

DRAFT

MINUTES REGULAR MEETING February 20, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 20, 2024, 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 Paul Macaluso; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Robert Westbrook; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Tiffany Gibson

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

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

Presentations

Presentation of the Code Enforcement Association of Texas – The Wes Castolenia Community Service Award to the City of Schertz Neighborhood Services.
(B.James/L.Wood)

Mayor Gutierrez recognized Neighborhood Services Manager Rebecca Vera who explained that the Wes Castolenia Community Service Award received by the Schertz Neighborhood Services Department recognizes collaborative community projects which make a positive impact. Last year's event was held on February 25, 2023, in the Cibolo Creek Watershed, where more than 100 community volunteers worked alongside City Departments, including Neighborhood Services, Public Works, and Parks and Recreation, and Community Partners, including Bexar County Commissioner Precinct 4 Tommy Calvert's Office, Bexar County Environmental Services, Bexar County Sheriff's Unit, Cibolo Creek Municipal Authority, Republic Services, and the San Antonio River Authority, for two days to remove 31,000 pounds of trash, debris, and discarded materials.

Proclamations

Engineers Week February 18-24, 2024

Mayor Gutierrez recognized Councilmember Heyward who presented the Engineers Week February 18 - 24, 2024 Proclamation to Engineer John Nowak, Administrative Assistant Tammy Lawrence, Engineering Inspector Sam Lopez, and Engineering Inspector Bryan Timmons.

George Washington Day - February 22, 2024

Mayor Gutierrez recognized Mayor Pro-Tem Macaluso who presented the George Washington Day - February 22, 2024 Proclamation to Mr. Ed Blauvelt, President of the William Hightower Chapter of the Society of the Sons of the American Revolution.

Government Communicators Day - February 24, 2024

Mayor Gutierrez recognized Councilmember Westbrook who presented the Government Communicators Day - February 24, 2024 Proclamation to Public Affairs Director Linda Klepper, Communications Manager Devan Christensen, and Marketing & Communications Specialist Jenna Kock.

National Employee Appreciation Day - March 1, 2024

Mayor Gutierrez presented the National Employee Appreciation Day - March 1, 2024 Proclamation to Human Resources and Purchasing Director Jessica Kurz who accepted it on behalf of all City Staff.

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:

Standing announcements

Thursday, February 29 (meets weekly through May 2, 2024)

Citizens Police Academy

6:00 p.m. - 9:00 p.m.

Registration is currently open online at www.Schertz.com/cps. Applications are also available at the Schertz Police Department. Deadline to apply is Friday, February 23, 2024.

New announcements

Friday, February 23 and Saturday, February 24

Read Before Bookstore Book Sale

Schertz Public Library

10:00 a.m. - 5:00 p.m.

Saturday, February 24

Selma/Schertz Salute to Service Members 5K
Race Day Packet pick-up and on-site registration
Blue Bonnet Place
6:45 a.m. - 8:00 a.m.

Give Where You Live "Clean the Creek" Event
Cutoff Park, 700 block of FM 1518
8:30 a.m. - 11:30 a.m.

Saturday, March 2

Kick Cancer Pep Rally & 5K Run
Pickrell Park
8:00 a.m. check-in; 9:00 a.m. start
More information can be found at www.schertz.com

Tuesday, March 5

Next Regular City Council Meeting
Council Chambers
6:00 p.m.

- Announcements and recognitions by the City Manager (S. Williams)
Mayor Gutierrez recognized City Manager Steve Williams who provided the following:

City Staff Promotions:

William Lewis from Drainage Worker I to Water/Wastewater Worker I
Tommy Perez from Utility Billing Specialist to Senior Utility Billing Specialist

Congratulations and Kudos to:

Congratulations to the Schertz Public Library on being awarded the Texas Municipal Library Directors Association 2023 Achievement of Excellence in Libraries Award. With this honor, The Schertz Public Library is now in the top 15% of all public libraries in the state.

Congratulations to Mercedes Gutierrez and Yolanda Valdez for obtaining their SHRM-CP credentials. SHRM (Society for Human Resources Management) is the largest and primary association for HR Professionals and their certification is recognized and valued by employers in all industries as the premier human resources certification.

Kudos to Linda Klepper, Devan Christensen, and Jenna Kock of the Public Affairs Department for their excellent work on the coordination and production of the 2024 State of the Cities Video. And, a big thank you to the "stars" of the video, City Engineer Kathy Woodlee, EDC Executive Director Scott Wayman, Parks and Recreation Director Lauren Shrum, and Assistant City Manager Sarah Gonzalez.

Happening in the City

The San Antonio Stock Show and Rodeo Annual Trail Rider Lunch was held February 8th at Pickrell Park welcoming trailriders to Schertz on their weeklong ride to the rodeo.

- Announcements and recognitions by the Mayor (R. Gutierrez)
Mayor Gutierrez thanked the staff for their "State of the Cities" presentation at The Chamber luncheon on Tuesday, February 20, and encouraged residents to watch the video. He also attended the Police Banquet and Awards and thanked our law enforcement officers for their service to the residents of the City.

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 Macaluso recognized the following resident:

Daniel Jameson, 1048 Richmond Dr., shared the sad news of the passing of his father, a 50-year resident of the City of Schertz. He thanked Schertz EMS paramedics for their timely and compassionate response. Mr. Jameson provided the following details for services: Visitation will be held at Colonial Funeral Home, 625 Kitty Hawk Rd., Universal City, on March 6 at 5:00 p.m. Funeral Services will be on Thursday, March 7, at 11:00 a.m. with interment at Ft. Sam Houston National Cemetery following.

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 February 6, 2024. (S.Edmondson/S.Courney)
2. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
 - Resignation of Dr. Miguel Vazquez from the Schertz Historical Preservation Committee
3. **Resolution 24-R-20** - Authorizing the City Manager to issue a purchase order for the purchase of a Fire Department vehicle as part of the 2023-2024 Vehicle/Equipment Replacement/Acquisition program. (B.James/D. Hardin-Trussell/C.Hernandez)

4. **Resolution 24-R-21** - Authorizing the City Manager to issue a purchase order for the purchase of multiple Police Department Vehicles(s) as part of the 2024-2025 Vehicle/Equipment Replacement/Acquisition program.
(B.James/D.Hardin-Trussell/C.Hernandez)
5. **Resolution 24-R-16** - Authorizing the application for the Guadalupe Valley Electric Cooperative (GVEC) Power Up Grant (S.Williams/G.Rodgers)
6. **Resolution 24-R-17** - Authorizing an application to the State Homeland Security Grant Program (SHSP) (S.Williams/G.Rodgers)
7. **Resolution 24-R-15** - Authorizing an application to the Lower Colorado River Authority (LCRA) Community Development Partnership Program (CDPP) Grant.
(S.Williams/G.Rodgers)
8. **Resolution 24-R-22** - Authorizing a Memo of Understanding between JBSA and the Schertz PD for law enforcement response assistance and information sharing for The Great Texas Airshow (USAF Thunderbirds). (S.Williams/J.Lowery)
9. **Resolution 24-R-18** - Authorizing a grant application for Bullet-Resistant Shields to be purchased to enhance law enforcement's all-hazard response capabilities.
(S.Williams/J.Lowery/K.Kallies)
10. **Resolution 24-R-10** - Authorizing a Subdivision Improvement Agreement and Roadway Impact Fee Credit Agreement with Embry. (S.Williams/B.James)
11. **Resolution 24-R-14** - Authorizing a Pole Attachment License Agreement with Guadalupe Valley Electric Cooperative, Inc. (GVEC). (S.Williams/B.James)
12. **Resolution 24-R-13** - Authorizing a Memorandum of Understanding with the City of Cibolo and the Cibolo Creek Municipal Authority regarding the Southern Plant Wastewater Services and Funding Agreement. (S.Williams/B.James)

Mayor Gutierrez asked if any item needed to be removed from Consent for discussion. No items were removed. Mayor asked Council for a motion to approve Consent Agenda Items #1 - 12.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

Discussion and Action Items

13. **Resolution 24-R-12** - Authorizing the City Manager to submit an Energy Efficiency and Conservation Block Grant application, and accept grant funds from the awarding agency to improve the energy efficiency for low to moderate-income single-family residents. (B.James/L.Wood/R.Vera/L.Locken)

Mayor Gutierrez recognized Neighborhood Services Specialist Lisa Locken who presented information on the EECBG, Energy Efficiency and Conservation Block Grant, a flexible funding opportunity through the Department of Energy (DOE) that offers local governments funding to invest in a variety of clean energy and energy efficiency projects. Schertz potential allocation of \$76,400. If awarded, Neighborhood Services would develop a 2-year program for eligible residents focusing on less energy consumption. Additionally, they would facilitate the installation of approved efficient electric appliances or highly rated insulation. Eligibility would be determined using AACOG guidelines.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

14. **Ordinance 24-S-01** - Approving amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5 - Zoning Districts, Article 9 - Site Design Standards, and Article 14 - Transportation. *Final Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez stated Ordinance 24-S-01 passed on the First Reading. Council declined to hear the presentation again. Mayor Gutierrez asked for a motion to approve Ordinance 24-S-01.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Paul Macaluso

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

15. **Ordinance 24-S-02** - Approving a Specific Use Permit to allow Automobile Repairs & Service, Major on approximately 1.5 acres of land, located 250 feet east of the intersection of FM 3009 and Borgfeld Road, also known as Guadalupe County Property Identification Number 129949, also known as 1205 Borgfeld Road, City of Schertz, Guadalupe County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mayor Gutierrez stated Ordinance 24-S-02 passed on the First Reading. Council declined to hear the presentation again. Mayor Gutierrez asked for a motion to approve Ordinance 24-S-02.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

16. **Resolution 24-R-24** - Authorizing the Main Street Improvements Project. (B.James/K.Woodlee/J.Nowak)

Mayor Gutierrez recognized Deputy City Manager Brian James who was joined by Engineer John Nowak. They provided a brief recap of the project, followed by details related to the engineering and landscape design concepts. City staff have met with the Main Street Committee multiple times to gather input and develop the vision. 70% of the plans were completed in 2023. Staff are coordinating with all impacted utilities to relocate aerial to underground lines. They are working with Centerpoint to upgrade gas lines. Upgrades will also be done to sewer and water lines. There is ongoing coordination with TxDOT since some of the updates will occur on their property. The revitalization plans include required infrastructure improvements at an estimated cost of \$12 million. The total projected costs for the Main Street Project are \$24.4 million.

After brief discussion with Council, Mayor Gutierrez asked for a motion to approved Resolution 24-R-24.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

17. Authorizing the Mayor to sign a resolution from the Northeast Partnership Mayors (NEP) expressing the concerns regarding the public health, safety, and welfare of 185,000 citizens living in the Northeast San Antonio Metrocom related to the proposed expansion of the Heidelberg Sertex Rock Crushing Quarry.
(S.Williams/B.James)

Mayor Gutierrez recognized Deputy City Manager Brian James, who explained Schertz was approached by the Mayor of Garden Ridge who asked members of the Northeast Partnership (NEP) to sign a resolution opposing the expansion of Heidelberg Sertex Rock Crushing Quarry. The Quarry was established in 1922 and has expanded over time. It is located in the Schertz ETJ, in an area designated by the City for industrial use. Heidelberg petitioned the City of Schertz in late January to remove an approximately 47 acre tract from Schertz's ETJ which is permitted by the recent change in state law and is something the City cannot prevent.

After a brief Council discussion, no motion was brought forward. Therefore, no action could be taken by Mayor Gutierrez.

Public Hearings

18. **Ordinance 24-H-03** - Conduct a public hearing and consider amendments to the Code of Ordinances, Chapter 34 Health, Article I - General and Article II - Food Establishments. *First Reading* (B.James/L.Wood/A.Cantu)

Mayor Gutierrez recognized Sanitarian Amanda Cantu who presented Ordinance 24-H-03 addressing Municipal Code Chapter 34 updates. Proposed changes will align city ordinances with state law and provide language to define terminology.

Mayor Gutierrez opened the Public Hearing at 7:26 p.m.

No public came forward to speak.

Mayor Gutierrez closed the Public Hearing at 7:26 p.m. and opened the floor to Council for discussion.

Councilmember Westbrook asked about the Mobile Food Unit Reciprocity Program. Ms. Cantu explained how the program works and where vendors go to apply.

Mayor Gutierrez asked for a motion to approve Ordinance 24-H-03.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

- 19. Resolution 24-R-07** - Conduct a public hearing and consider a resolution accepting a petition for voluntary annexation of approximately 7-acres, a portion of Bexar County Property Identification Number 339286, also known as 8215 Trainer Hale Road, City of Schertz, Bexar County, Texas. (B.James/L.Wood/D.Marquez)

Mayor Gutierrez recognized Planner Daisy Marquez who provided the details associated with the petition to voluntarily annex 7.7 acres to the City of Schertz. She explained the subject property is behind Hallie's Cove subdivision. Approval of the resolution does not annex the subject property, it allows for the City to annex the property by ordinance in the future. The zoning application to accompany the annexation is tentatively scheduled for the March 6, 2024, Planning and Zoning Commission meeting. Annexation and zone change ordinances are tentatively scheduled to be heard at the April 2, 2024, City Council meeting.

Mayor Gutierrez opened the Public Hearing at 7:40 p.m.

No public came forward to speak.

Mayor Gutierrez closed the Public Hearing at 7:40 p.m. and opened the floor to Council for discussion.

No discussion occurred.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

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

Other: Councilmember Tiffany Gibson (ABSENT)

Passed

Workshop

- 20. Schertz PD TCOLE 2023 Racial Profiling Report** (S.Williams/J.Lowery)

The Schertz PD TCOLE 2023 Racial Profiling Report Workshop was moved to the March 5, 2024, City Council meeting.

Mayor Gutierrez recessed to Closed Session at 7:42 p.m.

Closed Session

- 21.** The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the process of the annual evaluation of the City Manager, Mr. Steve Williams.

Mayor Gutierrez called Closed Session item #21 to order at 7:47 p.m.

Mayor Gutierrez recessed Closed Session item #21 at 8:22 p.m.

22. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the process of the annual evaluation of the City Secretary, Ms. Sheila Edmondson.

Mayor Gutierrez called Closed Session item #22 to order at 8:23 p.m.

Mayor Gutierrez recessed Closed Session item #23 at 8:24 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened Regular Session at 8:30 p.m.

23. Take any action based on discussion held in Closed Session under Agenda Item #21.

No action was taken on Closed Session Item #21.

24. Take any action based on discussion held in Closed Session under Agenda Item #22.

No action was taken on Closed Session Item #22.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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

26. **Council Pay Adjustment** (S.Gonzalez/J.Walters)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
No requests by Mayor or Councilmembers for updates or information from Staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
No requests by Mayor or Councilmembers that items or presentations be placed on a future City Council agenda.
- City and Community Events attended and to be attended (Council)
Mayor Pro-Tem Macaluso attended The Chamber Casino Night and The Chamber "State of the Cities" Luncheon.
Councilmember Westbrook attended the Frost Cowboy Breakfast and The Chamber Casino Night.
Councilmember Heyward attended the PD Annual Awards, TML Training in Austin, Park 35 Groundbreaking, and The Chamber "State of the Cities" Luncheon. She stated she would not be at the March 5, 2024, meeting as she will be attending the AGRIP Conference supporting TML Risk Pool Board in Nashville.

Councilmember Brown attended the Police Department Polar Plunge, and he offered kudos to Team Schertz for winning the Special Olympics Fundraiser.

Mayor Gutierrez thanked everyone who attended the Park 35 Groundbreaking event. He stated that it is an over \$200 million project and a great addition to the Industrial Park.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:33 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary