

# DRAFT

## MINUTES REGULAR MEETING August 20, 2024

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

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; 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 Tim Brown)**

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

### **City Events and Announcements**

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

Deputy City Manager Brian James announced upcoming City Events.

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

City Manager Steve Williams announced the following staff promotions:

Christopher Meek - Fire Captain

Nichole Sosa-Sterling - Police Officer

Aidan Martin - Paramedic

Katherine Myers - Police Officer

Carl Schultze - Battalion Chief

Zachary Lowery - Fire Lieutenant

Jason Tymrak - Fire Lieutenant

Justin Schwersinske - Fire Lieutenant

Zachary Jewett - Fire Apparatus Operator

Donald Scibienski - Fire Apparatus Operator

Kevin Hoes - Fire Apparatus Operator

Eric Herzog - Fire Apparatus Operator  
John Perry - Assistant Fire Chief  
Matthew Garcia - Fire Apparatus Operator

Mr. Williams recognized veterans in honor of National Purple Heart Day, August 7, 2024.

He thanked the Police Alumni Association for volunteering their services at the start of the school year.

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

Mayor Gutierrez congratulated Staff on their promotions.

**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.*

*All handouts and/or USB devices must be submitted to the City Secretary no later than noon on the Monday preceding the meeting. Handouts will be provided to each Councilmember prior to the start of the meeting by the City Secretary. All USB devices will be vetted by City IT staff to ensure City property is protected from malware.*

Mayor Pro-Tem Tiffany Gibson recognized the following resident:

**Jesse Ward**, 500 Brooks Ave, expressed concerns regarding traffic in Schertz. He asked Council to consider adding police officers to address vehicles driving in excess of the speed limit.

**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 Minutes for the August 6, 2024, City Council Workshop and City Council Regular Meeting.  
(S.Edmondson/S.Courney)

**2. Appointments, Re-appointments and Resignations**

**Schertz Historical Preservation Committee**

- Resignation - Tricia Whitman
- Appointment - Kathleen Samsey

**3. Resolution 24-R-83 - Authorizing an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool (TML) To Participate In The Joint Cyber Liability And Data Breach Response Self-Insurance Fund. (S.Gonzalez/J.Kurz/D.Ellenburg)**

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - 3.

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 Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

**Discussion and Action Items**

**4. Resolution 24-R-87 - A Resolution by the City Council of the City of Schertz, Texas authorizing the purchase of an ambulance remount. (S.Williams/J.Mabbitt)**

EMS Chief Jason Mabbitt presented Resolution 24-R-87 authorizing the purchase of an ambulance remount.

No Council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Tiffany Gibson

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

Passed

5. **Resolution 24-R-97** - Authorizing the City Manager to enter into agreements with Cigna Healthcare, Delta Dental, Community Eye Care, The Hartford, Symetra and Deer Oaks for insurance coverage and employee assistance program services (S.Gonzalez/J.Kurz)

HR and Purchasing Director Jessica Kurz presented Resolution 24-R-97. She provided the criteria and selection process for the Employee Benefits package. Plan will be effective January 1, 2025. Cost savings to the City is \$749,090 annually.

Moved by Mayor Pro-Tem Tiffany Gibson, seconded by Councilmember Michelle Watson

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

Passed

6. **Resolution 24-R-95** - Authorizing Subdivision Improvement Agreements for the Saddlebrook Development. (S.Williams/B.James)

Deputy City Manager Brian James presented Resolution 24-R-95 authorizing subdivision improvement agreements for the Saddlebrook development. Mr. James explained that the improvement agreements were requested by the developer due to the inability to complete the lift station before contractual land transfers are required to be completed. He stated the developer, through no fault of their own, was experiencing delays in receiving equipment and supplies to complete the lift station. Staff did not recommend approval nor denial of the resolution.

Council requested clarification regarding the agreements to which Mr. James responded. Councilmember Brown stated this is not a shift in policy. Councilmember Davis followed, stating this was a variance due to extenuating circumstances.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Tiffany Gibson

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

NAY: Councilmember Paul Macaluso

Passed

7. **Resolution 24-R-96** - Authorizing a tenth amendment to the Interlocal Agreement with the Alamo Area Council of Governments (AACOG) to provide funding for transit services in the City of Schertz. (S.Williams/B.James)

Deputy City Manager Brian James presented Resolution 24-R-96 authorizing a tenth amendment to the Interlocal Agreement with AACOG to provide funding for transit services in the City of Schertz. Mr. James provided an explanation of services, trends in usage of the program, and the total cost to the City.

After brief Council discussion, Deputy City Manager stated he would tell AACOG they need to provide statistics by the end of October. Staff wants to bring the contract for next year to Council in November. Additionally, Staff will research alternative options and provide information to Council prior to the end of next year's contract.

Moved by Mayor Pro-Tem Tiffany Gibson, seconded by Councilmember Michelle Watson

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

Passed

8. **Ordinance 24-S-145** - Approving 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. ***Final Reading*** (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas provided a brief presentation for Ordinance 24-S-145. No Council discussion occurred.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-145.

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 Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

9. **Resolution 24-R-100** - Authorizing a purchase from Musco Sports Lighting, LLC, a Buyboard Purchasing Cooperative Vendor, for the Schertz Soccer Complex Lighting Project. (S.Gonzalez/L.Shrum)

Assistant City Manager Sarah Gonzalez presented Resolution 24-R-100 authorizing the purchase of lighting for the Schertz Soccer Complex Lighting Project from Musco Sports Lighting, LLC.

Councilmember Macaluso asked about the current policy for the use of the fields. Specifically, whether a fee is charged. Ms. Gonzalez indicated there is a fee, but the current agreements would be reviewed due to the additional cost for electricity.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

## Public Hearings

10. **Ordinance 24-T-150** - Conduct a Public Hearing and Adopt a budget for the fiscal year beginning October 1, 2024, and ending September 30, 2025, in accordance with the Charter of the City of Schertz, Texas; providing for the filing of the Budget; providing that this Ordinance shall be cumulative of all Ordinances; providing a Severability Clause; and providing an Effective Date. *First Reading* (S.Gonzalez/J.Walters)

Finance Director James Walters presented the proposed budget for the fiscal year beginning October 1, 2024, and ending September 30, 2025. City Manager Steve Williams provided four budget options related to the tax rate, ECI, Incentive Pay, and Fee Changes for Council's consideration.

Public Hearing opened at 7:21 p.m.  
No residents came forward to speak.  
Public Hearing closed at 7:22 p.m.

Council deliberations regarding the four options presented by Mr. Williams occurred. Most discussion centered on the tax rate and ECI rate for staff.

Mayor Gutierrez asked for a motion to approve Ordinance 24-T-150.

Moved by Mayor Pro-Tem Tiffany Gibson, seconded by Councilmember Michelle Watson

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

NAY: Councilmember Mark Davis

Passed

- 11. Ordinance 24-T-151** – Conduct a Public Hearing and approve an Ordinance approving the appraisal roll; setting the tax rate; levying and assessing general and special ad valorem taxes for the use and support of the municipal government of the City of Schertz, Texas. *First Reading* (S.Gonzalez/J.Walters)

Finance Director James Walters presented Ordinance 24-T-151 to set the tax rate. Ordinance must pass by a 5-2 or better vote.

Public Hearing opened at 7:46 p.m.  
No residents came forward to speak.  
Public Hearing closed at 7:47 p.m.

Councilmembers discussed the four tax rate options provided by staff and the overall impact each would have on the budget.

Mayor Gutierrez asked for a motion to approve the tax rate at .4931 as listed in option 4.

Mayor Pro-Tem Tiffany Gibson moved that the property tax rate be increased by the adoption of a tax rate of 0.4931, which is effectively a 2.6% increase in the tax rate, seconded by Councilmember Allison Heyward

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

NAY: Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Tim Brown

Failed

Mayor Gutierrez opened the floor to Council for further discussion. Councilmember Brown reminded Council that the Ordinance is just to set the tax rate. It does not affect other items listed under the options.

Councilmember Paul Macaluso moved that the property tax rate be increased by the adoption of a tax rate of 0.4872, which is effectively a 1.4% increase in the tax rate, seconded by Councilmember Mark Davis

AYE: Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Tim Brown

NAY: Mayor Pro-Tem Tiffany Gibson, Councilmember Michelle Watson,  
Councilmember Robert Westbrook, Councilmember Allison Heyward  
Failed

Mayor Gutierrez opened the floor to Council for further discussion.  
Councilmembers provided statements to support their stance on the tax rate.

Councilmember Robert Westbrook moved that the property tax rate be  
increased by the adoption of a tax rate of 0.4900, which is effectively a 2.0%  
increase in the tax rate, seconded by Councilmember Michelle Watson

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

NAY: Councilmember Mark Davis, Councilmember Paul Macaluso  
Passed

## **Workshop**

### **12. Workshop regarding City funding the cost of steel utility poles. (S.Williams/B.James)**

Deputy City Manager Brian James provided background information on the City's policy regarding steel utility poles. Previous direction from Council indicated steel poles would be considered only for major roads. The City would pay the difference between wood poles and steel poles if CPS had to upgrade services only for those roads identified as major roads due to the cost. Mr. James asked if Council wanted to expand the list to include a number of additional roads.

Council was not open to expanding the list of premier, major roads. Guidance given was to focus on high visibility roads. For poles on I-35, we should be consistent with what other cities around us are doing. If they are using steel poles, Schertz should use steel poles. Conversely, if they are using wood poles, Schertz should use wood poles.

### **13. Workshop on proposed amendments to Chapter 86 Traffic and Motor Vehicles (S.Williams/B.James)**

Deputy City Manager provided an overview of proposed amendments to Chapter 86 Traffic and Motor Vehicles. Last major update was done in 1995, so the changes will include clean-up and clarification of the language/terminology. Updates will come to Council as ordinances when final edits have been completed.

**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 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 for items or presentations to be placed on a future City Council agenda.
- City and Community Events attended and to be attended (Council)  
Mayor Pro-Tem Gibson attended the Adobo Throwdown and the Chamber luncheon.  
Councilmember Heyward attended the Adobo Throwdown, TML TAMCC Newly Elected Officials Workshop, City event at Retama Park, and the Chamber luncheon.  
Councilmember Brown attended the Chamber luncheon.

## **Adjournment**

Mayor Gutierrez adjourned the meeting at 8:45 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheree Courney, Deputy City Secretary