

DRAFT



CHARTER REVIEW MEETING AGENDA

April 16, 2024

4:30 PM

HAL BALDWIN MUNICIPAL CIVIC CENTER-BLUEBONNET HALL
1400 SCHERTZ PARKWAY BUILDING #5
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, APRIL 16, 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 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.

Discussion by the Commissioners 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 April 2, 2024, Charter Review meeting. (S.Edmondson)
2.
 - 2.A. Review and possible action on amendments to Charter Article IV.
 - 2.B. Review and possible action on amendments to Charter Article V.
 - 2.C. Review and possible action on amendments to Charter Article VI.
 - 2.D. Review and possible action on amendments to Charter Article VII.
 - 2.E. Review and possible action on amendments to Charter Article VIII.
 - 2.F. Review and possible action on amendments to Charter Article IX.
 - 2.G .Review and possible action on amendments to Charter Article X.
 - 2.H .Review and possible action on amendments to Charter Article XI.
 - 2.I. Review and possible action on amendments to Charter Article XII.

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 12TH DAY OF APRIL 2024 AT 3:00 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: 04/16/2024
Department: City Secretary
Subject: Minutes: Approval of the minutes from the April 2, 2024, Charter Review meeting. (S.Edmondson)

Attachments

Minutes 04-02-2024

DRAFT

MINUTES REGULAR MEETING April 2, 2024

A Regular Meeting was held by the Charter Review Committee of the City of Schertz, Texas, on April 2, 2024, at 4:30 p.m. in the Hal Baldwin Municipal Complex Civic Center, 1400 Schertz Parkway, Building #5, 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 Benjamin Guerrero; Commissioner Demetric Herron; Commissioner Michele Tereletsky; Commissioner Paul Wiley

Absent: Commissioner Marcus Forte

Staff present: City Attorney Daniel Santee; City Manager Steve Williams; Deputy City Manager Brian James; Asst. City Manager Sarah Gonzalez; City Secretary Sheila Edmondson

Call to Order

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

Hearing of Residents

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No one signed up to speak.

Discussion and Action Items

1. **Minutes:** Approval of the minutes from the March 19, 2024, Charter Review meeting. (S.Edmondson)

Commissioner Michele Tereletsky asked if the following sentence could be changed to read as: "*At the next meeting, Attorney Dan Santee will have Article 4,5,6 and 7 ready for the Charter Review Commission to review and possibly take action.*" The original sentence was unclear and needed to be clarified.

Commissioner Tereletsky made the motion to change the wording in the sentence and to clarify that the Charter Review Commission would take action on any articles, not the City Attorney. Vice-Chair Richard Dziewit seconded the motion.
All in favor, 9 ayes, 0 nays, Motion passed.

2.A. Review and possible action on amendments to Charter Article IV-The City Council

Chair Dana Eldridge stated he has spoken to several Schertz residents and 90-95% of them are in favor of staying at large and not changing to districts. He agrees with his fellow residents and stated Schertz should stay the way it is, seven Council members all at large. Commissioner Michele Tereletsky agreed and mentioned that the cities of Converse and Universal City do not have districts. The City of Cibola has recently voted to change to a 4 district/3 at-large style of Council.

Attorney Dan Santee brought forward a draft of Article 4. In Section 4.01-Number Selection and Term - there was language about the City being divided into four (4) districts. Mr. Santee explained that if the Charter Review Commission chooses to remove Section 4.01, he recommends they make 2 separate motions on Article 4.

1. Remove the draft language in Section. 4.01 about Schertz being divided into four districts.
2. Vote on the remaining changes in Article 4.

Commissioner Chris Evans made a motion to remove the draft language in Section. 4.01. Commissioner Michele Tereletsky seconded the motion. All in favor, 9 ayes and 0 nays. Motion passed.

Chair Dana Eldridge asked for a motion to keep the remaining changes in Section 4. Vice-Chair Richard Dziewit made a motion to approve keeping the remaining changes in Article 4. Commissioner Chris Evans seconded the motion. All in favor, 9 ayes and 0 nays. Motion passed.

2.B. Review and possible action on amendments to Charter Article V- City Manager

Chair Dana Eldridge discussed the changes in Section 5.01- Appointment: Qualifications; Compensation. There was discussion about the requirement that the City Manager must become a resident of the City of Schertz within four months. With the challenges of relocating, removing this requirement will give the City Manager

some time and flexibility to meet the requirement of becoming a resident.

Chair Dana Eldridge made a motion to remove the changes in Section 5.03-(j) He or she shall keep a written inventory of all real property and all permanent equipment belonging to the City, said inventory to be subject to annual audit. *A system shall be established to control the use and replacement of expendable items.*

In addition, Chair Eldridge added to remove the language in Section 5.01- requiring the City Manager to become a resident within 4 months after his/her appointment. Commissioner David Bennett seconded the motion. All in favor, 9 ayes, and no nays. Motion passed.

2.C. Review and possible action on amendments to Charter Article VI - City Secretary

Chair Dana Eldridge explained that the only change discussed was taking out the line that *the City Secretary shall report administratively to the City Manager but may be removed from office only by the City Council.* City Manager Steve Williams explained that the rationale is that City does not currently operate this way. Commissioner Chris Evans made a motion to accept Article VI with the change to strike out *the City Secretary shall report administratively to the City Manager but may be removed from office only by the City Council.* Vice-Chair Richard Dziewit seconded the motion. All in favor, 9 ayes and no nays. Motion passed.

2.D. Review and possible action on amendments to Charter Article VII.

Chair Dana Eldridge stated that City Manager Steve Williams wanted to confirm with the Finance Director the days in Section 7.02. Assistant City Manager Sarah Gonzalez confirmed that the City Manager spoke with the Finance Director and the language currently in the charter is correct (fifty days). Commissioner Michele Tereletsky made a motion that no changes were made in Article 7. Commissioner Benjamin Guerrero seconded the motion. All in favor, 9 ayes and no nays. Motion passed.

2.E. Review and possible action on amendments to Charter Article VIII.

Attorney Dan Santee explained that Article VIII is blank, and no action is needed.

2.F. Review and possible action on amendments to Charter Article IX - Nominations and Elections.

Chair Dana Eldridge had a question in Section 9.02 (c) *the filing fee of five dollars.* He asked if the amount of five dollars should be upgraded or leave as is. Attorney Dan Santee stated the current language allows the City Council to change the amount, so no changes are necessary.

Commissioner Danielle Craig asked questions about the Runoff Elections and the votes needed to win. Attorney Dan Santee stated that the City of Schertz is a home-rule city and there are more than 2 candidates that run and none of them get the 50%+1 vote, a runoff election is required.

Vice-Chair Richard Dziewit made a motion to accept Article 9 - Nominations and Elections. Commissioner Demetric Herron seconded the motion. All in favor, 9 ayes

and no nays. Motion passed.

2.G. Review and possible action on amendments to Charter Article X- Initiative, Referendum and Recall.

Chair Dana Eldridge had questions about the petitions and the number of signatures required. He believes the required 15% of signatures of qualified voters is high. Deputy City Manager Brian James added that you would want that number required to be high, because City Council should be making the decisions for the city. If you have a low % number, you could have a small group of folks second guessing the Council and it could delay city business. There was further discussion on the different percentages needed for recalls, petitions and referendums. Chair Dana Eldridge recommended that the Commission put Article X on hold, so they could have additional time to review it. Further discussion included questions about the growth of the City, the 2015 Charter, the years recommended reviewing the current Charter and needed signatures for an initiative, referendum and recalls.

Attorney Dan Santee stated at the next meeting he would bring back a draft charter with all the changes.

The Commission wanted more time to review Article X-XII before the next Charter Review Meeting.

Adjournment

Chair Dana Eldridge adjourned the meeting at 5:33 p.m.

Dana Eldridge, Chair

ATTEST:

Sheila Edmondson, City Secretary