

DRAFT

MINUTES
REGULAR MEETING
January 4, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on January 4, 2022, 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 Rosemary Scott; Councilmember Jill Whittaker; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Mark Davis

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

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 Scott)

Councilmember Scott provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

New Employee Introductions

Mayor Gutierrez stated that the New Employee Introductions have been moved to February 2022.

Presentations

● Citizen Satisfaction Survey. (M. Browne/S. Gonzalez/L. Klepper/D. Christensen)

Mayor Gutierrez recognized Public Affairs Director Linda Klepper who introduced Mr. Jason Morado with ETC Institute, who presented the results from the Citizen Satisfaction Survey. (For a complete copy of the Citizen Satisfaction Survey contact the Public Affairs Office or City Secretary's Office)

Key Findings from the 2021 Citizen Satisfaction Survey:

Purpose:

- To objectively assess resident satisfaction with the delivery of major City services
- To help determine priorities for the community
- To measure trends from previous surveys

- To compare the City's performance with other communities regionally and nationally

Methodology:

- Survey Description: Seven-page survey; included many of the same questions as previous surveys 3rd Community Survey conducted for the City of Schertz
- Method of Administration: By mail and online to randomly selected sample of City residents
- Sample Size: 436 completed surveys; Margin of error: +/- 4.7% at the 95% level of confidence

Satisfaction with City Services Is Much Higher in Schertz Than Other Cities

- Schertz Rates Above the U.S. Average in 41 of 45 Areas
- Satisfaction with the Overall Quality of City Services Is 31% Above the U.S. Average
- Satisfaction with the Customer Service from City Employees Is 28% Above U.S. Average

Top Overall Priorities

- Traffic
- Planning for Rapid Growth
- Road Repair/Maintenance/Expansion
- Enforcing Codes and Ordinances

Major Findings

- Residents Have a Very Positive Perception of the City
- The City is Moving in the Right Direction
- Satisfaction with City Services is Much Higher in Schertz than other Communities
- Identifying the Top Priorities

Councilmember Heyward asked how many of the surveys were sent out, how many surveys were returned via mail vs. how many were completed online. Mr. Morado explained that 3000 surveys were mailed out. He can research how many were returned via mail and how many were online however he did not have that information in front of him. The online survey asks for a physical address when completing the survey, so they can be tracked. Councilmember Heyward asked where the questions originated from and asked if some questions could be asked differently to get clearer responses. Ms. Sarah Gonzalez stated that 90% of the questions came from ETC Institute and approximately the other 10% were custom questions. She stated if there are some specific questions that the City wants to ask, ETC can tailor those questions on the next survey.

Councilmember Scott stated thought this survey was great. Good information and appreciated the breakdown of the data. She asked if next time, if some of the demographic data could be presented in graph form.

Mayor Pro-Tem Dahle thanked the Staff and Management for all their hard work. He encouraged Staff to maintain a relentless dissatisfaction with the status quo and keep looking for ways to improve.

Mayor Gutierrez stated this report is a reflection of the hard work our City Staff has done. The numbers from the survey are quite impressive and the Mayor appreciates and thanked City Staff.

Police Best Practices. (C. Kelm/M. Bane)

Mayor Gutierrez recognized Interim-Chief Marc Bane who provided a presentation on the Police Best Practices.

Chief Bane stated that the last few months, the Schertz Police Department have been reconciling all Department polices in accordance with the Texas Police Chiefs Association-Best Practices Recognition Program.

Policy:

- All policies have been completed
- We are currently reconciling all Department policies against the Best Practices standards
- An audit of our property room will take place on January 10, 2022.

Program Management / Training:

- Best Practices Manager
- Best Practices Manager Training
- Training Corporal

PowerDMS

- All policies have been entered into PowerDMS
- All policies have a test attached
- Reconciled PowerDMS to ensure all policies and procedures were up-to-date
- Each policy is set up for a 2-year review

Application to the Best Practice Program

- We are ahead of schedule and look to apply to the program within the next 60 to 90 days.

Mayor Gutierrez and City Manager Dr. Mark Browne thanked Chief Bane and the Police Dept. for their hard work on this program.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez who announced upcoming City Events:

Saturday, January 8th

Polar Bear Plunge

Co-sponsored event with the Schertz Family YMCA

10:00 AM – 12:00 PM

Pickrell Pool

\$15 – register online at ymcasatx.org/polarbearplunge or in person at the Schertz Family YMCA

Tuesday, January 11th

Next regular scheduled Council meeting

6:00 PM

Council Chambers

Thursday, January 13th

Northeast Partnership Meeting

Olympia Hills Golf & Conference Center

RSVP to City Secretary Office if attending

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

City Manager Dr. Mark Browne thanked the Parks Department for the New Year's Eve Masquerade Event. It was a great success.

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

Mayor Gutierrez thanked the Parks Department for the wonderful New Year's Eve Masquerade Event.

He stated that many who attended said they had great time.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Mayor Pro Tem Dahle recognized the following residents:

- Mark A. Penshorn, 8320 Trainer Hale Rd. - Mr. Penshorn stated it was a pleasure to be part of the audience during the Citizen Satisfaction Survey and the results are why he moved his dental practice to this area 20 years ago. He also stated the Schertz Magazine received the highest rating in the survey, and he would add his accolades to that. Mr. Penshorn's concern is the proposed change of zoning of approximately 363 acres north of Trainer Hale Rd. from agricultural to single family housing. His family owns several hundred acres approximately 1500 ft. from the edge of that property. Mr. Penshorn explained that over the years, his family was reassured that their agricultural way of life was an asset to the City of Schertz. He asked to be part of the planning process as before, and ask that Council to deny the amendment next week until the Comprehensive Land Use Plan goes into effect after he and fellow stakeholders have an opportunity to talk to Staff.
- Michele Tereletsy, 705 Marilyn Dr.- Ms. Tereletsy asked about a brochure she received in the mail informing her that she received this brochure because she lives near a natural gas, liquid and or crude oil pipeline gathering system operated by Enterprise Products Operating LLC. She wanted to know where the pipeline is that the brochure is referring to.
- Kay Penshorn Vincent, 8310 Trainer Hale Rd.- Ms. Vincent has concerns about the City's disregard to the proposed amendment to the Comprehensive Land Use Plan when the current Master Plan is currently under review by City Staff. She stated the Elected Officials have a profound responsibility to every citizen and business to ensure that due diligence is conducted and actions are made with care and caution in the design of the region. Ms. Penshorn asked will the decision they make next week on the proposed zone change, make sure that Schertz will be an excellent place to live in 10 or 20 years from now? She stated she does not oppose growth, she just wants it done smartly.
- Dana Eldridge, 2628 Gallant Fox Dr.- Mr. Eldridge asked about the water bill with sewer averaging and the water rate increase on November 1, 2021. He is confused on the wording on the water bill explaining both items. Mr. Eldridge stated that he went downtown Main Street today and could not find parking. He asked City Council to address this issue. He also thanked City Council for the work completed on Live Oak Dr.

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 into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of December 14, 2021. (B. Dennis)

2. **Resolution No. 22-R-02** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz approving an eighth amendment to the Interlocal Agreement with the Alamo Area Council of Governments (AACOG) to provide funding in the amount of \$42,666.00 for transit Services in the City of Schertz. (M. Browne/B. James)
3. **Appointments and Resignations to the Various City Boards, Commissions and Committees** - Consideration and/or action approving the appointment of Mr. Jesse Gonzales as an Alternate Member to the Planning and Zoning Commission. (B. Dennis/Council)
4. **Resolution No. 22-R-03** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas accepting the Semi-annual report with respect to the Capital Improvements Plan, and other matters in connection therewith. (C. Kelm/S. Williams).
5. **Resolution No. 22-R-05** Authorizing the City Manager to enter into an agreement for the purchase of one (1) fire apparatus and associated equipment. (C. Kelm/K. Long)
6. **Resolution No. 22-R-09** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving an amendment to the Interlocal Agreement (ILA) between the San Antonio River Authority (SARA) and the City of Schertz. (C. Kelm/S. Williams)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. As no item were removed, Mayor Gutierrez asked for a motion to approved Consent Agenda Items 1-6.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Michael Dahle to approve consent agenda items 1 through 6.

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

Passed

Discussion and Action Items

7. **Ordinance No. 22-T-03** - 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 funding for the purchase of HVAC equipment for the Civic Center HVAC Replacement Project, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. (***First Reading***) (C. Kelm/S. Williams/S. McClelland)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-T-03

**A ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021-2022 BUDGET TO
PROVIDE FUNDING FOR THE PURCHASE OF HVAC EQUIPMENT FOR THE CIVIC
CENTER HVAC REPLACEMENT PROJECT, REPEALING ALL ORDINANCES OR
PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING
AN EFFECTIVE DATE.**

Mayor Gutierrez recognized Assistant Public Works Director Scott McClelland who provided a

presentation on the Budget Adjustment to provide funding for the purchase of HVAC equipment for the Civic Center HVAC Replacement Project. Mr. McClelland provided the following:

-Proposed Project

- Remove existing split system and select ductwork.
- Install new packaged units with variable air volume (VAV) units outside and VAV terminal units inside.
- Design Complete Early February
- Construction Begin Late March
- Construction Completion Early June

-Contract Approvals

- Design (M&S Engineering): \$93,500 (Approved October 26, 2021)
- Equipment Purchase Funding Ordinance: \$250,000 (City Council January 4th and 11th)
- Equipment Purchase Contract (Sullivan Contracting): Approx. \$250,000 (City Council January 11th)
- Full Construction Contract Funding Ordinance: City Council Late February or Early March
- Full Construction Contract (Sullivan Contracting): City Council Late February or Early March

Mayor Gutierrez recognized Councilmember Scagliola who wanted to make sure the funding is coming from the Hotel Occupancy Tax and that we get the best system we can.

Mayor Gutierrez recognized Mayor Pro-Tem Dahle who asked if the \$250,000 is enough to cover the equipment or will they need to be a contingency fund. Mr. McClelland said there would not be a need for a contingency fund.

Moved by Councilmember David Scagliola, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-T-03 on first reading.

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

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call confirmation for Items 1-7.

Closed Session

Mayor Gutierrez read the following closed session item into record:

8. 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-079

Mayor Gutierrez recessed the meeting into Closed Session at 7:18 pm.

Reconvene into Regular Session

Mayor Gutierrez reconvened back into regular session at 8:05 pm.

- 8a.** Take any action based on discussion held in Closed Session under agenda Item 8.
No action was taken.

Roll Call Vote Confirmation

No roll call confirmation as no action was taken on Item #8.

Requests and Announcements

- Announcements by the City Manager.

No further announcements.

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

Mayor Gutierrez recognized Councilmember Heyward who stated she would like to have the Onboard Date added to the Employee Separation Notices as well as the exit interviews from the employee. City Manager Dr. Browne will provide additional information to Councilmember Heyward pertaining to her requests.

- 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 Gutierrez recognized the following:

Mayor Pro-Tem Dahle who stated he attended the New Year's Eve event.

Councilmember Scott who stated she attended the New Year's Event.

Councilmember Scagliola who stated he attended the New Year's Event.

Councilmember Heyward who stated she attended the New Year's Event.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:09 pm.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Deputy City Secretary

