

**MINUTES
REGULAR MEETING
March 1, 2016**

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on March 1, 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 Pro-Tem Edwards
Councilmember Grumpy Azzoz

Councilmember Jim Fowler
Councilmember Robin Thompson

Staff Present:
Executive Director Brian James
Executive Director Bob Cantu
City Secretary Brenda Dennis

City Manager John Kessel
Executive Director Dudley Wait
City Attorney Charlie Zech

*Mayor Carpenter was absent and out of town.
Councilmember John was absent attending an election event.*

Call to Order – City Council Regular Session

Mayor Pro-Tem Edwards 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.
(Pastor Garry Shelton, Church of God by Faith Spirit of Life)

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

Mayor Pro-Tem Edwards announced if there are students in the audience this evening participating in the Hal Baldwin Scholarship to please be sure to sign in (The sign in sheet is at the back of the room).

City Events and Announcements

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

The following announcements were made:

- **Thursday, March 3**, Pre-Budget Community Meeting, Schertz United Methodist Church, 3460 FM 3009, 6:30 p.m.
- **Friday, March 4**, Delightful Decors Ribbon Cutting, 17331 IH 35 N, #104, 2:00 p.m.
- **Saturday, March 5**, 8th Annual Wilenchik Walk for Life, Samuel Clemens High School (rear) Parking Lot at 8:00 a.m.
- **Wednesday March 9**, Pre-Budget Community Meeting, Sippel Elementary School, 420 Fairlawn, 6:30 p.m.
- **Thursday, March 10**, Pre-Budget Community Meeting, Corbett Junior High School, 12000 Ray Corbett Drive, 6:30 p.m.

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

Mayor Pro-Tem Edwards recognized City Manager John Kessel who stated he wanted to recognize one of our Fire Department staff members, Melissa Ashcraft, who has helped us get reimbursements from the state. She was able to put together some very detailed information and the most recent reimbursement back to the City was in the amount of \$19,000. It makes a big difference when she does this as part of her job duties and it is also an indication of our fire personnel going to other communities and helping out around the state.

Mr. Kessel mentioned the upcoming Community Pre-Budget meetings that were announced earlier by Mr. James. He stated that they are trying a few things different this year and encouraged everyone to attend one.

Finally, Mr. Kessel wanted to bring Council's attention to a document that is in the 'Information Only' part of the agenda packets that has to do with the Council's compensation. That document does show the actual dollar amounts that are being adjusted by the CPI; per the ordinance it also has a form, which you would only need to fill out the form if you wanted to not receive that additional small amount as adjusted. The form should be available to everyone; let us know if we need to print them out.

New Employee Recognition

- Fire Department – Fire Fighters: Zachary Lowry, Zachary Roling and Adam Boivin

Mayor Pro-Tem Edwards recognized Assistant Fire Chief Kade Long who introduced the new members of the Fire Department Zachary Lowry, Zachary Roling and Adam Boivin and their families, providing a brief biography of each new staffer. Mayor Pro-Tem Edwards and Council welcomed the new members of the Fire Department.

- Marshal Department – Animal Services Shelter Technician Ami Burkett

Mayor Pro-Tem Edwards recognized Animal Services Manager Shanna Roman who introduced new Animal Shelter Technician Ami Burkett, providing a brief biography. Ms. Roman and Ami stated that they wanted to make a lasting impression on the recent hire and presented City Manager John Kessel with a kitten for which they would hold so that he could adopt it after the meeting. This was also reminder that the Animal Services conducts on-going adoption efforts for all animals.

Hearing of Residents

No one spoke.

Discussion and Action Items

1. **Minutes** - Consideration and/or action regarding the approval of the minutes of the Regular Meeting of February 23, 2016. (J. Kessel/B. Dennis)

Mayor Pro-Tem Edwards recognized Councilmember Thompson who moved, seconded by Councilmember Fowler to approve the minutes of the Regular Meeting of February 23, 2016. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, and Thompson voting for and no one voting no. Councilmember John was absent. Motion passed.**

2. **Resolution No. 16-R-19** – Consideration and/or action authorizing an Agreement to contribute right of way funds (Fixed Price) with the Texas Department of Transportation for the FM 1103 Improvement Project. (B. James/K. Woodlee)

The following was read into record:

RESOLUTION NO. 16-R-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FM 1103 IMPROVEMENT PROJECT

Mayor Pro-Tem Edwards recognized City Engineer Kathy Woodlee who stated in early 2015 the Texas Department of Transportation (TxDOT) approached the City of Schertz about the possibility of partnering with TxDOT to fund improvements to the segment of FM 1103 within the City Limits of Schertz. The improvements are expected to include expansion from 2 lanes to 4 lanes with medians, turn lanes, sidewalks, and bike lanes. It was determined that participation by the City of Schertz in the amount of \$2 million would be appropriate.

The City's Bond Committee, formally seated by Council on April 7, 2015, considered and ultimately recommended a voter proposition to determine whether the Council should issue general obligation bonds for the purpose of contributing to public improvements on FM 1103. The bond measure passed the November 3, 2015, election with over 91% voter support.

In accordance with TxDOT funding procedures, allocation of the \$2 million will be made as follows: the City is responsible for 10% of the cost of the right of way and reimbursable utility relocations located within the city limits – currently estimated to be \$181,225.69. The balance of the City's \$2 million contribution will go toward construction of the improvements.

In order to formalize the arrangement with TxDOT, the City must enter into an Agreement to Contribute Right of Way Funds (Fixed Price) with TxDOT Construction of Improvements to FM 1103 and provide payment to TXDoT in the amount of \$181,225.69 so that right of way acquisition offers can proceed. (The remaining funds will be obligated to TxDOT through a separate agreement.)

The agreement with TxDOT to establish a partnership with TxDOT on the improvements to FM 1103 supports the City's policy values of a Safe City with strong Essential Services, and is also contributes to Fiscal Sustainability by leveraging City funds of \$2 million dollars for the project. Improvements to FM 1103 within the City of Schertz will provide a significant improvement to travel safety and ease along an arterial roadway segment through which more than 20,000 vehicle trips per day take place currently.

Under the terms of the Fixed Price Agreement, the City of Schertz is required to pay \$181,225.69. The source of the funding is revenue from bonds issued based on the November 2015 Proposition 1.. Staff recommends approval. Ms. Woodlee addressed questions from Council

Mayor Pro-Tem Edwards recognized Councilmember Azzoz who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-19. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, and Thompson voting for and no one voting no. Councilmember John was absent. Motion passed.**

3. **Resolution No. 16-R-20** – Consideration and/or action authorizing an Advance Funding Agreement with the Texas Department of Transportation for Voluntary Local Government Contributions to Transportation Improvement Projects with no required match for FM 1103. (B. James/K. Woodlee)

The following was read into record:

RESOLUTION NO. 16-R-20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH FOR FM 1103

Mayor Carpenter recognized City Engineer Kathy Woodlee who stated in early 2015 the Texas Department of Transportation (TxDOT) approached the City of Schertz about the possibility of partnering with TxDOT to fund improvements to the segment of FM 1103 within the City Limits of Schertz. The improvements are expected to include expansion from 2 lanes to 4 lanes with medians, turn lanes, sidewalks, and bike lanes. It was determined that participation by the City of Schertz in the amount of \$2 million would be appropriate.

The City's Bond Committee, formally seated by Council on April 7, 2015, considered and ultimately recommended a voter proposition to determine whether the Council should issue general obligation bonds for the purpose of contributing to public improvements on FM 1103. The bond measure passed the November 3, 2015, election with over 91% voter support.

In accordance with TxDOT funding procedures, allocation of the \$2 million will be made as follows: the City is responsible for 10% of the cost of the right of way and reimbursable utility relocations located within the city limits. The balance of the City's \$2 million contribution (\$1,818,774) will go toward construction of the improvements.

In order to formalize the arrangement with TxDOT, the City must enter into an Advance Funding Agreement with TxDOT for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match and provide payment to TXDOT in the amount of \$1,818,774 60 days prior to TxDOT's letting of the project for construction. (The City's contribution of funds for right of way acquisition will be obligated to TxDOT through a separate agreement.)

The agreement with TxDOT to establish a partnership in the improvements to FM 1103 supports the City's policy values of a Safe City with strong Essential Services, and also contributes to Fiscal Sustainability by leveraging City funds of \$2 million dollars for the project. Improvements to FM 1103 within the City of Schertz will provide a significant improvement to travel safety and ease along an arterial roadway segment through which more than 20,000 vehicle trips per day take place currently.

Under the terms of the Advance Funding Agreement, the City of Schertz is required to pay \$1,818,774. The source of the funding is revenue from bonds issued based on the November 2015 Proposition 1. Staff recommends approval. Ms. Woodlee addressed questions from Council

Mayor Pro-Tem Edwards moved to approve Resolution No. 16-R-20, seconded by Councilmember Azzoz. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, and Thompson voting for and no one voting no. Councilmember John was absent. Motion passed.**

4. **Resolution No. 16-R-21** – Consideration and/or action authorizing contracts totaling no more than \$90,000 with Advanced Water Well Technologies for labor and related materials for various separate and unrelated water pump repair projects during the 2015-16 Fiscal year. (D. Wait/S. Willoughby/C. Raleigh)

The following was read into record:

RESOLUTION NO. 16-R-21

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING CONTRACTS TOTALING NO MORE THAN \$90,000 WITH
ADVANCED WATER WELL TECHNOLOGIES FOR LABOR AND RELATED
MATERIALS FOR VARIOUS SEPARATE AND UNRELATED WATER PUMP
REPAIR PROJECTS DURING THE 2015-16 FISCAL YEAR AND OTHER
MATTERS IN CONNECTION THEREWITH**

Mayor Carpenter recognized Project Manager Cindy Raleigh who stated the City's water system utilizes 15 water pumps that move potable water around the City. These pumps are essential to maintaining water service for drinking water, firefighting, industrial use, and irrigation use around the City, particularly during peak demand times. From time to time, these pumps fail and need repair. Typically, this is an urgent repair that would require the City to contact repair vendors and select one to perform the work based on their availability and experience.

Traditionally, pump failures are rare; however, due to age and wear and tear, we have been experiencing higher than anticipated failures both this year and last year. We have had two failures this fiscal year. The first failure in December resulted in repairs of approximately \$32,000. The second failure that occurred in February is estimated to be \$25,000 to repair. These repairs require a complete tear down and rebuild to put the pump back in service. The first repair was performed by Advanced Water Well Technologies. They are available to do the second repair and are the preferred vendor due to their knowledge of our system and

history of repair work. The total of both of these repairs will exceed \$50,000 so staff is seeking Council approval of this second repair prior to commencing with the work in accordance with City Purchasing Policy.

Staff is seeking an additional buffer amount with Advanced Water Well Technologies in case of additional pump failures which often occur during the peak water use season which is upcoming. A Request for Proposal has been released to establish an "on-call" vender for pump repairs. This buffer amount is estimated to cover one average pump repair with a total not to exceed for the fiscal year of \$90,000 or approximately \$33,000 after completion of this second repair.

Costs associated with utilizing Advanced Water Well Technologies for repair projects will be paid for with current budgeted funds. Staff recommends that Council authorize the City Manager to approve and execute contracts with Advanced Water Well Technologies, during the remainder of the 2015-16 Fiscal Year for total expenditures not to exceed \$90,000. Ms. Raleigh addressed questions from Council

Mayor Pro-Tem Edwards recognized Councilmember Azzoz who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-21. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, and Thompson voting for and no one voting no. Councilmember John was absent. Motion passed.**

5. **Resolution No. 16-R-22** – Consideration and/or action authorizing a Professional Services Agreement with IDS Engineering Group, Inc., relating to a Pavement Condition Analysis of City Streets. (B. James/K. Woodlee/C. Palomo)

The following was read into record:

RESOLUTION NO. 16-R-22

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH IDS ENGINEERING GROUP, INC., RELATING TO A PAVEMENT CONDITION ANALYSIS OF CITY STREETS, AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Pro-Tem Edwards recognized Graduate Engineer Cecilia Palomo who stated a pavement condition analysis of the City's network of streets was completed in 2009. Industry standards suggest this study should be performed every three years. This pavement rating system assists in identifying and ranking the quality of roads maintained by the City, and provides input for the scheduling of repair or maintenance. The ratings of serviceability of pavement and riding comfort also enables the Public Works Department to budget for, schedule and initiate maintenance or rehabilitation of roads in a more cost effective manner.

The primary goal of this project is to establish a priority ranking of roads based on condition that will be used to identify projects that will be funded by upcoming street bond issuance. All of the City's streets, approximately 150 centerline miles of roadway within the City limits will be analyzed to establish Pavement Condition Indices (PCIs). Data will be entered and processed using MicroPAVER, a pavement management system software. The PCI number is

generated on a scale of 1-100, 100 being the best quality road achievable. Some of the categories that factor into the PCI number system are: skid resistance, surface distress, roughness, fatigue, deformation, and excessive loading.

The Public Works and Engineering Departments have worked together to qualify IDS Engineering Group, Inc., (IDS) based on their experience, quality of work, willingness and availability to work closely with City Staff for the purpose of training and utilizing MicroPAVER rating software to the fullest extent. Per the Texas Local Government Code, the City is not required to seek bids or proposals to procure professional services and it further prohibits the City from selecting a firm based on competitive bids. Rather awards are based on demonstrated competence and qualifications and for a fair and reasonable price. The City's Engineering and Public Works Staff talked with a number of different firms, including the City's on call engineering firms before recommending we work with IDS.

The goal is to develop a quantitative method for prioritizing street maintenance and repair priorities. The results of this study will also provide the City with methodology to prioritize streets to optimize spending and budgeting for bond-funded improvement construction and future maintenance and repair projects while providing training and technical software support. This project will indirectly support all of the City Policy Values. Objective identification of roadway conditions is the first step toward the preservation and maintenance of City streets to provide access to jobs, homes, schools, and shopping while attracting potential businesses and future residents.

Pavement Management Services of \$86,350 will be paid for from remaining 2009 Street Bond Funds. Staff recommends Council authorize approval of a Professional Services Agreement with IDS Engineering Group, Inc., to provide a pavement condition analysis with recommended priority projects, repair and maintenance recommendations, and staff training. Ms. Palomo addressed questions from Council.

Mayor Pro-Tem Edwards recognized Councilmember Fowler who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-22. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, and Thompson voting for and no one voting no. Councilmember John was absent. Motion passed.**

Roll Call Vote Confirmation

Mayor Pro-Tem Edwards recognized City Secretary Brenda Dennis who provided the roll call votes for agenda items 1-5.

Requests and Announcements

6. Announcements by City Manager

- Citizen Kudos
- Recognition of City employee actions
- New Departmental initiatives

No further announcements were provided.

7. **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.

No items were requested.

8. 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 Pro-Tem Edwards recognized Councilmember Fowler who mentioned a great event coming up on April 23rd and April 24th which is a combined effort between the City and the multiple churches in the area. They are also working with the Chamber of Commerce and the Hyper Group. He stated that they are looking at cleaning up the area of Aviation Heights, which has recently been declared as a Historical area. Councilmember Fowler stated that on Monday the 'Love where you Live' group had a meeting and that the next meeting is Monday March 14, 2016. He stated that things are moving along and they are looking for volunteers who are willing to help. Councilmember Fowler mentioned that the Methodist Church has a program called "Faith in Action" which is a part of this group but their participation would be done on Sunday, 8:00 a.m. to about 4:00 p.m. He stated that the Church as offered to provide supper at Pickrell Park to all the volunteers on both days after the event. He wanted to let everyone know that we do have a City where everyone works together and he is looking forward to this event.

Mayor Pro-Tem Edwards recognized Councilmember Azzoz who reminded everyone there is just 20 minutes left to exercise your right to go vote.

Mayor Pro-Tem Edwards recognized Councilmember Thompson who stated that he wanted to commend Councilmember Fowler for his efforts on the 'Love Where you Live' project. Councilmember Thompson also stated that he attended the Soccer Complex grand opening and he was very impressed and that having the president of the US Soccer Association in attendance was also very impressive.

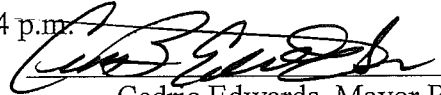
Mayor Pro-Tem Edwards stated that this weekend he also attended the grand opening of the Soccer Complex. He said it was well worth the wait and commented on how great the facility was.

9. Information available in City Council Packets - **NO DISCUSSION TO OCCUR**

- Council Compensation. (B. Cantu/J. Walters)

Adjournment

Mayor Pro-Tem Edwards adjourned the meeting at 6:34 p.m.



Cedric Edwards, Mayor Pro-Tem

ATTEST:


Brenda Dennis, City Secretary

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