

DRAFT

MINUTES REGULAR MEETING August 6, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on August 6, 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 Tiffany Gibson; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Robert Westbrook

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 Heyward)

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

Discussion and Action Items

1. **Appointment of Mayor Pro-Tem** - Discussion, consideration, and/or action regarding the confirmation, appointment, or election of the Mayor Pro-Tem. (Mayor/Council)

Mayor Gutierrez explained the selection process, duties, and term of the Mayor Pro-Tem and thanked Councilmember Paul Macaluso for his service. He opened the floor to Council for discussion regarding the appointment of Councilmember Tiffany Gibson to Mayor Pro-Tem. No discussion occurred.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,
Councilmember Paul Macaluso, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

City Secretary Sheila Edmondson administered the Oath of Office for Mayor Pro-Tem to Councilmember Gibson.

Employee Introductions

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

- City Manager's Office: Zinnia Reed - Administrative Assistant
- EMS: Brett Brewer - EMT; Charles Josh Moses - EMT; Jason Newman - EMT; Joseph Hernandez - Paramedic (Part-Time); Jayden Sifuentes - Paramedic (Part-Time);
- Facilities-Matthew Muro - HVAC Technician
- Finance: Hee Jin (Claire) Kwon - Accountant
- Parks: DariAnn Douglas - Park Maintenance Technician (Part-Time)
- Police: Chase Del Bosque - Police Officer; Astrid Jaime - Public Safety Communications Officer
- Public Works-Water/Wastewater: Harris Atilano-Fuentes - Streets Maintenance Worker I; Marvin Lopez Garcia - Water/Wastewater Worker I

Presentations

City Events and Announcements

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

Assistant City Manager Sarah Gonzalez announced the upcoming City events.

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

City Manager Steve Williams announced the following City staff promotions:

David Arce - Public Works, Street Worker I to Street Worker II

Austin Redman - EMS, EMT to Paramedic

Tanner Buckley - EMS, EMT to Paramedic

Miranda Horak - EMS, EMT to Paramedic

New pothole truck has been received and is in service.

EMS Child and Babysitting Safety Class has one class remaining.

Teen Police Academy ended July 19, 2024.

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

Announced National Purple Heart Day - August 7, 2024, and thanked all veterans for their service.

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 Tiffany Gibson recognized the following resident:

Maggie Titterington, 1730 Schertz Parkway, who provided an update on upcoming Chamber events and recent Schertz Historical Preservation Committee events.

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.

2. **Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of July 16, 2024. (S.Edmondson/S.Courney)
3. **Appointment/Reappointment/Resignations For Boards/Commissions/Committees (S.Edmondson)**

Appointments:

Parks and Recreation Advisory Board

- Christopher Casatoro
- Tim Dusek

Library Advisory Board

- Dawn Figueras
- Joanne Ward
- Leticia Sever
- Amy Bearce
- Beveraly Clarke
- Lee Murphy
- Linda DuVall

Board of Adjustment

- Richard Dziewit
- Ferrando Heyward
- Yvonne Girffin

Planning and Zoning Commission

- Glen Outlaw
- Tamara Brown
- Judy Goldick
- John Carbon

Capital Improvement Advisory Committee

- Glen Outlaw
- Tamara Brown
-]Judy Goldick
- John Carbon

4. **Resolution 24-R-88** - Approving the Schertz/Seguin Local Government Corporation (SSLGC) Annual Budget for Fiscal Year 2024-25. (B. James/L. Busch)
5. **Resolution 24-R-91** - Authorizing an Interlocal Agreement with Texas Department of Transportation (TxDOT) and Guadalupe County for Opticom Traffic Pre-emption Services (S.Williams/G.Rodgers)

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #2 - 5.

Moved by Mayor Pro-Tem Tiffany Gibson, seconded by Councilmember Tim Brown

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

Discussion and Action Items

6. **Resolution 24-R-86** - Authorizing the purchase of a Fire Apparatus-Brush Truck (S.Williams/G.Rodgers)

Fire Chief Greg Rodgers introduced Resolution 24-R-86 authorizing the purchase of a Fire Apparatus-Brush Truck. No Council discussion occurred.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

7. **Resolution 24-R-89** - A Resolution by the City of Schertz authorizing increasing the Fiscal Year 2023-24 and Fiscal Year 2024-25 and Fiscal Year 2025-26 not-to-exceed expenditures with Prime Controls for on-call SCADA services. (B. James/L. Busch/N. Ferris)

Public Works Assistant Director Nick Ferris introduced Resolution 24-R-89 authorizing increasing the "not-to-exceed" expenditure amount with Prime Controls to \$50,000 through the term of the contract, Fiscal Year 2025-26. No Council discussion occurred.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

Public Hearings

8. **Ordinance 24-S-144** - Conduct a public hearing and consider a request for a Specific Use Permit to allow a monopole telecommunication facility on approximately 1 acre of land, known as Guadalupe County Property Identification Number 47083, more specifically known as 120 Windy Meadows Drive, City of Schertz, Guadalupe County, Texas. **First Reading** (B.James/L. Wood/S.Haas)

Senior Planner Samuel Haas presented the request for a Specific Use Permit to allow a

monopole telecommunication facility on the subject property. 10 Public Notices were sent. Approved by the Planning & Zoning Commission by 6-0 vote based on information presented at that time. A Public Hearing Notice was published in the San Antonio Express-News on July 17, 2024. Mr. Haas stated that after greater review of documentation, deliberation, and consideration, staff does not recommend approval of the SUP. Ms. Ariel Stouter, Senior Zoning Approving Specialist for Fullerton Engineering, representative for Verizon, the applicant, provided a brief presentation to Council and asked for favorable consideration.

Public Hearing opened at 6:47 p.m.

The following resident spoke in opposition to the ordinance stating the proposed location is in the direct flight zone for JBSA:

Richard Rex, 9915 Marie Meadow, Garden Ridge, TX

Public Hearing closed at 6:49 p.m.

Mayor Gutierrez opened the floor to Council for discussion. Councilmembers expressed concerns about the proposed monopole placement being in the direct flight path of JBSA.

Motion to disapprove Ordinance 24-S-144 was made by Councilmember Tim Brown; seconded by Councilmember Allison Heyward.

Motion was made to disapprove Ordinance 24-S-144. Ordinance was not approved.

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

9. **Ordinance 24-S-145-** Conduct a public hearing and consider a request to rezone approximately 3.3 acres of land from Manufacturing – Light District (M-1) to Single-Family Residential District (R-6), known as Comal County Property Identification Number 75307, a portion of the property also known as 7444 FM 482, City of Schertz, Comal County, Texas. **First Reading** (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas introduced Ordinance 24-S-145 to rezone approximately 3.3 acres of land from Manufacturing - Light District (M-1) to Single-Family Residential District (R-6). On June 21, 2024, Six (6) Public Notices were sent; zero responses have been received. One (1) sign was posted on the property. A Public Hearing Notice was published in the San Antonio Express-News on July 17, 2024. Approved by the Planning & Zoning Commission by 6-0 vote on July 3, 2024. Staff recommends approval of Ordinance 24-R-145.

Public Hearing opened at 7:00 p.m.
No residents came forward to speak.
Public Hearing closed at 7:00 p.m.

No Council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

Workshop

10. New Zoning District (R-5) and Unified Development Code Workshop (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas provided background information and current trends regarding residential housing development in Schertz. The introduction of a new zoning district (R-5) addresses middle density residential development without the need for a PDD. Adoption of the new zoning district will require updates to five (5) sections of the UDC.

Overall, Councilmembers were receptive to the concept, but expressed concerns about allowing only one parking space per unit.

11. Proposed FY 2024-25 Budget - Workshop and Discussion on the Proposed FY 2024-25 Budget. (S.Williams/S.Gonzalez/J. Walters)

City Manager Steve Williams provided an overview of City priorities and the current status of the compensation plan. Finance Director James Walters provided a summary of the proposed FY 2024-25 budget, including budget highlights, as well as the proposed tax rate. Mr. Williams provided options and impacts in response to concerns about raising the tax rate expressed by Councilmembers during the Budget Workshop. Mr. Walters provided a list of city department plans in the event of required budget reductions.

Some Councilmembers expressed concerns about proposed budget reductions and voiced support for increasing the tax rate if necessary. Other Councilmembers expressed opposition to increasing the tax rate as recommended by Staff.

Discussion and Action Items

12. **Resolution 24-R-94** - Resolution accepting the state defined tax rates and setting the preliminary 2024 tax rate. (S.Gonzalez/J.Walters)

Finance Director James Walters introduced Resolution 24-R-94 accepting the state defined tax rates and setting the preliminary 2024 tax rate at 0.4990.

Moved by Councilmember Tim Brown, seconded by Mayor Pro-Tem Tiffany Gibson

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

NAY: Councilmember Mark Davis, Councilmember Paul Macaluso

Other: Councilmember Robert Westbrook (ABSENT)

Passed

13. **Ordinance 24-M-124** - Amend the City of Schertz Code of Ordinances and certain other ordinances by amending and establishing fees for certain licenses, permits, and other services. *Final Reading* (S.Gonzalez/J.Walters)

Finance Director James Walters presented Ordinance 24-M-124 amending the City of Schertz Code of Ordinances and certain other ordinances amending and establishing fees for certain licenses, permits, and other services. No Council discussion occurred.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Tiffany Gibson

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

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

Closed Session

14. 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-95
- Project E-96

Mayor Gutierrez stated the discussion for Closed Session began at 8:21 p.m. and ended at 8:41 p.m.

Mayor Gutierrez reconvened Regular Session at 8:47 p.m.

Reconvene into Regular Session

15. Take any action based on discussion held in Closed Session under Agenda Item # 14.

Mayor Gutierrez read Resolution 24-R-84 authorizing an expenditure as reflected in an Economic Development Incentive Agreement between the City of Schertz Economic Development Corporation and NAI Signage Solutions, Inc.

A motion to approve Resolution 24-R-84 was

Moved by Councilmember Michelle Watson, seconded by Councilmember Paul Macaluso

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

Other: Councilmember Robert Westbrook (ABSENT)

Passed

Mayor Gutierrez read Resolution 24-R-85 authorizing an expenditure as reflected in an Economic Development Incentive Agreement between the City of Schertz Economic Development Corporation and Las Palapas Schertz.

A motion to approve Resolution 24-R-85 was

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward.

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

ABSENT: Councilmember Robert Westbrook

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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

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
- City and Community Events attended and to be attended (Council)
Mayor Pro-Tem Gibson attended the Northeast Orthopedic & Sports Medicine Ribbon Cutting.
Councilmember Paul Macaluso attended the National Watermelon Day event.
Councilmember Allison Heyward attended the TML Newly Elected Officials Orientation, the TMLIRP Board Meeting, Interview Committee, Pre-Budget Meeting, Northeast Orthopedics & Sports Medicine Ribbon Cutting, and the National Watermelon Day event.
Councilmember Tim Brown thanked fellow Councilmembers, Mayor, and staff for their support following the loss of his wife.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:51 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheree Courney, Deputy City Secretary