

DRAFT

MINUTES REGULAR MEETING June 3, 2025

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 3, 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; Mayor Pro Tem Allison Heyward; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Ben Guerrero; Councilmember Robert Westbrook; Councilmember Tim Brown

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; 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. (Councilmember Westbrook)

Councilmember Robert Westbrook provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Proclamations

ASE Automotive Professionals Month-June 2025 (Councilmember Watson)
Councilmember Michelle Watson presented to the ASE Automotive Professionals Month Proclamation to Internal Services Director Dawniecia Hardin and members of the City of Schertz Fleet Department.

United States Army 250th Birthday Proclamation-June 14, 2025 (Councilmember Guerrero)

Councilmember Ben Guerrero presented the United States Army 250th Birthday Proclamation to army veterans, Sheldon Edmondson, Daniel Jameson, Alan Cockerell, and Don Nolan.

Employee Introductions

- Parks-Samantha Pinello-Administrative Assistant
Civic Center Manager Athena Nolen introduced Ms. Samantha Pinello, the new administrative assistant for the Parks and Recreation Department.
- Police-Destinee Hathaway-Public Safety Communications Office
Communications Manager Nichole Kuhlmann introduced Ms. Destinee Hathaway, new Public Safety Communications Officer.

Presentations

- **City Manager Steve Williams - Cibolo Valley Local Government Corporation (CVLGC) - Justin Murray**
City Manager presented Mr. Justin Murray with a plaque in recognition of his 14 years of service on CVLGC Board. Mr. Murray served as the Board President for much of that time. The success of the CVLGC acquiring water rights and developing a strategic plan for the future is attributed to Mr. Murray's leadership.
- **City Manager Steve Williams - 20-Year Tenure Milestone Service Pin Presentation - Schertz Fire Marshal Benjamin Boney**
City Manager Steve Williams recognized Fire Marshal Benjamin Boney for 20 years of service. Fire Chief Greg Rodgers stated it was a significant achievement for Fire Marshal Boney to reach 20 years and thanked him for his dedicated service and expressed appreciation to Fire Marshal Boney's family for their years of support. Fire Marshal Boney thanked Council for the opportunity to serve in his current role and looks forward to the ten-plus years ahead.

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
Deputy City Manager Brian James announced upcoming city events.
- Announcements and recognitions by the City Manager (S. Williams)
City Manager Steve Williams announced the following city staff promotions:
 - EMS: Mike Reed to Battalion Chief
 - Planning & Community Development: Jesse Lee to Building Inspector
 - Fleet Services: Logan Allen to Fleet Mechanic II
 - Police Department: Gregg Flowers to Sergeant
- Announcements and recognitions by the Mayor (R. Gutierrez)
Mayor Gutierrez had no announcements or recognitions.

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.

All handouts and/or USB devices must be submitted to the City Secretary no later than noon on the Monday preceding the meeting. Handouts will be provided to each Councilmember prior to the start of the meeting by the City Secretary. All USB devices will be vetted by City IT staff to ensure City property is protected from malware.

The following residents spoke:

Daniel Jameson - 1000 FM 78: Mr. Jameson spoke as a representative of VFW. He reminded Council that on June 14th the Army will celebrate their 250th birthday. He also stated that the 3rd Saturday of every month the VFW provides breakfast plates for \$10/each and invited the community to come out to participate.

Don Nolan - 9823 Mulhouse, Rhine Valley: Mr. Nolan asked Council how the city is preparing for the growth in south Schertz spurred by the development of FM 1518 to IH-10.

Dana Eldridge - 2628 Gallant Fox Drive: Mr. Eldridge spoke regarding the new waste management company. He asked who vetted this company, stating that the ratings cited from various places are not good. He also expressed dissatisfaction with the clarity of the information that the city had provided regarding the changes in service.

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 Council Regular Meeting May 20, 2025 (S.Edmondson/S.Courney)
2. **Appointments, Re-appointments, and Resignations** - City of Schertz Boards, Commissions and Committees

Resignations

Schertz Housing Authority - Dana Eldridge (effective May 31, 2025)
Parks Advisory-Johnie McDow and Bryan Snow (effective May 31, 2025)

3. **Resolution 25-R-062** - Authorizing a Task Order Agreement with Unintech Consulting Engineers, Inc., for Professional Services related to the replacement of the 16-inch transmission main on Schertz Parkway and updating the Associated Capital Improvement Plan Project Sheet (B.James/K.Woodlee)
4. **Resolution 25-R-066** - Authorizing expenditures with BB Inspections for building inspection services during the remainder of the 2024-2025 Fiscal Year and other matters in connection therewith. (B.James/L.Wood)
5. **Resolution 25-R-064** - Authorizing a Task Order Agreement with Unintech Consulting Engineers, Inc., for Professional Services related to the Rehabilitation and Painting of the East Live Oak and Northcliffe Elevated Storage Tanks and Painting of the Ware Seguin Ground Storage Tank. (B.James/K.Woodlee)
6. **Resolution 25-R-065** Authorizing the Release of the Water, Wastewater, and Access Easement Agreement (East West Connector from Wiederstein Road) (B.James/K.Woodlee)
7. **Resolution 25-R-063** - Authorizing a Defense Community Infrastructure Program funding application for the Lower Seguin Road Reconstruction Project (B.James/K.Woodlee/J.Nowak)

Mayor Gutierrez asked if any items needed to be removed for separate action.

Mayor Pro Tem Heyward requested item 2, Appointments, Reappointments, and Resignations: City of Schertz Boards, Commissions, and Committees, be removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 and #3 - 7.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro Tem Heyward.

AYE: Mayor Pro Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Paul Macaluso,
Councilmember Ben Guerrero, Councilmember Robert Westbrook,
Councilmember Tim Brown.

Passed

Mayor Gutierrez brought item #2, Appointments, Reappointments, and Resignations: City of Schertz Boards, Commissions, and Committees back to the table. And recognized Mayor Pro Tem Heyward.

Mayor Pro Tem Heyward stated she asked that this item be brought for separate action to correct Mr. Snow's first name. It was listed as Bryan and should be Brad. The second reason was to thank Mr. Dana Eldridge and Mr. Johnie McDow for their long-term service to the city.

Motion was made by Mayor Pro Tem Heyward to approve item 2 with a correction to the spelling of Mr. Snow's name, seconded by Councilmember Ben Guerrero.

AYE: Mayor Pro Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Paul Macaluso,
Councilmember Ben Guerrero, Councilmember Robert Westbrook,
Councilmember Tim Brown

Passed

Public Hearings

8.

Ordinance 25-S-022- Conduct a public hearing and consider a request to rezone approximately 20 acres of land from Pre-Development District (PRE), Agricultural District (AD), and Single-Family Residential/ Agricultural District (R-A) to Single-Family Residential District (R-2), generally located approximately 4,800 feet east of the intersection of FM 1518 and Lower Seguin Road, known as 12816 Lower Seguin Rd and 12746 Lower Seguin Road, and more specifically known as Bexar County Property Identification Numbers 310027, 310026, and 310028, City of Schertz, Bexar County, Texas. (B.James/L.Wood/D.Marquez)

Mayor Gutierrez recognized Planner Daisy Marquez, who introduced Ordinance 25-S-022. She provided a map outlining the subject area and current zoning of surrounding areas. 40 public notices were sent on April 21, 2025; received 2 in favor, 0 in opposition, and 0 neutral. A notice was published in the San Antonio Express and a sign was placed along Lower Seguin. The Planning and Zoning Committee held a public hearing for the item on May 7, 2025, and made a recommendation of approval to City Council with a unanimous vote. Due to the proposed zone change's compatibility with the Comprehensive Land Use Plan, future Land Use Map, and existing uses, staff recommends approval of Ordinance 25-S-22.

Mayor Gutierrez recognized Paul Landa, MTR Engineers, who spoke on behalf of the applicant. Mr. Landa stated he didn't have a presentation prepared, but was available to answer any questions Council might have regarding the request.

Public Hearing opened at 6:43 p.m.
No residents came forward to speak.
Public Hearing closed at 6:43 p.m.

Mayor Gutierrez opened the floor to Council for discussion.
No discussion occurred.
A motion was made to approve Ordinance 25-S-022.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro Tem Allison Heyward, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Paul Macaluso, Councilmember Ben Guerrero, Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

9. **Ordinance 25-S-023-** Conduct a public hearing and consider a request to rezone approximately 62 acres of land from Planned Development District (PDD) and Pre-Development District (PRE) to Single-Family Residential District (R-2), generally located approximately 3,800 feet east of the intersection of FM 1518 and Trainer Hale Road, known as Bexar County Property Identification number 310054, a portion of 310053 and a portion of 310061, City of Schertz, Bexar County, Texas. (B.James/ L.Wood/D.Marquez)

Mayor Gutierrez recognized Planner Daisy Marquez, who introduced Ordinance 25-S-023. She provided a map outlining the subject area and current zoning of surrounding areas. 13 public notices were sent on April 21, 2025; received 3 in favor, 3 in opposition, and 0 neutral. A notice was published in the San Antonio Express and a sign was placed along Trainer Hale Road. The Planning and Zoning Committee held a public hearing for the item on May 7, 2025, and made a recommendation of approval to City Council with a unanimous vote. Due to the proposed zone change's compatibility with the Complete Neighborhood Land Use Designation of the Comprehensive Plan, staff recommends approval of Ordinance 25-S-23.

Mayor Gutierrez recognized Ashley Farrimond, attorney for the applicant. Ms. Farrimond provided historical information regarding the current PDD zoning. Changes have occurred with the city's settlement with GVSUD regarding who would provide sewer service for this area. The request to rezone is to allow these lots to be served by sewer and not septic. The applicant stated the request to rezone to R-2 is consistent with surrounding areas.

Public Hearing opened at 6:51 p.m.
No residents came forward to speak.
Public Hearing closed at 6:52 p.m.

Mayor Gutierrez opened the floor to Council for discussion. Councilmember Watson asked if the rezoning would include the sewer line or would other residents be impacted. Ms. Farrimond responded that the entire development would be served by the City of Schertz, so it would all include sewer service. Deputy City Manager Brian James added clarity regarding GVSUD and Schertz agreement.

Mayor Gutierrez asked for a motion to approve Ordinance 25-S-023.

Moved by Mayor Pro Tem Allison Heyward, seconded by Councilmember Tim Brown

AYE: Mayor Pro Tem Allison Heyward, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Paul Macaluso, Councilmember Ben Guerrero, Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

- 10. Ordinance 25-S-021-** Conduct a public hearing and consider a request to rezone approximately 4.15 acres of land from General Business District (GB) to General Business District-2 (GB-2), generally located approximately 900 feet east of the intersection of FM 1518 and Maske Road, known as 46 Maske Road and 44 Maske Road, Lots 3 and 4, Block 1 of the Maske Road Business Park Subdivision, more specifically known as Guadalupe County Property Identification Numbers 199116, and 199117, City of Schertz, Guadalupe County, Texas. (B.James/L.Wood/W.Willingham)

Mayor Gutierrez recognized Planner Daisy Marquez, who introduced Ordinance 25-S-021. She provided a map outlining the subject area and current zoning of surrounding areas. 11 public notices were sent on April 25, 2025; received 1 in favor, 0 in opposition, and 0 neutral. A notice was published in the San Antonio Express on May 14, 2025, and a sign was placed along Maske. The Planning and Zoning Committee held a public hearing for the item on May 7, 2025, and made a recommendation of approval to City Council with a unanimous vote. Notification was sent to JBSA for affirmative recommendation because the subject property falls within the APZ II zone. The Comprehensive Plan designates this area as Industrial Hub Land Use, for which GB2 is appropriate. Due to the character of the surrounding area, the consistency with the Comprehensive Land Plan, and the affirmative recommendation of the proposed zone change from JBSA, staff recommend approval of Ordinance 25-S-21.

Public Hearing opened at 6:58 p.m.
No residents came forward to speak.
Public Hearing closed at 6:58 p.m.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Westbrook asked for examples of commercial and amusement. Since the subject property is across from the soccer park, he stated it seemed like the neighboring area should be consistent. Meaning businesses should feed off one another or segue into one another. Ms. Marquez provided private baseball training inside a warehouse, gym training, etc., as an example of a commercial amusement enterprise. Letter of intent from the developer indicates a warehouse.

Councilmember Brown asked what additional comments were provided by JBSA. Ms. Marquez responded they wanted to see what was being proposed so they could

give the correct recommendation code (2 for warehouse, 28 for retail). Councilmember Brown stated that JBSA is approving it because they didn't see anything specific, but wanted to know what they were concerned about. Deputy City Manager stated that the GB2, industrial warehouse distribution, tends to have a lower occupancy per square foot, so it's in fact more compatible with JBSA's mission.

A motion was made to approve Ordinance 25-S-021.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro Tem Allison Heyward, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Paul Macaluso, Councilmember Ben Guerrero, Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

Workshop

11. Workshop to discuss calling for an election to annex property within 5 miles of JBSA Randolph (B.James/L.Wood/E.Delgado)

Deputy City Manager Brian James opened the discussion by providing Council with Texas Local Government Code Sec 43.0117. Authority of Municipality to Annex Area Near Military Base which states the following:

- (a) In this section, "military base" means a presently functioning federally owned or operated military installation or facility.
- (b) A municipality may annex for full or limited purposes, under the annexation provisions applicable to that municipality under this chapter, any part of the area located within five miles of the boundary of the military base in which an active training program is conducted. The annexation proposition shall be stated to allow the voters of the area to be annexed to choose between either annexation or providing the municipality with the authority to adopt and enforce an ordinance regulating the land use in the area in the manner recommended by the most recent joint land use study.

Mr. James stated JBSA Randolph is a functioning military installation with an active training program, so the City of Schertz could utilize this provision for additional annexations within the ETJ that are within 5 miles of JBSA Randolph. This provision would require an election.

The election would include a proposition that would either fully annex, limited annex, or an Ordinance regulating land use for properties currently in the ETJ and within 5 miles of JBSA Randolph. Only property owners in the areas to be annexed would vote on this proposition, not everyone in the city. Regardless of individual property owner preferences, whichever of the three options with majority votes, will affect all properties in the affected area.

Mr. James provided a map that outlining the properties within the 5-mile radius of JBSA Randolph and which properties on the map would be subject to the provision.

Mayor Gutierrez opened the floor to discussion.

Councilmember Brown questioned which properties on the map provided would be affected. Mr. James responded that the ones outlined in yellow have delayed annexation agreements, so they would not be affected. Councilmember Brown was attempting to quantify how much property/many property owners would be affected. Mr. James responded the largest number is in the portion of the Woman Hollering Creek tract, followed by the Rumpf tract.

Councilmember Davis stated he asked for the workshop because there were pockets not accounted for in the last annexation. The City needs administrative clarity for properties that are not annexed or not part of the ETJ. He supports calling for the election.

Mayor Pro Tem Heyward asked if the city has any idea which way the residents in this area are leaning. Mr. James stated no, but he feels more residents will vote in support of the land use control rather than annexation. Which is really what the city wants to keep development that is inconsistent with the mission of JBSA Randolph from occurring. He does believe the city will be fielding a lot of calls regarding this provision because of its unique nature. What the provision will do is give the city some control over the development of the area that is incompatible with JBSA.

Councilmember Brown asked for confirmation that this would apply to all residents in the area. Mr. James stated that is correct.

Councilmember Guerrero asked how many residents would be affected. Mr. James stated he was unsure.

Mayor Gutierrez asked how it would appear on the ballot. Mr. James stated each option would be listed.

Councilmember Davis asked if it would be an immediate or locked-in delayed annexation. Mr. James stated that it is not stated anywhere, but staff recommendation would be immediate annexation.

Mayor Pro Tem Heyward supports calling for the election.

12. Workshop on Unpaved Surfaces (B.James/L.Wood/D.Marquez).

Planner Daisy Marquez opened the discussion with background information regarding a presentation done by Neighborhood Services in September 2023, that outlined current standards and outstanding violations. She then outlined current standards for unpaved surfaces as outlined in UDC Sections 21.10.2 - General Provisions, 21.8.9 -

Outdoor Display and Storage. New development are required to have all parking, drive aisles, and storage areas paved with concrete or asphalt, thereby making a financial commitment to meet community aesthetic and UDC standard.

Ms. Marquez went on to explain there are two examples of active violations in the city. She addressed illegal expansions, which are properties in the City that have utilized gravel/base material for parking and storage areas without obtaining proper permits and are now in violation of the UDC.

Ms. Marquez asked Council for direction while considering responses to the following:

1. What does council want the aesthetic of the city to be? A premier community that requires pavement or a community that allows parking on grass/gravel?
2. Is Council concerned with dust, dirt, and debris affecting adjacent properties, infrastructure, roads, and emergency services? Investigations by TCEQ?
3. Is Council concerned with Storm Water Quality? Any concerns regarding the MS4 permit, a federal requirement?
4. How does the business that made a financial investment and complies with all required paved parking and storage areas react when the adjacent property can utilize gravel or another material?
5. How does the air quality and storm water/water quality of Schertz degrade?
6. How does the overall character of the city change?

Staff is seeking direction on how Council would like to proceed with enforcement of unimproved surfaces and if there is a desire to change the current UDC regulations for parking and storage areas.

After brief discussion, the consensus from Council is that they want a premier city, and instruction to staff is to enforce current UDC standards. They encouraged staff to work with older businesses to bring them into compliance but with set deadlines.

Mayor Gutierrez recessed to closed session at 7:44 p.m.

Closed Session

13. The City Council will meet in closed session in accordance with Texas Government Code 551.072 to deliberate on the purchase, exchange, lease, or value of real property.

Reconvene into Regular Session

Mayor Gutierrez reconvened Regular Session at 8:01 p.m.

14. Take any action based on discussion held in Closed Session under Agenda Item # 13.

Discussion for Closed Session under Agenda Item #13 began at 7:50 p.m. and ended at 7:59 p.m.

No action was taken.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
No requests by Mayor or Councilmembers for updates or information from staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
Mayor Pro Tem Heyward requested a discussion regarding recognitions and plaques for long-time serving volunteers, Dana Eldridge and Johnie McDow, be added to a future agenda as a presentation.
- City and Community Events attended and to be attended (Council)
Mayor Pro Tem Heyward: Sigma Gamma Rho Swim Day 1922 and read a proclamation; the NLC Presidential and Executive Fly-in and attended a White House briefing; Police Department retirement for Sgt. Solitto and Officer Schmidt; Ribbon-cutting for HOM Designs; and the Police Promotions for Sgt. Flowers and Sgt. Kunz.
Councilmember Watson: attended the Police Department Retirement.
Councilmember Macaluso: attended the Schertz EMS Banquet and Memorial Day event.
Councilmember Guerrero: attended the EMS Banquet and the Police Department Retirement.
Councilmember Brown: attended the Memorial Day event.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:04 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary