

# DRAFT

## MINUTES REGULAR MEETING August 1, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on August 1, 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 Allison Heyward

Absent: Councilmember David Scagliola

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

### **Call to Order**

Mayor Gutierrez called the meeting to order at 6:02 p.m.

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

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

### **Employee Introductions**

Mayor Gutierrez recognized City Department Heads who introduced new staff:

- Police Department: Justin Garza - Police Officer
- Fire Department: Brandon High-Emergency Management Coordinator; Tanner Schultz-Firefighter; Anthony Williams-Firefighter
- EMS: Andru Rees-Eissler – Paramedic; Rolando Gonzalez – Paramedic
- Animal Services: Hailey Pauly-Animal Services Technician
- Civic Center: Robert Gaitan - Events Attendant

## City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)  
Mayor Gutierrez recognized Assistant City Manager Sarah Gonzalez who provided the following:

### **Thursday, August 3**

National Watermelon Day

5:00 p.m. - 7:00 p.m.

Pickrell Park

### **Friday, August 4**

Council Budget Retreat

8:30 a.m. - 3:00 p.m.

Council Chambers

### **Tuesday, August 15**

Next Regular City Council Meeting

6:00 p.m.

Council Chambers

### **Election Information**

The City of Schertz will be holding its General Election on November 7, 2023, for the purpose of electing Council Members in Places 3, 4, and 5 for a 3-year term. Candidate packets are available in the City Secretary's Office at the Hal Baldwin Municipal Complex, 1400 Schertz Parkway, Building 2, and online. Filing ends Monday, August 21, 2023, at 5:00 p.m. Completed applications with filing fee will be accepted by the City Secretary's Office from 8:00 a.m. - 5:00 p.m., Monday - Friday, through August 21, 2023, at 5:00 p.m.

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

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

July was Parks and Rec Month which included:

- Parks and Rec Field Day on July 25th in Ashley Park, approximately 30 people participated in three-legged races, potato sack races, tug of war, and other field games.
- Parks and Rec Foam Party on July 27th at Cypress Point Park. Approximately 100 people attended.
- Wendy Swan Splash Pad grand opening on July 31st. Approximately 100 people attended and participated in games and enjoyed snow cones.

## **Announcements and recognitions by the Mayor (R. Gutierrez)**

Mayor Gutierrez had no announcements.

## **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 recognized the following residents:

Buck Benson, 2000 Broadway, San Antonio - requested that the Bluebonnet Villas proposal be tabled until September meeting.

The following residents spoke in opposition of the Bluebonnet Villas proposal:

Heather Jackson, 3410 Wimbledon Drive

Kade Jackson, 3410 Wimbledon Drive

Steve Gooding, 5717 Fairways Drive

Ronald Mercado, 5125 Storm King

Carol Davis, 3337 Wimbledon Drive

Janet Wilson, 3805 Overlook

Reed Carr, 3509 Columbia

Jan Baldwin, 3401 Columbia

Michelle Swisher, 6105 Mule Deer

Kristie Dendy, 3149 Cameron River

Maureen Maus, 3434 Wimbledon Drive (ceded time to spouse)

Richard Maus, 3434 Wimbledon Drive

Phil Jackson, 3410 Wimbledon Drive

Amada Loreda-Reyes, 3726 Columbia Drive

Douglas Young, 3701 Hillside, spoke in opposition of the trail that is included in the Bluebonnet Villas proposal.

Janet Thomas, 7103 Underwood Ct., Board member of the Big Brothers Big Sisters of Comal and Guadalupe Counties, presented information on an event to be held on Thursday, August 17th, at Santikos Entertainment Center in Cibolo with free bowling, food, and arcade, to bring awareness to the community with the hope of recruiting volunteers in Schertz, Cibolo, and Selma.

Maggie Titterington, 1730 Schertz Parkway, who provided updates for The Chamber as follows:

- **Friday, August 4**  
Ribbon Cutting for Doss Audiology  
4:00 p.m.
- **Thursday, August 10**  
Ribbon Cutting for Luna Brand Management  
Kramer House  
4:00 p.m.
- **Friday, August 11**  
Ribbon Cutting for Mad Minds  
10:00 a.m.
- **Friday, August 18**  
Caterpillar-Chamber Bowl  
Fiesta Lanes  
Raises funds for the DECA programs at Clemens and Steele High Schools.
- **Thursday, August 31**  
Ribbon Cutting for Donut Envy  
Kramer House Parking Lot  
9:30 a.m.
- Stated she is featuring one of the shots from the Jubilee as the cover of the Community Guide 2024. She is letting residents decide between 3 shots.

Dana Eldridge, 2628 Gallant Fox, commended Cody Lane, city employee, for his responsiveness and help removing a broken tree and a pile of debris that had accumulated behind his yard over the past year.

### **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 July 18, 2023. (S.Edmondson/S.Courney)
2. **Appointment, Reappointment and Resignations on Boards, Commissions and Committees**
  - Approve Appointments
    - John Carbon-from Alternate 1 to Board Commissioner-Planning and Zoning Commission
    - Patrick McMaster-from Alternate 2 to Alternate 1-Planning and Zoning Commission

- Danielle Craig- as Alternate 2 for Planning and Zoning Commission
- Accept Resignations
  - Ernest Evans Jr.,-accept resignation from the Planning and Zoning Commission
  - Bryan Snowden-accept resignation from the Economic Development Corporation

3. **Resolution 23-R-70** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to enter into a lease agreement with Stryker Flex Financial for the acquisition of EMS equipment and service plan. (S.Williams/J.Mabbitt)
4. **Resolution 23-R-71** - Consideration and/or action by the City Council of the City of Schertz, Texas authorizing the City Manager to amend the Southern Plant Wastewater Services and Funding Agreement. (B.James/L.Busch)
5. **Resolution 23-R-72** - Consideration and/or action by the City Council of the City of Schertz, TX authorizing the City Manager to enter into a contract for Owners Representation Services. (S.Williams/G.Rodgers)
6. **Resolution 23-R-65** - Consideration and/or action by the City Council of the City of Schertz, Texas approving a Resolution authorizing an amendment to the Schertz Main Street Preservation Grant for 505 Exchange. (S.Williams/B.James)

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1-6.

Moved by Mayor Pro-Tem Tim Brown, seconded by Councilmember Michael Dahle

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

Passed

## Discussion and Action Items

7. **Ordinance 23-S-14** - Consideration and/or action on a request to rezone approximately 25 acres of land from Pre-Development District (PRE) to Planned Development District (PDD), generally located approximately 2,200 feet southeast of the intersection of Country Club Boulevard and IH-35 access road, also known as Comal County Property Identification Number 377261 and Guadalupe County Property Identification 63833, City of Schertz, Comal

County and Guadalupe County, Texas. (*Final Reading*)  
(B.James/L.Wood/E.Delgado)

Mayor Gutierrez recognized Emily Delgado, Planning Manager, who provided Council with an update on resident responses; 32 in favor, 166 opposed, and 3 neutral; opposition percentage is 28.5% triggering a super majority vote,

Mayor Gutierrez recognized Councilmember Michael Dahle who made a motion to table the item per applicant's request until the first Council meeting in September, seconded by Councilmember Jill Whittaker.

AYE: Mayor Pro-Tem Tim Brown, Councilmember Michelle Watson, Councilmember Jill Whittaker, Councilmember Michael Dahle, and Councilmember Allison Heyward

NAY: Councilmember Mark Davis.

Passed

Mayor Gutierrez recessed for a short break at 7:05 p.m.  
Mayor Gutierrez reconvened the meeting at 7:15 p.m.

## **Public Hearings**

- 8. Ordinance 23-S-13** - Conduct a public hearing and/or action on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.8.5 Permitted Use Table, and Article 16 Definitions. (*Final Reading*) (B.James/L.Wood/S.Haas)

Mayor Gutierrez recognized Samuel Haas, Senior Planner, who briefed Council on Ordinance 23-S-13, amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.8.5 Permitted Use Table, and Article 16 Definitions. He provided an update to Council on the interest in Schertz for energy-based land uses, specifically, solar and battery/storage; regional research was conducted by staff to determine Schertz competitiveness and opted to do some UDC amendments. On May 24, the Planning and Zoning Commission recommended approval with adjustments. Staff initiated contact with Randolph AFB to address concerns voiced by Council at the July 11th meeting. Randolph AFB indicated potential risk with bird habitation under the solar panels and request review of applications when received by the city. Therefore, staff adjusted the amendments to allow solar activities with a special use permit for M-1, M-2 and public use district (PUB) zoning districts.

Staff recommends approval of the amendments to the UDC as proposed and

discussed.

Mayor Gutierrez opened the floor to public hearing at 7:18 p.m.

The following residents spoke:

- Dana Eldridge, 2628 Gallant Fox, recommended using the property at Northcliff as an option for the solar projects.
- DJ Thompson, 3325 Charleston Lane, thanked the Mayor and members of Council for their service to the community.

Mayor Gutierrez closed the Public Hearing at 7:20 p.m.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Dahle inquired on the use of a Specific Use Permit for Public Use Districts. Mr. Haas explained that PUBs are found throughout the city. Some of them have a lot of open space while others are in the middle of neighborhoods, so each needs to be addressed independently.

Mayor Pro-Tem Brown expressed thanks for staff following up with Randolph AFB.

Mayor Gutierrez also expressed thanks for addressing Council's concerns regarding Randolph AFB. Council wants to protect Randolph AFB and not jeopardize their mission.

Mayor Gutierrez called for a motion to approve Ordinance 23-S-13.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

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

Passed

## **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 Financial Reports - April 2023 and May 2023**  
(S.Gonzalez/J.Walters)

## 11. Monthly Update - Major Projects In Progress/CIP (B.James/K.Woodlee)

### Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda

Councilmember Heyward requested review and discussion of Council's Rules and Procedures regarding video conferencing be placed on a future agenda.

- Announcements by Mayor and Councilmembers
  - City and Community Events attended and to be attended
    - Mayor Pro-Tem Brown attended Hog Wild on Friday, July 28, 2023.
    - Councilmember Davis attended the Schertz Housing Authority meeting on Monday, July 31, 2023, and the Ribbon Cutting for the Wendy Swan Splash Pad.
    - Councilmember Watson attended the Ribbon Cutting for the Wendy Swan Splash Pad.
    - Councilmember Dahle attended the Tropical Smoothie Chamber event.
    - Councilmember Heyward attended the TML Risk Pool Board Meeting, Ribbon Cutting for Murdoch's, Hog Wild, and Wendy Swan Splash Pad Ribbon Cutting.
  - 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 7:25 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheila Edmondson, City Secretary