

DRAFT

MINUTES REGULAR MEETING August 11, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on August 11, 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 Rosemary Scott; Councilmember Scott Larson; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown; Councilmember Mark Davis

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

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 Scagliola)

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

Mayor Gutierrez gave specific requests to guests and staff in reference to wearing their masks during the City Council meeting and departing the Council meeting.

A. Mayor Pro-Tem Oath of Office - Oath of Office administered to Councilmember Rosemary Scott. (B. Dennis)

Mayor Gutierrez recognized City Secretary Brenda Dennis who administered the Oath of Office for Mayor Pro-Tem to Councilmember Rosemary Scott.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant City Manager Brian James who announced the City of Schertz will be holding its General Election on November 3, 2020, for the purpose of electing Council Members in Place 3, Place 4, and Place 5 for a three-year term. Deadline to file is Monday, August 17, 2020, by 5:00 p.m. Candidate packet and qualification information regarding the election can be found on our City website as well as contacting the City Secretary's office.

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

Mayor Gutierrez recognized City Manager Dr. Mark Browne who asked Engineer John Nowak to come to the front of the chamber and presented him with the City Manager's Coin for his exemplary work on our Street Preservation and Maintenance Program (SPAM) and our CIP plan for future growth in our city. Dr. Browne expressed his appreciation for Mr. Nowak's hard work and his demonstration of the three core values that are represented on the City Manager's Coin, Community, Service and Opportunity.

Mr. Nowak gave a heart felt thank you for the presentation and gave credit to the team he works with.

Mayor Gutierrez also thanked Mr. Nowak for his dedication and hard work.

City Manager Dr. Mark Browne announced on Thursday, August 13, 2020, we have our public Community Budget Meeting at the Civic Center in the Grand Ballroom at 6:30 p.m. Dr. Browne stated we did not post for a possible quorum so all Council will not be able to attend.

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

None at this time.

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, August 10, 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 recognized the following who spoke:

- Mr. Cody Schmidt, 7846 Green Valley Road - Spoke about his concern with safety issues/conditions on Green Valley Rd. in the area where it meets Eckhardt Rd. Mr. Schmidt runs a new business in this location and wanted to express his concern for the condition of the road and ask for a possible time frame or plan for it to be addressed.

Mayor Gutierrez asked City Secretary Brenda Dennis if any resident had signed up on-line to be heard. She indicated there were none.

Workshop

1. **Proposed FY 2020-21 Budget - Workshop and Discussion on the Proposed FY 2020-21 Budget.** (M. Browne/B. James/J. Walters)

Mayor Gutierrez recognized Finance Director James Walters who provided a PowerPoint presentation touching on the highlights of the proposed FY 2020-2021 budget, listened to concerns/opinions and answered questions from Council.

Mayor Gutierrez, along with Council, thanked staff for their hard work on producing a good budget proposal.

2. **Workshop Discussion and Update (Ordinance 20-H-18)** - Discussion and update regarding the COVID-19 virus and our current Ordinance No. 20-H-18 Declaration of Local Disaster. (M. Browne/K. Long)

Mayor Gutierrez recognized Fire Chief Kade Long who provided a PowerPoint presentation announcing Schertz Public Library is set to receive a \$24.7k federal grant for equipment and software to create virtual programming and in-demand e-books and updated Council on COVID-19 statistics. Chief Long answered questions from Council.

City Manager Dr. Mark Browne asked Council if they would like to continue with the COVID-19 Workshop updates at every Council meeting. Discussion ensued from Council with a consensus of having a condensed version/PowerPoint at every Council meeting.

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.

3. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of August 4, 2020. (B. Dennis)
4. **Resolution No. 20-R-89** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a contract with M&C Fonseca Construction Co., Inc. relating to the construction of the F.M. 1103 TxDOT Utility Adjustments Phase II Project and authorizing the budget expenditures for the project. (C. Kelm/S. Williams/S. McClelland)
5. **Resolution No. 20-R-82** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a contract with San Antonio Constructors, Ltd., relating to the Cherry Tree Drive Rehabilitation Project and authorizing the budget expenditures for the project. (B. James/K. Woodlee/J. Nowak)
6. **Resolution No. 20-R-88** - 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 Service Contract with Fort Sam Houston Independent School District for EMS services. (C. Kelm/J. Mabbitt)

Mayor Gutierrez asked Council if there were any items to be removed from Consent for separate action. None given at this time.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michael Dahle to approve consent agenda items 3 through 6.

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

Passed

Discussion and Action Items

- 7. Resolution No. 20-R-78** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, for the authorizing of an agreement with DAC, Inc. of New Braunfels, Texas, for the city-wide access control systems upgrade project. (B. James/M. Clauser)

Mayor Gutierrez recognized IT Director Myles Clauser who introduced the need/details for a new city wide access control system and authorizing an agreement with DAC, Inc.

Moved by Councilmember Mark Davis, seconded by Councilmember David Scagliola to approve Resolution No. 20-R-78.

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

Passed

- 8. Ordinance No. 20-H-25** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, amending the Code of Ordinances, Chapter 34 "Health". *First Reading* (C. Kelm/M. Bane)

Mayor Gutierrez recognized Assistant Police Chief Marc Bane who provided a PowerPoint presentation on amending the Code of Ordinances, Chapter 34 "Health" regarding mobile food vendors, licensing & Inspections and answered questions from Council.

Moved by Councilmember Scott Larson, seconded by Councilmember Allison Heyward to approve Ordinance 20-H-25 on *First Reading*.

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

Passed

9. **Resolution No. 20-R-84** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a preliminary maximum tax rate for fiscal year 2020-21 and setting the Public Hearing dates, and other matters in connection therewith. (M. Browne/B. James/J. Walters)

Mayor Gutierrez recognized Finance Director James Walters who provided a PowerPoint presentation outlining a preliminary maximum tax rate for fiscal year 2020-2021 and answered questions from Council. Councilmembers provided their comments and addressed questions to staff.

Mayor Gutierrez gave his closing remarks on the tax rate and recognized City Manager Dr. Mark Browne who stated staff could provide an option showing a reduced tax rate if Council wanted it. Mayor Gutierrez agreed that would be helpful moving forward and that we should have a goal of reducing the tax rate. Mayor Gutierrez clarified once voted on, the maximum tax rate can't go up but can do down.

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward to approve Resolution No. 20-R-84 setting a preliminary tax rate at .05146 and scheduling public hearings.

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

NAY: Councilmember David Scagliola

Passed

10. **Ordinance No. 20-T-27** - 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, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. *First Reading* (M. Browne/B. James/J. Walters)

Mayor Gutierrez recognized Finance Director James Walters who provided specific details on requested budget adjustments and answered questions from Council.

Mayor Gutierrez took a moment to express his gratitude and thank the City of Converse for providing a blocker truck for our Fire Department.

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola to approve Ordinance 20-T-27 on *First Reading*.

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

Passed

Roll Call

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 3 through 10.

Requests and Announcements

- Announcements by the City Manager.

None at this time.

- Requests by Mayor and Councilmembers for updates or information from staff.

Mayor Gutierrez recognized Mayor Pro-Tem Rosemary Scott who requested the state of Schertz parks with walking trails and bike lanes (if applicable) to see where we are with our parks.

- Requests by Mayor and Councilmembers that items or presentations 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

Mayor Gutierrez recognized Mayor Pro-Tem Rosemary Scott who stated she attended and very much enjoyed the City Council Budget Retreat and is happy with the progress we are making as a city.

Mayor Gutierrez recognized Councilmember Michael Dahle who stated he also attended the City Council Budget Retreat and appreciated staff answering all of his questions. He also attended/helped Parks with their craft give away and enjoyed seeing the kid's excitement with the project/event. He announced the same event would take place at Wendy Swan Park this weekend.

Mayor Gutierrez recognized Councilmember David Scagliola who stated he attended the City Council Budget Retreat and thanked staff for their presentation and also thanked the City Secretary Brenda Dennis for organizing the event.

Mayor Gutierrez recognized Councilmember Allison Heyward who stated she attended the Commissioners Court Meeting. She also attended the Guadalupe County Community Coalition Meeting (they are looking for people to volunteer to help the organization move forward).

Mayor Gutierrez stated he appreciated our staff's work on the Budget Retreat and commented on how informative it was.

Adjournment

As there was no further business, Mayor Gutierrez adjourned the meeting at 7:47 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary