

DRAFT

MINUTES REGULAR MEETING November 18, 2019

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on November 18, 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 Cedric Edwards; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Rosemary Scott; Councilmember Michael Dahle

City: City Manager Dr. Mark Browne; Assistant City Manager Brian James;
Staff: Assistant City Manager Charles Kelm; City Attorney Habib Erkan; Assistant to the City Manager Sarah Gonzalez; 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 6:04 p.m. Mayor Carpenter recognized the community dignitaries, Mayor's from neighboring cities, Councilmembers, Commissioners, SCUCISD Board Trustees and others. All in attendance stood to be recognized.

Call to Order

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

Councilmember Scagliola provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and State of Texas.

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:

- Adeline Mitchell, 3913 Ogelthorpe Circle, who provided gift baskets to outgoing Mayor Carpenter and incoming Mayor Gutierrez, thanking them for their service.
- Ferando Heyward, 2628 Hansel Heights, who welcomed the newly elected Councilmembers stating be prepared, do well and carry the will of the residents. He provided words to the departing Mayor and Councilmembers thanking them for putting forth their time and doing the business for the City for so many years.
- SCUCISD Board Trustee Members Robert Westbrook, Gary Inmon and Gerald Perkins who thanked Councilmember Edwards and Mayor Carpenter for their work, dedication and leadership over the past years working with them. The Board of Trustees read and presented a letter to Honorable Mayor Carpenter thanking him for his years of service as a Councilmember and as Mayor for the City.

Discussion and Action Items

1. **Resolution No. 19-R-158** - Consideration and/or action approving a Resolution canvassing the returns and declaring the results of the November 5, 2019, General Election and Special Election; and other matters in connection therewith. (Mayor/B. Dennis)

Mayor Carpenter recognized City Secretary Brenda Dennis who provided the information results of the November 5, 2019 General and Special Election.

Moved by Mayor Michael Carpenter, seconded by Councilmember Cedric Edwards To approve Resolution No. 19-R-158.

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

Passed

Roll Call Vote Confirmation

Mayor Carpenter recognized Deputy City Secretary Gayle Wilkinson who provided the roll call vote confirmation.

- 2. Award Recognition** - Award recognition to Councilmember Cedric Edwards. (M. Carpenter/M. Browne/B. Dennis)

Mayor Carpenter and City Secretary Brenda Dennis thanked Councilmember Edwards for his many years of loyal and dedicated service. On behalf of the City, Councilmember Edwards was presented the City of Schertz Flag and an award for his 10 years of service serving the City and flowers for his Spouse Mary.

Mayor Carpenter recognized Councilmember Edwards who came forward providing his comments and outgoing remarks. Councilmember Edwards received a standing ovation from the audience in attendance.

- 3. Mayor Carpenter's Farewell Address** - Mayor Carpenter will provide his farewell address.

Mayor Carpenter provided his farewell address to the Council, staff and citizens. Those in attendance stood and recognized him with a standing ovation.

- 4. Award Recognition** - Award recognition to Mayor Michael Carpenter. (M. Browne/B. Dennis)

City Manager Dr. Mark Browne and City Secretary Brenda Dennis provided Mayor Carpenter on behalf of the City, a City of Schertz Flag, a street sign with his name on it and an engraved Boston Rocker. City Secretary Brenda Dennis provided flowers to Missy Carpenter thanking and recognizing her support and dedication.

Mayor Carpenter thanked everyone for allowing him to serve stating "it has been an honor, privilege and a blessing."

5. Oath of Office - (B. Dennis)

- Newly and Re-Elected Officers - Oath of Office. (B. Dennis)
- Certificates of Election - Presentation of Certificate of Election. (Mayor Carpenter/B. Dennis)

City Secretary Brenda Dennis provided the Oath of Office to newly elected Councilmembers Rosemary Scott and Michael Dahle. Ms. Dennis provided the Oath of Office to newly elected Mayor, Ralph Gutierrez. Each Spouse of the newly elected members were asked to come forward and placed the name tags on the dais.

Mayor Carpenter provided each newly elected Official with their Certificate of Election.

6. Changing of the Gavel Event - Mayor Carpenter will officially pass the gavel off to newly elected Mayor Gutierrez. (M. Carpenter)

Mayor Carpenter presented the gavel to newly elected Mayor Ralph Gutierrez. Mayor Gutierrez now presided over the rest of the meeting.

7. Newly elected and Re-elected Officials Remarks - Remarks by newly and re-elected. (R. Gutierrez/M. Davis/R. Scott/M. Dahle)

Mayor Gutierrez stated that re-elected Councilmember Mark Davis was unable to attend this evening due to being out of town, but will be sworn in at the December 3, 2019 meeting.

Mayor Gutierrez recognized newly elected Councilmembers Rosemary Scott and Michael Dahle who provided their comments thanking all those that supported them. Mayor Gutierrez also provided his comments and thanks to all who helped and supporting him.

Mayor Gutierrez recessed the meeting at 7:00 p.m., inviting those in attendance to join them in the City Council Chambers Conference Room for refreshments and cake.

Mayor Gutierrez reconvened the meeting at 7:35 p.m.

CLOSED SESSION

Mayor Gutierrez recessed the meeting at 7:35 p.m. into Closed Session under the following section.

8. City Council will meet in closed session under section 551.071 of the Texas Government Consultation with the City Attorney regarding litigation between the City of Schertz and Green Valley Special Utility District, the United States Department of Agriculture, and the Rural Utilities Service, including the cases styled:

- City of Schertz v. United States Department of Agriculture, Civil Action No. 1:18-CV-1112-RP in the United States District Court for the Western District of Texas, Austin Division;
- Green Valley Special Utility District v. Walker, No. 18-51092 in the United States Court of Appeals for the Fifth Circuit; and
- City of Schertz, et al. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-18-006040 in the District Court for the 98th Judicial District of Travis County, Texas"

Reconvene into regular session

Mayor Gutierrez reconvened into regular session at 8:35 p.m

8A. Take any action based on discussions held in closed session under Agenda Item 8.

No action was taken.

Roll Call Vote Confirmation

No roll call as Council took no action on item 8A.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:35 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary