

DRAFT

MINUTES REGULAR MEETING November 14, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on November 14, 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 Michelle Watson; Councilmember Mark Davis; Councilmember Jill Whittaker; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Michael Dahle

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

Call to Order

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

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

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

Proclamations

Schertz-Cibolo Cemetery Day

Mayor Gutierrez presented Dr. Miguel Vasquez-Chair of the Schertz Historical Preservation Committee, with a proclamation recognizing the Schertz-Cibolo Cemetery receiving a Texas Historical Marker on November 18, 2023.

Presentations

Fire Prevention Week Poster Presentation (B.High)

Assistant Fire Chief Dan Kramer presented each of the following students with an award for their efforts. Each of the award winners had their picture taken with the Mayor and the Fire Prevention Staff.

2023 SCHERTZ FIRE PREVENTION POSTER CONTEST WINNERS

Kindergarten-1st Grade Winners

PLACE	NAME	GRADE	SCHOOL
3rd	Christian Lee	1st	Sippel Elementary
2nd	Mary Jane Watson	Kinder	Paschal Elementary
1st	Haylee Cortinas	1st	Rose Garden Elementary

2nd-3rd Grade Winners

PLACE	NAME	GRADE	SCHOOL
3rd	Aurora Donabauer	3rd	Sippel Elementary
3rd	Natalie Lorenzana	3rd	Sippel Elementary
1st	Zachary Cox	2nd	Sippel Elementary

4th Grade Winners

3rd	Levi Kyker	4th	Sippel Elementary
2nd	Mason Phillips	4th	Sippel Elementary
1st	Ean Whitaker	4th	Sippel Elementary

Mayor's Choice

NAME	GRADE	SCHOOL
Haylee Cortinas	1st	Rose Garden Elementary

Presentation of the 2024 Schertz Young Leaders Class

(S.Gonzalez/L.Shrum/C.Paddock)

Parks Director Lauren Shrum introduced the 2024 Schertz Young Leaders Class, previously the Sweetheart Court.

Clemens High School

JC McElroy, 10th Grade
Sarah Johnson, 10th Grade
Eleanor Forsberg, 10th Grade
Laila Burcham, 10th Grade
Mattie Mays, 10th Grade
Hadraina Edwards, 11th Grade
Connor Gobin, 12th Grade
Keira Bearce, 12th Grade

Founder's Academy

Jacob Ha, 10th Grade

St. Mary's Hall

Micah Guice, 12th Grade

Steele High School

Jaclynn Wheatley, 12th Grade

Presentation on the Upcoming Holidazzle event Saturday, December 2, 2023

(S.Gonzalez/L.Shrum/C.Paddock)

Parks Director Lauren Shrum stated Deck the Hall will kick off the Holidazzle Event, starting on Thursday, November 30, 2023, at 6:00 p.m. in front of City Hall Building 1.

There will be three sessions of Breakfast with Santa starting at 8:00 a.m., 9:30 a.m. and 11:00 a.m. Breakfast will be provided by Abel's Diner.

Kris Kringle Market will be open from 10:00 a.m.-3:00 p.m. in the Civic Center Grand Ballroom.

Holiday Hoopla

4:00 pm-8:00 p.m.

Fireside Roasting & Toasting

Food Trucks

Mt. Schertz Snow Hill,

2 Snow play areas

Ice Rink, Frozen Playland

Inflatable Slide

Facepainting,

Balloon Twisters

Santa Photos

Holidazzle Marquee Letters.

The day will end with the Festival of Angels Parade starting at 6:00 pm.

City Events and Announcements

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

Deputy City Manager Brian James provided the following list of upcoming events for the City:

Now through Friday, November 17

Blue Santa Program Accepting Applications

Head to Schertz.com/bluesanta or stop by the Schertz Police Department to apply

Applications for those individuals requesting assistance are available and the deadline is this Friday, November 17.

Those willing to donate can pick up a Blue Santa tree gift tag beginning on Monday,

November 20 in the Police Department lobby. Monetary and gift care donations will also be accepted. Donations and unwrapped gifts must be received by Thursday, December 7.

Friday, November 17

Hal Baldwin Scholarship Golf Tournament
9:00 AM – 1:00 PM
Olympia Hills Golf Course & Conference Center

Monday, November 20

City Council Orientation/Retreat
1:00 PM – 4:00 PM
Council Chambers

Canvassing Results from Election

6:00 PM
Council Chambers
City Council will have a meeting to canvass the election results from the November 7, 2023 General Election

Thursday, November 23

Thanksgiving Day
City Offices Closed November 23 and November 24

Thursday, November 30

Deck the City Hall Tree Lighting Ceremony
6:00 PM
Hal Baldwin Municipal Complex

Saturday, December 2

Holidazzle
8:00 AM – 7:00 P.M.
Hal Baldwin Municipal Complex

- Breakfast with Santa, Sessions at 8:00 A.M., 9:30 A.M., and 11:00 A.M. Tickets are \$10.00 and registration is required. Call the Parks & Rec Office at 210-619-1850 for more information
- Kris Kringle Market from 10:00 A.M. – 3:00 P.M.
- Holiday Hoopla! from 4:00-8:00 P.M. – Featuring the Mt. Schertz snow hill and snow angel play area
- Festival of Angels Lighted Night Parade from 6:00-8:00 PM
- For more information visit www.schertz.com/holidazzle

Tuesday, December 5

Next Regular City Council Meeting
6:00 PM
Council Chambers

Saturday, December 9

Blizzard Paddle Battle Pickleball Tournament

8:30 AM – 2:30 PM

Pickrell Park

Space is limited to 12 mixed double teams. Registration is \$50 per team and includes a tournament t-shirt and guarantee of at least 3 games to play. Prizes will be awarded to the top 3 teams! Head to Schertz.com/recreation to register your team today.

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

The City Manager congratulated the following employees on their recent promotion.

Promoted from Police Corporal to Sergeant:

- Dallas Hopper was promoted from Police Corporal to Sergeant on October 7, 2023.
- Sean McKenna was promoted from Police Corporal to Sergeant on October 7, 2023.
- Shawn Ceeko was promoted from Police Corporal to Sergeant on October 7, 2023.
- Chris Martinez was promoted from Police Corporal to Sergeant on October 7, 2023.
- Erin Noah was promoted from Building Inspector to Plans Examiner on October 7, 2023.

Inspections Dept.

- Jim Bruce was promoted from Inspections to Chief Building Official on October 23, 2023.

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

Mayor Gutierrez thanked the City of Selma for hosting the Veterans Day Ceremony. He loves the cooperation between the cities of Schertz, Cibolo and Selma. Mayor Gutierrez also attended another ceremony at Ft. Sam Houston hosted by the Buffalo Soldiers. The City of Schertz will canvass the November 7, 2023, General Election on November 20, 2023, and call for a Runoff Election for Place 4.

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.

Richard Eads, 5523 Cypress Point-Mr. Eads attended the City's Comprehensive Planning Meeting with concerns about where apartments are being planned near his neighborhood. Per Mr. Eads, stated at the Comprehensive Planning Meeting that the City also agreed that apartments should not be built in that area as well.

Maggie Titterington, 1730 Schertz Parkway-Ms. Titterington announced that the last Chamber

Luncheon for the year will be Tuesday, November 21, 2023.

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 October 17, 2023. (S.Edmondson/S.Courney)
2. **Appointment, Reappointment, & Resignations:** City Boards, Commissions, and Committees (S.Edmondson/S.Courney)

Resignations: EDC- Mr. Jesse Hamilton

Appointments: EDC-Ms. Donna Steward

3. **Resolution 23-R-115:** Authorizing the City Manager to enter into a contract for on-call SCADA Services with Prime Controls. (B.James/L.Busch)
4. **Resolution 23-R-116:** Authorizing an amendment to the agreement with Lockwood, Andrews & Newnam, Inc., for engineering services related to the Water and Wastewater Master Plan and Impact Fee Update Study (B.James/K.Woodlee)
5. **Ordinance 23-M-28:** Amending Ordinance 23-M-28 Code of Conduct and Procedures on Videoconferencing and Written Statements. **Final Reading** (S.Edmondson)
6. **Ordinance 23-S-24:** Consider a request to rezone approximately 2.1 acres of land from Neighborhood Services District (NS) and Planned Development District (PDD) to Planned Development District (PDD), known as Guadalupe County Parcel ID 31970, 31971, 31972, 31973, 31980, 31981, 31982, 31983, generally located northwest of the intersection between Schertz Parkway and Wiederstein Road, City of Schertz, Guadalupe County, Texas. **Final Reading** (B.James/S.Haas)
7. **Ordinance 23-S-78:** Consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.5.4 Zoning Change/Zoning Map Amendment. **Final Reading** (B.James/L.Wood/S.Haas)
8. **Resolution 23-R-119:** Authorizing expenditures with Halff Associates totaling no more than \$985,000.00 for professional engineering-related services for the Lower Seguin Road Reconstruction Project and other matters in connection herewith. (B.James/K.Woodlee/J.Nowak)

9. **Resolution 23-R-118:** Increasing the not to exceed amount of the construction contract with Intermountain Slurry Seal, Inc. to \$196,616.25 for the 2023 SPAM Resurfacing project. (B.James/K.Woodlee/J.Nowak)
10. **Resolution 23-R-117:** Authorizing a Schertz Main Street Local Flavor Economic Development Grant for 415 Main Street. (S.Williams/B.James)

Mayor Gutierrez asked for a motion to approve Consent Agenda Item 1-10.

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

Passed

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Michelle Watson

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

Passed

Public Hearings

11. **Ordinance 23-S-29:** Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 3 Boards, Commissions, and Committees and Article 12 Subdivisions. *First Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez recognized Senior Planner Sam Haas who presented the changes in Part III of the Schertz Code of Ordinances Unified Development Code (UDC) to Article 3-Boards, Commissions and Committees and Article 12-Subdivisions.

Texas House Bill HB 3699, the governing body of the municipality or the municipal planning commission may delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve, approve with conditions, or disapprove a plat.

Proposal

- Staff is proposing to amend the Unified Development Code to give administrative approval authority for all subdivision plats with amendments to the following sections
- Amendments to Article 3:
 - UDC Section 21.3.3 Planning and Zoning Commission
 - UDC Section 21.3.5 Administrative Authority

- Amendments to Article 12:
 - UDC Section 21.12.2 General Provisions
 - UDC Section 21.12.8 Preliminary Plat Process
 - UDC Section 21.12.10 Final Plat Process
 - UDC Section 21.12.13 Replat Process
 - UDC Section 21.12.14 Vacating Plat Process

Proposal

- Staff will leave final authority for waivers to the platting requirements in the UDC to the Planning and Zoning Commission
- Staff will also allow any appeals that come from this process to go before the Planning and Zoning Commission
- Staff believes these discretionary items would be more appropriate before an appointed body such as the Planning and Zoning Commission
- Staff is also leaving the option to forward any plat to the Planning and Zoning commission for final authority.

Mayor Gutierrez opened the Public Hearing. No one spoke, the Public Hearing was closed.

Councilmember Tim Brown asked if the City had talked to other communities about this process.

Senior Planner Sam Haas stated that other communities are adopting similar changes and are in favor of them.

Councilmember David Scagliola asked if this is approved, will Planning and Zoning be obsolete.

Senior Planner Sam Haas reassured Council that the Planning and Zoning Commission will still be needed in the planning process.

Mayor Gutierrez asked for a motion on Item #11.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown

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

Passed

Discussion and Action Items

12. **Ordinance 23-T-31:** Authorize an adjustment to the Fiscal Year 2023-24 Adopted Budget for items approved but not expended in the Fiscal Year 2022-23. *First Reading* (S.Gonzalez/J.Walters)

Mayor Gutierrez recognized Finance Director James Walters who provided an

explanation of items that were approved but not expended in Fiscal 2022-23.

Mayor Gutierrez asked for a motion to approve Ordinance 23-T-31.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Michelle Watson

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

Passed

13. Resolution 23-R-122: Authorizing the City Manager to amend the Southern Plant Wastewater Services and Funding Agreement. (B.James/L.Busch)

Mayor Gutierrez announced that due to the nature of this resolution, the Council would like to consult with the City Attorney about Resolution 23-R-122.

The meeting was recessed at 6:56 pm.

Mayor Gutierrez reconvened the meeting at 7:13 pm.

Mayor Gutierrez asked for a motion to approve Resolution 23-R-122.

Moved by Councilmember Mark Davis, seconded by Councilmember Tim Brown

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

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

14. Structure at 1049 Live Oak Road (B.James/D.Hardin Trussell)

15. August and September 2023 Monthly Financial Statements (S.Gonzalez/J.Walters)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from staff.

Mayor Gutierrez recognized that tonight was Councilmember Jill Whittaker's last council meeting and presented her with a plaque thanking her for her years of dedication and support.

City Manager Steve Williams presented Councilmember Jill Whittaker with a City

Manager Coin.

Councilmember Jill Whittaker said it was an honor and a privilege to serve the City of Schertz these past years. She enjoyed getting to know the Council, staff and the community of Schertz.

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

No items are requested at this time.

- Announcements and City Events attended by Councilmembers

Councilmember Davis attended the Staff Thanksgiving Luncheon

Councilmember Whittaker attended the Veterans Day Event, NEP Luncheon, the Chamber Luncheon and several ribbon cuttings

Councilmember Scagliola attended the Veterans Day Event and Staff Thanksgiving Luncheon

Councilmember Heyward attended the TML Risk Pool Meeting, NRP Groundbreaking, Development Subcommittee Meeting, Municipal Court Proclamation Presentation, EDC Meeting, American Planning Association Texas seminar and ribbon cuttings

Councilmember Brown attended the NEP Luncheon and the Veterans Day Event

Mayor Gutierrez announced that the Texas Air Show has been relocated back to Randolph AFB on April 6-7, 2024

Adjournment

Mayor Gutierrez adjourned the meeting at 7:24 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary