

DRAFT

MINUTES REGULAR MEETING December 5, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 5, 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 Paul Macaluso; Councilmember Michael Dahle; Councilmember Robert Westbrook; Councilmember Allison Heyward; Councilmember Tim Brown

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 Brown)

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

Proclamations

- Schertz/Seguin Local Government Corporation 25th Anniversary - Mr. Andrew McBride

Mayor Gutierrez read the proclamation for the 25th Anniversary of Schertz/Seguin Local Government Corporation. The proclamation will be presented to the SSLGC at their 25th Anniversary Reception.

Employee Introductions

- Engineering Dept: Tammy Lawrence-Administrative Assistant
- Finance Dept: Jessica Dycus-Accountant
- Fire Dept: Benjamin Contet-Firefighter; Michael J. Kinnamon-Firefighter;
- Police Dept: Rome Borrego-Police Officer; Hector D. Castro-Police Officer; Marcus Leiwig-Police Officer

The new employees were introduced to the City Council by their Department Managers.

Presentations

1. Presentation of Texas Recreation & Park Society Central Region Awards to the Schertz Parks & Recreation Department and Johnie McDow. (S.Gonzalez/L.Shrum)

Parks Director Lauren Shrum introduced the Parks Staff who participated in the Central Region Workshop and Maintenance Crew Rodeo in San Marcos. Schertz's crews competed against benchmark cities that included Austin, Round Rock, Georgetown, New Braunfels, and other central region cities.

The participants competed in several events in the Maintenance Rodeo, which included Irrigation Assembly, Truck and Trailer and an Obstacle Course which was a timed event.

- In 3rd Place for the Truck and Trailer Event were Cole Moody and Larry May.
- In the Backhoe Event, 6th Place went to Ian King
- The entire crew received the Excellence and Maintenance Award for their work on the Wendy Swan Splash Pad Project.
- Other awards received included the Central Region Awards for Photography.
- Individual of the Year Award: Johnie McDow, Chair of the Parks and Recreation Board.

2. Presentation of FY 2022-23 Parks Annual Report (S.Gonzalez/L.Shrum/C.Paddock)

The Parks & Recreation Department consists of 21 Full-Time Staff, 2 Part-Time, 2 Seasonal and 200 volunteers. They oversee the following boards and committees: Parks & Recreation Advisory Board, Schertz Youth Soccer Alliance, Buffalo Valley Youth Association, Senior Center Advisory Board and the Friends of the Crescent Bend.

The Parks & Recreation Department is responsible for: 25 Parks, 12 Baseball & Softball Fields, 11 Pavillion and Picnic Areas, 2 Splash Pads, 32 Playscape Units, 3 Water Access Points, 2 Community Centers, 1 Dog Park, 4 Pools, 6 Basketball Courts, 3 Adult Social Leagues, 1 Skate Park, 25.6 Miles of Hike and Bike Trails, 5 Murals, 15 Soccer Fields, 35 Events, 20 Sponsors, 7 Partner Organizations, 1 Senior Center, 21 Nature Programs, and over 438.97 acres of Parkland.

They improved several of the parks this year, which include Crescent Bend Nature Park, Cypress Point Park, and Wendy Swan Memorial Park. They will be working on the Senior Center Garden Additions and the Dry Comal Creek Nature Park.

The Parks & Recreation Department added 2 positions: a Recreation Coordinator and a Recreation Specialist.

Schertz Youth Leaders debuted this year with a class of 7 students from 3 area high schools, offering a chance to learn about their community and hone their leadership skills.

The Civic/Convention Center transitioned from the oversight of Public Affairs to Parks & Recreation. They are now the Parks, Recreation & Community Services with a shared goal of enhancing the quality of life and providing amenities for the residents.

City Events and Announcements

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

Deputy City Manager provided the following list of upcoming events for the City.

Saturday, December 9

Runoff Election Day for Councilmember Place 4
Schertz Community Center
1400 Schertz Parkway
7:00 AM – 7:00 PM

Saturday, December 16

Star Party
Crescent Bend Nature Park
7:00 PM – 10:00 PM

Tuesday, December 19

Next Regular City Council Meeting
Council Chambers
6:00 PM

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

City Manager Steve Williams thanked the River City Community Church and the Chamber for their participation at the Deck the Halls event. Holidayz kicked off with the Breakfast with Santa sponsored by Elbel's Diner. The Kris Kringle Market had 37 vendors to shop with. Families enjoyed the Mt. Schertz snow event and the Festival of Angels Parade.

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

Mayor Gutierrez thanked the staff for their hard work with the Deck the Halls, Holidayz and Festival of Angels Parade.

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.

- Maggie Titterington, 1730 Schertz Parkway, who thanked Cassie Paddock for all her help with the cookie/cocoa set up. Deck the Hall was a great event and she looks forward to it every year. The Home and Health Show is scheduled for January 2024.

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.

- 3. Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of November 14, 2023, and Canvassing the Election of November 20, 2023. (S.Edmondson/S.Courney)
- 4. Appointments, Reappointments, Resignations For Boards/Commissions/Committees** (S.Edmondson)

Appointment of Mr. Reynaldo Chavez to the Economic Development Corporation Board.
- 5. Approval of the 2024 Master Calendar** (S.Williams/C.Simmons)
- 6. Resolution 23-R-126** - Authorizing an amendment to the CCN transfer agreement between Green Valley Special Utility District and the City of Schertz. (B.James/L.Busch)
- 7. Ordinance 23-S-29** - 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. *Final Reading* (B.James/L.Wood/S.Haas)
- 8. Resolution 23-R-108** – Approving the language set forth in a Project Utility Adjustment Agreement and a Utility Adjustment Agreement Amendment for the IH 35 Nex-Central Project. (B.James/K.Woodlee/E.Schulze)

9. **Resolution 23-R-107** – Authorizing an agreement with Halff Associates, Inc., with expenditures up to \$80,000 for professional services for the Relocation of a Backflow Prevention Device for Randolph Air Force Base. (B.James/K.Woodlee/E.Schulze)
10. **Resolution 23-R-127**– Authorizing an amendment to the agreement with Utility Engineering Group, PLLC, for engineering services related to the Riata Lift Station Relocation Project (B.James/K.Woodlee/E.Schulze)
11. **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. ***Final Reading*** (S.Gonzalez/J.Walters)
12. **Resolution 23-R-120** – Authorizing a professional services agreement with expenditures up to \$380,000 with Kimley-Horn & Associates, Inc., for the 2024 Street Resurfacing and Rehabilitation Project (B.James/K.Woodlee/J.Nowak)

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #3-#12.

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

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Discussion and Action Items

13. **Ordinance 23-G-30** - Amending the City of Schertz Code of Ordinances creating a Reserve Police Force in accordance with statutory mandates. ***First Reading*** (S.Williams/J.Lowery)

Mayor Gutierrez recognized Chief Lowery who brought forward Ordinance 23-G-30, creating a Reserve Police Force with statutory mandates. The Schertz Police Department is requesting authorization to establish a police reserve force, and to authorize the Chief of Police to appoint reserve force members, subject to the approval of the City Council. All reserve officers must meet minimum Texas Commission on Law Enforcement standards and complete the same hiring process as required for full-time officers.

Councilmember Brown asked if there were enough volunteers available. Chief Lowery replied that there is one candidate who is going through the process.

Mayor Gutierrez asked if there were mandatory hours required. Chief Lowery stated that applicants are required to serve 12–16 hours a month for the city to carry their

license. Chief Lowery added that the department would outfit the reserve officers with all necessary equipment needed.

Mayor Gutierrez asked for a motion to approve Ordinance 23-G-30.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 14. Resolution 23-R-112-** Approval of a Resolution casting votes to elect the Board of Directors for the Bexar Appraisal District for the FY2023-2024 term.
(Mayor/Council)

Mayor Gutierrez recognized the City Secretary, Sheila Edmondson, who brought forward Resolution 23-R-112 casting votes for the Bexar Appraisal District Board of Directors Election.

Councilmember Allison Heyward recommended that all four votes go to Dr. Adriana Rocha Garcia.

Mayor Guterrez asked for a motion to cast all four votes for Dr. Adriana Rocha Garcia.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 15. Resolution 23-R-113-** Approval of a Resolution casting votes to elect the Board of Directors for the Comal Appraisal District for the FY2024-2025 term.
(Mayor/Council)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who brought forward Resolution 23-R-113 casting votes for the Comal Appraisal District Board of Directors Election. The City of Schertz has 60 votes to cast.

Councilmember Tim Brown recommended that 20 votes go to Eric Crouch, 20 votes

to Douglas Miller, Jr. and 20 votes to John Tyler.

Mayor Gutierrez asked for a motion to cast 20 votes for Eric Crouch, 20 votes for Douglas Miller, Jr. and 20 votes for John Tyler, in the Comal Appraisal Board of Directors Election.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 16. Resolution 23-R-114-** Approval of a Resolution casting votes to elect the Board of Directors for the Guadalupe County Appraisal District for the FY2024-2025 term. (Mayor/Council)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who brought forward Resolution 23-R-114 casting votes for the Guadalupe County Appraisal District Board of Directors Election. The City of Schertz was allotted 255 votes.

Councilmember Davis recommended that Daryl John receive 128 votes and Letticia Sever receive 127 votes.

Mayor Gutierrez asked for a motion to cast 128 votes for Daryl John and 128 for Letticia Sever.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 17. Resolution 23-R-68 -** Calling for a Charter Review and appointment of a Charter Review Commission to review and present proposed amendments for the City Charter. (City Council/S.Edmondson)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who brought forward Resolution 23-R-68 Calling for a Charter Review. The City Charter, Section 12.03 Charter Review Commission, states the City Council shall periodically appoint a Charter Review Commission which shall consist of no less than 5 and no more than

11 citizens of the City to inquire into the operation of the City government under the Charter provisions and determine whether any such provision requires revision.

The term of office of the Charter Review Commission shall be 180 days after the date of the first meeting, said first meeting to occur within forty-five (45) days of the date of appointment. If during this term no report is presented to the City Council, then all records of the proceedings of the Commission shall be filed with the City Manager and the Charter Review Commission shall be dismissed.

The following have been appointed to the Charter Review Commission:

- Mr. Paul Wiley
- Mr. David Bennett
- Mr. Marcus Forte
- Mr. Demetric Herron
- Dr. Roger L. Booker
- Ms. Michele Tereletsy
- Mr. Chris Evans
- Mr. Dana Eldridge
- Ms. Danielle Craig
- Mr. Benjamin Guerrero
- Mr. Richard Dziewit

Mayor Gutierrez asked for a motion to approve the nominees for the Charter Review Commission.

Moved by Councilmember Michael Dahle, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Tim Brown

NAY: Councilmember Allison Heyward

Passed

- 18. Resolution 23-R-128** - Authorizing an agreement to dedicate right-of-way (ROW) in existing parkland for a secondary access for additional development in the Hallie's Cove subdivision in exchange for funding public park improvements and dedication of land. (S.Gonzalez/L.Shrum)

Mayor Gutierrez recognized Parks Director Lauren Shrum who presented an agreement to dedicate right-of-way (ROW) in existing parkland for secondary access for additional development in the Hallie's Cove subdivision in exchange for funding public park improvements and dedication of land.

As part of the Hallie's Cove development, 37.87 acres of parkland was dedicated in 2

separate parcels. The only parkland improvement at that time was a 1,110-foot long by 10-foot wide concrete trail on the 25.3-acre northern parcel. The developer has come in with a proposal to purchase additional land adjacent to the existing neighborhood and is extending one street. The development requires two points of access and thus a connection through existing parkland is needed. Staff worked with the developer to negotiate an appropriate amount of public benefit for the value of the ROW needed for the road extension as well as required parkland dedication improvement fees. An amount of \$30,000 will be provided for the city to purchase a small playscape unit (to be installed by the city) on the northern park parcel. Staff also negotiated a 1,000-foot long by 55-foot wide greenbelt on the back side of the new development which provides the opportunity for a trail connection between the two park parcels. City staff will construct the trail in the future when the development is complete.

Councilmember Dahle had a question about a buffer belt and if a concrete trail would be constructed. Parks Director Lauren Shrum stated that there will not be a concrete trail built in the plan.

Mayor Gutierrez asked for a motion to approve Resolution 23-R-128.

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Workshop

19. Workshop on the review of requirements for parking/storage surfaces. (S.Williams/B.James)

Mayor Gutierrez recognized Deputy City Manager Brian James who updated the presentation to City Council on September 19, 2023, regarding parking on unpaved surfaces. There were several businesses that reached out to the Council about the requirements for parking /storage surfaces. Councilmember Scagliola suggested a committee to include some of the businesses that were issued notices of violations.

Staff researched how nearby cities addressed the issue. The Engineering department researched the materials used and how they hold up with water retention. Based on this research, the scope of this issue is bigger than what was initially thought. Staff need to know if the Council wants all impacted businesses and residents to be represented on this committee to ensure all issues are addressed.

Mayor Gutierrez agreed that the committee needed a good mix of residents and business owners to address all the concerns.

Mayor Gutierrez recessed to a closed session at 7:20 p.m.

Closed Session

- 20.** The City Council will meet in closed session under Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect.

- Project: E-88

Reconvene into Regular Session

Mayor Gutierrez reconvened the meeting back into regular session at 7:51 p.m.

- 21.** Take any action based on discussions held in Closed Session under Agenda Item #20.
- No action was taken on discussions held in Closed Session under Agenda Item #20.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

- 22.** Street Sweeping Schedule Update (B.James/L.Busch)
- 23.** Update on Agreement with The Chamber for Visitor's Guide/Business Directory (S.Williams/S.Gonzalez)

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

Mayor Pro-Tem Watson attended the Tree Lighting and the Holidazzle Parade.

Councilmember Davis attended the Main Street Meeting, Interview Committee

Meeting, Tree Lighting Ceremony, and the Holidazzle Parade.

Councilmember Macaluso attended the Tree Lighting and the Holidazzle Parade.

Councilmember Dahle attended the Tree Lighting and the Interview Committee Meeting.

Councilmember Westbrook attended the Tree Lighting and the Holidazzle Parade.

Councilmember Heyward attended the EDC Conference in Bastrop, Ribbon Cutting for Ability Backflow, Main Street Committee Meeting, TML Small Cities Conference, Tree Lighting, Interview Committee Meeting, and Holidazzle Parade.

Councilmember Brown attended the SSLGC 25th Anniversary Reception.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:54 pm.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary