



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
January 4, 2022

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

TUESDAY, JANUARY 4, 2022 at 6:00 p.m.

City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, January 4, 2022, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

Call to Order

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

New Employee Introductions

- 311 Public Affairs: Guadalupe Martinez - 311 Customer Relations
- Fire: Annaliese Fielder - Firefighter
- Police Department: Bridget Arambula - Police Records Specialist
- Public Works: Jonathan Chapman, Jose Sanchez - Street Worker II - Elijah Allen - Street Worker I
- Public Works: Robert Pfeil, Michael Claxton - Service Worker I

Presentations

- Citizen Satisfaction Survey. (M. Browne/S. Gonzalez/L. Klepper/D. Christensen)
- Police Best Practices. (C. Kelm/M. Bane)

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)
- Announcements and recognitions by the City Manager (M. Browne)
- Announcements and recognitions by the Mayor (R. 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.

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.

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 of the meeting of December 14, 2021. (B. Dennis)
2. **Resolution No. 22-R-02** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz approving an eighth amendment to the Interlocal Agreement with the Alamo Area Council of Governments (AACOG) to provide funding in the amount of \$42,666.00 for transit Services in the City of Schertz. (M. Browne/B. James)
3. **Appointments and Resignations to the Various City Boards, Commissions and Committees** - Consideration and/or action approving the appointment of Mr. Jesse Gonzales as an Alternate Member to the Planning and Zoning Commission. (B. Dennis/Council)
4. **Resolution No. 22-R-03** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas accepting the Semi-annual report with respect to the Capital Improvements Plan, and other matters in connection therewith. (C. Kelm/S. Williams).
5. **Resolution No. 22-R-05** Authorizing the City Manager to enter into an agreement for the purchase of one (1) fire apparatus and associated equipment. (C. Kelm/K. Long)

6. **Resolution No. 22-R-09** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving an amendment to the Interlocal Agreement (ILA) between the San Antonio River Authority (SARA) and the City of Schertz. (C. Kelm/S. Williams)

Discussion and Action Items

7. **Ordinance No. 22-T-03** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the Fiscal Year 2021-2022 Budget to provide funding for the purchase of HVAC equipment for the Civic Center HVAC Replacement Project, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. (**First Reading**) (C. Kelm/S. Williams/S. McClelland)

Roll Call Vote Confirmation

Closed Session

8. 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-079

Reconvene into Regular Session

- 8a. Take any action based on discussion held in Closed Session under agenda Item 8.

Roll Call Vote Confirmation

Requests and Announcements

- Announcements by the City Manager.
- 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.
- Announcements by Mayor and Councilmembers
 - City and community events attended and to be attended
 - City Council Committee and Liaison Assignments (see assignments below)

- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Adjournment

CERTIFICATION

I, BRENDA DENNIS, 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 30th DAY OF DECEMBER 2021 AT 2:15 P.M., 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.

BRENDA DENNIS

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 _____, 2021. 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

Mayor Gutierrez Audit Committee Investment Advisory Committee Main Street Committee	Councilmember Scagliola – Place 5 Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation
Councilmember Davis– Place 1 Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board	Councilmember Scott – Place 2 Interview Committee for Boards and Commissions Schertz Animal Services Advisory Commission
Councilmember Whittaker – Place 3 Audit Committee TIRZ II Board	Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board

Councilmember Heyward – Place 6

Animal Advisory Commission

Audit Committee

Investment Advisory Committee

Main Street Committee

Councilmember Brown – Place 7

Main Street Committee

Schertz-Seguin Local Government Corporation - Alternate

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: City Secretary
Subject: Minutes – Consideration and/or action regarding the approval of the minutes of the meeting of December 14, 2021. (B. Dennis)

BACKGROUND

The City Council held a Regular City Council meeting on December 14, 2021.

RECOMMENDATION

Recommend Approval.

Attachments

12-14-2021 Draft Minutes

DRAFT

MINUTES REGULAR MEETING December 14, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 14, 2021, 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 Michael Dahle; Councilmember Mark Davis; Councilmember Jill Whittaker; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Rosemary Scott

City Staff: City Manager Dr. Mark Browne; Assistant City Manager Brian James; Assistant City Manager Charles Kelm; City Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez

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 Brown)

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

Presentations

- Presentation of the Texas Association of Municipal Information Officers (TAMIO) TAMI Awards of Honor to Schertz Public Affairs. (S. Gonzales/L. Klepper/D. Christensen)

Mayor Gutierrez recognized Public Affairs Director Linda Klepper and Communications Manager Devan Christensen who provided a presentation on the two Award of Honor awards that the Public Affairs Department received. The recognition was for an Award of Honor for the Spooky Social Distance Flyer and an Award of Honor for Best Recurring Special Event. Ms. Klepper thanked the Parks Department for their contribution to the success of these events.

- Presentation of the TFEA Excellence in Festival and Event Promotion Awards to Schertz Parks & Recreation Department. (B. James/L. Shrum)

Mayor Gutierrez recognized Parks, Recreation and Community Services Director Lauren Shrum who announced that the three Gold Awards that the Parks Department were recognized for were: Best Promotional Brochure, Best Miscellaneous Printed Material-Single Page and Best Cover Design. The Parks and Recreation Department was also recognized with six Silver Awards and one Bronze Award in other categories. Ms. Shrum thanked the Public Affairs Department for assisting them with all the promotional and marketing of these events.

- Presentation of the TRAPS Central Region Maintenance Rodeo winners in the Schertz Parks & Recreation Department. (B. James/L. Shrum)

Mayor Gutierrez recognized Parks, Recreation and Community Services Director Lauren Shrum who congratulated the City of Schertz employees who participated in the TRAPS Central Region Maintenance Rodeo. Winners included: Larry May: 2nd Place in Mower Obstacle Course, Robert Dobratz: 5th Place in Backhoe Operation and Cole Moody: 4th Place in Nail Driving Contest.

- Presentation regarding the City of Schertz Alamo Area Council of Governments "Government Project of the Year award" (Mayor Gutierrez)

Mayor Gutierrez announced that the Schertz Vaccination Clinics were awarded the "Government Project of the Year Award" from the Alamo Area Council of Governments. Fire Chief Kade Long and EMS Director Jason Mabbitt stated it was a team effort. Mayor Gutierrez thanked everyone that was involved with the Vaccination Clinics.

- Presentation regarding the City of Schertz Planning Excellence Award by the Alamo Area Council of Governments. (Mayor Gutierrez)

Mayor Gutierrez presented the "Planning of Excellence Award" to Planning & Community Development Director Lesa Wood, Senior Planner Emily Delgado and Planner Megan Harrison. The City of Schertz was one of 34 cities selected from the whole state of Texas to receive this award.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant City Manager Brian James who announced upcoming City Events:

Friday, December 17th

Blue Santa Day
4:00 PM-6:00 PM
Community Center

Thursday and Friday, December 23rd and 24th

Christmas Eve and Christmas Day Holidays
City Offices Closed

Friday, December 31st

New Year's Day Holiday (Observed)
City Offices Closed

New Year's Eve Masquerade

8:00 PM – 12:15 AM
Pickrell Park
Live Music, Food Trucks, Games

Tuesday, January 4, 2022

Next regular scheduled Council meeting, 6:00 PM, Council Chambers

- Announcements and recognitions by the City Manager (M. Browne)

City Manager Dr. Browne congratulated all the departments on their recent awards. He stated that it is a great honor to be recognized by their peers regionally, as well as statewide. It reflects their great professionalism and all the hard work they do.

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

No announcements.

Hearing of Residents

No one spoke.

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.

No one signed up.

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.

Mayor Gutierrez and Mayor Pro-Tem Dahle read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of December 7, 2021. (B. Dennis)
2. **Ordinance No. 21-T-50** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2021-2022 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (*Final Reading*) (M. Browne/J. Walters)
3. **Resolution 21-R-130** - Consideration and approval of a Resolution relating to establishing the city's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the city for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date. (M. Browne/J. Walters)
4. **Resolution No. 21-R-125** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas establishing a public hearing date to consider the approval of updated land use assumptions, capital improvement plan, and impact fees for roads; and providing an effective date. (M. Browne/B. James)
5. **Ordinance No. 21-S-49** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas amending Article 15 replacing Section 21.15.4, of the City of Schertz Unified Development Code, Easements and Utilities; Repealing all Ordinances or Parts of Ordinance in Conflict with this Ordinance, and providing an effective date. (*Final Reading*) (C. Kelm/S. Williams)

6. **Resolution No. 21-R-116** - Consideration and/or action to approve the appointment of Mr. Richard Braud to the Board of Directors Place D-3 of the Schertz Seguin Local Government Corporation, and other matters in connection therewith. (C. Kelm/A. Beard)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. As there were none, Mayor Gutierrez called for a motion to approve consent Agenda Items 1 through 6.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward to approve consent agenda items 1 through 6.

AYE: Mayor Pro-Tem Michael Dahle, Councilmember Mark Davis, Councilmember Jill Whittaker, Councilmember Rosemary Scott, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Discussion and Action Items

Mayor Gutierrez read the following item into record.

7. **Ordinance No. 21-S-51** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 2.5 acres of land from Single-Family Residential/Agricultural District (RA) to Planned Development District (PDD), located at 7809 FM 1518 N, also known as Bexar County Property Identification Number 1149102, City of Schertz, Bexar County, Texas. (**Final Reading**) (B. James/L. Wood/M. Harrison)

Mayor Gutierrez read the above caption into record and stated that the member of Council that was not in favor of this item was absent this evening and asked Council if they needed to see the presentation again. No presentation was provided, Mayor Gutierrez asked if Council had questions, as there were no questions, Mayor called for a motion to approve.

Moved by Councilmember Allison Heyward, seconded by Councilmember Mark Davis to approve Ordinance No. 21-S-51 on final reading.

AYE: Mayor Pro-Tem Michael Dahle, Councilmember Mark Davis, Councilmember Jill Whittaker, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Roll Call Vote Confirmation

City Secretary Brenda Dennis provided the roll call vote confirmation for Agenda Items 1 through 7.

Workshop

8. Discussion with SAMCO Capital Markets, The City's financial Advisor, regarding a proposed refunding for interest rate savings of the Schertz-Seguin Local Government Corporation series 2014 and 2015 bonds. (M. Browne/C. Kelm/M. McLiney/A. Friedman)

Mayor Gutierrez recognized Mark McLiney with Samco Capital who provided Council with information regarding the Schertz/Seguin Local Government Corporation bond refunding

opportunity, estimated savings potential and timeline. Mr. McLiney addressed questions from Council. It was the concurrence of Council for Samco Capital to move forward with the bond refunding opportunity.

Closed Session

Mayor Gutierrez read the following closed session item into record.

9. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the Police Chief position.

Mayor Gutierrez recessed the meeting into Closed Session at 6:30 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened back into regular session at 7:14 p.m.

- 9a. Take any action based on discussion held in Closed Session under Agenda Item 9.

No action was taken.

Roll Call Vote Confirmation

No roll call vote confirmation as no action was taken on agenda item 9A.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned that Item 10 was informational only and that the information was provided in the Council packets as well as can be found online.

10. **Update on Best Practices Recognition** (C.Kelm/ M. Bane)

Requests and Announcements

- Announcements by the City Manager.

City Manager Dr. Browne commended the Police Department for completing their Policy Review and providing the update on the Best Practices.

- Requests by Mayor and Councilmembers for updates or information from staff.

No updates or information requested.

- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council Agenda.

No items were requested.

- Announcements by Mayor and Councilmembers

Mayor Gutierrez recognized the following:

Mayor Pro-Tem Dahle-Fire Dept. Promotions Ceremony, Ribbon Cutting- Living Spaces,

Councilmember Whittaker-City of Cibolo Christmas Parade

Councilmember Scagliola-City of Cibolo Christmas Parade, Small Business Grant Meetings

Councilmember Heyward- City of Cibolo Christmas Parade, Fire Dept. Promotions Ceremony,
Ribbon Cutting Living Spaces

Councilmember Brown-Wished everyone Merry Christmas

Adjournment

Mayor Gutierrez adjourned the meeting at 7:20 p.m.

ATTEST:

Ralph Gutierrez, Mayor

Brenda Dennis, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: Executive Team
Subject: Resolution No. 22-R-02 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz approving an eighth amendment to the Interlocal Agreement with the Alamo Area Council of Governments (AACOG) to provide funding in the amount of \$42,666.00 for transit Services in the City of Schertz. (M. Browne/B. James)

BACKGROUND

Schertz' residents benefit from access to ART (Alamo Regional Transit), the demand-response transit service operated by the Alamo Area Council of Governments (AACOG). ART makes it possible for the residents that use this service to be independent and improves their quality of life. Schertz and AACOG entered into an interlocal agreement for AACOG to provide the ART service in 2013. The agreement is amended annually to establish Schertz' financial contribution for the upcoming year. A match of \$42,666 is required this year, the same as the last three years. In addition to the on demand response service, last year ART began a one a week fixed route. The route runs on Tuesdays and serves Schertz and Cibolo. Ridership has been disrupted this past year due to COVID.

GOAL

Enter into the agreement with AACOG for the ART service to provide transportation service for Schertz residents.

COMMUNITY BENEFIT

Allow Schertz residents to use this transportation service to improve their quality of life.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 22-R-02 authorizing the City Manager to enter into this eighth amendment to the interlocal agreement with AACOG for ART service.

FISCAL IMPACT

Schertz' match will be \$42,666 which has been budgeted.

RECOMMENDATION

Approval of Resolution 22-R-02.

Attachments

Resolution No. 22-R-02
ART ILA 8th amendment
ART DATA

RESOLUTION NO. 22-R-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ TEXAS AUTHORIZING AN EIGHTH AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) TO PROVIDE FUNDING IN THE AMOUNT OF \$42,666.00 FOR TRANSIT SERVICES IN THE CITY OF SCHERTZ.

WHEREAS the Alamo Area Council of Governments (AACOG) has been providing transit services to Schertz through the ART program, and

WHEREAS in 2013 the City entered into an agreement with AACOG to provide demand response transit services, and

WHEREAS, VIA Metropolitan Transit is the designated recipient for Urban Funds which can be used to support this program, and

WHEREAS a local match of \$42,666.00 is required for the 2021-2022 Fiscal Year,

WHEREAS AACOG has been designated by VIA as the recipient of funds to continue to provide transit services,

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

Section 1. The City Council desires to enter into an eighth amended agreement with AACOG to provide a match of \$42,666.00 to allow the Alamo Area Council of Governments (AACOG) to continue to provide this transportation service per the agreement attached as per Exhibit A.

Section 2. 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 3. 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 4th day of January, 2022.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Brenda Dennis

(CITY SEAL)

Exhibit “A”

Eighth Amendment to the Agreement with AACOG

EIGHTH AMENDMENT TO INTERLOCAL AGREEMENT FOR
City of Schertz Demand-Response Route

This Eighth amendment to the Interlocal Agreement for City of Schertz Demand-response Route (the "Agreement") is hereby entered into by and between the **City of Schertz** (the "City") and the **Alamo Area Council of Governments** ("AACOG"), to be effective October 1, 2021.

WITNESSETH:

WHEREAS, the City and AACOG entered into that certain interlocal agreement ("the Agreement"), dated October 1, 2013 in which the City agreed to provide a matching fund payment for demand-response services to AACOG and AACOG agreed to provide demand-response public transportation for the City; and

WHEREAS, the parties desire to amend and revise the Agreement as hereinafter set forth.

NOW, THEREFORE, the parties by mutually executing this Amendment, agree that the Agreement is amended as follows:

1. Add to Section 4.1 a subsection "a" to read as follows: "a. The City's Financial Contribution for Fiscal Year 2022 shall be \$42,666"

IT IS HEREBY AGREED BY THE PARTIES HERETO that with the exception of those terms and conditions specifically modified and amended herein, the herein referenced Interlocal Agreement shall remain in full force and effect in all its terms and conditions.

EXECUTED the day and year first above written.

CITY OF SCHERTZ:

**ALAMO AREA COUNCIL OF
GOVERNMENTS:**

By: _____
Mark Browne
City Manager

By: _____
Diane Rath
Executive Director

Date: _____

Date: _____



Schertz UZA Data 2021



Presented to

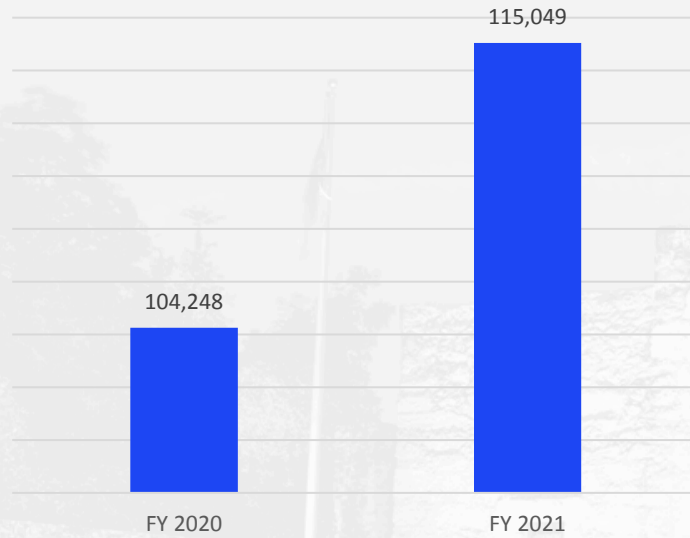
City of Schertz



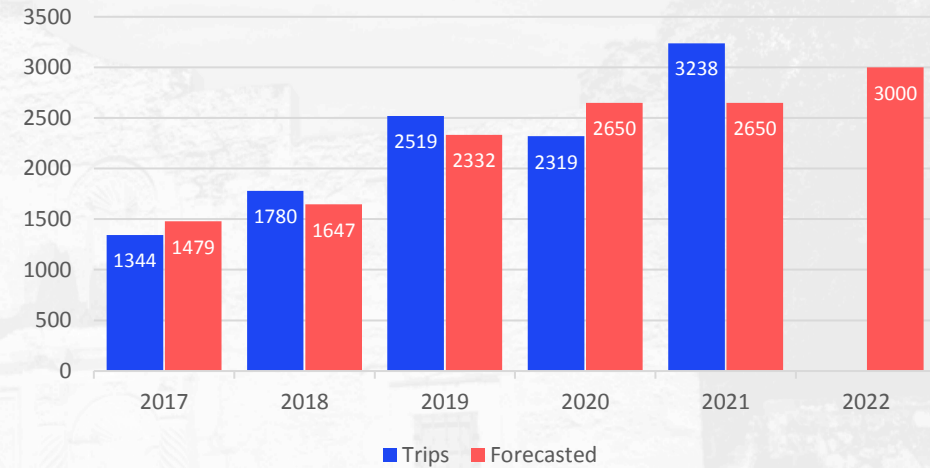
ALAMO
REGIONAL TRANSIT

AACOG

FY Comparison ART



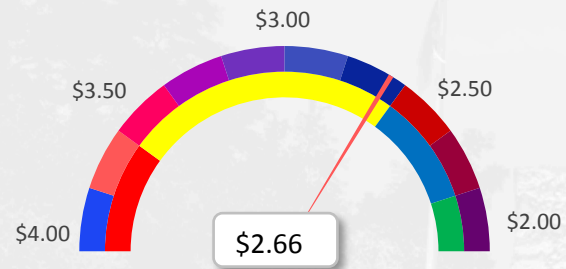
Schertz Trips / Forecast by Fiscal Year 2017 - 2022



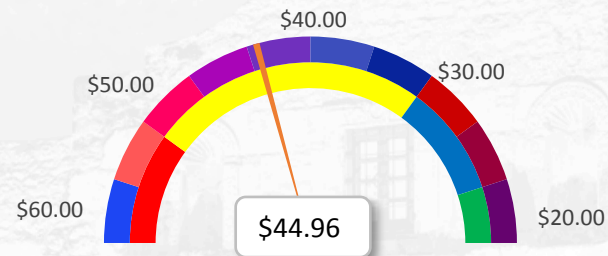
Trips



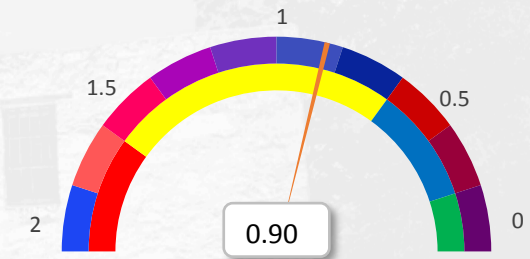
Cost Per Mile



Cost Per Hour



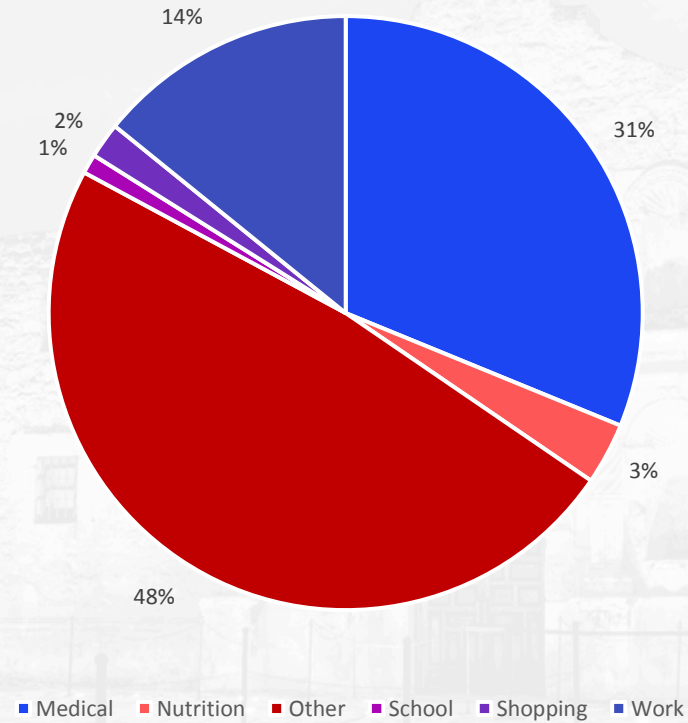
Preventable Accidents per 100,000 Miles



ART Stats



Trip Purpose



Schertz





- Schertz is 17% of UZA service volume for FY 2021
- UZA Service total hours are 14,612 hours
- $14612 \text{ hrs} \times 17\% = 2,484 \text{ service hours for Schertz}$
- $2,484 \text{ service hrs} \times \$44.96 \text{ per service hour}$
- \$111,680 in Operating Costs for the City of Schertz
- Match Requirement for City of Schertz is \$42,666
- ART has requested that the funding for FY 2022.

Schertz UZA Data



COVID – 19 Affects on Transportation

- Additional cost in purchasing PPE for drivers and client safety
- Additional cleaning and sanitizing of buses added to regular service hours
- Mandate masks be worn on vehicles to continue safety for clients and increase some efficiencies

Future Improvements

- Future I-35 Randolph Park-n-Ride to New Braunfels



Thank You For Your Time

Thomas Logan

Phone: 210-864-4232

2700 NE Loop 410

Suite 101

San Antonio, Texas 78217



CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: City Secretary
Subject: Appointments and Resignations to the Various City Boards, Commissions and Committees - Consideration and/or action approving the appointment of Mr. Jesse Gonzales as an Alternate Member to the Planning and Zoning Commission. (B. Dennis/Council)

BACKGROUND

The Planning and Zoning Commission currently has an Alternate position open. An application was received from Mr. Jesse Gonzales and has been vetted through the Interview Committee for an Alternate position.

Staff recommends approval of the appointment of Mr. Jesse Gonzales as an Alternate Member to the Planning and Zoning Commission.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: Public Works
Subject: Resolution No. 22-R-03 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas accepting the Semi-annual report with respect to the Capital Improvements Plan, and other matters in connection therewith. (C. Kelm/S. Williams).

BACKGROUND

Section 395.058 (c) (4) of the Texas Local Government Code requires the Capital Improvements Advisory Committee (CIAC) to file semi-annual reports with respect to the progress of the capital improvements plan and report to City Council any perceived inequities in implementing the plan or imposing impact fees. Section 90-158 of the City's Code of Ordinances includes this same requirement. The CIAC is a citizen group composed of the current Planning and Zoning Commission, a real-estate representative and a resident in the Extraterritorial Jurisdiction, all of whom are appointed by City Council.

Capital Recovery Fees, also known as Impact Fees, can only be charged to new development and used in compliance with a specific adopted plan. Projects in the plan must be designed to increase the capacity of water and sewer infrastructure to accommodate Schertz' growth. General maintenance or pipe replacement would not be an acceptable use of these funds.

The attached report includes capital recovery balance reports for April 1, 2021 to September 30, 2021 and the CIAC minutes from November 17, 2021 during which the CIAC recommended acceptance of this report.

Active projects and associated expenses that are funded using Impact fees this period were as follows:

Water

- Corbett Ground Storage Tank
 - Expenses: Professional Services - \$114,254.48
 - Status: Study and report phase of project complete, project design underway
- City-wide Water Master Plan and Impact Fee Study
 - Expenses: Professional services - \$11,507.68
 - Status: Water model nearing completion, Land Use Assumptions Technical Memo in review
- Corbett Elevated Storage Tank
 - Expenses: Construction - \$91,433.48
 - Status: Project is complete

Sewer

- Woman Hollering Creek Wastewater Project
 - Expenses: Professional services and advertising - \$16,123.52
 - Status: Construction contract awarded to Thalle Construction Company, kick off meeting was held November 18, 2021

- City-wide Water Master Plan and Impact Fee Study
 - Expenses: Professional services - \$17,343.17
 - Status: Wastewater model nearing completion, Land Use Assumptions Technical Memo in review

Roadway

- Service Area 1: Professional Services for work on amendment to Capital Improvement Plan to account for areas newly annexed to the City with the full cost of the amendment spread equally across all four service areas.

GOAL

To accept the Semi-annual reports on the capital improvements plan as filed by the Capital Improvements Advisory Committee.

COMMUNITY BENEFIT

To ensure compliance with State Statute and the City's Code of Ordinances and to ensure impact fees are being collected and spent appropriately.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 22-R-03 accepting the Semi-annual report as filed by the Capital Improvements Advisory Committee.

FISCAL IMPACT

The report indicates the amounts collected and spent for water, wastewater, and roadway impact fees.

RECOMMENDATION

Staff recommends approval of Resolution 22-R-03 accepting the Semi-annual report as filed by the Capital Improvements Advisory Committee.

Attachments

Resolution No. 22-R-03

Minutes 111721

Report 040121-093021

RESOLUTION NO. 22-R-03

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS ACCEPTING THE SEMIANNUAL REPORTS WITH RESPECT TO THE CAPITAL IMPROVEMENTS PLAN, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, The Capital Improvements Advisory Committee has reviewed the revenue and expenditures relating to the established Capital Recovery Fees in accordance with the Capital Improvements Plan for the City of Schertz; and

WHEREAS, the City Council accepts the Semiannual Reports as filed by the Capital Improvements Advisory Committee in accordance with Texas Local Government Code Chapter 395;

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

Section 1. The City Council hereby accepts the Capital Recovery Balance Report with respect to the Capital Improvements Plan for the City of Schertz, Texas, for this period between April 1, 2021 through September 30, 2021, as shown in the attached report and minutes of the November 17, 2021, City of Schertz Capital Improvements Advisory Committee meeting.

Section 2. 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 3. 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 4th day of January 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

CAPITAL IMPROVEMENTS ADVISORY COMMITTEE MINUTES

November 17, 2021

The Schertz Capital Improvement Advisory Committee convened on November 17, 2021 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Richard Braud, Commissioner; Earl Platt, Commissioner; Jimmy Odom, Commissioner; Mark Penshorn, Board Member; Bryan L. Jones, Board Member

Absent: Ernie Evans, Vice Chairman; Gordon Rae, Commissioner; Judy Goldick, Commissioner

City Staff: Brian James, Assistant City Manager

Charles Kelm, Assistant City Manager

Lesa Wood, Director of Planning & Community Development

Kathy Woodlee, City Engineer

Suzanne Williams, Public Works Director

James Walters, Finance Director

Emily Delgado, Senior Planner

Megan Harrison, Planner

Tiffany Danhof, Administrative Assistant

1. CALL TO ORDER / ROLL CALL THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING

Chairman Mr. Outlaw called the meeting to order at 6:00 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

No one was seated as the alternate.

3. HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the Capital Improvement Advisory Committee. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Committee 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.

Residents who choose to watch the meeting via live stream, but who would like to participate in the Hearing of Residents, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Tuesday, November 16, 2021, so that the Planning Division may read the public comments into the

record under the hearing of residents. In the body of the email please include your name, your address, phone number, agenda item number if applicable or subject of discussion, and your comments.

No one spoke.

4. PUBLIC HEARING:

- A.** Hold a public hearing, consider, and file the semi-annual report evaluating the progress of the City on achieving the capital improvements program and identifying any problems in implementing the plans or administering the capital recovery fees.

Ms. Williams provided a presentation.

Mr. Outlaw opened the public hearing at 6:03 P.M.

No one spoke.

Mr. Outlaw closed the public hearing at 6:04 P.M.

There was a discussion on:

- The timeline on the Capital Improvement Master Plan

Motioned by Commissioner Earl Platt, seconded by Board Member Bryan L. Jones to approve

Vote: 6 - 0 Passed

5. ADJOURNMENT OF THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING

Chairman Mr. Outlaw adjourned the regular meeting at 6:15 P.M.

CITY OF SCHERTZ
CAPITAL RECOVERY IMPACT FEE REPORT
April 1, 2021 TO September 30, 2021

Oct 1, 2020 to Mar 31, 2021

	***** IMPACTS FEES *****		
	Water	Sewer	Total
Beginning Allocated Impact Fee Balance ¹	0.00	152,267.99	152,267.99
Net Change in Allocated Impact Fees	<u>397,745.52</u>	<u>7,795,000.00</u>	<u># 8,192,745.52</u>
Ending Allocated Impact Fee Balance	397,745.52	7,947,267.99	# 8,345,013.51
Beginning Unallocated Impact Fee Balance	8,434,468.92	7,691,325.56	16,125,794.48
Revenues:			
Impact Fees	341,811.00	227,648.68	569,459.68
Transfer In	0.00	0.00	0.00
Interest Earned	95.87	90.60	186.47
Investments Income	3,996.69	6,660.45	10,657.14
Misc Income	0.00	0.00	0.00
Reimbursement	0.00	0.00	0.00
Expenses:			
Advertising	0.00	0.00	0.00
Engineering	0.00	0.00	0.00
Legal Svcs	0.00	0.00	0.00
Professional Services	11,507.68	17,343.17	28,850.85
Auditor/Accounting Services	0.00	0.00	0.00
Investment Mgt Fee - Sewer	0.00	1,511.90	1,511.90
Transferred Out	512,000.00	7,795,000.00	8,307,000.00
Total Revenue Over/(Under) Expense	<u>(177,604.12)</u>	<u>(7,579,455.34)</u>	<u>(7,757,059.46)</u>
Ending Unallocated Impact Fee Balance	8,256,864.80	111,870.22	8,368,735.02
Estimated Cost of Unfunded Projects			
Corbett Ground Storage Tank	5,000,000.00		
Capital Impact Fee Study - Water	81,294.49		
Capital Impact Fee Study - Sewer		100,779.85	
Woman Hollering Trunk Line			
Cibolo West Trunk Line		6,000,000.00	
Total Unfunded Project Costs	<u>5,081,294.49</u>	<u>6,100,779.85</u>	<u>11,182,074.34</u>
Unfunded Projects to Ending Unallocated Impact Fee Balance ²	3,175,570.31	(5,988,909.63)	(2,813,339.32)

¹ Allocated Impact Fee Balances only include Capital Recovery funds and not funds from any other source. It also assumes Capital Recovery Funds are used first when allocated.

² Negative Unfunded Projects to Ending Impact Fee Balance to be funded by future revenues or through other sources

Capital Recovery Water Projects

Capital Improvements Program	SE Quad Pump Station	SE Quad GST	SE Quad Elevated Tank	SE Quad Distribution Mains	NE Quad Distribution Mains	IH10 Corridor Distribution Mains
Original Cost Estimate	\$ 1,688,289	\$ 1,100,000	\$ 1,250,000	\$ 1,700,000	\$ 1,600,000	\$ 1,000,000
Current Project Designation	Corbett Ground Storage Tank	Corbett Ground Storage Tank- RL2	Corbett Elevated Tank - RL1	Corbett Elevated & Ground Tanks		
Current Cost Estimate		\$ 5,000,000	\$ 5,650,000			

Capital Recovery Funding/Allocation

2011						
2012						
2013			\$ 12,251.14			
2014			\$ 500.00			
2015			\$ 86,166.10			
2016			\$ 3,050,000.00			
2017						
2018						
2019			\$ 1,375,000.00			
2020						
2021		\$ 512,000.00				
2022						

Capital Recovery Funding Balance	\$ -	\$ 512,000.00	\$ 4,523,917.24	\$ -	\$ -	\$ -
Other Funding Sources	\$ -	\$ -	\$ 840,586.46	\$ -	\$ -	\$ -
Total Project Funding Sources	\$ -	\$ 512,000.00	\$ 5,364,503.70	\$ -	\$ -	\$ -

Project Annual Expenses

First Half 2012						
Second Half 2012						
First Half 2013						
Second Half 2013			\$ 12,251.14			
First Half 2014			\$ 6.77			
Second Half 2014			\$ 2,081.13			
First Half 2015			\$ 980.00			
Second Half 2015			\$ 120,233.32			
First Half 2016			\$ 87,843.28			
Second Half 2016			\$ 22,763.75			
First Half 2017			\$ -			
Second Half 2017			\$ 40,403.20			
First Half 2018			\$ 6,248.00			
Second Half 2018			\$ 7,485.13			
First Half 2019			\$ 50,510.63			
Second Half 2019			\$ 1,994,741.24			
First Half 2020			\$ 1,385,858.48			
Second Half 2020			\$ 1,161,122.42			
First Half 2021			\$ 172,980.16			
Second Half 2021		\$ 114,254.48	\$ 91,433.48			
Total Expenses	\$ -	\$ 114,254.48	\$ 5,156,942.13	\$ -	\$ -	\$ -

Allocated Impact Project Fee Balance	\$ -	\$ 397,745.52	\$ -	\$ -	\$ -	\$ -
Project Balance	\$ -	\$ 397,745.52	\$ 207,561.57	\$ -	\$ -	\$ -
Project Status	Future	Future	Ongoing	Future	Future	Future

Capital Recovery Sewer Projects

Capital Improvements Program	Final South Sewershed Master Plan	Town Creek Phase III	Town Creek Phase IV	Woman Hollering Creek STP PH II	South Schertz Trunk Lines and Lift Station	South Schertz Trunk Lines and Lift Station
Original Cost Estimate	\$ 15,000	\$ 659,126	\$ 1,000,000	\$ 600,000	\$ 9,600,000	
Current Project Designation		Town Creek Phase III - QA3		Crossvines Batch Plant Expansion - QA4	Woman Hollering Trunk Line - QA2/Q01	Cibolo West Truck Line
Current Cost Estimate		\$ 931,740		\$ 487,848	\$ 12,000,000	\$ 6,000,000.0

Capital Recovery Funding/Allocation

2011						
2012						
2013						
2014						
2015						
2016						
2017						
2018				\$ 487,848.00		
2019				\$ -		
2020						
20201					\$ 7,795,000.00	

Capital Recovery Funding Balance	\$ -	\$ -	\$ -	\$ 487,848.00	\$ 7,795,000.00	\$ -
Other Funding Sources		Bond 2007 \$ 931,739.74			Bond 2013 \$ 3,000,000.00	
Total Project Funding Sources	\$ -	\$ 931,739.74	\$ -	\$ 487,848.00	\$ 10,795,000.00	\$ -

Project Annual Expenses

First Half 2012						
Second Half 2012					\$ 82,262.17	
First Half 2013					\$ 49,861.30	
Second Half 2013		\$ 980.00			\$ 17,032.55	
First Half 2014		\$ 28,743.00			\$ 61,364.70	
Second Half 2014		\$ 46,690.62			\$ 34,775.84	
First Half 2015		\$ 5,858.72			\$ 5,382.50	
Second Half 2015		\$ 815,683.00			\$ 38,315.41	
First Half 2016		\$ 33,784.40			\$ 121,438.32	
Second Half 2016					\$ 83,983.26	
First Half 2017					\$ 6,220.00	
Second Half 2017					\$ 4,048.18	
First Half 2018					\$ 247,870.62	
Second Half 2018				\$ 68,609.20	\$ 212,479.83	
First Half 2019				\$ 225,595.33	\$ 56,860.59	
Second Half 2019				\$ 41,375.48	\$ 225,106.41	
First Half 2020				\$ -	\$ 98,737.52	
Second Half 2020				\$ -	\$ 143,307.30	
First Half 2021				\$ -	\$ -	
Second Half 2021				\$ -	\$ 16,123.52	
Total Expenses	\$ -	\$ 931,739.74	\$ -	\$ 335,580.01	\$ 1,505,170.02	\$ -

Allocated Impact Project Fee Balance	\$ -	\$ -	\$ -	\$ 152,267.99	\$ 7,795,000.00	\$ -
Project Balance	\$ -	\$ -	\$ -	\$ 152,267.99	\$ 9,289,829.98	\$ -
Project Status	Future	Complete	Future	On Going	On Going	Future

CITY OF SCHERTZ
ROADWAY IMPACT FEE REPORT
April 1, 2021 TO September 30, 2021

Oct 1, 2020 to Mar 31, 2021

	***** ROADWAY IMPACTS FEES *****				
	Area 1	Area 2	Area 3	Area 4	Total
Beginning Allocated Impact Fee Balance	0.00	0.00	0.00	0.00	0.00
Net Change in Allocated Impact Fees	0.00	0.00	0.00	0.00	0.00
Ending Allocated Impact Fee Balance	0.00	0.00	0.00	0.00	0.00
Beginning Unallocated Impact Fee Balance	477,546.62	197,769.09	825,820.95	6,274.70	1,507,411.36
Revenues:					
Impact Fees	72,605.16	72,904.35	146,258.00	3,033.00	294,800.51
Transfer In	0.00	0.00	0.00	0.00	0.00
Interest Earned	5.66	4.47	26.33	0.00	36.46
Investments Income	243.78	97.54	425.03	3.76	770.11
Misc Income	0.00	0.00	0.00	0.00	0.00
Reimbursement	0.00	0.00	0.00	0.00	0.00
Expenses:					
Advertising	0.00	0.00	0.00	0.00	0.00
Engineering	0.00	0.00	0.00	0.00	0.00
Legal Svcs	0.00	0.00	0.00	0.00	0.00
Development Incentive Fund	0.00	0.00	0.00	0.00	0.00
Professional Services	1,979.00	0.00	0.00	0.00	1,979.00
Auditor/Accounting Services	0.00	0.00	0.00	0.00	0.00
Transferred Out	0.00	0.00	0.00	0.00	0.00
Total Revenue Over/(Under) Expense	70,875.60	73,006.36	146,709.36	3,036.76	293,628.08
Ending Unallocated Impact Fee Balance	548,422.22	270,775.45	972,530.31	9,311.46	1,801,039.44

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: Fire Department
Subject: Resolution No. 22-R-05 Authorizing the City Manager to enter into an agreement for the purchase of one (1) fire apparatus and associated equipment. (C. Kelm/K. Long)

BACKGROUND

The Citizens of Schertz voted on November 2, 2021, to approve General Obligation Bonds to construct a new Fire Station. Also Included in these General Obligation Bonds was for the purchase of one (1) new fire apparatus. Staff recommends the purchase of the fire apparatus at this point and time due to the length of construction time typically required for completion. In addition, staff is recommending early purchase of the apparatus due to a 6-8% increase in the total cost of the apparatus beginning early 2022. Finance brought forward Ordinance 21-T-50, which approved funding for the apparatus and Resolution 21-R-130 which will allow the City to reimburse itself when the debt is finally issued. This purpose of this resolution is to officially award the purchase of the apparatus to Siddons Martin in the amount of \$1.3 million.

As Schertz Fire Department grows, it becomes increasingly important to maintain consistency throughout the department in order to maintain operational readiness. Therefore, it is the goal of staff to maintain a very similar cabin design, pump panel controls, and compartment functionality. It is also the goal of staff to ensure that apparatus engines are built by the same manufacturer with roughly the same horsepower. Equipment consistency increases the efficiency of operational readiness.

This fire apparatus will serve in a frontline status for approx. ten years. After which time, it will transition into a reserve status. A fire apparatus in reserve status is used when maintenance is needed on the frontline apparatus.

GOAL

Authorize City Manager to execute the contract for purchase of one (1) fire apparatus and associated equipment with Siddons-Martin Emergency Group.

COMMUNITY BENEFIT

As the community continues to grow, fire service will improve with the purchase of the new fire apparatus due to increased efficiency in operational readiness. This fire apparatus is expected to help decrease emergency response times for the citizens across Schertz.

SUMMARY OF RECOMMENDED ACTION

Approval of resolution will allow the purchase of the requested fire apparatus and associated equipment prior to a 6-8% price increase set to occur later in January 2022. A custom fire 107' aerial apparatus will be constructed with an estimated completion of about 15 months from contract approval, giving an estimated delivery date of no later than April 2023.

FISCAL IMPACT

Funds for this item will be from the General Obligation Bonds passed on November 2, 2021. The project is set at \$1,298,921.00 for the apparatus and associated equipment. The quoted price for this custom 107' Quint Aerial Apparatus is \$1,337,203.00 and by paying in advance, we will receive a prepay discount of \$40,282.00. The cost of using H-GAC is \$2,000.

RECOMMENDATION

Staff recommends Approval of Resolution 22-R-05

Attachments

22-R-05

Exhibit A

RESOLUTION NO. 22-R-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ONE (1) FIRE APPARATUS AND ASSOCIATED EQUIPMENT

WHEREAS, the Schertz Fire Rescue has a need to replace unit 218 due to the age and replacement schedule; and

WHEREAS, the City Council approved Ordinance 21-T-50 for the budget adjustment on December 14, 2021, which included funds to purchase a fire apparatus in the amount of \$1,298,921; and

WHEREAS, the Schertz Fire Rescue has chosen Pierce Manufacturing, Siddons Martin Emergency Group as meeting its pricing and functional requirements for fire apparatus, this vendor is participating in the HGAC Cooperative Program and will purchase associated capital equipment as part of this project, and

WHEREAS, purchases under the cooperative programs meet the requirements under Subchapter C, Chapter 791.025 of the Texas Government Code, which states that a local government that purchases goods and services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services; then

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

Section 1. The City Council hereby authorizes the City Manager to execute a contract with Pierce Manufacturing and/or its dealer Siddons-Martin Emergency Group, to purchase one (1) fire apparatus as described in Exhibit A for a purchase price of \$1,298,921.00.

Section 2. 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 3. 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 4th day of January, 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

Siddons Martin Emergency Group, LLC
 3500 Shelby Lane
 Denton, TX 76207
 GDN P115891
 TXDOT MVD No. A115890

December 1, 2021

Kade Long, Fire Chief
 SCHERTZ FIRE & RESCUE
 1400 SCHERTZ PKWY BLDG 8
 SCHERTZ, TX 78154



Proposal For: 2022 Schertz Aerial

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to SCHERTZ FIRE & RESCUE. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB SCHERTZ FIRE & RESCUE and training on operation and use of the apparatus.

Description	Amount
Qty. 1 - 721 - Pierce-Custom Velocity Aerial - 107'	
(Unit Price - \$1,337,203.00)	
Delivery within 15-16 months of order date	
QUOTE # - SMEG-0001841-1	
	Vehicle Price \$1,337,203.00
	Full Prepay Discount (\$40,282.00)
	721 - UNIT TOTAL \$1,296,921.00
	SUB TOTAL \$1,296,921.00
	HGAC FS12-19 (FIRE) \$2,000.00
	TOTAL \$1,298,921.00

Price guaranteed for 60 days

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,



Greg Tatsch

I, _____, the authorized representative of SCHERTZ FIRE & RESCUE, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: Public Works
Subject: Resolution No. 22-R-09 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving an amendment to the Interlocal Agreement (ILA) between the San Antonio River Authority (SARA) and the City of Schertz. (C. Kelm/S. Williams)

BACKGROUND

The City of Schertz and the San Antonio River Authority entered into an Interlocal Agreement (ILA) on March 24, 2015 for transportation, treatment and disposal of wastewater for Schertz' connections within SARA's Certificate of Convenience and Necessity (CCN). Recently, it was discovered the ILA references processes that are not occurring as written.

For example, the ILA states the City shall make payments to SARA for connection fees. In reality, SARA charges and collects connection fees rather than Schertz. Both Schertz and SARA are in agreement to maintain this process and the proposed 5th amendment accurately reflects the current collection processes that have been mutually agreed upon by SARA and Schertz.

GOAL

To have the City of Schertz City Council approve the 5th amendment to the San Antonio River Authority (SARA) and Schertz Interlocal agreement (ILA).

COMMUNITY BENEFIT

Through the San Antonio River Authority (SARA), the City of Schertz is able to provide wastewater services to its residents and commercial businesses and maintaining a current ILA helps to facilitate this professional relationship and ensure quality service.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 22-R-09 approving the 5th amendment to the existing Interlocal Agreement.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends approval of Resolution 22-R-09 approving the 5th amendment to the existing Interlocal Agreement.

Attachments

Resolution 22-R-09
5th amendment_Clean copy

RESOLUTION NO. 22-R-09

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
APPROVING AN INTERLOCAL AGREEMENT AMENDMENT BETWEEN THE CITY
OF SCHERTZ, TEXAS AND THE SAN ANTONIO RIVER AUTHORITY FOR
SEWAGE TRANSPORTATION, TREATMENT AND DISPOSAL IN SOUTHERN
SCHERTZ AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City amend an Interlocal Agreement with San Antonio River Authority for Sewage Transportation, Treatment, and Disposal; and

WHEREAS, Chapter 791 of the Texas Government Code, as amended, titled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services;

WHEREAS, the San Antonio River Authority holds the Certificate of Convenience and Necessity for Sewer Service in the Southern Schertz area; and

WHEREAS, the staff of the City of Schertz has met with the San Antonio River Authority and negotiated the terms of the Amended Interlocal Agreement; and

WHEREAS, the City of Schertz holds a dual Certificate of Convenience and Necessity with the Public Utility Commission; and

WHEREAS, one of the requirements of the dual Certificate of Convenience and Necessity with the Public Utility Commission is an Interlocal Agreement between the City of Schertz and San Antonio River Authority; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Interlocal Agreement with the San Antonio River Authority for Sewage Transportation, Treatment, and Disposal attached hereto as Exhibit A (the “Amendment”).

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

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Agreement with the San Antonio River Authority.

Section 2. 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 3. 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 4th day of January, 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A
INTERLOCAL
AGREEMENT
AMENDMENT

STATE OF TEXAS	§	AMENDMENT NUMBER 5 TO THE INTERLOCAL AGREEMENT BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE CITY OF SCHERTZ, TEXAS, FOR
	§	WASTEWATER TRANSPORTATION, TREATMENT AND DISPOSAL
COUNTY OF BEXAR	§	

This Amendment No. 5 (the “Amendment”), is made and entered into as of the 4th day of January 2022, by and between the City of Schertz, a Texas municipal corporation (hereinafter referred to as “CITY”), and the San Antonio River Authority, a conservation and reclamation district (hereafter referred to as “RIVER AUTHORITY”) headquartered in San Antonio, Texas.

WHEREAS, the RIVER AUTHORITY and CITY entered into an Interlocal Agreement effective as of March 24, 2015 (the “Agreement”) providing that the RIVER AUTHORITY shall transport, treat and dispose of the wastewater of CITY, a wholesale customer of the RIVER AUTHORITY; and

WHEREAS, the CITY desires to serve the geographic area supported by RIVER AUTHORITY and RIVER AUTHORITY is willing and able to provide such services; and

NOW, THEREFORE, the PARTIES hereto, in consideration of the mutual AGREEMENTS and undertakings hereinafter set forth, hereby contract and agree as follows:

CITY and RIVER AUTHORITY agree to amend the Agreement as follows:

Section V of the Agreement is replaced and superseded by the following new Section V

V. CHARGES

City shall make payments to River Authority for (i) sewage transportation, treatment and disposal, (ii) fees included in the River Authority’s industrial waste control ordinance, including extra strength sewage treatment, (iii) industrial cost recovery, and (iv) for any other expenditures which are the responsibility of City under this Agreement. The initial wholesale charges to City for sewage transportation, treatment and disposal; the charges for extra strength wastes; and the industrial cost recovery charges to be charged to City shall be based on Wholesale Customer Charge Schedule as shown in the attached Exhibit “C”.

River Authority shall charge and collect connection fees and impact fees in areas where the River Authority Wastewater Treatment System provides sewage transportation, treatment, and disposal.

River Authority will adjust its charges to the City annually, on July 1 of each calendar year. On or before May 1 of each year, River Authority will give written notice to City of the charges for the following year. River Authority shall not be responsible to City or its customers for any issues related to customer billings.

Within thirty days of the close of each calendar month, a statement of ~~account~~ connections and the payments called for in this Agreement shall be forwarded to River Authority by City. By June 1 of each calendar year, City shall provide a listing of connections served by address to River Authority. River Authority shall have the right to verify and audit reported connections. Delinquent payments to River Authority shall incur a penalty based on State of Texas Prompt Payment Act.

IN WITNESS WHEREOF, the PARTIES hereto, acting under the authority of their respective governing bodies, have caused this contract to be duly executed in several counterparts, each of which, shall constitute an original, as of this 4th day of January 2022.

SAN ANTONIO RIVER AUTHORITY

Derek Boese, JD, PMP, General Manager

ATTEST:

Stephen T. Graham, Assistant General Manager

APPROVED AS TO FORM:

Allison Elder, Director of Legal Services

CITY OF SCHERTZ, TEXAS

Name: Mark Browne

Title: City Manager

ATTEST:

Name:

Title:

STATE OF TEXAS	§	AMENDMENT NUMBER 5 TO THE INTERLOCAL AGREEMENT BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE CITY OF SCHERTZ, TEXAS, FOR
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WHEREAS, the CITY desires to serve the geographic area supported by RIVER AUTHORITY and RIVER AUTHORITY is willing and able to provide such services; and

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V. CHARGES

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River Authority shall charge and collect connection fees and impact fees in areas where the River Authority Wastewater Treatment System provides sewage transportation, treatment, and disposal.

River Authority will adjust its charges to the City annually, on July 1 of each calendar year. On or before May 1 of each year, River Authority will give written notice to City of the charges for the following year. River Authority shall not be responsible to City or its customers for any issues related to customer billings.

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IN WITNESS WHEREOF, the PARTIES hereto, acting under the authority of their respective governing bodies, have caused this contract to be duly executed in several counterparts, each of which, shall constitute an original, as of this 4th day of January 2022.

SAN ANTONIO RIVER AUTHORITY

Derek Boese, **JD, PMP**, General Manager

ATTEST:

Stephen T. Graham, Assistant General Manager

APPROVED AS TO FORM:

Allison Elder, Director of Legal Services

CITY OF SCHERTZ, TEXAS

Name: Mark Browne

Title: City Manager

ATTEST:

Name:

Title:

CITY COUNCIL MEMORANDUM

City Council Meeting: January 4, 2022
Department: Public Works
Subject: Ordinance No. 22-T-03 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the Fiscal Year 2021-2022 Budget to provide funding for the purchase of HVAC equipment for the Civic Center HVAC Replacement Project, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. (*First Reading*) (C. Kelm/S. Williams/S. McClelland)

BACKGROUND

The Schertz Civic Center has been providing rental space for the community since 2006. Recently, the HVAC system in the facility is experiencing outages, performance and reliability issues. In addition to having the City's on-staff HVAC Technician diagnose the ongoing issues, the City also entered into a task order with M&S Engineering (one of the City's on-call engineering firms) to do a full redesign of the facility's HVAC system.

The new system being proposed for the Civic Center is a system that is more conventional for a facility of this size. New package units will be installed on-grade on the exterior of the building. The variable air volume (VAV) units will be distributed to each zone within the facility by VAV terminal units. A large portion of the existing duct work will be able to remain in place allowing for less disruption within the facility during construction.

Due to long lead times, City Staff is recommending ordering the HVAC equipment prior to the final design being completed. This will shorten the overall construction schedule which will minimize the impacts on the Civic Center operations. This ordinance allocates funds from the Hotel Occupancy Tax reserves in order to fund the purchase of the HVAC equipment for the project.

A separate resolution will be brought to City Council authorizing the agreement for the purchase of the HVAC equipment.

GOAL

The goal of this ordinance is to amend the fiscal year 2021-2022 budget to provide funding for the purchase of HVAC equipment for the Civic Center.

COMMUNITY BENEFIT

Replacing the existing HVAC system will allow the Civic Center to continue to provide high-end event rental space to the community.

SUMMARY OF RECOMMENDED ACTION

Staff recommends that the City Council approve Ordinance 22-T-03 on first reading authorizing the budget adjustment to allow for the purchase of new HVAC equipment.

FISCAL IMPACT

Funding for the equipment procurement and construction of the project will be paid for using existing Hotel Occupancy Tax Funds which are permitted to be used on Capital Improvements at the Civic Center.

RECOMMENDATION

Staff recommends that the City Council approve Ordinance 22-T-03 on first reading authorizing the budget adjustment to allow for the purchase of new HVAC equipment.

Attachments

22-T-03

ORDINANCE NO. 22-T-03

A ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE FUNDING FOR THE PURCHASE OF HVAC EQUIPMENT FOR THE CIVIC CENTER HVAC REPLACEMENT PROJECT, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 21-T-38, the City Council of Schertz, Texas, (the “City”) adopted the budget for the City for the fiscal year 2021-2022 (the “Budget”), which provides funding for the City’s operations throughout the 2021-2022 fiscal year; and

WHEREAS, the City needs to authorize a budget amount of \$250,000 for the purpose of purchasing HVAC equipment related to the Civic Center HVAC Replacement Project; and

WHEREAS, City Staff recommends that the City Council of the City adjust the Budget and approve the ordinance; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to adjust the Budget and approve the budget transfer for the Civic Center HVAC Replacement Project, as more fully set forth in this Ordinance; and

WHEREAS, the City has identified a need to replace the existing HVAC system at the Civic Center; and

WHEREAS, the City has Hotel Occupancy Tax Funds available to be used on Capital Projects at the Civic Center; and

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

Section 1. The City shall transfer a budget of \$250,000 from the Hotel Occupancy Tax Fund to the Civic Center HVAC Replacement Project.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Ordinance shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED on first reading, this 4th day of January, 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)