

DRAFT

MINUTES REGULAR MEETING May 2, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on May 2, 2023, 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 Tim Brown; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember David Scagliola; Councilmember Allison Heyward

Absent: Councilmember Jill Whittaker; Councilmember Michael Dahle

Staff present: 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 Dahle)

Mayor Gutierrez provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Employee Introductions

Mayor Gutierrez recognized department heads who introduced the new city staff members listed below.

- Planning: Ameriz Gamez, Planner; Daisy Marquez, Planner
- Public Works: Water/Wastewater: Anthony Jimenez, W-Worker II;
- EMS: Kylee Cottenden-Paramedic; Jimi Clary-Paramedic(Part-time);
- Fire: Joshua Tannert-Firefighter
- Parks: Daniel Delong-Parks Maintenance Technician; Jeremy Jacoway-Park Maintenance Technician;
- Utility Billing: Samantha Strong-Utility Billing

Proclamations

- Building Safety Month-Councilmember Watson

Councilmember Watson presented the Building Safety Month proclamation to Ms. Lesa Wood, Planning and Community Development Director and members of the Building Inspections, Planning, and Neighborhood Services staff.

- Community Action Month-Councilmember Whittaker

Mayor Pro-Tem Brown read the Community Action Month proclamation.

- National Preservation Month-Councilmember Dahle

Councilmember Heyward presented the National Preservation Month proclamation to Dr. Miguel Vazquez and members of the Schertz Historical Preservation Committee and members of the Schertz-Cibolo Cemetery Association.

- International Firefighters Day May 4, 2023-Councilmember Scagliola

Councilmember Scagliola presented the International Firefighters Day May 4, 2023 proclamation to Fire Chief Greg Rodgers and members of the Fire, EMS, and Emergency Management staff.

- National Small Business Week (April 30-May 6, 2023)-Mayor Pro-Tem Brown

Mayor Pro-Tem Brown presented the National Small Business Week (April 30-May 6, 2023) proclamation to Zak White, Vice Chair, The Chamber Board of Directors

- Municipal Clerk's Week (April 30-May 6, 2023)-Councilmember Heyward

Councilmember Heyward presented the Municipal Clerk's Week (April 30-May 6, 2023) proclamation to City Secretary Sheila Edmondson and Deputy City Secretary Sheree Courney.

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:

Friday, May 5

Movies in the Park - "Selena"

Pickrell Park

7:00 p.m. - 9:00 p.m.

Saturday, May 6

Historic Schertz Cemetery Tour

Schertz-Cibolo Cemetery

Bubbling Springs Road

10:00 a.m. - 2:00 p.m.

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

Mayor Gutierrez recognized City Manager Steve Williams who provided the following:

Thursday, May 11

Peace Officer Testing

8:00 a.m.

Apply online at www.schertz.com/jobs

Recognition of City Staff and Programs

- Appreciation from resident, Amanda Aikman, for the Schertz Young Leader Program for the opportunity provided to her son.
- Appreciation from resident, John Casey, to the Schertz Fire Department for their assistance with detecting the issue with old smoke detectors and for their assistance with installing new ones.

- 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.

No residents spoke.

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. **Resolution 23-R-38** - Consideration and/or action by the City Council of the City of Schertz, TX approving a Resolution authorizing the Schertz Housing Authority to submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Project Based Voucher funds under Title V of the Quality Housing and Work Responsibility act of 1998, as amended, to undertake a project known as 1518 Apartments for the purpose or providing affordable housing. (S. Williams/B. James)

Mayor Gutierrez called for a motion to approved Consent Agenda Item #1.

Moved by Mayor Pro-Tem Tim Brown, 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

- 2. Ordinance 23-M-11** - Consideration and/or action by the City Council of the City of Schertz, TX on amending Ordinance 15-M-32, Section 1. Time and Place of Regular Council Meetings, Section 2-2(a) of the Code of Ordinances to be hereby amended to read "(a) Regular meetings of the City Council shall be held on the **first and third Tuesdays of each month**, provided that the City Council by motion or resolution or the City Manager in consultation with the Mayor may cancel any such regular meeting due to conflicting events or meetings or lack of need for a meeting so long as at least one regular meeting of City Council is conducted each month." (*First Reading*) (S. Williams)

Mayor Gutierrez recognized City Manager Steve Williams who briefed Council on request to change the number of regular council meetings from three meetings per month to two regular council meetings per month. Meetings will occur on the first and third Tuesdays of each month effective June 1, 2023, if approved.

Mayor opened the floor to Council for discussion.

Councilmembers expressed concerns that by reducing the number of meetings per month the meetings would be much longer and residents would be confused as to meeting dates. It was asked if the reason for reducing the number of meetings was due to the lack of discussion/action items on one agenda per month. Response was affirmative.

Mayor Pro-tem Brown expressed support for reducing the number of meetings provided it is communicated widely and often to ensure residents are well-informed. Mr. Williams stated the meeting date change would be communicated via the Schertz magazine, social media platforms, and on the website.

Mayor Gutierrez requested a posting be done each Friday, either an agenda or a notice of no meeting to ensure residents were informed. City Secretary Sheila Edmondson responded affirmatively.

Mayor Gutierrez asked for a motion to approve Ordinance 23-M-11.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

NAY: Councilmember Mark Davis

Passed

Closed Session

3. The City Council will meet in Closed Session in accordance with Section 551.071 of the Texas Government Code to receive legal advice from its attorneys regarding the following litigation:

- Green Valley Special Utility District v. City of Schertz, Texas, et al, Cause No. 1:17-cv-00819 in the United States District Court, Western District of Texas, Austin Division;
- Cause No. D-1-GN-18-000535, Green Valley Special Utility District v. Public Utility Commission of Texas, et al., 419th Judicial District Court of Travis County, Texas; and PUC Docket No. 45956, Application of the City of Schertz for Single Certification in Incorporated Area and to Decertify Portions of Green Valley SUD's Sewer CCN in Guadalupe County ((i) and (ii) collectively referred to as the "CCN Litigation")

Mayor Gutierrez recessed to closed session at 6:53 p.m.

Closed session start time: 7:02 p.m.

Closed session end time: 7:27 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened to Regular Session at 7:31 p.m.

4. Take any action based on discussion held in Closed Session under Agenda Item #3.

Mayor Gutierrez motioned to approve the comprehensive settlement agreement between the City of Schertz and Green Valley SUD and authorize City Manager to execute the agreement, seconded by Councilmember Allison Heyward.

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

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

5. **Monthly Update** - FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)
6. **Monthly Update** - Major Projects In Progress/CIP (B. James/K. Woodlee)

Requests and Announcements

- 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
 - Councilmember Scagliola requested that the voice vote be reinstated for the purposes of transparency.
- Announcements by Mayor and Councilmembers
 - City and Community Events attended and to be attended

Councilmember Watson attended the Library Advisory Board meeting and served as a judge for the Cibolo BBQ Cook-off.

Councilmember Heyward attended the TML Risk Pool Board Meeting in Galveston and a Ribbon cutting in Selma. She also expressed kudos to Mr. Williams for Schertz EMS for responding to an accident in Selma to ensure the safety of the citizens involved.

- 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

Mayor Gutierrez adjourned the meeting at 7:35 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary