

DRAFT

MINUTES REGULAR MEETING April 1, 2025

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on April 1, 2025, 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; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Ben Guerrero; Councilmember Robert Westbrook; Councilmember Tim Brown

Absent: Mayor Pro-Tem Allison Heyward

Staff present: City Manager Steve Williams; Deputy City Manager Brian James; City Attorney Daniel Santee; Assistant City Manager Sarah Gonzalez; City Secretary Sheila Edmondson; Deputy City Secretary Sheree Courney

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. (Mayor Gutierrez)

Mayor Gutierrez provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Special Announcements

- Hal Baldwin Scholarship (R.Gutierrez)
Mayor Gutierrez instructed students applying for the Hal Baldwin Scholarship to sign in or, if attending virtually, to contact Assistant City Manager Sarah Gonzalez for credit.

Proclamations

National Library Week - April 6-12, 2025

Councilmember Watson presented the National Library Week Proclamation to Library Director Melissa Uhlhorna, Library Advisory Board and the library staff.

National Child Abuse Awareness and Prevention Month - April 2025

Councilmember Macaluso presented the National Child Abuse Awareness and Prevention Month Proclamation to Christy Williams-Director of the Guadalupe County Children's Advocacy Center, Heather Davis-Crime Victim Liaison, Officer Daniel Trevino and staff from the organization Thriving Hearts.

Sexual Assault Awareness Month - April 2025

Councilmember Guerrero presented the National Sexual Assault Awareness Month-April 2025 Proclamation to Thriving Hearts Crisis Center CEO Mamijeh Huereca.

National Crime Victim's Rights Week - April 6-12, 2025 (Councilmember Brown)

Councilmember Brown presented the National Crime Victim's Rights Week Proclamation to Crime Victims' Liaison Heather Davis, Chief Jim Lowery, Christy Williams-Director of GCCAC and CEO Manijeh Huereca of Thriving Hearts.

Employee Introductions

- Parks & Recreation: Recreation Manager Cassie Paddock introduced Athena Nolen the new Civic Center Manager
- Public Works: Leroy Moody-Drainage Worker I; Beau Schultz-Water/Wastewater Worker I; Jason Trial-Water/Wastewater Worker I
- Utility Billing: Utility Billing Manager Rodolfo Rosales introduced Frank Gomez-Meter Technician; Courtney Pettis-Utility Billing Specialist; Dana Russell-Utility Billing Specialist

City Events and Announcements

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

- ACM Biran James provided the following announcements:
- Friday-April 4th, 2025: YMCA Easter Extravaganza
- Saturday-April 5th, 2025: One Community Car Show at Santiko and Parks and Recreation-Farmer's Market
- Saturday-April 12th, 2025: Lion's Club Easter in the Park, Love Where You Live (LWYL) Spring Service Day, Parks Department Power Wheels Derby
- Tuesday-April 15th, 2025: Schertz City Council Meeting

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

- Congratulations to Richard Koontz-promoted to Sergeant-Schertz Police Department
- Thank you to the EMS Bus for going to Harligen, TX to assist with the flooding

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.

Tom Armstrong-Republic Services,4542 SE Loop 410, San Antonio, TX- Mr. Armstrong spoke about the Solid Waste RFP. Republic Services has provided solid waste services for the City of Schertz for the last 8 years. He stated that the RFP scoring did not account for the partnership and the support Republic Services had provided to the city over the years, and he believed it was an important factor when reviewing the bids.

Dana Eldridge, 2628 Gallant Fox Drive-Mr. Eldridge spoke about the proposed Solid Waste RFP. His concern was about the 96-gallon container that residents would be using under the new contract. He asked if any coordination was made with the HOA's about the 96-gallon containers and keeping the trash/recycling containers outside. Most HOA's have regulations about trash and recycling containers being seen from the road. Mr. Eldridge asked how long the temporary flag/signs would be allowed to be out at the Bob Mill's Furniture location. The flags have been out for over 2 months and are now wrapping around the building towards the Walmart /La Quinta Inn.

Maggie Titterington, 1730 Schertz Parkway-Ms. Titterington thanked the Council for acknowledging the letter she sent to them about the sign ordinances. She asked if the Council would reconsider the option they took for temporary signs before the ordinance is written. Ms. Titterington is asking the Council to consider Option # 2, which was presented at the March 18, 2025, Council Meeting.

Option #2: Prohibiting all balloon signs, which will result in businesses being contacted to remove any balloon / inflatable signs they may have on their property. Requiring businesses that have feather flags on their property to obtain a sign permit with the stipulation that feather flags are only allowed for 14 days per calendar year. Every business that has a feather flag on their property will be required to obtain a temporary sign permit. Any feather flag that does not obtain a permit or after receiving a permit that is left on site for more than 14 days, the business / property owner will be notified that the feather flag is in violation and would need to be removed.

Ms Titterington acknowledged that Frontier Services were being considered for the solid waste contract. She is looking forward to the possibility of a 96-gallon garbage/recycling bin.

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** - Approval of the minutes from the City Council Meeting on March 18, 2025 (S.Edmondson/S.Courney)
2. **Resolution 25-R-030** - Authorizing expenditures with Reliable Chevrolet and Grande Cavender Ford for the purchase of vehicles as part of the 2024-2025 Vehicle/Equipment Replacement/Acquisition Program (B.James/D.Hardin/C.Hernandez)
3. **Resolution 25-R-036** - Authorizing expenditures with Esri for GIS mapping software renewal (B.James/J.Bluebird/T.McFalls)
4. **Resolution 25-R-037** - Authorizing a Multiple-Use Agreement with TxDOT for Installation of Automated License Plate Recognition (ALPR) cameras (S.Williams/J.Lowery/S.LaCour)
5. **Resolution 25-R-039** - Authorizing an agreement for custodial cleaning services with Vanguard Cleaning Systems (B.James/D.Hardin/C.Lonsberry)
6. **Resolution 25-R-041** – Authorizing a One-Year Agreement for Management Services with CVLGC (B.James/L.Busch)
7. **Resolution 25-R-043** - Amending Resolution 25-R-035 authorizing a task order amendment with Halff Associates, Inc. for the Lookout Road Reconstruction Project (B.James/K.Woodlee/J.Nowak)
8. **Resolution 25-R-044** - Authorizing a reimbursement agreement with the developer of the Heritage Oaks residential subdivision for the construction of a portion of Wiederstein Road (S.Williams/B.James)
9. **Resolution 25-R-040** - Authorizing a service agreement for Utility Billing printing and mailing services with Matrix Imaging Solutions, LLC (S.Gonzalez/J.Walters/R.Rosales)

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

AYE: Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Paul Macaluso, Councilmember Ben Guerrero, Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

Public Hearings

10. **Ordinance 25-S-012** – Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.4. - Zoning Change. (B.James/L.Wood/S.Haas)

Sam Haas, Senior Planner, presented the proposed UDC Amendments to Article 5-Zoning Districts, Section 21.5.4-Zoning Change; Subsection E.4-Protest to align with the recent Charter Amendment that was approved by Schertz voters on November 5, 2025-Special Election. The changes include:

Ordinances now require only one hearing-the previous Charter required two hearings. This change requires some edits to this particular section of the UDC where two meetings are still referenced. In UDC Section 21.5.4.E. details the process for counting protest votes and in 21.5.4.E.4 there is language referencing two meetings that needs to be removed and revised. The proposed changes with the deadline applies to the receipt and calculation of written protest: Written protest must be received before noon (12pm) on the Friday before the consideration of the proposed zoning change ordinance by the City Council, in order to be included in the calculation of written protest described by section 21.5.4.E.1.

In the event a federal, state, or local holiday prevents staff from receiving votes on the Friday before the City Council reading, the deadline will be extended to noon (12pm) on the next business day.

Public Hearing opened at 6:49 p.m.

No residents came forward to speak.

Public Hearing closed at 6:49 p.m.

Mayor Gutierrez opened the floor to Council for discussion. Councilmember Brown made a motion to approve Ordinance 25-S-012.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,
Councilmember Paul Macaluso, Councilmember Ben Guerrero,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

11. **Ordinance 25-F-014** - Conduct a public hearing and consider approving a franchise agreement with Frontier Waste Solutions for the collection, hauling and disposal of municipal solid waste and recyclable materials in the City of Schertz, Texas (S.Williams/S.Gonzalez)

Mayor Gutierrez recognized Assistant City Manager Sarah Gonzalez, who explained

that the current solid waste/recycling agreement with Republic Services will expire on June 30, 2025. Currently, 65% of the residential accounts receive twice-a-week garbage pickup, while the remaining 35% is served with once-a-week pickup. Schertz has this twice-a-week service for a portion of the community, due to its legacy contract. The twice-a-week accounts either set bags on the curb or provide their own small trash container (max 32-gallon). The once-a-week accounts are provided with a 96-gallon poly cart. All addresses receive once-a-week recycling pickup, and most accounts are provided with small container bins (18-gallon). Additionally, each account can receive 12 bulk/brush pickups a year that can be scheduled online through the customer portal. Fall and Spring Clean-Up events are provided twice a year for residents and household hazardous waste items can be dropped off during the last weekend of the clean-up events.

The City released an RFP for solid waste services on February 5, 2025. A mandatory pre-proposal conference was held on February 11, 2025, and representatives from eight waste management contractors attended. Schertz received 4 sealed bids that were reviewed and evaluated. Interviews were held with Frontier Waste Solutions and Republic Services on March 24, 2025, to give the evaluation committee an opportunity to ask questions or seek clarification prior to making a final recommendation.

Current Monthly Cost-Residential

Both Once-a-Week and Twice-a-Week

Garbage: \$12.41

Recycling: \$2.05

Total Cost: \$14.46

- No rate increase in 7 years

Current Services Provided - Commercial

- All Accounts Option to Receive:
- Roll-offs
- Dumpsters
- Front-End Loaders
- Recycle (non-exclusive)
- Costs are dependent based on need - size, pick-up frequency, etc.

The two options that were recommended:

Option 1:

Garbage One-time Per Week: \$12.73

Recycling Every Other Week: \$ 4.37

Bulk/Brush Every Other Week: \$ 1.00

Total Monthly Cost: \$18.10

Current Monthly Cost: \$14.46

- This option results in a \$43.68 annual increase or 25% cost increase
- Option to add Household Hazardous Waste direct pick-up: additional \$1.10/month

Option 2:

Flat Rate: \$22.00

Includes:

Garbage One-time Per Week

Recycling One-time Per Week

Bulk/Brush Every Other Week

Current Monthly Cost: \$14.46

- This option results in a \$90.48 annual increase or 52% cost increase
- Option to add Household Hazardous Waste direct pick-up: additional \$1.10/month

Commercial and Roll-Off Collection. No significant changes to service options

- Rates to be submitted based on size of container and frequency of collection (same as current contract)
- Facility services for City to continue, free of charge
- New containers will be required

Items of Note - Commercial • All commercial accounts will receive new carts, containers, etc. • Costs are dependent on business needs • Vendor will meet with each commercial account to assess their usage and needs.

Staff recommends Option #1 and add Household Hazardous Waste direct pick-up: additional \$1.10/month

Mayor Gutierrez explained this item was on the agenda as a public hearing. Public Hearing opened at 7:14 p.m.

Michele Tereletsky, 705 Marilyn Drive - Ms. Tereletsky had concerns about the quantity of garbage with receiving a 96-gallon and a 96-gallon recycling cart. She understands there has to be a change and the rates increase, but has some concerns about the service. Mr. Tereletsky also asked about the holiday schedule and changes.

Dana Eldridge, 2628 Gallant Drive - Mr. Eldridge currently has twice-a-week service and said it would not be a problem to receive only once-a-week service. He had questions about the bulk/brush pick up especially when he has several bags of leaves he rakes.

Maggie Titterington, 1730 Schertz Parkway - Ms. Titterington is glad that she will possibly receive a 96-gallon recycling cart. She has not had any issues with the 96-gallon size when she needs to move the carts down the street.

Public Hearing closed at 7:24 p.m.

The Mayor opened the floor to Council for discussion.

Councilmember Brown asked if the vendor will provide additional information about the services provided.

Councilmember Westbrook had questions about recycling every week or every other week. He asked historically how much recycling residents use with the 18-gallon bin vs a new 96-gallon bin and recycling service other every week.

Councilmember Guerrero asked how the new information will be sent to the residents. ACM Gonzalez explained they will use every type of communication available: Schertz Magazine, website, emails. etc.

Councilmember Davis asked about the Spring/Fall Cleanup. Under a new agreement, the Spring/Fall Cleanup will be eliminated, and he feels the public is unaware of that. There has been a lack of communication and it has been problematic. He has concerns about recycling going every other week and the brush/bulk going to every other week.

City Manager Williams addressed some of the questions that were brought up by the residents, which included an inflationary increase, brush/bulk every other week and the automated service with collecting the carts.

Mayor asked for a motion to approve Ordinance 25-F-014 with Option #1 including option to add Household Hazardous Waste direct pick-up: additional \$1.10/month

Moved by Councilmember Tim Brown, seconded by Councilmember Robert Westbrook

AYE: Councilmember Michelle Watson, Councilmember Paul Macaluso, Councilmember Ben Guerrero, Councilmember Robert Westbrook, Councilmember Tim Brown

NAY: Councilmember Mark Davis

Passed

12. Ordinance 25-M-018 - Conduct a public hearing and consider authorizing an amendment to the City of Schertz Schedule of Fees for Public Works-Streets and Garbage Collection Fees for Fiscal Year 2024-2025. (S.Gonzalez/J.Walters)

Mayor Gutierrez recognized Finance Director James Walters, who explained what the new fees would look like on the new fee schedule. The option to add Household Hazardous Waste direct pick-up: additional \$1.10/month is not on the presentation, but will be added to the official paperwork.

Mayor Gutierrez explained this item was on the agenda as a public hearing.

Public Hearing opened at 7:58 p.m.

No residents came forward to speak.

Public Hearing closed at 7:59 p.m.

Mayor Gutierrez opened the floor for discussion to Council. No one spoke, so the Mayor made a motion to approve Ordinance 25-M-018 with the option to add Household Hazardous Waste direct pick-up: additional \$1.10/month.

Moved by Mayor Gutierrez, seconded by Councilmember Michelle Watson

AYE: Councilmember Watson, Councilmember Macaluso Councilmember Guerrero,

Councilmember Westbrook, Councilmember Brown
AGAINST: Councilmember Davis
Other: Mayor Pro-Tem Allison Heyward (ABSENT)
Passed

- 13. Ordinance 25-H-015:** Conduct a public hearing and consider amendments to the Schertz Code of Ordinances, Chapter 34 – Health, Article III Solid Waste and Chapter 54 – Nuisances, Article V Section 54-22 Exterior property areas; nuisance upon premises and Section 54-28 Rubbish and garbage. (S.Gonzalez/S.Haas)

Mayor Gutierrez recognized Senior Planner Sam Haas who explained that the City is in the process of adopting a new franchise contract for solid waste/recycling disposal, Staff has taken this opportunity to proactively propose amendments to the Solid Waste Ordinance in Chapter 34, Article III of the Schertz Code of Ordinances. These proposals have also created the need for amendments in the Nuisance Ordinance Chapter 54 Article V; Section 54-22 and Section 54-28.

Changes included Section 34-50. Dumping; Section 34-51. Residential collection regulations; Section 34-52 Commercial collection regulations; Section 34-53 Permit for private haulers of recycleable materials; Section 34-54 Offense; Section 54.22 Exterior property areas; nuisance upon premises.

Mayor Gutierrez explained this item was on the agenda as a public hearing.

Public Hearing opened at 7:08 p.m.

Ms. Kyllysta Dawkins thanked the Council for considering the proposed solid waste collection to include a 96-gallon cart.

Public Hearing closed at 7:09 p.m.

Mayor Gutierrez opened the floor to the Council for discussion.

Councilmember Brown made a motion to approve Ordinance 25-H-015.

Moved by Councilmember Tim Brown, seconded by Councilmember Paul Macaluso

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,
Councilmember Paul Macaluso, Councilmember Ben Guerrero,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,
Councilmember Paul Macaluso, Councilmember Ben Guerrero,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

- 14. Ordinance 25-F-017** - Conduct a Public Hearing to Adopt Updated Land Use Assumptions, Water and Wastewater Capital Improvement Plans, and Impact Fees and Amending Schertz Code of Ordinances, Chapter 90 Utilities Article V Water and Wastewater Capital Recovery Fees, and the City Fee Schedule related to the City's Capital Recovery Impact Fees (B.James/K.Woodlee)

Mayor Gutierrez recognized Engineering Director Kathy Woodlee who presented a PowerPoint explaining the need for the city to update capital recovery fees, or impact fees, in order to appropriately fund construction of new facilities and expand existing facilities to serve future development. The impact fee program facilitates the funding participation of new development at a fair rate based on the demand placed on the City's water transmission and distribution and wastewater collection and conveyance systems by the development. The purpose of the impact fee is to provide a funding mechanism for the implementation of the water and wastewater capital improvements over a planning period. Ms. Woodlee explained that the service maps had updated corrections and will be included in the ordinance.

Summary: Staff recommends Council adoption of Ordinance 25-F-017 adopting the LUAs and CIPs as presented, and amending Code of Ordinances Chapter 90 Article V Water and Wastewater Capital Recovery Fees, including the schedule of fees to be charged and Option C for the phase in and includes the revised service maps.

Moved by Mayor Gutierrez, seconded by Councilmember Davis
AYE: Councilmember Davis, Councilmember Watson, Councilmember Macaluso, Councilmember Guerrero, Councilmember Westbrook, Councilmember Brown
Other: Mayor Pro-Tem Allison Heyward (ABSENT)
Passed

Discussion and Action Items

- 15. Resolution 25-R-021** - Authorizing the approval of a Development Agreement with BFR LLC for the approximately 30-acre tract at FM 1518 and Woman Hollering Road (S.Williams/B.James)

Resolution 25-R-021 was tabled for the next meeting.

- 16. Resolution 25-R-005** - Approving a Utility Service Extension Request for the Woman Hollering Townhomes (B.James/K.Woodlee)

Resolution 25-R-005 was tabled for the next meeting.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

- 17. Monthly Update** - Major Projects in Progress/CIP (B.James/K.Woodlee)

Requests and Announcements

- City and Community Events attended and to be attended (Council)

Councilmember Westbrook attended the David Peveto Golf Tournament, by the Education Foundation.

Councilmember Brown attended the Pre-Budget Retreat

Adjournment

Mayor Gutierrez adjourned the meeting at 8:29 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary