

DRAFT

MINUTES REGULAR MEETING March 19, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 19, 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 Allison Heyward; Councilmember Tim Brown

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 Macaluso)

Mayor Gutierrez recognized Mayor Pro-Tem Macaluso who provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Special Announcements

● Hal Baldwin Scholarship

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

● 311 Appreciation Day-March 11, 2024

Mayor Gutierrez presented the 311 Appreciation Day - March 11, 2024, Proclamation to 311 Supervisor Devan Christensen who recognized and thanked the 311 team members, Sherry Davis, Lidia Martinez, and Lupe Martinez.

● **Take Down Tobacco Day-April 1, 2024**

Mayor Gutierrez presented the Take Down Tobacco Day - April 1, 2024, Proclamation to Katarina Eberhard, Coalition Coordinator for Guadalupe County under the San Antonio Council on Alcohol and Drug Awareness; Theresa Spies, Executive Director, American Heart Association of San Antonio; Marla Echeverria; Gyna Juarez; Jerry Saavedra; Abigail Allen; Roberto Arreola; Victoria Kesinger; and Courtney Worsham.

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:

Saturday, March 23

Star Party

Crescent Bend Nature Park

7:30 p.m. - 9:00 p.m.

Sunday, March 24

Owl Prowl

Crescent Bend Nature Park

8:30 p.m. - 9:30 p.m.

Saturday, March 30

HYPER Committee Shred Day

Schertz Chamber Office

1730 Schertz Parkway

9:00 a.m. - noon

Free with suggested \$5 donation

Saturday, March 30

Schertz-Cibolo-Selma Lions Club

Easter in the Park

Pickrell Park

9:30 a.m. - noon

Appearance by the Easter Bunny and Egg Hunt.

Tuesday, April 2

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 recognized and congratulated Assistant Police Chief Daniel Roman, for his achievement in graduating with the FBI National Academy Class 289 on March 15, 2024. This is a very prestigious honor.

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

Mayor Gutierrez made no announcements or provided any recognitions.

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.

No residents addressed Council.

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 March 5, 2024. (S.Edmondson/S.Courney)

2. **Resolution 24-R-35** - Authorization of EMS, Utility Billing, Schertz Magazine, and Library debt revenue adjustments. (S.Gonzalez/J.Walters)

3. **Appointment/Reappointment For Boards/Commissions/Committees (S.Edmondson)**

● **Appointments**

Lauren Dalton - Schertz Historical Preservation Committee

Martin Powell - Board of Adjustments, Alternate 2

Clayton Wallace - Planning and Zoning Committee, Alternate 2

Charles Cornelisse - Traffic and Safety Advisory Committee (from Alternate 1)

Christopher Hormel - Traffic and Safety Advisory Committee, Alternate 1 (from Alternate 2)

Robert Marks - Traffic and Safety Advisory Committee, Alternate 2

● **Reappointments**

Lisa Connolly - Animal Services Advisory Committee

Becki Babcock - Schertz Historical Preservation Committee

Rosalyn Wise - Schertz Historical Preservation Committee

Christopher Hormel - Schertz Historical Preservation Committee

Richard Dziewit - Traffic and Safety Advisory Committee, Chair

Ronald Stevens - Traffic and Safety Advisory Committee
Paul Wiley - Traffic and Safety Advisory Committee
Steven Icke - Traffic and Safety Advisory Committee
Michael Winter - Traffic and Safety Advisory Committee

- Resignations

Michele Helgren - Animal Services Advisory Committee
Andres Dominguez - Traffic and Safety Advisory Committee

4. **Resolution 24-R-31** - Authorizing the revised Bylaws of the Schertz Historical Preservation Committee, and other matters in connection therewith
(B.James/C.Simmons)
5. **Resolution 24-R-32** – Authorizing expenditures with Prime Controls, LP at the Nacogdoches Water Facility for the SCADA Upgrade Project
(B.James/L.Busch/N.Ferris)

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 - #5.

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 Allison Heyward,
Councilmember Tim Brown

Passed

Discussion and Action Items

6. **Resolution 24-R-34** - Accepting the Audit Report and the Annual Comprehensive Financial Report. (S.Gonzalez/J.Walters)

Mayor Gutierrez recognized Finance Director James Walters, who introduced Paula Lowe of Pattillo, Brown, & Hill. Ms. Lowe presented the audit results for the fiscal year ended September 30, 2023. Auditors rendered an unmodified opinion and stated the City of Schertz financial statements present fairly in all material respects. This is the highest level of assurance the auditor is able to provide. She went on to identify a few highlights in the financial report, such as the net fund balance to show the financial health of the city at fiscal year end. The unassigned fund balance for the General Fund reflects well and is in line with what is generally recommended.

A Single Audit Report was also conducted on federal funds expended by the City. This is required when expenditures exceed \$750,000 per year. The City of Schertz

expended \$1.3 million in federal funding in fiscal year 2023, triggering the required Single Audit Report. This is a compliance report to ensure the City is spending the funds in compliance with the federal agency's guidelines. The internal controls and compliance with spending these funds resulted in no findings.

Ms. Lowe closed stating the audit of the financial statements was an unmodified opinion, no material weaknesses, no significant deficiencies for federal awards or compliance for single audit findings.

Mayor Gutierrez opened the floor to Council for discussion. No discussion. Mayor Gutierrez asked for a motion to approve Resolution 24-R-34.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

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

Passed

7. **Ordinance 24-S-04** - Approving amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 16 - Definitions. *Final Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez stated Ordinance 24-S-04 passed on the First Reading and asked if Council wanted to hear the presentation again. Council declined to hear the presentation again. 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 Allison Heyward, Councilmember Tim Brown

Passed

8. **Ordinance 24-S-05** – Approving 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. *Final Reading*. (B.James/L.Wood/S.Haas).

Mayor Gutierrez stated Ordinance 24-S-05 passed on the First Reading and asked if Council wanted to hear the presentation again. Council declined to hear the presentation again. Mayor Gutierrez asked for a motion to approve Ordinance 24-S-05.

Moved by Councilmember Tiffany Gibson, seconded by Mayor Pro-Tem Paul Macaluso

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

Passed

9. Ordinance 24-H-03 - Approving amendments to the Code of Ordinances, Chapter 34 Health, Article I - General and Article II - Food Establishments. *Final Reading* (B.James/L.Wood/A.Cantu)

Mayor Gutierrez stated Ordinance 24-H-03 passed on the First Reading and asked if Council wanted to hear the presentation again. Council declined to hear the presentation again. 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 Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

10. Resolution 24-R-36 - authorizing an increase in the not to exceed amount with Freese and Nichols, Inc. to update the City's Parks Master Plan element of the Comprehensive Plan. (B.James/S.Williams).

Mayor Gutierrez recognized Deputy City Manager Brian James who gave a summary of the Freese and Nichols update to the City's Parks Master Plan element of the Comprehensive Plan. The additional cost for the Parks Master Plan element is estimated at \$20,000 with the overall additional cost for the Comprehensive Plan estimated at \$25,000. Mayor Gutierrez opened the floor to Council for discussion. No discussion occurred.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Other: Councilmember Mark Davis (ABSTAIN)

Passed

Public Hearings

11. **Ordinance 24-S-06** - Conduct a public hearing and consider amendments to the City of Schertz Comprehensive Plan. *First Reading* (B.James/L.Wood/S.Haas).

Mayor Gutierrez recognized Sr. Planner Samuel Haas who provided a briefing outlining the proposed amendments to the City of Schertz Comprehensive Plan. This is the culmination of a year's long work across many City Departments. Mr. Haas introduced the Freese and Nichols representatives to explain the documents. Mr. Shad Comeaux, Principal and Vice President, served as project manager for the Schertz Comprehensive Plan update. Mr. Comeaux walked Council through the process and explained the fluidity of a comprehensive plan. He stated this project looked at Future Land Use, Economic Strategy, Transportation and Mobility, and Parks and Recreation. He then turned the presentation over to Caitlin Admire to provide an overview of the document components. She provided a snapshot for planning context that showed demographics, physical features, market analysis, and strengths, weaknesses, challenges, and opportunities. This leads to policy statements that are used as a tool to ensure future decisions are aligned with the plan. There are five focus areas for Schertz that could potentially contain additional development, areas that are susceptible to change, (1) SE Schertz which includes a lot of land currently in the ETJ but expected to become part of the city in the near future; (2) South of JBSA Randolph; (3) mainly undeveloped but has a working quarry; (4) North of I-35; and (5) NE Schertz which includes a lot of land currently in the ETJ but expected to become part of the city in the near future. Residents were asked what Schertz would be known for in 2044, of which 62% responded with safe neighborhoods. When asked what types of retail services Schertz needs, 55% responded with sit-down, full-service dining; 38% with entertainment, recreation; and 32% with better healthy grocery options (32%). The goal is to have complete communities. Residents should be able to go about all their essential daily activities and needs within a short distance of their home. Ms. Admire shared fiscal impacts. The proposed scenario is projected to result in \$2.1 billion of net new fiscal benefits over a 30-year period. To conclude her presentation, she provided an implementation matrix with recommended action items based on the individual's role in the process.

Mr. Haas stated the current comprehensive plan has 19 different land use categories. The current plan has reduced that number to 9 land use categories. He provided a description and an explanation of each new land use category.

Mayor Gutierrez opened the Public Hearing at 7:07 p.m.

Dana Sommers, 1016 Antler Drive, stated she didn't believe the presenters sought out community involvement as they stated. She stated the comprehensive plan was first requested in November but was not provided until 6 days ago. Additionally, they weren't informed that this issue would be heard at tonight's meeting until today. She stated she lives in Deer Haven and on January 10, 2018, zoning for the lot on Fawn Drive went to P&Z committee for use as neighborhood services. P&Z voted unanimously to deny the rezoning. In December 2023, a proposed change to GB was brought to P&Z. Reason they should not allow the GB zoning include TxDOT will not allow a curb-cut, draining and safety are concerns.

William Sommers, 1016 Antler Drive, stated all residential lots in Deer Haven have a deed restriction. The restriction was initiated in 1980 and states lots may only be used for residential purposes. He asked that action on the Comp Plan be delayed.

Mayor Gutierrez closed the Public Hearing at 7:15 p.m.

Mayor Gutierrez opened the floor to Council and recognized Councilmember Davis, who thanked the residents who spoke. He stated that the issue at hand is the approval of the Comprehensive Plan and not a zoning issue. Any issue related to zoning would be addressed separately.

Councilmember Brown concurred with Councilmember Davis, adding that the Comprehensive Plan provides broad and general guidance and not specific zoning.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-06.

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 Allison Heyward, Councilmember Tim Brown

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

- 12. Monthly Update - Major Projects In Progress/CIP (B.James/K.Woodlee)**
- 13. Energy Efficiency and Conservation Block Grant Program Information on low to moderate income guidelines.**

Requests and Announcements

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

No requests for updates or information from Staff were made.

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

No items or presentations were requested to be placed on a future City Council agenda.

- City and Community Events attended and to be attended (Council)

Councilmember Watson attended the Northeast Partnership Luncheon.

Councilmember Gibson attended the TML Mid-Year Conference and the Chamber Luncheon.

Councilmember Westbrook attended the TML Mid-Year Conference.

Councilmember Heyward attended the TML Small Cities Problem-Solving, the AGRIP Governance Conference, the Audit Committee meeting, the National League of Cities City Conference, the TML Mid-Year Conference, and the Chamber Luncheon.

Councilmember Brown attended the Northeast Partnership Luncheon.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:20 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary