

DRAFT

MINUTES REGULAR MEETING May 26, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on May 26, 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 Rosemary Scott; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Scott Larson

City 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; SSLGC Attorney Scott Smyth; Schneider Engineering Representative Jason Wiesepape; SSLGC General Manager Amber Beard

Call to Order

Mayor Gutierrez called the 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)

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

City Events and Announcements

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

No announcements were provided.

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

None were provided.

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

None were provided.

Hearing of Residents

Residents who choose to watch the meeting via live stream, but who would like to participate in Residents to be Heard, should email their comments to City Secretary, Brenda Dennis, at bdennis@schertz.com by 5:00 p.m. on Monday, May 25, 2020, SO THAT THE CITY SECRETARY MAY READ THE PUBLIC COMMENTS INTO THE RECORD UNDER THE HEARING OF RESIDENTS. In the body of the email please include your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.

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 indicated that no one signed up on the sheet in the back and then recognized City Secretary Brenda Dennis and asked if anyone had provided information prior to the meeting. Ms. Dennis stated no one had signed up prior.

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 of May 12, 2020. (B. Dennis)

2. **Resolution No. 20-R-53** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 405 Main Street. (M. Browne/B. James)
3. **Resolution No. 20-R-52** - Consideration and/or action approving a Resolution by the City of Schertz, Texas authorizing a Re-imbursement Agreement for the costs associated with acquiring necessary easement between the City of Schertz and the Developer of Homestead. (M. Browne/B. James)
4. **Resolution No. 20-R-54** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz adopting a revised purchasing policy and other matters in connection therewith. (C. Kelm/J. Gohlke)

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola to approve consent agenda items 1 through 4.

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

Passed

Discussion and Action Items

The following were read into record.

5. **Resolution No. 20-R-49** - Consideration and/or action approving a Resolution by the City Council of Schertz, Texas authorizing EMS Charity Care adjustments and other matters in connection therewith. (C. Kelm/J. Mabbitt)

Mayor Gutierrez recognized EMS Director Jason Mabbitt who introduced this item addressing questions from Council.

Moved by Councilmember Allison Heyward, seconded by Councilmember Rosemary Scott to approve Resoluton No. 20-R-49.

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

Passed

6. **Resolution No. 20-R-51** - 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 contract agreement with Lou Jon Construction Company Inc. for the Public Safety buildings restrooms renovation project and other matters in connection therewith. (C. Kelm/T. Buckingham)

Mayor Gutierrez recognized Facilities Manager Todd Buckingham who provided a PowerPoint presentation introducing this item addressing questions from Council.

Moved by Councilmember David Scagliola, seconded by Councilmember Allison Heyward to approve Resolution No. 20-R-51.

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

Passed

Workshop

7. **Ordinance No. 20-H-18** - Consideration and/or action approving an Ordinance of the City Council of the City of Schertz to supersede Ordinance 20-H-15; extending a Declaration of Local Disaster; Restricting certain activities; establishing penalties for violations; providing an effective date and declaring an emergency; First and Final Reading. (M. Browne/K. Long)

Mayor Gutierrez introduced this item stating that the Ordinance is a mirror image reflection of what the Governor has in place for the State of Texas with a new expiration date of June 23, 2020 at 11:59 p.m., there is not a presentation this evening, but Chief Long is available for questions.

Mayor Gutierrez recognized Councilmember Scott who provided information and update she researched regarding the reimbursement commentary from the last meeting stating that there is credence in having the ordinance for reimbursement purposes. She believes that we are moving from a State of emergency to a State of recovery. Chief Long addressed further questions.

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola to approve Ordinance No 20-H-18 first and final reading declaring an emergency.

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

Passed

8. Update on the Street Preservation and Maintenance/Rehabilitation Efforts (B. James/J. Nowak)

Mayor Gutierrez recognized Engineer John Nowak who provided a PowerPoint presentation regarding the SPAM Construction update. He addressed chip seal concerns, explained the process. He also explained the difference between slurry seal and chip seal. Mr. Nowak addressed questions from Council.

Roll Call Vote Confirmation

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

Closed Session

Mayor Gutierrez read the following into record.

9. City Council will recess into Closed Session as authorized by the Texas Open Meetings Act, the City Council will adjourn into closed under Section 551.072, of the Texas Government Code regarding deliberation and consider the purchase, exchange, lease or value of real property related to a project with Schertz-Seguin Local Government Corporation (SSLGC).

Mayor Gutierrez recessed the regular meeting into closed session at 6:36 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened into regular session at 6:59 p.m.

- 9A. Take any action based on discussions held in closed session under Agenda Item 9.

Moved by the Chair, seconded by Councilmember Scott to approve the purchase, exchange, lease or value of real property related to a project with Schertz-Seguin Local Government Corporation (SSLGC).

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

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda item 9A.

Requests and Announcements

- Announcements by the City Manager.

No further announcements.

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

No requests were placed.

- 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 Dahle who stated that last week he attended his first pre-budget workshop, he also attended Monday the Memorial Day Celebration.

Mayor Gutierrez recognized Councilmembers Scagliola, Heyward, Brown who also stated they also attended the pre-budget workshop and the Memorial Day Celebration.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:03 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary