



**MEETING AGENDA  
City Council  
REGULAR SESSION CITY COUNCIL  
June 6, 2023**

**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**

**AGENDA**

**TUESDAY, JUNE 6, 2023 at 6:00 p.m.**

**Call to Order**

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

**Employee Introductions**

- Police: Latonji Belfield, Police Records Specialist; Angelica Patterson, Administrative Assistant; Justin Garza, Police Officer
- EMS: Jennifer Villarreal, Paramedic
- Neighborhood Services: Jesse Lee, Code Enforcement Officer
- Library: Matt Saucier, Library Assistant; Sonia Trujillo, Library Assistant
- EDC: Scott Wayman, Executive Director; Tracy Miller, Administrative Assistant

**City Events and Announcements**

- Announcements of upcoming City Events (B. James/S. Gonzalez)
- Announcements and recognitions by the City Manager (S. Williams)
- 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 regular meeting minutes of May 23, 2023. (S.Edmondson/S.Courney)
2. **Resolution 23-R-47** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving and authorizing a CCN amendment and a CCN transfer between Green Valley Special Utility District and the City of Schertz to amend CCN boundaries and other matters in connection therewith. (B. James/L. Busch)
3. **Resolution 23-R-48** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a Resolution authorizing a Schertz Main Street Local Flavor Economic Development Grant for 820 Main Street. (S. Williams/B. James)
4. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
  - Reappointment of Mr. Roy Ragsdale to the Transportation Safety Advisory Commission (TSAC) Board of Directors

## Discussion and Action Items

5. **Ordinance No. 23-T-12** - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, authorizing adjustments to the FY 2022-23 Budget, and other matters in connection therewith. First Reading (S. Williams, S. Gonzalez, J. Walters)

## Public Hearings

6. **Ordinance 23-S-12** - Conduct a public hearing and consideration and/or action on a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, City of Schertz, Bexar County, Texas, property ID: 619232. *First Reading* (B. James, L. Wood, S. Haas)

### **Workshop**

7. City Staff will conduct a workshop on proposed changes to the Real Property Acquisition process and procedures. (S. Gonzalez/J. Gohlke)
8. Discussion and Consideration and/or Action regarding the Schertz Historical Preservation Committee restructure. (R. Gutierrez/S.Edmondson)

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

9. **Monthly Update** - FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)
10. **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
- 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, SHEREE COURNEY, DEPUTY 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 2ND DAY OF JUNE, 2023 AT 5:00 PM, 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.

SHEREE COURNEY

**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 \_\_\_\_\_, 2023. 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><b>Mayor Gutierrez</b>          Audit Committee          Board of Adjustments          Investment Advisory Committee          Main Street Committee          Senior Center Advisory Board-Alternate</p>	<p><b>Councilmember Davis– Place 1</b>          Interview Committee for Boards and Commissions          Main Street Committee - Chair          Parks &amp; Recreation Advisory Board          Schertz Housing Authority Board          Transportation Safety Advisory Commission          TIRZ II Board</p>
<p><b>Councilmember Watson-Place 2</b>          Audit Committee          Library Advisory Board          Senior Center Advisory Board          Interview Committee for Boards and Commissions          Cibolo Valley Local Government Corporation-Alternate</p>	<p><b>Councilmember Whittaker – Place 3</b>          Historical Preservation Committee          Interview Committee for Boards and Commissions-Chair          TIRZ II Board</p>
<p><b>Councilmember Dahle – Place 4</b>          Cibolo Valley Local Government Corporation          Interview Committee for Boards and Commissions          Planning &amp; Zoning Commission          TIRZ II Board</p>	<p><b>Councilmember Scagliola – Place 5</b>          Animal Advisory Commission - Alternate          Hal Baldwin Scholarship Committee          Schertz-Seguin Local Government Corporation</p>
<p><b>Councilmember Heyward – Place 6</b>          Animal Advisory Commission          Audit Committee          Building and Standards Commission          Economic Development Corporation - Alternate          Investment Advisory Committee          Main Street Committee          Interview Committee for Boards and Commissions-Alternate          Senior Center Advisory Board</p>	<p><b>Councilmember Brown – Place 7</b>          Economic Development Corporation          Main Street Committee          Schertz-Seguin Local Government Corporation - Alternate</p>

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023

**Department:** Public Works

**Subject:** Resolution 23-R-47 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving and authorizing a CCN amendment and a CCN transfer between Green Valley Special Utility District and the City of Schertz to amend CCN boundaries and other matters in connection therewith. (B. James/L. Busch)

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**BACKGROUND**

Green Valley Special Utility District provides retail water service CCN No. 10646 and retail sewer service CCN No. 20973, issued by the Public Utility Commission of Texas ("PUC") for the provision of retail water and sewer services to certain areas in and about Bexar County, Comal County and Guadalupe County. The City of Schertz provides retail water service CCN No. 10645 and retail sewer service CCN No. 20271, issued by the PUC, for the provision of retail water and sewer services to certain areas in and about Bexar County, Comal County, and Guadalupe County. The boundaries of the Green Valley Special Utility District water CCN and the City of Schertz water CCN are adjacent to one another in various areas. The property owner requested and Green Valley Special Utility District released approximately 43 acres of its water CCN and is requesting the City of Schertz provide retail water service. The property owner is also requested Green Valley Special Utility District transfer approximately 13 acres of its sewer CCN to the City of Schertz.

**Fiscal Impact**

There is not really a positive or negative fiscal impact to this action. While it increases the area to be served by the City for water and sewer service, infrastructure is in the vicinity and the property owner/developer will have to extend and install infrastructure to serve the property. The future customers will pay for service. The property owner is benefited by have easier more cost-effective access to infrastructure to allow the property to develop.

**GOAL**

To provide water and sewer service to new developing areas inside the city limits of Schertz.

**COMMUNITY BENEFIT**

To ensure the future water and sewer customers in this portion of the City with planned development have the same water and wastewater provider to better serve the citizens of the City.

**SUMMARY OF RECOMMENDED ACTION**

Staff recommends Council approve the Resolution authorizing execution of the sewer CCN transfer agreement from Green Valley Special Utility District to the City of Schertz for the approximately 13 acres and allow the property owner to petition the PUC on behalf of the City of Schertz to amend the water CCN for approxiametly 43 acres as described as all or portions of Guadalupe County Property ID's 63998 and 153815.

**RECOMMENDATION**

Approval of Resolution 23-R-47.

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**Attachments**

Res 23 R 47 w attachments

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**RESOLUTION NO. 23-R-47**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPROVING AND AUTHORIZING A CCN AMENDMENT AND A CCN TRANSFER FROM GREEN VALLEY SPECIAL UTILITY DISTRICT TO THE CITY OF SCHERTZ TO AMEND CCN BOUNDARIES, AND OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, Green Valley Special Utility District (“GVSUD”) provides retail water service under CCN No. 10646 and retail sewer service under CCN No. 20973, issued by the Public Utility Commission of Texas (“PUC”) to certain areas in and about Comal County and Guadalupe County;

**WHEREAS**, the City of Schertz (“Schertz”) provides retail water service under CCN No. 10645 and retail sewer service under CCN No. 20271, issued by the PUC, to certain areas in and about Bexar County, Comal County, and Guadalupe County;

**WHEREAS**, the boundaries of the GVSUD water CCN and the Schertz water CCN are adjacent to one another in various areas;

**WHEREAS**, the Property owner of the subject property identified as PIDs#63998 and 153815, Guadalupe County Appraisal District records, and depicted in Exhibit A (“Eckhardt Rd Tract – Water CCN”) has requested service from the City of Schertz;

**WHEREAS**, the Property owner of the subject property identified as PIDs#63998 and 153815, Guadalupe County Appraisal District records, and depicted in Exhibit B (Updated (Current) Water CCN Map”), has requested release from and GVSUD has decertified the property from their water CCN;

**WHEREAS**, GVSUD and Schertz are amenable to altering the boundaries of their respective sewer CCNs by transferring the portion of the Property contained within the boundaries of the GVSUD CCN to the Schertz CCN so that the Property is removed from the GVSUD sewer CCN and added to the Schertz sewer CCN, depicted in Exhibit C (“Sewer CCN Exhibit”); and

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

Section 1. The City Council hereby authorizes the City Manager to amend the City of Schertz’ water CCN to provide water service to the property as shown in Exhibit “A” and “B” and execute an agreement to transfer the sewer CCN from GVSUD to provide sewer service to the subject property as shown in Exhibit “C”.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

**Exhibit "A"**  
**Subject Property**  
**Eckhardt Rd Tract – Water CCN**

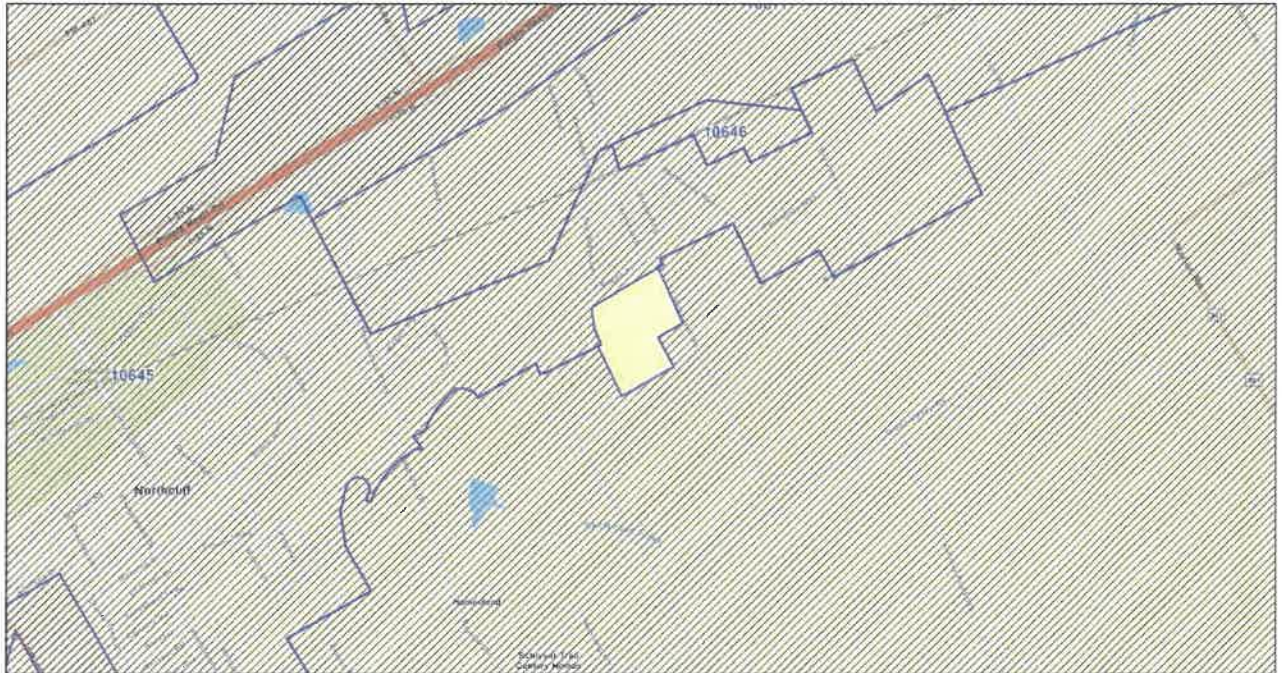
# Exhibit A



**Exhibit "B"**  
**Subject Property**  
**Updated (Current) Water CCN Map**

# Exhibit B

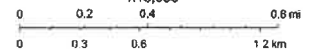
## Public Utility Commission - Water CCN



4/24/2023, 9:08:56 AM

Water CCN Service Areas

1:18,056

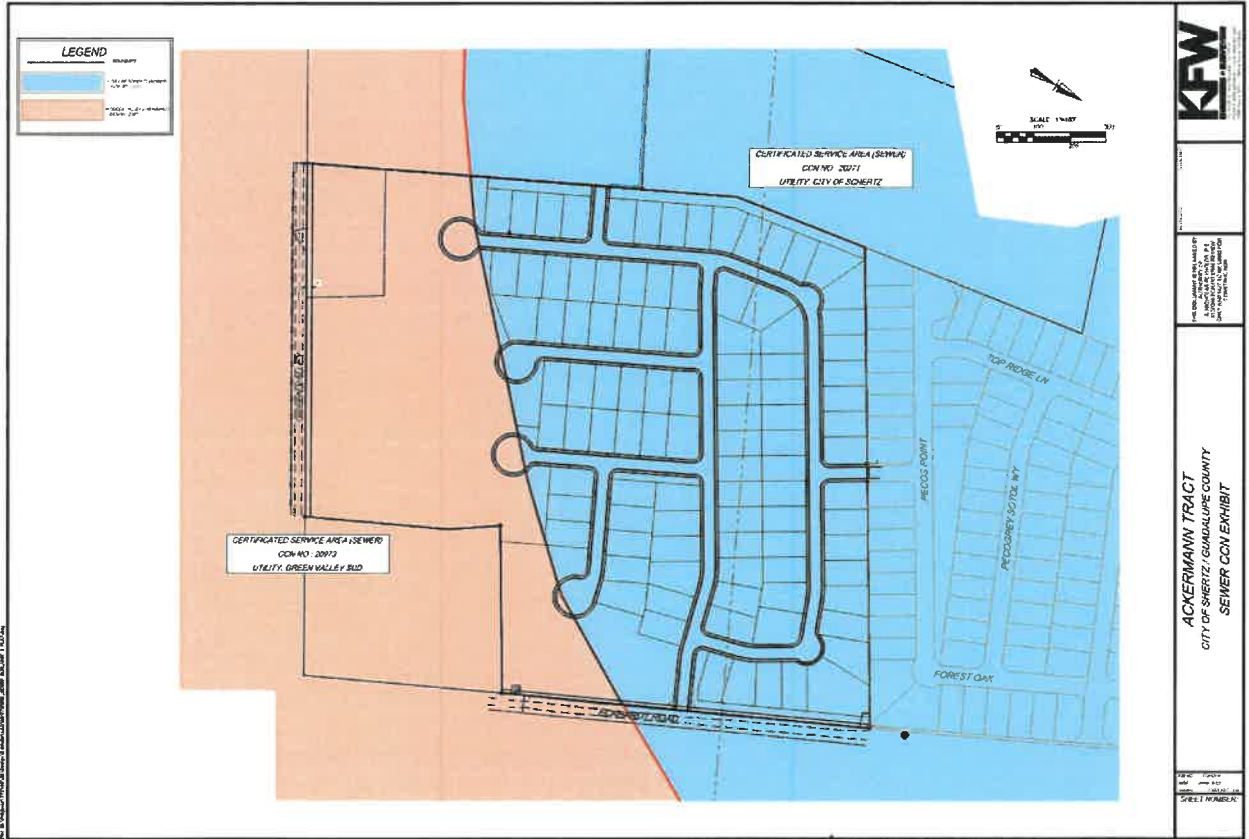


Esri Community Maps Contributors, City of Cibola, Texas, City of New Braunfels, Texas Parks & Wildlife, CONAMP, Esri, HERE, Garmin, Foursquare, SafeGraph, CONAMP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc., METNUSA, USGS, EPA, NPS

Esri Community Maps Contributors, City of Cibola, Texas, City of New Braunfels, Texas Parks & Wildlife, CONAMP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc., METNUSA, USGS, EPA, NPS, US Census Bureau, USDA | The 83rd Legislature, 1st Called Session, enacted SB 4 (PLAN) ArcGIS Web AppBuilder

**Exhibit "C"**  
**Subject Property**  
**Sewer CCN Exhibit**

# Exhibit C



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** Executive Team  
**Subject:** Resolution 23-R-48 - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a Resolution authorizing a Schertz Main Street Local Flavor Economic Development Grant for 820 Main Street. (S. Williams/B. James)

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**BACKGROUND**

The tenant of the property at 820 Main, with concurrence of the owner, is applying for another Main Street Local Flavor Economic Development Grant for up to \$20,000 for this property, The property received grants totaling \$20,000 in 2021. The program allows up to \$40,000 in a five-year period. So if approved, this grant would bring the property to the maximum grant amount.

The tenant is proposing:

Capital Equipment - a new ice cream machine - total cost \$5,000 (grant capped up to \$2,500).

Signage - Install 3 new signs - estimated cost \$14,000 (grant capped at \$5,000).

Facade - paint exterior of the building to match the adjacent building at 816 Main - estimated cost \$4,000 (estimated grant amount \$2,000).

System - new insulation estimated to cost \$2,200 (estimated amount \$1,100)

Site Improvement - reinforce decking/flooring in loft area, install roofing over deck, remove chain link fence, install new privacy fencing, add gravel to outdoor seating area, outdoor tables and chairs, provide pet waste holder, add dumpster deck estimated cost for all site improvement items \$21,870 (estimated amount of grant \$11,435).

**GOAL**

Promote and enhance commercial activity along Main Street and promote the economic, cultural and general welfare of the public. The area around Main Street in Schertz once served as the commercial and social hub of the community. The City seeks to improve the image of the area around Main Street through matching grants that promote local economic development and stimulate business and commercial activities.

**COMMUNITY BENEFIT**

Encourage the attraction of small businesses that will create local charm and help develop a sense of place around Main Street. Promote commercial development. Stabilize and improve property values. Foster civic pride. Strengthen the economy of the City by protecting and enhancing the attractiveness of the Main Street area to residents and visitors, as well as provide support of local businesses.

**SUMMARY OF RECOMMENDED ACTION**

Staff recommends approval of Resolution 23-R-48, approving a Main Street Local Flavor Economic Development Grant for up to \$20,000 for 820 Main.

**FISCAL IMPACT**

The maximum fiscal impact of approval of this grant is \$20,000. The City budgets \$50,000 annually for the Schertz Main Street Local Flavor Economic Development Grant program. The current outstanding liabilities for the program are \$72,890.88 and with approval of this grant it would become \$92,890.88. This fiscal year the City has paid out \$12,913.15 in grants. While the total liabilities and grants paid this fiscal year, exceeds the \$50,000 the City budgets, it is important to note that not all of these grants are likely to be paid this fiscal year, if at all (at times projects are not started within a year or the full project is not done). If the City needs to pay more than \$50,000 this fiscal year, the past practice is to utilize contingency funds.

**RECOMMENDATION**

Approval of Resolution 23-R-48.

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**Attachments**

Res 23 R 48 w attachments

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**RESOLUTION NO. 23-R-48**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING APPROVING A REQUEST FOR A SCHERTZ MAIN STREET LOCAL FLAVOR ECONOMIC DEVELOPMENT GRANT FOR 820 MAIN STREET.**

**WHEREAS**, the City of Schertz desires to protect, enhance, and preserve the historic resources and landmarks which represent distinctive elements of Schertz' historic, architectural, economic, cultural, and social heritage by providing property owners and incentive for protecting their property; and

**WHEREAS**, the City of Schertz desires to encourage the attraction of small businesses that will create local charm and help develop a sense of place in and around Main Street; and

**WHEREAS**, the City of Schertz desires to stabilize and improve property values; and

**WHEREAS**, the City of Schertz desires to foster civic pride in the beauty and accomplishments of the past, and to promote the use of the historic structures for the culture, education, and general welfare of residents; and

**WHEREAS**, the City of Schertz desires to strengthen the economy of the city by protecting and enhancing the attractiveness of the Main Street area to residents and visitors, as well as provide support and stimulus to businesses; and

**WHEREAS**, the City Council approved the Schertz Main Street Local Flavor Economic Development Grant; and

**WHEREAS**, staff is in support of this program and recommends approval of the grant request for 820 Main for up to \$20,000.

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

Section 1. The City Council hereby approves the Schertz Main Street Local Flavor Economic Development Grant request for 820 Main Street subject to the approved criteria of the program and execution of a funding agreement generally as outlined in Exhibit "A".

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 \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

Exhibit "A"

STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR       §

**SCHERTZ MAIN STREET LOCAL FLAVOR ECONOMIC DEVELOPMENT PROGRAM  
FUNDING AGREEMENT BETWEEN THE CITY OF SCHERTZ, TEXAS AND  
KINDFROST, LLC and 1017 HOLDINGS, LLC FOR EXPENDITURE OF LOCAL  
FLAVOR GRANT FUNDS**

This Local Flavor Development Program Funding Agreement (AGREEMENT) is made and entered into by and between the City of Schertz, Texas (CITY) and Kindfrost, LLC (the "TENANT") and 1017 Holdings, LLC, (the "OWNER"), collectively referred to as the (ENTITY).

WHEREAS, the TENANT has developed a proposal to make improvements to the site and facade as well as purchase capital equipment, and signage to 820 Main (the "Project"); and

WHEREAS, Section 380.001 of the Texas Local Government Code, as amended, allows the governing body of a municipality to establish and provide for the administration of one or more programs to promote state and local economic development and to stimulate business and commercial activity in the municipality; and

WHEREAS, the Schertz Main Street Local Flavor Economic Development Program is intended to encourage and expansion and attract small businesses that create local charm and help develop a sense of place in and around Main Street, promote commercial development, stabilize and improve property values, foster civic pride, and protect and enhance the attractiveness of the Main Street area to residents and visitors; and

WHEREAS, funding for the Schertz Main Street Local Flavor Economic Development Program will be provided annually through the City's General Fund; and

WHEREAS, the Schertz Main Street Local Flavor Economic Development Program will enhance other city efforts to improve, beautify, and promote economic development in the Main Street area.

WHEREAS, the area around Main Street in Schertz once served as commercial and social hub of the community; and

WHEREAS, the City seeks to improve the image of the area around Main Street through restoration and rehabilitation of structures in the Main Street area to serve as a commercial, social, cultural and tourism hub of the City; and

WHEREAS, the City Council of the City of Schertz desires to provide funds to Kindfrost, LLC (TENANT).

NOW, THEREFORE, it is mutually agreed by and between the CITY and ENTITY as follows:

## GENERAL PROVISIONS

Section 1. Purpose. The purpose of this Agreement is to provide funding to the TENANT for the project identified in the attached Exhibit "A" (the "Project"), the intent of which is to promote state and local economic development and to stimulate business and commercial activity in the municipality to encourage and expansion and attract small businesses that create local charm and help develop a sense of place in and around Main Street, promote commercial development, stabilize and improve property values, foster civic pride, and protect and enhance the attractiveness of the Main Street area to residents and visitors.

Section 2. Obligation of the T E N A N T . The TENANT shall use all of the awarded funds provided by the CITY in accordance with Chapter 351 of the Texas Tax Code, the TENANT'S funding application, and the attached Exhibit "A".

Section 3. Reporting Requirements of the TENANT. The TENANT shall deliver a detailed accounting of the expenditures for the Project within thirty (30) days after completion of the Project (the "Post Event Report"). The Post Event Report shall include copies of receipts and other documents establishing the expenditures for the project. The CITY shall not make reimbursements for expenditures where no receipt or invoice is provided. Partial or incomplete reports will not be accepted.

Section 4. Authorization of Payment. Subject to the TENANT'S satisfactory performance and compliance with the terms of this AGREEMENT, the CITY agrees to pay the TENANT up to fifty percent (50%) of the Project. The Project is estimated to be over \$20,000.00 and fifty percent of which, is capped at \$20,000.00 and is the total amount of grant money for which the project is eligible. Work within the signage grant category is capped at \$5,000 and at \$2,500 for capital equipment. Payment(s) will be made within forty-five (45) days of acceptance of the complete Post Event Report. Partial or incomplete reports will not be accepted. Only expenditures that meet Chapter 351 of the Tax Code and this AGREEMENT shall be reimbursed.

Section 5. Appeal Process. Any ENTITY wishing to appeal the decision of the CITY must present their appeal in writing within ten (10) business days of funding denial.

Section 6. Rights. The City of Schertz has the right, at any time, to inspect the books or records of the ENTITY that may relate to performance of this AGREEMENT. The CITY, at its sole expenses, has the right to conduct an audit of the ENTITY or Project.

Section 7. Term. The AGREEMENT shall become effective as of the date entered below. The AGREEMENT shall terminate one year from its effective date or once the terms have been met, whichever occurs first.

Section 8. Indemnification. The ENTITY agrees to defend, indemnify and hold harmless the CITY, its officers, agents and employees, against any and all claims, lawsuits, judgments, cause of action, costs and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the

ENTITY's breach of any of the terms or provisions of this AGREEMENT, or by any negligent act or omission of the ENTITY, its officers, agents, servants, employees, contractors, or subcontractors, in the performance of this AGREEMENT; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence of the CITY, its officers, agents, employees or separate contractors, and in the event of joint and concurrent negligence of both the ENTITY and the CITY under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. Both parties expressly agree that this AGREEMENT does not assign any responsibility for civil liability to the City of Schertz that may arise by virtue of this AGREEMENT.

Section 9. Termination. A party may terminate this AGREEMENT in whole or in part if the other party fails to comply with a term of the AGREEMENT, including the inability of the ENTITY to conform to any change required by federal, state or local laws or regulations; or for the convenience of either party. The terminating party shall provide written notification to the other party of the decision to terminate this AGREEMENT within thirty (30) days before the effective date of termination. A party may terminate the AGREEMENT for breach of any provision of this AGREEMENT, upon written notice of the breach and the breaching party shall have ten (10) days after receipt of the written notice in which to cure the breach to the satisfaction of the non-breaching party.

Section 10. Notice. All notices required or permitted under this AGREEMENT shall be in writing and shall be delivered in person or mailed as follows:

to the CITY at:

City of Schertz  
Attention: City Manager  
1400 Schertz Parkway  
Schertz, TX 78154  
(210) 619-1000

To: Kinderfrost, LLC  
Attention: Judy Goldick  
820 Main  
Schertz, Texas 78154

To: 1017 Holdings, LLC  
Attention: Nicholas Marquez  
PO Box 284Main  
Cibolo, Texas 78108

MISCELLANEOUS

Section 11. Entire Agreement. This AGREEMENT constitutes the entire agreement of the parties regarding the subject matter contained herein. The parties may not modify or amend this AGREEMENT, except by written agreement approved by the governing bodies of each party and duly executed by both parties.

Section 12. Approval. This AGREEMENT has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.

Section 13. Assignment. Except as otherwise provided in this AGREEMENT, a party may not assign this AGREEMENT or subcontract the performance of services without first obtaining the written consent of the other party.

Section 14. Non-Waiver. A party's failure or delay to exercise right or remedy does not constitute a waiver of the right or remedy. An exercise of a right or remedy under this AGREEMENT does not preclude the exercise of another right or remedy. Rights and remedies under this AGREEMENT are cumulative and are not exclusive of other rights or remedies provided by law.

Section 15. Paragraph Headings. The various paragraph headings are inserted for convenience of reference only, and shall not affect the meaning or interpretation of this AGREEMENT or any section thereof.

Section 16. Attorney fees. In any lawsuit concerning this AGREEMENT, the prevailing party shall be entitled to recover reasonable attorney's fees from the nonprevailing party, plus all out-of-pocket expense such as deposition costs, telephone, calls, travel expenses, expert witness fees, court costs, and their reasonable expenses, unless otherwise prohibited by law.

Section 17. Severability. The parties agree that in the event any provision of this AGREEMENT is declared invalid by a court of competent jurisdiction that part of the AGREEMENT is severable and the decree shall not affect the remainder of the AGREEMENT. The remainder of the AGREEMENT shall be in full force and effect.

Section 18. Venue. The parties agree that all disputes that arise of this AGREEMENT are governed by the laws of the State of Texas and venue for all purposes herewith shall be in Milam County, Texas.

Section 19. Certificate of Insurance. The ENTITY agrees to provide a certificate of insurance for liability and worker's compensation insurance or letter of self-insurance on its letterhead indicating its self-insured status before any event awarded funding under this AGREEMENT. The cost of the insurance herein mentioned to be secured and maintained by the ENTITY shall be borne solely by the ENTITY.

IN WITNESS HEREOF, the CITY and ENTITY make and execute this AGREEMENT to be effective this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Secretary

Entity

\_\_\_\_\_  
Kinderfrost, LLC

\_\_\_\_\_  
I017 Holdings, LLC

EXHIBIT A

[Describe the project to be performed]

# EXHIBIT A

## Scope of Work

### 1. FAÇADE:

- a. Paint exterior of building to match color of 816 Main Street. 3 Sides and trim. Estimated Cost \$4000

### 2. SITE IMPROVEMENT:

- a. Reinforce decking/flooring in loft area above supply closet where "soft" and nonexistent. Estimated Cost \$360.00
- b. Install interlock commercial over deck in loft area. Est. Cost \$3370.00
- c. Remove existing chain link fencing running horizontally with Main Street and perpendicular to Schertz Parkway. Est. Cost \$550
- d. Remove 2 sides of existing wood panel privacy fencing at the east side of the building. Est. Cost \$600.00
- e. Install decorative aluminum fencing on east side of the building to create an outdoor sitting area. Est. Cost \$4060.00
- f. Install ground cover in sitting area (pea gravel, caliche or other as recommended by city flood manager). Est. Cost \$1050.00
- g. Add tables and chairs to outdoor area. Est. Cost \$2000.00
- h. Install pet waste bag holder in outdoor sitting area. Est. Cost \$380.00
- i. Install 8 foot privacy fencing (double sided for noise mitigation) along south side between sitting area and railroad tracks. Est. Cost \$2000.00

- j. Add 10x10 pad for dumpster relocation. At NE corner of existing chain link fence running parallel with Schertz Parkway. Est. Cost \$1500.00

3. SIGNAGE:

- a. Install signage on North, South and East walls of building. (in accordance with Unified Municipal Code Article 11) Est. Cost \$12000.00
- b. Install sign at outdoor sitting area detailing pet rules. Similar or identical to the signage at the Schertz dog park. Est. Cost \$200.00

4. SYSTEM:

- a. Install insulation at South, West, and North walls of loft area. Est. cost \$2200.00

5. CAPITAL EQUIPMENT:

- a. Purchase new ice cream machines for Frostbite. Est. Cost \$5000.00
-

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** **June 6, 2023**

**Department:** **City Secretary**

**Subject:** **Appointment/Reappointment For  
Boards/Commissions/Committees (S.Edmondson)**

- **Reappointment of Mr. Roy Ragsdale to the Transportation Safety Advisory Commission (TSAC) Board of Directors**
-

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** City Secretary  
**Subject:** Minutes - Consideration and/or action regarding the approval of the regular meeting minutes of May 23, 2023. (S.Edmondson/S.Courney)

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**BACKGROUND**

**GOAL**

**COMMUNITY BENEFIT**

**SUMMARY OF RECOMMENDED ACTION**

**RECOMMENDATION**

Recommend approval.

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**Attachments**

Minutes

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# DRAFT

## MINUTES REGULAR MEETING May 23, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on May 23, 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: Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Jill Whittaker; Councilmember Michael Dahle; Councilmember David Scagliola; Mayor Pro-Tem Tim Brown

Absent: Mayor Ralph Gutierrez; Councilmember Allison Heyward

Staff present: Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Attorney Daniel Santee; Deputy City Secretary Sheree Courney

### **Call to Order**

Mayor Pro-Tem Brown 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 Pro-Tem Brown recognized Councilmember Scagliola who provided the opening prayer.

Mayor Pro-Tem Brown recognized Mateo Galvan, Boy Scouts of America Troop 51, Schertz, TX, who led the Pledges of Allegiance to the Flags of the United States and the State of Texas.

### **Proclamations**

- Search and Rescue Week-May 21-27, 2023 (Councilmember Watson)

Councilmember Watson presented the Search and Rescue Week - May 21-27, 2023 Proclamation to Detective Helen Lafitte, Schertz Police Department and members of the Texas Search and Rescue Team (TEXSAR) Justin McInnis, President/CEO; Todd Snyder, Director of Missing Persons Unit; and Will Baumann, South Central Division Leader.

- EMS Appreciation Week-May 21-27, 2023 (Councilmember Whittaker)

Councilmember Whittaker presented the EMS Appreciation Week - May 21-27, 2023 Proclamation to EMS Chief Jason Mabbitt and members of the Schertz EMS Team.

- National Public Works Week-May 21-27, 2023 (Councilmember Dahle)

Councilmember Dahle presented the Public Works Week - May 21-27, 2023 Proclamation to Acting Public Works Director Larry Busch and members of the Public Works Team.

## City Events and Announcements

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

Mayor Pro-Tem recognized Assistant City Manager Sarah Gonzalez who provided the following:

### **Monday, May 29**

City Offices are closed for Memorial Day

Memorial Day Ceremony  
Veterans Memorial Plaza  
512 Schertz Parkway  
9:00 a.m.

### **Friday and Saturday, June 2-3**

Read Before Bookstore  
Schertz Public Library  
10:00 a.m. - 5:00 p.m.

### **Tuesday, June 6 and June 20**

Next regularly scheduled City Council Meetings  
Council Chambers  
6:00 p.m.

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

Mr. Williams was not in attendance, therefore no announcements or recognitions were made.

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

Mayor Gutierrez was not in attendance, therefore no announcements or recognitions were made.

## 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.**

Councilmember Dahle recognized the following residents:

- Daniel Jameson, 1048 Richmond Drive, who provided details on the upcoming VFW Car Show to be held Saturday, May 27, 2023. He also advised the Council that in case of inclement weather on Memorial Day, the event will be moved to the VFW Hall on Schertz Parkway.
- Steven Stark, 3900 Arroyo Seco, one of the Vice Presidents of the Arroyo Verde HOA. Mr. Stark is concerned with the placement of a new water main along the property aligned with the Arroyo Verde subdivision. Not one homeowner approves of the plan that will result in the removal of several trees along the greenbelt. The greenbelt serves as a sound and sight barrier for residents from businesses and traffic along 3009.
- Nicole Perez of the City of Cibolo and Natalia Brookens from The Chamber. They are members of the Core Leadership Class that will be graduating this July and were present to observe Council.
- Maggie Titterington, 1730 Schertz Parkway, provided The Chamber updates:
  - August 18, 2023 - Caterpillar Chamber Bowl to raise monies to support scholarships for the DECA Programs at Clemens and Steele High Schools. A total of \$120,000 in scholarships have been awarded to date.
  - September 29-30, 2023 - RE/MAX Skylight Balloon Festival. They are at 30% capacity and still seeking food and craft vendors.
  - The Chamber Toastmasters are now located at the Selma Stage Stop Offices, 9374 Valhalla Drive, Meetings are on Mondays 7:00 - 8:00 p.m. Open houses are scheduled for June 5th and June 26th from 6:00 - 7:00 p.m.
  - Chamber offices are closed on Memorial Day.
  - No Coffee with the Chamber this month.

## **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 regular meeting minutes of May 9, 2023 (S.Edmondson/S.Courney)
2. **Resolution 23-R-44** - A Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into a Developer Reimbursement Agreement with Schertz 1518, Ltd. for the relocation of utilities – specifically Water and Sewer Mains along FM 1518 in preparation for the FM 1518 Project. (B.James/K.Woodlee/E.Schulze)
3. **Resolution 23-R-43** - A Resolution 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 a Sewer Main along FM 1518 in preparation for the FM 1518 Project. (B.James/K.Woodlee/E.Schulze)

4. **Resolution 23-R-46** - A resolution by the City Council of the City of Schertz, Texas supporting the Great Springs Project's application to the Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects. (S. Gonzalez/L.Shrum)
  
5. **Ordinance 23-S-10** - Consideration and/or action on a request to rezone approximately 1 acre of land from Single-Family Residential District (R-1) to Neighborhood Services District (NS), located approximately 600 feet south of the intersection of FM 3009 and Live Oak Road, also known as Guadalupe County Property Identification Number 67544, City of Schertz, Guadalupe County, Texas. (*Final Reading*) (B.James/L.Wood/S.Haas)
  
6. **Resolution 23-R-45** - A Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into Advance Funding Agreements with the State of Texas for the relocation of utilities – specifically Water and Sewer Mains along FM 1518 as part of the Joint-Bid with TxDOT in preparation for the FM 1518 Project. (B.James/K.Woodlee/E. Schulze)

Mayor Pro-Tem Brown asked for a motion to approve Consent Agenda Items #1 - 6.

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,  
 Councilmember Jill Whittaker, Councilmember Michael Dahle,  
 Councilmember David Scagliola

Passed

### Discussion and Action Items

7. **Resolution 23-R-42** - Presentation and consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving the 2023 Recipients of the Hal Baldwin Scholarship (S. Williams/S. Gonzalez) *Presentation to follow approval.*

Mayor Pro-Tem recognized Assistant City Manager Sarah Gonzalez who briefed Council on the Hal Baldwin Scholarship committee recommendations for three recipients of the awards for a total of \$8,500.

Mayor Pro-Tem asked for a motion to approve Resolution 23-R-42.

Moved by Councilmember David Scagliola, seconded by Councilmember Michelle Watson

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

Passed

Ms. Gonzalez recognized the following recipients of the Hal Baldwin Scholarships:

- Evan McWhirt, Clemens High School, \$1,000 scholarship recipient. Evan will be attending Iowa State University in the Fall majoring in Meteorology.
- Camry Klinge, Clemens High School, \$2,500 scholarship recipient. Camry will be attending Texas A&M University in the Fall majoring in Political Science.
- Corey Hunter, Steele High School, \$5,000 scholarship recipient. Corey will be attending Lakeview College in the Fall majoring in Education.

- 8. Resolution 23-R-41** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to execute the necessary documents to acquire the property located at 11776 Lower Seguin Rd for an amount not to exceed \$160,000. (B. James/J. Nowak)

Mayor Pro-Tem recognized Mr. John Nowak who offered to provide any information Council needed on this item. No questions were posed.

Mayor Pro-Tem Brown asked for a motion to approve Resolution 23-R-41.

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle

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

Passed

## Workshop

- 9. Quarterly Report on Schertz Area Senior Center Operations (S. Gonzalez, L. Shrum)**

Mayor Pro--Tem Brown recognized Lauren Shrum, Director of Parks and Recreation. Ms. Shrum provided the following report requested by Council. Initiatives to be undertaken included a Consolidated Policy Manual, assignment of a Council liaison, defining the roles, and conducting a member survey.

- The Consolidated Policy Manual includes procedures adopted from AACOG Best Practices, Code of Conduct, standardized written warning document, and the Advisory Board revision of their By-laws.
- Councilmember Watson has been assigned as the Council liaison.
- Defined roles as follows:

- YMCA is responsible for operations, janitorial, personnel, nutrition compliance, light maintenance, and member engagement.
- City of Schertz is responsible for membership software, contract oversight, building maintenance, nutrition compliance, utilities, and landscaping.
- Senior Center Advisor Board is responsible for providing input and recommendations of programs and policies.
- Member survey was conducted. Consisted of 6 questions, high response rate, and consisted mostly of favorable feedback.

Currently working on a garden project.

Mayor Pro-Tem opened the floor to Council for discussion.

Councilmember Scagliola stated it was impressive participation on the survey, results look generally positive, there is still room for improvement, but overall, the City is doing what is necessary to keep the ball moving forward. He thanked Ms. Shrum for the work done.

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

10. Presentation of Kick Cancer Pep Rally & 5K Run Donation to Mays Cancer Center at UT Health San Antonio. (S. Gonzalez/L. Shrum/C. Paddock)

Mayor Pro-Tem recognized Cassie Paddock who presided over the check presentation to the UT Health San Antonio MD Anderson Cancer Center. Ms. Paddock thanked the sponsors and individuals who participated in the event. A check in the amount of the \$10,878.34 was presented to Ms. Kelly King and Ms. Valerie Willenchek.

11. Quarterly Financial Reports - FY 2022-23 1st and 2nd Quarter

### **Requests and Announcements**

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

No updates or information from Staff were requested.

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

Councilmember Scagliola requested information and/or workshop from the Staff regarding the Arroyo Verde issue with the water main.

- Announcements by Mayor and Councilmembers

No announcements were made.

- City and Community Events attended and to be attended
  - Councilmember Davis attended the Parks and Recreation Advisory Board meeting on May 22, 2023.
  - Councilmember Watson attended two police memorial presentations, one in Washington D.C. and one in Universal City.
  - Councilmember Scagliola attended The Chamber Luncheon and the Schertz/Cibolo Police Memorial Presentation.
  - Mayor Pro-Tem Brown attended the Schertz/Cibolo Police Memorial Presentation.
  
- 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 Pro-Tem Brown adjourned the meeting at 6:53 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheree Courney, Deputy City Secretary

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** Finance  
**Subject:** Ordinance No. 23-T-12 - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, authorizing adjustments to the FY 2022-23 Budget, and other matters in connection therewith. First Reading (S. Williams, S. Gonzalez, J. Walters)

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**BACKGROUND**

The City Budget for FY 2022-23 was approved by Ordinance 22-T-39. The budget can be modified by council authorization when necessary throughout the year.

As previously directed, staff will try to limit the number of budget adjustments that come to council throughout the year by bundling different budget requests together in one adjustment ordinance. This adjustment will adjust budgets of multiple departments as needed, including to fund projects as previously authorized by City Council.

Fleet has been using more outside fleet repair services for Engine 2 and will need an additional \$50,000. Fleet's operating supplies, for parts, will need an additional \$50,000 due to price increases and current service levels of the existing fleet.

Each year the City receives Law Enforcement Officer Standards and Education (LEOSE) funds from the state. The past few years those funds have accumulated within the General Fund and are ready to be used. This adjustment will set the budget for LEOSE training to full amount saved from previous years and use all \$33,440 that has been received. This is grant funded training and staff will be using the funding this year as well as in the future annual amount each year.

Recognize reimbursement opportunity in EMS for Paramedic Training. Total training increase of \$34,000 and the reimbursement for \$34,000. This reimbursement program is part of Senate Bill 8 Emergency Medical Services Workforce Recruitment and Retention whose goal is to boost the number of paramedics in Texas. The City has already received the \$34,000 reimbursement.

To purchase land along Lower Seguin Road out of the Roadway Impact Fees Area 3 reserves in the amount of \$160,000 as authorized by Resolution 23-R-41. This will assist in future roadway improvements going forward.

To purchase property in the Dry Comal Creek for \$262,069 out of the Parkland Dedication reserves as authorized by Resolution 22-R-137. The property is a strategic trailhead location for the City of Schertz' Dry Comal Creek Trail and the regional Great Springs Trail.

**GOAL**

To approve the budget adjustment to match operations and council authorized projects.

**COMMUNITY BENEFIT**

To maintain a complete and balanced budget as identified as a goal in the City's Strategic Plan and that meets State and Charter requirements.

**SUMMARY OF RECOMMENDED ACTION**

Staff recommends approval of Ordinance 23-T-12.

**FISCAL IMPACT**

This adjustment will recognize additional sales tax revenue to cover the additional fleet repair costs. Investment income has already met its budget estimations and can cover the fleet repair costs.

EMS budget increase is paid for by outside reimbursements and not affect the fund.

The Parkland Dedication fund has a balance before the adjustment of \$269,000 as of April 30, 2023 and will have \$7,000 remaining after the land purchase for other projects.

The Roadway Impact Fee Area 3 fund has a balance before the adjustment of \$1,367,000 and will have \$1,207,000 remaining after the land purchase for other projects.

The City currently has \$33,440 set aside for LEOSE training and plans to use that amount this fiscal year.

**RECOMMENDATION**

Staff recommends approval of Ordinance 23-T-12.

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**Attachments**

Ordinance 23-T-12

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**ORDINANCE NO. 23-T-12**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2022-2023 BUDGET, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Ordinance 22-T-39, the City of Schertz (the “**City**”) adopted the budget for the City for the fiscal year 2022-2023 (the “**Budget**”), which provides funding for the City’s operations throughout the 2022-2023 fiscal year; and

**WHEREAS**, the City needs to increase the budget for fleet repair by \$100,000.00; and

**WHEREAS**, the City needs to increase the budget for Police Training by \$33,440.00; and

**WHEREAS**, the City needs to increase the budget for Paramedic Training by \$34,000.00; and

**WHEREAS**, the City needs to increase the budget for land/right-of-way purchases by \$160,000.00 for property along Lower Seguin Road for future road improvements; and

**WHEREAS**, the City needs to increase the budget for land/right-of-way purchases by \$262,069.00 for property along the Dry Comal Creek bed for future trail improvements; 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 personnel budget adjustment as more fully set forth in this Ordinance.

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

Section 1. The City shall increase the budget by \$100,000.00 for fleet repairs and recognize an additional \$100,000.00 in Investment Income.

Section 2. The City shall increase the budget by \$33,440.00 for police training and recognize a transfer from the Law Enforcement Officer Standards and Education fund of \$33,440.00.

Section 3. The City shall increase the budget for paramedic training by \$34,000.00 and recognize an additional \$34,000.00 in state reimbursements to pay for the training.

Section 4. The City shall increase the budget for land/right-of-way purchase by \$160,000.00 for property along Lower Seguin Road for future road improvements and recognize a transfer of \$160,000.00 from the Roadway Impact Fees Area 3 fund balance.

Section 5. The City shall increase the budget for land/right-of-way purchase by \$262,069.00 and recognize a transfer of \$262,069.00 from the Parkland Dedication fund balance.

Section 6. 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 7. 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 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. 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 10. 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 11. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED ON FIRST READING, the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

**City Council Meeting:** June 6, 2023  
**Department:** Planning & Community Development  
**Subject:** Ordinance 23-S-12 - Conduct a public hearing and consideration and/or action on a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, City of Schertz, Bexar County, Texas, property ID: 619232. *First Reading* (B. James, L. Wood, S. Haas)

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**BACKGROUND**

The applicant is requesting a Specific Use Permit to allow a convenience store with covered gas pumps on approximately 4.2 acres of land

**Public Notice:**

On April 18, five (5) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of this staff report (May 24th, 2023), two (2) responses in favor, zero (0) responses neutral, and zero (0) responses opposed have been received. A public hearing notice was published in the San Antonio Express on May 17th, 2023.

**GOAL**

The applicant is requesting a Specific Use Permit to allow a convenience store with covered gas pumps on approximately 4.2 acres of land, located at 11185 IH 10 E, City of Schertz, Bexar County, Texas, property ID: 619232. The subject property is currently being used as a storage yard. Per the letter of intent and the conceptual site plan, the applicant is proposing a 6,500 square foot convenience store with a fuel canopy for both passenger cars and diesel trucks. The property is currently zoned General Business District (GB), for which the proposed use requires a Specific Use Permit.

**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, through the South Schertz Sector Plan, identifies this area as Highway Commercial. The Highway Commercial land use designation is intended to allow large format retail with restaurants and entertainment uses or mid-rise office buildings, and may also include lodging and related uses. The Highway Commercial land use designation is located at major highway intersections to maximize access to the region. The proposed convenience store with gas pumps fits the retail land use desired in Highway Commercial designated areas.

This business can take advantage of its proximity to IH 10, as it is a highway/transportation oriented business and is dependent on the traffic generated from the highway. The proposed convenience store with gas pumps is compatible with the Highway Commercial land use designation, and therefore the proposed Specific Use Permit is generally in conformance with the Comprehensive Land Use Plan, through the South Schertz Sector Plan.

The subject property lies at the intersection of Graytown Road and the IH 10 access road, and is currently zoned General Business District (GB). Other properties along IH 10 are similarly zoned. The current use for the subject property is a storage/salvage yard. Directly to the north there is a residential structure that appears to be vacant, while the property to the east and to the west across Graytown Road are also vacant/undeveloped. Further to the east there is a similar storage/salvage yard. Directly to the south is the IH 10 corridor. With the proposed convenience store being surrounded by mostly vacant land, and being directly adjacent to IH 10 the proposed Specific Use Permit would not pose an additional adverse impact on the surrounding properties.

## **RECOMMENDATION**

### **Staff Recommendation:**

The subject property has an advantageous position for commercial activities adjacent to IH 10 and as a result the land use designation of Highway Commercial coincides with the proposed use for the property. The current condition/use of the property is a salvage/storage yard, and the proposed use would enhance the aesthetic and commercial quality. The subject property and all the immediate adjacent properties are zoned General Business District (GB), for which the Specific Use Permit and proposed use would be consistent with the area.

The Conceptual Site Plan shows a 6,500 square foot convenience store with gas pumps. In addition, there will be accommodations for large trucks with proposed diesel pumps, and large parking spaces. This intended use would provide a service to the area, as there is a large amount of truck traffic along the IH 10 corridor. As this is just a conceptual site plan, it is possible that details may change; however, once an official site plan application is submitted, it will be subject to all UDC requirements as stipulated in Article 9.

The next closest gas station in Schertz is approximately 4.5 miles to the east at the IH 10 and Trainer Hale intersection, and the next closest gas station in general is approximately 2 miles to the west at 1604 and IH 10 within the San Antonio city limits. As there is approximately 6 miles in-between gas stations along the IH 10 corridor, staff believes that the intersection at Graytown Road and IH 10 would be a suitable location for the proposed use.

Therefore, staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps at the subject property conditioned upon the following:

1. A building permit is approved within two years of the adoption of the SUP Ordinance

### **Planning and Zoning Commission Recommendation:**

The Schertz Planning and Zoning Commission met on May 10, 2023, and voted to recommend that the City Council approve the proposed Specific Use Permit as presented with a 7-0 vote.

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## **Attachments**

Ord S 12 w attachments

Aerial Exhibit

Public Hearing Notice Map

Public Hearing Responses

City Council Presentation Slides

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**ORDINANCE NO. 23-S-12**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR OPERATION OF A CONVENIENCE STORE WITH GAS PUMPS ON APPROXIMATELY 4.2 ACRES OF LAND, LOCATED AT THE INTERSECTION OF NORTH GRAYTOWN ROAD & IH 10, ADDRESS: 11185 IH 10 E, ALSO KNOW AS BEXAR COUNTY PROPERTY ID: 619232, CITY OF SCHERTZ, BEXAR COUNTY, TEXAS.**

**WHEREAS**, an application for a Specific Use Permit to allow for an operation of a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, 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 Specific Use Permit (the “Criteria”); and

**WHEREAS**, on May 10, 2023, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested Specific Use Permit; and

**WHEREAS**, on June 6, 2023, 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.

**NOW THEREFORE, BE IT RESOLVED 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 approved to allow a convenience store with gas pumps conditioned upon the following occurring:

a) A building permit is approved within two years of the adoption of the Specific Use Permit Ordinance

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

Section 8. 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.

PASSED ON FIRST READING, the \_\_\_\_ day of \_\_\_\_\_ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the \_\_\_\_ day of \_\_\_\_\_ 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"  
Property Description

**Exhibit "A"**

**TEMPORARY BENCHMARK (TBM)**

A FOUND "DISC" APPROX. 10 FEET IN A SOUTHWESTERLY DIRECTION FROM THE CORNER POINT NEAR A POWER POLE AT THE INTERSECTION OF THE EAST LINE OF GRAYTOWN ROAD AND THE NORTHERLY LINE OF I-10 FRONTAGE ROAD. (NAVD=606.52' (NAVD 88, 2001 ADJ.)

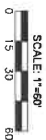
**BENCHMARK**

THIS TOPOGRAPHIC SURVEY HAS BEEN REFERENCED TO BEAR COUNTY GEOIDAL REFERENCE MARK NO: 2807 HAVING GRID COORDINATES OF:

N: 1372034.499  
E: 2715609.631, 43' (NAVD88, 2001 ADJ.)

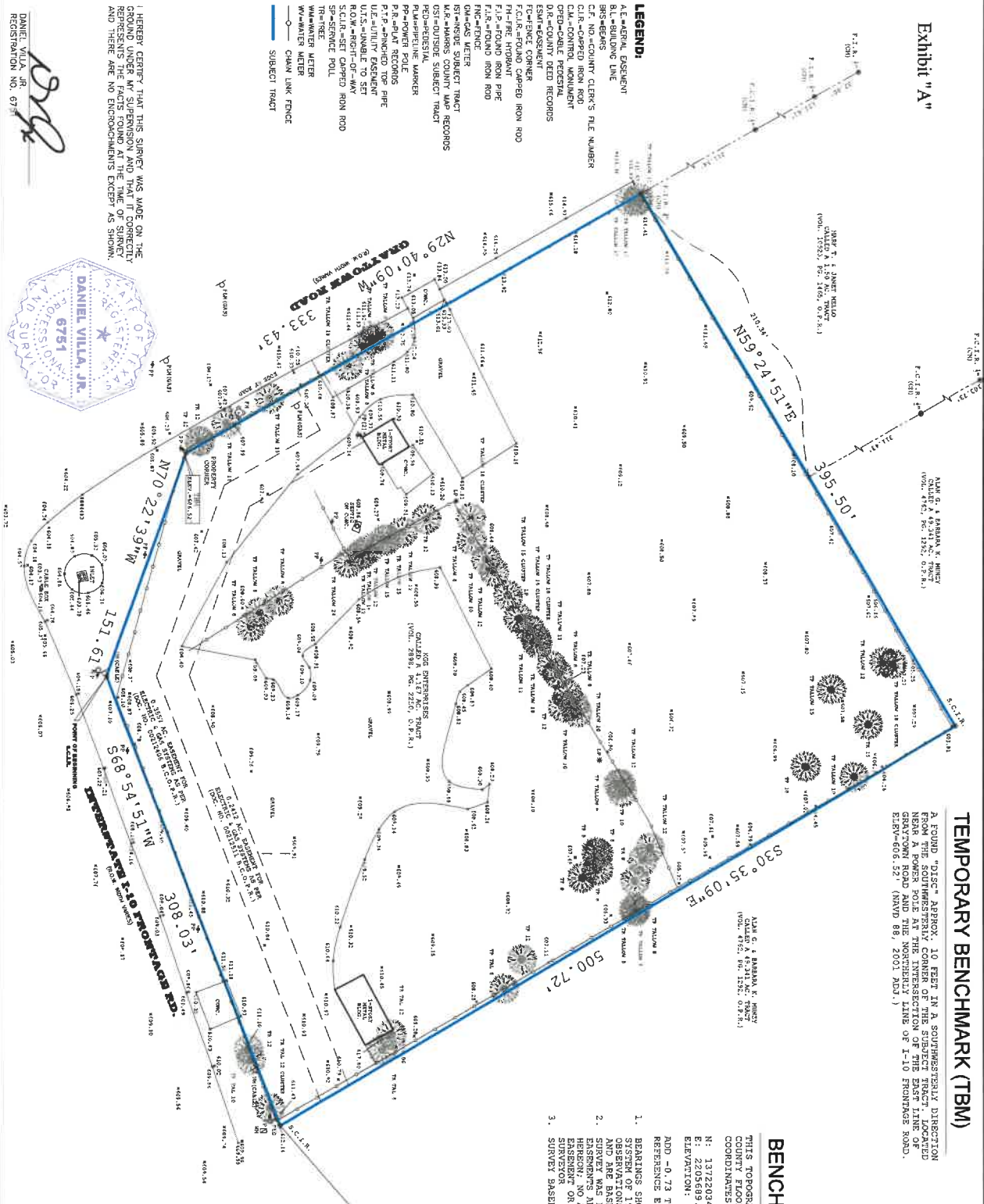
ADD -0.73 TO ALL ELEVATIONS SHOWN TO ADJUST TO RZ8207 REFERENCE ELEVATION=630.76'

1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE (FIPS 4204) PER GPS OBSERVATIONS
2. AND ARE BASED ON CONTROL MONUMENTS DERIVED ON THIS SURVEY AND ARE SUBJECT TO THE SAME LIMITATIONS AS THE CONTROL MONUMENTS AND RESTRICTIONS MAY EXIST WHICH ARE NOT SHOWN HEREON; NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF EMBARKMENT OR RESTRICTIONS OF RECORD HAS BEEN PERFORMED BY SURVEY BASED ON THE BEST OF FIELD EVIDENCE FOUND
- 3.



**LEGEND:**

- A.L.-ASPERA, EMBARKMENT
- BL-BUILDING LINE
- BHS-BEARS
- C.F. NO.-COUNTY CLERK'S FILE NUMBER
- C.L.R.-CARPED IRON ROD
- C.L.M.-CONTROL MONUMENT
- P.F.D.-PUBLIC UTILITY
- D.-DRAINAGE
- E.S.M.-EASEMENT
- F.C.-FENCE
- F.C.L.R.-FOUND CARPED IRON ROD
- F.H.-FIRE HYDRANT
- F.L.R.-FOUND IRON ROD
- F.N.C.-FENCE
- G.M.-GAS METER
- I.S.T.-INSTRUMENT SUBJECT TRACT
- M.C.R.-MAYNARD COUNTY MAP RECORDS
- P.D.-P.D.E.S.I.A. SUBJECT TRACT
- P.M.-P.M.E.I.N.E. MARKER
- P.P.-POWER POLE
- P.R.-P.R.E.C.H.O.D. PIPE
- P.T.P.-P.T.P.-ANCHORED TOP PIPE
- U.I.S.-UTILITY SUBJECT TRACT
- R.O.W.-RIGHT-OF-WAY
- S.P.-SERVICE POLL
- S.P.-SERVICE POLL
- T.R.-TREE
- W.M.-WATER METER
- W.W.-WATER METER
- CHAIN LINK FENCE
- SUBJECT TRACT



**FLOOD PLAIN INFO:**

THIS PROPERTY PARTIALLY LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FEMA FIRM PANEL NO. 48020C0335C ZONE: X (BASED ONLY ON VISUAL EXAMINATION OF MAPS)

**REVISIONS:**

NO.	DATE	DESCRIPTION
1		



TX ENGINEERING FIRM NO. F-2222  
TX SURVEYING FIRM NO. 0190608  
8101 HUNT ROCKS BLVD. 402  
SUITE 200  
CITY 76258  
COUNTY 28251919910

**BOUNDARY SURVEY**

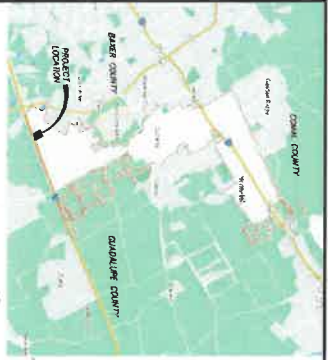
OF A 4.149 AC. PARCEL OF LAND  
SITUATED IN THE ATLANTO BAYOU SURVEY NO. 36  
SECTION 10, TOWNSHIP 10 NORTH, RANGE 10 WEST, BEXAR COUNTY, TEXAS  
BEXAR COUNTY, TX 76134  
JOB NO.: 02202-255  
DATE: 02-19-2022  
FIRM: DVJ  
ENGINEER:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN.



DANIEL VILLA, JR.  
REGISTRATION NO. 6751

Exhibit "B"  
Property Depiction



VICINITY MAP  
N.T.S.

Property Information: E1223  
 Land Use: Residential  
 Subdivision: N22 3605' SW 1/4, Sec. 32  
 Owner: JAMES EARL WATSON, JR.  
 Project ID: 112223  
 Address: 11223 Highway 16 E. County, TX 78134  
 Record No. 146 02823 24 040207X

UNSHADED ZONE "X"

Property Information: E1223  
 Land Use: Rural  
 Subdivision: N22 3605' SW 1/4, Sec. 32  
 Owner: JAMES EARL WATSON, JR.  
 Project ID: 112223  
 Address: 11223 Highway 16 E. County, TX 78134  
 Record No. 146 02823 24 040207X

(4,167 ACRES)  
 TOTAL GROSS EXISTING ACREAGE: 4,167 ACRES  
 TOTAL NET PROPOSED ACREAGE: 4,167 ACRES

Property Information: E1223  
 Land Use: Commercial  
 Subdivision: N22 3605' SW 1/4, Sec. 32  
 Owner: JAMES EARL WATSON, JR.  
 Project ID: 112223  
 Address: 11223 Highway 16 E. County, TX 78134  
 Record No. 146 02823 24 040207X

LAND USE COMMERCIAL  
 (Iron Horse Mobile Storage)  
 EXIST. ZONING: G8  
 PROP. ZONING: G8

Property Information: E1223  
 Land Use: Storage Yard  
 Subdivision: N22 3605' SW 1/4, Sec. 32  
 Owner: JAMES EARL WATSON, JR.  
 Project ID: 112223  
 Address: 11223 Highway 16 E. County, TX 78134  
 Record No. 146 02823 24 040207X

UNSHADED ZONE "A"

Exhibit "B"

UNSHADED ZONE "X"

ROW VARIES

EXPLANATORY ADDENDUM:  
 THE INFORMATION ADDENDUMS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DON SET AMENDMENT IS DETERMINED AT THE TIME OF FINAL PLAN.

Project Information: E1223  
 Land Use: Storage  
 Subdivision: N22 3605' SW 1/4, Sec. 32  
 Owner: JAMES EARL WATSON, JR.  
 Project ID: 112223  
 Address: 11223 Highway 16 E. County, TX 78134  
 Record No. 146 02823 24 040207X

REVISIONS	
NO.	DESCRIPTION
01	ISSUANCE SUPPLEMENTAL
02	ISSUANCE SUPPLEMENTAL
03	ISSUANCE SUPPLEMENTAL

11185 IH-10 AT N. GRAYTOWN RD  
 Schertz, Texas 78154  
 ANTONIO ZAMORA SURVEY NO. 36, ABSTRACT NO. 828,  
 COUNTY BLOCK NO. 5083, BEXAR COUNTY, TEXAS.  
 SUP EXHIBIT

**BOVAY ENGINEERS, INC.**  
 11787 Katy Freeway, Suite 700A  
 Houston, Texas 77079  
 www.bovayengineers.com  
 Texas Registration No. F-3119

**SURVEYOR INFORMATION:**  
 D.V.J.  
 CIVIL ENGINEERING  
 & LAND SURVEYING  
 Daniel Villa, J.R.  
 8118 FRY RD, STE. 402  
 CYPRESS, TEXAS 77433  
 Tel: 281-442-8910  
 email: dan@bovayengineering.com

**OWNER INFORMATION:**  
 NORTHWEST  
 PETROLEUM, LP  
 FRANK MALIK  
 17171 PARK ROW, # 255  
 HOUSTON, TEXAS 77064  
 Tel: 281-442-2555  
 www.nwpetroleum.com

**LEGEND**

- PROPERTY LINE
- NOTIFICATION BOUNDARY
- OFF-SITE PROPERTY LINE
- RESERVATION CONTIGUOUS
- RESERVATION





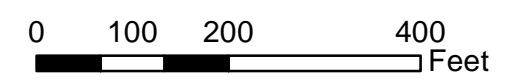
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

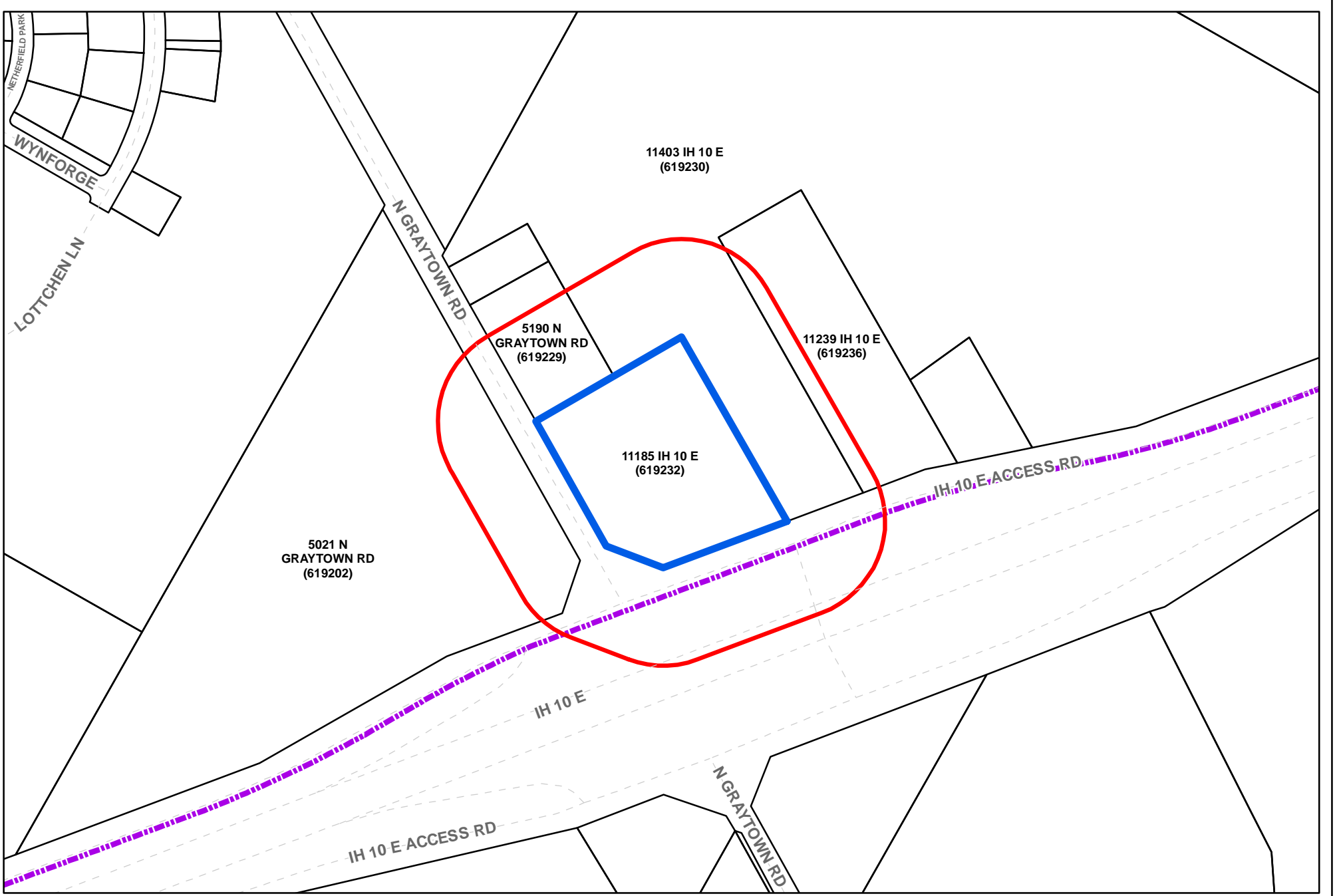


**PROPOSED TRUCKSTOP**  
 11185 IH 10 E  
 (PLSPU20220208)

<ul style="list-style-type: none"> <li> &lt;all other values&gt;</li> <li> Highways</li> <li> Major Roads</li> <li> Minor Roads</li> <li> Other Cities</li> </ul>	<ul style="list-style-type: none"> <li> &lt;all other values&gt;</li> <li> Freeway</li> <li> Principal Arterial</li> <li> Planned Principal Arterial</li> <li> Secondary Arterial</li> </ul>	<ul style="list-style-type: none"> <li> Planned Secondary Arterial</li> <li> Secondary Rural Arterial</li> <li> Planned Secondary Rural Arterial</li> <li> Residential Collector</li> <li> Planned Residential Collector</li> </ul>	<ul style="list-style-type: none"> <li> Commercial Collector B</li> <li> Planned Commercial Collector B</li> <li> Commercial Collector A</li> <li> Planned Commercial Collector A</li> </ul>	<ul style="list-style-type: none"> <li> 1", 1 1/2"</li> <li> 2", 2 1/2"</li> <li> 3"</li> <li> 4"</li> <li> 6"</li> <li> 8"</li> <li> 10"</li> <li> 12"</li> <li> 16"</li> <li> 18"</li> <li> 20"</li> <li> 24"</li> <li> 30"</li> <li> 36"</li> </ul>	<ul style="list-style-type: none"> <li> Schertz Gravity</li> <li> Schertz Pressure</li> <li> Neighboring Gravity</li> <li> Neighboring Pressure</li> <li> Private Gravity</li> <li> Private Pressure</li> <li> Hydrant</li> <li> Manholes</li> <li> Schertz Lift Station</li> <li> CCMA Lift Station</li> <li> Private Lift Station</li> <li> Split Manhole</li> </ul>	<ul style="list-style-type: none"> <li> Schertz Treatment Plant</li> <li> CCMA Treatment Plant</li> <li> 200' Buffer</li> <li> Schertz Municipal Boundary</li> <li> County Boundaries</li> </ul>
---	--	---	--	--	--	--

1 Inch = 200 Feet





Last Update: January 18, 2023  
 City of Schertz, GIS Specialist: Bill Gardner, [billg@schertz.com](mailto:billg@schertz.com) (210) 619-1185  
The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall the City of Schertz be liable for any special, indirect or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be made and information may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

# City of Schertz

## Proposed Truckstop - 11185 IH 10 E (PLSPU20220208)

-  Project Area
-  City Limit Boundary
-  200' Buffer



NOTICE OF PUBLIC HEARING

April 18, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, May 10<sup>th</sup>, 2023** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

**PLSPU20220208**- Conduct a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, City of Schertz, Bexar County, Texas, property ID: 619232.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail [planning@schertz.com](mailto:planning@schertz.com). If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,



Samuel Haas  
Senior Planner

Reply Form

I am: in favor of  opposed to  neutral to  the request for **PLSPU20220208**

COMMENTS: \_\_\_\_\_

NAME: Lloyd Denton, Jr SIGNATURE   
(PLEASE PRINT)

STREET ADDRESS: #11 Lynn Batts Lane #100 SAN ANTONIO, TX  
78218

DATE: 04.21.23

Reply Form

I am: in favor of  opposed to  neutral to  the request for **PLSPU20220208**

COMMENTS: \_\_\_\_\_

NAME: Holly Pfannstiel Garza SIGNATURE Holly Pfannstiel Garza  
(PLEASE PRINT)

STREET ADDRESS: 11239 E IH 10, Schertz, TX 78154

DATE: 5-2-23

# Ord. 23-S-12

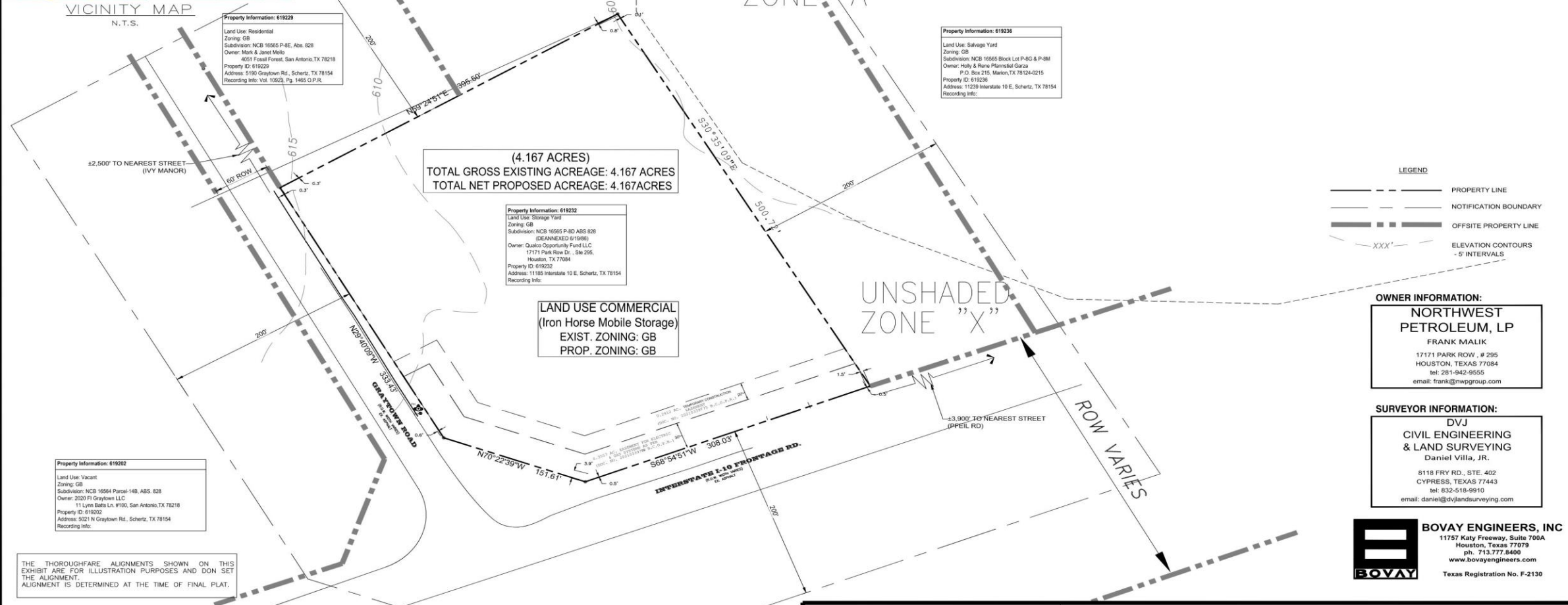
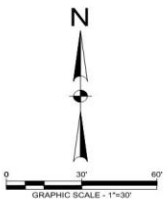
Specific Use Permit to allow a convenience store with gas pumps at Graytown Road & IH 10

Samuel Haas | SENIOR PLANNER



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





(4.167 ACRES)  
 TOTAL GROSS EXISTING ACREAGE: 4.167 ACRES  
 TOTAL NET PROPOSED ACREAGE: 4.167 ACRES

LAND USE COMMERCIAL  
 (Iron Horse Mobile Storage)  
 EXIST. ZONING: GB  
 PROP. ZONING: GB

THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DON SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT THE TIME OF FINAL PLAT.

FLOODPLAIN INFORMATION:  
 According to Flood Insurance Rate Map, Panel 48029C0435G, dated Sept. 29, 2010, is located in zone(s) A & X and is partially within the 100-year floodplain.

REVISIONS	
NO.	DESCRIPTION
12/06/2022	SUP SUBMITTAL
03/29/2023	SUP RE-SUBMITTAL
04/10/2023	SUP RE-SUBMITTAL

**11185 IH-10 AT N. GRAYTOWN RD**  
**Schertz, Texas 78154**  
 ANTONIO ZAMORA SURVEY NO. 36, ABSTRACT NO. 828,  
 COUNTY BLOCK NO. 5083, BEXAR COUNTY, TEXAS.  
 SUP EXHIBIT

W:\MAPS\2023\48029C0435G TRUCK STOP, 11185 IH 10 & N. GRAYTOWN, SCHERTZ, TX\040203\01E PLANS\01E PLAN\01E PLAN.DWG  
 4/17/2023 11:42 AM

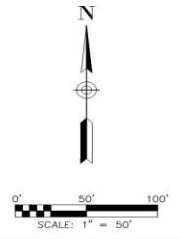
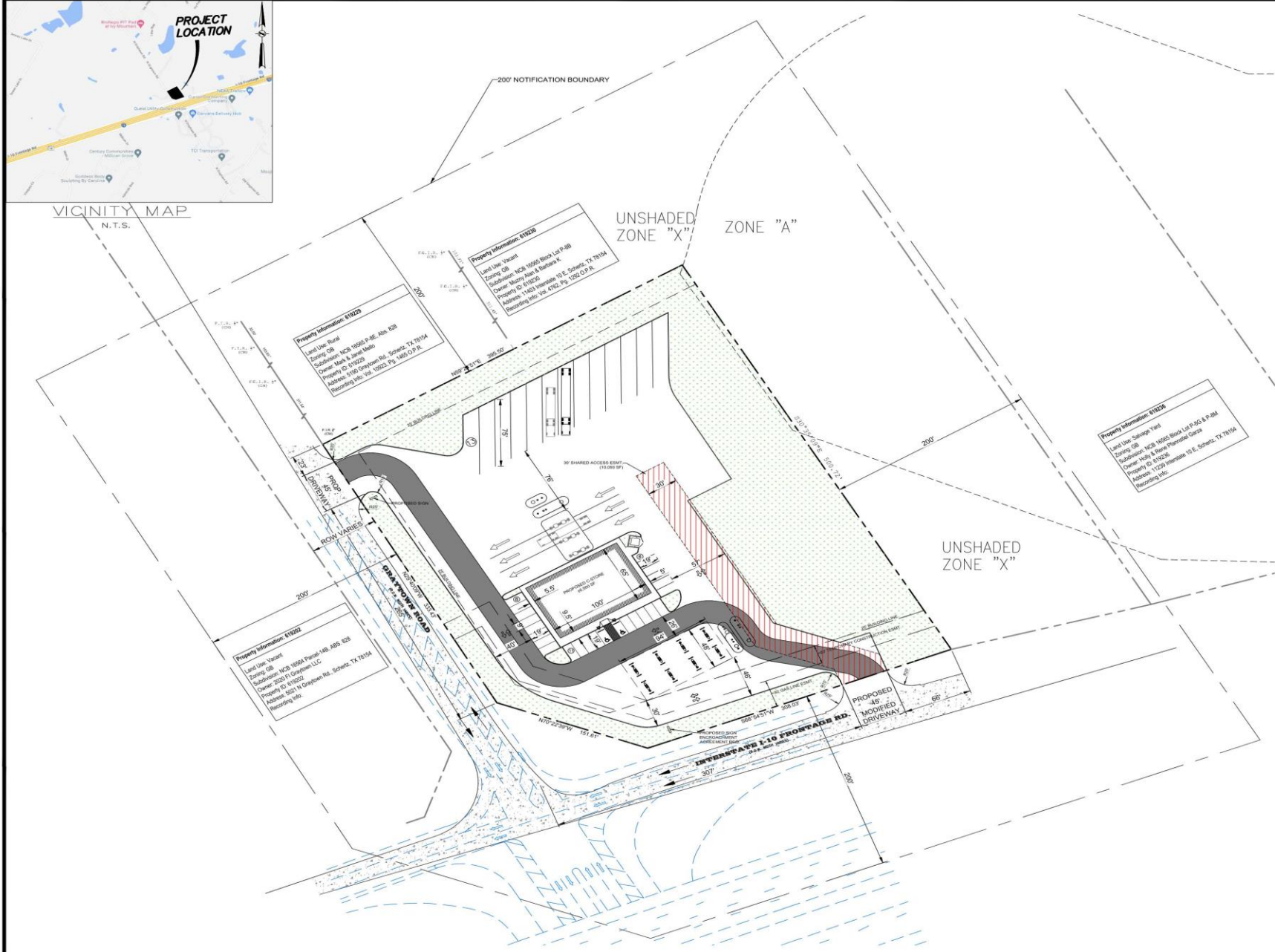
# Proposed Specific Use Permit

- **Subject property is 4.2 ac**
- **Current Zoning is General Business District (GB)**
- **Per applicant Letter of Intent – proposed development will be a 6,500 square foot convenience store with gas pumps**

H:\NORTH225-100 TRUCK STOP, 11185 IH 10 & N. GRAYTOWN, SCHERTZ, TX\CADD\03\C-4 PRELIMINARY SITE PLAN.DWG  
1/3/2023 1:45 PM



VICINITY MAP  
N.T.S.



**FLOODPLAIN INFORMATION:**  
According to Flood Insurance Rate Map, Panel 48029C0435G, dated Sept 29, 2010, is located in zone(s) A & X and is partially within the 100-year floodplain.

**LEGEND**

- STREET DIRECTIONAL ARROW
- PROPOSED DEVELOPMENT DIRECTIONAL ARROW
- EXISTING PAVEMENT
- PROPOSED LANDSCAPE AREA
- 7" PAVED AREA  
HEAVY DUTY CONCRETE - 3600 PSI MIN. (28 DAYS) NO. 4 BARS SPACED 18" C.C.E.W.)
- PROPOSED TXDOT IMPROVEMENTS

**SITE DATA SUMMARY**

Proposed Use	General Business, Convenience Store
Existing Zoning District	GB
Proposed Zoning District	GB
Lot Area (Acreage & SF)	4.167 Acres / 181,514 SF
Square Footage and % of Impervious Cover	109,588 SF / 60%
Building Area in Square Feet	Convenience Store (Retail) = 6,500 SF
Building Height (feet and number of stories)	28 ft. / 1-story
Floor Area Ratio (FAR)	3.5% of Total Site

**Parking Analysis**

Occupancy Type	Estimated Area (S.F. OF GFA)	Required Total Parking	Number of Required Cars
C-Store	6,500	1/250 SF	26
Total Required Parking			26
Total Parking Provided			41

CITY OF SCHERTZ

**OWNER INFORMATION:**  
**NORTHWEST PETROLEUM, LP**  
FRANK MALIK  
4803 GREENBAR DR.  
STAFFORD, TEXAS 77117  
Tel: 281-945-9555  
email: frankmalik@nmpgroup.com

**BOVAY ENGINEERS, INC**  
11175 Katy Road  
Houston, Texas 77079  
Tel: 713.777.8800  
www.bovayengineers.com  
Texas Registration No. F-2370

**PROPOSED TRUCK STOP**  
11185 IH-10 AT N. GRAYTOWN RD  
SCHERTZ, TEXAS 78154

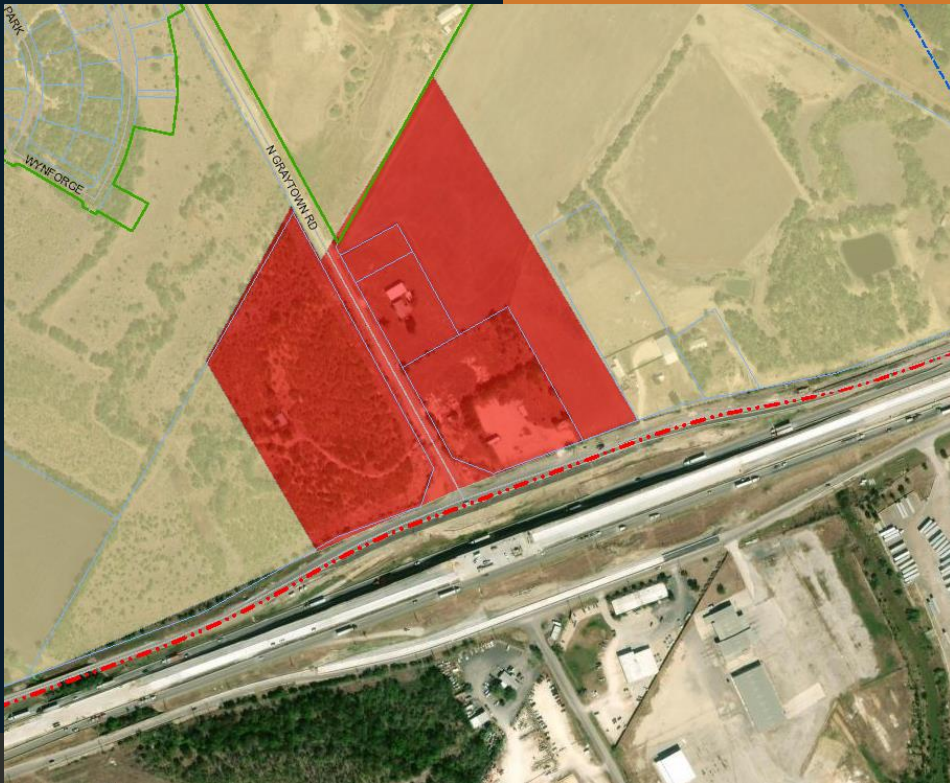
12/16/22 SITE PLAN SUBMITTAL

DRAWN BY: JM  
CHECKED BY: JM  
**ANTONIO ZAMORA**  
SURVEY NO. 36,  
ABSTRACT NO. 828,

**PRELIMINARY SITE PLAN**

**C-4**

# Staff Analysis



## Comp Plan Conformance:

- The current land use designation identifies this area as Highway Commercial. Highway Commercial is intended to allow commercial activity at major highway intersections. The proposed convenience store with gas pumps fits the retail land use desired in Highway Commercial.

## Zoning:

- The subject property is zoned General Business (GB). Other properties along IH 10 are similarly zoned.

## Improve Current Condition:

- Staff believes the proposed use would enhance the condition of the property from a storage/salvage yard.

## Improve Services:

- Approximately 6 miles in-between current gas stations along IH 10.

# Recommendation

- **Staff Recommendation:**  
Staff recommends approval of the requested Specific Use Permit based on the compatibility with the Comprehensive Land Use Plan, consistency with other properties within the same area and zoning district, and the quality improvement of the subject property with enhanced services along the IH 10 corridor.
- **Planning and Zoning Commission Recommendation:**  
The Schertz Planning and Zoning Commission met on May 10, 2023, and voted to recommend that the City Council approve the proposed Specific Use Permit as presented with a 7-0 vote.

# COMMENTS & QUESTIONS

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** Purchasing & Asset Management  
**Subject:** City Staff will conduct a workshop on proposed changes to the Real Property Acquisition process and procedures. (S. Gonzalez/J. Gohlke)

---

**BACKGROUND**

The City has been operating on an outdated methodology in regard to the acquisition of Real Property such as Right Of Way, Easements, and general land purchases.

The current process involves an agenda item to obtain permission to enter negotiations up to a "Not to Exceed" amount based on a Comparative Market Analysis or Appraisal on a piece of property whether it is to obtain a Right of Way/Easement for a project or for the purchase of property for general City use. Negotiations are then entered into with the property owner. Once a purchase price has been agreed upon, staff is then going back to council with a resolution for the property purchase.

In speaking with benchmark Cities in the area, it was found that generally speaking real estate transactions are handled in the same way as other procurement contracts/purchases. Provided the "project" and/or land purchase has been approved and funds are available for the purchase, anything under \$50,000 does not require additional council approval.

Special circumstances such as land purchases not related to a project, the need for a budget adjustment, and/or purchases that exceed \$50,000 are still taken for Council approval as protocol.

Seguin, New Braunfels, and San Marcos all have a dedicated Real Estate specialist on staff. They have a variety of titles, but all of them have experience as either a licensed Realtor, or in public land acquisitions. Prior to adding that position, they all contracted with a consultant in much the same way we are doing now.

In efforts to streamline City processes, make the acquisition of land more efficient, and save staff time and effort, ultimately resulting in cost savings for the City, Staff is proposing the following modified procedure:

Going forward, real estate transactions are handled in the same way as other procurement contracts/purchases. For situations where a construction/maintenance project includes the requirement to obtain a Right of Way or Easement and has been approved with funds are available, anything under \$50,000 would not require additional council approval.

For land purchases unrelated to a construction/maintenance project, staff would bring the proposed purchase before council to attain commitment and a not to exceed threshold for negotiations. Upon completed negotiations, if the agreed upon price is with-in the approved not to exceed and under \$50,000, additional council approval would not be required.

For any purchase exceeding the approved not to exceed OR exceeding the \$50,000 threshold, a

resolution would be brought to council for further approval.

**GOAL**

To streamline City processes, make the acquisition of land more efficient, and save staff time and effort, ultimately resulting in cost savings for the City by modifying the real property acquisition process

**COMMUNITY BENEFIT**

Making the process more efficient will free staff up for other critical City functions. In addition, the citizens involved in the process on the seller's side will have the confidence of knowing a specific timeline for completing transactions with less delays in obtaining their funding for the sold property.

**SUMMARY OF RECOMMENDED ACTION**

Modify the process for real property acquisitions.

**RECOMMENDATION**

Modify the process for real property acquisitions.

---

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**Attachments**

Real Property Change

---

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# Real Property Acquisition

JULIE GOHLKE | PURCHASING MANAGER | PURCHASING

**SCHERTZ**  
COMMUNITY. SERVICE. OPPORTUNITY.

# Current Process

- Initial discussion and approval by council for NTE
- Contract Negotiations
- Council Agenda for approval
- Official Offer
- Closing

# Benchmark Process

- Under \$50k and budgeted, no additional approvals needed
- Over \$50k or a budget adjustment, single council resolution after negotiations completed
- Official Offer
- Closing

# Recommendation

Align with General Procurement Policy

- Construction/Maintenance Projects w/ ROW or Easement
  - Over \$50k = Council Resolution
- Unique Property Acquisitions (Freeway Manor, Live Oak Hills, Lower Seguin)
  - Initial discussion / council concurrence on Not to Exceed
  - Council Resolution if:
    - Over \$50k
    - Above agreed upon NTE

# COMMENTS & QUESTIONS

SCHERTZ  
COMMUNITY. SERVICE. OPPORTUNITY.

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** City Secretary  
**Subject:** Discussion and Consideration and/or Action regarding the Schertz Historical Preservation Committee restructure. (R. Gutierrez/S.Edmondson)

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**CITY COUNCIL MEMORANDUM**

**City Council Meeting: June 6, 2023**

**Department: Engineering**

**Subject: Monthly Update - Major Projects In Progress/CIP (B. James/K. Woodlee)**

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**Attachments**

June 2023 Major Project Update

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## CITY COUNCIL MEMORANDUM

**City Council Meeting:** June 6, 2023  
**Department:** City Manager  
**Subject:** Update on Major Projects in Progress

### Background

This is the monthly update on large projects that are in progress or in the planning process. This update is being provided so Council will be up to date on the progress of these large projects. If Council desires more information on any project or on projects not on this list, please reach out to staff and that information will be provided.

### Facilities Projects:

#### 1. Borgfeld Facility Renovation Project

- Project Status: Scope development phase - Demo of existing drywall, insulation, HVAC system and water heater.
- Projected Completion: Unknown.
- Project Update: No change from last update. Project is on hold at this time. Project consists of renovating approximately 1600 SF of office space. This will be primarily done in house by the Facilities Team. Holes in metal siding and roofing have been sealed to keep out wildlife. New door has been installed leading to old kennel area to keep out wildlife.

#### 2. Building 10 Parks Renovation

- Project Status: Design phase
- Projected Completion: Unknown
- Estimated Cost: \$250,000
- Project Update: M&S Engineering is working on the additional scope of work to include the bay area of the building.

#### 3. Kramer House Deck Replacement

- Project Status: Partially complete.
- Previously Projected Completion: Fall 2022
- Estimated Cost: Estimated \$85,000 - \$100,000
- Project Update: All surface decking was replaced with additional minor structural repairs that were done in house by the Facilities team at a cost of less than \$8,000. Items still pending include painting of deck boards, shrub removal, landscaping, and adding steps. Staff has selected to contract with J&J Painting to add stairs to the front of the building and painting the deck boards. Services should start within 2 weeks Landscaping will take place after the deck remodel is complete.

#### **4. Fleet Building Parking Lot**

- Project Status: Permit phase
- Consultant: M&S Engineering
- Contractor: To Be Determined
- Project Completion: 2023
- Project Update: Site Plan Certification for project in process. A proposal is under review for professional services relating to the replat of the subdivision, as four lots are currently being used as one purpose. Awaiting completion of replat. M&S Engineering will assist design scope of work.

#### **Drainage Projects:**

##### **1. FM 78 South Channel Silt Removal**

- Project Status: Bidding
- Design Engineer: Unintech Consulting Engineers, Inc.
- Project Start: September 2022
- Project Cost: \$32,100 (Design) + \$4,600 Drainage Report
- Construction Costs: \$172,587.31 base bid, \$268,545.00 alternate in lieu
- Project Update: The project was bid on May 11, 2023. Stout Excavating Group submitted the low base bid and C3 Environmental submitted the low bid with alternative in lieu. Unintech is confirming references and is preparing their recommendation for award.

#### **Water and Wastewater Projects:**

##### **1. Woman Hollering Creek Wastewater Interceptor Main and Lift Station**

- Project Status: Construction
- Construction Contractor: Thalle Construction Co., Inc.
- Construction Management: AG|CM
- Design Engineer: Cobb, Fendley & Associates, Inc.
- Construction Start: January 2022
- Estimated Cost of Construction (including construction and ancillary contracts): \$12 million
- Project Update: Installation of the 30-inch gravity pipe and manholes is approximately 85 percent complete. The lift station wet well and storage well are under construction and installation of electrical conduit at the lift station site has begun.

## Woman Hollering Creek Wastewater Project:



Compaction of backfill in pipe trench



Placement of flowable fill around manhole

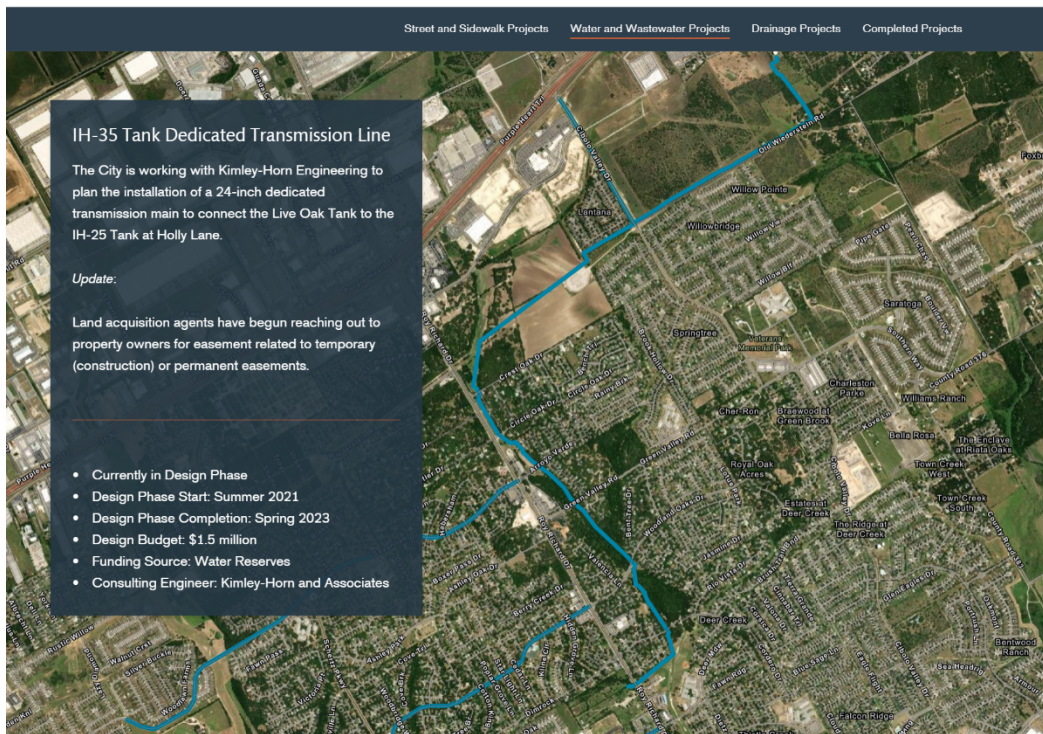
- Issues:

- The contractor continues to track delayed delivery of electrical components for the lift station which may impact the completion date of the project. Completion was initially scheduled for February 2023 however, material and equipment delays continue to cause the date to shift. Recently, the electrical subcontractor shared notification from the electrical supplier that a transfer switch that is part of the motor control center gear is delayed until the end of September. Installation and completion will take three weeks after arrival of the switch. Staff and the Contractor are investigating any available options to expedite the completion of the control equipment installation.

## 2. 24" Dedicated Transmission Main Design Phase II

Overall project intent is the construction of a 24" dedicated water transmission main to connect the Live Oak water storage facility to the IH 35 storage tank. Phase 1 (route study) was completed in March 2021. Phase 2 (construction design) is nearing completion.

- Project Status: Design Phase – moving into Easement Acquisition Phase
- Consultant: Kimley-Horn & Associates
- Design Project Start Date: June 1, 2021
- Phase 2 Project Completion Date: Summer 2023
- Project Cost (Phase 2 Design): \$1,508,875.50 (Easement Acquisition): \$900,000



- **Project Update:** The final route of the Dedicated Transmission Main can be seen on the City web site CIP Map. 100% design was received in April and is in review by Staff. It should be noted that while the design is indicated to be at 100%, minor changes are still possible and the design will be updated as appropriate. The IH-35 Tank will require a test shut-down for this project and Public Works will monitor pressures throughout the system during the test shut-down. Easement acquisition has been authorized by Council and initiated. Land acquisition agents continue to reach out to property owners for easement related to temporary (construction) and permanent easements. Several property owners have agreed to the initial offer letters. Meetings have been held and others are planned with HOA representatives (Greenshire and Arroyo Verde) to discuss the needed easements and impacts to the property. Staff is working with the design team to make modifications to the specific alignment through HOA greenbelts based on feedback from those communities.

### 3. Riata Lift Station Relocation (Design Phase)

Overall project intent is to relocate the Riata Lift Station ahead of TxDOT’s IH-35 NEX Project to remove it from conflict with the proposed improvements. The design phase will identify a new site for the lift station, design the new lift station, and design the abandonment of the existing lift station.

- Project Status: Design Phase
- Consultant: Utility Engineering Group, PLLC (UEG)
- Design Project Start Date: August 2020
- Expected Design Project Completion Date: Summer 2023
- Total Project Cost (Design Phase): \$129,795 (NTE \$143,000)
- Estimated Construction Cost: \$2,388,705

- Estimated Property Acquisition: \$300,000
- Project Update: Council approved the Standard Utility Agreement (SUA) with TxDOT. Site and easement acquisition has been authorized by Council and is planned to be finalized in May. After any necessary platting and permitting, the project will move to bidding and construction.

#### **4. FM 1518 Utility Relocations**

Overall project intent is to relocate the water and sewer utilities to avoid conflicts as part of the TxDOT FM 1518 Project. The current contract is for the design services of the project.

- Project Status: Design Phase
- Consultant: Halff Associates
- Design Project Start Date: June 2021
- Expected Design Project Completion Date: Spring 2023
- Total Project Cost (Design Only): \$548,370 (NTE \$600,000)
- Project Update: Halff is completing the easement acquisition for the 16” water line proposed across Aztec Lane. The joint bid design is pending final review by TxDOT. The latest update from TxDOT is that they are planning for a July 2023 letting date. Advance Funding Agreements for the joint bid portion of the project and a Standard Utility Agreement for reimbursable work was approved by council and is being routed for signatures.

#### **5. Corbett Ground Storage Tank**

Overall project intent is the construction of a 3.0 Million Gallon ground storage tank for filling the Corbett Elevated Storage Tank, the East Live Oak Elevated Storage Tank, plus additional storage.

- Project Status: Construction Phase
- Construction Contractor: Pesado Construction Company, Inc.
- Consultant: Unintech Consulting Engineers, Inc. (previously Ford Engineering)
- Construction Start Date: Original date January 7, 2023 (approx.). Project is delayed due to federal regulation uncertainty related to grant funding requirements – see update below.
- Expected Project Completion Date: 550 calendar days after construction begins
- Total Design Cost: Design \$466,265.00
- Total Construction Cost: \$7,028,017.00
- Project Update: The EPA communicated that a requirement of the federal funding includes adherence to American Iron and Steel (AIS) provisions and the Buy American, Build American (BABA) Act. Because this project was commenced prior to the City’s knowledge of those conditions, the project is eligible for a Public Interest Waiver of those requirements. Requests for the waivers were submitted on April 25. It is anticipated that the review by the EPA and the US Office of Management and Budget of those requests will take 30 to 45 days. As of May 30, there is no update on the status of the waiver requests. Staff also continues to await a response to application for a categorical exemption of the project by the EPA (request was submitted December 23, 2022).

## **Street Projects:**

### **1. Tri-County Parkway Reconstruction Project**

- Project Status: Construction
- Consultant: Halff Associates
- Construction Start: Spring 2022
- Cost of Construction: \$4,900,000
- Project Update: The contractor is still doing some final clean up and minor items. The weather has delayed them from completing some of the clean up items. A final project walk through has been conducted and a final punch list provided to the Contractor.

### **2. Main Street Improvements Project**

- Project Status: Design
- Consultant: Kimley-Horn Associates
- Project Update: Utility coordination efforts are on-going. Staff is providing feedback to the consultant on some of the plan elements. Staff is also working on funding sources for the project and expects to make a report to Council this month.

### **3. Schertz Parkway/Lookout Road Signalization**

- Project Status: Design
- Consultant: Halff Associates
- Current Estimated Construction Cost: \$300,000 (\$100,000 of which will come from Selma)
- Project Status: Final plans are nearly complete. The plans will be completed once the proposed widening at the intersection has been identified. The proposed widening will dictate where the signal poles will be located. All other comments on the plans have been addressed by the consultant.

### **4. Lookout Road Reconstruction**

- Project Status: Design
- Consultant: Halff Associates
- Current Estimated Construction Cost: \$6 million
- Project Update: Staff gave a presentation to the EDC Board this month concerning the project. Staff is waiting on direction from the Board on how to proceed with the project's additional elements (sidewalks and widening).

## **Parks & Recreation Projects:**

### **1. Wendy Swan Memorial Park Splashpad**

- Project Status: Under Construction
- Construction Start Date: September 29, 2022
- Construction Contractor: T.F. Harper & Associates
- Estimated Project Completion: March 2023
- Project Cost: \$297,350.09
- Project Status: Demolition of pool has been completed and new slab has been poured with integrated plumbing for splashpad features. Water play features have been installed and plumbing and electrical work are on-going to connect the controllers to the water play features. The pump equipment foundation was poured, and the equipment enclosure is complete. The splashpad surface paint is completed. Training for the controllers is

pending scheduling as we are waiting on a replacement UV filter to be delivered and installed. A new swing with integrated shade was added to the park for an additional cost (funded through General Fund Parks budget) and restroom renovations are still on-going. We are currently scheduling plumbing and electrical contractors to make restroom repairs. The goal is to have a soft opening mid-summer with a Grand Opening TBA.

## 2. Schertz Soccer Complex Irrigation Water Storage Project

- Project Status: Phase I Under Construction, Phase II pending schedule
- Construction Start Date: October 2022
- Construction Management: City staff
- Construction Contractor: various subcontractors
- Estimated Project Completion: March 2023
- Project Estimated Cost: \$107,036.90
- Project Status: Original single bid received over the summer was rejected due to being significantly higher than engineer's estimate. Project was phased out into various subspecialties and is being managed by city staff to contract individual subcontractors. Phase I included demolition of existing fence and placing of temporary fencing. Phase II was electrical work to bring panel up to code and add capacity for larger pumps and is completed. Phase III is replacing the well pump and piping and bids have been received and the work is being scheduled. Project is on a brief hold while we push on the splashpad project.

### TxDOT Roadway Projects:

1. **FM 1103 Improvement Project:** The project has been officially under construction since November 2022. Anticipated completion of the project that runs from IH 35 to Rodeo Way in Cibolo is currently fall of 2026. Project updates are available by signing up at this link: [FM 1103 Construction Newsletter](#)
2. **FM 1518 Improvement Project:** No change from last update. TxDOT is finalizing Plans, Specs, and Estimates (PS&E) for the project. The scheduled let date for the project remains July 2023. Acquisition of needed right of way from JBSA appears to be proceeding positively so that full build out can be completed without the need for an interim solution along that stretch of roadway.
3. **IH-35 NEX (I-410 South to FM 1103):** The central segment of the I-35 Northeast Expansion project continues with Alamo NEX Construction handling the design-build project. The central section runs from 410 N to FM 3009.

Utility coordination work for the northern segment of the project is also underway. TxDOT consultants have met with Public Works and Engineering Staff to begin establishing relocation needs. The City will be reimbursed for costs of all needed relocations except for any upsizing or improvements above current conditions.

Updates about the project can be obtained by signing up at the following link: [I 35 NEX Project Updates](#)

4. **IH-10 Graytown Road to Guadalupe County Line:** Work for the widening of the main lanes and utility relocations continues. Work on the FM 1518 bridge over IH 10 continues and will

involve numerous episodes of the rerouting of traffic including shifting lanes and detours as necessary. Final completion of the bridge including turnarounds and full signalization is expected in summer 2023.

Updates regarding the IH 10 project are available by signing up at the following link: [IH 10 Expansion Information](#)

**Note: If links do not work, please contact [engineering@schertz.com](mailto:engineering@schertz.com).**

### **Studies and Plans:**

#### **1. Water and Wastewater Master Plan Update and Impact Fee Study**

- Project Status: Study
- Consultant: Lockwood, Andrews, and Newnam, Inc.
- Project Start Date: December 2019
- Project Completion Date: TBD 2023
- Total Project Cost: \$467,280 (NTE \$500,000)
- Project Update: LAN is making revisions to the wastewater Capital Improvement Plan based on updated information provided by Staff due to changing patterns of development judged to be significant. The technical memo on the water model is currently in review with Staff. Capital Improvement Plans will be submitted for final review.

#### **2. Stormwater Control Inventory and City Operations Assessment**

The work of this project is an action included in the City's Stormwater Management Plan (Plan). The Plan is the blueprint of activities needed to comply with the City's Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) General Permit required by virtue of the City's classification as Municipal Separate Storm Sewer System (MS4).

This project specifically consists of development of an inventory of City facility stormwater controls and an assessment of city operations as related to stormwater control and quality.

- Project Status: Study
- Consultant: Utility Engineering Group, PLLC
- Project Start Date: July 2020
- Project Completion Date: Summer 2023
- Total Project Cost: \$35,000
- Project Update: No change from last project update. Consultant and City staff have visited City sites for information collection. Consultant has submitted a final draft from the compiled information and Inventory Assessment is under review by staff.

#### **3. PCI Data Collection Study**

- Project Status: Nearly fully complete
- Consultant: Fugro, Inc.
- Project Cost: \$123,200
- Project Update: No change since last update. The revised PAVER data file has been received. Staff is working with IT to get the revised file uploaded so the data can be used. The new PCI data will be used to identify future resurfacing projects and to update the streets CIP.

## **Planning and Community Development Projects:**

### **1. Comprehensive Land Use Plan Update**

The first Comprehensive Plan Advisory Committee (CPAC) meeting took place on May 24<sup>th</sup>, 2023. In the meeting, Freese and Nichols made introductions, outlined their initial findings, and defined the next steps in the process. Staff will be continually working with Freese and Nichols to provide them with information that they need. The next few months Freese and Nichols will be conducting focus group studies with stakeholders from the community. The next CPAC meeting will take place at the end of June.

## **Information Technologies Projects**

### **1. Master Communications Plan Citywide Network Upgrade**

Vendor was here for a week installing radios at Live Oak, Fire Station 2, Corbett, Public Works, and the Soccer Complex. While progress is being made, we continue to fight supply chain issues. Vendor will return once the trenching is complete at Nacogdoches. Final completion is expected to be summer 2023.

### **2. Council Chambers AV Upgrade**

The construction portion for the Council is complete. The remaining issues are with the programming of the equipment. The vendor has been here for the last two meetings to witness firsthand the problems we are experiencing. Vendor will submit an action plan to correct the issues. Council meetings will continue in the Council chambers with temporary microphones until the new ones arrive.

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023  
**Department:** Executive Team  
**Subject:** Monthly Update - FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)

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**BACKGROUND**

City staff has provided the attached update.

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**Attachments**

June 2023 Expanded Program Update

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**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** June 6, 2023

**Department:** City Manager

**Subject:** FY 2022-23 Expanded Program Budget Update – June 2023

**Background**

City Staff held a Council Workshop on October 21, 2022. At this workshop staff committed to providing monthly updates to Council on the expanded programs and personnel that were approved as part of the FY 2022-23 budget. If Council desires more information on any item, please reach out to staff and that information will be provided.

Note: Completed programs reflected in green.

Fire

- 3 Firefighters – Complete
- Fire Inspector – No change since last month – In process; aspire to have position filled mid-May to early June
- Public Safety Radios – No change since last month – In process; radios have been quoted with updated information based on upgrades to radio system

Engineering

- Engineer Inspector – Complete
- Engineer – Position posted
- Water/Sewer Gems software – Working with Model Consultant and IT to coordinate purchase of appropriate licenses

Parks

- Recreation Coordinator – Complete
- 3 Parks Maintenance Technicians – Complete
- Trail Funding – AAMPO opened the funding call and staff is preparing to submit an application by June 30

Planning & Community Development

- Plans Examiner – Complete
- Permit Tech – Complete
- Neighborhood Services Officer – Complete
- Cibolo Creek Clean-Up – Complete

Police

- 2 School Resource Officers – Complete

- Records Specialist – Complete
- Traffic Officer – Complete
- Cellebrite system – Complete
- Breaching tools and shields – Complete
- Additional job advertisements and hiring incentives – Will be used for recruitment purposes for the entire City; item will not be shown on next month's update
- RMS Replacement – RFP closed; evaluation process underway – expected process time is three-four weeks
- Replace body armor for SWAT team – City Council recently approved ILA with the Alamo Area Metro SWAT Team allowing Schertz PD to participate; currently determining the number of officers, medics and negotiators that will participate to finalize an order for vests before this FY closes

#### Public Works

- 600-gallon Emulsion Tank – Complete
- Skid steer with mulch head – Complete
- SPAM Funding – No update since last month – Staff is currently working on finalizing scope for identified projects to bid out the project this summer
- Mobile bypass pump – Staff received updated quotes and met with the vendor for a demo; anticipate completing the purchase this month

#### Library

- 2 10-hour positions to 2 20-hour positions – Complete
- Hotspot Program – Complete
- Library Materials – Complete
- PT Programming Specialist – Offer extended but candidate declined; position will be re-posted later in June after the start of Summer Reading Program

#### Public Affairs

- Event Attendant – Complete

#### EMS

- 8 Paramedics/EMTS – Complete
- Mental health canine – Department has decided to push this for future consideration; will not show on next month's update

#### Purchasing

- eProcurement Software – Shortlisted 2 finalists – demos to be complete early June; will then present a recommendation to management

#### Utility Billing

- Utility bill text messaging service – Complete

#### Internal Services

##### Fleet

- Parts Clerk – Complete

##### Facilities

- Building 27 Parking Lot – Pending replat certification – Parking lot design was finalized with Building 27 Project; site plan has been submitted based on current design; creating PO to move forward with the replat to include a storage area for 27 Commercial Place
- Manager+ Upgrade – No updates since last month (still under review) – Public Works, IT, Purchasing, and Finance are coordinating on a demo of the software to ensure all required features are available; demos are being scheduled with other vendors to explore software options compatible with more departments needs
- Noise mitigation tiles for Library – No update since last month – Facilities staff working on finding a vendor to meet project requirements
- Increase cleaning contract for emergency cleanings – No change since last month – discussion with Facilities about emergency cleaning; they are working on procedures

#### IT

- GIS Specialist – Complete
- Internet Upgrades – Complete
- Fiber Upgrades – Complete
- Office 365 training – Complete
- Public Safety Technician – Complete
- Security Cameras at Public Safety Buildings – No update since last month – PD has approved count and location of cameras; equipment is on order (estimated delivery April/May)
- Hard drive shredder – Decision made to forgo this item (cost is not justified with the transition to solid state drives); will not show on next month's update