

DRAFT

MINUTES REGULAR MEETING March 5, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 5, 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 Tiffany Gibson; Councilmember Robert Westbrook; Councilmember Tim Brown

Absent: Councilmember Allison Heyward

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 6:00 p.m.

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

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

Special Announcement

Mayor Gutierrez instructed students in attendance for the Hal Baldwin Scholarship to sign in. Anyone with questions regarding the Hal Baldwin Scholarship should contact Assistant City Manager Sarah Gonzalez via email at sgonzalez@schertz.com or by phone at 210-619-1015.

Proclamations

- Procurement Month-March 2024
Mayor Gutierrez presented the Procurement Month - March 2024 Proclamation to HR and Purchasing Director Jessica Kurz and Purchasing Specialist Angela Perrone.
- Girl Scouts of Southwest Texas Centennial Celebration Day - March 11, 2024
Mayor Gutierrez presented the Girl Scouts of Southwest Texas Centennial Celebration Day - March 11, 2024, to Girls Scout Troops 5106, 5033, and 5332 and Troop Leaders

Patsy Pelton, Hope Forte, and Christina Perez.

Employee Introductions

Mayor Gutierrez recognized City Department Heads who introduced the following new staff:

- Animal Services: Kennel Technician - Ashley Griego
- City Secretary: Records Management Coordinator - Michael McMurray
- EMS: EMTs Brent Metzger, Noah Kleinman, and Brooklyn Youngblood
- Library: Library Assistant - Michael Lazcano
- Police: Reserve Officer - Police Cadets Frank Rosas and Richard Hernandez
- Public Works: Street Maintenance Worker I - Rosalio Ruiz; Water/Wastewater Worker I - Angel Alonzo; Drainage Worker I's Derek Jones and Robert Shawn

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, March 9

Nature Discovery Series - Discover Rocks
Crescent Bend Nature Park
9:30 a.m. - 11:00 a.m.

Tuesday, March 19

Next Regularly Scheduled 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:

Saturday, February 24, 2024

Give Where You Live Clean the Creek

Together, approximately 125 volunteers and staff cleaned the areas around Cutoff Park on FM1518 and a portion of Crescent Bend Natural Area removing 6,000 pounds of trash and debris from the Cibolo Creek Watershed. The event was sponsored by Republic Services, CCMA, and the San Antonio River Authority.

Saturday, March 2, 2024

Kick Cancer 5K and Pep Rally

The event brought out 583 registered participants which looped around Pickrell Park. SCUCISD rallied enormous support with 347 registrants being affiliated with the district and Paschall Patriots team bringing out the largest group with 131 runners! Orange Theory Fitness lead a group warm-up prior to the run and the Clemens Drumline and

Cheer helped energize the participants. Over \$10,000 was raised for research at the UT Health San Antonio MD Anderson Cancer Center.

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

Mayor Gutierrez thanked staff and participants of the Kick Cancer 5K and Pep Rally. Their contributions toward cancer research are greatly appreciated.

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 residents:

Daniel Jameson, 1048 Richmond Drive, reminded Council of the dates and times for his father's funeral services at the Colonial Funeral Home, Kitty Hawk Rd, Universal City. Viewing to begin at 5:00 p.m. on March 6, 2024, and funeral services on March 7, 2024, at 11:00 a.m. with internment at Ft. Sam Houston National Cemetery immediately following.

Steven Garza, 1996 Schertz Parkway #404, stated he is a local State Farm agent, was there to observe Council as part of The Chamber CORE Leadership program.

Maggie Titterington, 1730 Schertz Parkway, who provided the following items for The Chamber:

- March 19 - The Chamber Luncheon featuring Jason Meza of the Better Business Bureau who will present on avoiding scams and fraud, especially with AI impersonating voices.
- March 21 - Ribbon cutting at the Candlewood Suites at 10:00 a.m.
- March 22 - Coffee at The Chamber (one week early due to office closures for Good Friday.)
- March 30 - HYPER Shred Day from 9:00 a.m. - 12:00 p.m. Cost is free, but they are asking for \$5 donations that will benefit the SCUC Education Foundation. Up to 5 boxes of shreddable goods, no electronic shredding this time.
- Thanks to the Mayor and Councilmember Gibson for their attendance at the unveiling of the historical designation plaque for Samuel Clemens High School.
- Thank you to the Clemens History Class that attended the Schertz Historical Preservation Society meeting last week.

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 20, 2024. (S.Edmondson/S.Courney)
2. **Resolution 24-R-25** - Authorizing expenditures with Silsbee Ford for the purchase of two police vehicles as part of the 2023-2024 Vehicle/Equipment Replacement/Acquisition program. (B.James/D.Hardin-Trussell/C.Hernandez)
3. **Resolution 24-R-27** - Authorizing expenditures not to exceed \$310,000.00 with Farrwest Specialty Vehicles for the purchase and installation of emergency equipment for patrol fleet vehicles. (S.Williams/J.Lowery/M.Casas/D.LaCour)
4. **Resolution 24-R-28** - Authorizing the City Manager to execute the application for Assistance to Firefighters Grant for Vehicle Exhaust Extraction Systems (S.Williams/G.Rodgers).

Mayor Gutierrez asked Council if any items needed to be removed from Consent for further discussion. No items were removed. Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - #4.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

Discussion and Action Items

5. **Resolution 24-R-29** - Approving Fire Station 4 Construction Manager at Risk (S.Williams/G.Rodgers)

Resolution 24-R-29 was postponed until next Regularly Scheduled City Council Meeting.

Public Hearings

6. **Ordinance 24-S-04** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 16 - Definitions. *First Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez recognized Sr. Planner Samuel Haas who provided a briefing outlining the proposed changes being put forth with Ordinance 24-S-04. He stated the amendments are intended to create consistency within the UDC and other City documents. For instance, a number of items are listed in Article 5, Permitted Use Table, that are not currently listed in Article 16 as they should be. They are proposing 23 additions, 7 removals, and one revision. The Planning and Zoning Commission recommended approval with the condition that "Pet Store" definition be modified at their February 7, 2024, meeting with a 7-0 vote.

Mayor Gutierrez opened the Public Hearing at 6:37 p.m.

No residents came forward to speak.

Mayor Gutierrez closed the Public Hearing at 6:38 p.m.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Westbrook asked for confirmation that definitions were vetted by the City attorney and consistent with governing bodies, such as hazardous waste is consistent with the International Code Council. Mr. Haas confirmed.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-04.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

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

Passed

7. **Ordinance 24-S-05** – Conduct a public hearing and consider a request to rezone approximately 26.11 acres of land from Single-Family Residential / Agricultural District (R-A) to General Business District (GB), a portion of 11209 E FM 1518 generally located 600ft northwest of the intersection of Lisa Meadows and FM 1518, City of Schertz Bexar County, Texas, also known as Bexar County Property Identification Number 308363. *First Reading*. (B.James/L.Wood/S.Haas).

Mayor Gutierrez recognized Sr. Planner Samuel Haas who provided the location of the subject property, that 5 public notices were sent January 22, 2024, a public hearing notice sign was posted on the property, a public hearing notice was published in the San Antonio Express-News on February 14, 2024, and no responses have been received at this time. Per the letter of intent, the proposed use of the property is for a Multi-Sport Complex, defined as commercial amusement, which requires General Business District (GB) zoning.

The subject property is designated as Air Installation Compatible. Staff reached out to Joint Base San Antonio (JBSA) and received a formal letter of approval from them stating that the base has no objection to the rezone, but does require the developer to maintain a 20' to 30' clear zone.

Staff recommends approval of the proposed rezoning to GB. The Planning and Zoning Commission met on February 7, 2024, and recommended approval by a 7-0 vote.

Mayor Gutierrez recognized the applicant, Mr. Del Toro, who provided background information that prompted the intended plans for the subject property and how the use would be of greatest value to the City.

Mayor Gutierrez opened the Public Hearing at 6:47 p.m.
No residents came forward to speak.
Mayor Gutierrez closed the Public Hearing at 6:47 p.m.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Brown asked how large the facility is expected to be, so he could gauge the size and parking. Mr. Del Toro responded.

Councilmember Macaluso asked if the complex would be open to activities outside of Mr. Del Toro's organization. Mr. Del Toro answered affirmatively.

Mr. Haas reminded Council that this ordinance is only for the consideration of the zoning change and all business that fall under the GB designation, not a specific project.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-05.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

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

Passed

Workshop

8. Schertz PD TCOLE 2023 Racial Profiling Report (S.Williams/J.Lowery)

Mayor Gutierrez recognized Schertz Police Chief Jim Lowery who presented the TCOLE 2023 Racial Profiling Report. He included the definition of racial profiling vs criminal profiling, policies and training, recruitment strategies, and 2023 traffic stop statistics.

Mayor Gutierrez opened the floor to Council for discussion. The only discussion were brief comments regarding terminology from Councilmember Westbrook and confirmation of understanding the statistics from Mayor Gutierrez.

Mayor Gutierrez recessed to Closed Session at 7:17 p.m.

Closed Session

9. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to conduct the annual evaluation of the City Manager, Mr. Steve Williams.

Mayor Gutierrez convened Closed Session at 7:25 p.m.

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

Mayor Gutierrez reconvened Regular Session at 8:25 p.m.

Reconvene into Regular Session

10. Take any action based on discussion held in Closed Session under Agenda Item #9.

No action was taken on discussion held in Closed Session under Agenda Item #9.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff

No requests were made 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 were made 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)

Councilmember Gibson attended the Samuel Clemens High School Historical Designation Plaque unveiling and the TML "Traps for the Unwary" seminar.

Councilmember Westbrook participated in the Kick Cancer 5K and Pep Rally, the SCUCISD "State of the District", and the Schertz Historical Preservation Society

meeting.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:27 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary