



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
January 10, 2023

HAL BALDWIN MUNICIPAL COMPLEX
MUNICIPAL COURTROOM
1400 SCHERTZ PARKWAY BUILDING #1
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 10, 2023 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.
(Mayor Pro-Tem Heyward)

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
- Announcements and recognitions by the City Manager (S. Williams)
- 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 regular meetings of December 6, 2022, and December 13, 2022. (S.Edmondson)
2. **Resolution No. 22-R-142** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for expenditure in an amount not to exceed seventy-five thousand dollars for the purchase of the WatchGuard in-car video camera system.
3. **Resolution No. 23-R-04** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine Debt Revenue Adjustments for certain inactive outstanding receivables and other matters in connection therewith. (S.Williams/J. Walters)
4. **Resolution 23-R-05** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an agreement with Texas Utility Help.

Workshop

5. Workshop Discussion on the Benefits of Trails and a Review of the Schertz Trails Plan.

Roll Call Vote Confirmation

Closed Session

6. The City Council will meet in Closed Session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the vacancy of the City Secretary position.

Reconvene into Regular Session

Roll Call Vote Confirmation

Information available in City Council Packets - NO DISCUSSION TO OCCUR

7. Monthly Update on FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)

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, SHEILA EDMONDSON, INTERIM 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 6th DAY OF JANUARY 2023 AT 5:00 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.

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 _____, 2023. 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	Councilmember Scagliola – Place 5 Animal Advisory Commission - Alternate
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Board of Adjustments Investment Advisory Committee Main Street Committee	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 Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Commission TIRZ II Board	Councilmember – Place 2 (VACANT)
Councilmember Whittaker – Place 3 Audit Committee Historical Preservation Committee Interview Committee for Boards and Commissions Library Advisory Board TIRZ II Board	Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions Planning & Zoning Commission TIRZ II Board
Councilmember Heyward – Place 6 Animal Advisory Commission Audit Committee Building and Standards Commission Economic Development Corporation - Alternate Investment Advisory Committee Main Street Committee	Councilmember Brown – Place 7 Economic Development Corporation Main Street Committee Schertz-Seguin Local Government Corporation - Alternate

BACKGROUND

GOAL

COMMUNITY BENEFIT

SUMMARY OF RECOMMENDED ACTION

RECOMMENDATION

Attachments

12-06-2022 Draft Minutes

12-13-2022 Draft Minutes

DRAFT

MINUTES REGULAR MEETING December 6, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 6, 2022, 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 Allison Heyward; Councilmember Mark Davis; City Council Place 2 - Vacant; Councilmember Jill Whittaker; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Tim Brown

City Staff: City Manager Steve Williams; Assistant City Manager Brian James; City Attorney Daniel Santee; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson

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 Michael Dahle)

Mayor Gutierrez recognized Councilmember Michael Dahle who provided the opening prayers followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Presentations

- **Mr. Fredy Degollado - Service with the YMCA**

Parks and Recreation Director Lauren Shrum introduced Mr. Fredy Degollado who has served the YMCA for 35 years. Mayor Gutierrez presented Mr. Degollado with a thank-you plaque.

- **Introduction of the Schertz Young Leaders 2023 Class**

Cassandra Paddock introduced the Inaugural Schertz Young Leaders 2023 Class. They will have the opportunity to learn about their community and leadership and make a positive impact on the community.

Employee Introductions

Mayor Gutierrez recognized City Department Heads who introduced their new employees.

- Utility Billing: Crystal Rubio-Utility Billing; Richard Gomez-Utility Billing Technician
- Fleet and Facility Services: Tobie John Salazar-Plumber Apprentice; Michael Hernandez-Grounds Maintenance Technician
- Public Affairs: Lonnie Corso-Events Attendant
- Public Works/Streets: Silas James Pitts-Street Worker-1
- Animal Services: Cleotilde Padilla-Animal Services Officer; Daniella Shapiro-Animal Services Officer
- Police Department: Matthew Potter-Police Officer
- Fire Department: Dan Kramer-Assistant Fire Chief; Timothy Dyer-Firefighter

City Events and Announcements

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

Mayor Gutierrez recognized the Assistant to the City Manager Sarah Gonzalez who provided the following information:

Thursday, December 8

NEP Monthly Meeting

11:30 AM

Olympia Hills Golf Course & Conference Center

Tuesday, December 13

Next regular scheduled Council meeting

6:00 PM

Council Chambers

Monday, December 19 – Friday, December 23 and Monday, December 26 – Friday, December 30

Schertz Runoff Election Early Voting for City Council Place 2 and Mayor

8:00 AM – 5:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

or Seguin Elections Office, 215 S. Milam Street, Seguin

Note: Applies to all Schertz residents regardless of the county they reside in

Tuesday, January 3

Schertz Runoff Election Day

7:00 AM – 7:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

Note: This will be the only voting location for Schertz residents and applies to all Schertz residents regardless of the county they reside in

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

City Manager Steve Williams thanked everyone for the warm welcome to the City of Schertz.

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

Mayor Gutierrez wanted to thank the entire staff for the hard work provided to make the Deck the Halls and Holidazzle a huge success.

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.

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Mayor Pro-Tem Allison Heyward recognized the following residents:

Maggie Titterington-1730 Schertz Parkway: Ms. Titterington announced that the Chamber Leadership Core will be taking the Schertz Emerging Leaders to the Capital to introduce them to our State government. The Health and Home Show is January 28, 2023, 10:00 am to 1:00 pm. will be at the Schertz Chamber. There will be free health screens and also 18 home providers to visit with about the health of your home. Raising Canes celebrated their 10-year anniversary in the City of Schertz. Ms. Titterington asked the Council to support the Local Flavor Grant for the Grayhouse Blooms which will be on the next meeting's agenda.

Consent Agenda Items

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Mayor Gutierrez read Consent Agenda Items 1-5 for the record.

Mayor Pro-Tem Heyward read Consent Agenda Items 5-11.

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of October 11, 2022, and October 25, 2022. (S.Edmondson)
2. **Resignations and Appointments to various Boards, Commissions and Committees** - Consideration and/or action approving the Resignation of Mr. Paul Ringenbach as a Regular Member of the Historic Preservation Committee, approve Mr. Miguel Vazquez to the Historical Preservation Committee. (S. Edmondson/Mayor-Council)

3. **Approval of the 2023 Master Calendar** (B. James/S. Gonzalez)
4. **Resolution No. 22-R-133** - A Resolution by the City of Schertz City Council authorizing an Addendum to the LESO Program State Plan of Operation (SPO), the acknowledging the Certification of Notification for Law Enforcement Agency to Potentially Acquire Controlled Property and other matters in connection therewith. (S. Williams/J. Lowery)
5. **Resolution No. 22-R-138** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a Task Order Agreement with Halff Associates for a not to exceed amount of \$330,000 for the Lookout Road Reconstruction Project. (B. James/J. Nowak)
6. **Resolution 22-R-80** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a professional services agreement with Freese and Nichols, Inc. for the Update of the City's Comprehensive Plan.
7. **Resolution 22-R-120** - A Resolution by the City Council of the City of Schertz authorizing an agreement with Selrico Services for the Schertz Area Senior Center Nutrition Program.
8. **Resolution 22-R-131** - a Resolution by the City of Schertz authorizing an amendment to the School Resource Officer Program Agreement with the Schertz-Cibolo-Universal City Independent School District, and other matters in connection therein
9. **Resolution 22-R-139** - Consideration and/or action by the City Council of the City of Schertz, Texas authorizing an increase to the contract with CutRite Landscaping for the Cibolo Valley Drive Medians Landscaping Project.
10. **Resolution 22-R-140** - Consideration and/or action approving a Resolution authorizing the revised Bylaws of the Schertz Historical Preservation Committee, and other matters in connection therewith (B. James)
11. **Ordinance 22-T- 43** - An Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2022-2023 Budget to fund audio/visual improvements for Municipal Court, repealing all ordinance or parts of ordinance in conflict with this ordinance; and providing an effective date. (***Final Reading***) (M.Browne/J.Walters)

Mayor Gutierrez asked for Consent Agenda Item #7 to be removed for separate action.

Mayor Gutierrez asked for a motion for Consent Agenda Items 1-6 and 8-11.

Moved by Councilmember Jill Whittaker, seconded by Mayor Pro-Tem Allison Heyward

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

Discussion and Action Items

Mayor Gutierrez asked to have Consent Agenda Item 7 pulled for further discussion.

RESOLUTION NO. 20-R-120

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH
SELRICO SERVICES, INC. TO PROVIDE THE MEALS FOR THE CONGREGATE
MEAL PROGRAM AT THE SCHERTZ AREA SENIOR CENTER.

Mayor Gutierrez asked is there is a way to work with the vendor and the menu when the residents request change. Parks Director Lauren Shrum explained there is a feedback comment card process in which the residents can share with the contractor about the meals provided.

Mayor Gutierrez asked for a motion to approve Resolution 22-R-120.

Moved by Mayor Pro-Tem Allison Heyward, seconded by Councilmember Tim Brown

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

- 12. Ordinance No. 22-T-49** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2022-2023 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (*First Reading*) (B. James/J. Walters)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-T-49

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ,
TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2022-2023
BUDGET TO REAUTHORIZE UNUSED FUNDS FROM FISCAL YEAR
2021-2022 AND SETTING A BUDGET FOR GRAFFITI ABATEMENT,
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

Mayor Gutierrez recognized Finance James Walters who explained that the 1st

Quarterly Budget Adjustment is moving forward the unused budgeted amounts from the FY 2021-2022 to FY 2022-2023. This adjustment is for departments that had unused budgeted amounts due to delays in manufacturing, back ordered/out of stock items, or project schedules that run through multiple fiscal years. The identified items and amounts to be rolled forward amount to \$1,801,317.

List of items are:

1. Police - \$81,139 in vehicle purchases to replace the K-9 vehicle
2. Parks - \$27,800 budgeted for Wendy Swan Restroom Repairs
3. Parks - \$9,015 to purchase tables for Ashley Park
4. Parks - \$133,118 to continue renovations at Thulemeyer Park
5. Parks - \$3,993 to continue upgrading the garden at the Senior Center
6. Parks - \$88,173 to continue the Cibolo Valley Drive median landscaping
7. IT - \$4,483 to continue the city's wifi and camera upgrades
8. Fire - \$15,533 community outreach for promotional material purchases
9. Fire - \$283,561 for vehicle purchase and outfitting
10. Fire - \$10,000 promotional testing cost increases
11. Fire - \$27,732 for delayed uniform purchases
12. PEG - \$479,796 to continue the master communication plan execution
13. PEG - \$374,974 to continue the Council Chambers AV upgrade project14.
- EMS - \$262,000 for an ambulance remount and equipment that was delayed

Staff also recommends setting a budget for graffiti abatement in the City. Sec. 50-307 of the City Code of Ordinances must offer property owners graffiti removal services free of charge. A budget for this service was not included in the FY 2022-23 Adopted Budget and staff recommends setting it at \$10,000 based on the current known requests for service and properties that have been notified.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Allison Heyward

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

Passed

Public Hearings

13. **Ordinance No. 22-S-45** Conduct a public hearing and consideration and/ or action on a request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) (*First Reading*)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-S-45

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 0.14 ACRES OF LAND TO MAIN STREET MIXED-USE DISTRICT (MSMU), GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF RANDOLPH AVE AND EXCHANGE AVE, ALSO KNOWN AT 204 RANDOLPH AVE, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 67555, GUADALUPE COUNTY, TEXAS

Mayor Gutierrez recognized Assistant City Manager Brian James who presented a PowerPoint presentation on the proposed rezoning approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), the property is located at 204 Randolph Ave. The rezone is desired by the property owner in order to utilize the property for commercial purposes and for additional parking spaces which will benefit 603 Main Street, 204 Randolph, and 539 Main Street.

A Public Hearing notice was published in the San Antonio Express news on November 16, 2022. Twenty-three (23) public hearing notices were mailed to surrounding property owners within two hundred (200) feet of the subject property on November 3, 2022. At the time of this staff report one (1) response in favor of the zoning request has been received. No responses neutral or opposed to the request have been received. On November 16, 2022 at the Planning and Zoning Commission Public Hearing recommended approval. Staff also recommends approval of Ordinance 22-S-45.

Mayor Gutierrez opened the public hearing, no one spoke, so Mayor Gutierrez closed the public hearing and opened it up to City Council for discussion.

Councilmember Whittaker wanted to know the percentages of homes that are between Main Street and Exchange Ave. and would be rezoned to Main Street Mixed Use District (MSMU). Her concern was that some of the properties on Exchange Ave would not qualify the Main Street Grant area, but would be in the MSMU District. ACM Brian James would like to bring these concerns to the Main Street Committee to come back and see what incentive programs would be available to properties near Main Street and Exchange Ave. Councilmember Whittaker would like to make sure there was uniformity throughout the area.

Mayor Gutierrez asked for a motion to approve on the first reading Ordinance 22-S-45.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

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

Passed

14. **Ordinance No. 22-S-42** - Consideration and /or action on a request to rezone approximately 31 acres of land from General Business District (GB) to Single-Family Residential District (R-2), the property, a portion of Parcel ID 63998, generally located approximately 1,000 feet to the northwest of the Eckhardt Road and Green Valley Road intersection. City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, S. Haas) *(First Reading)*

Mayor Gutierrez read the following for the record:

ORDINANCE NO. 22-S-42

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 31 ACRES OF LAND TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-2) GENERALLY LOCATED 1,000 FEET TO THE NORTHWEST OF THE ECKHARDT ROAD AND GREEN VALLEY ROAD INTERSECTION ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 63998, GUADALUPE COUNTY, TEXAS.

Mayor Gutierrez recognized ACM Brian James who stated that the applicant is requesting to rezone the 31 acres to single-family Residential District (R-2). This property is near the Cypress Point Development and the Parklands Development. Forty public hearing notices were mailed to the surrounding property owners on September 30, 2022, with a public hearing notice published in the "San Antonio Express" on Wednesday, November 16, 2022. At the time of this report, staff has received six (6) responses opposed and one (1) response in favor of the requested rezoning. Five of the responses in opposition are from property owners within the 200' notice area. They represent 20.1% of the area within the 200' notice area. As these protests exceed the 20% requirement, an affirmative vote of at least three-fourths of Council is required to approve this request.

Staff recommends the approval of Ordinance 22-S-42.

Mayor Gutierrez opened the public hearing, no one spoke, public hearing was closed.

Mr. Burt Wellman with KFW Engineers is representing the applicant stated that this zoning does provide a good mixture of lot sizes in this area. This subdivision is planning to have 70-foot lots add a diversity to this area.

Councilmember Dahle stated the GB zoning is archaic, and it is not a good fit. Having the rezone to SFR (R-2) will be appropriate use of this property.

Councilmember Scagliola agrees that the 70-foot lot sizes are a good addition.

Mayor Gutierrez asked for a motion for Ordinance 22-S-42 and would need a super majority to pass.

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola

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

Passed

- 15. Ordinance No. 22-S-44** - Conduct a public hearing and consideration and/ or action on a request to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District-Light (M-1) to Planned Development District (PDD), generally located southeast of the intersection of IH 35 and Cibolo Valley Drive, also known as Guadalupe County Property Identification Numbers 68313, 68314, and 148510, City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) (*First Reading*)

Mayor Gutierrez read the following into the record:

ORDINANCE NO. 22-S-44

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 75 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF IH 35 AND CIBOLO VALLEY DRIVE, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBERS 68313, 68314, AND 148510, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS

Mayor Gutierrez recognized ACM Brian James who explained where the property is located near the EVO Entertainment off of IH-35. The developer would like to rezone approximately 75 acres to PDD- Planned Development District. The developer would like the PDD to have four different areas.

The applicant is proposing to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District-Light (M-1) to Planned Development District (PDD). Currently, the property is undeveloped / agricultural land. The proposed Planned Development District, titled "Schertz Station", is divided into four (4) different areas to include Commercial, Retail, and Multi-Family, each of which has their own designations and standards, outlined below.

Area I: The portion of the property along IH 35 and Cibolo Valley Drive, proposed to develop as Commercial /Retail- Approximately 18.6 acres

Area I is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC along with "Auto Repairs & Service, Major" and "Retail Cabinet Sales".

Within Area I, The maximum impervious coverage is proposed to be 85%. Additionally, 15% of Area I will be required to be landscaping. Since Area I is adjacent to IH 35, a minimum fifty (50) foot front building setback will be required for all lots fronting IH 35 frontage road.

Area II: The portion of the property located in the center of the 75 acres, immediately behind Area I, proposed to develop as Commercial / Retail - Approximately 19.2 acres. Originally the applicant also was requesting that multifamily uses be allowed in Area II. After Planning and Zoning Commission consideration the applicant modified their request to eliminate multifamily residential uses as an allowed use.

Area II is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC, along with "Commercial Amusement, Outdoor".

Within Area II, The maximum impervious coverage is proposed to be 90%. Additionally, 10% of Area II will be required to be landscaping.

Area III: South of Area II, proposed to develop as Multi-Family - Approximately 33.5 acres

Area III is proposed with a base zoning of Apartment / Multi-Family (R-4), and will allow uses permitted in Apartment / Multi-Family (R-4) per the UDC

Within Area III, the maximum height of any proposed buildings will be 35 feet with a maximum impervious coverage of 80%. Additionally, 20% of Area III will be required to be landscaping.

Since Area III is proposed as Multi-Family, the PDD Design Standards stipulate a maximum density of 12 units per acre. Additionally, there will be a required parking ratio of 1.75 parking spaces per unit (minimum).

Area IV: Immediately adjacent to the intersection of Cibolo Valley Drive and Old Wiederstein, proposed to develop as Commercial / Retail - Approximately 3.29 acres

Area IV is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC

Within Area IV, the maximum height of any proposed buildings will be 35 feet with a maximum impervious coverage of 85%. Additionally, 15% of Area IV will be required to be landscaping.

In addition to the four proposed areas, the Schertz Station PDD also indicates that the extension of Ripples Kruesler through the project will be completed as a "Collector".

Forty Four (44) public hearing notices were mailed to the surrounding property owners on October 14, 2022 with a public hearing notice published in the "San Antonio Express" on November 16, 2022, prior to the City Council public hearing. At the time of this report, staff has received one response in favor, and three responses opposed to the request.

The Planning and Zoning Commission conducted a public hearing on October 26, 2022 where the Planning and Zoning Commission made a unanimous recommendation of approval of the zone change as presented with a note in relation to the proposed project needing to meet Unified Development Code Section 21.14.3.F in relation to sight distance requirements.

Mayor Gutierrez opened up the public hearing and recognized the following resident:

Mr. Dana Eldridge-2628 Gallant Fox Drive-Mr. Eldridge is happy that this area will

be developed. He has many concerns which include the power lines, the road condition of Cibolo Valley Drive and a major automotive retail business that is proposed for this area. He would like to see some nice eateries.

Mayor closed the public hearing and recognized the developer Ashley Farrimond, the attorney for the developer. Ms. Farrimond stated that the developer has been working on this project for over a year and doing their due diligence and designing a plan that they think best fits the city needs. Jeremy Williams -Embry and Will Collins-Merritt gave a presentation of their design and plans for this development.

City Council is looking forward to this area being developed but has a few concerns about the name Schertz Station and a plan for a major automotive retail business to be part of the retail businesses. ACM Brian James stated that before the next meeting, the definition of major automotive retail can be better explained. Mr. Will Collins explained that the name Schertz Station is not set in stone and could be changed.

Mayor Gutierrez asked for a motion to approve Ordinance 22-S-44.

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-Tem Allison Heyward

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

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized Interim City Secretary Sheila Edmondson who provided roll call for Consent Agenda Items 1-6 and 8-11 and Agenda Items 7 and 12-15.

Workshop

- 16.** Workshop Discussion and Action Regarding the Acquisition of Approximately 31 acres of Property Generally Located on the North and South Sides of Wiederstein Road Generally East of Schertz Parkway.

Mayor Gutierrez recognized Fire Chief Greg Rodgers who presented a PowerPoint presentation on acquiring approx 31 acres of property for Fire Station #4 located on the north and south sides of Wiederstein Road, generally to the east of Schertz Parkway. This property is owned by SCUCISD. The City is in need of an approximately 5 acre site of land for future Fire Station #4 that will be able to provide improved service to the Industrial area to the north of IH-35. This site would also provide relief to the other fire stations in Schertz. Staff understands SCUCISD is open to selling the property they own as a whole. The appraised value is \$1,970,000.

Chief Rodgers stated the response times would be reduced, and our 2nd and 3rd level responses would be reduced to approx. 6 minutes or less which would put in compliance with the National Fire Protection Association. A full response force which could be approx. 18 personnel which is very good.

Councilmember Tim Brown understands the affordability of the land, but has concerns about having no infrastructure.

Chief Rodgers and ACM James discussed the cost of infrastructure, and still believe this is a good area to build Fire Station #4 to cover the Industrial Park area and reduce response times.

Roll Call Vote Confirmation

Closed Session

Mayor Gutierrez recessed the meeting at 8:07 p.m.

17. The City Council will convene in closed session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney about pending or contemplated litigation or a settlement offer on one or more of the following matters: Green Valley Special Utility District vs. City of Schertz et al Case No. 17-CV-00819-LY (U.S. District Court, Western District of Texas, Austin Division); City of Schertz v. United States Department of Agriculture, et al., No. 19-51056 (U.S. Fifth Circuit Court of Appeals); City of Schertz, Texas v. Texas Commission on Environmental Quality, et al. No. 07-20-00167-CV (Seventh Court of Appeals, Amarillo, Texas); Green Valley Special Utility District v. the Public Utility Commission of Texas and DeAnn T. Walker; Arthur C. D'Andrea, Jr.; Shelly Botkin; in their official capacities as Commissioners of the Public Utility Commission of Texas; and John Paul Urban in his official capacity as Executive Director the Public Utility Commission of Texas; and the City of Schertz, Texas. Cause No. D-1-GN-18-000535, In the District Court of Travis County, Texas, 419th Judicial District; Application of Green Valley Special Utility District for New TPDES Permit, No. WQ0015917-001 (Texas Commission on Environmental Quality)
18. The City Council will meet in Closed Session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the vacancy of the City Secretary position.
19. The City Council will meet in closed session in accordance with Section 551.072, Texas Government Code deliberation regarding the purchase, exchange, lease, or value of Real Property for park and recreation purposes.

Reconvene into Regular Session

Mayor Gutierrez reconvened the meeting at 9:08p.m.

Item Number #17-Green Valley Special Utility District-no action required.

Item Number #18- Land acquisition- no action required.

Item #18-City Secretary Vacancy- no action required.

Roll Call Vote Confirmation

Information available in City Council Packets - NO DISCUSSION TO OCCUR

20. Monthly Update on FY 2022-23 Approved Expanded Programs (B. James/S. Gonzalez)

21. Monthly Update on Major Projects in progress/CIP. (B. James/K. Woodlee)

Requests and Announcements

- Announcements by the City Manager-None at this time.
- Requests by Mayor and Councilmembers for updates or information from Staff -None at this time.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda-None at this time.

- Announcements by Mayor and Councilmembers

Mayor Pro-Tem Heyward attended the Crossvine HOA Meeting, Retail Reception with EDC, TML Board Meeting, Holidazzle , Holiday Market and the Employee Holiday Event.

Councilmember Davis attended the Tree Lighting and Holidazzle, Schertz Housing Authority Meeting

Councilmember Whittaker attended Crossvine HOA Meeting, First United Bank Ribbon Cutting, Veterans Day Ceremony, FM 1103 Groundbreaking Ceremony, SHPC Meeting, Library Advisory Meeting, Tree Lighting Ceremony and Raising Cane's 10-Year Anniversary

Councilmember Dahle attended the First United Bank Ribbon Cutting, Chamber Luncheon, Crossvine HOA Meeting, City Manager Reception, Tree Lighting Ceremony, Parade and the UDC Subcommittee Meeting

Councilmember Scagliola attended the Tree Lighting Ceremony, City Manager Reception, Raising Cane's 10-Year Anniversary Event,

Councilmember Brown thanked the Staff for all the Holiday Events.

Adjournment

Mayor Gutierrez adjourned the meeting at 9:08 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary

DRAFT

MINUTES REGULAR MEETING December 13, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 13, 2022, 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 Allison Heyward; Councilmember Mark Davis; City Council Place 2 - Vacant; Councilmember Jill Whittaker; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Tim Brown

City Staff: City Manager Steve Williams; Assistant City Manager Brian James; City Attorney Daniel Santee; Assistant to the City Manager Sarah Gonzalez; Interim City Secretary Sheila Edmondson

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 Scagliola)

Mayor Gutierrez recognized Councilmember David Scagliola who provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant City Manager Brian James who provided the following information:

Monday, December 19 – Friday, December 23 and Monday, December 26 – Friday, December 30

Schertz Runoff Election Early Voting for City Council Place 2 and Mayor

8:00 AM – 5:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

or Seguin Elections Office, 215 S. Milam Street, Seguin

Note: Applies to all Schertz residents regardless of the county they reside in

Friday, December 23

City Offices Closed in Observance of Christmas Eve

Monday, December 26

City Offices Closed in Observance of Christmas Day

Saturday, December 31

New Year's Eve Celebration

8:00 PM – 12:15 AM

Pickrell Park

Monday, January 2

City Offices Closed in Observance of New Year's Day

Tuesday, January 3

Schertz Runoff Election Day

7:00 AM – 7:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

Note: This will be the only voting location for Schertz residents and applies to all Schertz residents regardless of the county they reside in

Saturday, January 7

Polar Bear Plunge

10:00 AM – 12:00 PM

Pickrell Park

Tuesday, January 10

Next regular scheduled Council meeting

6:00 PM

Council Chambers

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

Mayor Gutierrez recognized City Manager Steve Williams who thanked Dylan Sandburg from Facilities Management for driving the Council float in the Cibolo Christmas Parade. And provided big kudos to Andrew McBride, Schertz Seguin LGC Manager, and to his team and contractors for going above and beyond in repairing a water leak related to a tap connecting a 42 inch water main to their new water plant. SSLGC staff and contractors worked around the clock for roughly three days straight to control the leak. Finally, he expressed a big thank you and acknowledge all the hard work the staff and the achievements they accomplished throughout the past year.

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

The mayor expressed his thanks to Mr. McBride and his team for repairing the water line stating it was crucial to get it done. He also thanked Public Works for their work in putting the Council float together and driving it in the Cibolo parade. He presented Joe Villarreal with the trophy they won for placing 3rd in the parade.

Mayor closed with expressing holiday wishes and an invitation to all citizens to join Council at Pickrell Park for the New Year's celebration.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Mayor Pro-Tem Allison Heyward recognized the following:

Hengam Stanfield, 4206 Wenzel Dale Dr., Schertz, 78108. Ms. Stanfield is the owner of Mattenga's Pizzeria as well as the chair for the Chamber Board of Directors. Ms. Stanfield, representing Maggie Titterington, President of the Chamber, spoke in support of new member, Gray House Blooms, for Council's approval of a Main Street Grant. She added that The Chamber had worked with the Contreras family for a dozen years and that when Mrs. Contreras passed away it seemed a legacy was ending. When the owners of Gray House Blooms, Jerry and Tammy, approached the Chamber with plans of opening and continuing flower service for our community with the support of Jason Contreras it seemed fitting that they would carry on a long-standing tradition of a quality florist in our city. The Chamber has worked with Jerry, Tammy, Jason, and City staff to include among others, Gil Durant and Brian James, to see this come to fruition with Council approval and look forward to planning a future grand opening and ribbon cutting ceremony to introduce the next generation of floral design on Main Street.

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 read Items #1-3 for the record.

Mayor Pro-Tem Heyward read Items #4-7 for the record.

- 1. Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of November 1, 2022. (S.Edmondson)

2. **Resolution No. 22-R-130** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 817 Main Street. (S.Williams/B. James)
3. **Resolution No. 22-R-136** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 507 Main Street. (S.Williams/B. James)
4. **Ordinance No. 22-T-49** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2022-2023 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (***Final Reading***) (B. James/J. Walters)
5. **Ordinance No. 22-S-45** Consideration and/ or action on a request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado)(***Final Reading***)
6. **Ordinance No. 22-S-42** - Consideration and /or action on a request to rezone approximately 31 acres of land from General Business District (GB) to Single-Family Residential District (R-2), the property, a portion of Parcel ID 63998, generally located approximately 1,000 feet to the northwest of the Eckhardt Road and Green Valley Road intersection. City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, S. Haas) (***Final Reading***)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. Mayor recognized Councilmember Dahle who requested Agenda Item #7 be removed for separate discussion.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1-6.

Moved by Mayor Pro-tem Allison Heyward, seconded by Councilmember Tim Brown

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

Passed

Discussion and Action Items

7. **Ordinance No. 22-S-44** - Consideration and/ or action on a request to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District-Light (M-1) to Planned Development District (PDD), generally located southeast of the intersection of IH 35 and Cibolo Valley Drive, also known as Guadalupe County Property Identification Numbers 68313, 68314, and 148510, City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) (*Final Reading*)

Mayor Gutierrez recognized Councilmember Dahle who requested this Item #7 be removed from Consent Agenda and placed in Discussion.

Councilmember Dahle stated appreciation for the clarification on the automotive major and then questioned section 8 of the PDD document where it states that all boundaries to shift in location up to 50 feet and then in parentheses it says up to 75 feet from what is shown on the PDD plan. Mr. James responded that the City would go up to 75 feet to allow flexibility as they go into design. Councilmember Dahle asked that the numbers be consistent, and the language corrected when Council approves it.

Mayor Gutierrez asked for a motion to approve Ordinance No. 22-S-44.

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-tem Allison Heyward

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

Passed

8. **Resolution No. 22-R-132** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas creating the Schertz Senior Citizen Emergency Expense Support Program. (S. Williams/B. James)

Mayor Gutierrez recognized Assistant City Manager Brian James. Mr. James stated that City staff is seeking to seed this program with \$10,000 from the Contingency Fund. This is a pilot program meant to assist seniors who are faced with a challenge where there is not an easy solution. Currently, the city partners with Love Where You Live and provides some funding for the Schertz Housing Authority and the Prescription Assistance Program. Occasionally city staff become involved in situations where a senior has a problem that creates an issue and has the probability of becoming an ongoing issue or becoming worse. This emergency expense support program would provide a resource to put toward the effort and have staff facilitate improvement, keeping the problem from escalating into a larger issue. The intent is to help mitigate the risks of a situation becoming a larger problem down the road not to become people's first resort to fix any problem. The plan is to review the program after 6 months and report to Council on who they have been able to help if anyone and with what types of issues.

If the pilot proves successful then the hope is to fund it in the future at a larger amount and publicize it more broadly.

Mayor opened the floor for discussion and recognized Councilmember Scagliola who expressed concerns on the management of the program and whether this need would be better satisfied by outside agencies.

Mayor recognized Councilmember Whittaker who requested clarification on situations that might qualify a senior for the program and subsequently expressed her support of the program as the City being a "good neighbor."

Mayor recognized Mayor Pro-Tem Heyward who stated she feels it's a good program and is in support of the pilot.

Mayor recognized Councilmember Brown who stated he would be in support of the program so long as there are clear limits, there is a definitive negative effect on the individual, it is something the city has an effect on, and based on legal advice that other municipalities have implemented such programs.

Mayor Gutierrez stated his initial thought on the program aligned with Councilmember Scagliola but after hearing more details on situations where the City could inadvertently cause an issue for a resident, he now supports the program. To qualify resident must be minimum of 65.

Mayor Gutierrez asked for final comments. None were made.

Mayor Gutierrez asked for a motion to approve Resolution No. 22-R-132.

Moved by Councilmember Jill Whittaker, seconded by Mayor Pro-tem Allison Heyward

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

NAY: Councilmember David Scagliola

Passed

9. **Resolution 22-R-137** - Consideration and/or action by the City Council of the City of Schertz, Texas authorizing the land acquisition of a 10.5-acre property on Dry Comal Creek generally at FM 482 and Bunker Street, and specifying funding sources, and other matters in connection therewith. (B. James/L. Shrum)

Mayor Gutierrez recognized Assistant City Manager Brian James who provided a brief synopsis that led up to the opportunity for purchase and funding resources that would be used for the acquisition of the property.

Mayor Gutierrez opened the floor for discussion. No discussion occurred.

Mayor Gutierrez asked for a motion to approve Resolution 22-R-137.

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle

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

Passed

Closed Session

Mayor Gutierrez read the following into record:

10. The City Council will meet in closed session under Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect. • Project E-088
11. The City Council will convene in closed session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney about pending or contemplated litigation or a settlement offer on one or more of the following matters: Green Valley Special Utility District vs. City of Schertz et al Case No. 17-CV-00819-LY (U.S. District Court, Western District of Texas, Austin Division); City of Schertz v. United States Department of Agriculture, et al., No. 19-51056 (U.S. Fifth Circuit Court of Appeals); City of Schertz, Texas v. Texas Commission on Environmental Quality, et al. No. 07-20-00167-CV (Seventh Court of Appeals, Amarillo, Texas); Green Valley Special Utility District v. the Public Utility Commission of Texas and DeAnn T. Walker; Arthur C. D'Andrea, Jr.; Shelly Botkin; in their official capacities as Commissioners of the Public Utility Commission of Texas; and John Paul Urban in his official capacity as Executive Director the Public Utility Commission of Texas; and the City of Schertz, Texas. Cause No. D-1-GN-18-000535, In the District Court of Travis County, Texas, 419th Judicial District; Application of Green Valley Special Utility District for New TPDES Permit, No. WQ0015917-001 (Texas Commission on Environmental Quality)

12. The City Council will meet in Closed Session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the vacancy of the City Secretary position.

Mayor Gutierrez recessed the Regular Meeting at 6:35 p.m. into closed session.

Reconvene into Regular Session

Mayor Gutierrez reconvened into Regular Session at 7:42 p.m.

Item Number#10-Project E88- No action taken.

Item Number# 11-Green Valley Special Utility District-No action taken.

Item Number# 12-City Secretary Vacancy-No action taken.

Roll Call Vote Confirmation

Mayor Gutierrez recognized Interim City Secretary Sheila Edmondson who provided roll call on Agenda Items #1-9.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Requests and Announcements

- Announcements by the City Manager

No announcements by the City Manager.

- Requests by Mayor and Councilmembers for updates or information from Staff

Councilmember Dahle requested that Assistant City Manager Brian James look into the budgeting issue for graffiti removal, citizen concerns regarding the convenience store on 78 that's closed down has graffiti appearing again, and at the old Shell Station on the corner of 1518 and I-10.

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

No requests for future agenda were made.

- Announcements by Mayor and Councilmembers

No announcements were made.

- City and Community Events attended and to be attended

Mayor Pro-Tem Heyward attended the development subcommittee meeting, City of Schertz Harassment Training, and the AMPO Emergency Resiliency meeting. Also

alerted everyone about Meat Fight, an organization that works with individuals diagnosed with MS.

Councilmember Dahle attended the development subcommittee meeting.

Councilmember Scagliola attended the Cibolo Christmas Parade.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:48 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023
Department: City Secretary
Subject: Resolution No. 22-R-142 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for expenditure in an amount not to exceed seventy-five thousand dollars for the purchase of the WatchGuard in-car video camera system.

BACKGROUND

The Police Department is purchasing eight (8) in-car video camera systems for installation for approved patrol fleet vehicles purchased in the 2022-2023 annual budget. WatchGuard is designed from the ground up for the rigors of law enforcement. The system is easy to operate with features designed to help officers stay safe and efficient. WatchGuard is a sole source vendor owned by Motorola Solutions, a National Purchasing Cooperative (contract #010720-WCH).

GOAL

To purchase and install an in-car video camera system for new police fleet vehicles, which will be more than \$50,000 per city policy, requires approval from the City Council.

COMMUNITY BENEFIT

The use of in-car video camera systems enhances officer safety, reduce liability, and provide transparency for the community creating trust between the community and police department.

SUMMARY OF RECOMMENDED ACTION

To purchase and install an in-car video camera system for new police fleet vehicles, which will be more than \$50,000 per city policy, requires approval from the City Council.

FISCAL IMPACT

Funding is available within the Schertz Police Department approved 2022-2023 annual budget.

RECOMMENDATION

Consideration and/or action regarding approval of a Resolution by the City Council of the City of Schertz, Texas authorizing expenditures not to exceed seventy-five thousand dollars with Motorola Solutions for the purchase of in-car video camera systems for and installation for patrol fleet vehicles during the 2022-2023 Fiscal Year and other matters in connection therewith. (B. James/J. Lowery/D. Roman)

Watchguard 2022

WatchGuard Resolution 2022-2023

REQ.# 23-42335 VENDOR: 01-9837 MOTOROLA SOLUTIONS INC.

PTL CAR VIDEO SYSTEM

23-42314

STATUS: NEW
DEPT: 101-256
SHIP-TO: 000 City of Schertz

APPROVED BY: J. LOWERY
ORDERED BY: S. CEMKO
ISSUED: 12/05/2022
EST DEL: 12/05/2022

RELEASE FLAG:
RECEIVE FLAG: N

P.O. DESCRIPTION: PATROL CAR FY 22-23 IN CAR VIDEO CAMERA SYSTEM

QTY 8 WATCHGURAD 4RE IN CAR CAMERA VIDEO SYSTEM

\$7140.40 EA BUNDLE SET

GRAND TOTAL \$57,123.20

INTERNAL NOTE: QTY 8 WATCHGURAD 4RE IN CAR CAMERA VIDEO SYSTEM

\$7140.40 EA BUNDLE SET

GRAND TOTAL \$57,123.20

ITEM	G/L ACCOUNT	NAME	DESCRIPTION/REFERENCE
1	101 256-581800	Equipment Over \$5,000	PTL CAR VIDEO SYSTEM

===== ORDERED =====

UNITS	PRICE	AMOUNT
8.000	7140.4000	57,123.20
TOTAL ORDERED		57,123.20

Rec'd 12/18/2022
\$57,123.20

12/5/22
\$57,123.20

12/19/22

Billing Address:
SCHERTZ POLICE
DEPARTMENT
1400 SCHERTZ PARKWAY
SCHERTZ, TX 78154
US

Shipping Address:
SCHERTZ POLICE
DEPARTMENT
1404 SCHERTZ PKWY
BUILDING 6
SCHERTZ, TX 78154
US

Quote Date:12/02/2022
Expiration Date:03/02/2023
Quote Created By:
Christopher Morgan
Regional Sales Manager
Chris.Morgan@
motorolasolutions.com
5127559006

End Customer:
SCHERTZ POLICE DEPARTMENT
Donney S. Martin
dmartin@schertz.com
210-619-1176

Payment Terms:30 NET
Sourcewell-Motorola Solutions,
Inc. f/k/a WatchGuard Video
#010720-WCH

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	Term	List Price	Ext. Sale Price
4RE In car Video System						
1	WGB-0136A	4RE/VISTA WIFI BUNDLE, PANORAMIC	8		\$7,613.00	\$48,723.20
2	WGB-0148A	MIKROTIK CONF WIFI POE KIT, DRILL MT	8		\$250.00	\$1,600.00
3	LSV01S03365A	4RE EXTENDED WARRANTY AND REPAIR	8	3 YEAR	\$781.25	\$5,000.00
4	WGP02225-130-KIT2	BRKT4RE DISP/VISTA/CAMVR POST 2020+EXPL	8		Included	Included
5	WGA184	RADARINTERFACECABLEFO RSTALKERY-CABLE10'	8		\$93.75	\$600.00
VideoManager EL: Video Evidence Management						
6	WGP02400-100	EVIDENCE LIBRARY 4 WEB 4RE IN-CAR DEVICE LICENSE KEY*	8		\$187.50	\$1,200.00



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800

Line #	Item Number	Description	Qty	Term	List Price	Ext. Sale Price
7	WGW00155-204	MAINTENANCE SUPPORT,SOFTWARE MAINTENANCE, VIDEOMANAGER EL, 4RE	8	1 YEAR	Included	Included

Grand Total **\$57,123.20(USD)**

Pricing Summary

	List Price	Sale Price
Upfront Costs for Hardware, Accessories and Implementation (if applicable), plus Subscription Fee	\$67,237.33	\$53,789.87
Year 2 Subscription Fee	\$2,083.33	\$1,666.67
Year 3 Subscription Fee	\$2,083.33	\$1,666.67
Grand Total System Price	\$71,404.00	\$57,123.20

Notes:

- Additional information is required for one or more items on the quote for an order.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.
- Unless otherwise noted in this quote / order, installation of equipment is not included.



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800

Watchguard aka Motorola

Julie Gohlke <jgohlke@schertz.com>

Mon 12/5/2022 2:22 PM

To: Shawn P. Ceeko <SCeeko@schertz.com>

Ceeko;

Here is the group purchasing cooperative contract information for Watchguard:

Products & Services

Sourcwell contract 010720-WCH gives access to the following types of goods and services:

- In-car video cameras
- Body worn cameras
- Interview room systems
- On-premise storage solutions
- Hybrid storage solutions
- Cloud storage solutions
- Evidence management software
- Evidence hardware cloud

Julie Gohlke, M.A., CPPO

Purchasing Manager

City of Schertz

1400 Schertz Pkwy, Schertz, TX 78154

Em: jgohlke@schertz.com

210.619.1163 (o)

210.319-8789 (cell)

www.schertz.com

Open Bid/RFP Opportunities: <http://www.schertz.com/bids.aspx>

RESOLUTION NO. 22-R-142

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE PURCHASES OF WATCHGUARD VIDEO EQUIPMENT IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND DOLLARS.

WHEREAS, the Schertz Police Department has a need to purchase of Watchguard video camera system equipment to outfit Patrol vehicles and Officers; and

WHEREAS, the Schertz Police Department utilizes the Watchguard video system to fit the needs of the Department, to obtain the best pricing for this need and to provide the best quality of video recording equipment that ensures longevity in its use; and

WHEREAS, the Schertz Police Department has chosen Watchguard video camera system, a BuyBoard National Purchasing Cooperative vendor, for the purchase of this equipment; and

WHEREAS, the BuyBoard National Purchasing Cooperative is a national online purchasing cooperative formed between the National School Boards Association and several state school boards associations, developed to comply with state laws which require government entities to make purchases through a competitive procurement process; and

WHEREAS, BuyBoard gives public entities the advantage of leveraging the cooperative's ability to obtain bulk discounts, combined with the ease of online, web-based shopping and ordering; and

WHEREAS, purchases under the cooperative programs meet the requirements under the Texas Local Government Purchasing Code rule for cooperative purchases as adopted by the City of Schertz Resolution 11-R-41 on August 30, 2011 amending the City's purchasing policy; and

WHEREAS, the City of Schertz will fund the purchase of Watchguard video camera system through the approved 2022-2023 annual police department budget.

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

Section 1. The City Council hereby authorizes purchases with Watchguard video camera system not to exceed the amount of **SEVENTY FIVE THOUSAND DOLLARS** (\$75,000.00) during the FY 2022-2023.

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 10th day of January, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary

(city seal)

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023

Department: Finance

Subject: Resolution No. 23-R-04 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine Debt Revenue Adjustments for certain inactive outstanding receivables and other matters in connection therewith. (S.Williams/J. Walters)

BACKGROUND

In the EMS, Utility Billing, and Magazine functions, services are provided to customers up front and billing is settled later. Since services are provided before receiving payment, inevitably the City has customers that do not pay for the services provided.

When this occurs, staff reaches out to the customer to try to collect the outstanding payment including follow-up notices and phone calls to try to reach out to the customer to remind them of the outstanding balance and encourage payment. However, the longer the customer account goes without a payment the less likely that any payment will be received.

Once a customer account reaches 180 days without payment, Staff brings those accounts to the City Council to be “written off”. This process is an accounting procedure following the Generally Accepted Accounting Principles (GAAP), which lays the framework of accounting practices in the U.S. This designation means it is unlikely those outstanding balances will ever be collected. This leads to an accounting adjustment on the City’s Financial Statements to accurately show how much is still outstanding and is reasonable to expect collection.

If a customer’s account has been written off, this does not erase or forgive that debt. The city can and does collect some portion of the amount owed by those customers. This can be through the debt collection agency used by EMS or if the customer returns to the City and requests new services through the Magazine or Utility Billing.

On August 27, 2019, City Council approved the Schertz EMS Charity Care Policy. Approving the Charity Care Policy benefits our citizens who do not have insurance and do not have the ability to pay for ambulance services. In the past, these accounts were sent to collections and written off throughout year with little expectation to recover any revenue.

The resolution authorizes the debt for these areas that is more than 180 days outstanding as of June 1, 2022, to be written off. These write-offs come before council quarterly and last came before council on September 27, 2022.

Previous Write off Amount:

March 2020: \$616,900.00

June 2020: \$552,157.34

September 2020: \$605,161.66

December 2020: \$467,802.06

With Charity
Care

March 2021: \$1,330,234.88

June 2021: \$904,511.15

September 2021: \$750,502.47

December 2021: \$587,362.56

March 2022: \$675,977.28

June 2022: \$564,972.72

September 2022: \$842,197.07

December 2022: \$660,162.69

Charity Care for March 2021 was for an entire year, August 2019 through July 2020. For June 2021, Charity Care was for 5 months, August 2020 through December 2021. Going forward, these adjustments have been done quarterly.

GOAL

To approve write-offs of bad debt in accordance with the standards laid out by GAAP.

COMMUNITY BENEFIT

This will show the City's Financial Statements according to national standards and City policy.

SUMMARY OF RECOMMENDED ACTION

Approve Resolution No. 23-R-04 to write off receivables that are older than 180 days.

FISCAL IMPACT

This accounting adjustment will not affect the City's Budget or financial standing. The amount written off is estimated during the budget process and is accounted for in the revenue estimations and the bad debt expense accounts. The action taken tonight will reduce the amount shown as owed to the City by \$660,162.69 and set it equal to the amount seen as still reasonably collectible. The breakdown is as follows:

EMS - \$416,539.24

EMS Charity Care - \$219,322.31

Utility Billing - \$24,301.14

Magazine - \$0.00

RECOMMENDATION

Staff recommends Council approve Resolution No.23-R-04.

Attachments

Resolution 23-R-04

RESOLUTION NO. 23-R-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EMS DEBT REVENUE ADJUSTMENTS, UTILITY BILLING DEBT REVENUE ADJUSTMENTS AND SCHERTZ MAGAZINE DEBT REVENUE ADJUSTMENTS FOR CERTAIN INACTIVE OUTSTANDING RECEIVABLES AND OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City maintains quarterly debt revenue adjustments for inactive outstanding accounts; and

WHEREAS, The Centers for Medicare and Medicaid Services requires a charity care policy to continue participating in the Texas Ambulance Services Supplemental Payment Program (TASSPP); and

WHEREAS, the City Council has determined that it is in the best interest of the City that all inactive outstanding accounts after 180 days nonpayment will be sent to City Council for consideration for write offs.

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

Section 1. The City Council hereby authorizes the write off, including Charity Care, in the amount and distribution of accounts below:

<i>Function</i>	<i>Amount</i>
EMS	\$416,539.24
Charity Care	\$219,322.31
Utility Billing	\$24,301.14
Magazine	\$0.00
Total	\$660,162.69

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 finding 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

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 10th day of January, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary

(CITY SEAL)

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023
Department: Finance
Subject: Resolution 23-R-05 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an agreement with Texas Utility Help.

BACKGROUND

Texas Utility Help is a state administered program to help citizens with low income by making payments directly to utilities on behalf of account holders. This program is administered by the Texas Department of Housing and Community Affairs (TDHCA) and is funded by the federal Low Income Home Energy Assistance Program and the federal Low Income Household Water Assistance Program.

TDHCA partnered with Yardi Systems, who designs software solutions for real estate, to make it easy for customers and vendors to participate in the program.

Schertz must sign up with the program by signing an agreement to be a listed vendor and receive payments from TDHCA. Staff was made aware of this program by a representative of Yardi Systems in November and has been reviewing and validated the proposal during this time.

This program will not cost the City to participate, and it will allow eligible Schertz citizens to apply for aid. Payments would then be made out to the City on behalf of those residents.

While no City funds are expended to participate and no liability is placed on the city by applying, staff felt the agreement is set up like a grant which would need Council's approval before being executed.

This agreement would allow TexasUtilityHelp to request resident information about usage and bill history with the permission of the resident. Other areas of the agreement that include providing continued service to customers, working out payments plans, and not apply payments to already written off amounts are all services that are currently offered to our residents and will not change staff's operations.

This aid agreement is for residential accounts only, commercial accounts are ineligible for the program.

This agreement can be terminated by either party at any time with written notice.

Once approved, staff will advertise the program TexasUtilityHelp.com on the website, social media, and on utility bills.

Council in the past has encouraged staff to find utility bill aid programs and TexasUtilityHelp.com would qualify.

Currently, staff works with customers with large balances attempting to get them on a payment plan or try to get some payment toward their outstanding balance. Staff will turn off services only if no

payments are being made and is a tool to start a conversation with residents on how to take care of their balances going forward.

GOAL

To provide another option for financial aid to low income Schertz utility customers.

COMMUNITY BENEFIT

This agreement will aid community members in need.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approving this agreement and allowing customers to apply for aid.

FISCAL IMPACT

Quarterly, Schertz writes off \$20,000 to \$30,000 in unpaid utility bills when residents leave the city. This program will allow citizens with large balances on their utility account pay some of those old charges.

If even half of those residents qualify, it would be an additional \$60,000 the city would otherwise not be able to collect.

There is no cost to the City to participate, and the City could see additional revenue come in instead of writing balances off in the future.

RECOMMENDATION

Staff recommends approving Resolution 23-R-05.

Attachments

Resolution 23-R-05

Utility Management Agreement

RESOLUTION NO. 23-R-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN AGREEMENT WITH THE TEXAS UTILITY HELP PROGRAM.

WHEREAS, the City has residential utility accounts with outstanding balances and may qualify for low-income household assistance; and

WHEREAS, the Texas Department of Housing and Community Affairs is administering a utility bill assistance program call Texas Utility Help; and

WHEREAS, the City must apply to the program for residents to be considered for aid; and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into an agreement with the Texas Utility Help program to enable this benefit.

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 enter into an agreement with Texas Utility Help.

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 finding 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

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 10th day of January, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary

(CITY SEAL)



TEXAS UTILITY HELP PROGRAM UTILITY PROVIDER AGREEMENT

PURPOSE. The purpose of the Texas Utility Help Utility Provider Agreement (“**Vendor Agreement**”), funded from the Comprehensive Energy Assistance Program (“**CEAP**”) and the Low-Income Home Water Assistance Program (“**LIHWAP**”), is to provide a grant for emergency assistance to low-income households known as (“**Certified Customer or Customers**”), particularly those with the lowest incomes that pay a high proportion of household income for electricity, gas, propane, known as “**Energy Services**” and water, storm water, drinking water, wastewater/sewer, and groundwater services, known as “**Water Services**”.

The Utility Services Provider identified below (“**Vendor**”) agrees to the terms of the CEAP and/or LIHWAP grant(s) as applicable and to accept payment from CEAP and LIHWAP for eligible CEAP and LIHWAP households to whom Vendor continues to provide Utility Services. Texas Department of Housing and Community Affairs (“**TDHCA**” or “**Agency**”) agrees to make payments only for CEAP and LIHWAP households who have been determined to be eligible for the program.

The Agency and Vendor are each a party to this Vendor Agreement and herein each referred to as “**Party**” or collectively referred to as “**Parties**”.

TERM. This Vendor Agreement shall be effective from the date of the Vendor’s signature below, and shall terminate on December 31, 2023, unless earlier terminated by one of the Parties in accordance with the terms of the Agreement. Either of the Parties may terminate this Vendor Agreement by written notice. Such written notice of termination shall not affect any obligation by either of the Parties incurred prior to the receipt of such notice.

NOTICE. Notice shall be sent via certified mail to the address as entered or updated by Vendor in the Texas Utility Help Vendor portal. The notice address for Agency is P.O. BOX 13941, Austin, TX 787113941.

AGENCY REPRESENTATIONS. The CEAP funds will be used to cover and/or reduce arrearages, rates and fees associated with reconnection, prevention of disconnection of service, and/or to pay either partially or in full an eligible CEAP Certified Customer current due energy bill, in addition to prospective payments in accordance with program rules, known as “**Eligible Costs**” for Energy Services. The LIHWAP funds will be used to cover and/or reduce arrearages, rates and fees associated with reconnection, or prevention of disconnection of service, and to pay either partially or in full an eligible LIHWAP Certified Customer current due water bill, known as “**Eligible Costs**” for Water Services.

VENDOR’S REPRESENTATIONS. The Vendor represents and warrants that it will apply any payments received from Agency to the Certified Customer’s account related to Eligible Costs.

AGENCY AND VENDOR ACKNOWLEDGEMENT. Both Parties acknowledge that this Vendor Agreement and the services provided by the Vendor are governed by and subject to the federal and state laws and regulations in accordance with the CEAP and LIHWAP.

Both Parties acknowledge that TDHCA may select entities to serve CEAP and LIHWAP clients in Texas, and that Vendor shall not refuse to enter into other agreements with these entities because of the existence of this Vendor Agreement.

AMENDMENTS. Any and all amendments to this Vendor Agreement shall be in writing, approved by TDHCA, and agreed upon by both Parties.

VENDOR'S RESPONSIBILITIES. Vendor will, with reference to a Certified Customer:

- Provide the Agency with at least one designated contact person who shall be available to respond by telephone and email to all reasonable inquiries regarding eligible CEAP and/or LIHWAP households, as applicable, and household accounts including but not limited to bills, payments, and services.
- Provide Energy and/or Water Services to each eligible and approved household for which payment is provided under CEAP and/or LIHWAP.
- Upon accepting payment from Agency for Certified Customer, continue or restore energy and/or water service to Certified Customer with no increases in charges, service charges or other charges or fees affecting the total cost of the bill, except as allowed by the stated tariff cost registered with the Public Utility Commission ("PUC"), if applicable.
- Invoice the Certified Customer in accordance with Vendor's normal billing practices.
- Upon verbal or written request from Agency, provide at no cost to the Agency the Certified Customer's billing and usage history for previous twelve (12) months, or available history plus monthly estimates if less than twelve (12) months of billing history and usage is available. Vendor will transmit such billing history as soon as possible, but no later than forty-eight hours following the request.
- Work with Agency and Certified Customer to explore the feasibility of offering flexible payment arrangements that may include, without limitation, waiving security deposits, reconnect fees, application fees, and all other fees whenever possible.
- Not discriminate against Certified Customer in price or services, including the availability of deferred payment plans, level or average payment plans, discount, budget, advance payment or other credit plans.
- Not refuse to provide Energy and/or Water Service, as applicable, or otherwise discriminate in the marketing and provision of Energy and/or Water Service to any Certified Customer because of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, level of income, disability, financial status, location of household in an economically distressed geographic area, or qualification for low-income energy- or water-efficiency services.
- Not interrupt service if Certified Customer is eligible under PUC regulations, or other state agency regulations (as applicable), and enters into an agreement with the Vendor concerning how the Certified Customer will pay the balance owed to the Vendor and the Certified Customer is meeting the obligation under such agreement.
- If the Agency has paid for an initial deposit or similar refundable instrument, upon the termination of service to the Certified Customer, the Vendor shall return funds including interest (after any balance owed) to the Agency in accordance with PUC regulations or 10 Texas Administrative Code §6.312(f) (as applicable).
- Not apply CEAP or LIHWAP payments to account balances that have previously been written off or paid with other funds.
- Not apply CEAP or LIHWAP payments to commercial accounts. CEAP and LIHWAP payments must only be applied to residential accounts.
- Clearly enter, on CEAP and LIHWAP household bills, the amount of CEAP and/or LIHWAP payment(s) received in a manner which identifies the payment as received from CEAP and/or LIHWAP or at least the amount paid by CEAP and/or LIHWAP shown as credited.

- Continually maintain accurate records of CEAP and LIHWAP credit balances and annually reconcile accounts. After one year, credit balances must be refunded to the Agency, in compliance with CEAP and LIHWAP Vendor Refund Policies.
- Not exchange the household's credit authorization for cash or give any cash equivalent for excess credit.
- Cooperate with any Federal, State, or local investigation, audit, or program review. Understand that failure to cooperate with any Federal, State, or local investigation, audit, or program review may result in the immediate disqualification from participation in the CEAP and LIHWAP.
- Certified Customer must agree to authorize the Vendor to release the applicant's information as described below to the Agency, Texas Department of Housing and Community Affairs, Texas State Auditor's Office, Office of the Attorney General of Texas, U.S. Department of Health and Human Services, the U.S. Department of Health and Human Services Internal Auditor, or the designee of any of these governmental agencies including contractors.
- Data related to a Certified Customer's Energy or Water Services and payments must be provided within a timeframe specified by the Agency at no cost and must be provided in the format requested by the Agency. The data must be provided to the Agency for the purposes of verification, research, evaluation, analysis, and reporting. The Certified Customer's application will authorize the Vendor to release this information to the Agency.
- Vendors providing Water Services represent and warrant that they have a current Vendor Certificate of Convenience and Necessity Number ("CCN").

AGENCY RESPONSIBILITIES. The Agency will:

- Maintain in Agency's system of record the Certified Customers' written permission for Agency's access to Certified Customer's information as stated above.
- Obtain written permission for Agency to request and have access to household information, including confidential or personal account information, credit and payment history, from households seeking Agency's assistance. Social Security numbers are not required for the LIHWAP or CEAP program and may not be disclosed to Agency.
- Review invoice(s) submitted by the Vendor and/or the Certified Customer. The Agency may request additional documentation and/or clarification of charges as needed. No payment will be made without all required documentation/clarification of charges.
- Not provide payments on behalf of a Certified Customer to Vendor without having adequate funds to pay such payments.
- Provide payment to the Vendor after receipt of proper invoices and documentation from the household, and any additional required documentation or clarification, for services rendered pursuant to this Vendor Agreement.
- Provide Vendor a list of names, telephone numbers and e-mail addresses of Agency staff designated to make payments on behalf of the Agency and Certified Clients, if requested from Vendor.
- Comply with all relevant state and federal laws and regulations in its implementation of the CEAP and LIHWAP. Follow all supplemental terms and conditions as set forth by the U.S. Department of Health and Human

Services. The Agency shall provide notice of any changes or amendments to policies or guidelines for the Texas Utility Help program by posting the same on the Texas Utility Help website.

- **OBLIGATIONS.** Agency's obligations under this Vendor Agreement are contingent upon the receipt and availability of funding under the statewide Texas Utility Help program. If funding for Energy and/or Water services, as applicable, is not available to make payments, Agency will notify Vendor in writing within a reasonable time after such fact is determined.

CONFIDENTIALITY. The terms of any confidential transaction under this Vendor Agreement or any other information exchanged by the Agency and Vendor relating to any transaction shall not be disclosed to any person not employed or retained by the Agency or Vendor, their affiliates, or brokers, except to the extent disclosure is 1) required by law; 2) necessary to disclose to the other Party in connection with a dispute between the Parties; 3) otherwise permitted by written consent of the other Party; 4) required by guarantors to be disclosed; 5) information which must be disclosed to a third party to transmit Energy and/or Water Services as applicable; 6) to meet reliability council, regulatory, administrative, judicial, governmental, or regulated commodity exchange requirements where necessary; or 7) information which was or is hereafter in the public domain (except by breach of this Vendor Agreement).

VENDOR:

Authorized Vendor Signature

Date

Typed Name of Authorized Signature

Title

Typed Vendor Name

AGENCY:

Authorized Agency Signature

Date

Typed Name of Authorized Signature

Title

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023
Department: Parks, Recreation & Community Service
Subject: Workshop Discussion on the Benefits of Trails and a Review of the Schertz Trails Plan.

BACKGROUND

At the October 11, 2022, Council meeting, Councilman Scagliola requested a presentation on the City's linear trail system plan. Staff is proposing to provide an overview of the public input received over the years showing a desire for more hike and bike trails in the community. Staff will discuss the challenges in developing the trail system including easement acquisition and common questions, fears, and feedback received when new trail projects are initiated as well as the longer term feedback and outcomes. The presentation will provide an overview of existing neighborhood connections to trails (trailheads) will also be shared in cities such as Boerne, New Braunfels, College Station, Kerrville, San Antonio, and Austin. A review of the Schertz Trail system and the Great Northern Trail connection through the Northcliffe area will also be discussed.

Attachments

Trails Benefit Presentation



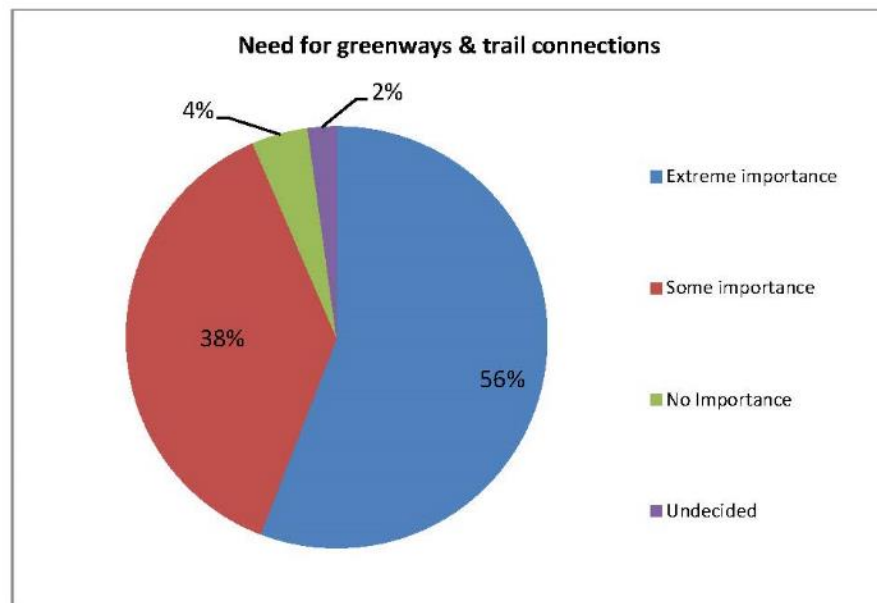
City Council Workshop, January 10, 2023
Lauren Shrum, Director of Parks, Recreation &
Community Services

Why Trails?

- Citizen Input has been driving development of hike and bike trails
- Natural, Community, Health, and Economic Benefits to trails
- It only takes 25 feet to make a park!
- What are the common concerns?
- What are the realistic outcomes after trail development?
- Vision for the Future

Parks Master Plan 2014

Question 9 – Which of the following best describe how you perceive the need for greenways, which would include trails for walking, biking, and running, that would interconnect many areas, parks and school facilities within the City of Schertz.



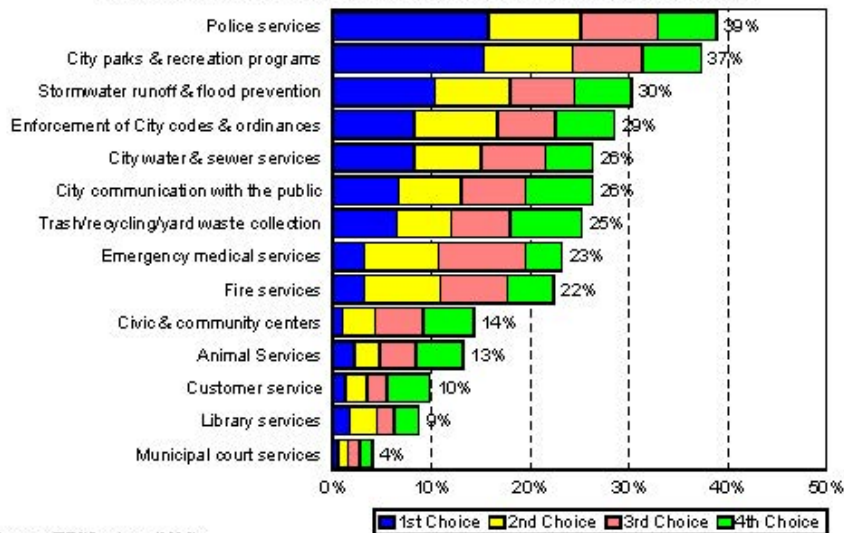
Question 17 – In which recreation programs or activities would you or members of your household be most interested in participating?

Activity	Percentage of respondents Interested
Hiking	89.90%
Biking	87.50%
Health / Wellness Programs	86.00%
Fitness Classes	83.40%
Fishing	74.70%
Water Exercise	73.10%
Nature Study	69.80%
Swim Lessons	64.20%
Dance Classes	60.50%
Tennis	55.60%
Soccer	53.90%
Basketball	52.30%
Football	50.00%
Volleyball	49.30%
Sand Volleyball	48.80%
Baseball-T/ball	46.00%
Racquetball	44.90%
Softball	42.20%
Competition swim team	41.00%
Gymnastics	40.00%
Youth Wrestling	20.10%
In-Line hockey	17.20%

Citizen Satisfaction Surveys 2016

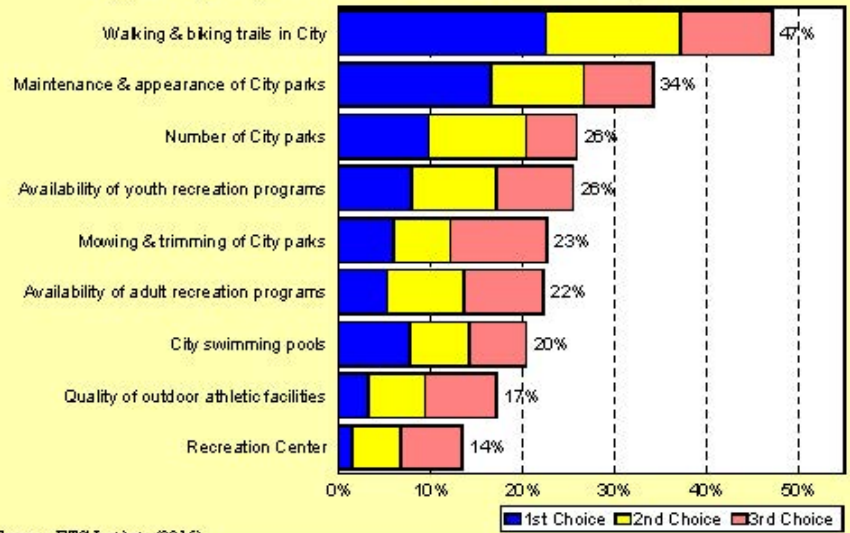
Q2. City Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top four choices



Q6. Parks and Recreation Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top three choices

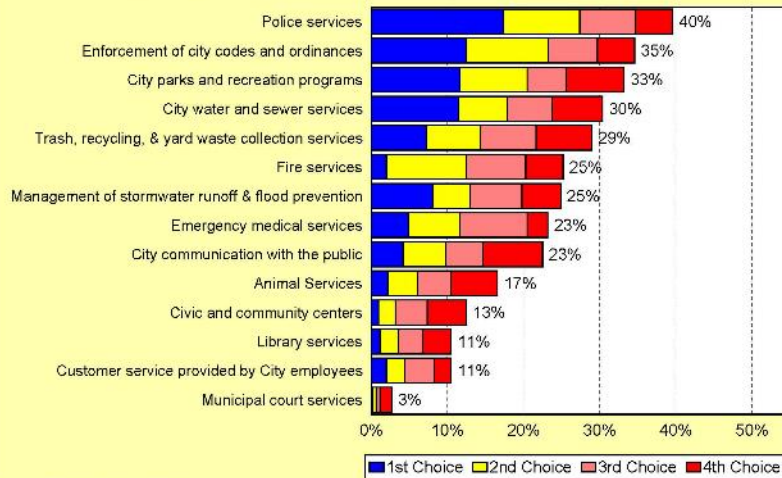


Citizen Satisfaction Surveys 2019

2019 Schertz Community Survey: Findings Report

Q2. City Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top four choices



Source: ETC Institute (2019)

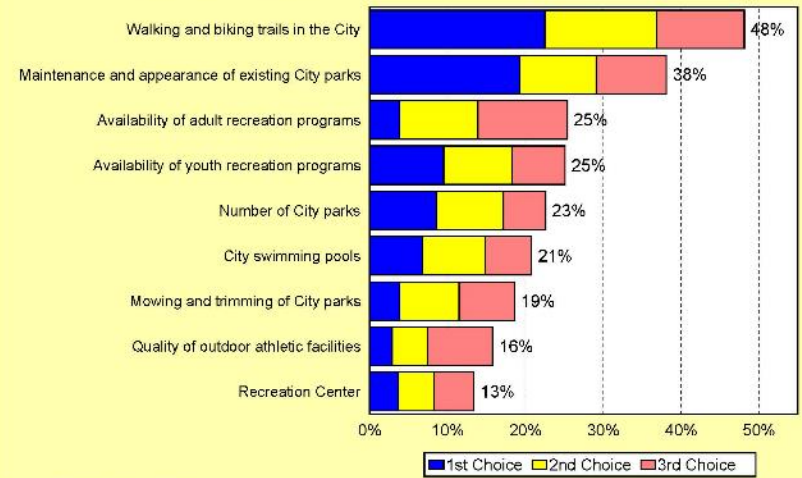
ETC Institute (2019)

Page 4

2019 Schertz Community Survey: Findings Report

Q6. Parks and Recreation Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top three choices



Source: ETC Institute (2019)

ETC Institute (2019)

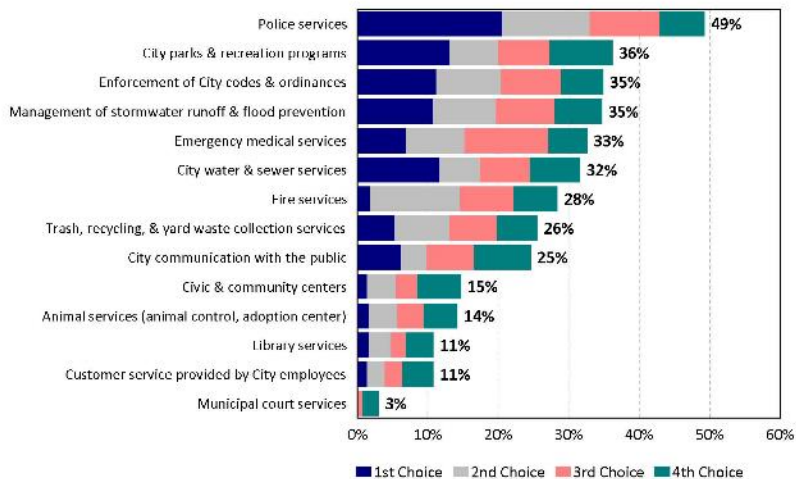
Page 11

Citizen Satisfaction Surveys 2021

2021 Schiertz Community Survey Findings Report

Q2. City Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top four choices



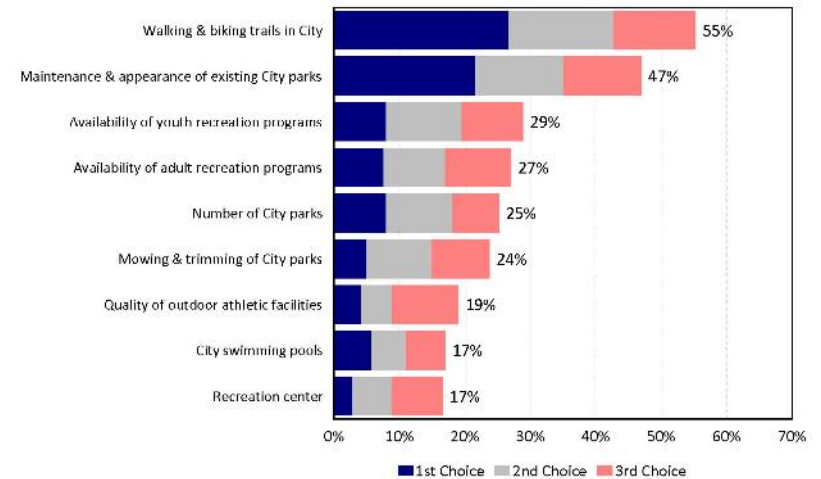
ETC Incubator (2021)

Page 4

2021 Schiertz Community Survey Findings Report

Q7. Parks and Recreation Services That Should Receive the Most Emphasis Over the Next Two Years

by percentage of respondents who selected the item as one of their top three choices



ETC Incubator (2021)

Page 11

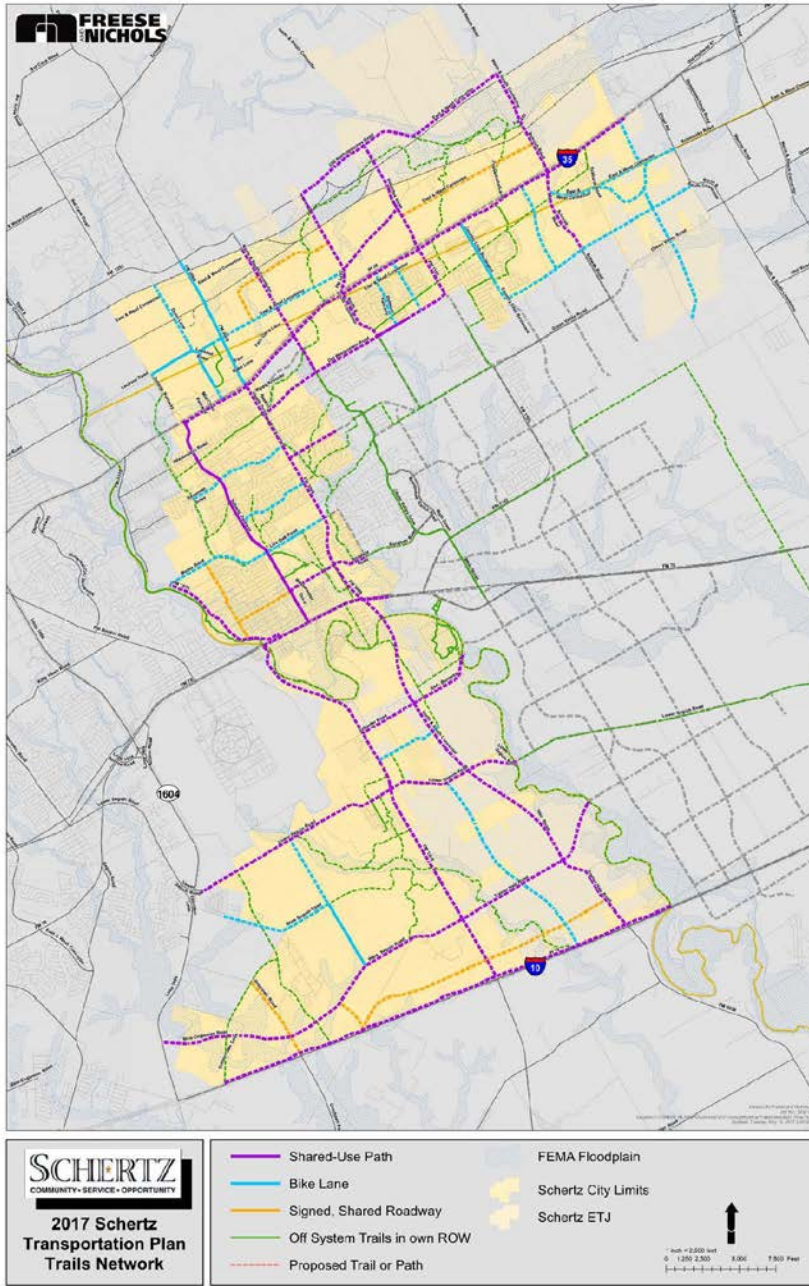


Figure 5. Bikes, Trails and Recreation Network

Natural Benefits

- Preserving land protects a community's land and water
- Public green space cleans the air
- Saving habitat protects wildlife

Community & Health Benefits

- Green space has measurable effects on mental health
- Numerous studies show green space reduces anxiety
- Trails are great opportunities to get necessary exercise
- More exercise lowers an area's healthcare cost

Economic Benefits

- Trails are drivers of tourism
- New parks attract businesses
- Trails create opportunities for short distance trips, reducing time and money lost to congestion
- New green space and trails raise property resale value

- 5' for cycling and pedestrian amenities
- 5'-6' for a pedestrian walkway with wayfinding
- 1'-2' for a planted barrier
- 10' for a painted cycle track
- 3'-5' for lighting, shading, and planting

IT ONLY TAKES
25 FEET
TO MAKE A
PARK



Common Concerns Not In My Backyard (NIMBYism)

- Very common, well-documented phenomenon that occurs with new development
- Cell phone towers, retail construction, housing developments, highway extensions, skate parks, bike paths, etc.
- The fear is that with change comes something undesirable; increased traffic from a new facility, loitering delinquents near the new skate park, or vandalism as a result of bike path access.

Not In My Backyard (NIMBYism)

- First section of the Great Northern Trail we had these concerns
 - Destroying wildlife habitat
 - Will drive undesirable wildlife into my yard (snakes, rats)
 - Losing privacy
 - Criminal activity will increase
- The worst fears have not come to fruition
- Positive feedback
- Well used trail



Not In My Backyard (NIMBYism)

- Live Oak Road sidewalks
- Hilltop Park
- Dry Comal Creek Trail
- What are the concerns
 - I like kids I just don't want them walking behind my house
 - Crime and vandalism will increase
 - People who are homeless will take over the area
 - Dumping and trash
- The worst fears have not come to fruition
- Crime Prevention Through Environmental Design (CPTED)



Positive Trail Outcomes

- Neighborhood Connections (Trailheads) for residents in neighborhoods to access the trail
- Positive examples in multiple cities
- Successful greenway systems
- Trail, greenway, linear park are all synonymous terms

Kerrville



New Braunfels



College Station



Boerne



San Antonio – Leon Creek



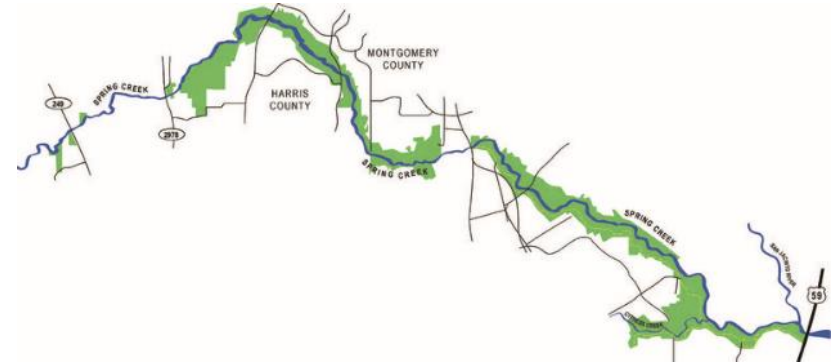
San Antonio – Salado Creek



Austin



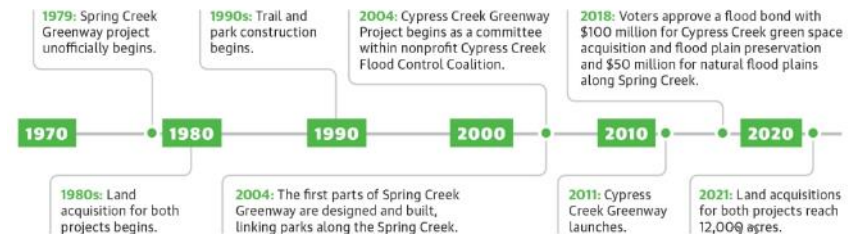
Positive Trail Outcomes



VIOLET CROWN
TRAIL

DECADES in the making

Although the greenway projects were conceived in the late 1970s, planning, land acquisition and construction will likely continue for many years to come.



SOURCES: HARRIS COUNTY PRECINCT 4, HARRIS COUNTY FLOOD CONTROL DISTRICT/COMMUNITY IMPACT NEWSPAPER

Vision for the Future



Vision for the Future



Vision for the Future



Vision for the Future

SCHERTZ - NORTHCLIFFE AREA | PRESERVED GREENSPACE AND TRAILS



Discussion

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023
Department: Executive Team
Subject: Monthly Update on FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)

BACKGROUND

City staff has provided the attached update.

Attachments

January 2023 Expanded Program Update

CITY COUNCIL MEMORANDUM

City Council Meeting: January 10, 2023

Department: City Manager

Subject: FY 2022-23 Expanded Program Budget Update – January 2023

Background

City Staff held a Council Workshop on October 21, 2022. At this workshop staff committed to providing monthly updates to Council on the expanded programs and personnel that were approved as part of the FY 2022-23 budget. If Council desires more information on any item, please reach out to staff and that information will be provided.

Note: Completed programs reflected in green.

Fire

- 3 Firefighters – Complete – Proposed start date February 2023 for all 3 positions
- Fire Inspector – Position will be posted after 1/1/23
- Public Safety Radios – Looking at additional vendor to ensure best pricing; plan to move forward with purchase in January 2023

Engineering

- Engineer Inspector – Complete – Position started December 2022
- Engineer – Interview scheduled for first week in January
- Water/Sewer Gems software - Software will be purchased in concert with water and wastewater model training to be provided by LAN (master plan consultant); IT is working with vendor on pricing and demo of software

IT

- Public Safety Technician – No action taken from initial application pool; will re-open for applications in January 2023
- GIS Specialist – Offer in progress; new hire expected to start mid-January 2023
- Internet Upgrades – Scheduled for January 2023
- Fiber Upgrades – Seeking vendors
- Security Cameras at Public Safety Buildings – Scheduled for January 2023
- Hard drive shredder – Not ordered yet
- Office 365 training – Survey sent to Departments for feedback on trainings they would like to have; results compiled by end of year will drive options

Parks

- Recreation Coordinator – Complete – Position started December 2022

- 2 Parks Maintenance Technicians – Complete – 2 positions hired (start dates October and December 2022)
- 1 Parks Maintenance Technician – No candidate selected from interviews; position reposted to get a new pool of candidates
- Trail Funding - Trail Connect Meeting scheduled with The Great Springs Project and AAMPO and area cities on 12/8/22 to help determine next section to be funded and ways to leverage existing funds for maximum impact; no change since meeting – still evaluating next section to be funded

Planning & Community Development

- Plans Examiner – Complete – Position started 10/2022 (from promotion of a Building Inspector). Building Inspector position has been backfilled with a Neighborhood Services Officer
- Permit Tech – Complete – Position to start 1/4/23
- Neighborhood Services Officer – Complete – position started December 2022
- Cibolo Creek Clean-Up – Complete - the Cibolo Creek Clean Up occurred on December 16, 2022 and was completed by 44 staff members from several different departments including City Management, P&CD, Fire, EDC, Engineering, Public Works, and Utility Billing. Staff successfully collected and properly disposed of 4 truck beds full of trash. This staff completed clean up focused on the portion of Cibolo Creek from the Cibolo Creek Trail Head along the primitive trail all the way to the bridge near E Aviation Blvd.

Police

- 2 School Resource Officers – Complete – Positions started October and November 2022
- Records Specialist – Complete – Position started November 2022
- Traffic Officer - Hired new officer who began October 2022 – expected to complete training March 2023
- RMS Replacement - Drafting RFP in collaboration with IT
- Cellebrite system – Obtaining bids, confirming the inclusion of hardware and software - projected full implementation 90 - 120 days
- Replace body armor for SWAT team - Conducting research for vendor and product and fund matching; projected recommendation and completed bids in 30-120 days
- Breaching tools and shields – Assigned to SWAT team to identify equipment and obtain bid
- Additional job advertisements and hiring incentives – No update to provide at time of report (funding is in HR budget)

Public Works

- 600-gallon Emulsion Tank – Complete – Approved for purchase (22-R-100 on September 13th)
- Skid steer with mulch head – Completed – Approved for purchase (22-R-117 on October 25th)
- Parts Clerk – Interviews have been conducted; offer letter to be sent to candidate
- Building 27 Parking Lot - Parking lot design was finalized with Building 27 Project; site plan has been submitted based on current design
- SPAM Funding – Coordinating with Public Works and Engineering staff to finalize road priorities

- Manager+ Upgrade - Public Works, IT, Purchasing, and Finance are coordinating on a demo of the software to ensure all required features are available; demos are being scheduled with other vendors to explore options
- Mobile bypass pump – Water staff is working with the vendor to confirm specifications and pricing
- Noise mitigation tiles for Library – Facilities staff needs to coordinate meeting with Library staff to review project requirements

Library

- 2 10-hour positions to 2 20-hour positions – Complete
- Hotspot Program – Complete – 11 hotspots are in circulation
- Library Materials – Completed – Vox books are currently being cataloged and processed; initial order of Wonderbooks have been ordered, remaining Wonderbooks will arrive quarterly through a standing order plan
- PT Programming Specialist – Plan to post for position January 2023
- Increase cleaning contract for emergency cleanings – no update to provide at time of report

Public Affairs

- Event Attendant – Complete - Position started October 2022

EMS

- 3 Paramedics/EMTS – Completed – Hired 3 of the 8 positions
- 5 Paramedics/EMTS - hiring process for paramedics scheduled for January 2023 (will look to see how call volume/revenue is)
- Mental health canine – Working through the logistics of the mental health canine

Purchasing

- eProcurement Software - A Request for Information (RFI) has been drafted with IT's review and input. This doesn't require a formal procurement due to the dollar value. However, we want to evaluate as many products as possible to ensure transparency and best value. Estimated timeframe: software selection by January-February 2023. Implementation beginning in February-March 2023; RFI was published on 12/22/22 with submission deadline of 1/31/23

Utility Billing

- Utility bill text messaging service – Complete – First round of texts went out December 2022