



CHARTER REVIEW MEETING AGENDA

February 20, 2024

4:30 PM

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

CITY OF SCHERTZ CORE VALUES

Do the right thing

Do the best you can

Treat others the way you want to be treated

Work cooperatively as a team

AGENDA

TUESDAY, FEBRUARY 20, 2024 at 4:30 p.m

Call to Order

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.

Discussion and Action Items

1. **Minutes:** Approval of the minutes from the January 16, 2024 and February 6, 2024. Charter Review meeting. (S.Edmondson)

2. 2.A. Review and possible action on amendments to Charter Article I.
2.B. Review and possible action on amendments to Charter Article II.
2.C. Review and possible action on amendments to Charter Article III.
2.D. Review and possible action on amendments to Charter Article IV.
2.E. Review and possible action on amendments to Charter Article V.
2.F. Review and possible action on amendments to Charter Article VI.
2.G. Review and possible action on amendments to Charter Article VII.

3. **Next Charter Review Meeting:** March 5, 2024.

Adjournment

CERTIFICATION

I, SHEILA EDMONDSON, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 17TH DAY OF FEBRUARY 2024 AT 1:00 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 _____, 2024.

TITLE: _____

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

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

Closed Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

CITY COUNCIL MEMORANDUM

City Council Meeting: February 20, 2024
Department: City Secretary
Subject: Minutes: Approval of the minutes from the January 16, 2024 and February 6, 2024. Charter Review meeting. (S.Edmondson)

Attachments

Draft Minutes 01-16-2024
Draft minutes 02-06-2024

DRAFT

MINUTES CHARTER REVIEW MEETING January 16, 2024

A Charter Review Meeting was held by the Schertz City Council of the City of Schertz, Texas, on January 16, 2024, at 4:30 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Commissioner-Chair Dana Eldridge; Commissioner-Vice Chair Richard Dziewit; Commissioner David Bennett; Commissioner Demetric Herron; Commissioner Michele Tereletsky; Commissioner Danielle Craig; Commissioner Paul Wiley; Commissioner Marcus Forte; Commissioner Chris Evans; Commissioner Benjamin Guerrero

Absent: Commissioner Roger L. Booker

Staff present: City Attorney Charles Zech; City Manager Steve Williams; City Secretary Sheila Edmondson

Introduction: Charter Review 2024

Call to Order: The meeting was called to order at 4:30 pm

Mayor Ralph Gutierrez welcomed the Charter Review Commission and thanked them for volunteering their time. The last Charter Review Commission was in 2015. Since most cities review their City Charter every 5 years, Mayor Gutierrez stated it was time to review the City Charter.

Mayor Gutierrez recognized Councilmember Mark Davis who was on the 2015 City Charter Review Commission. It consisted of 5 members. Mark Davis-Chair, Michael Dahle-Vice Chair and Commission Member Reginna Agee, Commission Member Burt Crawford and Commission Member Jana Votis.

Councilmember Mark Davis went through and explained the 19 Propositions from the 2015 Charter Review Commission.

SUMMARY OF PROPOSITIONS from the 2015 Charter Review Commission:

1. Proposition to delete items in the Charter due to redundancy in other Charter sections or State Law.
2. Proposition to Increase City Council from 5 to 7 Places
3. Proposition to Increase elected official terms from 2 to 3 years in length
4. Proposition to Provide for Revised Prohibitions, Forfeitures of Office and Hearing Process
5. Proposition for Revised Financial Procedures

6. Proposition to Conduct Elections Pursuant to State Law
7. Proposition to Revise Initiative, Referendum, & Recall Procedures
8. Proposition to Provide Disannexation Procedures
9. Proposition to Clarify Signature of City Documents
10. Proposition to Modify the Process of Hiring Assistant City Managers
11. Proposition to Allow the City Manager to Identify Designee to Attend Council Meetings
12. Proposition to Modify Personnel Policies
13. Proposition to Modify the Process of Hiring Deputy City Secretary
14. Proposition to Delete Planning & Zoning Commission Section of Charter
15. Proposition to Add Guidance Regarding Ordinances Passed by Petition
16. Proposition to Clarify Personal Financial Interest Policy
17. Proposition to Adjust the Size of Charter Review Commission
18. Proposition to Adjust the Term of Charter Review Commission
19. Proposition to Add a Disaster Clause for Reconstitution of the Council After an Emergency

Councilmember Mark Davis thanked the 2024 Charter Review Commission and stated if anyone had any questions, feel free to reach out to him.

Attorney Charlie Zech introduced himself and gave a brief presentation on types of cities and city charters. He stated that the 2015 Charter Review Commission did a great job reviewing the City Charter and updated where the state law had changed.

Mr. Paul Wiley nominated Mr. Dana Eldridge for Chair. Mr. Chris Evans seconded the motion. All in favor, none opposed. Motion passed 10-0.

Ms. Michele Tereletsky recommended Mr. Richard Dziewit as the Vice-Chair. Mr. Dana Eldridge seconded the motion. All in favor, none opposed. Motion passed 10-0.

Attorney Charlie Zech asked the group if they preferred a simple majority or a super majority to bring forward a recommendation to put on the ballot. Chair Dana Eldridge made a motion to have a super majority of 8 members vote to approve a recommendation on the ballot. Vice-Chair Richard Dzerwit seconded the motion. All in favor, none opposed.

The meeting adjourned at 5:52 p.m.

Dana Eldridge, Chair

ATTEST:

Sheila Edmondson, City Secretary

DRAFT

MINUTES REGULAR MEETING February 6, 2024

A Regular Meeting was held by the Charter Review Committee of the City of Schertz, Texas, on February 6, 2024, at 4:30 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Chair Dana Eldridge; Vice Chair Richard Dziewit; Commissioner David Bennett; Commissioner Roger Booker; Commissioner Danielle Craig; Commissioner Chris Evans; Commissioner Marcus Forte; Commissioner Benjamin Guerrero; Commissioner Demetric Herron; Commissioner Michele Tereletsky; Commissioner Paul Wiley

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Secretary Sheree Courney

Call to Order

Chair Dana Eldridge called the meeting to order at 4:30 p.m.

Hearing of Residents

This time is set aside for any person who wishes to address the Charter Review Committee. 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 Committee as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Committee may be requested to leave the meeting.

No residents addressed the Committee.

Discussion and Action Items

1. **Minutes**-Approval of the minutes from the January 16, 2024, Charter Review meeting. (S.Edmondson)

Minutes for the January 16, 2024, Charter Review meeting will be presented for approval at the February 20, 2024, meeting.

2. **• 2.A. Review and possible action on amendments to Charter Article I.**

- Mr. Williams, City Manager, requested an update to Article I, Section 1.02 (b) Extension of Boundaries; Annexation of Territory. The section needs to be changed to reflect a change in the applicable annexation laws of the state. The City Council no longer has the power by ordinance to annex territory lying adjacent to the City, with or without the consent of the owners or inhabitants.

Suggested change: The City Council has the power by ordinance to annex territory in accordance with State law, thereby extending and enlarging the bounds and limits of the city.

- Commissioner Herron suggested a change to Section 1.02 (c)(ii) which reads, Before the 10th day before the hearing date before the Planning and Zoning Commission, written notice of the public hearing shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the area to be disannexed. Commissioner Herron recommends increasing the notification area to 1,000 feet of the area to be disannexed, which is consistent with some neighboring cities to include San Antonio, Converse, and Live Oak.

Mr. Santee explained that the 200 feet notification area was consistent with statutory rules, but nothing that requires the City to limit the area. Notification is only required to be given to property owners within the City limits, not property owners within an ETJ. Any additional costs for increasing the area can be passed along to the disannexation applicant.

City wants to control disannexation in the Charter as a Home-rule municipality.

Action item: Mr. Williams will bring data to show the effects of increasing the area to 500 feet and 1,000 respectively to the next meeting.

- **2.B. Review and possible action on amendments to Charter Article II.**

- No changes were recommended to Article II.

- **2.C. Review and possible action on amendments to Charter Article III.**

- No changes were recommended to Article III.

- **2.D. Review and possible action on amendments to Charter Article IV.**

- **Section 4.01 Number, Selection and Term.**

Commissioner Forte asked at which point the City would consider increasing the number of councilmembers given the rapid growth of the City. It was noted that many large cities only consist of seven councilmembers. The number of councilmembers is generally not determined by population growth. Not a consideration for Schertz right now.

Discussion regarding districts vs at-large places. Some commissioners stated having districts would give greater representation to the residents. Mr. Santee provided some additional items for consideration to include the cost and work involved for cities that are governed by district representatives. There is a defined process that must be followed to change from one format to another. Each census may require redistricting and reapportionment. If approved by voters, the city would need to start by apportioning the city accordingly. Additionally, current councilmembers would need to be assigned to districts and/or at-large seats based on the location of their residence.

Commissioner Booker stated that using districts is a greater benefit to the residents of the City. It provides greater data, larger census track, better representation, helps with grant applications. Overall, a good thing.

Commissioner Herron doesn't like the current set-up because he feels they don't understand the issues of individual areas, nor do they represent individual areas. He is a strong proponent of changing to district representation.

Several commissioners would like to see data on various cities that use different combinations of council representation.

Commissioner Evans asked what type of education and/or training is required for new council members. Mr. Williams stated there is a newly elected officials' orientation that deals mostly with administrative processes, but the City is working to expand on the onboarding process to include the roles and responsibilities of the Council. Council also has a Rules and Procedures guide that they are provided and expected to follow. The City cannot require Council members to attend any training sessions. Only the residents can hold them accountable.

Action items: Mr. Williams to provide data on districts vs at-large council organizations.

- **No changes to Sections 4.02, 4.03, or 4.04.**

- **Section 4.05 Mayor and Mayor Pro-Tem**

City Council does not sign official plats, so that item needs to be stricken from the Charter.

Review of Charter Article IV to continue at next meeting.

- **2.E. Review and possible action on amendments to Charter Article V.**

3. Next Charter Review Meeting: February 20, 2024.

Adjournment

Chair Eldridge adjourned the meeting at 5:45 p.m.

Dana Eldridge, Chair

ATTEST:

Sheila Edmondson, City Secretary