

**MINUTES
REGULAR MEETING
February 2, 2016**

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 2, 2016, 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:

Mayor Michael Carpenter
Councilmember Grumpy Azzoz
Councilmember Cedric Edwards

Mayor Pro-Tem Fowler
Councilmember Daryl John
Councilmember Robin Thompson

Staff Present:
Executive Director Brian James
Executive Director Bob Cantu
Deputy City Secretary Donna Schmoekel

City Manager John Kessel
Executive Director Dudley Wait
City Attorney Clarissa Rodriguez

Call to Order – City Council Regular Session

Mayor Carpenter called the meeting to order at 6:02 p.m.

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

Councilmember Azzoz provided the opening prayer followed by the pledges of allegiance to the flags of the United States and the State of Texas.

Mayor Carpenter mentioned that if students were in the audience this evening who are participating in the Hal Baldwin Scholarship to please sign in on the sheet that is in the back of the room to receive credit for attendance.

A. Mayor Pro-Tem Oath of Office – Oath of Office administered to Councilmember Cedric Edwards. (Mayor Carpenter to administer oath)

Mayor Carpenter administered the Mayor-Pro-Tem Oath of Office to Councilmember Cedric Edwards for a term of one year ending February 1, 2017. The Mayor congratulated Mayor Pro-Tem Edwards.

City Events and Announcements

- Announcements of upcoming City Events (B. James/D. Wait/B. Cantu)

The following announcements were made:

- **Saturday, February 6**, Ribbon Cutting for Promptu Immediate Care, 1264 FM 78 #115, 11:00 a.m.-12:00 p.m.
- **Thursday, February 11**, Northeast Partnership Meeting, Olympia Hills Golf & Conference Center 11:30 a.m.

- **Thursday, February 11**, TML Region 7 Meeting – The Gardens at Old Town Helotes, City of Helotes, Reception begins at 5:00 p.m. RSVP to the City Secretary by Friday, February 5.
- **Tuesday, February 16**, Council on the Go Meeting, Community Center North, 6:30 p.m.

Executive Director Dudley Wait updated Council on an incident that just happened yesterday. A citizen notified Public Works of a sewer leak located up on 482 where it crosses the train tracks. A manhole was leaking sewage; it appeared that the line was backed up or clogged. A significant amount of liquid had leaked out but not any solids. Staff promptly notified TCEQ, per our policy, and immediately began cleaning it up. TCEQ came out and visited today and advised the city to notify the three properties closest to the leak and advise them to boil their water for a few days until we can test their water to confirm no contamination has occurred. Because of the boil notices we have to also do a media notification in the New Braunfels paper. Cleanup still continues and TCEQ is satisfied with the efforts of the Public Works staff. Because it was a leak we will be getting a notice of violation from TCEQ. When it comes in it should be a closed issue and not come with any further violations, actions or fines.

- Announcements and recognitions by City Manager (J. Kessel)

Mayor Carpenter recognized City Manager John Kessel who spoke about the Job Shadow Day put together by Patty Horan and the Economic Development Corporation (EDC) with the Clemens High School. Some of the students visited the public safety departments, other various other departments in the City, and GE. Kudos to Patty and EDC for organizing this.

He also received a letter from a Northcliffe resident, Ms. Joy Jones who had some sentimental rings stolen from her home and Police Department Sgt. Joshua Mixon was instrumental in finding a few of her rings and returning them to her. She expressed her appreciation to the Police Department and Sgt. Mixon for his actions and helpfulness in her case. Sgt. Mixon is receiving a 15 year service pin tomorrow and is a real asset to the City.

New Employee Recognition

- Marshal Department – Val Garcia – Code Enforcement Officer

Mayor Carpenter recognized City Marshal Michael Harris who introduced Mr. Val Garcia, a new Code Enforcement officer with the Marshals Department providing a brief biography.

- Marshal Department – Promotion of David Taylor from Kennel Tech to Animal Services Officer

Mayor Carpenter recognized City Marshal Michael Harris who introduced Mr. David Taylor, a newly promoted Animal Services Officer with the Marshals Department, providing a brief biography.

- Public Affairs – Melissa Geedman – Public Affairs Account Manager, Jaelyn Ponder – Civic Center Coordinator

Mayor Carpenter recognized Public Affairs General Manager Linda Klepper who introduced new Marketing and Communications Specialist Ms. Melissa Geedman, providing a brief biography. Ms. Klepper stated their new Civic Center Coordinator, Jaclyn Ponder, was not able to be present this evening due to an illness.

Hearing of Residents

Mayor Carpenter recognized the following who spoke:

- Ms. Maggie Titterington, Chamber President who provided updated information regarding The Chamber events, especially the success of the January 30, 2016 Health and Wellness Fair. She also presented Mayor Carpenter with their new decal for City Manager John Kessel to put somewhere on one of the doors at the Chamber. She gave kudos to Executive Director Brian James' staff in the Development Services Department who have been extremely helpful with the new builders and businesses coming into our area regarding the processing of permits, plans, inspections and overall compliance with City Codes.
- Ms. Sammie Ellis, 1204 Dimrock Drive, who spoke about an incident she phoned into the Police Department regarding a vagrant near her property and the fact that Schertz does not have a homeless shelter in the area for these people. Mayor Carpenter asked her to speak with Chief Hansen in the audience regarding her concern with the police department procedures.

Workshops

- Discussion of Special Called Council Retreats. Item requested by Councilmember Thompson)

Mayor Carpenter recognized Deputy City Secretary Donna Schmoekel who introduced this item stating Section 2.2(a) of the Code of Ordinances establishes the time and place for Council meetings. The most recent amendment to this section was on September 8, 2015, amending the number of meetings to the first, second, and fourth Tuesdays of the month.

The Ordinance also states that regular meetings of the city Council shall commence at 6:00 p.m., and that the regular meetings shall be held at the City Council Chambers at 1400 Schertz Parkway in the City of Schertz.

In addition to the Regular Meetings, there are multiple retreats that Council attends throughout the year. To help Council and Staff plan their schedule, these retreat dates have been reflected to appear on the Master Calendar:

- Strategic Planning Retreat – 3rd Friday in January
- Pre-Budget Retreat – 4th Friday in March
- Teambuilding Retreat – 1st Friday in December
- A 4th Council retreat to discuss budget and/or other priorities will be scheduled as may be needed in either June, July or August

The 2016 Master Calendar was approved on December 8, 2015 with these dates on it. Councilmember Thompson has requested staff propose an amendment to the ordinance to include the addition of these annual Council Retreats and re-classify them as Regular Council Meetings.

There are many factors to consider when looking at this request to change the Special Called Retreats to Regular Meetings, such as:

- The Retreats are held at off-site locations, away from City property
- The Retreats generally start at 8:30 a.m. and end by 4:30 p.m.
- Regular meetings consist of action items
- The Retreats are generally held on Friday's but even if they were changed to an alternative day of the week other than Tuesday, it may affect other schedules (i.e. council, staff, board/commission/committee meetings)

Staff's recommendation is that the ordinance remain unchanged and the annual Council Retreats not be changed to Regular Council Meetings.

With regards to conflict on the day of the week that the Retreats are held on, Staff presents two options:

Option A

Leave as is:

- Strategic Planning Retreat – 3rd Friday in January
- Pre-Budget Retreat – 4th Friday in March
- Teambuilding Retreat – 1st Friday in December
- 4th Retreat – TBD if needed

Option B

Move the Retreat Dates to a Thursday:

- Strategic Planning Retreat – 3rd Thursday in January
- Pre-Budget Retreat – 4th Thursday in March
- Teambuilding Retreat – 1st Thursday in December
- 4th Retreat – TBD if needed

Mayor Carpenter recognized Councilmember Thompson who stated that after talking with staff, due to the unique nature of the workshops, the ability of staff and council to interact with one another in a free setting, he concurs with staff's recommendation not to reclassify the retreats as 'regular meetings'. In regard to Option A or Option B, he is willing to go with the overall general will of council.

Mayor Carpenter recognized Mayor Pro-Tem Edwards who recommended Option B, moving the council dates to 'Thursday's if it worked well with city staff. City Manager John Kessel stated this was not a problem as staff could meet on Wednesday, or even on a Monday of that week, to do their portion of the retreat. In summary Mr. Kessel stated his understanding of council's direction is that the retreats will remain 'special meetings' and that the council portion of the meeting(s) will now be held on Thursdays, not Fridays. Mayor Carpenter concurred stating this would begin with the next retreat meeting.

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 Meeting of January 26, 2016. (J. Kessel/B. Dennis)

Mayor Carpenter recognized Councilmember Azzoz who moved, seconded by Mayor Pro-Tem Edwards to approve the consent agenda item 1. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

2. **Ordinance No. 16-D-01** - Consideration and/or action approving an Ordinance amending the Code of Ordinances of the City of Schertz by revising Article V, Section 86-149 Parking Prohibited on Roadways Maintained by the City of Schertz, parking restrictions on David Lack Boulevard. **Final Reading** (B. James/K. Woodlee)

The following was read into record:

ORDINANCE NO. 16-D-01

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ, TEXAS BE AMENDED BY REVISING ARTICLE V, SECTION 86-149 PARKING PROHIBITED ON ROADWAYS MAINTAINED BY THE CITY OF SCHERTZ; AND PROVIDING AN EFFECTIVE DATE.

Mayor Carpenter recognized Mayor Pro-Tem Edwards who moved, seconded by Councilmember Fowler to approve Ordinance 16-D-01 final reading. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

Discussion and Action Items

3. **Ordinance No. 16-M-02** - Consideration and/or action approving an Ordinance amending the City Council Code of Ethics by adding language regarding media contact. **Final Reading** (Mayor/Council/C. Zech)

The following was read into record:

ORDINANCE NO. 16-M-02

AN ORDINANCE BY THE CITY OF SCHERTZ, TX AMENDING CITY COUNCIL CODE OF ETHICS; PROVIDING A POLICY FOR MEDIA RELATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

As there was no discussion on this item Mayor Carpenter recognized Councilmember Thompson who moved, seconded by Councilmember John to approve Ordinance No. 16-M-

02 final reading. The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.

4. **Boards, Commission and Committee Appointments/Resignations** – Consideration and/or action ratifying the resignation of Ms. Harriet Higgs, ratifying the appointment of Mr. Edward Fair as a regular member and ratifying the appointment of Mr. John Sullivan Jr., as an Alternate Member to the Parks Recreation Advisory Board. (B. Dennis/Mayor/Council)

Mayor Carpenter introduced this item and recognized Mr. John Sullivan who was in the audience this evening. Mayor Carpenter thanked him for willing to serve.

Mayor Carpenter recognized Councilmember Fowler who stated that he had been attending several of the Parks & Recreation meetings and he had come to know Ms. Harriet Higgs and she always made sure the parade trailer was ready. Councilmember Fowler thanked Ms. Higgs for her service to the city.

Mayor Carpenter recognized Councilmember Azzoz who moved, seconded by Mayor Pro-Tem Edwards to approve the resignation of Ms. Harriet Higgs and the appointment of Mr. Edward Fair as a Regular Member and the appointment of Mr. John Sullivan Jr., as an Alternate Member to the Parks Recreation Advisory Board. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

Mayor Carpenter recognized Mayor Pro-Tem Hadas from the City of Selma who was in the audience this evening.

5. **Ordinance No. 16-S-03** – Conduct a public hearing and consideration and/or action approving an Ordinance to rezone approximately 2.1 acres of land located at 17231 Schertz Parkway in the Verde Enterprise Business Park from Planned Unit Development to Planned Development District. *First Reading* (B. James/L. Wood/B. Cox)

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The following was read into record:

ORDINANCE NO. 16-S-03

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING APPROXIMATELY 2.1 ACRES OF LAND FROM PLANNED UNIT DEVELOPMENT TO PLANNED DEVELOPMENT DISTRICT (PDD).

Mayor Carpenter recognized Planner 1 Bryce Cox who stated what the Council has before them is a request from Blanco Business Center LP is proposing to rezone approximately 2.1 acres of land in the Verde Enterprise Business Park Planned Unit Development (PUD) Ordinance 07-S-14A to Planned Development District (PDD). The parcel is located on Schertz Parkway behind the existing Frost Bank.

The public hearing notice was published in "The Daily Commercial Recorder" on January 15, 2016 and the "Herald" on January 20, 2016. Five (5) public hearing notices were mailed to

surrounding property owners within two hundred (200) feet of the subject property on December 30, 2015. No responses have been received.

The Planning and Zoning Commission conducted the public hearing on January 13, 2016 and offered a recommendation of approval by a unanimous vote. Staff recommends approval of the zoning request.

The request is to rezone this property in order to amend the existing planned unit development standards so that the property will develop in accordance with those standards with one exception to article 4 which is going to change the building set back requirements when the parcel is adjacent to a property that is zoned outside the planned unit development from fifty foot (50') to twenty foot (20'). City staff recommends approval as presented and the application is available for questions.

Mayor Carpenter opened the public hearing. As no one spoke, Mayor Carpenter closed the public hearing for Council comments.

Mayor Carpenter recognized Mayor Pro-Tem Edwards who stated this requirement was set in 1996 and wanted to know why it was fifty foot (50') instead of twenty foot (20'). Chairman David Richmond stated he did not recall how and why this was set. Mayor Pro-Tem Edwards asked staff if we were now setting precedence for others to come in and request a change in the requirement. Mr. Cox answered and stated that this is the only commercial planned development we have that the 1996 UDC still applies to.

Mayor Carpenter recognized Councilmember Fowler who addressed questions to Mr. Cox regarding parking requirements as they develop the property.

Mayor Carpenter recognized Mayor Pro-Tem Edwards who moved, seconded by Councilmember Thompson to approve Ordinance No. 16-S-03 first reading. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

6. **Resolution No. 16-R-05** – Consideration and/or action approving a Resolution authorizing expenditures by the City of Schertz Economic Development Corporation necessary for the funding of the David Lack Boulevard Extension project. (J. Kessel/K. Kinateder)

The following was read into record:

RESOLUTION NO. 16-R-05

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING EXPENDITURES TO FUND A CONSTRUCTION AGREEMENT
FOR THE DAVID LACK BOULEVARD EXTENSION PROJECT AMONG THE
CITY OF SCHERTZ ECONOMIC DEVELOPMENT CORPORATION, AND YANTIS
COMPANY, AND OTHER MATTERS IN CONNECTION THEREWITH**

Mayor Carpenter recognized EDC Director Kyle Kinateder who stated he is coming before the Council for authorization for the expenditures of funds.

As background, in February 2014, the City Council approved Resolution Number 14-R-14 which approved the Development Agreement with GE Oil & Gas. (the "Development Agreement"). Under the Development Agreement, the City agreed to construct an extension of David Lack Drive.

In December 2014, the City Council approved Resolution Number 14-R-96 authorizing a Professional Services Agreement ("PSA") with Bury-San, Inc. ("Bury") for engineering and design services. The total cost of the PSA with Bury was \$35,750.

Over the past year, the project has had several changes as Bury and the City Engineer expressed concern with the scope and design of the project. Concerns ranged from a low water crossing, amount of storm water flows conveyed over the proposed roadway, and alignment of the master thoroughfare plan. Working with GE Oil & Gas, Bury, and City of Schertz, the scope of work was amended to expedite the construction timeline while meeting the intent of the Development Agreement. The revised plans were received and reviewed by the City in October 2015.

In December 2015, the SEDC issued a Request for Proposals ("RFP") for the project. The selection criteria gave priority to the overall cost and the timeline for completing the project. The RFP closed on January 19, 2016; four bids were submitted for the project. The bids were reviewed and ranked by a selection committee consisting of the SEDC, Bury, and representatives from the City's Engineering and Purchasing departments using the criteria provided in the RFP. The final ranking was as followed:

1. Yantis Company
2. T&F Construction Co.
3. D&D Contractors, Inc.
4. Pronto Sandblasting & Coating & Oil Field Services Co. Inc.

Staff presented the Yantis Company ("Yantis") proposal to the SEDC Board where the Board elected to enter into a Construction Agreement for the project.

The SEDC had an approved total budget of \$200,000 for the project and \$35,750 has already been allocated for the PSA. The Construction Agreement will cost \$146,504.80 plus associated reimbursements resulting in a budget balance of \$17,745.20.

The SEDC Board of Directors met on January 28th at their regular board meeting to consider, discuss and act on the City of Schertz Economic Development Corporation Construction Agreement with Yantis Company. A motion was made by Mr. Roy Richard and seconded by Mr. Grady Morris to:

1. Approve the City of Schertz Economic Development Corporation Construction Agreement.
2. Recommend that the City Council authorize the expenditures as set forth Agreement.
3. Recommend that the City Council authorize the remaining of the total \$200,000 project budget to be used for potential change-orders so that Staff will not be required to return to the SEDC Board and City Council.

The motion passed unanimously. Staff recommends that the City Council authorize the program and expenditures provided for in the Construction Agreement. Mr. Kinateder answered questions from Council.

Mayor Carpenter made a motion from the chair, seconded by Councilmember Fowler to approve Resolution No. 16-R-05 provided that the caption reads 'A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EXPENDITURES TO FUND A CONSTRUCTION AGREEMENT FOR THE DAVID LACK BOULEVARD EXTENSION PROJECT BETWEEN THE CITY OF SCHERTZ ECONOMIC DEVELOPMENT CORPORATION, AND YANTIS COMPANY, AND OTHER MATTERS IN CONNECTION THEREWITH'. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

7. **Resolution No. 16-R-08** – Resolution No. 16-R-08 – Consideration and/or action approving a Resolution authorizing the program and expenditures of the City of Schertz Economic Development Corporation as provided for in the Economic Development Incentive Agreement between Major Wire Texas, Inc. and the City of Schertz Economic Development Corporation (J. Kessel/K. Kinateder)

The following was read into record:

RESOLUTION NO. 16-R-08

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A PROGRAM AND EXPENDITURES AS PROVIDED FOR IN A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SCHERTZ TEXAS ECONOMIC DEVELOPMENT CORPORATION AND MAJOR WIRE TEXAS, INC.; AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Carpenter recognized EDC Director Kyle Kinateder who stated Major Wire Texas, Inc. (Major Wire) is a fabricated wire product manufacturer. They produce wire screens used to sort and separate aggregates such as stone, sand, coal and gravel.

Major Wire was initially established in 1884 in Montreal, Quebec, Canada. In 2012, Major Wire was acquired by Haver & Boecker, a German company established in 1887. The new ownership has infused new capital into the business allowing Major Wire to establish new locations. Despite the new ownership, Major Wire continues to maintain operational independence at each of its individual locations.

At the January SEDC Board Meeting, the SEDC approved an incentive agreement with Major Wire. Major Wire agreed to lease 53,011 square feet at the Robinson-Weeks Building 1 located in the Enterprise Industrial Park. Major Wire will be required to create \$4.9 million of personal property and 58 jobs with a minimum annual payroll of \$1,892,000 over the term of the incentive agreement. In consideration the SEDC will provide a \$100,000 grant upon receipt of the Certificate of Occupancy and commencement of operations in Schertz.

The incentive agreement with Major Wire includes a \$100,000 grant that will be paid by the SEDC from its development incentive fund as approved in the current budget. In the event that Major Wire does not meet the terms of the agreement throughout the five year term, Major Wire or its parent company Tyliner, Inc. will repay the grant with interest.

The SEDC Board of Directors met on January 28th at their regular board meeting to consider, discuss and act on the Economic Development Incentive Agreement Major Wire Texas, Inc. A motion was made by Ms. Rosemary Scott and seconded by Ms. Angelina Kiser to approve

the Agreement and recommend that the City Council authorize the program and expenditures as set forth in the agreement. The motion passed unanimously. Staff recommends that the City Council authorize the expenditures provided for the Agreement. Mr. Kinateder answered questions from Council.

Mayor Carpenter recognized Councilmember Fowler who moved, seconded by Councilmember Azzoz to approve Resolution No. 16-R-08. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

- 8. **Resolution No. 16-R-06** – Consideration and/or action approving a Resolution authorizing additional expenditures with Ford Engineering Inc., totaling no more than \$21,151.89 for consulting tasks during the remainder of the 2015-16 Fiscal Year. (D. Wait/C. Raleigh)

The following was read into record:

RESOLUTION NO. 16-R-06

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING ADDITIONAL EXPENDITURES WITH FORD ENGINEERING, INC., TOTALING NO MORE THAN \$21,151.89 FOR CONSULTING TASKS DURING THE REMAINDER OF THE 2015-2016 FISCAL YEAR AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Carpenter recognized Executive Director Brian James who stated Ford Engineering was awarded a three year agreement for On-Call Engineering Services via Resolution 14-R-55. The City’s practice is to seek authorization from Council when expenditures with a vendor exceed \$50,000 in one fiscal year. The City has already contracted with Ford Engineering, Inc., for various projects totaling \$359,794 which the City Council has already approved. These include two major projects and several minor consulting tasks with Ford Engineering in the 2014-15 Fiscal Year. Many of these projects carried over to the 2015-16 Fiscal Year and the expenditures will be charged accordingly.

Additionally, the Engineering Department has a periodic need for engineering and/or surveying services with very limited scope. It is desired that Staff have the ability to request consulting services to be provided and invoiced on an hourly basis as needed.

Below are a list of major projects and minor consulting tasks that have been approved:

<u>Approved Projects</u>	<u>Approval Date</u>	<u>Amount</u>	<u>Status</u>	<u>Balance</u>
Admin Building Drainage	4/17/2015	\$2,740	Complete	\$0
South Elevated Tank (Corbett)	6/9/2015	\$227,186	In Process	\$107,036.11
SARA Dual CCN Wastewater	5/27/2015	\$3,200	Complete	\$0
Northcliffe Phase III Waterline	12/8/2015	\$67,143	In Process	\$67,143
Clean Up CCN Wastewater	8/12/2015	\$4,000	Complete	\$0
Live Oak Water Pump Upgrades	12/15/2014	\$6,995	In Process	\$3,304
Town Creek Sewer Phase III	4/23/2013	\$48,530	In Process	\$1,365

Staff wishes to contract with Ford Engineering, Inc. for the following two projects:

<u>Proposed Projects</u>	<u>Approval Date</u>	<u>Amount</u>	<u>Status</u>	<u>Balance</u>
Parklands CCN Transfer	Pending	\$3,200	Pending	\$3,200
Schertz Housing Drainage	Pending	\$1,843	Pending	\$1,843

The total of projects that have been approved and are proposed equals \$364,837. Of the already approved projects, \$178,848.11 is still to be paid.

Staff is requesting approval for additional expenditures totaling no more than \$21,151.89 to allow for the City to contract with Ford Engineering, Inc. for the two proposed projects which total \$5,043 and to have the ability to contract with Ford Engineering, Inc. for an additional \$16,108.89 for unexpected minor consulting tasks that may arise during this fiscal year. Funds are budgeted and available for the additional 'not to exceed' amount of \$21,151.89 for pre-approved major projects, pending minor consulting projects, and future minor consulting projects.

Mayor Carpenter recognized Councilmember Azzoz who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-06. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

9. **Resolution No. 16-R-07** – Consideration and/or action approving a Resolution authorizing an Interlocal Water Supply Contract with the Schertz-Seguin Local Government Corporation (SSLGC), City of Seguin and City of Selma. (D. Wait/S. Willoughby/A. Cockerell)

The following was read into record:

RESOLUTION NO. 16-R-07

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A INTERLOCAL WATER SUPPLY CONTRACT, AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Carpenter recognized Executive Director Dudley Wait who introduced SSLGC Assistant General Manager Amber Briggs who stated the City has negotiated a four-party agreement with Seguin, the Schertz/Seguin Local Government Corporation (SSLGC), and the City of Selma regarding the sale of SSLGC water to the City of Selma. The SSLGC Board has approved the contract (January 21, 2016) and the City of Selma approved the contract, as well (January 14, 2016).

The SSLGC has an existing Mutual Regional Water Supply Contract with the City of Selma for 800 ac-ft/yr. The new contract will be for an additional 250 ac-ft/yr. The City of Selma will pay the same O & M Rate and Water Lease Rate as the Cities of Schertz and Seguin under this contract, as well as, a pro-rated debt service, which will be based on the contract amount of the 250 ac-ft/year. Staff recommends approval of the Resolution approving the Interlocal Water Supply Contract.

Mayor Carpenter recognized Mayor Pro-Tem Edwards who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-07. **The vote was unanimous**

with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.

Mayor Carpenter moved to the Executive Session part of the agenda.

Executive Session

13. City Council will meet in closed session under section 551.071 of the Texas Government Code, Consultation with Attorney; closed meeting to discuss the Application by Post oak Clean Green, Inc. for a new Type 1 Municipal Solid Waste Landfill in Guadalupe County, Texas hearing being held before the State Office of Administrative Hearing's.

Mayor Carpenter adjourned into executive session at 7:09 p.m.

Reconvene into Regular Session

Mayor Carpenter reconvened back into open session at 7:43 p.m.

- 13a. Take any necessary action based on discussions held in closed session under Agenda Item number 13.

No action was taken.

Mayor Carpenter moved to the Roll Call Vote Confirmation part of the agenda.

Roll Call Vote Confirmation

Mayor Carpenter recognized Deputy City Secretary Donna Schmoekel who provided the roll call votes for agenda items 1-9.

Requests and Announcements

10. Announcements by City Manager
- Citizen Kudos
 - Recognition of City employee actions
 - New Departmental initiatives

No further announcements were provided

11. **Future Agenda Item Request for City Council:** This is an opportunity for City Council members to request that items be placed on a future agenda. No discussion of the merits of the item may be taken at this time. Should a Council Member oppose placement of the requested item on a future agenda, the Mayor, without allowing discussion, shall ask for the consensus of the other City Council members to place or not place the item on a future agenda.

Mayor Carpenter recognized Councilmember Azzoz who stated we should maybe re-visit our current sign ordinance and what restrictions we currently require. Mayor Carpenter restated

the request directing staff, at their earliest convenience, to prepare a presentation and discussion on our sign ordinance.

12. 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
- Upcoming City Council agenda items

Mayor Carpenter recognized Mayor Pro-Tem Edwards who thanked Executive Director Brian James who had invited him to speak at the YMCA and host the City Council members from Boerne who came in to look at our YMCA facilities. He stated that this was a great opportunity to showcase our public/private partnerships.

Mayor Pro-Tem Edwards stated he also attended the Schertz Urgent Care Ribbon Cutting and commented on such as a great facility.

He also stated that he recently attended the City of Cibolo Cook-off. He stated that they had each BBQ team sponsor a child and purchased them a grill and let them actually cook pork chops. He stated that each child had to prepare their own and it was a great event. Mayor Pro-Tem Edwards stated the child that won received an apron and chef's hat and each child was able to keep their own grill. He stated that he would love to see us incorporate something like this in our own barbecue cook-off.

Mayor Carpenter recognized Councilmember Thompson who commented on the Health Fair held this past Saturday. He thanked Schertz Civic and Community Center Coordinator Jaelyn Ponder and her staff for doing a great job of hosting them. Also, the Police Alumni Association did a great job with overseeing the parking.

Mayor Carpenter recognized Councilmember Fowler who commented on Ms. Joy Jones who is a member of his church and who sent the letter to the Police Department thanking them for helping retrieve her stolen rings. He knows how much she appreciates the City and also for what the church is doing for her.

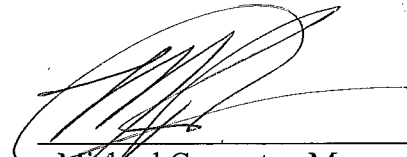
Mayor Carpenter recognized Councilmember Azzoz who stated that a local company around us has an employee who is very ill and whose prognosis is very dim. The company is raffling off a beautiful Harley Davidson Bike (Valued at \$12,000) as a fundraiser for the employee's wife to have funds available in the event of his demise. They are raffling off 100 tickets at a cost of \$100 each. There are 18 left and if anyone is interested in purchasing one, please call his restaurant and someone will assist you in the purchase.

Mayor Carpenter recognized City Manager John Kessel who stated he was asked to provide an information item. He stated the City Council recently received a letter from a citizen regarding Savannah Parkway and Savannah Drive as it relates to the cities of Schertz and Selma and also the TxDOT facility. Mr. Kessel stated that he has reached out to Selma City Administrator Johnny Casias and he has agreed to work with us on this. The resident's

concern has been assigned to City Engineer Kathy Woodlee who is also reaching out to TxDOT as there are a number of different issues involved and different jurisdictions to consider. He will update/advise Council as he receives more information on this.

Adjournment

Mayor Carpenter adjourned the meeting at 7:55 p.m.



Michael Carpenter, Mayor

ATTEST:



Donna Schmoekel, Deputy City Secretary