

# DRAFT

## MINUTES REGULAR MEETING March 23, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 23, 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

Absent: Councilmember Tim Brown

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 Sheila Edmondson

Attendees: Johnie McDow - Chair Parks & Recreation, Robert Sheridan - Parks Board Member, Reginna Agee - Parks Board Member, Sally Macias - Parks Board Member, Floy Simmons - Parks Board Member, James Garvin - Parks Board Member, Kimberly Smith - Parks Board Member, Shawn Moore - Parks Board Member, Jamie Acevedo - Parks Board Member, Lauren Shrum - Director of Parks & Recreation, Analyse Miranda - Parks Admin Assistant

### **Call to Order**

Mayor Gutierrez call the Special Joint Meeting to order at 5:00 p.m. Parks and Recreation Advisory Board Chair Johnie McDow call the Special Joint Meeting to order at 5:01 p.m.

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

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

Mayor Gutierrez turned over the Joint meeting to Parks and Recreation Advisory Board Chair Johnie McDow.

## **Hearing of Residents**

No one spoke at this time.

## **Workshop discussion**

- **Parks, Recreation & Community Services Department focus and projects**
- **Parks & Recreation Board Priorities**
- **Recreation Center and Pool Operations**
- **Senior Center status and rates**

Chair McDow recognized Lauren Shrum, Director of Parks, Rec. & Community Services who provided a PowerPoint presentation regarding the following items:

- 24 park properties
  - Ashley Park
  - Crescent Bend Nature Park
  - Cut-Off Park
  - Cypress Point Park
  - Heritage Oaks Park
  - Lone Oak Park
  - Mary Whitfield Burkes Park
  - Oak Forest Park
  - Rhine Valley Park
  - Pickrell Park
  - Schertz Community Playscape
  - Schertz Skate Park
  - Schertz Dog Park
  - The Park at Woodland Oaks
  - Wendy Swan Memorial Park
  - Veteran's Memorial Plaza
  - North Center
  - Thulemeyer Park
- Walking trails available
  - Ashley Park Trail
  - Cibolo Creek Primitive Trails
  - Crescent Bend Nature Park Trails
  - Cypress Point Park Trail
  - Forest Ridge Park Trail
  - FM 3009 Sidewalks
  - Gutierrez Xeriscape Park Trail
  - Heritage Oaks Park Trail

- Misty Woods Trail
- Oak Forest Park Trail
- Pickrell Park Trail
- Rhine Valley Park Trail
- Schertz Exercise Trail
- Schertz Parkway Trails
- Wendy Swan Memorial Park Trail
- Recreation Facilities - Contracts
  - Schertz Area Senior Center
  - Schertz Aquatic Center
  - Schertz Recreation Center
- Athletic Fields
  - Johnie McDow Sports Complex
  - Schertz Soccer Complex
  - Thulemeyer Park
- Current staffing and funding
  - 11 FTE's, 1 PTE, 1 seasonal worker
  - \$1.5 million Parks & Recreation operating budget
  - \$570,000 Pools operating budget
  - City Assistance Fund (Senior Center) \$260,000
  - Park Fund
  - Tree Mitigation Fund
  - Bond Funds
  - EDC
- Contracting & Partnerships
  - YMCA of Greater San Antonio - Recreation Center, Aquatic Center, Senior Center, Outdoor Pools
  - Buffalo Valley Youth Association (BVYA)
  - Schertz Youth Soccer Alliance (SYSA)
- Construction Contractors
- Professional Services - Transferring Non Park Properties to Public Works/Facilities: Hal Baldwin Municipal Complex, Fire Stations 2, Fire Station 3 and Commercial Place
- Signage/art work for various parks
- Future Focus - Trails; Regional Parks. Schertz Pedestrian Routes & Bike lane projects.
- Senior Center Status - Rates
  - Management Fee \$160,236
  - Congregate Meal Program \$114,000
  - Maintenance & Utilities \$12,000
  - Total per Year = \$286,236
  - 100% cost recovery =  $\$286,236 / 1,400 = \$204$
  - \$204 per person per year or \$17 per month
  - Largest Non-Schertz City Usage is Cibolo (23%) = \$65,834

Members of the Parks Board provided their comments on the direction and topics discussed. Focus on safety and deferred maintenance, balance with aesthetics, ADA accessibility, New parks and trails - all supported by the Master Plan and citizen surveys.

Ms. Shrum addressed questions from Council and the Parks Board.

Chair McDow opened the floor for citizens to comment. Mr. McDow recognized the following:

- Mr. John Sullivan, 513 Triple Crown, provided his comments regarding the parks projects, trails, amenities, staffing, and YMCA Schertz/Das Rec-New Braunfels rates.

Chair McDow again opened the floor for Council Members and Board Member comments.

## **Adjournment**

Chair McDow adjourned the Joint meeting at 6:44 p.m., followed by Mayor Gutierrez who adjourned the Joint meeting.

## **Call to Order**

Mayor Gutierrez called the Regular Council meeting to order at 6:54 p.m.

## **Presentations**

- **Guadalupe Regional Medical Center** - Prescription Assistance report.  
(Mayor/Council/J. Riggs)

Mayor Gutierrez recognized Mr. Jerry Riggs of the Guadalupe Regional Medical Center who provided the Prescription Assistance report addressing questions from Council.

## **City Events and Announcements**

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

Mayor Gutierrez recognized Assistant City Manager Brian James who provided the following:

- Friday, March 26th

Easter Egg-stravaganza  
Schertz Aquatic Center, 1:00 PM  
Free event  
Registration required, call 210.619.1900

- Saturday, March 27th

Star Party  
Crescent Bend Nature Park, 7:00 PM  
Free event - Info on Schertz.com

- Thursday, April 1st

Department Head Pre-Budget Retreat  
Schertz Community Center  
9:00 AM – 1:00 PM

- Friday, April 2nd

Council Budget Retreat  
Schertz Fire Station #3, 11917 Lower Seguin Road  
8:30 AM – 2:00 PM

- Tuesday, April 6th

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 Dr. Browne stated that this week's vaccine clinic (March 24 through 26th) will administer 5,000 doses; 1,750 doses each day. He appreciates all the help from the volunteers, staff and Council. He also stated that we sent 2,000 doses to Seguin to assist them with their vaccine clinic.

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

Mayor Gutierrez stated that he wanted to recognize all the volunteers and staff who have put this clinic together. It is quite an accomplishment to administer

1,500 doses a day for three consecutive days.

## 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](mailto:bdennis@schertz.com) by 5:00 p.m. on Monday, March 22, 2021, 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.**

Mayor Gutierrez recognized the following who spoke:

- Mr. John Sullivan, 513 Triple Crown, thanked the Council for the joint meeting and again mentioned the need for focus on a trail system and YMCA rates.

## 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 records:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of March 2, 2021 and the minutes of the Special meeting of March 8, 2021. (B. Dennis)
2. **Resolution No. 21-R-20** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz Texas authorizing the execution of the construction contract for the Fire Station No. 2 Access and Drainage Improvements Project with C3 Environmental Specialties, LP, (C3 Environmental) for \$210,816.66 and a not to exceed amount of \$220,000. (B. James/K. Woodlee/J. Shortess)
3. **Resolution No. 21-R-24** - Consideration and/or action approving a Resolution authorizing an agreement with the developer of the Parklands II Subdivision project for construction of certain Public Improvements. (B. James/K. Woodlee)

4. **Resolution No. 21-R-17** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing EMS charity care adjustments and other matters in connection therewith. (C. Kelm/J. Mabbitt)

Mayor Gutierrez asked Council if there were any items they wished to be removed for separate action. No items were removed from consent. Mayor Gutierrez call for a motion to approve consent agenda items 1 through 4.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michael Dahle 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

Passed

## Discussion and Action Items

Mayor Gutierrez read the following items into record:

5. **Resolution No. 21-R-23** - Consideration and/or action approving a Resolution accepting the Comprehensive Annual Financial Report - CAFR Fiscal Year 2019-20. (M. Browne/B. James/J. Walters/B. Martin)

Mayor Gutierrez recognized Finance Director James Walters who introduced Ms. Paula Lowe with Pattillo, Brown & Hill L.L.P. (by remote access) who provided an overview of the report regarding the FY2019-20 CAFR. She stated that the Audit Committee met on March 19, 2021 to review the audit findings and financial statement as presented by the auditor, Paula Lowe, CPA, Audit Partner, of Patillo, Brown, and Hill, LLP. Ms. Lowe stated the annual audit provides the community assurance the City is in good financial standing and operating in compliance with generally accepted accounting principals and governmental accounting standards.

Ms. Lowe provided information on their responsibilities in relation to the Financial Statement Audit. She covered several sections from the CAFR and reviewed the financial highlights and statements. She addressed questions from Council.

Finance Director James Walters thanked his team as well as City Manager Dr. Browne who also expressed his thanks to the Finance Department for a job well done.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Allison Heyward to approve Resolution No. 21-R-23.

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

Passed

## Public Hearings

Mayor Gutierrez read the following items into record:

- 6. Ordinance No. 21-S-08-** Conduct a Public Hearing and consideration and/or action approving an Ordinance by the City Council of the City of Schertz , Texas on a request to rezone approximately 58 acres of land from Single-Family Residential / Agricultural (R-A) to Planned Development District (PDD), generally located approximately 1,560 feet north west of the intersection of FM 1518 and Ware-Seguin Road, also known as Bexar County Property Identification Numbers 310073, 310106, 310101, 310105, 310104, 310078, 1157215, 310077, and 310083, City of Schertz, Bexar County, Texas. (B. James / L. Wood / E. Delgado)*First Reading*

Mayor Gutierrez recognized Senior Planner Emily Delgado who introduced this item stating the applicant is proposing to rezone approximately 58 acres of land from Single-Family Residential / Agricultural (R-A) to Planned Development District (PDD), specifically as part of The Crossvine PDD.

The requested Crossvine PDD 4th Amendment, which is essentially to incorporate an additional 57. 486 aces into The Crossvine PDD - zoned property, will be developed in accordance with the previously adopted The Crossvine Module I design standards, permitting the development of single-family residential lots in the above three use categories.

Fourteen (14) public hearing notices were mailed to surrounding property owners on January 29, 2021, in relation to the public hearing at the February 10, 2021 Planning and Zoning Commission meeting. A public hearing notice was published in the “San Antonio Express” on March 3, 2021. At the time of this report, staff has received one (1) response in favor, one (1) response opposed, zero (0) responses neutral to, and one (1) response which did not indicate if they were in favor or opposed, just that they would like to attend the meeting. Staff recommends approval.

Mayor Gutierrez opened the public hearing and as no one spoke; closed the public hearing for Council comments. No comments were provided.

Moved by Councilmember David Scagliola, seconded by Councilmember Michael Dahle to approve Ordinance No. 21-S-08 on first reading.

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

Passed

7. **Ordinance No. 21-C-09** – Conduct a Public Hearing and consideration and/or action approving an Ordinance by the City Council of The City of Schertz, Texas amending The Code Of Ordinances of the City of Schertz Chapter 30, Fire Prevention And Protection by amending existing International Codes and adopting New International Codes; Providing for a period of compliance for certain provisions; Providing for severability; Providing for a fine of not more than five hundred dollars (\$500.00) for each offense unless said violation is a violation of a regulation governing; fire safety, public health and sanitation; then by a fine of not more than two thousand dollars (\$2,000.00) for each offense. *First Reading* (C. Kelm/K. Long)

Mayor Gutierrez recognized Chief Kade Long who explained to the Council that Fire Dept staff has determined a need to revise current building and fire codes with regard to fire, building, fuel/gas and electrical requirements. The revisions proposed are intended to ensure the proper construction and life safety of structures built in the City and to follow compliance with the requirements of the Insurance Service Office Inc. as well as Texas Fire Chiefs Best Practices. The Buildings and Standards Commission reviewed the changes proposed at their regular meeting of March 1, 2021 and offered a recommendation of approval.

Mayor Gutierrez opened the public hearing and as no one spoke; closed the public hearing for Council comments. Council spoke on several topics of the proposed changes that included; requiring water sprinklers be added to certain existing businesses and to new homes that are over 5,000sq.ft., possibly removing the language in the proposed amendments about the water sprinklers, discussing the variance process and how the city can work with businesses that would find it challenging to meet the new codes.

Councilmember Heyward asked if the language about requiring existing businesses to add water sprinklers could be removed and discussed further. Dr. Browne raised concerns in removing the language and having it appear

the city was complacent if a disaster occurred. Chief Long stated the city would work with businesses in finding other solutions in adding safety changes.

Moved by Councilmember David Scagliola, seconded by Councilmember Michael Dahle

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Michael Dahle, Councilmember David Scagliola

NAY: Councilmember Rosemary Scott, Councilmember Allison Heyward

Passed

8. **Ordinance No. 21-C-07** - Conduct a Public hearing and consideration and/or action approving an Ordinance amending the Schertz Code of Ordinances, Chapter 18, Buildings and Building Regulations, by repealing existing International Codes and adopting new International Codes and adopting the revised Schertz Code of Ordinance, Chapter 18, Building and Building Regulations. *First Reading* (B. James/L. Wood/G. Durant)

Mayor Gutierrez recognized Ms. Lesa Wood, Director of Planning and Community Development. The City of Schertz Planning and Community Development Department – Inspections Division has determined a need to revise the City adopted building codes regarding sanitation, fire, building, plumbing, mechanical, fuel/gas and electrical requirements. City staff holds monthly contractors’ meetings (a short hiatus during COVID) to discuss construction practices and gain input from the development/construction community. Homebuilders, Electricians, Plumbers, Mechanical Contractors, Greater San Antonio Builder Association, and other Professional Individuals have provided input on codes that they feel need to be amended through these meetings.

Mayor Gutierrez opened the public hearing and as no one spoke; closed the public hearing for Council comments. Councilmember Scagliola commented that the Building and Standards Commission is doing a great work, liked the roundtable discussions that staff had with contractors/builders and streamlining the permit process. Councilmember Dahle stated this is a step in the right direction while maintaining control. Mayor Gutierrez addressed questions regarding the permit process.

Moved by Councilmember Michael Dahle, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Rosemary Scott, 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 8.

### **Closed Session**

Mayor Gutierrez recessed the regular meeting into closed session at 8:52 p.m., and read the following item into record:

9. The City Council will meet in Closed Session in accordance with Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, sale, lease, or value of real property, or real estate needed for acquisition for a Wastewater Line Easement.

### **Reconvene into Regular Session**

Mayor Gutierrez reconvened back into regular session at 9:10 pm.

- 9a. Take any action based on discussion held in closed session under Agenda Item 9.  
No action taken.

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

Mayor Gutierrez mentioned that agenda items 11 through 13 are informational only items and were provided in their packets as well as can be found on line.

10. Farr West Specialty Vehicle Expenditures-Informational for City Council on expenditures not exceeding \$50,000 with Farr West Specialty Vehicles for emergency equipment and installation for patrol fleet vehicles. (C. Kelm/M. Hansen/D. Roman).
11. Quarterly Financial Reports. (B. James/J. Walters)
12. **COVID-19 UPDATE** - Bi-Weekly COVID-19 Update.(C. Kelm/  
K.Long/S.Hall)

## Requests and Announcements

- Announcements by the City Manager.

No further announcements.

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

No updates or information were requested.

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

No items were 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 Pro-Tem Whittaker attended the following events:

- Ribbon Cutting Caldwell Bank
- Audit Committee Meeting
- COVID Clinics
- Enrolled in the Schertz Citizen's Police Academy

Councilmember Davis attended the following events:

- Worked 3 COVID shot clinics in 2 weeks.

Councilman Dahle attended the following events:

- Attended the Chamber Luncheon

Councilmember Heyward attended the following events:

- Covid Vaccine Phone Bank
- TML Legislative Update
- Audit Committee Meeting
- Tamio Webinar- social Media
- TML Elected Official Conference
- TMLI Award Ceremony - received CMO award and recognition for most CEU 106.6
- NEP luncheon
- The Chamber -Plaque Presentation for Coldwell Banker Realtor - Bettie Trivetto

- Texas Transportation E-Forum
- 25th Annual Employee Remembrance Day
- BVYA Opening Day Parade and Ceremony

## **Adjournment**

Mayor Gutierrez adjourned the City Council meeting 9:15pm.

---

Ralph Gutierrez, Mayor

ATTEST:

---

Sheila Edmondson, Deputy City Secretary