provide our City.

Mayor Carpenter moved to Hearing of Residents.

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 residents:

Rosemary Scott - 3576 Olde Moss - Rosemary spoke about an anonymous complaint that her election signs did not have a place number on it. She called the Texas Ethics Commission, and they said that was a question they get a lot. They also stated you didn't have to have the place number as long as you have the title for which you are running. Rosemary suggested putting a link on our Schertz website to the election code for those who are running or maybe something in the Schertz Magazine. ***(A note: the link Rosemary requested to be placed on our website was placed on the left-hand side of the City Secretary's page September 11, 2019.)*** Rosemary also expressed she was thrilled about the grant from Walmart for the Library. Rosemary concluded expressing her opinion about the need for Council to work together and commented on how our Council seemed to be a civil group.

Maggie Titterington - 1730 Schertz Parkway - gave the following updates:

- August 17, 2019, at 11:30 am at the Civic Center - Chamber Luncheon with FBI Agent Greg Garza whose topic is Cyber Crime.
- October 9, 2019, at 6:00 pm to 7:30 pm at the Bluebonnet Room at the Schertz Civic Center - Schertz meet the Candidates. Jay Johnson with J2 Leadership will be our moderator for this event. Maggie also thanked their sponsor for this event Randolph Brooks Federal Credit Union and Mattenga's Pizzeria for delivering pizza to this event.
- October 16, 2019, at 8:00 am to 11:00 pm at the Noble Event Center, 203 South Main Street in Cibolo - The last EPIC Business Education Series "Effective Feedback" will be facilitated by Direct Development CEO Craig

Krause.

Maggie also took the time to give a "shout out" to Assistant City Manager Brian James and all the staff in permitting and inspections for helping local businesses in their final inspections. She commented on how wonderful it is how the City of Schertz works with local businesses to get them where they need to be.

Mayor Carpenter moved to go into closed session at 6:12 pm.

Closed Session

City Council will meet in Closed session under Section 551.071 of the Texas Government Code, Consultation with the City Attorney regarding the Writ of Mandamus filed in the 4th Court of Appeals titled In Re Cedric Bertnell Edwards, Sr.

Reconvene into Regular Session

Mayor Carpenter reconvened into regular session at 6:29 pm.

City Events and Announcements

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

Assistant City Manager Brian James announced the following:

Election notice:

The City of Schertz will be holding a Joint General and Special Election on November 5, 2019, for the purpose of electing Councilmembers for Place 1, Place 2 and for Mayor and for a Special Election to fill the vacancy of the unexpired term for Councilmember Place 4.

For the Special Election: Any candidate desiring to have his or her name on the Official Ballot for said Special Election shall, no sooner than September 3, 2019, and no later than September 26, 2019, by 5:00 p.m., file with the City Secretary an application 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 as a candidate for the unexpired term for Councilmember Place 4. (Candidate packets can be found on line on our city website and in the City Secretary's office.)

Information regarding Early Voting and Election Day Vote Centers for Comal, Guadalupe and Bexar County will be available on the city's website.

Library notice:

To mark the beginning of the school year and as a way of highlighting all the resources available to the public through their libraries, September is National

Library Card Sign-Up Month. If you need to get a library card or renew your current card, stop by the library with your photo ID and proof of current address or fill out an online application at schertzlibrary.org.

Wednesday, September 11

Adult Dodgeball

Community Center 6:00 pm – 10:00 pm

Games will be held each Wednesday thru October 16th.

Registration is required and cost \$5 per person, per night. Contact the Parks & Recreation office at x1850 for more information.

Thursday, September 12

Northeast Partnership Meeting

Olympia Hills Golf and Conference Center 11:30 am

Thursday, September 12

Volunteer Appreciation Banquet

Schertz Civic Center 6:30 pm

Saturday, September 14

Schertz EMS CPR & First Aid Training

EMS Training Room 9:00 am – 4:00 pm

The cost is \$30 for one course or \$50 for two courses. Call x1410 for more information.

Saturday, September 14

Crescent Bend Nature Park Celebrates 10 Years.

12805 Schaefer Road 9:00 am – 2:00 pm

Get wildlife photography tips, learn about native plants, go on a birding walk, and much more. Contact the Parks & Recreation office at x1850 for more information.

Monday, September 16

Pizza with the Police

Mattenga's Pizzeria-6044 FM 3009 / 5:00 pm – 8:00 pm

Enjoy pizza and conversation with your local Police Officers. Mattenga's will be donating 30% of sales to the Guadalupe Children's Advocacy Center.

Tuesday, September 17

Chamber Luncheon

Schertz Civic Center 11:30 am

Wednesday, September 18

South Texas Blood and Tissue Center Blood Drive

Community Center parking lot 8:00 am – 12:00 pm

Contact Tyler Bowker x1410 to make an appointment

Tuesday, September 24
City Council Meeting
Council Chambers 6:00 pm

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

City Manager Dr. Browne congratulated the Parks Department and Director of Parks, Rec. & Community Services Lauren Shrum on a fantastic Pets in the Pool event. They had almost 200 hundred dogs at that event.

City Manager Dr. Browne remarked on the new Fire Station on Lower Seguin Road as being a fantastic facility with a grand opening planned for November 2019.

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

None at this time.

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:

2. Resolution No. 19-R-124 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the selection of Tyler Technologies to use their enhanced utility customer portal software product. (B. James/J. Walters)
3. Resolution No. 19-R-120 - Consideration and/or action approving a resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to extend the contract with Selrico Services for three (1) one year extensions at \$114,000 per fiscal year, for a total not to exceed of \$342,000, to provide the congregate meal program at the Schertz Area Senior Center. (B. James/L. Shrum)
4. Resolution No. 19-R-121 - Consideration and/or action approving a Resolution authorizing an agreement for Provisions of Professional Services between the City of Schertz and the City of Schertz Economic Development Corporation. (M. Browne/K. Kinatader)

5. Resolution No. 19-R-111 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a publicity and tourism agreement and a commercial lease agreement for the Kramer House with The Chamber (Schertz-Cibolo-Selma Area).
6. Resolution 19-R-122 - 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 for custodial cleaning service contracts with Brett Systems, Inc., BDA Vanguard Cleaning Systems. (C. Kelm/T. Buckingham)
7. Resolution No. 19-R-125 - A resolution by the city council of the City of Schertz, Texas authorizing expenditures with Lowe's for an amount not to exceed \$55,000.00 for supplies during the 2018-2019 fiscal year. (C. Kelm/J. Golke)
8. Resolution No. 19-R-119 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an Interlocal Agreement with Bexar County, Texas for the purpose of a regional records management system and other matters in connection therewith. (C. Kelm/M. Hansen)

Moved by Councilmember David Scagliola, seconded by Mayor Pro-Tem Tim Brown to approve consent agenda items 2 - 8.

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

Passed

Discussion and Action Items

9. **Ordinance No. 19-T-23** – Consideration and/or action approving an Ordinance adopting a budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020. *Final Reading* (B. James/J. Walters)

The following was read into record:

Ordinance No. 19-T-23 - An Ordinance adopting a budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020, in

accordance with the charter of the City of Schertz, Texas; providing for the filing of the budget; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; and providing an effective date.

Mayor Carpenter asked Finance Director James Walters if there were any changes made to the budget. Mr. James replied - The General Fund delayed the hiring of the 9 new personnel to accommodate the insurance increase. Water & Sewer will use its revenue stream to cover the insurance increase. Guadalupe County told us they would be cutting their funding for our library. Late last week we received word they will keep the previous funding level with no cuts. Staff the estimated \$30,000 additional back into the Library budget.

Moved by Mayor Michael Carpenter, seconded by Councilmember Mark Davis to approve Ordinance 19-T-23 Final Reading.

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

Other: Councilmember Cedric Edwards due to family illness (ABSENT)

Passed

Mayor Carpenter moved to item number 11 before item number 10.

11. Resolution No. 19-R-123 – Consideration and/or action approving a resolution ratifying the property tax increase reflected in the Adopted Budget for FY 2019-20. (M. Browne/J. Walters)

The following was read into record:

Resolution No. 19-R-123 - A Resolution by the City Council of the City of Schertz, Texas ratifying the property tax increase reflected in the adopted budget for fiscal year 2019-20, and other matters in connection therewith.

Mayor Carpenter asked Finance Director James Walters if there were any changes made. Mr. Walters stated we were not changing the tax rate so there were no changes.

Moved by Mayor Michael Carpenter, seconded by Councilmember Ralph Gutierrez to approve Resolution No. 19-R-123.

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

NAY: Councilmember David Scagliola

Other: Councilmember Cedric Edwards due to family illness (ABSENT)

Passed

The following item was read into record:

- 10. Ordinance No. 19-T-24** – Consideration and/or action approving an ordinance approving the appraisal roll; setting the tax rate; levying and assessing general and special ad valorem taxes for the use and support of the municipal government of the city of Schertz, Texas. *Final Reading* (B. James/J. Walters)

Mayor Carpenter asked Finance Director James Walters to walk us through the tax rate so it will be clear. Mr. Walters gave a brief explanation and Power Point of our tax rate for 2019-20.

Moved by Councilmember Mark Davis, seconded by Councilmember Ralph Gutierrez that the property tax rate be increased by the adoption of a tax rate of (\$0.5146), which is effectively a (1.76%) increase in the tax rate.

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

NAY: Councilmember David Scagliola

Other: Councilmember Cedric Edwards due to family illness (ABSENT)

Passed

The following item was read into record:

- 12. Resolution No. 19-R-117** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, TX authorizing the purchases of Watchguard Video Equipment in an amount not to exceed one hundred seventy-five thousand dollars. (C. Kelm/M. Hansen)

Mayor Carpenter recognized Police Chief Michael Hansen who gave an explanation for the Watchguard Video Equipment and answered questions from Council.

Moved by Mayor Michael Carpenter, seconded by Mayor Pro-Tem Tim Brown to approve Resolution No.19-R-117.

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

Passed

The following was read into record:

- 13. Resolution 19-R-115** - Consideration and/or action approving a Resolution by the City Council of Schertz, TX authorizing purchases up to two hundred twenty-five thousand dollars with Motorola for radios, equipment and technology. (C. Kelm/M. Hansen)

Mayor Carpenter recognized Police Chief Michael Hansen who gave an explanation for the radios, equipment and technology and answered questions from Council.

Moved by Mayor Michael Carpenter, seconded by Councilmember David Scagliola to approve Resolution No.19-R-115.

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

Other: Councilmember Cedric Edwards due to family illness (ABSENT)

Passed

The following was read into record:

- 14. Resolution No. 19-R-118** - 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 for the purchase of up to nine (9) police vehicles from the FY 2019-2020. (C. Kelm/M. Hansen)

Mayor Carpenter recognized Police Chief Michael Hansen who gave an

explanation for the purchase of up to (9) police vehicles.

Moved by Mayor Michael Carpenter, seconded by Councilmember David Scagliola to approve Resolution No. 19-R-118.

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

Passed

AYE: Mayor Michael Carpenter, Mayor Pro-Tem Tim Brown, Councilmember Mark Davis, Councilmember Ralph Gutierrez, Councilmember Scott Larson, Councilmember David Scagliola, Councilmember Allison Heyward

Other: Councilmember Cedric Edwards due to family illness (ABSENT)

Passed

Roll Call Vote Confirmation

City Secretary Brenda Dennis gave roll call for items 2-14.

Requests and Announcements

- Announcements by the City Manager.

City Manager Mark Browne announced the Interlocal Agreement with Cibolo regarding Wiederstein Road has been signed by both cities. The project is in the bid process.

Mayor Carpenter commented on the history of Wiederstein Road project and thanked the City of Schertz, Council and staff as well as the City of Cibolo, Council and staff for accomplishing this goal.

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

Councilmember Davis requested a briefing on our vehicle policies for the city as well as a breakdown of all the vehicles assigned by department and a review of our policies to see how this fits into the overall budget.

- 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 Mark Davis attended the following event:

- The Housing Authority Meeting

Councilmember Ralph Gutierrez attended the following event:

- The Paws in the Pool

Adjournment

As there was no further business Mayor Carpenter adjourned at 6:60 p.m.

Michael R. Carpenter, Mayor

ATTEST:

Brenda Dennis, City Secretary