

DRAFT

MINUTES REGULAR MEETING July 16, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on July 16, 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; 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 Westbrook)

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

City Events and Announcements

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

Deputy City Manager Brian James announced the upcoming City events.

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

City Manager Steve Williams reminded residents of the City's Tool Shed program and announced two Schertz Police Department programs - the start of the Teen Police Academy and the Ducky Program for Jeep enthusiasts. He closed with thanks to the Schertz EMS personnel for their assistance in Houston with the Hurricane Beryl recovery effort.

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

Mayor Gutierrez recognized and thanked city staff for the tremendous effort put forth to ensure a successful 4th of July Jubilee celebration. He also thanked all the residents who participated.

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 Dr, provided an update on VFW events and commended the City for the 4th of July parade and festivities.

Maggie Titterington, 1730 Schertz Parkway, congratulated city staff members Linda Klepper and Ashley Ritchey on their graduation from The Chamber Core Leadership Program and provided an update on upcoming Chamber events.

Geoff Nieustedt, 100 Pecan Dr., stated Roadrunner Towing is honored with the recommendation to move forward with the non-consensual tow contract between the City and Roadrunner Towing.

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 July 2, 2024. (S.Edmondson/S.Courney)
2. **Resolution 23-R-76** - Authorizing a Schertz Main Street local flavor grant for 820 Main Street. (S.Williams/B.James)
3. **Ordinance 24-S-140** - Approving a request to rezone approximately 1-acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308497, more specifically known as 11639 Voges Pass, City of Schertz, Bexar County, Texas. **Final Reading** (B.James/L.Wood/D.Marquez).
4. **Ordinance 24-S-141** – Approving a request to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A), known as Comal County Property Identification Number 78940, more specifically known as 6691 FM 482, New Braunfels, Comal County, Texas. **Final Reading** (B.James/L.Wood/D.Marquez)

5. **Ordinance 24-S-142** - Approving a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, known as Guadalupe County Property Identification Number: 64548, generally located at the intersection of Maske Road & E FM 1518, City of Schertz, Guadalupe County, Texas. *Final Reading* (B.James/L.Wood/S.Haas)

6. **Resolution 24-R-77** - Nominating Councilmember Allison Heyward to be re-appointed to Place 12 of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool.(S.Williams/S.Edmondson)

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - #6.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

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

7. **Resolution 24-R-81**- Authorizing the Approval of Development Agreements with Sharlene E & Timothy A Fey and Sandra Reeh ET AL, for approximately 223 acres of land in relation to Annexation, Extraterritorial Jurisdiction Status and other matters in connection therewith. (B. James/L. Wood/E. Delgado)

Deputy City Manager Brian James gave a brief summary of the development agreements with Sharlene E. & Timothy A. Fey and Sandra Reeh.

Moved by Councilmember Tim Brown, 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

NAY: Councilmember Mark Davis

Passed

8. **Ordinance 24-A-50-** Consider a request for voluntary annexation of approximately 68-acres, known as Comal County Property Identification Number 79006 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council discussion occurred.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

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

NAY: Councilmember Mark Davis

Passed

9. **Ordinance 24-A-44-** Consider a request for voluntary annexation of approximately 107-acres, known as Comal County Property Identification Number 79001 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council discussion occurred.

Moved by Councilmember Tim Brown, seconded by Councilmember Tiffany Gibson

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

NAY: Councilmember Mark Davis

Passed

10. **Ordinance 24-A-46-** Consider a request for voluntary annexation of approximately 3.1-acres, known as Comal County Property Identification Number 78946 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

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

NAY: Councilmember Mark Davis

Passed

11. **Ordinance 24-A-47-** Consider a request for voluntary annexation of approximately 8.4-acres, known as Comal County Property Identification Number 75480 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council 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

NAY: Councilmember Mark Davis

Passed

12. **Ordinance 24-A-48-** Consider a request for voluntary annexation of approximately 4-acres, known as Comal County Property Identification Number 78247 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council discussion occurred.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Allison Heyward

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

NAY: Councilmember Mark Davis

Passed

13. **Ordinance 24-A-49-** Consider a request for voluntary annexation of approximately 29-acres, known as Comal County Property Identification Number 79009 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

Mr. James showed a map of the subject property. No council 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

NAY: Councilmember Mark Davis

Passed

- 14. Resolution 24-R-60** – Ordering the November 5, 2024, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election and authorizing these elections to be held as Joint Elections. (Mayor/S.Edmondson)

City Secretary Sheila Edmondson introduced the resolution calling for the City of Schertz Joint General Election and authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties for the conduction of the election. No Council discussion occurred.

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

- 15. Resolution 24-R-61** - Ordering the November 5, 2024, City of Schertz Special Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election. (Mayor/S.Edmondson)

City Secretary Sheila Edmondson introduced the resolution calling for the City of Schertz Special Election to consider 15 proposed Charter amendments and authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties for the conduction of the election. No Council discussion occurred.

Moved by Councilmember Tiffany Gibson, 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

- 16. Resolution 24-R-80** - Approving Disaster Pay Policy (S.Gonzalez/J.Kurz)

Resolution 24-R-80 was pulled from the agenda to be heard at a later date.

17. **Resolution 24-R-75** - Authorizing a Water CCN Transfer Agreement between the City of Selma and City of Schertz to amend CCN boundaries and other matters in connection therewith. (B.James/L.Busch)

Public Works Director Larry Busch introduced Resolution 24-R-75 authorizing a Water CCN Transfer Agreement from the City of Selma to the City of Schertz as requested by the developer. No Council discussion occurred.

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

18. **Resolution 24-R-79** – Authorizing the revised bylaws of the Schertz Planning and Zoning Commission, and other matters in connection therewith. (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas outlined the proposed changes to the Schertz Planning and Zoning Commission Bylaws. No Council discussion occurred.

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

19. **Resolution 24-R-71** - Approve a Service Contract for non-consensual towing services between Road Runner Towing and the City of Schertz to provide wrecker services within the City for public safety.(S.Williams/J.Lowery)

Police Chief Jim Lowery provided the criteria used in the vendor selection process and relevant statistics from 2023. Human Resources and Purchasing Director Jessica Kurz responded to questions from Council.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

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

- 20. Resolution 24-R-78** - Authorizing city support for state legislation that would establish a dedicated funding mechanism for the Disabled Veterans Homestead Exemption (DVHS) during the 89th legislative session of the State of Texas (S.Williams/S.Gonzalez/L.Klepper)

Public Affairs Director Linda Klepper presented background information to support Resolution 24-R-78. No Council discussion occurred.

Moved by Councilmember Tim Brown, 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

- 21. Interview Committee Process and Procedure**-Discussion and/or action on the Interview Committee process and procedures. (Mayor/Councilmember A.Heyward/S.Edmondson)

City Secretary Sheila Edmondson introduced the Interview Committee Process and Procedure. No Council discussion occurred.

Mayor Gutierrez asked for a motion to approve the changes submitted.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Allison Heyward

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

Public Hearings

22. **Ordinance 24-M-124** - Conduct a public hearing to amend the City of Schertz Code of Ordinances and certain other ordinances by amending and establishing fees for certain licenses, permits, and other services. *First Reading* (S.Gonzalez/J.Walters)

Finance Director James Walters presented proposed fee changes for certain licenses, permits, and other services.

Public Hearing opened at 6:56 p.m.
No residents came forward to speak.
Public Hearing closed at 6:57 p.m.

No Council discussion occurred.

Mayor Gutierrez called for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, 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

Workshop

23. Street Preservation and Maintenance Workshop (B.James/L. Busch/K. Woodlee/J. Nowak)

Assistant City Engineer John Nowak provided background information on street preservation and maintenance, current projects, and the selection process. He gave a demonstration of the CIP Dashboard where the information is available. Public Works Director Larry Busch demonstrated the new Public Works Streets Maintenance Dashboard.

Council provided positive feedback and requests for future enhancements to the Dashboard.

24. Public Works Design Guide Update Workshop (B. James/K. Woodlee)

City Engineer Kathy Woodlee provided an overview of changes being made to the Public Works Design Guide and next steps in the process.

Brief discussion with Council followed.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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
Councilmember Davis requested a discussion on the impervious cover and a presentation from staff regarding annexation or zoning overlay for the properties around JBSA-Randolph in accordance with current Texas state laws.
- City and Community Events attended and to be attended (Council)
Mayor Pro-Tem Macaluso attended the 4th of July Jubilee and extended special thanks to the staff for their hard work.
Councilmember Heyward attended the NEP luncheon. She also thanked staff for their work on the 4th of July Jubilee.
Councilmember Brown provided memorial services for his wife will be on Monday, July 29, 2024, at the Schertz Funeral Home at 4:00 p.m., followed by a reception at the Bluebonnet Palace.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:48 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary