

DRAFT

MINUTES REGULAR MEETING October 15, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on October 15, 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 Robert Westbrook; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Place 4 (Vacant)

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; 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)

Mayor Pro-Tem Robert Westbrook provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Proclamations

- **DVAM Awareness Month-October 2024** (Ms. Ashton Story-Thriving Hearts Crisis Center) presented by Councilmember Heyward

Councilmember Heyward presented the Domestic Violence Awareness Month Proclamation to Thriving Hearts Crisis Center CEO Ms. Manijeh Huereca, Schertz Crime Victim Liaison Ms. Heather Davis, and Schertz Police Detective Helen Lafitte.

- **Fentanyl Poisoning Awareness Month-October 2024** (Johnson Family) presented by Councilmember Watson

Councilmember Michelle Watson presented the Fentanyl Poisoning Awareness Month Proclamation to Mr. Lane Johnson, Mrs. Martha Johnson, and members of their family. Mr Johnson addressed the residents, sharing his family's heartache and struggle following the loss of his grandson to Fentanyl.

- **National Manufacturing Month-October 2024** (Mr.Scott Wayman) presented by Councilmember Macaluso

Councilmember Paul Macaluso presented the National Manufacturing Month Proclamation to the Schertz Economic Development Corporation Director, Mr. Scott Wayman, and Business Engagement Manager, Ms. Ashley Ritchey.

- **Hill Country Night Sky Month-October 2024** (Ms. Susan Fisher) presented by Mayor Pro-Tem Westbrook

Mayor Pro-Tem Robert Westbrook presented the Hill Country Night Sky Month Proclamation to Ms. Susan Fisher, who received the proclamation on behalf of Comal County Friends of the Night Sky and the Hill Country Alliance.

- **National Community Planning Month-October 2024** (Planning Department) presented by Councilmember Brown

Councilmember Tim Brown presented the National Community Planning Month proclamation to Planning Manager Emily Delgado and Senior Planner Samuel Haas.

Employee Introductions

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

- Public Works: Justin Stead, Water/Wastewater Worker I; Damontell Thompson, Water/Wastewater Worker I
- Public Affairs: Tatum Hearn, Marketing & Communications Specialist
- Schertz-Seguin Local Government Corporation: Philip DeFrancesco, SSLGC Assistant General Manager

Presentations

Recognition of the 2024 Emerging Leaders Class (S.Gonzalez/J.Kurz)

HR and Purchasing Director Ms. Jessica Kurz recognized the following graduates of the 2024 Emerging Leaders Class:

- Amy Anderson - MIH Paramedic, EMS
- Thomas Brooks - Master Electrician, Internal Services
- Nick Ferris - Assistant Director, Public Works
- Jacki Marbach - Administrative Assistant, Police Department
- Albert Orosco - Civic Center Attendant, Parks and Recreation Department
- Sydney Paredes - Recreation Coordinator, Parks and Recreation Department
- Cody Raines - Building Inspector, Planning and Community Development
- Sarah Rodriguez - Permit Technician, Planning and Community Development
- Kathryn Scheel - Recreation Specialist, Parks and Recreation Department
- Yolanda Valdez - HR Generalist, Human Resources

Public Works Department will be recognized by TML for R.O.A.D Ready Program (B.James/L.Busch)

Ms. Jessica Kurz introduced Rudy Garza, Safety and Loss Control Supervisor at TML Risk Pool. Mr. Garza explained the R.O.A.D. Ready recognition awarded by TML Risk Pool acknowledges the City's commitment to maintaining the highest safety standards in one of the biggest exposure areas. He presented a plaque to Public Works Director Larry Busch, Assistant Public Works Director Nick Ferris, Administrative Assistant Desiree Johnson, and Risk & Safety Specialist Nancy Tumlinson. Ms. Desiree Johnson thanked Mr. Garza and everyone who supported Public Works in accomplishing this achievement.

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 made the following announcements:

- *National Night Out was a huge success. 30 neighborhoods registered to participate.
- *He provided kudos to Anthony Jimenez, Miguel Sandaval, and Jorge Guzman for their prompt and professional response to a water leak at 7537 FM 1518 N on October 3rd. Residents, David and Teresa Vick, were impressed with the City's responsiveness.
- *Congratulations to Cassie Paddock, Recreation Manager, who was recognized by the National Recreation Parks Association during their Best of the Best Ceremony at their national conference, for receiving the prestigious NRPA Young Professionals Award.
- *Richard Gomez earned his license from the TDLR as a Code Enforcement Officer.
- *Planning Staff, P&Z, and City Leadership received the Planning Excellence Award from the American Planning Association Texas Chapter.
- *City received the TML Excellence Award for the Library's Adopt-a-Grandparent Program.
- *Staff Promotions: Terran Jaramillo, EMS, was promoted to paramedic; Antonio Wilson, Facilities Services, was promoted to Contractor HVAC Technician; and Patrick Beuligmann was promoted to Police Officer.

- **Announcements and recognitions by the Mayor (R. Gutierrez)**
Congratulations to Councilmember Heyward who was named TML President 2024-2025.

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 Robert Westbrook recognized the following resident:

Maggie Titterington, 1730 Schertz Parkway, who provided an update on upcoming Chamber 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.

1. **Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of September 17, 2024, and the Special Session Council Meeting of September 24, 2024 (S.Edmondson/S.Courney)
2. **Appointments, Re-appointments, and Resignations-City of Schertz Boards, Commissions and Committees** (S.Edmondson/S.Courney)
 - Resignations
 - Danielle Craig-Library Advisory Board and Planning and Zoning Commission
3. **Resolution 24-R-139**-Appointing Mr. Justin Murray to Cibolo Valley Local Government Corporation (CVLGC) (Mayor/S.Edmondson)
4. **Resolution 24-R-128** - Accepting the semi-annual report on the progress of the Capital Recovery Capital Improvements Plan (B.James/K.Woodlee)
5. **Resolution 24-R-138** - Authorizing expenditures with Prime Controls, LP at the Morning Dr. Water Facility for the SCADA Upgrade Project (B.James/L.Busch/N.Ferris)

6. **Resolution 24-R-101** - Authorizing the purchase of various vehicles/equipment as part of the 2024-2025 Vehicle/Equipment Replacement/Acquisition program (B.James/D.Hardin/C.Hernandez)
7. **Resolution 24-R-82** - Authorizing an agreement with Lockwood, Andrews, and Newnam, Inc., for Engineering Services Related to a Route Study for the Cibolo West Wastewater Trunk Main (B.James/K.Woodlee)
8. **Resolution 24-R-135** - Authorizing an Interlocal Purchasing Agreement with City of Cibolo for Cooperative Purchasing Services (S.Williams/J.Lowery)
9. **Resolution 24-R-136** - Accepting a grant award from the Motor Vehicle Crime Prevention Authority and authorizing expenditures with Insight Public Sector, Inc. for the Flock Camera System (S.Williams/J.Lowery)

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - 9.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

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

Passed

Discussion and Action Items

10. **Resolution 24-R-131**- Authorizing a resolution accepting a petition for voluntary annexation of approximately 3.014-acres, known as a portion of Comal County Property Identification Number 79004 Comal County, Texas (B.James/L.Wood/E.Delgado)

Planning Manager Emily Delgado introduced Resolution 24-R-131 authorizing acceptance of a petition for voluntary annexation of approximately 3.014 acres, known as a portion of Comal County Property Identification Number 79004. No Council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

- 11. Resolution 24-R-137** - Authorizing a Contract with Axon Enterprises for the Purchase of a Video Recording System for the Schertz Police Department Interview and Intoxilyzer Rooms. (S.Williams/J.Lowery)

Police Chief James Lowery introduced Resolution 24-R-137 authorizing a contract with Axon Enterprises for the purchase of a video recording system for the Schertz Police Department Interview and Intoxilyzer rooms.

No Council discussion occurred.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

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

Passed

- 12. Resolution 24-R-142** - A resolution by the City Council to amend the Fee Schedule (S. Gonzalez/J. Walters)

Finance Director James Walters introduced Resolution 24-R-142 amending the Fee Schedule for water meter size correction.

No Council discussion occurred.

Moved by Councilmember Paul Macaluso, seconded by Councilmember Michelle Watson

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

Passed

- 13. Resolution 24-R-140** - Authorizing a construction contract with R.L. Jones LP for the 2024 SPAM Resurfacing Project (B.James/K.Woodlee/J.Nowak)

City Engineer Kathy Woodlee introduced Resolution 24-R-140 authorizing a construction contract with R.L. Jones LP for the 2024 SPAM Resurfacing Project.

No Council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

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

Passed

Public Hearings

14. **Ordinance 24-S-155** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 4 - Procedures and Applications, and Article 5 - Zoning Districts *First Reading* (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas introduced Ordinance 24-S-155 to amend Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 4 - Procedures and Applications, and Article 5 - Zoning Districts.

Public Hearing opened at 7:13 p.m.
No residents came forward to speak.
Public Hearing closed at 7:14 p.m.

Councilmember Westbrook asked for clarification. Mr. Haas provided clarification. Deputy City Manager Brian James provided input regarding clarity for staff when Council is not aligned. Mayor Gutierrez stated the staff's main purpose is to align with the UDC not what they think Council wants. Councilmember Brown stated that the issue for Council is that recommendations from staff are technically charged, but residents are emotionally charged. Council has to take both into account when making a determination.

No further discussion occurred. Mayor Gutierrez asked for a motion to approve Ordinance 24-S-155.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

15. **Ordinance 24-S-156** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5 - Zoning Districts and Article 10 - Parking Standards *First Reading* (B.James/L.Wood/S.Haas)

Senior Planner Samuel Haas introduced Ordinance 24-S-156 to amend Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5 -

Zoning Districts and Article 10 - Parking Standards.

Public Hearing opened at 7:38 p.m.
No residents came forward to speak.
Public Hearing closed at 7:39 p.m.

Council expressed concerns with limiting the number of parking spaces to 1 space per unit and traffic associated with multifamily developments through single family residential neighborhoods.

Councilmember Paul Macaluso made the motion to approve Ordinance 24-S-156 with modification of 1.5 parking spaces per unit; seconded by Councilmember Michelle Watson

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

Passed

Workshop

16. Workshop regarding Planned Development Districts (PDDs) (B.James/L.Wood/E.Delgado)

Deputy City Manager Brian James provided background information regarding Planned Development Districts (PDDs) and straight zoning districts. Planning Manager Emily Delgado provided an indepth presentation on PDDs.

Council discussion centered on the need for flexibility. Each property is unique - shape, size, location, etc. Sometimes it is not possible to fit the needs of development for some properties into straight zoning as is stated. Deputy City Manager James asked for guidelines that would provide more clarity for staff. Council reiterated the need for flexibility and they expect staff to use their expertise to know when developers are trying to skirt City standards that provide no benefit to the City and when the development needs a PDD to fit the view set and ultimately benefits the City.

Mayor Gutierrez recessed to Closed Session at 9:22 p.m.

Closed Session

17. 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-80
 - Project E-83
 - Project E-84
18. 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 Secretary, Ms. Sheila Edmondson.

Reconvene into Regular Session

Mayor Gutierrez reconvened Regular Session at 9:47 p.m.

19. Take any action based on discussion held in Closed session under Agenda Item #17.

Mayor Gutierrez stated the discussion for Closed Session Agenda Item #17 started at 9:27 p.m. and ended at 9:41 p.m.

Mayor Gutierrez read Resolution 24-R-132 authorizing an expenditure as reflected in the amendment of the Economic Development Performance Agreement between the City of Schertz, Texas Economic Development Corporation, 3009 OAC Investments, LLC and Schertz Freckles, LLC.

A motion to approve Resolution 24-R-132 was

Moved by Councilmember Paul Macaluso, seconded by Councilmember Tim Brown

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

Passed

20. Take any action based on discussion held in Closed session under Agenda Item #18.

Mayor Gutierrez stated the discussion for Closed Session Agenda Item #18 began 9:44 p.m. and ended at 9:46 p.m.

No action was taken.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

21. 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
No requests by Mayor or Councilmembers 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 requests by Mayor or Councilmembers that items or presentations be placed on a future City Council agenda were made.

- City and Community Events attended and to be attended (Council)
Councilmember Davis attended National Night Out and the TML Annual Conference.
Councilmember Watson attended National Night Out and the TML Annual Conference.
Councilmember Macaluso attended National Night Out, the TML Annual Conference, and the YMCA Trunk n Treat.
Councilmember Heyward attended National Night Out, the TML Annual Conference, Animal Advisory Meeting, and The Chamber luncheon and judged the Fire Posters contest.
Councilmember Brown attended National Night Out and The Chamber luncheon and judged the Fire Posters contest.

Adjournment

Mayor Gutierrez adjourned the meeting at 9:50 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary