

DRAFT

MINUTES REGULAR MEETING March 2, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 2, 2021, 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 Jill Whittaker; Councilmember Mark Davis; Councilmember Rosemary Scott; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

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

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 Heyward)

Councilmember Heyward provided the opening prayer followed by the pledges of allegiance to the Flags of the United States and State of Texas.

Mayor Gutierrez stated he has a special announcement: Council and guests, while seated it is perfectly fine for you to remove your mask or while speaking at the podium, but as you approach the dais or depart the Chamber we respectfully ask that you place your face mask back on.

Employee Recognition

Each Department Head introduced their new employees.

- Jack Bluebird Sr. - IT Systems Administrator, and Andrew Conley IT Support

Specialist (B. James/M. Clauser)

- Luis Hinojosa - Public Works Street Worker 1 (J. Kelm/S. Williams/D. Letbetter)

City Events and Announcements

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

Assistant City Manager Charles Kelm provided the following information:

Wednesday, March 3rd

(Rescheduled from February 17th)

Breakfast with the Blue

Abel's Diner, 17327 IH 35 N

8:00-10:00 AM

Get to know your neighbors and local police officers over breakfast!

Wednesday, March 3rd

Main Street Committee Meeting

Council Chambers

6:00 PM

Saturday, March 6th

Kick Cancer VIRTUAL 5K/1K will take place March 5-15, 2021 to raise funds for cancer research. Participants are encouraged to complete the 5K/1K at their favorite park and then submit their results for event prizes. Register online at Schertz.com

Tuesday, March 9th

Council meeting cancelled

Tuesday, March 23rd

Next regular scheduled Council meeting

Sundays, April 18th through May 23rd

Adult Kickball League (ages 21 years and older) sponsored by the Schertz Parks & Rec Social League

Games will be played Sunday evenings from 6-10 PM, April 18th through May 23rd at Thulemeyer Park

Register online at Schertz.com or call the Parks Department at 210-619-1850 for more information.

Registration includes a team t-shirt!

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

City Manager Mark Browne recognized Officer Kelly Kallies who recently

graduated LEMIT LCC - Law Enforcement Management Institute of Texas - Leadership Command College.

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

No announcements 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.

Mayor Gutierrez recognized the following who spoke:

- Ms. Mandy Moore, 1563 N, Santa Clara, who addressed Council regarding Police accountability.
- Mr. Leonard Moore, 1563 N. Santa Clara, who also addressed Council regarding Police accountability and use of force.
- Ms. Maggie Titterington, 1730 Schertz Parkway, who provided Council with The Chamber upcoming events.

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.

Mayor Gutierrez read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of February 23, 2021. (B. Dennis)

2. **Resolution No. 21-R-18** - Consideration and/or action approving a Resolution accepting the Semi-annual report with respect to the progress of the Capital Improvements Plan, and other matters in connection therewith. (B. James/J. Walters)

3. **Ordinance No. 21-A-05** - Consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, Bexar County, Texas. *Final Reading* (B. James, L. Wood, N. Kopyay)

4. **Resolution No.21-R-15** - 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 Schertz Parkway Concrete Pavement Repair Project and authorizing the budget expenditures for the project. (M. Browne/B. James/K. Woodlee/J. Nowak)

Mayor Gutierrez asked Council if there were any items they wished to be removed for separate action. No items were removed from consent.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown to approve consent agenda items 1 through 4.

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

Passed

Discussion and Action Items

5. **Ordinance No. 21-S-06** - Consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas. *Final Reading* (B. James, L. Wood, N. Kopyay)

Mayor Gutierrez open up this item for Council questions. A discussion was held by members of Council who provided their views and thoughts on approval or disapproval of the proposed zoning change.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Michael Dahle to approve Ordinance 21-S-06 on final reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Michael Dahle, Councilmember Allison Heyward, Councilmember Tim Brown

NAY: Councilmember Rosemary Scott, Councilmember David Scagliola
Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 1 through 5.

Workshop

- 6. 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/S. Hall)

Mayor Gutierrez recognized Emergency Management Coordinator Summar Hall who provided information regarding the following:

Vaccination Update:

- Moderna – 2nd Dose Allocations 1,000
 - These will be administered on Thursday, March 4th.
- Pfizer – 2nd Dose Allocations 3,510
 - These will be administered on Wednesday, March 3rd and Friday, March 5th.
- Civic Center Events Cancelled through June 15, 2021
 - Provide adequate opportunity for current events to reschedule
 - Minimize staff hours to set-up and take down vaccination clinic

EOC Activities:

Current Numbers

- Guadalupe: 11,763 with 10,932 recovered --- 712 Active
 - Schertz 1,955 with 1,824 recovered --- 109 Active
- Bexar: 183,436 with 155,698 recovered --- 25,181 Active
- Comal: 8,571 with 7,714 recovered --- 588 Active

Hospitalization rates for Guadalupe, Comal & Bexar Counties continue to decline.

Executive Order - GA 34

- Governor Abbott issued Executive Order 34
 - Relating to Opening Texas in Response to COVID-19
 - Effective 12:01 am on 3/10/21
 - Counties not in an area with a “high hospitalization” rate:
 - No COVID-19-related operating limits for any business or other establishment (means can open businesses 100%)
 - No person may be required by any jurisdiction to wear or to mandate the wearing of a face covering (lifting of the state-wide mask mandate); however,
 - Individuals are strongly encouraged to wear face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household.
 - Nothing in the order precludes businesses or other establishments from requiring employees or customers to follow additional hygiene measures, including the wearing of a face covering.
 - Executive Orders: GA-17, GA-25, GA-29 (Mask Mandate), & GA-31 Rescinded

Ms. Hall addressed questions from Council. Noteworthy for this week we will hit our 10,000 vaccine given in the City of Schertz Clinics.

Mayor Gutierrez indicated that he had a proposal for Council that Ms. Hall provide these briefings at least once a month at the first meeting of the month, thus not taking her away from setting up the vaccination clinics. Mayor Gutierrez received concurrence that going forward we will receive the briefings the first of month, and council will receive information in their packet on the weekly numbers.

City Manager Mark Browne came forward stating that due to the large number of doses Schertz is receiving is why they are canceling next week's meeting, he stated we are receiving three times the number as in the past, and it is a massive effort by staff. Some things have to give, this is also why they have closed the Civic Center, and we may want to go to two (2) council meetings a month through June, just have to see how things go. It is difficult to plan week to week, we may have 500 doses next week, or we may have 7,500, we may be doing clinics Monday through Friday. At this point we don't know, and they are not giving us any advance notice, this is what is driving some decisions that they are making.

Regarding the mask mandate, he believes this is going to cause some issues within the staff, and he would like to get feedback from the Council. Dr. Browne read the following: "No person may be required by any jurisdiction to wear or to mandate the wearing of a face covering". He wanted to know that effective next Wednesday to say that we are not requiring the wearing of masks

at City Hall, meaning our employees or our customers who come in.

Question from Councilmember Dahle who asked with the jurisdiction definition he would interpret it as being the area that the City is within the corporate city limits, and it's not dealing with the city staff. In answer, City Attorney Dan Santee indicated that they push out information earlier this afternoon that they disagree, and they don't believe this impacts the cities' ability to dictate terms on its own property. This doesn't take away that right. Councilmember Dahle indicated that he would support what ever decision City Management makes.

Dr. Browne indicated he would like to speak to other cities in the county and see as a group they are thinking. Mayor Gutierrez stated we can continue to wear the face masks up until the 23rd when we meet again and make a final decision as Council, but we can not mandate businesses on what their decision may be. City employees and City property is what we are discussing.

Various members of Council provided their thoughts regarding the wearing or not wearing of face masks. It was also discussed that whatever decision is made will set an example for the city itself and for other businesses. Dr. Browne indicated that there is value in getting opinions from other cities as they are in the same position as we are, he will be discussing this with staff. Dr. Browne indicated that by this time next week we will have a better understanding where city staff and other cities stand on this issue.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned agenda item 7 that was in the City Council packets as well as the information could be found online. No action necessary.

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

Requests and Announcements

- Announcements by the City Manager.

No further announcements.

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

None at this time.

- Requests by Mayor and Councilmembers that items or presentations 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 the following:

Mayor Pro-Tem Whittaker who attended Amy's All Star Dance Studio ribbon cutting event, volunteered at the COVID-19 shot clinics.

Councilmember Scott who commented on the tremendous efforts of all staff who assisted during the Winter Storm.

Councilmember Dahle who attended the retirement celebration for Jimmy Hooks and Eber Busch. Stopped by over the weekend the Commons Market on Main Street. They are open the 1st Saturday of every month.

Councilmember Scagliola stated he attended the plaque presentation today at the Chamber for Jamie King and forgot to mention last week that he attended Frost Bank Chuck wagon breakfast.

Councilmember Heyward stated she attended Amy's All Star Dance Studio ribbon cutting, volunteered at the COVID-19 clinics. Attended the retirement celebration for Jimmy Hooks and Eber Busch, and attended the plaque presentation today with the Chamber for Jamie King.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:18 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary