

DRAFT

MINUTES
REGULAR MEETING
January 25, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on January 25, 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 Mark Davis; Councilmember Jill Whittaker; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Mayor Pro-Tem Rosemary Scott

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

Call to Order

Mayor Gutierrez called the meeting to order at 6:00 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Mayor Pro-Tem Dahle)

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

Presentations

1. Presentation: Annual Fleet Performance Update (FY 2020-2021) and some highlights for current FY 2021-2022.

Mayor Gutierrez recognized Fleet Manager Chris Hernandez who provided a PowerPoint presentation regarding the Health of the Fleet Department/Vehicles. Highlights included:

- Overview
- Goals and Objectives
- Fleet Authorized Staff
- Fleet Authorized Vehicles
- Take Home Policy
- Performance Measures FY 18-19, FY 19-20 and FY 20-21 Work Order Counts
- Types of Work Orders - Scheduled vs Unscheduled
- Performance measures - Scheduled vs Unscheduled Work Orders -and Work Orders Completed
- 10 Year Replacement Forecast
- New Fleet Maintenance Facility Bldg. 27

Mr. Hernandez thanked the Council specifically for their new building he also addressed questions. Mayor and Council provided their comments.

Mayor Gutierrez stated that before he continues, Agenda Item 5, Ordinance Number 22-S-01, he knows this item is concerning the property on Trainer Hale Road. It is not a public hearing, so if anyone wants to speak on Item #5, there is one more opportunity to sign up if you wish too, otherwise when we get to the item, we will not be allowing any public comments. To speak, it needs to be during the Hearing of Residents.

City Events and Announcements

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

Mayor recognized Assistant City Manager Charles Kelm who provided the following announcements:

- Tuesday, February 1st - Next regular scheduled Council Meeting, 6:00 p.m., Council Chambers
- Friday, February 4th, Strategic Planning Retreat, 8:30 a.m., Community Room, Fire Station #3, 11917 Lower Seguin Road
- Announcements and recognitions by the City Manager (M. Browne)

Mayor Gutierrez recognized City Manager Dr. Browne who thanked Public Safety for the work they are doing with the tremendous caseload of COVID in the community. Great effort in keeping our community safe.

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

No announcements were provided.

Hearing of Residents

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

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

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

Mayor Gutierrez recognized the following:

- Daniel Jamesen, 1048 Richmond Drive, who provided information on the recent passing of his mom. He doesn't have a time and date yet, but the services will be held at Colonial Funeral in Universal City on Kitty Hawk. Please keep our family in your prayers. He also stated that he will continue to work with the Assistant City Managers regarding the drainage issue on Gettysburg and Richmond Drive.
- Richard Dziejewit 2550 Chasefield Drive, who stated that one of the things he would like to do is, he understands that there are always diversification whether they be in Council, whether they be in the City, but one of the things that we have as one City that is kind of united really very well. He attended today at 3:00 p.m. where the City was giving out the checks to all those businesses and special organizations that are here to help the City. It is extremely great to see the unification between Staff, Council and the City to be able to support our businesses especially during what we have had in the past couple of years with everything that has been going on. He thanked the City and is glad he lives in Schertz and that Council and Staff are here to help.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

Mayor Gutierrez read the following items into record:

2. **Resolution No. 22-R-14** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine debt revenue adjustments for certain inactive outstanding receivables and other matters in connection therewith. (M. Browne/J. Walters)

3. **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. (*Final Reading*) (C. Kelm/S. Williams/S. McClelland)

4. **Resolution No. 22-R-11** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into a job order contract with Sullivan Contracting Services for the purchase of HVAC equipment relating to the Civic Center HVAC Replacement Project. (C. Kelm/S. Williams/S. McClelland)

Mayor Gutierrez asked if Council wished for any items to be removed, as there were none Mayor Gutierrez called for a motion to approve Consent Agenda Items 2-4.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown to approve Consent agenda item items 2 through 4.

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

Passed

Discussion and Action Items

Mayor Gutierrez read the following item into record:

5. **Ordinance No. 22-S-01** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to amend the Comprehensive Land Use Plan by changing approximately 363 acres of the Future Land Use Map from Agricultural Conservation and Estate Neighborhood land use designation to Single-Family Residential land use, generally located 6,050 feet east of the intersection of Trainer Hale Road and FM 1518, also known as Bexar County Property Identification Numbers, 310053, 310060, 310061, and 310121, City of Schertz, Bexar County, Texas. (*Final Reading*) (*B. James/L. Wood/M. Harrison)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-S-01

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS

AMENDING THE COMPREHENSIVE LAND USE PLAN BY CHANGING APPROXIMATELY 363 ACRES OF THE FUTURE LAND USE MAP FROM THE AGRICULTURAL CONSERVATION AND ESTATE NEIGHBORHOOD TO THE SINGLE-FAMILY RESIDENTIAL LAND USE DESIGNATION, GENERALLY LOCATED APPROXIMATELY 6,050 FEET EAST OF THE INTERSECTION OF TRAINER HALE ROAD AND FM 1518, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 310053, 310060, 310061, AND 310121, CITY OF SCHERTZ, BEXAR COUNTY, TEXAS.

Mayor Gutierrez asked if Council needed a presentation as Council did not request a presentation, he called for questions. As there were no questions, Mayor called for a motion.

Moved by Councilmember Tim Brown, seconded by Mayor Pro-Tem Michael Dahle to approve Ordinance No. 22-S-01 on final reading.

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

NAY: Councilmember David Scagliola

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for Agenda Items 2-5.

Workshop

- 6. Appointment of the Mayor Pro Tem** - Discussion and consideration and/or action regarding the confirmation, appointment or election of the Mayor Pro-Tem. (Mayor/Council)

Mayor Gutierrez stated for the courtesy of those reviewing the video, the Mayor Pro-Tem is a member of the Council who performs the duties of the Mayor during his incapacity or his absence. The Mayor Pro-Tem is selected by the majority vote of this Council and among its membership. The Mayor Pro-Tem retains the right to vote on all matters before Council while performing his or her duties as the Mayor. The Mayor Pro-Tem's term is for six months, and he would like to thank Mayor Pro-Tem Dahle for performing these duties between August 2021 and January 2022. Based upon our procedures the consideration and the appointment of the next Mayor Pro-Tem is Councilmember Scagliola to serve the term between February 2022 to July 2022. Mayor Gutierrez opened the floor for discussion.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward to appoint Councilmember David Scagliola as the next Mayor Pro-Tem for a term of six months.

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

Passed

Roll Call Vote Confirmation

City Secretary Brenda Dennis provided the roll call vote confirmation for Agenda Item 6.

Closed Session

The Mayor read the following Closed Session items into record.

7. 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) and Cibolo Valley Local Government Corporation (CVLGC) regarding water development projects.

Mayor Gutierrez recessed the meeting into Closed Session at 6:33 p.m.

8. City Council will meet in Closed Session under Section 551.074 of the Texas Government Code, Personnel Matters, to conduct the Annual Evaluation of the City Manager Dr. Mark Browne.

Reconvene into Regular Session

Mayor Gutierrez reconvened back into Regular Session at 8:29 p.m.

- 7a. Take any action based on discussions held in Closed Session under Agenda Item 7.
No action was taken.
- 8a. Take any action based on discussions held in Closed Session under Agenda Item 8.

Motion was made by the Chair seconded by Councilmember Whittaker to extend Dr. Browne,s contract for 2 years, authorize a 2% pay increase effective the next pay period, and authorize the Mayor to execute the City Manager's Contract.

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

Passed

Roll Call Vote Confirmation

Mayor recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for Agenda Item 8.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned Agenda Item 9 was in their packets and was also made available to the public.

9. **Monthly Update** - on Major Projects in progress/CIP. (B. James/K. Woodlee)

Requests and Announcements

- Announcements by the City Manager.

City Manager Mark Browne thanked the City Council and appreciates their confidence in him and to approve a 2-year contract extension and a 2% pay increase.

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

Councilmember Brown would like the Schertz Police Department to follow up on the request he had in October 2021 for truck traffic study on Schertz Parkway.

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

No items requested.

- Announcements by Mayor and Councilmembers

Councilmember Davis-Main Street Meeting

Councilmember Whittaker-NEP Luncheon, Ribbon Cutting and Prestige Tax and Notary, Held a town hall meeting for residents for the Crossvine, Clemen's Musical-Annie

Councilmember Scagliola-ARPA Small Business Grant Ceremony

Councilmember Heyward-NEP Luncheon, Main Street Meeting, ARPA Small Business Grant Ceremony

Councilmember Brown-Main Street Meeting, NEP Luncheon

Adjournment

Mayor Gutierrez adjourned the meeting at 8:35 pm.

ATTEST:

Ralph Gutierrez, Mayor

Brenda Dennis, City Secretary