

DRAFT



MEETING AGENDA
City Council
SPECIAL SESSION CITY COUNCIL
November 18, 2024
6:00 P.M.

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES
Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
MONDAY, NOVEMBER 18, 2024 at 6:00 p.m.

Call to Order

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas.
(Councilmember Mayor Gutierrez)

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 Friday 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.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

Discussion and Action Items

1. **Resolution 24-R-154** - Approving the canvassing of the election returns and declaring the results of the November 5, 2024 General Election.(Mayor/Council/S.Edmondson)

2. **Resolution 24-R-156** Approving, ordering and declaring the November 2024 Charter Amendments as approved by the voters of the City of Schertz, adopted; requiring certification and registration in accordance with state law. (Mayor/Council/S.Edmondson)

3. **Oath of Office(S.Edmondson)**
 - Officers-Oath of Office
 - Place 6-Oath of Office to Ms. Allison Heyward
 - Comments by Ms. Allison Heyward
 - Place 7-Oath of Office to Mr. Tim Brown
 - Comments by Mr. Tim Brown

Adjournment

CERTIFICATION

I, SHEILA EDMONDSON, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 15TH DAY OF NOVEMBER 2024 AT _____, WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

SHEILA EDMONDSON

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON _____ DAY OF _____, 2024.

TITLE: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.

The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the

attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Member Audit Committee Investment Advisory Committee Main Street Committee</p> <p>Liaison Board of Adjustments Senior Center Advisory Board-Alternate</p>	<p>Councilmember Davis– Place 1 Member Interview Committee Main Street Committee - Chair TIRZ II Board</p> <p>Liaison Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Board</p>
<p>Councilmember Watson-Place 2 Member Audit Committee</p> <p>Liaison Library Advisory Board Senior Center Advisory Board Cibolo Valley Local Government Corporation-Ex-Officio</p>	<p>Councilmember Macaluso – Place 3 Member Interview Committee Hal Baldwin Scholarship Committee</p> <p>Liaison TIRZ II Board Animal Services Advisory Committee</p>
<p>Councilmember – Place 4</p>	<p>Councilmember Westbrook – Place 5 Liaison Schertz-Seguin Local Government Corporation (SSLGC) Planning and Zoning Commission Schertz Historical Preservation Society Cibolo Valley Local Government Corporation (CVLGC)-Alternate</p>
<p>Councilmember Heyward – Place 6 Member Animal Services Advisory Committee Audit Committee Interview Committee-Chair Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Brown – Place 7 Member Main Street Committee Schertz-Seguin Local Government Corporation (SSLGC)</p> <p>Liaison</p>

Liaison
Building and Standards Commission
Economic Development Corporation - Alternate
Senior Center Advisory Board

Economic Development Corporation

CITY COUNCIL MEMORANDUM

City Council Meeting: November 18, 2024
Department: City Secretary
Subject: Resolution 24-R-154 - Approving the canvassing of the election returns and declaring the results of the November 5, 2024 General Election.(Mayor/Council/S.Edmondson)

BACKGROUND

On July 16, 2024, the City Council of the City of Schertz, Texas passed a Resolution calling a General Election on November 5, 2024, for the purpose of electing Councilmembers for Place 6, and Place 7 for a three-year term.

The total of votes cast during early voting was 22,311 personal appearances and absentee, and 3,747 votes were cast on Election Day. Ms Allison Heyward is declared elected to the Office of Councilmember Place 6 and Mr. Tim Brown in declared elected to the Office of Councilmember Place 7.

Staff recommends approval of Resolution 24-R-154.

Attachments

Resolution 24-R-154 Canvassing General Election

RESOLUTION 24-R-154

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ,
TEXAS, APPROVING THE CANVASS OF NOVEMBER 5, 2024, GENERAL
ELECTION AND DECLARING THE RESULTS OF SUCH ELECTION**

WHEREAS, a General Election was held in the City of Schertz, Texas (the "City"), on the 5th day of November 2024 to elect a Councilmember Place 6, and Councilmember Place 7 for a three-year term; and

WHEREAS, said elections were duly and legally held in conformity with the applicable election laws of the State of Texas ("Texas"); and

WHEREAS, the Election Administrator has provided to the City, as required by applicable Texas law, the election results, as tabulated by the Election Administrator; and

WHEREAS, there came to be considered the returns of the general election held on the 5th day of November 2024, for the purpose of electing one Councilmembers for Place 6 and Place 7; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, THAT:

Section 1: That the General Election of the City of Schertz, Texas held November 5, 2024, was duly called, that notice of such election was given, and that such election was held in accordance with law.

Section 2: That the tabulation of votes cast to elect one Councilmembers for Place 6 and Place 7 in the General Election held on November 5, 2024, as shown in the official canvass of the returns of said general election shown below reflects the following results:

	Early Voting			Election Day			Total Votes Cast	Vote %
	Bexar	Comal	Guadalupe	Bexar	Comal	Guadalupe		
City Council Place 6								
Robert C. Marks, Jr.	696	225	3,755	121	42	691	5,530	38.10%
Allison Heyward	1,355	197	6,235	198	32	966	8,983	61.90%
City Council Place 7								
Tim Brown	1,542	353	7,953	247	69	1,381	11,545	100%
Total Votes Cast	3,593	775	17,943	566	143	3,038	26,058	
<i>(subject to change with county final counts)</i>	Early Voting:	22,311		Election Day:	3,747		Total Votes Cast	26,058

Section 3. The City Council finds that the results of the general election as set forth above reflect the reported votes, and the canvass of votes is hereby approved.

Section 4. The total of votes cast during early voting was 22,311 personal appearance and absentee, and 3,747 votes were cast on Election Day. The total number of votes cast in this election was 26,058.

Section 5. The City Council finds that the results of the general election as set forth above reflect that Ms. Allison Heyward is hereby declared elected to the Office of the Councilmember, Place 6, and Mr. Tim Brown is hereby declared elected to the Office of the Councilmember of Place 7.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 7. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 10. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 11. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2024.

City of Schertz

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: November 18, 2024
Department: City Secretary
Subject: Resolution 24-R-156 Approving, ordering and declaring the November 2024 Charter Amendments as approved by the voters of the City of Schertz, adopted; requiring certification and registration in accordance with state law.
(Mayor/Council/S.Edmondson)

BACKGROUND

On July 16, 2024, the City Council of the City of Schertz, Texas passed a Resolution calling a Special Election on November 5, 2024, for the 15 proposed Charter Amendments.

The Charter Review Commission consisted of 11 Commissioners who were appointed by the City Council. The Charter Review Commission reviewed the current City Charter and presented 15 proposed Charter Amendments to the City Council.

Attachments

Resolution 24-R-156

RESOLUTION 24-R-156

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, ORDERING AND DECLARING THE NOVEMBER 2024 CHARTER AMENDMENTS, AS APPROVED BY THE VOTERS OF THE CITY OF SCHERTZ, ADOPTED; REQUIRING CERTIFICATION AND REGISTRATION IN ACCORDANCE WITH STATE LAW

WHEREAS, a Special Election was held in the City of Schertz, Texas (the "City"), on the 5th day of November 2024 for the proposed 15 charter amendments; and

WHEREAS, said elections were duly and legally held in conformity with the applicable election laws of the State of Texas ("Texas"); and

WHEREAS, the Election Administrator has provided to the City, as required by applicable Texas law, the election results, as tabulated by the Election Administrator; and

WHEREAS, there came to be considered the returns of the special election held on the 5th day of November 2024, and declaring the results of such election; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, THAT:

Section 1: That the Special Election of the City of Schertz, Texas held November 5, 2024, was duly called, that notice of such election was given, and that such election was held in accordance with law.

Section 2: That the tabulation of votes cast on the 15 proposed Charter Amendments in the Special Election held on November 5, 2024, as shown in the official canvass of the returns of said special election shown below reflects the following results:

Propositions	Early Voting			Election Day			Total Votes Cast	Vote %
	Bexar	Comal	Guadalupe	Bexar	Comal	Guadalupe		
Prop. A - Shall the City Charter of the City of Schertz be amended to specify all annexations shall be in accordance with State Law?	For: 1,998	For: 393	For: 10,038	For: 308	For: 67	For: 1,610	For: 14,414	For: 84.08%
	Against: 464	Against: 66	Against: 1,773	Against: 79	Against: 18	Against: 329	Against: 2,729	Against: 15.92%
Prop. B - Shall the City Charter of the City of Schertz be amended to increase the area for notification of disannexation from 200 feet to 1,000 feet from the area to be disannexed?	For: 1,785	For: 340	For: 8,276	For: 251	For: 65	For: 1,269	For: 11,986	For: 72.01%
	Against: 644	Against: 112	Against: 3,157	Against: 124	Against: 19	Against: 603	Against: 4,659	Against: 27.99%
Prop. C - Shall the City Charter of the City of Schertz be amended to clarify that any increase in city council compensation is not effective for members of the city council during the term which the increase is effectuated?	For: 1,809	For: 347	For: 9,311	For: 279	For: 60	For: 1,439	For: 13,245	For: 77.02%
	Against: 703	Against: 97	Against: 2,506	Against: 112	Against: 24	Against: 510	Against: 3,952	Against: 22.98%

Prop. L - Shall the City Charter of the City of Schertz be amended to change the percentage of voters required to sign a recall petition from twenty percent fifteen percent?	For: 1,234 Against: 1,220	For: 230 Against: 207	For: 5,828 Against: 5,784	For: 195 Against: 192	For: 44 Against: 36	For: 931 Against: 990	For: 8,462 Against: 8,429	For: 50.10% Against: 49.90%
Prop. M - Shall the City Charter of the City of Schertz be amended to require the city council appoint a charter review commission not later than five years after the most recent charter review commission?	For: 2,040 Against: 349	For: 366 Against: 53	For: 9,562 Against: 1,589	For: 307 Against: 57	For: 75 Against: 5	For: 1,581 Against: 265	For: 13,931 Against: 2,318	For: 85.73% Against: 14.27%
Prop. N - Shall the City Charter of the City of Schertz be amended to provide that each member of the city council appoints a citizen to the charter review commission and the mayor appoints two citizens to the charter review commission, one of which shall be the chair?	For: 1,935 Against: 449	For: 352 Against: 69	For: 9,226 Against: 2,010	For: 291 Against: 76	For: 69 Against: 12	For: 1,553 Against: 315	For: 13,426 Against: 2,931	For: 82.08% Against: 17.92%
Prop. O - Shall the City Charter of the City of Schertz be amended to clarify that City Council shall hold a public hearing on a proposed disannexation not later than 30 days after the public hearing by the Planning and Zoning Commission?	For: 2,272 Against: 217	For: 385 Against: 32	For: 10,339 Against: 1,046	For: 349 Against: 33	For: 73 Against: 3	For: 1,718 Against: 177	For: 15,138 Against: 1,508	For: 90.94% Against: 9.06%
	Early Voting:	261,303		Election Day:	46,253		Total Votes Cast	307,556

Section 3. The City Council finds that the results of the special election as set forth above reflect the reported votes, and the canvass of votes is hereby approved.

Section 4. The total votes cast during early voting was 261,303 by personal appearance and absentee, and 46,253 votes were cast on Election Day. The total number of votes cast in this election was 307,556.

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Section 5. The City Council finds the results of the special election and accept the charter amendments.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 7. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 10. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 11. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2024.

City of Schertz

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: November 18, 2024
Department: City Secretary
Subject: Oath of Office(S.Edmondson)

- **Officers-Oath of Office**
 - **Place 6-Oath of Office to Ms. Allison Heyward**
 - **Comments by Ms. Allison Heyward**
 - **Place 7-Oath of Office to Mr. Tim Brown**
 - **Comments by Mr. Tim Brown**
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