

# DRAFT

## MINUTES REGULAR MEETING February 25, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 25, 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 Mark Davis; Councilmember Tim Brown; 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; Assistant City Manager Charles Kelm; City Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Gayle Wilkinson

### **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. (Councilmember Scagliola)**

### **Presentations**

- Proclamation Designating February 2020 as "Career and Technology Education Month". (Mayor/Amy Massey/Students)

Mayor Gutierrez invited Amy Massey and students who attended, to come forward while he read and presented the proclamation to them. One of the students came forward and expressed his appreciation for the proclamation and the recognition of Career and Technology Education Month.

## City Events and Announcements

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

Assistant City Manager Brian James provided the following announcements:

- Friday the 28 and Saturday the 29 of February beginning at 10:00 a.m. is the Schertz Library winter book sale. For only \$5.00 you can fill a bag with books; a selection of hardbacks, paperbacks, cookbooks and kids books - everything you like.
  - Saturday, February the 29th is the 10th annual Schertz-Selma salute to service members 5k Walk, Run and Roll. This benefits Operation Comfort at the Bluebonnet Palace, 17630 Lookout Road in Selma.
  - Tuesday, March 3rd we will **not** have a Council Meeting due to the Primary Election.
  - Saturday, March 7th is the Kick Cancer Pep Rally and 5k run (The rebranded Wilenchik's Walk For Life). It's being held at Pickrell Park - 8:00 a.m. check in and 9:00 a.m. start time. You can go to Schertz.com to register in advance.
  - Tuesday, March 10th will be the next regular Council Meeting at 6:00 p.m. at Schertz City Council Chambers.
- Announcements and recognitions by the City Manager (M. Browne)

City Manager Dr. Browne thanked Parks Director Lauren Shrum and Events Manager Mary Spence and their staff for the great job on the Daddy Daughter Dance.

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

None at this time.

## 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.*

No one signed up to speak.

## **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 Regular meeting of February 11, 2020 and the minutes of the Special meeting of February 18, 2020. (B. Dennis)
2. **Resolution No. 20-R-23** - Consideration and/or action approving a Resolution authorizing purchases up to \$185,000.00 with Stryker during the 2019-2020 fiscal year and other matters in connection therewith. (C. Kelm/J. Mabbitt)
3. **Resolution No. 20-R-20** - Consideration and/or action authorizing a Resolution accepting the 2019 Racial Profiling report, and other matters in connection therewith. (C. Kelm/M. Hansen)
4. **Ordinance 20-D-03** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, providing that the Code of Ordinances of the City of Schertz, Texas, be amended by revising Chapter 86, Article V, Section 86-149 Parking Prohibited; removing the no parking zone on Greenridge in the Fairhaven Subdivision, and providing an effective date. ***Final Reading*** (B. James/K. Woodlee)
5. **Ordinance No. 20-T-04** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2019-2020 Budget to provide funding for the E. Live Oak Pump Addition Project, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. ***Final Reading*** (C. Kelm/S. Williams/J. Hooks)

6. **Ordinance No 20-D-05** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, providing that the Code of Ordinances of the City of Schertz, Texas, be amended by revising Article V, Section 86-149, Parking Prohibited; regarding the establishment of no parking zones on FM 2252 on the approaches to the railroad track crossing and providing an effective date. (B. James/K. Woodlee) *Final Reading*
  
7. **Resolution 20-R-10** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing an amendment to the professional services agreement with Lockwood, Andrews and Newnam, Inc., relating to the 2018 Drainage Maintenance Projects, and other matters in connection therewith. (C. Kelm/S. Williams/D. Letbetter)
  
8. **Resolution No. 20-R-17** - Consideration and/or action to approve a Resolution by the City Council of the City of Schertz, Texas, authorizing a contract with R.P. Constructors, INC. relating to the construction of the E. Live Oak Pump Additions Project. (C. Kelm/S. Williams/S. McClelland)
  
9. **Resolution No. 20-R-22** - Consideration and or/action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an interlocal agreement with Region 20 Education Service Center for Cooperative Purchasing Services. (C. Kelm/J. Kurz/J. Gohlke)
  
10. **Resignation from Schertz Historical Preservation Committee** - Consideration and/or action accepting the resignation of Leticia Sever from the Schertz Historical Preservation Committee. (Mayor/Council)

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward to approve consent agenda items 1 through 10.

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

Passed

## Discussion and Action Items

## Public Hearings

The following was read into record:

- 11. Resolution 20-R-19** - Conduct a public hearing, consideration and/or action approving a Resolution accepting a petition for voluntary annexation of approximately 0.5 acres of land located at 13805 IH-10 E, Bexar County, Texas. (B. James/L. Wood/N. Kopyay)

Mayor Gutierrez recognized Planner Nick Kopyay who introduced this item addressing questions. Mayor Gutierrez opened the public hearing for those wishing to speak, and as no one spoke; closed the public hearing for council comments.

Moved by Councilmember Scott Larson, seconded by Mayor Pro Tem Mark Davis to approve Resoliton No. 20-R-19.

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

Passed

### **Roll Call Vote Confirmation**

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 1 through 11.

### **Workshop**

- 12. City Council Code of Ethics** - Discussion regarding the City Council Code of Ethics and possible amendment to the Code of Ordinances to create an Ethics Commission. (Item requested by Mayor Gutierrez) (Mayor/D. Santee)

Mayor Gutierrez recognized City Attorney Dan Santee who provided a briefing and update regarding the possibility of creating an Ethics Commission. He provided samples of possible revisions and stated that he was looking for direction from Council. Members of Council expressed their thoughts as to having or not having an Ethics Commission expressing the pros and cons. Mr. Santee addressed several questions from Council. Mr. Santee also asked for Council to provide their feedback. After much discussion, it was the consensus of Council to have the City Attorney provide Council with copies of surrounding cities Ethics ordinance to review as well as let the Council take more time to review and do research. It was the consensus of Council this would be strictly for Council and for the chairs of the committees/boards to do the evaluations. The Mayor asked that the person who is accused be able to speak to the commission with their point of view and comments. This topic will be discussed further at a May 2020 meeting.

## Requests and Announcements

- Announcements by the City Manager.

No further announcements were provided.

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

No items requested.

- 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 Councilmember Scott who attended the following event:

- Council on the Go meeting, stating it was a great meeting.

Mayor Gutierrez recognized Councilmember Dahle who attended the following events:

- Chamber Luncheon - State of the City Videos for Schertz, Selma and Cibolo
- Council on the Go
- Senior Center Bingo
- Chamber Mixer
- Coffee with Council
- HEB "Nuff" Book reading
- Plaque presentation for the Cibolo Enrichment Foundation

Mayor Gutierrez recognized Councilmember Scagliola who attended the following events:

- SSLGC Meeting, commenting on the amount of water we have for future years and impressed with SSLGC staff and the corporation.

Mayor Gutierrez recognized Councilmember Heyward who attended the following events:

- Chamber Leadership Education
- Surprise retirement for Esther Mendoza
- NEP Luncheon

- Gunn Automotive Group Share event
- Cibolo Roaring 20's Senior Party
- JBSA Alliance Meeting, San Antonio
- Chamber Luncheon - State of the City Videos for Schertz, Selma and Cibolo
- Senior Center Bingo
- Cibolo Enrichment Foundation event
- Daddy/Daughter Dance
- HEB "Nuff" Book reading

Mayor Gutierrez recognized Councilmember Brown who attended the following event:

- Council on the Go meeting and commented on a great job organizing/executing it.

Mayor Gutierrez stated he attended the following events:

- Reception for SCUCISD new Superintendent Dr. Clark Ealy
- NEP Luncheon
- Gunn Automotive Group Share event
- Cibolo Roaring 20's Senior Party
- Chamber Luncheon - State of the City Videos for Schertz, Selma and Cibolo
- Council on the Go Meeting
- JBSA Alliance Meeting, San Antonio
- Senior Center Bingo
- Joint Base San Antonio Personnel Awards Ceremony
- Daddy/Daughter Dance
- Coffee with Council
- CPS 2-day seminar regarding the "City of the Future"
- Go Red for Women - Heart Disease awareness
- HEB "Nuff" Book reading

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

13. Parks & Recreation Update. (B. James/L. Shrum)
14. Mayor and Council Compensation. (B. James/J. Walters)
15. Quarterly Financial Reports. (B. James/J. Walters)

## **Adjournment**

Mayor Gutierrez adjourned the meeting at 6:51 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary