



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
January 14, 2020

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES

Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
TUESDAY, JANUARY 14, 2020 at 6:00 p.m.

Call to Order

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

Employee Recognition

- The introduction of the new Economic Development Corporation Director, Mr. Adrian Perez.
(M. Browne)

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)
- Announcements and recognitions by the City Manager (M. Browne)
- Announcements and recognitions by the Mayor (R. Gutierrez)

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.

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 was read into record:

- 1. Minutes** - Consideration and/or action regarding the approval of the minutes of the meeting January 7, 2020. (B. Dennis)
- 2. Resolution No. 20-R-05** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine debt revenue adjustments for certain inactive outstanding receivables and other matters in connection therewith. (B. James/J. Walters)
- 3. Resolution No. 20-R-08** - Consideration and/or action approving a Resolution appointing Mr. Brian Edgington to the Board of Directors of the Cibolo Valley Local Government Corporation (CVLGC) Place D-4 replacing Mr. Johnny Bierschwale. (M. Browne)
- 4. Boards, Commissions and Committee Member Appointments/Resignation** - Consideration and/or action accepting the resignation of Ms. Lauren Garrott from the Planning and Zoning Commission. (B. Dennis)

Roll Call Vote Confirmation

Closed Session

- 5.** City Council will meet in closed session under section 551.074 of the Texas Government Code, Personnel Matters, to conduct the annual evaluation City Secretary Brenda Dennis.

Reconvene into Regular Session

- 5a.** Take any action based on discussions held in closed session under Agenda Item 5.

Roll Call Vote Confirmation

Requests and Announcements

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

Adjournment

CERTIFICATION

I, GAYLE WILKINSON, DEPUTY CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 10th DAY OF JANUARY 2020 AT 2:45 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

Gayle Wilkinson

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON ____ DAY OF _____, 2020. TITLE: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.

The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Audit Committee Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Scagliola – Place 5 Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation</p>
<p>Councilmember Davis– Place 1 Audit Committee Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board</p>	<p>Councilmember Scott – Place 2 Interview Committee for Boards and Commissions</p>
<p>Councilmember Larson – Place 3 Main Street Committee – Vice Chair</p>	<p>Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board</p>
<p>Councilmember Heyward – Place 6 Audit Committee Investment Advisory Committee Schertz Animal Services Advisory Commission</p>	<p>Councilmember Brown – Place 7 Main Street Committee Schertz-Seguin Local Government Corporation - Alternate</p>

CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2020
Department: City Secretary
Subject: Minutes - Consideration and/or action regarding the approval of the minutes of the meeting January 7, 2020. (B. Dennis)

BACKGROUND

The City Council held a Regular City Council meeting on January 7, 2020.

RECOMMENDATION

Recommend Approval.

Attachments

1-7-20 Draft Minutes

DRAFT

MINUTES REGULAR MEETING January 7, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on January 7, 2020, 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 Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward

Absent: Councilmember Scott Larson Excused absence

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

Call to Order – City Council Regular Session

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

Call to Order

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

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

Presentations

- Proclamation for Communities in Schools Mentoring Month. (Mayor/Sonya Chapa)

Mayor Gutierrez recognized Ms. Sonya Chapa who came forward, Mayor Gutierrez read and presented the proclamation. Ms. Chapa provided words of appreciation and thanks to the City of Schertz for their participation in the mentoring system.

Employee Recognition

- EMS - Ashley Dwight - Paramedic (J. Mabbitt)
- Parks - Nicole Kromer - Parks Worker 1 (L. Shrum)
- Parks - Gow Litzenburger - Parks Crew Leader (L. Shrum)

Various Department Directors/Representatives introduced their newly hired employees and gave brief bio's of each. Each new employee was given the opportunity to speak.

City Events and Announcements

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

Assistant City Manager Charles Kelm provided the following announcements:

- Thursday, January 9th Northeast Partnership Meeting 11:30 am, Olympia Hills Golf and Conference Center
- Saturday, January 11th Polar Bear Plunge 10:00 am, Wendy Swan Memorial Park
- Monday, January 13th Resume Writing and Cover Letters, Library Meeting Room #1. New Year, new resume! Learn how to plan, create, and format the best resume for you. The program will discuss best practices and go over free library resources specific to resumes and cover letters.
- Tuesday, January 14th City Council Meeting 6:00 pm, Council Chambers

Library Fiesta Medals-The Schertz Library Foundation has Library Fiesta medals available for purchase. The medals are \$10.00 each while supplies last. All proceeds will be used to fund special projects for the library.

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

Dr. Browne recognized our Animal Care staff, particularly Animal Services Manager Ginger Dispain, for receiving a perfect score on an unannounced state inspection of their facility.

Dr. Browne also recognized and congratulated Scott McClelland, with our Engineering Department, for receiving his professional engineer designation.

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

Mayor Gutierrez announced he had received a letter from a resident complimenting the exceptional work Animal Services Officer, Nicole Hansen, does for our City.

Mayor Gutierrez expressed his wishes to everyone for a Happy New Year.

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 Gutierrez recognized the following to speak:

- Cathy Marston - 1024 Valley Forge Dr. - Ms. Marston gave an update on the activities and accomplishments of Free Battered Texas Women. She also announced an event they are having called Re-imagining Re-entry on Tuesday, January 14, from 6:00 to 8:00 p.m. at the concert hall at The University of the Incarnate Word.

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.

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of December 10, 2019. (B. Dennis)
2. **Boards, Commissions and Committee Member Appointments** - Consideration and/or action appointing Mr. Guillermo (Will) Soto and Mr. Howard Alperin for the remaining terms of Mr. Lou and Mrs. Judith Lynn Foehrkolb on the Historical Preservation Committee. (Mayor/Council/B. Dennis)

3. **Resolution No. 20-R-04** - Consideration and/or action approving a Resolution authorizing contracts totaling no more than \$100,000.00 with Deere & Company for the purchase of a new tractor and parts/labor during the 2019-2020 fiscal year and other matters in connection therewith. (C. Kelm/S. Williams/D. Letbetter)
4. **Resolution No. 20-R-02** - Consideration and/or action approving a Resolution authorizing purchases up to \$95,000 with any one vendor belonging to a purchasing cooperative, including Southern Computer Warehouse, Intech Southwest, PCS Mobile, SHI, Dell and CDW. (B. James/M. Clauser)

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle to approve consent items 1-4.

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

Passed

Discussion and Action Items

5. **Resolution No. 20-R-03** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a program and expenditures of the City of Schertz Economic Development Corporation's funds not to exceed \$4,050,000.00 for Tri County Parkway & Intersection Infrastructure Improvements. (M. Browne/J. Kolbe)

Mayor Guitierrez recognized Ms. Jennifer Kolbe, Business Retention Manager for the Schertz Economic Development Corporation who provided a graphic and gave a brief overview of the Tri County Parkway & Intersection Infrastructure Improvements and answered questions from Council. Staff recommended approval of the item.

Moved by Mayor Pro-Tem Tim Brown, seconded by Councilmember Allison Heyward to approve Resolution No. 20-R-03.

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

Passed

6. **Resolution No. 20-R-06** - Consideration and/or action approving a Resolution declaring a public necessity for the acquisition of certain water pipeline easements and temporary construction easements in connection with the Schertz/Seguin Local Government Corporation (SSLGC) Schertz Additional Point of Delivery Project. (C. Kelm/A. Beard)

Property descriptions:

- SCZ-GU-001 Continental Homes of Texas: William Bracken Survey, Abstract 57, Guadalupe County, Texas, Being a portion of a called 110.48 acre tract
- SCZ-BX-003 Bexar County: William Bracken Survey, Abstract 48, Bexar County, Texas, Being a portion of a called 8.62 acre tract
- SCZ-BX-003.1 Bexar County: William Bracken Survey, Abstract 48, Bexar County, Texas, Being a portion of a called 4.360 acre tract
- SCZ-BX-007 Board of Trustees of the Schertz-Cibolo-Universal City Independent School District: William Bracken Survey, Abstract 43, Bexar County, Texas, Being a portion of a called 4.100 acre tract

Mayor Gutierrez recognized the Ms Amber Beard, General Manager of the Schertz, Seguin Local Government Corporation (SSLGC) who provided a brief Power Point and also provided a brief summary of declaring the properties listed as a public necessity and answered questions from Council.

Moved by Councilmember David Scagliola, seconded by Councilmember Mark Davis to approve Resolution No. 20-R-06.

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

Passed

Public Hearings

7. **Resolution No. 20-R-07** – Conduct a Public Hearing and consideration and/or action approving a Resolution authorizing the power of eminent domain for the acquisition of permanent pipeline easements and certain property rights necessary for the Schertz/Seguin Local Government Corporation (SSLGC) Schertz Additional Point of Delivery Project for the construction, enlargement and maintenance of pipelines and appurtenances designed to carry water for the City of Schertz; the acquisition of temporary construction easements; directing the City Manager or the City Manager’s Designee to execute all documents to institute eminent domain proceedings; and directing the City Attorney to initiate condemnation proceedings. (C. Kelm/A. Beard)

Property descriptions:

- SCZ-GU-001 Continental Homes of Texas: William Bracken Survey, Abstract 57, Guadalupe County, Texas, Being a portion of a called 110.48 acre tract
- SCZ-BX-003 Bexar County: William Bracken Survey, Abstract 48, Bexar County, Texas, Being a portion of a called 8.62 acre tract
- SCZ-BX-003.1 Bexar County: William Bracken Survey, Abstract 48, Bexar County, Texas, Being a portion of a called 4.360 acre tract
- SCZ-BX-007 Board of Trustees of the Schertz-Cibolo-Universal City Independent School District: William Bracken Survey, Abstract 43, Bexar County, Texas, Being a portion of a called 4.100 acre tract

Mayor Gutierrez recognized the General Manager of the Schertz, Seguin Local Government Corporation Amber Beard who gave a Power Point and brief summary on authorizing eminent domain proceedings on the parcels listed and answered questions from Council.

Mayor Gutierrez opened the Public Hearing.

As no one spoke, Mayor Gutierrez closed the Public Hearing and opened it up for questions from Council.

Ms. Amber Beard, General Manager of the Schertz, Seguin Local Government Corporation answered and addressed questions from Council.

Mayor and Members of Council provided their remarks on the process and view of eminent domain.

Moved by Councilmember David Scagliola, seconded by Councilmember Michael Dahle to approve Resolution No. 20-R-07 using the required form for the motion. Required motion was as follows:

“I move that the City of Schertz City Council authorize the use of the power of eminent domain to acquire up to 4 parcel units of easement property located along the water pipeline route beginning at the North corner of Schaffer Road and Cibolo Creek, crossing Schaeffer Road in a Southern direction then crossing the Cibolo Creek in a Western direction, then crossing Schaeffer Road in a Western direction and continuing South and parallel to Schaeffer Road and Cibolo Creek, then traversing in a Southwesterly direction across and then in a Westerly direction along Schaeffer Road, then traversing South towards Raf Burnette and then continuing West along the North side of Raf Burnette, then continuing South parallel to Texas Valley and then continuing Southwesterly to the Corbett

Elevated Storage Tank site for the public purpose of constructing, enlarging, and maintaining the Schertz/Seguin Local Government Corporation Schertz Additional Point of Delivery Project to address the ongoing water supply needs for the City of Schertz and to connect to the Corbett Elevated Storage Tank; the first record vote applies to all 4 units of easement properties to be condemned or subject to condemnation.”

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis,
Councilmember Rosemary Scott, 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.

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

Councilmember Rosemary Scott provided the following remarks:

- Expressed her appreciation for those who spoke with compassion and conviction for those whose property was affected by the eminent domain procedure.
- Provided remarks about the need for screening or vetting volunteers properly to protect our children and our community.
- Attendance at the Newly Elected Workshop in San Antonio on Friday.

Councilmember Michael Dahle provided the following remarks:

- Attended the Holidazzle Parade.
- Attended the Cibolo Parade.
- Invited to be a judge at the Willow Grove Homeowners Association Christmas Light Contest.
- Attended the Chamber Mixer with Texas State Optical.
- Participated in the Blue Santa Program.

Councilmember David Scagliola provided the following remarks:

- Announced the Council Meeting he was presently in was his first event of the year - looking forward to a good 2020.

Councilmember Allison Heyward provided the following remarks

- Attended a ribbon cutting at Coney Island.
- Attended Cookies with Santa at the YMCA.
- Attended the Open Meetings Webinar in Live Oak, Texas.
- Attended the Senior Center Christmas Party and Ugly/Pretty Sweater contest.
- Attended Meet Santa at the Schertz Bank.
- Attended Swim with Santa at the YMCA.
- Attended a ribbon cutting at Sweet Island Botanicals.
- Attended the Small Cell Webinar in Live Oak, Texas.
- Participated in the Blue Santa Program.
- Is presently attending the Chamber Leadership Corp Program.
- Attended Raising Cane's Polar Bear Plunge.

Mayor Gutierrez provided the following remarks:

- Participated in the Blue Santa Program. He took the opportunity to thank the Police Department and the volunteers that put smiles on the kids faces during the holidays. Mayor Gutierrez also mentioned he had attended several other events during the holidays.

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

8. Monthly update on major projects in progress/CIP. (B. James/K. Woodlee)

Adjournment

Mayor Gutierrez adjourned the meeting at 6:50 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2020
Department: Finance
Subject: Resolution No. 20-R-05 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine debt revenue adjustments for certain inactive outstanding receivables and other matters in connection therewith. (B. James/J. Walters)

BACKGROUND

In the EMS, Utility Billing, and Magazine functions, services are provided to customers up front and billing is settled later. Since services are provided before receiving payment, inevitably the City has customers that do not pay for the services provided.

When this occurs, staff reaches out to the customer to try to collect the outstanding payment including follow-up notices and phone calls to try to reach out to the customer to remind them of the outstanding balance and encourage payment. However, the longer the customer account goes without a payment the less likely that any payment will be received.

Once a customer account reaches 180 days without payment, Staff brings those accounts to the City Council to be “written off”. This process is an accounting procedure following the Generally Accepted Accounting Principles (GAAP), which lays the framework of accounting practices in the U.S. This designation means it is unlikely those outstanding balances will ever be collected. This leads to an accounting adjustment on the City’s Financial Statements to accurately show how much is still outstanding and is reasonable to expect collection.

If a customer’s account has been written off, this does not erase or forgive that debt. The city can and does collect some portion of the amount owed by those customers. This can be through the debt collection agency used by EMS or if the customer returns to the City and requests new services through the Magazine or Utility Billing.

The resolution authorizes the debt for these areas that is more than 180 days outstanding as of December 01, 2019 to be written off. These write-offs come before council quarterly and last came before council on September 24, 2019.

Previous Write off Amount:

February 2017:	\$621,138.97
June 2017:	\$544,944.16
September 2017:	\$510,516.01
January 2018:	\$510,637.79
March 2018:	\$433,427.15
June 2018:	\$439,627.14
September 2018:	\$521,281.82
December 2018:	\$727,307.39
March 2019:	\$564,227.77

June 2019: \$580,155.10
September 2019: \$586,664.65

GOAL

To approve write-offs of bad debt in accordance with the standards laid out by GAAP.

COMMUNITY BENEFIT

This will show the City's Financial Statements according to national standards and City policy.

SUMMARY OF RECOMMENDED ACTION

Approve Resolution 20-R-05 to write off receivables that are older than 180 days.

FISCAL IMPACT

This accounting adjustment will not affect the City's Budget or financial standing. The amount written off is estimated during the budget process and is accounted for in the revenue estimations and the bad debt expense accounts. The action taken tonight will reduce the amount shown as owed to the City by \$591,829.90 and set it equal to the amount seen as still reasonably collectible. The breakdown is as follows:

EMS - \$527,944.41

Utility Billing - \$62,885.49

Magazine - \$1,000.00

RECOMMENDATION

Staff recommends Council approve Resolution No 20-R-05.

Attachments

Resolution 20-R-05

RESOLUTION NO. 20-R-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EMS DEBT REVENUE ADJUSTMENTS, UTILITY BILLING DEBT REVENUE ADJUSTMENTS AND SCHERTZ MAGAZINE DEBT REVENUE ADJUSTMENTS FOR CERTAIN INACTIVE OUTSTANDING RECEIVABLES AND OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City maintains quarterly debt revenue adjustments for inactive outstanding accounts; and

WHEREAS, the City Council has determined that it is in the best interest of the City that all inactive outstanding accounts after 180 days nonpayment will be sent to City Council for consideration for write offs.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the write off in the amount and distribution of accounts below:

<i>Function</i>	<i>Amount</i>
EMS	\$527,944.41
Utility Billing	\$62,885.49
Magazine	\$1,000.00
Total	\$591,829.90

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and finding of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be

valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 14th day of January 2020.

CITY OF SCHERTZ, TEXAS

Mayor Ralph Gutierrez

ATTEST:

City Secretary, Brenda Dennis

CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2020
Department: City Secretary
Subject: Resolution No. 20-R-08 - Consideration and/or action approving a Resolution appointing Mr. Brian Edgington to the Board of Directors of the Cibolo Valley Local Government Corporation (CVLGC) Place D-4 replacing Mr. Johnny Bierschwale. (M. Browne)

BACKGROUND

The CVLGC Board seat currently held by Johnny Bierschwale of Schertz has a term that expires on September 30, 2021. Mr. Bierschwale has informed the City that he will be resigning. It is staff's recommendation that the City of Schertz appoint Mr. Brian Edgington to serve on the Cibolo Valley Local Government Corporation (CVLGC) Board of Directors Place D-4 for the remainder of the term. Mr. Edgington has agreed to serve and the CVLGC Board of Directors supports his appointment.

GOAL

N/A

COMMUNITY BENEFIT

N/A

SUMMARY OF RECOMMENDED ACTION

Recommend appointment of Mr. Brian Edgington.

FISCAL IMPACT

N/A

RECOMMENDATION

Approve Resolution No. 20-R-08 appointing Mr. Brian Edgington to fill the unexpired term of Mr. Johnny Bierschwale.

Attachments

Appointment Edgington

RESOLUTION NO. 20-R-08

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPOINTING MR. BRIAN EDGINGTON TO THE BOARD OF DIRECTORS OF THE CIBOLO VALLEY LOCAL GOVERNMENT CORPORATION (CVLGC) PLACE D-4 REPLACING MR. JOHNNY BIERSCHWALE AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City appoint Brian Edgington to serve on the Cibolo Valley Local Government Corporation (“CVLGC”) Board of Directors Place D-4 for the remaining term of Johnny Bierschwale commencing on January 14, 2020 and ending on September 30, 2021 (the “Term”); and

WHEREAS, the City Council has determined that it is in the best interest of the City to appoint Brian Edgington to the CVLGC Board of Directors Place D-4 for the unexpired term of Johnny Bierschwale; and

WHEREAS, Mr. Edgington desires to serve on the CVLGC Board of Directors Place D-4 for the unexpired term of Mr. Johnny Bierschwale; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby appoints Brian Edgington to serve on the CVLGC Board of Directors, Place D-4 for the recommended remaining term ending September 30, 2021.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 14th day of January 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)