



**MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
December 14, 2021**

**HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154**

CITY OF SCHERTZ CORE VALUES

**Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team**

**Prior to meeting - Staff & Council Headshots - Council Chambers
Conference Room 4:00 to 6:00 PM**

**AGENDA
TUESDAY, DECEMBER 14, 2021 at 6:00 p.m.**

City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, December 14, 2021, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

Call to Order

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

Presentations

- Presentation of the Texas Association of Municipal Information Officers (TAMIO) TAMI Awards of Honor to Schertz Public Affairs. (S. Gonzales/L. Klepper/D. Christensen)
- Presentation of the TFEA Excellence in Festival and Event Promotion Awards to Schertz Parks & Recreation Department. (B. James/L. Shrum)
- Presentation of the TRAPS Central Region Maintenance Rodeo winners in the Schertz Parks & Recreation Department. (B. James/L. Shrum)
- Presentation regarding the City of Schertz Alamo Area Council of Governments "Government

- Project of the Year award" (Mayor Gutierrez)
- Presentation regarding the City of Schertz Planning Excellence Award by the Alamo Area Council of Governments. (Mayor Gutierrez)

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)
- Announcements and recognitions by the City Manager (M. Browne)
- Announcements and recognitions by the Mayor (R. Gutierrez)

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.

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.

- 1. Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of December 7, 2021. (B. Dennis)
- 2. Ordinance No. 21-T-50** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2021-2022 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (***Final Reading***) (M. Browne/J. Walters)
- 3. Resolution 21-R-130** - Consideration and approval of a Resolution relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date. (M. Browne/J. Walters)

4. **Resolution No. 21-R-125** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas establishing a public hearing date to consider the approval of updated land use assumptions, capital improvement plan, and impact fees for roads; and providing an effective date. (M. Browne/B. James)
5. **Ordinance No. 21-S-49** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas amending Article 15 replacing Section 21.15.4, of the City of Schertz Unified Development Code, Easements and Utilities; Repealing all Ordinances or Parts of Ordinance in Conflict with this Ordinance, and providing an effective date. (**Final Reading**) (C. Kelm/S. Williams)
6. **Resolution No. 21-R-116** - Consideration and/or action to approve the appointment of Mr. Richard Braud to the Board of Directors Place D-3 of the Schertz Seguin Local Government Corporation, and other matters in connection therewith. (C. Kelm/A. Beard)

Discussion and Action Items

7. **Ordinance No. 21-S-51** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 2.5 acres of land from Single-Family Residential/Agricultural District (RA) to Planned Development District (PDD), located at 7809 FM 1518 N, also known as Bexar County Property Identification Number 1149102, City of Schertz, Bexar County, Texas. (**Final Reading**) (B. James/L. Wood/M. Harrison)

Roll Call Vote Confirmation

Workshop

8. Discussion with SAMCO Capital Markets, The City's financial Advisor, regarding a proposed refunding for interest rate savings of the Schertz-Seguin Local Government Corporation series 2014 and 2015 bonds. (M. Browne/C. Kelm/M. McLiney/A. Friedman)

Closed Session

9. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the Police Chief position.

Reconvene into Regular Session

- 9a. Take any action based on discussion held in Closed Session under Agenda Item 9.

Roll Call Vote Confirmation

Information available in City Council Packets - NO DISCUSSION TO OCCUR

10. Update on Best Practices Recognition (C.Kelm/ M. Bane)

Requests and Announcements

- Announcements by the City Manager.
- Requests by Mayor and Councilmembers for updates or information from staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda.
- 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

Adjournment

CERTIFICATION

I, BRENDA DENNIS, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 10th DAY OF DECEMBER 2021 AT 1:30 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

BRENDA DENNIS

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON ____ DAY OF _____, 2021. TITLE: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.

The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the

governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Audit Committee Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Scagliola – Place 5 Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation</p>
<p>Councilmember Davis– Place 1 Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board</p>	<p>Councilmember Scott – Place 2 Interview Committee for Boards and Commissions Schertz Animal Services Advisory Commission</p>
<p>Councilmember Whittaker – Place 3 Audit Committee TIRZ II Board</p>	<p>Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board</p>
<p>Councilmember Heyward – Place 6 Animal Advisory Commission Audit Committee Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Brown – Place 7 Main Street Committee Schertz-Seguin Local Government Corporation - Alternate</p>

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: City Secretary
Subject: Minutes – Consideration and/or action regarding the approval of the minutes of the meeting of December 7, 2021. (B. Dennis)

BACKGROUND

The City Council held a Regular City Council meeting on December 7, 2021.

RECOMMENDATION

Recommend Approval.

Attachments

12-07-2021 Draft Minutes

DRAFT

MINUTES REGULAR MEETING December 7, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 7, 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 Michael Dahle; Councilmember Mark Davis; Councilmember Jill Whittaker; Councilmember Rosemary Scott; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

City City Manager Dr. Mark Browne; Assistant City Manager Brian James;
Staff: Assistant City Manager Charles Kelm; City Attorney Megan Santee; 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. (Councilmember Heyward)

Councilmember Heyward 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 Years of Service Pin recognition to Dudley Wait

Mr. Wait was unavailable for presentation.

- 25 Years of Service Pin recognition to Kevin Anderson

Assistant City Manager Charles Kelm presented a 25 Years of Service Pin to Mr. Kevin Anderson and thanked him for service and commitment to the City of Schertz.

- Recognition to Jason Mabbitt - Achievement for the Randolph EMS Contract

Mayor Gutierrez recognized City Manager Dr. Mark Browne who presented EMS Director Jason Mabbitt with the City Manager's Coin for his work on the Randolph EMS Contract. Mayor Gutierrez also thanked EMS Director Mabbitt for this achievement and presented him with a City Council Coin. EMS Director Mabbitt thanked both Dr. Mark Browne and Mayor Gutierrez for recognizing him tonight, but wanted everyone to know it was team effort. The EMS Staff worked very hard on this contract and EMS Director Mabbitt thanked them for their assistance.

New Employee Introductions:

Mayor Gutierrez recognized various Department Heads who introduced their new employees:

- **Animal Services:** Mariah Quinn-Janson - Animal Services Officer
- **Library:** Michelle Wiegand - Library Clerk, Lila Hudson - Library Clerk
- **Police Department:** Haylee Humphrey - Communications Officer

Presentations:

- Presentation on the *Schertz Emerging Leaders Program* (M. Browne/J. Kurz/S. Gonzalez)

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez and HR Director Jessica Kurz who presented the Schertz Emerging Leaders Program to City Council.

The Schertz Emerging Leaders Program Overview:

- 8-month curriculum of leadership development
- Facilitated by Strategic Government Resources (SGR)
- Will include and incorporate concepts related to
 - Leadership
 - Human behavior
 - Trust
 - Effective communication
 - Conflict resolution
 - Emotional intelligence, and more

Mentorship Component (Structured and formal)

- Monthly sessions will consist of
 - In-person course instruction

- Pre- and post-session assignments
- Assigned book and reading schedule
- Mentor meetings

Participation in program does not result in monetary increase, promotion, or guaranteed merit increase.

2022 Inaugural Class

- Michael Reed EMS
- Eric Haugen IT
- Michelle Yang Parks
- Megan Lagunas Animal Services
- Demetrio Martinez Streets
- Will Dalrymple Inspections
- Antonio Valle Sign Shop
- Bryce Burch Streets
- Chad Lonsberry Facilities
- Will Sutton Police

Councilmember Scott asked about Strategic Government Resources (SGR) and the essay selection process. Ms. Gonzalez explained that the Executive Management Team (Dr. Browne, ACM James and ACM Kelm) reviewed the essays and recommended the 10 employees for this program. Mayor Gutierrez and Dr. Browne thanked Ms. Gonzalez and Ms. Kurz for their work on the Schertz Emerging Leaders Program.

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 upcoming City Events.

Tuesday, December 14th - Next regular scheduled Council meeting, 6:00 PM, Council Chambers

Tuesday, December 14th

Breakfast with the Blue
8:00 AM-10:00 AM
Jalisco (FM 3009)

Friday, December 17th

Blue Santa Day
4:00 PM-6:00 PM
Community Center

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

Dr. Mark Browne thanked the Parks Dept. and all the volunteers who helped with the Holidazzle and Festival of Angels Event. It well attended and a great success. Dr. Browne also thanked the Police Dept., Public Works Dept., Animal Care Services Dept., Public Affairs, Fire Dept., Neighbor Services, Civic Center Staff, EMS Staff and all the community volunteers that help make City Events successful.

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

Mayor Gutierrez thanked the Parks Dept., all city staff and community volunteers for their participation in making City Events successful and enjoyed by the community.

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.

Mayor Gutierrez recognized the following who spoke:

- Douglas Becker, 9410 Arranda Lane- Mr. Becker stated that the area he lives in, they do not have sewers. He would like a sewer line put in to service this area. He and his neighbors do pay taxes and would hope that a sewer line can be installed.
- Daniel Jameson- Thanked the city for recognizing his parents on their anniversary this past summer. It was a memorable event for his parents, and they enjoyed it. His father enjoyed the Veterans Day festivities and felt honored to be at the ceremony. Mr. Jameson stated that he and his parents enjoyed the Holidazzle Parade.
- Maggie Titterington- Thanked the City Staff for the wonderful traditions of the Tree Lighting Ceremony, Holidazzle and Festival of Angels. She loved the improvements to the tree and the overall events. Ms. Titterington stated on Agenda #10- she is in favor and supports the rezoning. On Agenda #11-The PZ Sub-Committee Workshop Overview, Ms. Titterington supports the recommended changes concerning Tree Mitigation.
- Glen Outlaw, 3729 Forsyth Park- Mr. Outlaw stated that he observed a Schertz Police Officer on a motorbike doing traffic enforcement. He stated that traffic enforcement is very important especially when there are drivers going over the speed limit on Schertz Parkway and FM 3009. Mr. Outlaw encouraged City Council and Dr. Browne with this next budget cycle to possibly phase in

additional staffing to the Police Department over the next few years.

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 and Mayor Pro-Tem Dahle read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of November 9, 2021 and the minutes of the Special Meeting of November 15, 2021. (B. Dennis)
2. **Resolution No. 21-R-129** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a contract with Texas Sterling Construction Co. for the Tri-County Parkway Project and authorizing the budget expenditures for the project. (B. James/K. Woodlee/J. Nowak)
3. **Resolution No. 21-R-124** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a contract with Fuquay, Inc. for the 2020 Fog Seal Project and authorizing the budget expenditures for the project. (B. James/K. Woodlee/J. Nowak)
4. **Resolution No. 21-R-128** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a budget amendment to the Schertz-Seguin Local Government Corporation Fiscal Year 2021-2022 Annual Budget in the amount of \$122,000.00 as a transfer to the SSLGC Future Development Fund and other matters in connection therewith. (C. Kelm/S. Williams/A. Beard)
5. **Ordinance No. 21-F-47** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas amending Chapter 90, of the Code of Ordinances, Article V, Water and Wastewater Capital Recovery Fees; Repealing all Ordinances or Parts of Ordinance in conflict with this Ordinance, and providing an effective date. (***Final Reading***) (C. Kelm/S. Williams/S. McClelland)

6. **Ordinance No. 21-T-48** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2021-2022 Budget to provide additional funding for the Tri-County Parkway Project Construction Phase, repealing all Ordinances or Parts of Ordinances in conflict with this Ordinance; and providing an effective date. (*Final Reading*) (M. Browne/A. Perez)

7. **Appointments and Resignations to the Various City Boards, Commissions and Committees** - Consideration and/or action approving the appointment of Ms. Judy Goldick as a Regular Member, the appointment of Mr. Roderick Hector as Alternate Member to the Planning and Zoning Commission and the appointment of Mr. James "Brad" Snow to the Parks & Recreation Advisory Board. (B. Dennis/Council)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. Mayor recognized Councilmember Scott who requested that Agenda Item 2 be removed for separate discussion. Mayor Gutierrez asked for a motion to approve Consent Agenda Items 1, and 3 through 7.

Moved by Councilmember Jill Whittaker, seconded by Councilmember Rosemary Scott to approve consent agenda items 1, and 3 through 7.

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

Passed

Discussion and Action Items

2. **Resolution No. 21-R-129** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a contract with Texas Sterling Construction Co. for the Tri-County Parkway Project and authorizing the budget expenditures for the project. (B. James/K. Woodlee/J. Nowak)

Mayor Gutierrez read the following into record:

RESOLUTION NO. 21-R-129

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT WITH TEXAS STERLING CONSTRUCTION CO. RELATING TO THE TRI-COUNTY PARKWAY PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT

Mayor Gutierrez recognized Assistant City Manager Brian James and City Engineer

John Nowak. Mr. James introduced this item stating this item is to obtain authorization from City Council to execute a construction contract with Texas Sterling Construction Co. for \$4,524,163.98 and not to exceed amount of \$4,900,000.00 for the Tri-County Parkway Project.

The project will replace the existing sanitary sewer line in Tri-County Parkway between FM 3009 and Lookout Road and on Lookout Road from Tri-County Parkway to Doerr Lane with a larger sanitary sewer line and will reconstruct Tri-County Parkway from FM 3009 to Corridor Parkway and reconstruct Lookout Road from Tri-County Parkway to Doerr Lane. The larger sewer line will provide for additional sanitary sewer capacity in the area for existing and future development. Reconstruction of the pavement sections will provide a new driving surface and a stronger pavement section, capable of supporting the traffic loading on the streets.

Mr James addressed Councilmember Scott's question regarding the contractor selected for the project.

Moved by Councilmember Jill Whittaker, seconded by Councilmember Allison Heyward to approve Resolution No. 21-R-129.

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

Passed

8. **Ordinance No. 21-T-50** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2021-2022 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (*First Reading*) (M. Browne/J. Walters)

The following was read into record:

ORDINANCE NO. 21-T-50

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021-2022 BUDGET, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE - First Reading

Mayor Gutierrez recognized Finance Director James Walters who introduced this item stating this budget amendment ordinance is meant to move unused budgeted amounts from FY 2020-21 to FY 2021-22. This adjustment is for

departments that had unused budgeted amounts due to delays in manufacturing, back ordered/out of stock items, or project schedules that run through multiple fiscal years. The identified items and amounts to be rolled forward amount to \$1,258,932. A list of items are outlined below:

1. Increase Planning and Zoning Division's budget by \$401,314 - \$400,000 for the Master Plan and \$1,314 for furniture related to the new Senior Planner position.
2. Increase Public Affairs budget by \$16,000 for the Citizen Satisfaction Survey which was delayed due to COVID concerns.
3. Increase Engineering budget by \$13,115 - \$4,075 for the Municipal Facilities Stormwater Control Inventory and \$9,040 for a Lift Station Design Guide update.
4. Increase Library's budget by \$1,762 to utilize donated funds for new activity center equipment for the children's room.
5. Increase Fleet budget by \$1,953 for procure supplies for the Park's replacement vehicle.
6. Increase Fire's budget by \$36,409 for backordered supplies.
7. Increase Street's budget by \$111,000 - \$51,000 for FM 78 Maintenance and \$60,000 for Aviation Heights Sidewalks Phase II
8. Increase Facilities Maintenance budget by \$182,000 - \$45,000 for the completion of the Animal Adoption Center's gate and fence and \$137,000 for corrective maintenance projects like the City Hall front counter remodel.
9. Increase the Water & Sewer budget by \$91,000 - \$73,000 for sewer camera system for inspecting sewer mains and \$18,000 for a leak detection system.
10. Increase EMS budget by \$359,492 - \$293,490 for the approved ambulance purchase and \$34,086 for supplies including safety vests, flu vaccines and uniforms.
11. Increase the Hotel Occupancy Tax budget by \$44,888 for the new banquet chairs that had shipping delays.

Staff is also proposing to purchase the new fire apparatus that was approved in the Fire Station 4 bonds. If this purchase is made before 2022, the City will save about \$80,000. The full price of the fire apparatus is \$1,298,921 and will be reimbursed by voter approved bonds issued later in 2022. Mr. Walters addressed questions from Council.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis to approve Ordinance No. 21-T-50 on first reading.

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

Passed

Public Hearings

9. **Ordinance No. 21-S-49** - Conduct a Public Hearing and Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas amending Article 15 replacing Section 21.15.4, of the City of Schertz Unified Development Code, Easements and Utilities; Repealing all Ordinances or Parts of Ordinance in Conflict with this Ordinance, and providing an effective date. *(First Reading)* (C. Kelm/S. Williams)

The following was read into record:

ORDINANCE NO. 21-S-49

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS REPLACING SECTION 21.15.4 OF THE CODE OF ORDINANCES, ARTICLE XV, EASEMENTS AND UTILITIES, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE - First Reading

Mayor Gutierrez recognized Public Works Director Suzanne Williams who introduced this item stating Article 15, Section 21.15.4-Easements and Utilities states that all utilities shall be located in the front yard, installed underground, and if placed above ground the poles must be steel. The rigidness of the language without flexibility makes it very difficult to consistently enforce. The Ordinance is being updated to clarify to the customer how and where utility poles can be installed underground or overhead to ensure the installation of utility poles meet the City's standards.

In addition, the current language does not provide clarification to the developer and/or City staff as to the direction for utility growth in Schertz in different zones. So waivers have consistently been given and there are currently utility poles installed above ground, underground, on one side of the street, both sides of the street, and are both wooden and steel poles. Because it is in the City's best interest to coordinate and regulate the placement of public and private utilities, the City proposes to clarify Article 15 to help ensure reliable, safe, and aesthetically pleasing infrastructure. The proposal provides guidelines to developers and City staff to direct the growth of the City in the direction the City desires. In addition, flexibility is included in the article that considers both overhead and underground utilities to ensure cost-effective utilities for the residents.

Such regulations and coordination shall be managed under the UDC.

This article was approved by the Schertz Planning and Zoning Commission on November 17, 2021.

Mayor Gutierrez opened the public hearing for those wishing to speak and recognized the following:

- Mr. Glen Outlaw, 3729 Forsyth Park- Mr. Outlaw, as Chairman of the Planning and Zoning he wanted to address two issues. Mr. Outlaw stated that the Planning and Zoning Commission forwarded it to City Council with recommendation of approval. The first concern was the lighting standards and that they were compatible with JBSA Randolph and how they would communicate with them on these issues. The other concern was the part about installing poles and providing conduit with installation. They wanted to make sure it stated that the city will decide if a project will need conduit or not.

As there were no others wishing to speak, Mayor Gutierrez closed the public hearing. Mayor Gutierrez asked if they had discussed clearance on the height of the poles. Councilman Brown appreciates the flexibility being written into the document. Ms. Williams stated that the concerns that the Planning and Zoning had were addressed.

Mayor Pro-Tem Dahle asked about the utilities being underground vs. overhead installation. If overhead installation was needed, the developer would request it with a waiver. The current ordinance does not allow overhead, so staff added flexibility into the ordinance to address those issues. Mayor Pro-Tem Dahle asked about the requirements underground and when conduit was needed. Assistant City Manager Kelm explained that our franchise agreements outlines the standards needed for underground installation and the City follows those agreements.

Dr. Browne thanked the staff for their hard work on expanding and clarifying the ordinance on such matters. It will cut down on the request for waivers with this expanded ordinance.

Moved by Councilmember David Scagliola, seconded by Councilmember Tim Brown to approve Ordinance No. 21-S-49 on first reading.

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

Passed

10. **Ordinance No. 21-S-51** - 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 2.5 acres of land from Single-Family Residential/Agricultural District (RA) to Planned Development District (PDD), located at 7809 FM 1518 N, also known as Bexar County Property Identification Number 1149102, City of Schertz, Bexar County, Texas. *(First Reading)* **(B. James/L.Wood/M.Harrison)**

Mayor Gutierrez read the following into record:

ORDINANCE NO. 21-S-51

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 2.5 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), LOCATED AT 7809 FM 1518N, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBER 1149102, BEXAR COUNTY, TEXAS.

Mayor Gutierrez recognized Planner Megan Harrison who introduced this item stating the applicant is proposing to rezone approximately 2.5 acres of land to Planned Development District (PDD) as part of The Crossvine PDD. Four (4) public hearing notices were mailed to the surrounding property owners on November 5, 2021, with a public hearing notice published in the "San Antonio Express" on November 19, 2021, prior to the City Council Public Hearing. At the time of this staff report staff has received zero (0) responses in favor or opposed to the zone change.

The goal of the proposed zone change is to incorporate an additional 2.5 acre of land into The Crossvine Planned Development (PDD) and to apply the terms, conditions, and requirements associated in the existing The Crossvine Module IIIB. The Planning and Zoning Commission conducted a public hearing on November 17, 2021, and offered a recommendation of approval with a vote of 4-0. Therefore, staff supports the recommendation made by the Planning and Commission and recommends approval of The Crossvine PDD 6th Amendment.

Mayor Gutierrez recognized the applicant Mr. Chris Price who introduced himself and stated he was here if City Council had any questions.

Mayor Gutierrez opened the public hearing for those wishing to speak, as no one spoke, Mayor Gutierrez closed the public hearing for Council comments.

Mayor Gutierrez recognized Councilmember Whittaker who stated that being on the Sub-Committee and talking about PDD's this request makes complete since that everything around this parcel has been approved and this

should mirror the previous agreements. Ms. Harrison addressed concerns presented by Councilmember Scott regarding the 5-foot set backs.

Moved by Mayor Pro-Tem Michael Dahle, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-S-51 on first reading.

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

NAY: Councilmember Rosemary Scott

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 10.

Workshop

- 11.** Workshop and Presentation providing an overview and summary of the City Council and Planning and Zoning Commission Sub Committee (B. James)

Mayor Gutierrez recognized Assistant City Manager Brian James who provided the following overview information which came out of several Sub-Committee meetings:

General Overview:

- The City Council and Planning and Zoning Commission held a joint meeting where they discussed current issues for current and proposed development standards for the City of Schertz.
- It was decided to create a smaller group to discuss the pressing concerns that each board had.

- The subcommittee was created which consisted of 6 members, members identified below:
 - 3 members from City Council
 - Councilmember Jill Whittaker, Chair for the subcommittee
 - Mayor Pro-Tem Michael Dahle
 - Councilmember David Scagliola
 - 3 members from the Planning and Zoning Commission
 - Commissioner Richard Braud
 - Commissioner Earl Platt
 - Commissioner Jimmy Odom

- The subcommittee met for their first meeting on September 7th and held a total of 7 meetings
- During the course of the meetings there were discussions on:
 - Lot sizes / density
 - Set backs
 - Straight Zoning
 - Planned Development Districts
 - Design Standards
 - Tree Mitigation Fee Caps

- After much discussion, the consensus from the subcommittee was to recommend allowing straight zoning for R-6 and R-7, currently prohibited from being requested, with the caveat that the allowance would only occur if:
 - There are approved upon residential subdivision design standards
 - A limitation on the size of areas that can be zoned R-6 and R-7, specifically,
- R-6:
 - 7,200sq ft minimum lot area
 - Maximum of 40 acres allowable
- R-7
 - 6,600 sq ft minimum lot area
 - Maximum of 30 acres allowable

- The subcommittee outlined the following as design standards that are to be included in all residential developments as desired by the City:
 - Two off street parking spaces must be provided for mailbox kiosks
 - Mailboxes must be covered
 - Curvilinear streets are desired, and specific standards will be provided for developers to follow

- For example, a residential street cannot be over 500 feet without the center line deflecting at least 30 feet. Shorter streets under 500 feet can be straight.
 - Usable Open Space needs to be provided
- Specifically, 1 acre for the first 100 lots, and a 1/2 acre for the next 100 lots
- Open space needs to be disbursed in the development with a ½ acre minimum of open space

- The purpose of the Planned Development Districts are to promote and encourage innovative development in the City of Schertz. It is a way for the developer to take the current regulations and build upon those to make a unique development that stands out, among others.

- The subcommittee was made aware that developers are needing clearer direction of what the city is wanting to see within the PDD's. Therefore, the subcommittee created a list of items they would want to see within Planned Development Districts.

Assistant City Manager Brian James stated that staff will go back and work with Planning and Zoning to finalize the standards that were discussed.

Councilmember Jill Whittaker stated that the Sub-Committee spent over 8-9 hours discussing these issues. She thanked the staff for preparing the information on the topics that were discussed. The Sub-Committee compromised on many issues and collectively agreed on several issues presented tonight. Mayor Pro-Tem Dahle agreed that the end results were a compromise and stated that he believes these standards will be good for the city. Councilmember Scagliola stated that most of the topics the Sub-Committee were in agreement in many of the concerns, and it was just a matter of finding the right verbiage. Mayor Gutierrez thanked the Sub-Committee and Staff for working together on this project.

Subcommittee Outcomes Tree Mitigation Fee Cap

- Currently tree mitigation is calculated at \$100 per DBH
 - Protected Trees (trees 8”- 24”) are mitigated at a 1:1 ratio- or \$100 per inch
 - Heritage Trees (trees 24” or greater) are mitigated at a 3:1 ratio- or \$300 per inch
- The general intent of the Tree Mitigation program is to get the developer to be thoughtful about which trees they take out when they develop property.
- However, the current mitigation rates for heavily wooded lots can cause a significant amount of tree mitigation fee to be due. The goal behind the tree mitigation program is not about collecting money but making sure the developers are thoughtful with their design and construction.
- Based on this there was discussion on capping the tree mitigation fee that could be collected on a per acre basis.

- Based on the discussions at the subcommittee meeting, staff was directed to proceed forward with a proposed UDC Amendment to cap the tree mitigation fee that can be collected to \$10,000 per acre.

Mayor Gutierrez stated he liked this recommendation and developers will know the potential costs for tree mitigation moving forward with their project. With the current standards, developer would not know the costs of tree mitigation before getting a tree survey done. With a cap, the developer will get a sense of what costs they are potentially looking at. Councilmember Brown and Councilmember Heyward wanted to confirm that other part of the

current tree mitigation standards would not change, only the cap of \$10,000 an acre was recommended.

Councilmember Davis stated he does not see the cap being more beneficial to what we currently have with the tree mitigation program. He continued in stating that we currently penalize developers with heavily wooded lots compared to developers with open lots. There are no details to how the \$10,000 cap is achieved and if it is possible to have the developers sidestep the costs without definitive details of the Tree Mitigation Program written out. Councilmember Davis believes this does not meet the spirit of the intent moving forward on how we properly look at a piece of property and give guidance to a developer.

Assistant City Manager Brian James stated that no property is created equal, and there is no way to equalize that detail. If City Council would like Staff to work on other options, they will discuss it in further detail and come back to Council.

Councilmember Davis would like to see some comparisons on previous projects' costs and the costs if the \$10,000 cap was in place. ACM James will put some comparison data together and bring it back to Council. He will also contact developers who have done work in the city and ask them how much their tree survey cost. ACM James explained that the tree survey helps the developer with the current requirements to save a certain percentage of trees on the property. Without the survey there is not a way to know what is on their property. ACM James and staff will go back and discuss the current tree mitigation, tree surveys, heritage trees, landscaping requirements and take time to really look at all these issues.

Closed Session

Mayor Gutierrez read the following closed session items into record:

12. City Council will meet in closed session under Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations, Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect.
 - Project E-074
 - Project E-080

13. City Council will meet in Closed Session under Section 551.071 of the Texas Government Code, Consultation with the Attorney regarding contract negotiations with Schertz-Seguin Local Government Corporation (SSLGC)

Mayor Gutierrez recessed the meeting into Closed Session at 8:25 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened back into regular session at 10:01 p.m.

- 12a. Take any action based on discussion held in Closed Session under Agenda Item 12.

No action was taken.

- 13a. Take any action based on discussion held in Closed Session under Agenda Item 13.

No Action was taken.

Roll Call Vote Confirmation

No roll call vote confirmation as no action was taken on agenda items 12a & 13a.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned Items 14, 15 & 16 indicating these were informational items only and that the information was provided in the Council packets as well as can be found online.

14. **Quarterly Financial Reports** - Quarterly Financial Reports. (M. Browne/J. Walters/B. Martin)
15. **2022 Master Calendar** - Information on 2022 Master Calendar and Boards/Commissions (M. Browne/S. Gonzalez)
16. **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.

No items 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

Mayor Pro-Tem Dahle attended: Tree Lighting Ceremony last week, Holiday Parade on Saturday, Ribbon Cutting Ceremony for the Hot Works Yoga and lastly this evening before Council the opening of our new Repair Shop Facility at 27 Commercial Place.

Councilmember Davis attended: Tree Lighting Ceremony last week, Holiday Parade on Saturday and the opening of our new Repair Shop Facility at 27 Commercial Place.

Councilmember Scott attended: Tree Lighting Ceremony.

Councilmember Whittaker attended: Tree Lighting Ceremony, Holiday Parade on Saturday, 12th Flying Training Wing Community and Senior Leaders Holiday Social, and today's opening of our new Repair Shop Facility at 27 Commercial Place.

Councilmember Scagliola attended: Chamber Luncheon, Tree Lighting Ceremony, Holiday Parade on Saturday, and today's opening of our new Repair Shop Facility at 27 Commercial Place.

Councilmember Heyward attended: Ribbon Cutting Ceremony for Community First Health, Ribbon Cutting Ceremony for Hot Works Yoga, Chamber Luncheon, TMRS Advisory Board Meeting in Austin and their grand opening of their new facility, Public Investment Act Training in San Antonio, Tree Lighting Ceremony, Holiday Parade on Saturday, 12th Flying Training Wing Community and Senior Leaders Holiday Social.

Councilmember Brown attended: Tree Lighting Ceremony, Holiday Parade on Saturday, and today's opening of our new Repair Shop Facility at 27 Commercial Place.

Adjournment

Mayor Gutierrez adjourned the meeting at 10:06 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Deputy City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Finance
Subject: Ordinance No. 21-T-50 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2021-2022 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. *(Final Reading)* (M. Browne/J. Walters)

BACKGROUND

This budget amendment ordinance is meant to move unused budgeted amounts from FY 2020-21 to FY 2021-22. This adjustment is for departments that had unused budgeted amounts due to delays in manufacturing, back ordered/out of stock items, or project schedules that run through multiple fiscal years. The identified items and amounts to be rolled forward amount to \$1,258,932. A list of items are outlined below:

1. Increase Planning and Zoning Division's budget by \$401,314 - \$400,000 for the master plan and \$1,314 for furniture related to the new senior planner position.
2. Increase Public Affairs budget by \$16,000 for the Citizen Satisfaction Survey which was delayed due to COVID concerns.
3. Increase Engineering budget by \$13,115 - \$4,075 for the Municipal Facilities Stormwater Control Inventory and \$9,040 for a Lift Station Design Guide update.
4. Increase Library's budget by \$1,762 to utilize donated funds for new activity center equipment for the children's room.
5. Increase Fleet budget by \$1,953 for procure supplies for the Park's replacement vehicle.
6. Increase Fire's budget by \$36,409 for backordered supplies.
7. Increase Street's budget by \$111,000 - \$51,000 for FM 78 Maintenance and \$60,000 for Aviation Heights Sidewalks Phase II
8. Increase Facilities Maintenance budget by \$182,000 - \$45,000 for the completion of the Animal Adoption Center's gate and fence and \$137,000 for corrective maintenance projects like the City Hall front counter remodel.
9. Increase the Water & Sewer budget by \$91,000 - \$73,000 for sewer camera system for inspecting sewer mains and \$18,000 for a leak detection system.
10. Increase EMS budget by \$359,492 - \$293,490 for the approved ambulance purchase and \$34,086 for supplies including safety vests, flu vaccines and uniforms.
11. Increase the Hotel Occupancy Tax budget by \$44,888 for the new banquet chairs that had shipping delays.
- *NEW* 12. Increase the Parks budget by \$131,795 - \$28,798 to use the remaining winter freeze insurance funds to repair the Wendy Swan Memorial Park Restroom and \$102,997 for the Ashley Park Improvements Phase III that was authorized on September 28, 2021.**

Staff is also proposing to purchase the new fire apparatus that was approved in the Fire Station 4 bonds. If this purchase is made before 2022, the City will save about \$80,000. The full price of the fire apparatus is \$1,298,921 and will be reimbursed by voter approved bonds issued later in 2022.

GOAL

To move forward unused budget amounts on approved programs from FY 2020-21 to prevent expenses from the previous fiscal year from inhibiting the operating budgets for FY 2021-22.

COMMUNITY BENEFIT

This will prevent current year projects from being delayed due to overlapping expenditures from the previous fiscal year.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 21-T-50.

FISCAL IMPACT

This adjustment will use budgeted amounts from FY 2019-20. Those unused funds increased fund balance at the end of the fiscal year. This adjustment will use \$1,390,727 of fund balance that will be reported on the annual financial report.

Estimated Unassigned Fund Balance as of September 30, 2021

General Fund - \$12,200,000

Water & Sewer - \$6,600,000

EMS - \$3,800,000

Hotel Tax - \$2,300,000

This adjustment will also allow staff to purchase a new fire apparatus now which will be reimbursed by bonds later in 2022.

RECOMMENDATION

Staff recommends approval of Ordinance 20-T-50 on final reading

Attachments

Ordinance 21-T-50

ORDINANCE NO. 21-T-50

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021-2022 BUDGET, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance 21-T-38, the City of Schertz (the “City”) adopted the budget for the City for the fiscal year 2021-2022 (the “Budget), which provides funding for the City’s operations throughout the 2021-2022 fiscal year; and

WHEREAS, the City needs to increase the budget and re-encumber \$1,390,727 in previously approved expenditures; and

WHEREAS, the City needs to purchase a fire apparatus for \$1,298,921 to lock in pricing before the 2022 increase which will be reimbursed by bonds issued in 2022; and

WHEREAS, City staff recommends that the City Council of the City adjust the Budget and approve the ordinance; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to adjust the Budget and approve the budget for expenses approved in FY 2020-2021, as more fully set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:

Section 1. The City shall increase Planning and Zoning Division's budget by \$401,314 - \$400,000 for the master plan and \$1,314 for furniture related to the new senior planner position.

Section 2. The City shall increase Public Affairs’ budget by \$16,000 for the Citizen Satisfaction Survey which was delayed due to COVID concerns.

Section 3. The City shall increase Engineering budget by \$13,115 - \$4,075 for the Municipal Facilities Stormwater Control Inventory and \$9,040 for a Lift Station Design Guide update.

Section 4. The City shall increase Library's budget by \$1,762 to utilize donated funds for new activity center equipment for the children's room.

Section 5. The City shall increase Fleet budget by \$1,953 to replace damaged equipment for the Park's replacement vehicle.

Section 6. The City shall increase Fire's budget by \$36,409 for backordered supplies.

Section 7. The City shall increase Street's budget by \$111,000 - \$51,000 for FM 78 Maintenance and \$60,000 for Aviation Heights Sidewalks Phase II.

Section 8. The City shall increase Facilities Maintenance budget by \$182,000 - \$45,000 for the completion of the Animal Adoption Center's gate and fence and \$137,000 for corrective maintenance projects like the City Hall front counter remodel.

Section 9. The City shall increase the Water & Sewer budget by \$91,000 - \$73,000 for sewer camera system for inspecting sewer mains and \$18,000 for a leak detection system.

Section 10. The City shall increase EMS budget by \$359,492 - \$293,490 for the approved ambulance purchase and \$34,086 for supplies including safety vests, flu vaccines and uniforms.

Section 11. The City shall increase the Hotel Occupancy Tax budget by \$44,888 for the new banquet chairs that had shipping delays.

Section 12. The City shall increase the Parks budget by \$131,795 to complete the Wendy Swan Memorial Park restroom repairs and the Ashley Park Improvements Phase III project.

Section 13. The City shall increase the budget to purchase a fire apparatus for \$1,298,921 which will be reimbursed by voter approved bond funds in 2022.

Section 14. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 15. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 16. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 17. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 18. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 19. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED ON FIRST READING, the 7th day of December, 2021.

PASSED, APPROVED and ADOPTED ON SECOND READING, the 14th day of December, 2021.

CITY OF SCHERTZ, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Finance
Subject: Resolution 21-R-130 - Consideration and approval of a Resolution relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date. (M. Browne/J. Walters)

BACKGROUND

This resolution will allow the City to make purchases in advance of upcoming debt issuances and pay itself back once the debt funds have arrived.

With this resolution, the City will be allowed to make expenses on the voter approved Fire Station 4 project and pay itself back later. Funds expensed must be approved by council by a budget adjustment and will come from reserves.

Staff recommends using this to purchase a Fire Apparatus for Station 4 that was included in the bonds. The apparatus is quoted to be \$1,298,921 and will see a price increase in January estimated to be \$80,000. The construction and delivery time is about 13 months from placing the order putting it after January 2023 before it would arrive.

The City also gets a \$40,000 discount for paying the full amount up front. By signing the contract now and using this resolution, the City could save \$120,000.

It is for this reason, staff recommends approving this resolution and purchasing the new fire apparatus now.

GOAL

To get approval for the City to pay itself back for debt related purchases made before the debt is issued.

COMMUNITY BENEFIT

The community would benefit with additional savings on the apparatus, ensuring the engine is available when the station opens, and the new vehicle could help the city's fleet while the station is built.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approving this resolution which will allow debt purchases to be made now and the funds returned to the city once debt has been issued.

Motion" I Move that the City Council adopt a Reimbursement Resolution"

FISCAL IMPACT

Any funds expended out of the General Fund will be returned once the voter approved debt has been issued. Until then the funds will be fronted by the General Fund reserves. The reserves minimum 26% of operating expenditures' requirement is \$10,100,000 and the fund balance is estimated to be at \$12,700,000 by the end of FY 2021-22 or \$2,600,000 over the requirement. With the payment of the \$1,298,000 for the fire engine the city will still be above its minimum fund balance requirement while the city waits for the bond reimbursement.

RECOMMENDATION

Approval of Resolution 21-R-130.

Attachments

Resolution 21-R-130
Fire Apparatus Quote

RESOLUTION NO. 21-R-130

A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the *Governing Body*) of the City of Schertz, Texas (the *Issuer*) has entered into or will enter into various contracts pertaining to the expenditure of lawfully available funds of the Issuer to finance the costs associated with (i) acquiring, constructing, improving, renovating, and equipping public safety facilities (to include a new fire station), acquiring lands and rights-of-way necessary thereto, and completing related landscaping (the *Construction Costs*), (ii) the payment of various engineering costs, including design testing, design engineering, and construction inspection related to the Construction Costs (the *Engineering Costs*), (iii) the payment of various architectural costs, including preparation of plans and specifications and various other plans and drawings related to the Construction Costs (the *Architectural Costs*), and (iv) the payment of various administrative costs, including the fees of bond counsel, financial advisor, project manager, project consultant, other professionals, and bond printer (the *Administrative Costs*) [the Construction Costs, the Engineering Costs, the Architectural Costs, and the Administrative Costs collectively constitute the costs of the Issuer's projects that are the subject of this Resolution (the *Project*)]; and

WHEREAS, the provisions of Section 1201.042, as amended, Texas Government Code (*Section 1201.042*) provide that the proceeds from the sale of obligations issued to finance the acquisition, construction, equipping, or furnishing of any project or facilities, such as the Project, may be used to reimburse the Issuer for costs attributable to such project or facilities paid or incurred before the date of issuance of such obligations; and

WHEREAS, the United States Department of Treasury (the *Department*) released Regulation Section 1.150-2 (the *Regulations*) which establishes when the proceeds of obligations are spent and therefore are no longer subject to various federal income tax restrictions contained in the Internal Revenue Code of 1986, as amended (the *Code*); and

WHEREAS, the Issuer intends to reimburse itself, within eighteen months from the later of the date of expenditure or the date the property financed is placed in service (but in no event more than three years after the original expenditures are paid), for the prior lawful capital expenditure of funds from the proceeds of one or more series of tax-exempt obligations (the *Obligations*) that the Issuer currently contemplates issuing in the principal amount of not to exceed \$15,450,000 to finance a portion of the costs of the Project; and

WHEREAS, under the Regulations, to fund such reimbursement with proceeds of the Obligations, the Issuer must declare its expectation ultimately to make such reimbursement before making the expenditures; and

WHEREAS, the Issuer hereby finds and determines that the reimbursement for the prior expenditure of funds of the Issuer is not inconsistent with the Issuer's budgetary and financial circumstances; and

WHEREAS, the Governing Body hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the Issuer; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

SECTION 1. This Resolution is a declaration of intent to establish the Issuer's reasonable, official intent under section 1.150-2 of the Regulations and Section 1201.042 to reimburse itself from certain of the proceeds of the Obligations for any capital expenditures previously incurred (not more than 60 days prior to the date hereof) or to be incurred with respect to the Project from the Issuer's General Fund or other lawfully available funds of the Issuer.

SECTION 2. The Issuer intends to issue the Obligations and allocate within 30 days after the date of issuance of the Obligations the proceeds therefrom to reimburse the Issuer for prior lawful expenditures with respect to the Project in a manner to comply with the Regulations.

SECTION 3. The reimbursed expenditure will be a type properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles.

SECTION 4. The Issuer intends to otherwise comply, in addition to those matters addressed within this Resolution, with all the requirements contained in the Regulations.

SECTION 5. This Resolution may be relied upon by the appropriate officials at the Office of the Attorney General for the State of Texas and establishes compliance by the Issuer with the requirements of Texas law and the Regulations.

SECTION 6. With respect to the proceeds of the Obligations allocated to reimburse the Issuer for prior expenditures, the Issuer shall not employ an abusive device under Treasury Regulation Section 1.148-10, including using within one year of the reimbursement allocation, the funds corresponding to the proceeds of the Obligations in a manner that results in the creation of "replacement proceeds", as defined in Treasury Regulation Section 1.148-1, of the Obligations or another issue of tax-exempt obligations.

SECTION 7. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Governing Body.

SECTION 8. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 11. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 12. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

[The remainder of this page intentionally left blank]

PASSED, ADOPTED AND APPROVED on this the 14th day of December, 2021.

CITY OF SCHERTZ, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

Siddons Martin Emergency Group, LLC
 3500 Shelby Lane
 Denton, TX 76207
 GDN P115891
 TXDOT MVD No. A115890



December 1, 2021

Kade Long, Fire Chief
 SCHERTZ FIRE & RESCUE
 1400 SCHERTZ PKWY BLDG 8
 SCHERTZ, TX 78154

Proposal For: 2022 Schertz Aerial

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to SCHERTZ FIRE & RESCUE. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB SCHERTZ FIRE & RESCUE and training on operation and use of the apparatus.

Description	Amount
<hr/>	
Qty. 1 - 721 - Pierce-Custom Velocity Aerial - 107'	
(Unit Price - \$1,337,203.00)	
Delivery within 15-16 months of order date	
QUOTE # - SMEG-0001841-1	
	Vehicle Price \$1,337,203.00
	Full Prepay Discount (\$40,282.00)
	<hr/> 721 - UNIT TOTAL \$1,296,921.00
	SUB TOTAL \$1,296,921.00
	HGAC FS12-19 (FIRE) \$2,000.00
	<hr/> TOTAL \$1,298,921.00

Price guaranteed for 60 days

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,



Greg Tatsch

I, _____, the authorized representative of SCHERTZ FIRE & RESCUE, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Executive Team
Subject: Resolution No. 21-R-125 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas establishing a public hearing date to consider the approval of updated land use assumptions, capital improvement plan, and impact fees for roads; and providing an effective date. (M. Browne/B. James)

BACKGROUND

State Law limits the imposition of roadway impact fees to areas within the City limits, unlike water and sewer impact fees which can be charged outside the city limits. When the City adopts or updates the impact fees, one item adopted is an impact fee service area map, indicating what areas/properties are subject to impact fees. So when the City annexes land, those properties are not automatically subject to roadway impact fees. In order to impose roadway impact fees on these areas/properties, the City must amend its roadway impact fee ordinance and update the study and service area on which the roadway impact fees are based.

City Staff has been working with Freese and Nichols, Inc. on this amendment. The first step in considering adopting these items is to approve a resolution announcing the City's intent to update the Roadway Impact Fees. So to be clear, the resolution proposed for City Council consideration on December 14, 2021 does not actually change the roadway impact fees - it simply begins that process. City Council will consider the actual amendment on February 1, 2022.

GOAL

Begin the process of updating the City's Roadway Impact Fee ordinance to include recently annexed areas.

COMMUNITY BENEFIT

Provide for the orderly development of road infrastructure and an appropriate funding mechanism.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 21-R-125 that establishes a public hearing date to consider the approval of updated land use assumptions, capital improvement plan, and impact fees for road; and providing an effective date.

FISCAL IMPACT

None

RECOMMENDATION

Approval of Resolution 21-R-125.

Attachments

Res 21 R 125

RESOLUTION NO. 21-R-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER THE APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES FOR ROADS, WATER, WASTEWATER AND DRAINAGE FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Schertz has authorized an impact fee study to determine whether to adopt updated Land Use Assumptions (LUA), Capital Improvement Plans, and Impact Fees for roadway facilities in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (*Ch. 395 of the TLGC*) and Article VII, Roadway Capital Recovery Fees, of Chapter 78, *Streets and Sidewalks*, of the City of Schertz Municipal Code of Ordinances; and

WHEREAS *Ch. 395 of the TLGC* requires the City Council of the City of Schertz to provide notice of and hold a public hearing to consider whether to update the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway facilities.

Section 1. A public hearing of the City Council shall be held on February 1, 2022, at 6:00 PM at City Hall, 1400 Schertz Parkway, Building #4 Schertz, Texas, for the purpose of considering amendments to the Land Use Assumptions, Capital Improvement Plans, and Impact Fees for roadway facilities.

Section 2. Notice of the public hearing shall be published in the City's newspaper of record at least 30-days prior to the public hearing date.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which

this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

PASSED AND ADOPTED, this 14th day of December 2021.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Brenda Dennis

(CITY SEAL)

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: City Secretary
Subject: Ordinance No. 21-S-49 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas amending Article 15 replacing Section 21.15.4, of the City of Schertz Unified Development Code, Easements and Utilities; Repealing all Ordinances or Parts of Ordinance in Conflict with this Ordinance, and providing an effective date. (*Final Reading*) (C. Kelm/S. Williams)

BACKGROUND

Article 15, Section 21.15.4-Easements and Utilities states that all utilities shall be located in the front yard, installed underground, and if placed above ground the poles must be steel. The rigidity of the language without flexibility makes it very difficult to consistently enforce.

In addition, the current language does not provide clarification to the developer and/or City staff as to the direction for utility growth in Schertz in different zones. So waivers have consistently been given and there are currently utility poles installed above ground, underground, on one side of the street, both sides of the street, and are both wooden and steel poles. Because it is in the City's best interest to coordinate and regulate the placement of public and private utilities, the City proposes to clarify Article 15 to help ensure reliable, safe, and aesthetically pleasing infrastructure. The proposal provides guidelines to developers and City staff to direct the growth of the City in the direction the City desires. In addition, flexibility is included in the article that considers both overhead and underground utilities to ensure cost-effective utilities for the residents.

Such regulations and coordination shall be managed under the UDC.

At the November 17, 2021, Planning and Zoning Commission a public hearing was held, no one spoke. After a discussion between staff and the Commission, the Planning and Zoning Commission recommended approval of the UDC amendment with a 4-0 vote.

A public hearing notice was published in the San Antonio Express News on November 19th prior to the public hearing that was held in association with the first reading for this ordinance. At the December 7, 2021 City Council meeting a public hearing was held. One resident spoke in relation to the discussion that occurred between the Planning and Zoning Commission and staff related to this item. After the public hearing concluded, the City Council approved Ord. No. 21-S-49 on first reading with a unanimous vote.

GOAL

The Ordinance is being updated to clarify to the customer how and where utility poles can be installed underground or overhead to ensure the installation of utility poles meet the City's standards.

COMMUNITY BENEFIT

The changes to Article 15 provide a more clear explanation of the standard of how and where utility poles are installed. Benefits of adopting these standards include:

1. Improving visibility along public rights-of-way
2. Protecting the utility facilities from damage due to vehicular impact.
3. Reducing obstructions in the path of vehicles driving off of a right-of-way.
4. Facilitating fewer wind outages with lower costs to utility providers for restoration of outages due to wind, translating into lower costs for utility customers.
5. Reducing interference with the existing tree canopies.
6. Improving the aesthetics of an area by removing above-ground utility poles, lines and above-ground appurtenances from view.
7. Increasing property values.

SUMMARY OF RECOMMENDED ACTION

Staff recommends City Council adopt Ordinance 21-S-49 on final reading to amend article 15 by replacing section 21.15.4.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

The Planning and Zoning Commission at the November 17, 2021 meeting offered a recommendation of approval with a 4-0 vote.

City staff recommends that City Council approve the final reading of Ordinance 21-S-49.

Attachments

Ord. No 21-S-49 and Exhibit A
Article 15 Redline

ORDINANCE NO. 21-S-49

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING PART III, SCHERTZ CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE (UDC) ARTICLE 15, SECTION 21.15.4 UTILITIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance No. 10-S-06, the City of Schertz, Texas (the “City”) adopted as Amended and Restated Unified Development Code on April 13, 2010, as further amended (the “Current UDC”); and

WHEREAS, City Staff has reviewed the Current UDC and have recommended certain revision and updates to, and reorganization of, the Current UDC;

WHEREAS, on November 17, 2021 the Planning and Zoning Commission conducted a public hearing and thereafter recommended approval; and

WHEREAS, on December 7, 2021 the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the proposed amendments are appropriate and in the interest of the public safety, health and welfare;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS: THAT:

Section 1. The current UDC is hereby amended as set forth on Exhibit A hereto.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter

of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Approved on first reading the 7th day of December, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 14th day of December, 2021.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary
(SEAL OF THE CITY)

Exhibit A

Unified Development Code
Article 15 Section 21.15.4 Utilities

See Attached

Current UDC Article 15 Section 21.15.4 to be removed:

~~All utilities, including, but not limited to, electrical wiring, natural gas, telephone, cable, internet and security systems, shall be located in the front yard, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Any utilities required to be placed above ground must be placed on steel poles meeting the requirements of the City and the applicable utility provider. The City Manager or his/her designee may waive the requirements of this section to allow wooden poles where he/she finds that unique conditions supporting such waiver exist within the development or along rights-of-ways.~~

UDC Article 15 Section 21.15.4 New Text Adopted via Ord. 21-S-14:

Article 15 – Easements and Utilities

Sec. 21.15.4. - Utilities.

- A. *Purpose.* Underground utility line facilities possess a logical relationship to the use and enjoyment of parcels within the City by:
1. Improving visibility along public rights-of-way.
 2. Protecting the utility facilities from damage due to vehicular impact.
 3. Reducing obstructions in the path of vehicles driving off of a right-of-way.
 4. Facilitating fewer wind outages with lower costs to utility providers for restoration of outages due to wind, translating into lower costs for utility customers.
 5. Reducing interference with the existing tree canopies.
 6. Improving the aesthetics of an area by removing above-ground utility poles, lines and above-ground appurtenances from view.
 7. Increasing property values.

It is in the City's best interest to coordinate and regulate the placement of public and private utilities in the public right-of-way and in easements on private property. Such regulations and coordination shall be managed under the UDC.

Utility easements shall be provided for the installation of utilities in accordance with the requirements of the City and maintained by the property owner, in accordance with Chapter 54 of the City Code of Ordinances. Trees and hardscapes, excluding driveways and sidewalks, and any other surface or subsurface improvement that could damage the utility infrastructure or limit the utility provider's ability to maintain their utility infrastructure shall not be installed within utility easement, except where a waiver is granted by the utility easement holder or expressly allowed in the easement language.

Existing overhead utilities, when altered by new development or development receiving an increase in or change in service may remain overhead or be placed underground. Utility expansions or extensions, including Primary Distribution expansions, required to serve new development or development receiving an increase in or change in service shall be placed underground in accordance with City Standards; or, if those utilities are waived to be installed overhead, the new service or change in service must be placed or located to one side of the street, alley, or thoroughfare in an easement or Right of Way as determined by the City. All utility crossings, including Secondary Distribution, shall cross a Right of Way, street, alley, or thoroughfare underground, even in instances where the Primary Distribution has a waiver to be installed overhead.

All underground utility lines shall be buried and utility connections are to be installed according to all applicable City Standards, as well as those of the City's franchised utilities authorized to provide service in Schertz. Underground utilities may be installed on both sides of a Right of Way, street, alley, or thoroughfare.

B. *Definitions*

Transmission Line-A line that carries electricity at voltages of 69kV or greater and is used to transmit electric power over relatively long distances, usually from a central generating station to main substation (This section does not apply to transmission lines or easements).

Primary Distribution-delivers power from distribution substations to distribution transformers that provide power to a secondary distribution system- (usually three phase power lines)

Secondary Distribution-carries power from distribution transformers to the electric meters of the end customers. This is also referred to as a "Service Line".

C. *Applicability*. The provisions of this section are deemed to be minimum standards and shall be applicable to all properties, facilities, and utilities within the Corporate City Limits and Extraterritorial Jurisdiction (ETJ).

D. *Residential*. All utilities in Residential Districts (all residential districts other than multi-family) including, but not limited to, electrical wiring, natural gas, telephone, and communication systems, shall be located in an easement or the Right of Way adjacent to the front yard of the property as defined by the address, shall be installed underground, and shall be maintained in accordance with all applicable City codes and regulations for such systems.

E. *Apartment/Multi-Family*. All utilities within Multi-Family Districts including, but not limited to, electrical wiring, natural gas, and communication systems, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Electrical primary distribution lines and telecommunication systems providing service to multi-family districts may be installed overhead along a single side of the perimeter of a subdivision, which is not adjacent and parallel to a Right of Way, within a utility easement. Installations which are adjacent and parallel to the Right of Way require an approved waiver to be installed. The secondary distribution lines providing electric service to each lot within the subdivision shall be installed underground.

F. *Public Use*. All utilities serving a public use district, including, but not limited to, electrical wiring, natural gas, and communication systems shall be installed underground. Utility connections, such as telecommunication, electricity, water and sanitary sewer stub outs shall be provided to all acreage dedicated as public parkland.

G. *Commercial*. All utilities in Commercial Districts including, but not limited to, natural gas, and communication systems, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Electrical primary distribution lines and telecommunication systems providing service to Commercial developments may be installed overhead along a single individual side of the perimeter of a property, which is not adjacent and parallel to a Right of Way, within a utility easement. Installations which are adjacent and parallel to the Right of Way require an approved waiver to be installed. Electrical primary distribution lines shall not be installed overhead within the perimeter or internal to a commercial development. Secondary distribution lines providing electric service to each lot within the subdivision shall be installed underground.

- H. *Industrial.* All utilities in Industrial Districts including, but not limited to, electric, natural gas, and communication systems, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Electrical primary distribution lines and telecommunication systems providing service to Industrial districts developments may be installed overhead along a single individual side of the perimeter of a property, which is not adjacent and parallel to a Right of Way, within a utility easement and shall not be installed within the property. Installations which are adjacent and parallel to the Right of Way require an approved waiver to be installed. Secondary distribution lines providing electric service to each lot within a subdivided industrial district development shall be installed underground.
- I. *On-Site Utilities.* Regardless of the type of zoning district, all on-site utilities (e.g. the edge of the property inward) must be located underground.
- J. *Street Lighting.* Installation of streetlights shall be the responsibility of the subdivider, developer, or property owner in new developments where streetlights are required to be installed by the City of Schertz Unified Development Code and shall meet the lighting and glare standards set forth in the City of Schertz Unified Development Code. The City of Schertz or electric provider may install streetlights within previous developed areas or areas where accommodations cannot be made to make the installation safe for the subdivider, developer, or property owner. The City of Schertz or utility provider may require the installation of conduit by the subdivider, developer, or property owner in this case. Service lines to streetlights shall be underground and shall be extended within an appropriate easement or right-of-way to available transformers and junction boxes. Service lines shall be provided and installed at the sole cost of the subdivider, developer or property owner. The City of Schertz or utility provider shall be responsible for streetlight maintenance for all nonmetered, public streetlights within the City of Schertz. Decorative or other nonstandard streetlight fixtures shall be approved by the Public Works Director or Assistant Public Works Director, except when City Council approves as part of a zoning ordinance. The subdivider, developer or property owner shall be responsible for the installation and maintenance of all private, metered streetlights.
- K. *Waivers.* The City Manager or the Public Works Director may waive the requirements of Section 21.15.4 or grant a waiver where he/she finds that unique conditions supporting such waiver exist within the development or along rights-of-ways.
1. *Decision and Appeal.* The Public Works Director shall either grant or deny the waiver within thirty (30) days of the application's receipt in the Public Works office. If the waiver is denied, the Public Works Director shall so notify the applicant in writing. If the waiver is denied, the applicant may appeal the decision to the City Manager by filing a written notice of appeal within ten (10) days of the applicant's receipt of the notice of denial of the waiver. The Public Works Director shall then schedule a meeting with the City Manager on the appeal at the earliest convenient opportunity and shall notify both the appellant and the City Manager of the hearing. After holding a hearing on the denial of the waiver, the City Manager may either sustain the decision or grant the waiver.

2. *Approval Criteria.* The City Manager or the Public Works Director may grant a waiver from the requirements of the City if either finds both of the following conditions:

The requirements to provide utilities to the owner/customer's property pose a degree of practical difficulty, such as natural barriers, presence of existing utilities, or other existing conditions outside of the property owner's control, and that approval of the waiver would not be contrary to public policy and would not substantially weaken the general purposes of this division and of the area of the City in which the property lies.

3. *Scope of Approval.* Whenever a waiver has been granted under this section, and thereafter the waiver date, utility services are disconnected from the property due to the request, direction or actions of the property owner, the waiver becomes null and void. Any reconnection of utility service to the property must be accomplished in a manner consistent with the requirements of this division and of the ordinance which established service.
4. *Above ground waiver.* Any utility given a waiver to be placed above ground must be placed on steel poles meeting the requirements of the City

Article 15 – Easements and Utilities

Sec. 21.15.4. - Utilities.

~~Sec. 21.15.4. – Utilities.~~

~~All utilities, including, but not limited to, electrical wiring, natural gas, telephone, cable, internet and security systems, shall be located in the front yard, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Any utilities required to be placed above ground must be placed on steel poles meeting the requirements of the City and the applicable utility provider. The City Manager or his/her designee may waive the requirements of this section to allow wooden poles where he/she finds that unique conditions supporting such waiver exist within the development or along rights-of-ways.~~

- A. *Purpose.* Underground utility line facilities possess a logical relationship to the use and enjoyment of parcels within the City by:
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All underground utility lines shall be buried and utility connections are to be installed according to all applicable City Standards, as well as those of the City's franchised utilities authorized to provide service in Schertz. Underground utilities may be installed on both sides of a Right of Way, street, alley, or thoroughfare.

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Secondary Distribution-carries power from distribution transformers to the electric meters of the end customers. This is also referred to as a "Service Line".

C. Applicability. The provisions of this section are deemed to be minimum standards and shall be applicable to all properties, facilities, and utilities within the Corporate City Limits and Extraterritorial Jurisdiction (ETJ).

D. Residential. All utilities in Residential Districts (all residential districts other than multi-family) including, but not limited to, electrical wiring, natural gas, telephone, and communication systems, shall be located in an easement or the Right of Way adjacent to the front yard of the property as defined by the address, shall be installed underground, and shall be maintained in accordance with all applicable City codes and regulations for such systems.

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F. Public Use. All utilities serving a public use district, including, but not limited to, electrical wiring, natural gas, and communication systems shall be installed underground. Utility connections, such as telecommunication, electricity, water and sanitary sewer stub outs shall be provided to all acreage dedicated as public parkland.

G. Commercial. All utilities in Commercial Districts including, but not limited to, natural gas, and communication systems, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Electrical primary distribution lines and telecommunication systems providing service to Commercial developments may be installed overhead along a single individual side of the perimeter of a property, which is not adjacent and parallel to a Right of Way, within a utility easement. Installations which are adjacent and parallel to the Right of Way require an approved waiver to be installed. Electrical primary distribution lines shall not be installed overhead within the perimeter or internal to a commercial development.

Secondary distribution lines providing electric service to each lot within the subdivision shall be installed underground.

- H. *Industrial.* All utilities in Industrial Districts including, but not limited to, electric, natural gas, and communication systems, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Electrical primary distribution lines and telecommunication systems providing service to Industrial districts developments may be installed overhead along a single individual side of the perimeter of a property, which is not adjacent and parallel to a Right of Way, within a utility easement and shall not be installed within the property. Installations which are adjacent and parallel to the Right of Way require an approved waiver to be installed. Secondary distribution lines providing electric service to each lot within a subdivided industrial district development shall be installed underground.
- I. *On-Site Utilities.* Regardless of the type of zoning district, all on-site utilities (e.g. the edge of the property inward) must be located underground.
- J. *Street Lighting.* Installation of streetlights shall be the responsibility of the subdivider, developer, or property owner in new developments where streetlights are required to be installed by the City of Schertz Unified Development Code and shall meet the lighting and glare standards set forth in the City of Schertz Unified Development Code. The City of Schertz or electric provider may install streetlights within previous developed areas or areas where accommodations cannot be made to make the installation safe for the subdivider, developer, or property owner. The City of Schertz or utility provider may require the installation of conduit by the subdivider, developer, or property owner in this case. Service lines to streetlights shall be underground and shall be extended within an appropriate easement or right-of-way to available transformers and junction boxes. Service lines shall be provided and installed at the sole cost of the subdivider, developer or property owner. The City of Schertz or utility provider shall be responsible for streetlight maintenance for all nonmetered, public streetlights within the City of Schertz. Decorative or other nonstandard streetlight fixtures shall be approved by the Public Works Director or Assistant Public Works Director, except when City Council approves as part of a zoning ordinance. The subdivider, developer or property owner shall be responsible for the installation and maintenance of all private, metered streetlights.
- K. *Waivers.* The City Manager or the Public Works Director may waive the requirements of Section 21.15.4 or grant a waiver where he/she finds that unique conditions supporting such waiver exist within the development or along rights-of-ways.
 - 1. *Decision and Appeal.* The Public Works Director shall either grant or deny the waiver within thirty (30) days of the application's receipt in the Public Works office. If the waiver is denied, the Public Works Director shall so notify the applicant in writing. If the waiver is denied, the applicant may appeal the decision to the City Manager by filing a written notice of appeal within ten (10) days of the applicant's receipt of the notice of denial of the waiver. The Public Works Director shall then schedule a meeting with the City Manager on the appeal at the earliest convenient opportunity and shall notify both the appellant and the City Manager of the hearing. After holding a hearing on the denial of the waiver, the City Manager may either sustain the decision or grant the waiver.

2. *Approval Criteria.* The City Manager or the Public Works Director may grant a waiver from the requirements of the City if either finds both of the following conditions:

The requirements to provide utilities to the owner/customer's property pose a degree of practical difficulty, such as natural barriers, presence of existing utilities, or other existing conditions outside of the property owner's control, and that approval of the waiver would not be contrary to public policy and would not substantially weaken the general purposes of this division and of the area of the City in which the property lies.

3. *Scope of Approval.* Whenever a waiver has been granted under this section, and thereafter the waiver date, utility services are disconnected from the property due to the request, direction or actions of the property owner, the waiver becomes null and void. Any reconnection of utility service to the property must be accomplished in a manner consistent with the requirements of this division and of the ordinance which established service.
4. *Above ground waiver.* Any utility given a waiver to be placed above ground must be placed on steel poles meeting the requirements of the City

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: City Secretary
Subject: Resolution No. 21-R-116 - Consideration and/or action to approve the appointment of Mr. Richard Braud to the Board of Directors Place D-3 of the Schertz Seguin Local Government Corporation, and other matters in connection therewith. (C. Kelm/A. Beard)

BACKGROUND

The Schertz Seguin Local Government Corporation (SSLGC) was formed in 1999 to provide drinking water to the cities of Schertz and Seguin. SSLGC has a five-member board each with a five-year term. The member cities alternate filling the five seats with one of them expiring each year.

Mr. David Reiley, Position D-3, served a five-year term whose term is ending December 31, 2021 and the position will become vacant, as he will not be reapplying. Staff is recommending the appointment of Mr. Richard Braud to the SSLGC Board of Directors Position of D-3 with a term beginning January 1, 2022 and ending December 31, 2026.

GOAL

To appoint Mr. Richard Braud to the Board of Directors of the Schertz Seguin Local Government Corporation (SSLGC) Place D-3 for a five-year term beginning January 1, 2022, and ending December 31, 2026.

COMMUNITY BENEFIT

Appointing Mr. Richard Braud will ensure the City of Schertz's interest are represented within the Schertz Seguin Local Government Corporation Board.

SUMMARY OF RECOMMENDED ACTION

Staff recommends the appointment of Mr. Richard Braud Place D-3 for a term beginning January 1, 2022 and ending December 31, 2026.

FISCAL IMPACT

There is no fiscal impact to this appointment to the City General Fund.

RECOMMENDATION

Staff recommends approving Resolution No.20-R-116 authorizing the appointment of Mr. Richard Braud to the SSLGC Board of Directors Place D-3 for a term to begin January 1, 2022 and ending December 31, 2026.

Attachments

Appointment Richard Braud

RESOLUTION NO. 21-R-116

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPOINTING MR. RICHARD BRAUD TO THE BOARD OF DIRECTORS PLACE D-3 OF THE SCHERTZ SEGUIN LOCAL GOVERNMENT CORPORATION, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, City Council appoints individuals to the Schertz Seguin Local Government Corporation (SSLGC) Board of Directors Place to represent the City; and

WHEREAS, in December 2021, David Reiley, Resident of Seguin, will complete his five-year term on the SSLGC Board of Directors in position D-3; and

WHEREAS, the positions of the SSLGC Board of Directors alternate between the two Cities to be filled; and

WHEREAS, the City staff of the City of Schertz (the "City") is recommending that the City appoint Mr. Richard Braud to serve on the Schertz Seguin Local Government Corporation ("SSLGC") Board of Directors Place D-3 for a term to begin January 1, 2022, and ending December 31, 2026; and

WHEREAS, the City Council has determined that it is in the best interest of the City to appoint Mr. Richard Braud to serve on the SSLGC Board of Directors Place D-3 with a term ending date of December 31, 2026.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby appoints Richard Braud to serve on the SSLGC Board of Directors in the positions D-3, respectively.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 14th day of December 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Planning & Community Development
Subject: Ordinance No. 21-S-51 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 2.5 acres of land from Single-Family Residential/Agricultural District (RA) to Planned Development District (PDD), located at 7809 FM 1518 N, also known as Bexar County Property Identification Number 1149102, City of Schertz, Bexar County, Texas. *(Final Reading)* (B. James/L. Wood/M. Harrison)

BACKGROUND

The applicant is proposing to rezone approximately 2.5 acres of land to Planned Development District (PDD) as part of The Crossvine PDD. Four (4) public hearing notices were mailed to the surrounding property owners on November 5, 2021, with a public hearing notice published in the "San Antonio Express" on November 19, 2021, prior to the City Council public hearing. At the time of this staff report staff has received zero (0) responses in favor or opposed to the zone change.

Crossvine Project History:

2005	Sedona Subdivision PUD was adopted for mix use development Ord. #05-S-49
2006	Sedona Subdivision PUD was amended Ord. #06-S-36
2012	Sedona Trails PDD was adopted as a new mixed use development Ord. #12-S-01
2012	The Crossvine PDD was amended and adopted by Ord. #12-S-16
2014	The Crossvine PDD was amended and adopted by Ord. #14-S-08
2017	The Crossvine PDD was amended and adopted by Ord. #17-S-01 to allow for a new Garden Home configuration the "3rd Amendment".
2021	The Crossvine PDD was amended and adopted by Ord. #21-S-08 to incorporate an additional 57.486 acres into the Crossvine PDD zoned area.
2021	The Crossvine PDD was amended and adopted by Ord. #21-S-22
2021	The proposed The Crossvine PDD "6th Amendment": to incorporate additional approximately 2.5 acres into The Crossvine PDD zoned area.

The Crossvine PDD 6th Amendment is proposed to develop the 2.5 acres of land as single-family residential lots consisting of 3 categories, identified below.

- DSFR(1) will have a lot size no less than five thousand five hundred (5,500) square feet with a minimum dimensions of fifty (50) feet wide by one hundred and ten (110) feet deep. The DSFR (1) will have a maximum dwelling size, of conditioned area, of three thousand five hundred nineteen (3,519) square feet.

- DSFR(2) will have a lot size no less than seven thousand two hundred (7,200) square feet with a minimum dimensions of sixty (60) feet wide by one hundred and twenty (120) feet deep. The DSFR (2) will have a maximum dwelling size, of conditioned area, of four thousand and fourteen (4,014) square feet.
- DSFR(3) will have a lot size no less than eight thousand four hundred (8,400) square feet with a minimum dimensions of seventy (70) feet wide by one hundred twenty (120) feet deep. The DSFR (3) will have a maximum dwelling size, of conditioned area, of four thousand five hundred and nine (4,509) square feet.

The DSFR(1), DSFR(2), and DSFR(3) land use categories, are further described on the full table identified on page 4 of The Crossvine PDD Sixth Amendment-Design Standards.

GOAL

The goal of the proposed zone change is to incorporate an additional 2.5 acre of land into The Crossvine Planned Development (PDD) and to apply the terms, conditions, and requirements associated in the existing The Crossvine Module IIIB.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

The Comprehensive Land Use Plan and Schertz Sector Plan identifies the subject property, as Estate Neighborhood. Traditionally, Estate Neighborhood is designed to be 0.5 acre tracts, but due to the fact that the property is surrounded by property already zoned as part of The Crossvine PDD, the Estate Neighborhood classification does not seem appropriate at this time.

- Impact of Infrastructure: The proposed zoning should have minimal impact on the existing and planned water and wastewater systems in the area.
- Impact of Public Facilities/Services: The proposed rezoning request should have minimal impact on public services, such as schools, fire, police, parks, and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The subject property is surrounded by undeveloped land that is zoned for The Crossvine PDD and FM 1518 right of way. Staff believes that the rezoning request, essentially to incorporate an approximately 2.5 acres into the existing Crossvine PDD will be compatible with the surrounding properties since they are already a part of The Crossvine PDD project area.

FISCAL IMPACT

None.

RECOMMENDATION

The approximately 2.5 acres of land is currently surrounded by The Crossvine PDD zoned properties, and the proposal to incorporate this additional 2.5 acres of land into The Crossvine Module IIIB shall have minimal impact on the adjacent properties. The Crossvine Module IIIB is designed to incorporate the land use categories of DSFR (1), DSFR (2), and DSFR (3) as well as retain the design elements that make The Crossvine unique such as accessible green spaces, walking trails, meandering roadways, and intimate cul-de-sacs. Additionally, this proposed zone change will take a portion of property that would otherwise be surrounded by Crossvine zoned property and incorporate it into the Crossvine project, so there is no longer a remainder property.

Based on the conformance with the goals and objectives of the Comprehensive Land Use Plan, the

minimal impact on the adjacent properties, and the conformance to The Crossvine design standards, staff recommends approval of the proposed zone change for the approximately 2.5 acres of land.

The Planning and Zoning Commission conducted a public hearing on November 17, 2021, and offered a recommendation of approval with a vote of 4-0. Therefore, staff supports the recommendation made by the Planning and Commission and recommends approval of The Crossvine PDD 6th Amendment.

The City Council conducted a public hearing on December 7, 2021, and offered a recommendation of approval with a vote of 6-1. The agenda item will go back to City Council on December 14, 2021 for discussion.

Attachments

Ord. No. 21-S-51

Exhibit A: Metes and Bounds

Exhibit B: Zone Change Exhibit

Exhibit C: Development Standards

Aerial Map

Public Notification 200ft buffer

ORDINANCE NO. 21-S-51

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 2.5 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), LOCATED AT 7809 FM 1518N, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBER 1149102, BEXAR COUNTY, TEXAS.

WHEREAS, an application to rezone approximately 2.5 acres of land located at 7809 FM 1518N, also known as Bexar County Property Identification Numbers 1149102, and more specifically described in the Exhibit A and Exhibit B attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zone change (the “Criteria”); and

WHEREAS, on November 17, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning according to the development standards set forth in Exhibit C attached herein (the “Development Standards”); and

WHEREAS, on December 7, 2021, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:
THAT:**

Section 1. The Property as shown and more particularly described in the attached Exhibit A and Exhibit B, is hereby zoned Planned Development District (PDD)

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Approved on first reading the 7th day of December, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 14th day of December, 2021.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary
(SEAL OF THE CITY)

Additional Tract 1



FIELD NOTES
FOR
2.4101 ACRES

A **2.4101 acre** tract of land, out of the Julian Diaz Survey No. 66, Abstract No. 187, County Block 5059, and being the remainder of a 2.49 acre tract as conveyed to Michael Ray Thomas of record in Volume 17621, Page 1344 of the Official Public Records of Bexar County, Texas, (OPR) (**R10**) and situated in the City of Schertz, Bexar County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a point in the southwest right-of-way line FM 1518, a variable width right of way, the southeast line of a 145.427 acre tract as conveyed to Schertz 1518, LTD. of record in Volume 11564, Page 1814 (OPR), the northwest corner of a 0.2242 acre tract as conveyed to the State of Texas of record in Document No. 20200122274 - Part 1 (OPR) (**R14**) and for the northeast corner of the 9.977 acre tract of land as conveyed to Ware Seguin 1518, LLC (OPR) from which a found iron rod stamped "PAPE DAWSON" bears S 32°16'35" E, a distance of 0.24 feet;

THENCE: S 30° 20' 43" E along and with the southwest right-of-way line of FM 1518, northeast lines of the 9.977 acre tract and the 1.000 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Volume 18557, Page 1674 (OPR), a distance of 348.98 feet (*N 30° 28' 27" W - 348.75', R14*) to a found ½" iron rod stamped "PAPE DAWSON", for the southeast corner of the 1.000 acre tract, the northeast corner remainder of a 2.49 acre tract as conveyed to Michael Ray Thomas of record in Volume 17621, Page 1344 of the Official Public Records of Bexar County, Texas, for the **POINT OF BEGINNING** and the easterly northeast corner of the tract described herein;

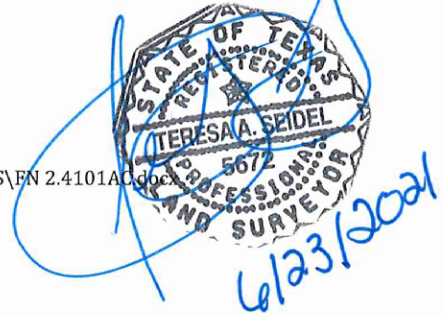
THENCE: S 30° 20' 43" E continuing along and with the southwest right-of-way line of FM 1518 of a 0.0954 acre tract as conveyed to the State of Texas of record in Document No. 20190164992 (OPR) (**R15**) and northeast line remainder of the 2.49 acre tract, a distance of **148.36 feet** (*N 30° 28' 27" W - 148.49', R15*) to a found ½" iron rod in the southwest right-of-way line of FM 1518, for the northeast corner of the 5.00 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Volume 18557, Page 998 (OPR), the southeast corner of the tract described herein, from which a found ½" iron rod stamped "PAPE DAWSON", for the northeast corner of the 10.00 acre tract as conveyed to Roy B. Juarez and Edna M. Juarez of record in Volume 1839, Page 504 (OPR), the southeast corner of the 15.00 acre tract to Ware Seguin 1518, LLC of record in Volume 18733, Page 1544 (OPR) and the southwest corner of a 0.3185 acre tract as conveyed to the State of Texas of record in Document No. 20200122274 - PART 2 (OPR) (**R16**) bears, S30°20'43" E, a distance of 495.45 feet (*N 30° 28' 27" W, 495.42', (R16)*);

THENCE: Along and with the southeast, southwest, and northwest lines of the 2.49 acre tract, the northwest line of the 5.00 acre tract, a northeast line of the 2.010 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Document No. 20190250971 (OPR), the southeast line of the 9.977 acre tract and the southeast and southwest lines of the 1.00 acre tract, the following five (5) courses:

1. **S 59°15'02" W**, a distance of **586.00 feet** a found ½" iron rod, for a southeast corner of the 2.010 acre tract, the southwest corner of the 2.49 acre tract and the tract described herein,
2. **N 30°08'37" W**, a distance of **249.79 feet** to a set ½" iron rod with a Blue Plastic Cap Stamped "KFW SURVEYING", for the northeast corner of the 2.010 acre tract, the northwest corner of the 2.49 acre tract and the tract described herein,

3. **N 59°18'57" E**, a distance of **175.62 feet** to a found ½" iron rod, for the northwest corner of the 1.000 acre tract, the northerly northeast corner of the 2.49 acre tract and the tract described herein,
4. **S 30°42'50" E**, a distance of **100.04 feet** to a found ½" iron rod stamped "AMER SURVEY", for the southwest corner of the 1.00 acre tract, an interior corner of the 2.49 acre tract and the tract described herein, and
5. **N 59°24'56" E**, a distance of **408.85 feet** to the **POINT OF BEGINNING** and containing **2.4101 acres** more or less, in the City of Schertz, Bexar County, Texas and being described in accordance with a survey prepared by KFW Surveying.

Job No.: 21-025
Prepared by: KFW Surveying
Date: June 17, 2021
File: S:\Draw 2021\21-025 Crossvine M4 ALTA Title Survey\DOCS\FN 2.4101A.doc





THE
CROSSVINE

SCHERTZ • TEXAS • 78154

**THE CROSSVINE PDD
6th AMENDMENT
10-20-21**

The Crossvine PDD Sixth Amendment

The Sedona Trails PDD was approved by the Planning and Zoning Commission and the City Council of Schertz, Texas on January 24, 2012 (the “Sedona Trails PDD”) by Ordinance 12-S-01. The history and prior iterations of the Sedona Trails PDD are more specifically detailed and set forth in the preamble to the Sedona Trails PDD which was approved on January 24, 2012. The Sedona Trails PDD was subsequently amended by (i) Ordinance 12-S-16 on August 21, 2012 (the “First Amendment”) (ii) Ordinance 14-S-08 on March 11th, 2014 (the “Second Amendment”), (iii) Ordinance 17-S-01 on February 28, 2017 (the “Third Amendment”), (iv) Ordinance 21-S-08 on April 6, 2021 (the “Fourth Amendment”), (v) Ordinance 21-S-22 on June 22, 2021 (the “Fifth Amendment”) and renamed The Crossvine PDD along with detailing and defining certain items referenced in the Sedona Trails PDD which were unresolved and primarily focusing on Community and Public Amenity Standards, Architectural Design Standards for single-family residences, and related matters of clarification (collectively, the Sedona Trails PDD and the First Amendment are hereinafter referred to as “The Crossvine PDD”).

As contemplated in The Crossvine PDD, this Amendment (the “Sixth Amendment”) is the continuation of the definition of the Overall Conceptual Master Plan and is primarily focused on the addition of property to The Crossvine PDD (which is hereinafter referred to as “Module IIIB”). For the purposes of this Sixth Amendment, defined terms set forth in The Crossvine PDD are hereby incorporated by reference and included herein and reference shall be made to The Crossvine PDD for specific elements which are not specifically defined or otherwise set forth herein.

The Crossvine PDD remains in full force and effect with the exception of the matters addressed herein which shall be considered to be amendments to The Crossvine PDD. Elements, requirements, and conditions set forth in The Crossvine PDD shall be deemed to apply to those portions of the Property addressed by this Sixth Amendment unless specifically excluded, changed, or modified. Similarly, nothing in this Sixth Amendment shall be deemed to modify any elements, requirements, or conditions of The Crossvine PDD unless specifically noted herein.

The UDC for the City establishes certain requirements and standards for the development of Planned Development Districts. The version of the UDC (and regulations, fees, etc. associated therewith) applicable to the Project Area shall control all development standards except to the extent modified by this Sixth Amendment, The Crossvine PDD, or by the original Sedona PUD. Provisions of the UDC shall be interpreted to be consistent with The Crossvine PDD (as amended) and, in the event of any apparent conflict, the UDC shall be deemed amended to give full effect to The Crossvine PDD (as amended).

Amendments to The Crossvine PDD Section 2: Legal Description/Metes and Bounds

Addition of Property to The Crossvine PDD Project Area

The Crossvine PDD Project Area is expanded by this Sixth Amendment to include one additional tract of land. This tract shall be incorporated into Module III and more specifically into Module IIIB. Briefly described, the additional included tract of land (the "Additional Tract") is:

1. A 2.4101 acre tract generally located SE of The Crossvine Module IIIA and west of FM 1518 ("Additional Tract 1").

A legal description and survey of the tract of land noted above and to be included in The Crossvine PDD pursuant to this Sixth Amendment is included as Exhibit 1. In addition, a location map which graphically depicts the location of the above referenced tract is included as Exhibit 2.

Additional Tract; Zoning and PDD Applicability

Module IIIB shall be developed as single-family residential lots as currently allowed and governed by The Crossvine PDD or as may ultimately be permitted or allowed by The Crossvine PDD. The zoning for the Additional Tract and the applicability of The Crossvine PDD to such Additional Tract shall be:

Additional Tract 1: Shall be incorporated into Module IIIB and the terms, conditions and requirements associated with Module I and Module IIIB shall apply as set forth in The Crossvine PDD, this Amendment, and contemplated subsequent amendments.

Provided, however, as it relates to the Additional Tract, the current use of such property shall continue to be permitted, including, but not limited to additional improvements, renovations, structures, etc. which are ancillary to the current use of such property.

It is intended that Additional Tract 1 which is being added to the PDD Project Area by this Sixth Amendment shall be subject to the same restrictions and shall be the beneficiary of the same rights and entitlements as Module IIIB as granted and provided by the Fourth Amendment. For the purposes of clarity and ease of reference, it is hereby provided that:

7.1.1 Module IIIB (Inclusion of Additional Tract 1)

Additional Tract 1 is added to Module IIIB. Module IIIB shall be developed with single-family residential development and will likely be composed primarily of DSFR (1); although any Detached Single-Family Residential (DSFR(1)-DSFR(3)) shall be permitted in Module IIIB as well as any Detached Single-Family Residential lots which may be permitted in any subsequent amendment to The Crossvine PDD. Module IIIB abuts Module IIIA on its northern boundary, FM 1518 along its eastern boundary, and Ware Seguin Road on its southern boundary. The design for Module IIIB shall be a natural extension of the land plan design and development aesthetic of The Crossvine. The dominant theme and aesthetics of The Crossvine of accessible greenspace, walking trails, meandering roadways and intimate cul-de-sacs will be maintained. The construction, landscaping, signage, and other features in Module III will adhere to the Public Amenity and Architectural Standards as previously established by The Crossvine PDD for Module I.

It is hereby agreed that the zoning for Additional Tract 1 in Module IIIB (collectively, the “Module IIIB Zoning Categories”) shall be:

Single-Family Residential: The area designated as Single-Family Residential shall include DSFR(1)-DSFR(3) or any subsequently approved single-family zoning along with the ancillary uses in the development of such areas (e.g., greenbelts, mail kiosks, amenity centers, etc.).

Land Use Dimensional Requirements (Ordinance 12-S-16)													
Use Category	Min. Lot Size and Dimensions			Minimum Setback (Ft.)					Misc. Requirements				
	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft. - Resid.	Side Ft. Non-Resid.	Rear Ft. Resid.	Rear Ft. Non Resid.	Min. Off-Street Pkg	Max. Height (Ft.)	Max. Imperv Cover	DUE Allocation	Max. Home Size (conditioned area) (in sq. ft.)
Improved Property Land Use - Resid.													
Detached Single Family Residential													
DSFR(1)	5,500	50	110	20*	5	5	10	10	2	38	65%	1	3519**
DSFR(2)	7,200	60	120	20*	5	5	10	10	2	38	65%	1	4014**
DSFR(3)	8,400	70	120	20*	5	5	10	10	2	38	65%	1	4509**
*20 ft. minimum set back is from ROW line to garage. Porch, patio, courtyard or house may protrude into setback by no more than 5 ft.													
**Amended as a Minor Special Exception, approved by City of Schertz 4-18-2017													

Additional Tract 1



**FIELD NOTES
FOR
2.4101 ACRES**

A **2.4101 acre** tract of land, out of the Julian Diaz Survey No. 66, Abstract No. 187, County Block 5059, and being the remainder of a 2.49 acre tract as conveyed to Michael Ray Thomas of record in Volume 17621, Page 1344 of the Official Public Records of Bexar County, Texas, (OPR) (**R10**) and situated in the City of Schertz, Bexar County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a point in the southwest right-of-way line FM 1518, a variable width right of way, the southeast line of a 145.427 acre tract as conveyed to Schertz 1518, LTD. of record in Volume 11564, Page 1814 (OPR), the northwest corner of a 0.2242 acre tract as conveyed to the State of Texas of record in Document No. 20200122274 - Part 1 (OPR) (**R14**) and for the northeast corner of the 9.977 acre tract of land as conveyed to Ware Seguin 1518, LLC (OPR) from which a found iron rod stamped "PAPE DAWSON" bears S 32°16'35" E, a distance of 0.24 feet;

THENCE: S 30° 20' 43" E along and with the southwest right-of-way line of FM 1518, northeast lines of the 9.977 acre tract and the 1.000 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Volume 18557, Page 1674 (OPR), a distance of 348.98 feet (*N 30° 28' 27" W - 348.75', R14*) to a found ½" iron rod stamped "PAPE DAWSON", for the southeast corner of the 1.000 acre tract, the northeast corner remainder of a 2.49 acre tract as conveyed to Michael Ray Thomas of record in Volume 17621, Page 1344 of the Official Public Records of Bexar County, Texas, for the **POINT OF BEGINNING** and the easterly northeast corner of the tract described herein;

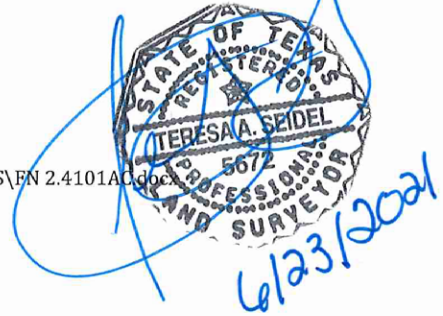
THENCE: S 30° 20' 43" E continuing along and with the southwest right-of-way line of FM 1518 of a 0.0954 acre tract as conveyed to the State of Texas of record in Document No. 20190164992 (OPR) (**R15**) and northeast line remainder of the 2.49 acre tract, a distance of **148.36 feet** (*N 30° 28' 27" W - 148.49', R15*) to a found ½" iron rod in the southwest right-of-way line of FM 1518, for the northeast corner of the 5.00 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Volume 18557, Page 998 (OPR), the southeast corner of the tract described herein, from which a found ½" iron rod stamped "PAPE DAWSON", for the northeast corner of the 10.00 acre tract as conveyed to Roy B. Juarez and Edna M. Juarez of record in Volume 1839, Page 504 (OPR), the southeast corner of the 15.00 acre tract to Ware Seguin 1518, LLC of record in Volume 18733, Page 1544 (OPR) and the southwest corner of a 0.3185 acre tract as conveyed to the State of Texas of record in Document No. 20200122274 - PART 2 (OPR) (**R16**) bears, S30°20'43" E, a distance of 495.45 feet (*N 30° 28' 27" W, 495.42', (R16)*);

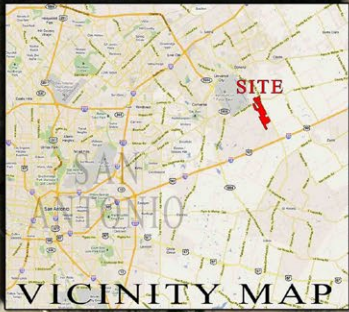
THENCE: Along and with the southeast, southwest, and northwest lines of the 2.49 acre tract, the northwest line of the 5.00 acre tract, a northeast line of the 2.010 acre tract of land as conveyed to Ware Seguin 1518, LLC of record in Document No. 20190250971 (OPR), the southeast line of the 9.977 acre tract and the southeast and southwest lines of the 1.00 acre tract, the following five (5) courses:

1. **S 59°15'02" W**, a distance of **586.00 feet** a found ½" iron rod, for a southeast corner of the 2.010 acre tract, the southwest corner of the 2.49 acre tract and the tract described herein,
2. **N 30°08'37" W**, a distance of **249.79 feet** to a set ½" iron rod with a Blue Plastic Cap Stamped "KFW SURVEYING", for the northeast corner of the 2.010 acre tract, the northwest corner of the 2.49 acre tract and the tract described herein,

3. **N 59°18'57" E**, a distance of **175.62 feet** to a found ½" iron rod, for the northwest corner of the 1.000 acre tract, the northerly northeast corner of the 2.49 acre tract and the tract described herein,
4. **S 30°42'50" E**, a distance of **100.04 feet** to a found ½" iron rod stamped "AMER SURVEY", for the southwest corner of the 1.00 acre tract, an interior corner of the 2.49 acre tract and the tract described herein, and
5. **N 59°24'56" E**, a distance of **408.85 feet** to the **POINT OF BEGINNING** and containing **2.4101 acres** more or less, in the City of Schertz, Bexar County, Texas and being described in accordance with a survey prepared by KFW Surveying.

Job No.: 21-025
Prepared by: KFW Surveying
Date: June 17, 2021
File: S:\Draw 2021\21-025 Crossvine M4 ALTA Title Survey\DOCS\FN 2.4101A.docx





**ADDITIONAL TRACT 1
2.4101 AC**



THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.

PLANNED ENVIRONMENTS, INC. REICHTOL GOLF DESIGN WATERS OF AMERICA
 9104 ATWATER COVE, AUSTIN, TX 78733 (512)474-0806 (512)474-5438 fax peh@peh.com



4/5/21

Bexar County



1058761
SCHERTZ
1518 LTD

310134
MINTER EDWARD
E III & HYON C

310135
MINTER EDWARD
E III & HYON C

310203
WAT SADDHAMMA
BUDDHIST 1518 TEMPLE

310146
JONES MARIA
SONIA

310152
MARTINEZ MARK L &
MARTINEZ ELADIO

310145
JONES MARIA
SONIA

310061
BRYCAP COMML
PROPERTIES LLC

310073
WARE SEGUIN
1518 LLC

310101
WARE SEGUIN 1518 LLC

1149102
THOMAS
MICHAEL RAY

310105
WARE SEGUIN
1518 LLC

1157215
WARE SEGUIN
1518 LLC

310106
WARE SEGUIN
1518 LLC

310104
WARE SEGUIN
1518 LLC

310083
WARE SEGUIN
1518 LLC

310078
WARE SEGUIN
1518 LLC

310072
JUAREZ ROY
& EDNA M

310213
BOLLIG RONALD
& CHRISTINE

310214
VICK DAVID
HOLDE

310215
CHURCH OF
CHRIST

310216
KAMOLSRI CHOB
& PRAPAPAN

310217
KAMOLSRI PRAPAPAN
T & CHOB

310218
KAMOLSRI PRAPAPAN
V & GLORIA

310219
GARZARAY MUNDO
V & GLORIA

310064
MCCOY
MICHAELA

310070
OBEARLE GARY
RICHARD

310236
SHAW BRIAN
EDWARD

310237
GARCIA
LUCIA

310238
ROLLAVER BOGUSLAW
RICHARD E JR

310239
BASSETT
& TANNER ANA H

310240
TANNER DANIELE
& TANNER ANA H

310077
WARE SEGUIN
1518 LLC

619135
SCHERTZ
1518 LTD

310100
ALBERT MCCOY &
EVELYN L MCCOY
REVC LIVING TRUST,
MCCOY ALBERT

310204
ROSAS
JOSE R JR

310208
CASTRELLON ROL
& MARILO CASTRELLON

310210
ELLIS JEROME
PJR & AMANDA

310212
KUHN CURTIS EDWARD
& MAXINE L

310235
PONCE ALVARO VILLANUEVA
& CRISTINA GARCIA

310236
SHAW BRIAN
EDWARD

310238
ROLLAVER BOGUSLAW
RICHARD E JR

310239
BASSETT
& TANNER ANA H

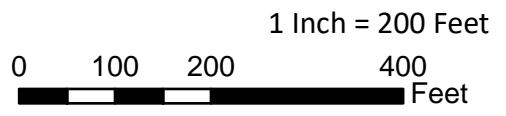
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& TANNER ANA H

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LUENSMANN HENRRY
W FAMILY TR &

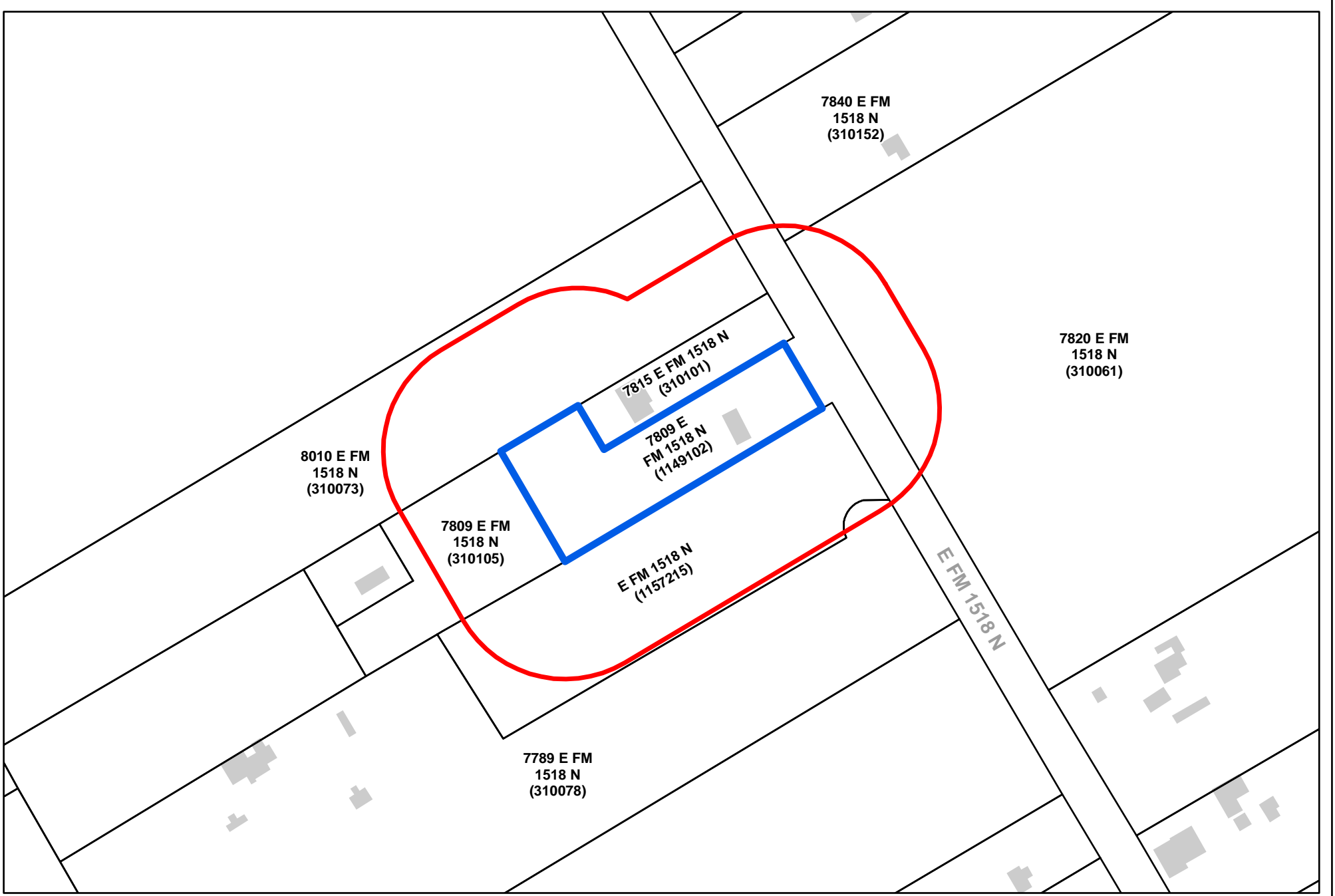


7809 E FM 1518 N

- Highways
- Major Roads
- Minor Roads
- Other Cities
- Freeway
- Principal Arterial
- Planned Principal Arterial
- Secondary Arterial
- Planned Secondary Arterial
- Secondary Rural Arterial
- Planned Secondary Rural Arterial
- Residential Collector
- Planned Residential Collector
- Commercial Collector B
- Planned Commercial Collector B
- Commercial Collector A
- Planned Commercial Collector A
- 1", 1 1/2"
- 2", 2 1/2"
- 3"
- 4"
- 6"
- 8"
- 10"
- 12"
- 16"
- 18"
- 20"
- 24"
- 30"
- 36"
- Neighboring Main
- Private
- Schertz Gravity
- Schertz Pressure
- Neighboring Gravity
- Private Pressure
- Hydrant
- Manholes
- 200' Buffer
- Schertz Municipal Boundary
- County Boundaries



Source: Esri, Mapbox, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

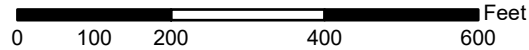


City of Schertz

7809 E FM 1518 N

2.4101 ACRE TRACT

 200' Buffer  Parcel Boundaries



CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Executive Team
Subject: Discussion with SAMCO Capital Markets, The City's financial Advisor, regarding a proposed refunding for interest rate savings of the Schertz-Seguin Local Government Corporation series 2014 and 2015 bonds. (M. Browne/C. Kelm/M. McLiney/A. Friedman)

BACKGROUND

SSLGC has two outstanding Bonds (2014 Bonds refunded (for savings) the Series 2005 Bonds and 2015 Bonds refunded (for savings) the Series 2007 Bonds AND the purchase of land for the 1st phase of the Guadalupe Project (\$7,300,000.) that will become callable in 2022. As in the past, when the Corporation has callable bonds that can be refunded for interest rate savings, the Corporation has replaced the bonds with higher interest rates with lower interest rate bonds. In this instance, expected savings will be approximately \$4,500,000 - \$5,000,000. SSLGC is subject to interest rate risk between now and January 25th when the Bonds are priced, so savings could be more or less than what is showing.

The refunding of the outstanding bonds must be approved by both City Councils of Seguin and Schertz.

GOAL

To take advantage of current low interest rates by refunding SSLGC 2014 and 2015 Series bonds.

COMMUNITY BENEFIT

Refunding of these bonds has the potential to reduce the debt service of the Corporation by \$4,500,000 - 5,000,000 taking advantage of the current low interest rates.

SUMMARY OF RECOMMENDED ACTION

No action requested at this time. The parameters of the refunding opportunity will be brought to Council on January 11, 2022.

FISCAL IMPACT

The Corporation can expect to save an estimated \$4,500,000 - \$5,000,000 with this refunding, dependent on the current interest rates.

RECOMMENDATION

Staff recommends SAMCO proceeding with pursuing the refunding opportunity.

Attachments

Proposed Refunding Schedule

Schertz/Seguin Local Government Corporation
Contract Revenue Refunding Bonds, New Series 2022 (the "Bonds")
Preliminary Timeline - Subject to Change

November 18, 2021

DATE	ACTION
11/17/2021	Refunding opportunity presented to SSLGC Staff
11/20/2021	Financial advisors and staff begin preparation of Preliminary Official Statement ("POS")
12/6/2021	Bond Counsel to distribute first draft of Bond Resolution for review Distribute first draft of POS for review
12/7/2021	<i>City of Seguin Council meeting to be advised on potential SSLGC refunding opportunity, if requested</i>
12/14/2021	<i>City of Schertz Council meeting to be advised on potential SSLGC refunding opportunity, if requested</i>
12/15/2021	Receive comments on first draft of POS Receive comments on first draft of Bond Resolution
12/16/2021	<i>SSLGC Board to consider, as a parameter approval, the issuance of the Refunding Bonds including:</i> 1) the approval of the POS; 2) the selection of the underwriter(s); and 3) the designation of a pricing officer.
12/17/2021	Distribute 2nd draft of POS for review, including the Rating Agencies and the Insurance Companies
12/21/2021	<i>City of Seguin to consider the parameter approval of the SSLGC Refunding Bond Issue</i>
12/22/2021	Receive comments for 2nd draft of POS
1/11/2022	<i>City of Schertz to consider the parameter approval of the SSLGC Refunding Bond Issue</i>
1/3/2022	Distribute 3rd draft of POS for review
1/4/2022	Schedule any necessary calls with the rating agencies and/or insurance companies
1/6/2022	Receive comments for 3rd draft of POS
1/10/2022	Distribute final draft of POS for review Distribute final draft of Bond documents for review
1/12/2022	Schedule a Due Diligence call with Underwriters and SSLGC and associated parties
1/14/2022	Receive comments on final draft of POS Receive comments on final draft Bond documents
1/17/2022	Post and electronically distribute the POS
1/18/2022	Receive ratings and insurance qualifications and premiums on the Bond issue
1/25/2022	Price the Bonds in market
1/25/2022	<i>SSLGC Pricing Officer provides written award of the sale of the Bonds</i>
2/24/2022	Settlement and delivery of Bond issue

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Police Department
Subject: Update on Best Practices Recognition (C.Kelm/ M. Bane)

BACKGROUND

The Schertz Police Department is actively working toward recognition through the Texas Chiefs of Police Best Practices Program. Within the program, the Department must prove our compliance with 166 Texas Law Enforcement Best Practices, which were developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service, the reduction of risk and the protection of individual's rights.

This update is being provided so Council is up-to-date on the progress made by the police department in our pursuit of Best Practices recognition.

An in person presentation will be provided by the Department to Council during a January 2022 meeting.

Attachments

Update for Best Practices

CITY COUNCIL MEMORANDUM

City Council Meeting: December 14, 2021
Department: Police
Subject: Update on Best Practices Recognition

Background

The Schertz Police Department is actively working toward recognition through the Texas Chiefs of Police Best Practices Program. Within the program, the Department must prove our compliance with 166 Texas Law Enforcement Best Practices, which were developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service, the reduction of risk and the protection of individual's rights.

This update is being provided so Council is up-to-date on the progress made by the police department in our pursuit of Best Practices recognition.

Policy updates and review**1. Policy Review**

We are coming to the final stages of policy review. All policies that remained in the archive policy book have been completed, all non-existent policies have been created and final review and updates of current policy are being completed at this time. As December 7, 2021, we have 4 policies remaining final review.

2. Training

With the implementation of new policies, each posted policy is sent out with a test attached, therefore providing the Department a means to evaluate staffs understanding of each policy. We have also created an in-service training program that will take place in the spring and fall of each year. In-service training will include policy reviews and updates, along with firearms training in both day and nighttime settings.

3. Reconciliation

Upon completion of all polices, we will begin reconciling all Department policies against Best Practices standards, ensuring that we've met all Best Practices.

4. Property Room Audit

The Department is contracting with an outside vendor to perform a property room audit. In addition to the audit, the contractor will ensure we are in compliance with Best Practices standards. The audit will take place in January 2022.

5. Best Practices

Upon completion of the Reconciliation and Property Room Audit, we will begin the application for the Best Practices Program.