

DRAFT

MINUTES
REGULAR MEETING
April 27, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on April 27, 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 Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Rosemary Scott

City Staff: City Manager Dr. Mark Browne; 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

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. (Mayor Pro-Tem Whittaker)

Mayor Gutierrez recognized Mayor Pro-Tem Whittaker who provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Employee Recognition

- 20 Year Service Pin Presentation to Sylvia DeLeon. (M. Browne)

Mayor Gutierrez recognized City Manager Dr. Mark Browne who introduced and recognized the Sr. HR Generalist Sylvia DeLeon for her 20 years of service to the City and presented her with her 20 year service pin. Ms. DeLeon introduced her family members who were present. Mayor and Council also congratulated Sylvia.

Presentations

- Green Valley Special Utility District Winter Storm Event update. (Jill Bennett - Board President - Pat Allen - General Manager)

Mayor Gutierrez recognized President Jill Bennett and General Manager Pat Allen with the Green Valley Special Utility District who provided a brief PowerPoint presentation regarding the Winter Storm event and how it affected their customers.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez who provided the following information:

- Saturday, May 1st

City Nature Challenge
10:00 AM – 2:00 PM
Crescent Bend Nature Park

Schertz Parks & Recreation will be joined by Guadalupe Master Naturalists to share information and encourage residents to find and document nature in our area. Event details can be found on the Schertz Parks & Recreation Facebook page.

- Sundays, April 18th through May 23rd

Come enjoy watching the Adult Kickball League (ages 21 years and older) sponsored by the Schertz Parks & Rec Social League. Games are played Sunday evenings from 6-10 PM through May 23rd at Thulemeyer Park.

- Tuesday, May 4th

Next regular scheduled Council meeting

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

None were provided at this time.

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

Mayor Gutierrez thanked all those who volunteered to help with the food drive held today.

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 indicated that no one had signed up on the sign-in sheet this evening and asked the City Secretary if she had received any by email.

Deputy City Secretary Sheila Edmondson read the following into record regarding workshop agenda item 6:

- Mr. John Sullivan, 513 Triple Crown who enthusiastically agreed with the idea of a more inclusive program geared toward leadership and fostering a young volunteer community that informs our city leaders. This aligns well with the leadership initiatives in our local schools and modernizes the program to be more beneficial to both the participants and the community. This also aligns with our Hal Baldwin scholarship and current student council programs. I strongly encourage the direction staff is taking to transform the Sweetheart Court into the Schertz Young Leaders program!

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 Joint and Regular City Council meeting of April 13, 2021. (B. Dennis/S. Edmondson)

2. **Resolution No. 21-R-36** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing additional expenditures with Bound Tree Medical totaling no more than \$175,000 and with Henry Schein, Inc. totaling no more than \$100,000 for medical supplies and other matters in connection therewith. (M. Brown/C. Kelm/J. Mabbitt)

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

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle to approve consent agenda items 1 & 2.

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

Passed

Discussion and Action Items

Mayor Gutierrez read the following items into record:

3. **Ordinance No. 21-T-16** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for an amendment to the 2017 Roadway Impact Fee Program, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *First reading* (B. James/K. Woodlee)

Mayor Gutierrez recognized City Engineer Kathy Woodlee who introduced this item stating the City of Schertz adopted the 2017 Roadway Impact Fee Program (Program) by Ordinance 18-M-13 establishing the collection and use of Roadway Capital Recovery Fees. The program includes the division of the City into four service areas in which fees are collected from new development, accumulated in accounts assigned to each respective area, and made available for use to fund roadway projects identified in the adopted Capital Improvement Plan. Chapter 395 of the Texas Local Government Code stipulates that the established service areas be limited to the area within the corporate boundaries of the political subdivision. In order to expand the areas subject to the program to include area annexed into the City Limits since adoption of the Capital Recovery Fee Ordinance, the Program must be amended.

Amending the Program to incorporate the newly annexed areas includes data collection, update of impact fee databases, calculation of updated cost per

service area unit, technical documentation, and statutorily required Capital Improvement Advisory Committee (CIAC) meeting(s) and public hearings.

Staff recommends approval of the budget adjustment to fund an amendment to the Roadway Impact Fee Program.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis to approve Ordinance No. 21-T-16 on first reading.

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

Passed

- 4. Ordinance No. 21-T-18** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for professional services related to the relocation of water and wastewater utilities along FM 1518 between FM 78 and IH 10, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *First reading* (B. James/K. Woodlee/E. Schulze)

Mayor Gutierrez recognized City Engineer Kathy Woodlee who introduced this item stating part of the preparation for the widening of FM 1518 from FM 78 to IH 10 is the relocation of underground utilities so that they will not be beneath the pavement of the new roadway (with few exceptions like crossings). The City of Schertz has water and wastewater mains and appurtenances that must be relocated. A step in the process to relocate those utilities is to engage a Professional Engineering firm to provide services related to the design and construction phases of that project.

City Staff has worked with Halff Associates, Inc., to develop a scope for those services and a budget adjustment is needed to fund this portion of the project. Proposed ordinance 21-T-18 allocates \$600,000 for the professional services needed to assist the City with relocation of the utilities. That amount includes the consultant's fee and a contingency amount of approximately ten percent. Staff recommends approval.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-T-18.

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

Passed

5. **Ordinance No. 21-T-17** - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, Texas authorizing a budget adjustment to the FY 2020-21 Budget for electricity usage fees related to the Winter Storm, repealing all ordinances in conflict with this ordinance; and providing an effective date. (M. Browne/B. James/J. Walters) *First Reading*

Mayor Gutierrez read the corrected caption into record.

Mayor Gutierrez recognized Finance Director James Walters who introduced this item stating the state had an unprecedented winter storm that left much of the state with freezing temperatures and power outages between February 10 and 20, 2021. During this time, the Electric Reliability Council of Texas (ERCOT) set the price of electricity at the \$9,000-a-megawatt-hour maximum for nearly two days due to high demand. This led to high electric costs to providers.

Due to the high electric costs, Guadalupe Valley Electric Cooperative (GVEC) must spread its costs for the winter storm to its customers. GVEC had a special fund balance that it spent down in order to avoid large swings in prices to its residential customers based on the prices ERCOT sets. Residential customers will see a small increase in their rates going forward as GVEC replenishes its emergency fund.

Commercial customers, like the City, have ERCOT's fee changes passed directly on to them. GVEC waited until they received their charges for power usage before assigning the charge to their commercial customers. Based on the calculation by GVEC, the City's outstanding charge for the winter storm is \$63,188.10.

For Fiscal Year 2019-20, the total payments to GVEC were \$460,038.51. This additional charge would be an estimated 13.7% increase in fees and staff is not confident the budget can account for those overages.

There could be an option to submit these charges for federal relief through a grant program and help offset some fiscal impact of this charge. Staff is waiting on clarification from the state to see if these charges are applicable for reimbursement.

GVEC has offered to let the city spread these charges over a 48-month maximum with a 2.33% financing charge on top of the balance. If the city pays off the entire portion upfront, there would be no additional charges.

Since these charges are for services within the current fiscal year, the city must recognize the entire expense on its financial statements even if it spreads out the payments over the next 4 years. Since the city does have enough cash on hand to pay the charge up front, Staff recommends paying the balance with the upcoming bill.

Staff wanted council's input before such a decision was made and has GVEC Chief Operating Officer Sean Alvarez to help answer any questions on the fee calculations. Mr. Walters addressed questions from Council.

After discussion by Council, it was Council's concurrence to pay the additional \$63,188.10.

Moved by Councilmember David Scagliola, seconded by Councilmember Mark Davis to approve Ordinance No. 21-T-17 on first reading with the payment of \$63,188.10.

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

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized Deputy City Secretary Sheila Edmondson who provided the roll call vote confirmation for agenda items 1 through 5.

Workshop

6. Discussion on the future of the Schertz Sweetheart Program. (B. James/L. Shrum)

Mayor Gutierrez recognized Director of Parks, Recreation and Community Services Lauren Shrum who introduced this item stating the Schertz Sweetheart Program has been coordinated by the city for 14 years. The program originally began under the umbrella of the Schertz Business Association back in 1989 which was a predecessor to the current Chamber of Commerce. The program was a traditional pageant program that focused on evening gowns, talent, and interview portions and culminated in a coronation of court members. The number of court members has varied over the years but there have been 4 members for the last 9 years - Miss Schertz, Miss Sunshine, Miss Jubilee, and Miss Friendly City. The court has represented the city at various special events and participates in parades in neighboring cities. The court also participates in a service project. Originally the program had fairly

good participation, but over the years has waned, and ultimately only serves 4 youth.

Since the COVID-19 pandemic hit, we were unable to host the traditional pageant program and coronation in 2020. Thus, city staff created a virtual application process whereby participants created talent videos on their own at home and uploaded them to a site for the judges to view. They participated in live Zoom interviews with the judges and participants also pre-recorded a "Ted-Talk" type video on a persuasive speech of any topic of their choosing. The judges utilized these videos and virtual interviews to make their selection of the 2020 Court. Opportunities for the court to participate in activities and programs was limited in 2020 due to the pandemic, so the court experience was not the same as it had been. In 2021, we will utilize the same process because even though we are hosting special events and programs again, the Civic Center is being used exclusively for vaccine clinics and SCUCISD is not renting any of their auditorium facilities for outside use at this time.

Since the pause in the traditional program really forced us to reevaluate how we put the program on, conversations among staff began again about changing the program. Over the last several years there has been discussion of evolving the program into a more inclusive format that can impact more youth. City staff did research on the Texas Municipal League's (TML) Youth Advisory Commission (YAC) program and looked at what other neighboring cities are doing such as Youth Leadership New Braunfels. There are currently 38 Youth Advisory Commissions across the state and there is an annual YAC Summit hosted once a year by TML. The YAC initiative provides cities with energetic volunteers for civic projects, gives city leaders a fresh perspective on issues challenging our cities, and creates a sense of accomplishment for youth. The Youth Leadership New Braunfels program is so popular that they had over 100 applicants for 30 slots. The program focuses on city government, leadership skills, healthcare and social services, and higher education. Participants go on a retreat and participate in a graduation ceremony.

The idea is to evolve the Sweetheart Court into a leadership program entitled Schertz Young Leaders. The new program would have up to 20 participants and would be modeled similarly to Youth Leadership New Braunfels. Schertz Young Leaders would focus on leadership, communication, civic responsibility, community service, public speaking, and teamwork. Participants will get to engage with the business community and civic leaders, participate in a team-building retreat and community service opportunities, and represent the city at various special events.

City staff recommends evolving the Sweetheart Court program into the Schertz Young Leaders program in FY 21-22.

Mayor and Council discussed this and it was the concurrence of Council to move forward with the program.

Information Item: Available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned that agenda item 7 is an informational only item and was provided in their packets as well as can be found online.

7. COVID-19 UPDATE - Bi-Weekly COVID-19 Update.(C. Kelm/ K.Long/S.Hall)

Requests and Announcements

- Announcements by the City Manager.

Mayor Gutierrez recognized City Manager Dr. Mark Browne who recognized and congratulated Assistant City Manager Charles Kelm who has been elected Secretary/Treasurer for Region 8 of the Texas City Managers Association.

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

No updates requested at this time.

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

No items requested 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 the following:

Mayor Pro-Tem Whittaker who stated she attended the following:

- Citizen Police Academy
- Vaccination Clinic
- 12th Flying Wing Military Affairs Luncheon
- Chamber Luncheon

Councilmember Dahle who stated he attended the following:

- Chamber Luncheon
- CVLGC Board Meeting

Councilmember Scagliola who stated he attended the following:

- Chamber Luncheon
- Various Ribbon Cutting events
- Vaccination Clinic

Councilmember Heyward who stated she attended the following:

- Chamber Luncheon
- MAC Luncheon
- Food Drive
- TML Legislative Update Webinar

Adjournment

Mayor Gutierrez adjourned the meeting at 7:12 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary