

DRAFT

MINUTES REGULAR MEETING December 10, 2019

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 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 Ralph Gutierrez; Mayor Pro-Tem Tim Brown; Councilmember Mark Davis; Councilmember Rosemary Scott; Councilmember Scott Larson; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward

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

Attendees:

Call to Order – City Council Regular Session

Mayor Gutierrez 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. (Mayor Pro-Tem Tim Brown).

Presentations

- Proclamation recognizing Norma Basha's 100th Birthday. (Mayor Gutierrez/N. Basha)

Mayor Gutierrez recognized Ms. Norma Basha and family members present and read and presented a proclamation proclaiming Norma Basha Day as she was celebrating her 100th birthday.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzales who provided the following announcements:

- Wednesday, December 11th Blood Drive 8:00 am – noon. Municipal Building front parking lot - Contact Tyler Bowker at 210-619-1410 for more information.
- Friday, December 13th Swim with Santa 6:00 – 8:00 PM Schertz Aquatic Center - the Schertz Family YMCA and Schertz Parks and Recreation are celebrating the holiday season by swimming with Santa in a heated pool. Activities include diving for candy canes, pictures with Santa, and much more.
- Wednesday, December 25th City Offices closed in observance of Christmas Day.
- Wednesday, January 1st City Offices closed in observance of New Year's Day.
- Tuesday, January 7th City Council Meeting 6:00 pm.

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

City Manager Dr. Browne thanked the Parks & Recreation and Police Department for their participation in the success of the Holidazzle Event.

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

Mayor Gutierrez also thanked all those who assisted with the Holidazzle event.

Hearing of Residents

No one Spoke.

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.

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 items were read into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of December 3, 2019. (B. Dennis)
2. **Resolution No. 19-R-168** - Consideration and/or action approving a Resolution authorizing a Public Library Interlocal Agreement for mutual access to CloudLibrary digital resources. (B. James/M. Uhlhorn)
3. **Resolution No. 19-R-164** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into a Memorandum of Understanding with The State Of Texas for The Texas Statewide Interoperability Channel Plan as Amended and other matters in connection therewith. (C. Kelm/K. Long)
4. **Resolution No. 19-R-167** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing expenditures with CASCO Industries totaling no more than \$70,000.00 for Firefighting Supplies and Equipment during the 2019-2020 Fiscal Year and other matters in connection therewith. (C. Kelm/K. Long)
5. **Resolution No. 19-R-169** - 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 25 acre/ft of Edwards Aquifer Permitted Water. (C. Kelm/S. Williams/J. Hooks)
6. **Ordinance No. 19-T-29** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the FY 2019-20 Budget to encumber unused funds from FY 2018-19, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. (M. Browne/J. Walters) *Final reading.*

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle to approved consent agenda items 1 through 6.

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis,
Councilmember Rosemary Scott, Councilmember Scott Larson,
Councilmember Michael Dahle, Councilmember David Scagliola,
Councilmember Allison Heyward

Passed

Discussion and action items

The following Item was read into record:

- 7. Resolution No. 19-R-170** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas on a request for a Schertz Main Street Local Flavor Economic Development Grant for 816 Main Street and related matters in connection therewith. (B. James)

Mayor Gutierrez recognized Assistant City Manager Brian James who introduced this item answering questions from Council. Mr. James walked Council through the philosophy of the grant and stated that this is funded out of the general fund. Mr. James provided information on the 4 categories of funding that is available.

Moved by Councilmember Scott Larson, seconded by Councilmember Mark Davis to approve Resolution 19-R-170.

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis,
Councilmember Rosemary Scott, Councilmember Scott Larson,
Councilmember Michael Dahle, Councilmember David Scagliola,
Councilmember Allison Heyward

Passed

Roll Call Vote Confirmation

City Secretary Brenda Dennis provided the roll call vote confirmation for agenda items 1 through 7.

Workshop

- 8. Schertz Area Senior Center Operations Update.** (B. James/L. Shrum)

Mayor Gutierrez recognized Parks, Recreation and Community Services Director Lauren Shrum and Assistant City Manager Brian James who introduced this item with a Power Point presentation overview of the Schertz Area Senior Center. Points of interest included: Establishment, program

managed and operated by the YMCA through public license Facility Agreement, Congregate Meal Program funded by the City of Schertz, membership, membership by City, activities and programs, community outreach and events, community partners, operations and information looking into the future.

Members of Council discussed this in great length, particularly regarding use of non-residents of Schertz and of other cities, possibility of establishment of a non-resident fee, cost to run the center in-house, fee structure, expansion plans and ideas, and working with the City of Cibolo to provide further information on the cost of their residents use of the facility, seeing if the City of Cibolo would contribute funding. In summary, staff is going to go back and look on how much this would cost us, the City to internally manage the program, and look at the fee structure.

9. City Council Liaison Appointments - Discussion and possible action regarding various City Council liaison appointments. (Mayor/Council/B. Dennis)

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided information on the current council liaison vacancies and recapping the council's current positions. After discussion on the current and vacant liaison positions council concurred the following:

Mayor Gutierrez - Audit Committee, Investment Advisory Committee and Main Street Committee

Councilmember Davis - Audit Committee, Interview Committee for Boards and Commissions, Main Street Committee, Schertz Housing Authority Board and TIRZ II Board.

Councilmember Scott - Interview Committee for Boards and Commissions

Councilmember Larson - Main Street Committee, Main Street Committee

Councilmember Dahle - Cibolo Valley Local Government Corporation (primary), Interview Committee for Boards and Commissions, TIRZ II Board

Councilmember Scagliola - Cibolo Valley Local Government Corporation (alternate), Hal Baldwin Scholarship Committee, Interview Committee for Boards and Commissions (alternate), Schertz-Seguin Local Government Corporation (primary)

Councilmember Heyward - Audit Committee, Investment Advisory Committee, Schertz Animal Services Advisory Commission

Mayor Pro-tem Brown - Main Street, Schertz-Seguin Local Government Corporation (alternate)

10. SEDC Annual Report FY 2018-2019. (M. Browne/D. Vincent)

Mayor Gutierrez recognized Economic Development Analyst Drew Vincent who provided Council with the Schertz Economic Development Corporation FY 2018-19 annual report answering questions from Council. Highlights included: Annual report highlights, overview of recruitment & retention efforts, City demographic & business community data, details on active projects, overview of development in Schertz and SEDC's annual financial summary.

11. Presentation on UDC Requirements Relating to Nonconforming Billboards. (B. James/L. Wood)

Mayor Gutierrez recognized Assistant City Manager Brian James who provided information on the relocation of billboards; he recapped what our current UDC code states:

- Currently, the City's Unified Development Code (UDC) provides that the owner of legal and non-conforming detached on-premise signs which overhang land to be acquired by a government entity may relocate the sign on the same property.
- This would allow the owner of a tract of land with a non-conforming detached on premise sign on to move the sign, generally back, in a case where TxDOT or the City acquires additional right-of-way.
- This provision only applies to legal (those that meet current code) and non-conforming on-premise signs and only in situations where the move is prompted by the government acquiring land where the sign is currently located.
- It does not apply to billboards which are generally off-premise signs and in situations where the owner wants to move it to a different location on the same property, such to develop/redevelop or subdivide the property.
- There being no provision to allow for the relocation of off-premise signs (billboards) in situations where the government is acquiring property for right-of-way, it is likely to result in higher acquisition costs for the government, as the property owner will claim the financial impact of the acquisition is greater due to loss of revenue from the sign.
- Additionally, it may impede the development or redevelopment of land as the owner has to weigh the benefits with the drawbacks, including loss of revenue or lease obligations of associated with having to remove the sign.
- The UDC could be amended to allow the owner of a non-conforming detached sign to relocate the sign on the property as long as the size or

height of the sign is not increased and it either meets the current setback requirements or it is not moved closer to a property.

- Some additional adjustments to the code would also be necessary.
- The sign portion of the City's UDC is one of the sections of the UDC most in need of a complete review, but staff could make the above change fairly easily.
- As a reminder, changes to the UDC are reviewed by the Planning and Zoning Commission who make a recommendation on the proposed changes to City Council.

After discussion with Council and noting their desire to possibly revise the code, Mr. James stated that staff will come back with a philosophical discussion with Planning & Zoning to get their feedback and then come back to Council with draft language (in three or four months.)

Requests and Announcements

- Announcements by the City Manager.

Mayor Gutierrez recognized Dr. Browne who stated that the Master Calendar for next year has been included in the Council packets and our plan for Council on the Go is to have two (2) separate sessions this year, not three. One for February 18th at Corbett Junior High School and May 19th at Scenic Hills Community Center. The rationale is that at our third session last year it was very poorly attended and required a lot of staff work and time, he wanted to make Council aware of the change.

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

Mayor Gutierrez recognized Mayor Pro-Tem Brown who requested a Joint Workshop meeting with City Council, EDC, and Planning & Zoning Commission. He would like to wait until after the city hires a new EDC Director to make sure we are all on the same page and for idea sharing. City Manager Dr. Browne stated that he would get with Mayor Pro-Tem Brown and discuss this further.

- 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 Gutierrez recognized the following:

Councilmember Scott - Holiday event this weekend and in January will be attending TML Newly Elected Councilmember Seminar.

Councilmember Dahle - Holidazzle Parade, Air Force Holiday In Blue Concert.

Councilmember Scagliola - Holidazzle Events this weekend, Air Force Holiday in Blue Concert, Choir concert at the Senior Center.

Councilmember Heyward - JBSA P4 Leadership meeting, Breakfast with Santa, Hoidazzle parade event, Air Force Holiday in Blue Concert, today the Senior Center Choir concert.

Mayor Gutierrez announced he attended: Holidazzle events throughout the weekend, JBSA P4 Meeting and the Air Force Holiday in Blue Concert.

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

12. Information on 2020 Master Calendar and Boards/Commissions. (M. Browne/S. Gonzalez)

Adjournment

Mayor Gutierrez adjourned the meeting at 7:44 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary