

# DRAFT

## MINUTES REGULAR MEETING March 14, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 14, 2023, at 6:00 p.m. in the Hal Baldwin Municipal Complex, Municipal Courtroom, 1400 Schertz Parkway, Building #1, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Tim Brown; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember David Scagliola; Councilmember Allison Heyward

Absent: Councilmember Jill Whittaker; Councilmember Michael Dahle

City Manager Steve Williams; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Attorney Daniel Santee; City Secretary Sheila Edmondson; Deputy City Secretary Sheree Courney

### **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 Scagliola)**

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

### **Proclamations:**

- National Procurement Month March 2023

Mayor Gutierrez presented the National Procurement Month Proclamation for the month of March to Ms. Jessica Kurz, Ms. Julie Gohlke, Ms. Nancy Tumlinson, and Ms. Angela Perrone. Ms. Gohlke accepted the proclamation and thanked the Procurement staff for their support.

### **City Events and Announcements**

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

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

**Monday, March 20th**

Employee Remembrance Day Ceremony  
Schertz Civic Center  
12:00 p.m.

**Friday, March 24th**  
City Council Pre-budget Retreat  
Schertz Civic Center  
8:30 a.m. - 4:30 p.m.

**Saturday, March 25th**  
Star Party  
Crescent Bend Park, 12805 Schaefer Road  
7:30 p.m. - 10:30 p.m.

**Tuesday, March 28th**  
City Council Meeting  
Council Chambers  
6:00 p.m.

- Announcements and recognitions by the City Manager (S. Williams)

Mayor Gutierrez recognized City Manager Steve Williams who congratulated staff who were promoted in the month of February: Alanna Sumner, Sheree Courney, John Von Hoven, Patricio Wilson, Myron Boerger, Eric Herzog, Andy Cook, Levi Flickinger, Chuck Liles, and Karen Quinones.

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

Mayor Gutierrez thanked city staff, supporters and runners who participated in Operation Comfort 5k.

## 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.**

No residents registered to speak.

## 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 Consent Agenda Items #1 - 5 for the record.

1. **Minutes** – Consideration and/or action regarding the approval of the following minutes from the regular meeting on March 7, 2023. (S. Edmondson/S.Courney)
2. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
  - Accept resignation of Patricia Barnes of the Schertz Historical Preservation Committee.
3. **Resolution 23-R-28** - Consideration and/or action by the City Council of the City of Schertz, TX, approving a Resolution awarding a contract to Linebarger, Goggan, Blair & Sampson, LLP for court collection agency services (S. Gonzalez/J. Walters)
4. **Resolution 23-R-16** - Consideration and/or action by the City Council of the City of Schertz, Texas approving amended and restated Bylaws of the Schertz Economic Development Corporation; and other matters therewith. (B. James/H. Malish)
5. **Resolution 23-R-24** - Consideration and/or action by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into Standard Utility Agreement with the State of Texas for the relocation of utilities – specifically the Riata Lift Station – along IH 35 in preparation for the IH 35 NEX Project. (B.James/K.Woodlee/E.Schulze)

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1-5.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember David Scagliola, Councilmember Allison Heyward

Passed

### **Discussion and Action Items**

6. **Ordinance 23-S-07-** Consideration and/or action by the City Council of the City of Schertz, Texas on an Ordinance to amend Part III, Schertz Code of Ordinances, the Unified Development Code (UDC) Article 5 Zoning Districts, Subsections 21.5.2, 21.5.5 and 21.5.11; Article 9 Site Design Standards, Subsection 21.9.7 and 21.9.10; Article 10 Parking Standards, Subsections 21.10.2, 21.10.3, 21.10.4, 21.10.7.C and 21.10.9; and Article 14 Transportation, Subsection 21.14.3. (***Final Reading***) (B. James/S. Williams)

Mayor Gutierrez stated this Ordinance was being addressed as three separate motions.

**Mayor Gutierrez opened the floor to Council for discussion on reducing the size of parking spots from 10x20 to 9x18. No discussion occurred.**

Mayor Gutierrez asked for a motion to approve the reduction of parking spot size from 10x20 to 9x18. Motion was made by Councilmember Heyward and seconded by Councilmember Watson.

AYE: Mayor Pro-Tem Tim Brown, Councilmember Michelle Watson,  
Councilmember Allison Heyward

NAY: Councilmember Mark Davis, Councilmember David Scagliola

Motion Passed: 3 - 2

**Mayor Gutierrez opened the floor to Council for discussion regarding the reduction of required parking spots to 1.7 with a 5% variance for multifamily units.**

Councilmember Scagliola expressed concerns with reducing the number of required parking spots from 2.5 to 1.7. Concerns were addressed by Deputy City Manager Brian James. Councilmember Scagliola suggested a compromise to reduce the number of spots to 2.0. Mayor Pro-Tem Brown supported concerns expressed by Councilmember Scagliola, adding that reducing the size of parking spaces and the number of required spots by 30% seemed excessive. Mayor Gutierrez provided some calculations for comparative purposes.

Mayor Gutierrez asked for a motion. Motion to approve a reduction of required parking spots from 2.5 to 2.0 without the 5% variance was made by Councilmember Scagliola and seconded by Councilmember Watson.

AYE: Councilmember David Scagliola, Councilmember Michelle Watson

NAY: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis,  
Councilmember Allison Heyward

Motion Does Not Pass: 2 - 3

Motion to approve a reduction of required parking spots from 2.5 to 2.0 with a 5% variance was made by Councilmember Davis and seconded by Councilmember Scagliola.

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis,  
Councilmember Michelle Watson, Councilmember David Scagliola,  
Councilmember Allison Heyward

Motion Passed: 5 - 0

**Mayor Gutierrez opened the floor for discussion to approve remaining articles listed in Ordinance No. 23-S-07.**

No discussion occurred. Mayor Gutierrez asked for a motion to approve Ordinance No. 23-S-07 excluding Article 10 Parking Standards Subsections 21.10.2; 21.10.3; 21.10.4; 21.10.07.C, and 21.10.9

Moved by Councilmember Allison Heyward, seconded by Councilmember David Scagliola

AYE: Mayor Pro-Tem Tim Brown, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember David Scagliola, Councilmember Allison Heyward

Passed

## **Closed Session**

Mayor Gutierrez recessed the meeting to closed session at 6:47 p.m.

7. The City Council will meet in closed session in accordance with Section 551.072, Texas Government Code deliberation regarding the purchase, exchange, lease, or value of Real Property for future roadways, roadway extensions, and roadway expansions.

Start time: 6:50 p.m.

End time: 7.04 p.m.

## **Reconvene into Regular Session**

Mayor Gutierrez reconvened the meeting to regular session at 7:08 p.m.

No action taken.

## **Roll Call Vote Confirmation**

Mayor Gutierrez recognized City Secretary Sheila Edmondson who provided roll call for Consent Agenda Items #1-5 and Agenda Item #6.

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

### **Requests and Announcements**

- Announcements by the City Manager

City Manager Steve Williams stated that over 9,000 bills have been introduced this legislative session. He has assigned Linda Klepper to lead staff in monitoring bills most pertinent to municipalities.

- Requests by Mayor and Councilmembers for updates or information from Staff

No requests were made for updates or information from Staff.

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

No requests were made for items or presentations to be placed on a future City Council agenda.

- Announcements by Mayor and Councilmember

Mayor Gutierrez thanked Mr. Williams for putting together a team to watch the legislative bills.

Councilmember Heyward attended the Agrip Risk Pool Conference in Orlando, FL. and is closely monitoring Legislative bills.

Councilmember Scagliola represented Schertz at the Retama Festival in Selma.

Councilmember Watson attended the Northeast Partnership Luncheon.

### **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:16 p.m.

ATTEST:

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Ralph Gutierrez, Mayor

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Sheila Edmondson, City Secretary