

# DRAFT

## MINUTES REGULAR MEETING June 6, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 6, 2023, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

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

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

### **Call to Order**

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

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

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

### **Employee Introductions**

Mayor Gutierrez recognized City Department Heads who introduced new staff.

- 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)

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

### **Saturday, June 10**

Nature Discovery Series - "Discover the Forest"

10:00 a.m. - 12:00 p.m.

Crescent Bend Nature Park

### **Saturday, June 17**

Ed-ZOO-cation in the Park

10:00 a.m. - 12:00 p.m.

Crescent Bend Nature Park

### **Tuesday, June 20**

Next Regular Council Meeting

6:00 p.m.

Council Chambers

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

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

- As part of Building Safety Month, Schertz Building and Safety Division set-up a table at Lowe's on Tuesday, May 16th and Tuesday, May 23rd answering questions for shoppers
- May 29th - Memorial Day Ceremony at VFW Post 8513 and Veterans' Memorial Plaza in Schertz, had approximately 150 people in attendance
- Library - 'Read Before Book Store' event held on June 2-3 was very well attended
- Annual Employee Cookout and Cornhole Tournament on May 25th at Pickrell Park
  - Cornhole winners
    - First place: Sean O'Leary and Adam Samaniego, Police Department
    - Second place: Demetrio Martinez and Diego Martinez, Public Works Department
  - Employee Excellence Awards
    - Rising Star - Erin Noah, Planning and Community Development
    - Leadership - Dawniecia Hardin Trussell, Director, Internal Services
    - Employee of the Year - Rebecca Vera, Manager, Neighborhood Services, and Sgt. Martin Trevino, Police Department

- Retirements
  - Eddie Diggs, Engineering
  - Rene Zarate, Finance
- Employee Health Expo held earlier today included over 25 businesses focused on employee wellness.
- Announcements and recognitions by the Mayor (R. Gutierrez)

Mayor Gutierrez congratulated staff award winners.

## Hearing of Residents

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

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

Mayor Pro-Tem Brown recognized the following resident:

James Thompson, 1309 Arroyo Loma, Arroya Verde subdivision regarding a project that is planned for the easement. Residents of the subdivision have met with City staff and are requesting consideration of a different path for the project.

## Consent Agenda Items

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

Mayor Gutierrez read Consent Agenda Items #1-4 for the record.

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

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Tim Brown

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

Passed

## 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)

Mayor Gutierrez recognized Finance Director James Walters who briefed council on the items included in the budget adjustment.

1. Fleet is seeking funds to cover additional costs for engine repairs. Due largely to price increases, increased workload, and increased efficiencies (completing more repairs), the department requires an additional \$100,000 to maintain operations for the remainder of the year.
2. Training funds for Police officers: Law Enforcement Standards and Education (LEOS) fund \$33,440 will be exhausted for training this fiscal year.
3. EMS Paramedic Training: received \$34,000 to train paramedics in the field from other areas around the state.
4. \$160,000, included in the budget for Roadway Impact fees, to improve roads in area 3 for land across Lower Seguin Road. Already approved by Council via Resolution 23-R-41.
5. \$262,000 for the purchase of land along Dry Comal Creek for the Park Land Dedication Reserves for the Great Springs Trail Project. Already approved by Council via Resolution 23-R-137.

Moved by Councilmember Jill Whittaker, seconded by Councilmember Allison Heyward

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

Passed

## 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)

Mayor Gutierrez recognized Senior Planner Samuel Haas who provided a summary for the Special Land Use permit application. Land use is zoned as general business, but the letter of intent to build a convenience store with gas pumps requires a special use permit. In accordance with state law, notices were sent to residents within 200 feet of the property. On April 18th five public notices were sent, On May 17, 2023, a public hearing notice was printed in the San Antonio Express News. As of May 24th, two residents have responded, both in favor.

Staff analysis - current land use designation identifies this area as Highway Commercial which is intended to allow commercial activity at major highway intersections. The convenience store with gas pumps fits the retail land use desired in the highway commercial land use designation, the property is zoned General Business. Staff believes the proposed use would enhance the condition of the property and the next closest gas stations are located at the intersections of I-10 and 1604 and I-10 and Trainer Hale, approximately 6 miles between gas stations, making this a good location.

Staff recommends approval of the Specific Use Permit based on compatibility with the Comprehensive Land Use Plan and consistency with other properties in the same area and zoning district in addition to the quality improvement of the subject property with enhanced services. The Planning and Zoning Commission recommended approval at their regular meeting on May 10, 2023, with a 7-0 vote.

Mayor Gutierrez opened the Public Hearing. No public requested to speak, so public hearing was closed.

Mayor Gutierrez opened the discussion to Council. No comments were made.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Passed

## Workshop

7. City Staff will conduct a workshop on proposed changes to the Real Property Acquisition process and procedures. (S. Gonzalez/J. Gohlke)

Mayor Gutierrez recognized Purchasing Manager Julie Gohlke. Ms. Gohlke stated that the need for updating the Real Property Acquisition process is to align with the City purchasing policy and processes of our benchmark cities as well as enhancing the effectiveness and efficiency for Council and staff. Changes include acquisitions that are less than \$50,000 and in the budget, then no additional approval would be required; acquisitions greater than \$50,000 or an acquisition that necessitates a budget adjustment, would require a single council resolution that would occur after negotiations are concluded. Once resolution is approved then Purchasing would make the final offer and close on the acquisition.

Recommendation to align with General Procurement Policy is as follows:

- Construction/maintenance project with right of way or easement acquisition over \$50,000 require Council resolution.
- Unique Property Acquisitions such as Freeway Manor, Live Oak Hills, Lower Sequin, would be taken to Council for approval of the acquisition and setting of the "not to exceed" dollar amount prior to beginning negotiations. If the acquisition is approved, is under \$50,000 and below the "not to exceed" dollar amount, then the contract would go to the City Manager for signature. If, however, the dollar value is greater than \$50,000 or above the "not to exceed" dollar amount, the acquisition would be brought back to Council for approval.

Policy change does not require Council approval, however, staff wanted to

bring the change to the City's standard operating process to Council's attention and to ensure Council was comfortable with the proposed change.

8. Discussion and Consideration and/or Action regarding the Schertz Historical Preservation Committee restructure. (R. Gutierrez/S.Edmondson)  
Mayor Gutierrez opened discussion regarding the Schertz Historical Preservation Committee (SHPC) restructure. When the committee met last, they had seven items they wanted to be addressed:
  1. Be allowed to be self-sufficient;
  2. Write and post minutes themselves;
  3. Access to Office 365 and SharePoint;
  4. Removed from the interview committee - want to pick their own members;
  5. Funds to purchase items in the future;
  6. Space for meetings and storage of artifacts; and
  7. Staff to write articles for the magazine and social media.

City attorney Dan Santee advised that if the committee leaves the City, it would need to be a 501(c)(3). This is a necessary step in order to receive public funds. An entity must meet the three part test as follows: (1) serve a public purpose, (2) city must retain oversight of the funds, and (3) must be some return benefit to the public.

After much discussion, the majority of Council were in agreement that the committee must meet certain criteria to remain under the auspices of the City, or they become a standalone non-profit with support from the City. Council has asked that Mr. James take the issue back to the Schertz Historic Preservation Committee and give them the two options, either they become a standalone non-profit or they function under the defined rules set by the City.

### **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  
Mayor Pro-Tem Brown requested an update on the Comprehensive Plan Review Committee's intent to meet with the City Council.

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

Councilmember Scagliola requested Council voting procedures be discussed.

- Announcements by Mayor and Councilmembers
  - City and Community Events attended and to be attended
    - Mayor Pro-Tem Brown thanked the Mayor for partnering with other cities on the Memorial Day Ceremony. He hopes that other ceremonies will be shared across our communities.
    - Councilmember Watson attended the EMS banquet.
    - Councilmember Scagliola attended:
      - Memorial Day Ceremony giving kudos to Parks for brick work and landscaping and thanks to the Knights of Columbus for providing refreshments after the event.
      - EMS banquet
      - Employee Appreciation Event at Pickrell Park
    - Councilmember Heyward attended:
      - Animal Advisory Committee meeting giving kudos to the animal services staff for their response to a pan and parvo outbreak and to the police department for their oversight and support of the Animal Services Department.
      - ICSC Las Vegas 2023
      - Memorial Day Ceremony - very happy about the city-sharing and thanked the Knights of Columbus for their participation.
  - City Council Committee and Liaison Assignments (see assignments below)
  - Continuing Education Events attended and to be attended
  - Recognition of actions by City Employees
  - Recognition of actions by Community Volunteers

### **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:18 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheree Courney, Deputy City Secretary