



**MEETING AGENDA**  
**City Council**  
**REGULAR SESSION CITY COUNCIL**  
**July 13, 2021**

**HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS**  
**1400 SCHERTZ PARKWAY BUILDING #4**  
**SCHERTZ, TEXAS 78154**

**CITY OF SCHERTZ CORE VALUES**

**Do the right thing**  
**Do the best you can**  
**Treat others the way you want to be treated**  
**Work cooperatively as a team**

**AGENDA**  
**TUESDAY, JULY 13, 2021 at 6:00 p.m.**

**City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, July 13, 2021, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.**

**Call to Order**

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

**City Events and Announcements**

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)
- Announcements and recognitions by the City Manager (M. Browne)
- 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.*



*Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.*

## **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 meeting of the Special Meeting of July 1, 2021 and the minutes of the Regular Meeting on July 6, 2021. (B. Dennis)
2. **Appointments/Resignation to Boards and Commissions/Committees** - Consideration and/or action regarding appointments/resignations to various Boards and Commissions/Committees. (Council/B. Dennis)
  - Resignation of David Reynolds - Board of Adjustments and Resignation of Charles Reynolds - Historical Preservation Committee
  - Appointment of Jackie Hollis and Judith Williams to the Historical Preservation Committee, and appointment of Danielene Salas as a regular member to the Board of Adjustments.
3. **Resolution No. 21-R-65** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 539 Main Street. (M. Browne/B. James)
4. **Resolution No. 21-R-63** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz Texas authorizing the City Manager to enter into a contract with Andale Construction Inc., for the application of HA5 asphalt preservation product in the Mesa Oaks Subdivision. (C. Kelm/S. Williams/D. Letbetter)
5. **Ordinance No. 21-M-28** - Consideration and/or action approving an Ordinance authorizing and amending the City Council Rules of Conduct and Procedure; repealing all ordinance or parts of ordinances in conflict with this ordinance and providing an effective date. (***Final Reading***) (M. Browne)

## **Discussion and Action Items**

6. **Resolution No. 21-R-64** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas calling the November 2, 2021, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and approving the Comal County Agreement/Memorandum of Understanding, Bexar County Agreement/Memorandum of Understanding and the Guadalupe County Election Contract. (B. Dennis/Council)



## **Public Hearings**

7. **Ordinance No. 21-S-27-** Hold a public hearing, consider and make a recommendation on a request for a Specific Use Permit to allow a monopole tower, telecommunications facility on approximately 0.056 acres of land generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, also known as Guadalupe County Property Identification Numbers 153960, City of Schertz, Guadalupe County, Texas. (B. James / L. Wood / E. Delgado) ***First Reading***

## **Roll Call Vote Confirmation**

## **Workshop**

8. Workshop discussion on the results of the Water and Wastewater Rate Study. (C. Kelm/S. Williams/D. Kneuper)

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

9. **Monthly update** - on major projects in progress/CIP. (B. James/K. Woodlee)

## **Requests and Announcements**

- Announcements by the City Manager.
- Requests by Mayor and Councilmembers for updates or information from staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda.
- 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

## **Adjournment**

## **CERTIFICATION**

I, BRENDA DENNIS, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 9th DAY OF JULY 2021 AT 3:30 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS



BRENDA DENNIS

**I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON \_\_\_\_ DAY OF \_\_\_\_\_, 2021. TITLE: \_\_\_\_\_**

*This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.*

**The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.**

**Closed Sessions Authorized:** This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS**

<b>Mayor Gutierrez</b> Audit Committee Investment Advisory Committee Main Street Committee	<b>Councilmember Scagliola – Place 5</b> Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation
<b>Councilmember Davis– Place 1</b> Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board	<b>Councilmember Scott – Place 2</b> Interview Committee for Boards and Commissions Schertz Animal Services Advisory Commission
<b>Councilmember Whittaker – Place 3</b> Audit Committee TIRZ II Board	<b>Councilmember Dahle – Place 4</b> Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board



**Councilmember Heyward – Place 6**

Animal Advisory Commission  
Audit Committee  
Investment Advisory Committee  
Main Street Committee

**Councilmember Brown – Place 7**

Main Street Committee  
Schertz-Seguin Local Government Corporation -  
Alternate



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021  
**Department:** City Secretary  
**Subject:** Minutes – Consideration and/or action regarding the approval of the minutes of the meeting of the Special Meeting of July 1, 2021 and the minutes of the Regular Meeting on July 6, 2021. (B. Dennis)

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**BACKGROUND**

The City Council held a Special Workshop Meeting on July 1, 2021, and a Regular City Council meeting on July 6, 2021.

**RECOMMENDATION**

Recommend Approval.

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**Attachments**

07-01-2021 Minutes  
07-06-2021 Draft minutes

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# DRAFT

## MINUTES SPECIAL WORKSHOP SESSION CITY COUNCIL AND THE SCHERTZ HOUSING AUTHORITY July 1, 2021

A Special Workshop Session with the Schertz Housing Authority was held by the Schertz City Council of the City of Schertz, Texas, on July 1, 2021, at 8:30 a.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 Jill Whittaker; Councilmember Mark Davis; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

**Absent:** Councilmember Rosemary Scott; Councilmember Michael Dahle

**City Staff:** Assistant City Manager Brian James; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson

**Attendees:** Cristi LaJeunesse, Executive Director; Debbie Villarreal, Deputy Director; Cindy Mackechney, Public Housing Manager; Len Weinand, Chairperson; Brian Edgington, Vice Chairperson; Dana Eldridge, Commissioner; John Meyer, Commissioner; Valinda Brooks, Commissioner

### **Call to Order**

Mayor Ralph Gutierrez called the meeting to order at 8:30 am and recognized Schertz Housing Authority and Chair Len Weinand.

Chair Len Weinand thanked the Mayor and City Council for the opportunity to have this Joint Workshop Session with the Schertz Housing Authority. Chair Weinand wanted to introduce the Schertz Housing Authority and share with the City Council what they do and what they bring to the community. He stated that his first introduction to the Schertz Housing Authority was when Schertz Mayor Michael Carpenter asked him to serve on the board years ago, and he has been there since. Chair Weinand thanked the City for their support asked the Schertz Housing Authority Board to come to the podium and introduce themselves.



## Schertz Housing Authority Board of Commissioners:

Mr. Brian Edgington, Vice Chair, thanked the City Council for this opportunity to have this joint meeting. He wanted to let the City know how appreciative the Schertz Housing Authority is with the City's support and partnership. Mr. Edgington is looking forward to growing together to make the city better.

Ms. Valinda Brooks, Commissioner has been with the Schertz Housing Authority for the last year and seven months. She has learned so much about the housing needs of the community. Ms. Brooks is a retired businesswoman and nurse and wants to serve the community. Ms. Brooks looks forward to working hand in hand with the City to make this a better place.

Mr. John Meyer, Commissioner is newly retired and is a full time real estate investor. He has been on the Schertz Housing Authority Board for almost three years. Mr. Meyer appreciates the City working with the Schertz Housing Authority Board to make the city better. He is happy to be part of the community and looking forward to helping out.

Mr. Dana Eldridge, Commissioner has served on the Schertz Housing Authority Board for approximately six years. The Schertz Housing Authority has done so many good things since he has been on the Board.

Executive Director Cristi LaJeunesse, Schertz Housing Authority introduced herself and her staff:

Deputy Director Debbie Villarreal, Schertz Housing Authority  
Public Housing Manager Cindy Mackechney, Schertz Housing Authority

## Hearing of Residents

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There were no residents to speak at this time.



## Workshop

### • Discussion regarding the Schertz Housing Authority Mission and Goals

Executive Director Cristi LaJeunesse gave a Powerpoint on the Schertz Housing Authority's Mission and Goals.

Funding for the Schertz Housing Authority comes from: Operating Subsidy, Capital Fund Program Subsidy (CFP), Rents, Total PHA, Funding/Cost Per Unit Per Month and Section Housing Funding.

The Public Housing Expense 2020:

- Administration- \$160,099- 28%
- Maintenance-\$240,062-42%
- Contracts-\$86,563-15%
- Utilities-\$84,549-15%

Public Housing Demographics

- Elderly / Disabled Property
- 76 public housing units
- 82 public housing residents
- Age Range-31 to 92 yrs
- Income range (annual) \$1,785- \$24,205
- Tent Rent- \$50-605 per month/ Collections avg. 99%

Section 8 Demographics

- Total Voucher available: 153
- Currently leased: 147
- Incoming Portable Vouchers: 8
- Outgoing Portable Vouchers: 2
- Total family/members served: 305, 137 are dependents
- Average income: \$13,432
- Range of Tenant Rent: 0-\$1,282
- Range of Rent Paid to Owner by Housing Authority: \$92-\$2,411

Mayor Pro-Tem Whittaker asked about if the persons who are applying with the Schertz Housing Authority live in Schertz or want to live in Schertz. Executive Director Cristi LaJeunesse explained that if someone who lives in New York can apply with the Schertz Housing Authority and if they receive a voucher, they are committing to live in Schertz for a year. If an out-of-state person has a voucher, they can "port" or bring their voucher to live in the city. The Schertz Housing Authority works with Universal City, Converse, Cibolo, Schertz and Selma to find available housing.

Waiting List Public Housing Program



- One Bedroom-80 families
- Two Bedroom-9 families

Average move outs in last 12 months-7 families. This has been higher than previous years due to COVID.

Average move outs in last 12 months for Yoakum-10 families (94 units)

Average move outs in last 12 months for Kennedy-24 families (72 units)

These are properties of similar size and are mixed population, elderly/disabled and families

### Waiting List Section 8 Voucher Program

- 38 families
- 6 of these families have been offered vouchers to find housing
- The waiting list will open in mid-July for one month for the Section 8 program
- We anticipate over 200 applications during that time.

### Eligibility

- Annual Gross income at or below low income level
- Determined at County or Metropolitan area
- Low income limit 80% of median income
- Very low income limit 50% of median income
- Extremely low income limit is 30% of median income
- <https://www.huduser.gov/portal/datasets/il.html>
- US Citizenship or eligible immigrant status-one member must qualify and have social security number
- Elderly, disabled and family-elderly and/or disabled qualify for additional allowances

### Must prohibit admission(24 CFR Part 5.854-5.857)

- Member evicted from federally assisted housing within the previous three years
- Currently engaged in illegal drug use
- Members abuse alcohol interferes with the health, safety, or right to peaceful enjoyment of the others
- Lifetime registered sex offender

### Suitability! Not the Same as Eligible

- Past rental history
- Credit history
- Additional criminal screening criteria

### Public Housing/ Low Rent

- Local Government Entity-owned and operated by Housing Authority
- Applicant Income may not exceed 80% of median income



- Housing Authority may have local preference setting income limit lower
- PHA is the landlord and enforces the lease

### Housing Choice Voucher

- Income typically may not exceed 50% of median income for area
- Family portion of rent may not exceed 40% of monthly adjusted income at move in
- Choice! Portable voucher
- Housing Authority does not own the unit (typically)
- Owner or managing agent enforces the lease

### Income? What Counts

Rent is determined by total gross income received less allowable deductions

- Elderly/ disabled family (\$400)
- Dependent deduction ( \$480)
- Medical expense (Elderly/Disabled family only)
- Disability expense
- Childcare

### Contracting Costs

Executive Director Cristi LaJeunesse stated that one of the largest challenges the Schertz Housing Authority has is with the system of hiring a contractor in the City of Schertz. Current building codes require a licensed contractor for certain work, and they would prefer to use their maintenance staff to do the repairs to save money.

Chair Len Weinand wanted the City Council to understand that the little money Schertz Housing Authority has, they would like to spend it on the residents, not on contractors.

Coming Soon: The Schertz Housing Authority will be creating a Public Facility Corporation that will eventually be a non-profit organization in the future.

Executive Director Cristi LaJeunesse wanted to thank the City Council for their support and appreciates Councilmember Mark Davis for being the Schertz City Council Liaison.

Mayor Gutierrez thanked Executive Director Cristi LaJeunesse for her presentation and opened the meeting up to City Council.

Mayor Pro-Tem Whittaker asked City Staff, what is the ordinance that prohibits the use of the Schertz Housing Authority maintenance staff to do the work themselves?

Assistant City Manager Brian James stated that the Building Codes do allow some



exceptions for maintenance staff to do work on their properties. He would like to have a sit down meeting with the Schertz Housing Authority and City Staff to discuss their concerns and the current building codes and identify what work could be done by their maintenance staff vs. a contractor

Councilmember Mark Davis felt it was very important that the City Council and Schertz Housing Authority Board meet. He wanted the City Council to have a good understanding of the Housing Authority's roles and responsibilities. Councilmember Mark Davis asked Assistant City Manager Brian James if the requirement for a resident to have a licensed contractor to do a repair, is the government entity held to the same requirement?

Assistant City Manager Brian James stated these governing agencies do have to follow the building codes, however the codes have provisions for maintenance staff of facilities that employ licensed personnel that can do the work in-house. Once we sit down with the Schertz Housing Authority, we can distinguish what work will need a licensed contractor and what work does not.

Councilmember Mark Davis asked for clarification if the Schertz Housing Authority chose a licensed contractor that isn't registered with the city, what would the requirement be for the licensed contractor to work in the city.

Assistant City Manager Brian James explained the city would verify the contractor's license with the state, show proof of the insurance requirements and then that contractor can pull the proper permits.

Mayor Ralph Gutierrez and City Council stated they appreciate everything the Housing Authority and the Board does for the community. Mayor Ralph Gutierrez was thankful for all the information provided in the PowerPoint which was quite informative.

Topics that Schertz Housing Authority would like to discuss include:

- Work that requires a licensed contractor vs. work that can be done by the Schertz Housing Authority Maintenance Staff
- State Insurance requirements: Licensed contractor's insurance, the Schertz Housing Authority's insurance
- Current Building Codes concerning General Contractor requirements
- Clarification: City's licensed contractor list vs. a preferred contractor list

Assistant City Manager Brian James believes a meeting with the Schertz Housing Authority will help answer specific building code questions they may have and address all the concerns they brought up today.

Mayor Gutierrez again thanked Executive Director Cristi LaJeunesse and the Schertz



Housing Authority Board for making a big difference in our community.

**Adjournment**

Mayor Gutierrez adjourned the meeting at 10:07 am.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheila Edmondson, Deputy City Secretary



# DRAFT

## MINUTES REGULAR MEETING July 6, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on July 6, 2021, 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 Jill Whittaker; Councilmember Mark Davis; Councilmember Rosemary Scott; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

City     City Manager Dr. Mark Browne; Assistant City Manager Brian James;  
Staff:   Assistant City Manager Charles Kelm; City Attorney Megan Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson

### **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 Davis)**

Councilmember Davis provided the opening prayer followed by the Pledges of Allegiance to the Flag of the United States and the State of Texas.

### **Presentations**

- Proclamation recognizing Parks and Recreation Month. (Mayor/L. Shrum)

Mayor Gutierrez read and presented the proclamation recognizing July as Parks and Recreation Month to the Schertz Parks and Recreation Department.

- Presentation of the new Preventing Mosquitoes in our Community video. (B. James/L. Wood)



Mayor Gutierrez recognized Planning & Community Development Director Lesa Wood who provided the video that has been produced regarding the prevention of mosquitoes. This information and other campaign materials will also be available on the city website.

## **Employee Recognition**

Mayor Gutierrez recognized the following Department Heads who introduced their new employees:

- EDC: Channary Gould - Business Retention Manager, Sheree Courney - Administrative Assistant
- Event Facilities: Blake Mitchell - Events Attendant - Unable to attend
- Fire Department: Amanda Mathews - Firefighter
- Parks & Recreation: Diego Martinez, Daniel Pillar - Seasonal Park Worker
- Police Department: Jarrod Bowers - Police Officer

## **City Events and Announcements**

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

Assistant City Manager Brian James provided the following announcements:

### **Thursday, July 8th**

Popsicle Party - Cypress Point Park, 5526 Cypress Point - 6:00-7:00 PM.  
Celebrate Parks & Recreation Month with free Popsicles and activities!

### **Friday, July 9th**

Joint Workshop with City Council and Planning & Zoning - City Council Chambers - 8:30 AM

### **Saturday, July 10th**

Nature Discovery Series - Crescent Bend Nature Park - 10:00-11:00 AM.  
Discover the Horns and Thorns – Staying alive is tough! Pre-registration required through [www.schertz.com](http://www.schertz.com)

### **Tuesday, July 13th**

Next regular scheduled Council meeting

### **Thursday, July 22nd**

Casino Night Party for All Essential Workers - Bluebonnet Palace, Selma - 6:00-9:00 PM

Randolph Metrocom Rotary Club and many sponsors are hosting a FREE Casino Night Party for ALL Essential Workers to say Thank You for what they have done for us in the last 12+ months. No cover charge for anyone! Free



appetizers, essential workers will also receive \$1000 in casino chips at no cost!

## **November 2nd**

The City of Schertz will be holding its General Election on November 2, 2021, for the purpose of electing Council Members in Place 6 and Place 7 for a three-year term, from November 2021 to November 2024.

Any candidate desiring to have his or her name on the Official Ballot shall file with the City Secretary an application in writing in the form prescribed by the Texas Election Code declaring themselves a candidate. The filing date is no sooner than July 17, 2021, (but since the 17th falls on a Saturday and City offices are closed) the date moves to Monday, July 19, 2021, and no later than Monday, August 16, 2021, by 5:00 p.m. Qualifications for Candidacy can be found online at [www.schertz.com](http://www.schertz.com) as well as in the Candidate packet. Candidate packets are also available in the City Secretary's Office.

- Announcements and recognitions by the City Manager (M. Browne)

City Manager Mark Browne recognized and thanked the Schertz Parks Department for the superb job they did at the 4th of July Jubilee. He also wanted to acknowledge with a staff of only twelve employees, the Parks Department does a remarkable job maintaining all the parks in the City of Schertz.

- Announcements and recognitions by the Mayor (R. Gutierrez)

None at this time.

## **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.***

Mayor Gutierrez recognized the following who spoke:

- Mr. Richard Dziewitt, 2550 Chasefield, who spoke on the great 4th July Parade and 4th July Events to include the Fireworks show.
- Ms. Maggie Titterington, 1730 Schertz Parkway, who provided the following information regarding their upcoming events.

Ribbon cuttings:

July 14th at The Chamber at 10:30am for Real Estate News line

July 15th at Access Med Clinic at 10:30am



July 22nd at 10:30am The Reynoso Agency Farmers Insurance. Located at FM 3009. Mixer on July 15th from 5:30-7:00pm by Randolph Metrocom Rotary Club at Harrison Hoyse in Selma.  
EPUC Education class July 21st featuring Amy House on "Sweating the Small Things". Register online. 7:30-11:00am. Breakfast included.

## **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.

Mayor Gutierrez read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the Special Meeting of June 17, 2021, minutes of the Joint CVLGC - Schertz - Cibolo Meeting of June 21, 2021, and minutes of the Regular Meeting of June 22, 2021. (B. Dennis)
2. **Resolution No. 21-R-60** - Consideration and/or action approving a Resolution with the Schertz Seguin Local Government Corporation (SSLGC) Fiscal Year 2021-2022 Annual Budget and other matters in connection therewith. (C. Kelm/S. Williams/A. Beard)
3. **Resolution No. 21-R-62** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 409 Main Street. (M. Browne/B. James)
4. **Resolution No. 21-R-59** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing Memorandums of Understanding with the Texas Department of Public Safety, for the purpose of obtaining a renewal of commercial vehicle enforcement authority and other matters in connection therewith. (C. Kelm/M. Casas)

Mayor Gutierrez asked Council if there were any items they wished be removed from the consent agenda, no items were removed.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Jill Whittaker to approved consent agenda items 1 through 4.



AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Rosemary Scott, Councilmember Michael Dahle,  
Councilmember David Scagliola, Councilmember Allison  
Heyward, Councilmember Tim Brown

Passed

## Discussion and Action Items

5. **Ordinance No. 21-S-26-** Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to amend Part III, Schertz Code of Ordinances, Unified Development Code (UDC), specifically for subsections within Articles 5, 9 and 14 in order to establish a new zoning district, Main Street Mixed Use-New Development (MSMU-ND). ***(Final Reading)*** (B. James/ L. Wood/E. Delgado)

Mayor Gutierrez recognized Assistant City Manager Brian James. Mayor Gutierrez asked Council if they would like to have a presentation or have staff available for questions. No presentation was given.

Mayor Gutierrez recognized Councilmember Scagliola who stated he voted no last time was the inclusion of the Pet Shops and was concerned that it would create puppy mill problems once again.

Mayor Pro-Tem Whittaker stated that she was asking last time why a Pet Shop was not included under the new zoning district and believes it is a good idea to include for diversity along the main street area.

Councilmember Heyward stated she objected as the Pet Shops do not fit the atmosphere that she believes is being created along Main Street.

Councilmember Scott stated that she thinks adding Pet Shops is a great idea and explained how Polly's Pets on Pat Booker functions and draws in citizens, and that there are also restaurants along that road way. She is in favor of including Pet Shops.

Councilmember Davis stated that this allows for flexibility, Mayor Gutierrez also concurred that it allows flexibility.

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle to approve Ordinance No. 21-S-26 on final reading.



AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Rosemary Scott, Councilmember Michael Dahle,  
Councilmember David Scagliola, Councilmember Allison  
Heyward, Councilmember Tim Brown

Passed

6. **Ordinance No. 21-M-28** - Consideration and/or action approving an Ordinance authorizing and amending the City Council Rules of Conduct and Procedure; repealing all ordinance or parts of ordinances in conflict with this ordinance and providing an effective date. (*First Reading*) (M. Browne)

Mayor Gutierrez introduced this item stating that Council needs to provide direction to staff regarding items placed on the agenda for Final Reading. Council discussed, and it was the consensus that items presented to Council on First Reading that do not receive a unanimous vote, shall be placed on the next agenda under the Discussion portion of the agenda.

Moved by Councilmember David Scagliola, seconded by Councilmember Mark Davis to approve Ordinance 21-M-28 on first reading with addition to section 7.6 that Ordinances that do not receive a unanimous vote on first reading shall be placed on the discussion portion of the next agenda.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Rosemary Scott, Councilmember Michael Dahle,  
Councilmember David Scagliola, Councilmember Allison  
Heyward, Councilmember Tim Brown

Passed

## Closed Session

Mayor Gutierrez recessed the regular meeting into Closed Session at 6:59 p.m. and read the following item into record:

7. The City of Schertz City Council will convene in executive session under Texas Government Code Section 551.071 to receive legal advice from its attorneys regarding the following litigation:
- Cause No. D-1-GN-18-000535; Green Valley Special Utility District v. Public Utility Commission of Texas; Deann T. Walker, Arthur D'Andrea, and Brandy Marty Marquez, in their official capacities as Commissioners of the Public Utility Commission of Texas; Brian H. Lloyd, in his official capacity as Executive Director of the Public Utility Commission of Texas,



or his successor; and the City of Schertz, Texas, in the 419th District Court of Travis County, Texas;

- No. 07-20-00167-CV; City of Schertz and Cibolo Creek Municipal Authority v. Texas Commission on Environmental Quality and Green Valley Special Utility District; in the Seventh Court of Appeals, Amarillo, Texas; and
- No. 19-51056; City of Schertz v. United States Department of Agriculture, acting by and through George Ervin “Sonny” Perdue, III, Secretary of Agriculture; Rural Utilities Service, acting by and through Edd Hargett, Sate Director; Green Valley Special Utility District; in the United States Court of Appeals for the Fifth Circuit.
- Case No. 1:17-CV-00819-SS (U.S. District Court, Western District of Texas, Austin Division), Green Valley Special Utility District vs. City of Schertz et al

### **Reconvene into Regular Session**

Mayor Gutierrez reconvened back into regular session at 7:54 p.m.

**7a.** Take any action based on discussion held in closed session under Agenda Item 7.

No action taken.

### **Requests and Announcements**

- Announcements by the City Manager.

No further announcements.

- Requests by Mayor and Councilmembers for updates or information from staff.

None at this time.

- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda.

None at this time.

- 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

Mayor Pro- Tem Whittaker



- Two Ribbon Cuttings with The Chamber for: Walthall, Sachse & Pipes, Inc. and Patrice & Associates
- Check presentation from the Rainbow Girls to the Schertz Animal Shelter
- Special Joint Workshop with the Schertz Housing Authority
- Project Flag Line
- 4th of July Parade

#### Councilmember Dahle

- 4th of July Parade
- 4th of July Fireworks

#### Councilmember Scagliola

- 4th of July Parade
- 4th of July Fireworks

#### Councilmember Heyward

- TMRS Advisory Board Meeting
- 2 Webinars on Face and Instagram: Frequently Asked Questions and Advertising.
- Check presentation from the Rainbow Girls to the Schertz Animal Shelter
- Two Ribbon Cuttings with The Chamber for: Walthall, Sachse & Pipes, Inc. and Patrice & Associates
- 4th of July Parade
- 4th of July Fireworks

#### Councilmember Brown

- Special Joint Workshop with the Schertz Housing Authority
- Project Flag Line
- 4th of July Parade

### **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:58 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021  
**Department:** City Secretary  
**Subject:** Appointments/Resignation to Boards and Commissions/Committees - Consideration and/or action regarding appointments/resignations to various Boards and Commissions/Committees. (Council/B. Dennis)

- Resignation of David Reynolds - Board of Adjustments and Resignation of Charles Reynolds - Historical Preservation Committee
- Appointment of Jackie Hollis and Judith Williams to the Historical Preservation Committee, and appointment of Danielene Salas as a regular member to the Board of Adjustments.

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**BACKGROUND**

The City Secretary's office has received resignations from David Reynolds - Board of Adjustments and Charles Reynolds - Historical Preservation Committee.

The City Secretary's office also received new volunteer applications from Jackie Hollis and Judith Williams who applied to serve on the Historical Preservation Committee.

All applicants were vetted through the Chair and Vice Chair of the Historical Preservation Committee and the Interview Committee, and it was the consensus of the Committee to recommend to Council the appointments.

Staff recommends the resignations of David Reynolds' and Chuck Reynolds and the appointments of Jackie Hollis and Judith Williams to the Historical Preservation Committee. Staff also recommends moving Alternate Member Danielene Salas to the vacant regular position on the Board of Adjustments as a result of Mr. Reynolds resignation.

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**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021  
**Department:** City Secretary  
**Subject:** Resolution No. 21-R-65 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving a request for a Schertz Main Street Local Flavor Economic Development Grant for 539 Main Street. (M. Browne/B. James)

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**BACKGROUND**

The owner of the property at 539 Main, MWBDLR, LLC. (Nick Marquez) has applied for a Schertz Main Street Local Flavor Economic Development Grant. This is the second application for this location. The owner contacted the City in mid-November about proposing to redo the landscaping on the property. The estimated project cost was \$8,500 as such the 50% grant amount was up to \$4,250. The owner was awarded \$2,804.19 on February 23, 2021.

The owner is now applying for the rest of the amount which would be \$17,195.81 for the year. The work being done will be:

- \$40,000 in concrete work/flat work
- \$15,000 plumbing
- \$12,000 electrical
- \$20,000 cinder block buildings/walls/finish out (Bar area)
- \$4,000 fencing
- \$3,000 signage

The Owner is proposing to construct a bar (Hidden Grove) on the back half of the property. The owner estimates the work to be approximately \$93,000. As noted earlier, the applicant is only eligible for \$17,195.81. Staff anticipates the grant funds to be for plumbing and electrical work (\$27,000 at 50% = \$13,500) and the remaining \$3,695.81 to be for site work, which is valued at approximately \$40,000.

Attached are a site plan and perspective to show the seating area/flatwork. Staff has construction plan for the plumbing and electrical work if council is interesting in seeing those.

**GOAL**

Promote and enhance commercial activity along Main Street to promote the economic, cultural, and general welfare of the public. The area around Main Street in Schertz once served as the commercial and social hub of the community. The City seeks to improve the image of the area around Main Street through the inducement of public money to promote local economic development and stimulate business and commercial activities in the City.

**COMMUNITY BENEFIT**



Encourage the attraction of small businesses that will create local charm and help develop a sense of place in and around Main Street. Promote commercial development. Stabilize and improve property values. Foster civic pride. Strengthen the economy of the City by protecting and enhancing the attractiveness of the Main Street area to residents and visitors, as well as provide support to local businesses.

### **SUMMARY OF RECOMMENDED ACTION**

Staff recommends approval of Resolution 21-R-65 approving a Schertz Main Street Local Flavor Economic Development Grant for up to \$17,195.81 subject to the applicant entering into the incentive agreement.

### **FISCAL IMPACT**

Up to \$17,195.81.

### **RECOMMENDATION**

Approval of Resolution 21-R-65.

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#### **Attachments**

Resoluton 21-R-65  
539 LFG Agreement  
floor plan  
perspective

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**RESOLUTION NO. 21-R-65**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPROVING A REQUEST FOR A SCHERTZ MAIN STREET LOCAL FLAVOR ECONOMIC DEVELOPMENT GRANT FOR 539 MAIN STREET IN THE CITY OF SCHERTZ, TEXAS, AND RELATED MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, The City of Schertz desires to protect, enhance, and preserve the historic resources and landmarks which represent distinctive elements of Schertz' historic, architectural, economic, cultural, and social heritage by providing property owners and incentive for protecting their property; and

**WHEREAS**, the City of Schertz desires to encourage the attraction of small businesses that will create local charm and help develop a sense of place in and around Main Street;

**WHEREAS**, the City of Schertz desires to stabilize and improve property values; and

**WHEREAS**, Foster civic pride in the beauty and accomplishments of the past, and to promote the use of the historic structures for the culture, education, and general welfare of residents; and

**WHEREAS**, Strengthen the economy of the city by protecting and enhancing the attractiveness of the Main Street area to residents and visitors, as well as provide support and stimulus to businesses.

**WHEREAS**, the City Council approved the Schertz Main Street Local Flavor Economic Development Grant;

**WHEREAS**, staff is in support of this program and recommended approval of the grant request for 539 Main Street for up to \$17,195.81;

**NOW THEREFORE, BE IT RESOLVED**, THAT THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby approves the Schertz Main Street Local Flavor Economic Development Grant request for 539 Main Street subject to the approved criteria of the program and execution of a funding agreement generally as outlined in Exhibit "A".

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.



Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 13<sup>th</sup> day of July, 2021.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)



## **Exhibit A**



STATE OF TEXAS               §  
  §  
COUNTY OF BEXAR         §

SCHERTZ MAIN STREET LOCAL FLAVOR ECONOMIC DEVELOPMENT PROGRAM  
FUNDING AGREEMENT BETWEEN THE CITY OF SCHERTZ, TEXAS AND \_  
MWBDLR, LLC, FOR EXPENDITURE OF LOCAL FLAVOR GRANT FUNDS

This Local Flavor Development Program Funding Agreement (AGREEMENT) is made and entered into by and between the City of Schertz, Texas (CITY) and MWBDLR, LLC, (ENTITY).

WHEREAS, the ENTITY has developed a proposal to Make improvements to landscaping to 539 Main (the “Project”); and

WHEREAS, Section 380.001 of the Texas Local Government Code, as amended, allows the governing body of a municipality to establish and provide for the administration of one or more programs to promote state and local economic development and to stimulate business and commercial activity in the municipality; and

WHEREAS, the Schertz Main Street Local Flavor Economic Development Program is intended to encourage and expansion and attract small businesses that create local charm and help develop a sense of place in and around Main Street, promote commercial development, stabilize and improve property values, foster civic pride, and protect and enhance the attractiveness of the Main Street area to residents and visitors; and

WHEREAS, funding for the Schertz Main Street Local Flavor Economic Development Program will be provided annually through the City’s General Fund; and

WHEREAS, the Schertz Main Street Local Flavor Economic Development Program will enhance other city efforts to improve, beautify, and promote economic development in the Main Street area.

WHEREAS, the area around Main Street in Schertz once served as commercial and social hub of the community; and

WHEREAS, the City seeks to improve the image of the area around Main Street through restoration and rehabilitation of structures in the Main Street area to serve as a commercial, social, cultural and tourism hub of the City; and

WHEREAS, the City Council of the City of Schertz desires to provide funds to MWBDLR, LLC (ENTITY).

NOW, THEREFORE, it is mutually agreed by and between the CITY and ENTITY as follows:



## GENERAL PROVISIONS

Section 1. Purpose. The purpose of this Agreement is to provide funding to the ENTITY for the project identified in the attached Exhibit "A" (the "Project"), the intent of which is to promote state and local economic development and to stimulate business and commercial activity in the municipality to encourage and expansion and attract small businesses that create local charm and help develop a sense of place in and around Main Street, promote commercial development, stabilize and improve property values, foster civic pride, and protect and enhance the attractiveness of the Main Street area to residents and visitors.

Section 2. Obligation of the ENTITY. The ENTITY shall use all of the awarded funds provided by the CITY in accordance with Chapter 351 of the Texas Tax Code, the ENTITY'S funding application, and the attached Exhibit "A".

Section 3. Reporting Requirements of the ENTITY. The ENTITY shall deliver a detailed accounting of the expenditures for the Project within thirty (30) days after completion of the Project (the "Post Event Report"). The Post Event Report shall include copies of receipts and other documents establishing the expenditures for the project. The CITY shall not make reimbursements for expenditures where no receipt or invoice is provided. Partial or incomplete reports will not be accepted.

Section 4. Authorization of Payment. Subject to the ENTITY'S satisfactory performance and compliance with the terms of this AGREEMENT, the CITY agrees to pay the ENTITY up to fifty percent (50%) of the Project. The Project is estimated to be over \$38,391.62 and fifty percent of which is \$17,195.81, and is capped at 13,500.00 for work falling within the criteria for systems improvements and 3,695.81 for site work. Payment will be made within forty-five (45) days of acceptance of the complete Post Event Report. Partial or incomplete reports will not be accepted. Only expenditures that meet Chapter 351 of the Tax Code and this AGREEMENT shall be reimbursed.

Section 5. Appeal Process. Any ENTITY wishing to appeal the decision of the CITY must present their appeal in writing within ten (10) business days of funding denial.

Section 6. Rights. The City of Schertz has the right, at any time, to inspect the books or records of the ENTITY that may relate to performance of this AGREEMENT. The CITY, at its sole expenses, has the right to conduct an audit of the ENTITY or Project.

Section 7. Term. The AGREEMENT shall become effective as of the date entered below. The AGREEMENT shall terminate one year from its effective date or once the terms have been met, whichever occurs first.

Section 8. Indemnification. The ENTITY agrees to defend, indemnify and hold harmless the CITY, its officers, agents and employees, against any and all claims, lawsuits, judgments, cause of action, costs and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the ENTITY'S breach of any of the terms or provisions of this AGREEMENT, or by any negligent act or omission of the ENTITY, its officers, agents, servants, employees, contractors, or subcontractors, in the performance of this AGREEMENT; except that the indemnity provided for in this paragraph shall not apply



to any liability resulting from the sole negligence of the CITY, its officers, agents, employees or separate contractors, and in the event of joint and concurrent negligence of both the ENTITY and the CITY under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. Both parties expressly agree that this AGREEMENT does not assign any responsibility for civil liability to the City of Schertz that may arise by virtue of this AGREEMENT.

Section 9. Termination. A party may terminate this AGREEMENT in whole or in part if the other party fails to comply with a term of the AGREEMENT, including the inability of the ENTITY to conform to any change required by federal, state or local laws or regulations; or for the convenience of either party. The terminating party shall provide written notification to the other party of the decision to terminate this AGREEMENT within thirty (30) days before the effective date of termination. A party may terminate the AGREEMENT for breach of any provision of this AGREEMENT, upon written notice of the breach and the breaching party shall have ten (10) days after receipt of the written notice in which to cure the breach to the satisfaction of the non-breaching party.

Section 10. Notice. All notices required or permitted under this AGREEMENT shall be in writing and shall be delivered in person or mailed as follows:

to the CITY at:

City of Schertz  
Attention: City Manager  
1400 Schertz Parkway  
Schertz, TX 78154  
(210) 619-1000

To MWBDLR, LLC:  
Attention: Nicholas Marquez  
PO Box 284  
Cibolo, Texas 78108

#### MISCELLANEOUS

Section 11. Entire Agreement. This AGREEMENT constitutes the entire agreement of the parties regarding the subject matter contained herein. The parties may not modify or amend this AGREEMENT, except by written agreement approved by the governing bodies of each party and duly executed by both parties.

Section 12. Approval. This AGREEMENT has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.

Section 13. Assignment. Except as otherwise provided in this AGREEMENT, a party may not assign this AGREEMENT or subcontract the performance of services without first obtaining the written



consent of the other party.

Section 14. Non-Waiver. A party's failure or delay to exercise right or remedy does not constitute a waiver of the right or remedy. An exercise of a right or remedy under this AGREEMENT does not preclude the exercise of another right or remedy. Rights and remedies under this AGREEMENT are cumulative and are not exclusive of other rights or remedies provided by law.

Section 15. Paragraph Headings. The various paragraph headings are inserted for convenience of reference only, and shall not affect the meaning or interpretation of this AGREEMENT or any section thereof.

Section 16. Attorney fees. In any lawsuit concerning this AGREEMENT, the prevailing party shall be entitled to recover reasonable attorney's fees from the nonprevailing party, plus all out-of-pocket expense such as deposition costs, telephone, calls, travel expenses, expert witness fees, court costs, and their reasonable expenses, unless otherwise prohibited by law.

Section 17. Severability. The parties agree that in the event any provision of this AGREEMENT is declared invalid by a court of competent jurisdiction that part of the AGREEMENT is severable and the decree shall not affect the remainder of the AGREEMENT. The remainder of the AGREEMENT shall be in full force and effect.

Section 18. Venue. The parties agree that all disputes that arise of this AGREEMENT are governed by the laws of the State of Texas and venue for all purposes herewith shall be in Milam County, Texas.

Section 19. Certificate of Insurance. The ENTITY agrees to provide a certificate of insurance for liability and worker's compensation insurance or letter of self-insurance on its letterhead indicating its self-insured status before any event awarded funding under this AGREEMENT. The cost of the insurance herein mentioned to be secured and maintained by the ENTITY shall be borne solely by the ENTITY.

IN WITNESS HEREOF, the CITY and ENTITY make and execute this AGREEMENT to be effective this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF SCHERTZ, TEXAS

ENTITY – MWBDLR, LLC

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
(Title)

ATTEST:

\_\_\_\_\_  
City Secretary

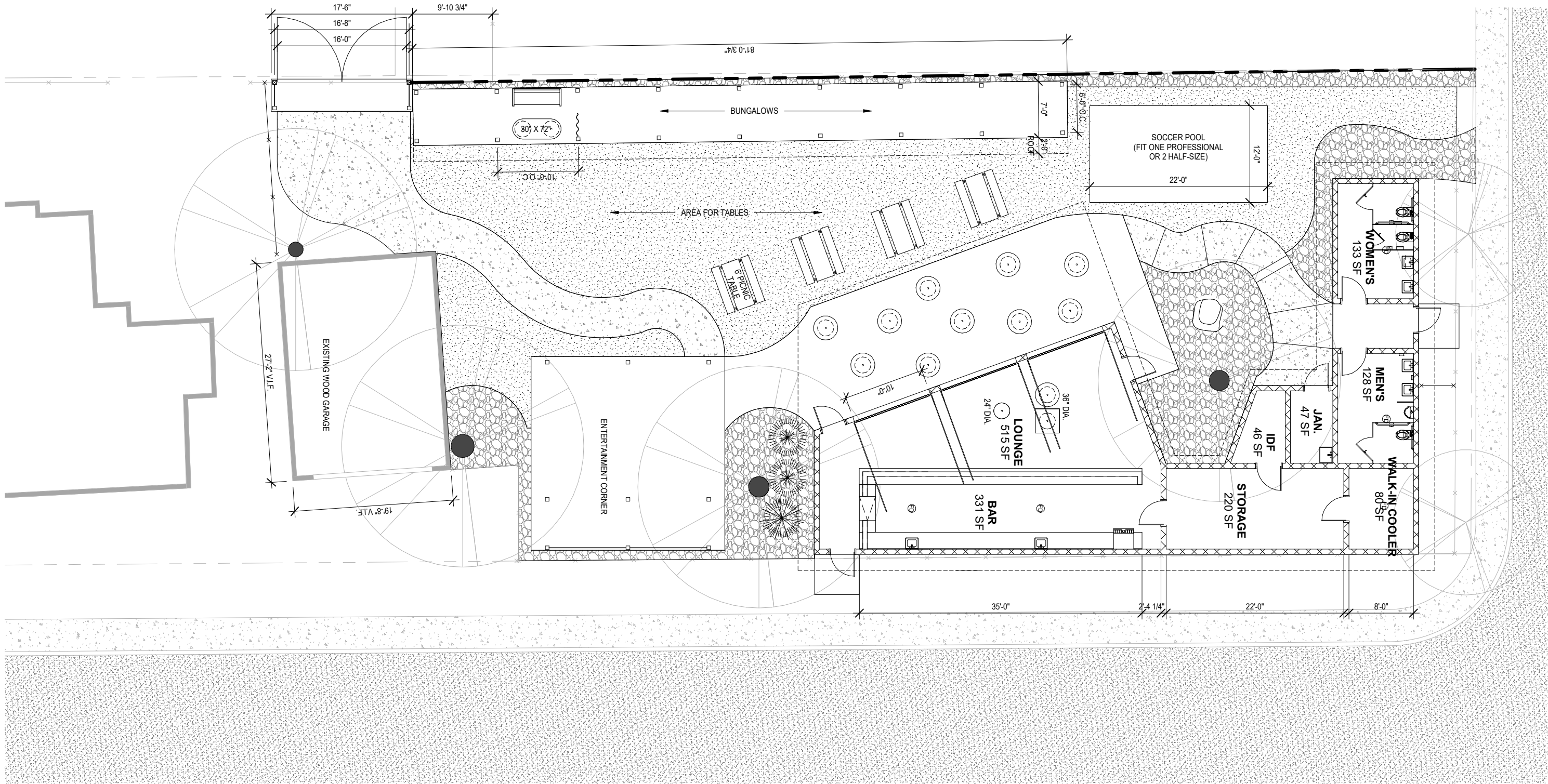
\_\_\_\_\_  
(Title)



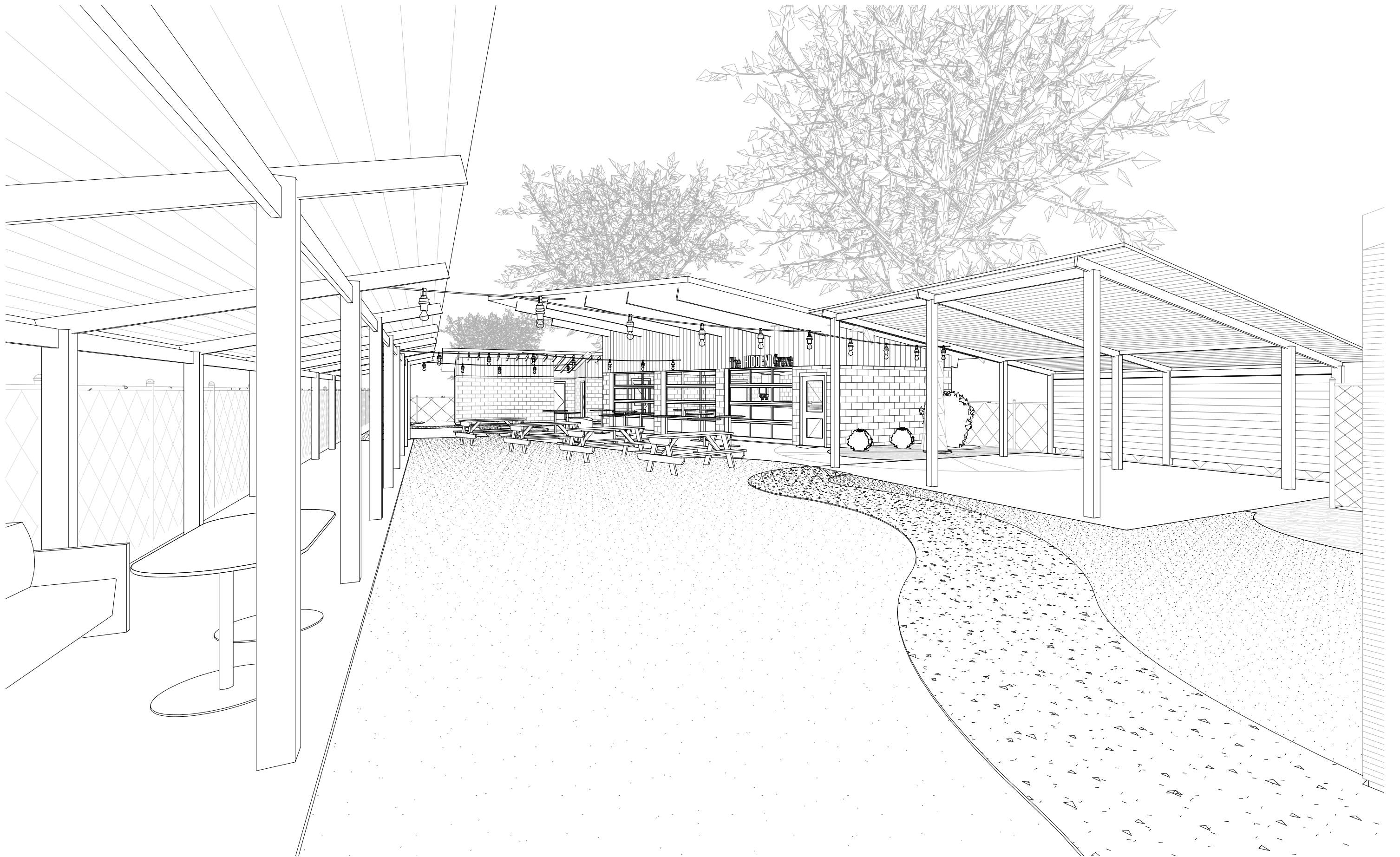
## EXHIBIT A

\$40,000 in concrete work/flat work  
\$15,000 plumbing  
\$12,000 electrical  
\$20,000 cinder block buildings/walls/finish out (Bar area)  
\$4,000 fencing  
\$3,000 signage











**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021

**Department:** Public Works

**Subject:** Resolution No. 21-R-63 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz Texas authorizing the City Manager to enter into a contract with Andale Construction Inc., for the application of HA5 asphalt preservation product in the Mesa Oaks Subdivision. (C. Kelm/S. Williams/D. Letbetter)

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**BACKGROUND**

As a part of the City's Street Maintenance program, the Public Works Street Department is scheduled to seal the street surfaces within the Mesa Oaks Sub-division in FY 2021. Under our streets program, Public Works is responsible to maintain the pavement on streets that score at 75 or higher on the pavement index.

The method being recommended for the Mesa Oaks project is an alternative to slurry seal, although in application and appearance, is similar to a slurry seal. A slurry seal is the application of a very thin layer of asphalt emulsion with a fine limestone aggregate that seals the current road surface and gives a "like-new" appearance to the street. It is intended for streets that have lower volumes of traffic and a good sub-base structure. The sealing of the surface provides a like new condition that can extend the maintenance time frame by five to seven years with a standard slurry seal.

Contractors who perform standard slurry seals warranty the work for 2-3 years for defects of application. In lieu of a standard slurry seal, Public Works plans to use this enhanced product, HA5, that promises a longer life in the appearance of the roads as well as extending the time before additional maintenance would be needed. The HA5 product has been in use for over ten years around the nation but only recently was it made available by a contractor in Texas.

Public Works staff have evaluated the product, visited locations where it has been used both post-application and during the application process, and have used it previously in Schertz. HA5 is a patented formula that includes polymers and other products in the asphalt emulsion and has a fine slate aggregate. It is expected that this formula will extend the maintenance time frame to seven to ten years and the warranty is for five years. It is applied like the standard slurry seal but with two passes over the street surface instead of one.

If City Council authorizes entering into an agreement with Andale Construction, Inc for the application of HA5 in the Mesa Oaks Subdivision, it is anticipated the work will be scheduled for this work by mid- to late- August. Public Works will coordinate this project with the Mesa Oaks HOA. PW will share the proposed schedule with all the residents via door hangers attend HOA meeting(s) to answer questions and explain the process in more detail. As with any slurry seal, there is a cure period after the product is applied. However, even though the HA5 product requires two passes laying it down and the standard slurry seal requires a single pass, the cure period is the same with a requirement of no vehicle traffic overnight. The contractor will be providing shuttle services for residents, postal service, etc. during the cure period of each street, and it is anticipated this staged process will require five days to complete the entire subdivision.



This product costs \$3.05 SY. The HA5 product is patented and only licensed to one contractor in Texas (Andale Construction, Inc.). The Street Department has utilized this product in Arroyo Verde in 2018, and continues to perform well and looks great. It will serve well in the Mesa Oaks Subdivision. With only one vendor available, staff is recommending contracting with Andale Construction, Inc. as a sole source vendor.

## **GOAL**

To maintain the streets with a product to increase the life expectancy and reduce maintenance.

## **COMMUNITY BENEFIT**

Applying the HA 5 asphalt preservation product will increase the life expectancy of the streets and decrease the maintenance required in this subdivision over the next seven to ten years.

## **SUMMARY OF RECOMMENDED ACTION**

Staff recommends Council approve Resolution 21-R-63 authorizing the City Manager to enter into a contract with Andale Construction Inc. in the amount of \$70,753.35 with a contingency of \$7,075.33 for a not to exceed amount of \$77,828.68

## **FISCAL IMPACT**

This project will be funded from current budgeted Street Maintenance funds approved by City Council in the FY 2020-2021 budget

## **RECOMMENDATION**

Staff recommends Council approve Resolution 21-R-63 authorizing the City Manager to enter into a contract with Andale Construction Inc. in the amount of \$70,753.35 with a contingency of \$7,075.33 for a not to exceed amount of \$77,828.68

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### **Attachments**

21-R-63

21-R-63

21-R-63

Res 21-R-63

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June 24, 2021

Attn: City of Schertz, TX

***Subject: Andale Construction: Texas HA5 installer***

This letter serves as documentation that Andale Construction is the only approved contractor authorized and qualified by Integrated Pavement Solutions to install HA5 High Density Mineral Bond in the Texas market.

HA5 High Density Mineral Bond is a sole source product and the only product meeting the rigorous specification of a High Density Mineral Bond established by engineering professionals.

Andale Construction has invested in all the necessary equipment and trained crews to successfully complete High Density Mineral Bond projects.

Why Sole Source? A High Density Mineral Bond requires specific emulsification properties and fine aggregates that combine for time-tested performance results. The differentiator is the durability of the product and its effectiveness at reducing the deterioration of the asphalt binder as demonstrated over the previous 18 years in various climate types around the U.S.

If you would like a High Density Mineral Bond specification, or have questions about it, please contact me at (435) 862-8064.

Warm Regards,

Mark Beatty  
Sr. Vice President  
Integrated Pavement Solutions (IPS)



# Mesa Oaks Subdivision

Write a description for your map.

Legend  
Untitled Path



Google Earth

© 2020 Google







RESOLUTION NO. 21-R-63

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANDALE CONSTRUCTION INC. FOR THE APPLICATION OF HA5 ASPHALT PRESERVATION PRODUCT IN THE MESA OAKS SUBDIVISION, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City has adopted the results of the pavement conditioning index recommending a variety of street maintenance methods and road reconstruction projects based upon the current conditions of City streets; and

WHEREAS, certain streets, including those within the Mesa Oaks subdivision are recommended to receive a slurry seal application to improve the condition of the pavement and extend the useful life of the streets; and

WHEREAS, Public Works staff have evaluated a new technology slurry seal product known as HA5 that is now available to be used on streets in Texas; and

WHEREAS, the HA5 product is about as expensive but can extend the appearance and maintenance life of the street surface up to five years longer than standard slurry seal; and

WHEREAS, the HA5 product is only available from Andale Construction, Inc. as a sole source supplier meeting the requirements as a sole source supplier for the City of Schertz; and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into a contract with Andale Construction Inc. for the application of HA5 asphalt preservation product in the Mesa Oaks subdivision.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to enter into a contract with Andale Construction for that application of HA5 asphalt preservation product in the Mesa Oaks subdivision for a proposed price of \$70,753.35 with a contingency of \$7,075.33 for a not to exceed amount of \$77,828.68.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.



Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provisions

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 13th day of July 2021

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Dennis, City

Secretary (CITY SEAL)



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021  
**Department:** City Secretary  
**Subject:** Ordinance No. 21-M-28 - Consideration and/or action approving an Ordinance authorizing and amending the City Council Rules of Conduct and Procedure; repealing all ordinance or parts of ordinances in conflict with this ordinance and providing an effective date. (*Final Reading*) (M. Browne)

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**BACKGROUND**

City Council at their meeting of July 6, 2021 approved amending the City Council Code of Conduct and Procedures 7.6 to include "Ordinances that do not receive a unanimous vote on first reading shall be placed on the discussion portion of the next agenda."

**GOAL**

To clarify, update and amend the Council's Rules of Conduct and Procedures related to the placement of Ordinances on final reading.

**COMMUNITY BENEFIT**

To clearly establish procedures for Council related to City Ordinances.

**SUMMARY OF RECOMMENDED ACTION**

To approve Ordinance No. 21-M-28 on final reading by Council regarding placement of City Ordinances on Final Reading.

**FISCAL IMPACT**

No fiscal impact.

**RECOMMENDATION**

To approve Ordinance No. 21-M-28 on final reading by Council regarding placement of City Ordinances on Final Reading.

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**Attachments**

Ordinance  
Code of Conduct

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## **ORDINANCE NO. 21-M-28**

### **AN ORDINANCE BY THE CITY OF SCHERTZ AUTHORIZING AND AMENDING CITY COUNCIL RULES OF CONDUCT AND PROCEDURE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council of the City of Schertz has previously adopted Rules of Conduct and Procedure for the conduct of meetings of the City Council 19-M-28; and

WHEREAS, the City Council discussed the following changes at their meeting of July 6, 2021; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend, update, and clarify the Rules of Conduct and Procedure as they relate to the placement of Ordinances on final reading.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:

Section 1. That the City Council's Rules of Conduct and Procedure are amended as follows:

#### **Article 7 Consideration of Ordinances, Resolutions, and Motions**

7.6 Ordinances – Two Readings; Emergencies. Ordinances introduced at a Council meeting shall not be finally acted upon until at least the next regular meeting, except that immediate action may be taken upon an emergency as determined by the Council in accordance with the Charter or State law. **Ordinances that do not receive a unanimous vote on first reading shall be placed on the discussion portion of the next agenda.**

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of



such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

APPROVED ON FIRST READING the 6<sup>th</sup> day of July 2021.

PASSED, APPROVED AND ADOPTED ON FINAL READING, the 13<sup>th</sup> day of July 2021.

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Mayor, Ralph Gutierrez

ATTEST:

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City Secretary, Brenda Dennis

(Seal of City)



## **CITY OF SCHERTZ**

### **CITY COUNCIL**

#### **RULES OF CONDUCT AND PROCEDURE**

These Rules of Conduct and Procedure (these “Rules”) are intended to provide an understandable and workable structure for City Council meetings.

These Rules shall serve to aid the conduct of public business at Council meetings, to facilitate communication at Council meetings among Councilmembers and between Councilmembers and City staff and members of the public, and to promote confidence in the citizens that their government is performing its duties with the highest of ethical standards and with a genuine interest in the well-being of the community.

These Rules are in all events subject to the City Charter and applicable provisions of State law, including the Texas Open Meetings Act.

As a part of these Rules, the Council has established the following Code of Conduct for the Mayor and all Councilmembers:

- Address the merits of the issues — no personal attacks.
- Focus on representing the interests of all citizens.
- Attempt to resolve personal conflicts among Councilmembers internally before speaking publicly.
- Assume positive intentions — don’t look for hidden agendas.
- Observe the City’s written Rules of Conduct and Procedure.
- When others are speaking, listen with an open mind.
- Recognize that inappropriate public disclosure of confidential information can be detrimental to the City and its citizens.
- Understand that “majority rules”. Once a vote is taken, if you were in the minority agree to disagree and move on. Recognize that a majority view, when expressed in a vote, becomes an expression of City policy.
- Coordinate all requests of the City staff through the City Manager.



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## **ARTICLE 1. AUTHORITY**

- 1.1 City Charter. Section 4.09 (d) of the City Charter provides that the Council shall, by ordinance, determine its own rules and order of business.
- 1.2 Effective Date; Amendment. These Rules shall be in effect upon their adoption by the Council and until such time as they are amended, or new rules are adopted. In the event of a conflict between these Rules and the Charter, the Charter shall govern over these Rules. In the event of a conflict between these Rules and State law, State law shall take precedence.

## **ARTICLE 2. GENERAL RULES**

- 2.1 Meetings to be Public. All meetings of the Council and all meetings of committees composed of a quorum of the Council shall be open to the public as provided by State law, except when State law allows closed or Closed sessions for certain limited topics.
- 2.2 Attendance. Councilmembers shall attend all meetings of the Council. Absence of a Councilmember from a meeting shall be managed in accordance with 2.2 B.

A. Quorum. Four members of the Council, not including the Mayor, shall constitute a quorum. In the absence of the Mayor, the Mayor Pro Tem or other presiding officer shall be counted for purpose of determining the existence of a quorum. If a quorum is not present, those in attendance will be named, and they may recess to a later time as permitted by State law or may hear business before them, taking no official action.

B. Absences. In the event a Councilmember is unable to attend a meeting of the Council, the Councilmember shall notify either the Mayor or the City Secretary as soon as they become aware that they will be unable to attend. Notification may be accomplished via e-mail or telephone and must include the reason for the absence.

Absences from meetings of the City Council that are due to occupational or business demands, personal or family illness or absence from the city shall be approved by the Council as excused.

The City Secretary shall annotate the Councilmember's absence and the reason therefore in the minutes of the meeting from which the Councilmember is absent. Council approval of the subject minutes shall ratify the absence and the reason given therefore and thus excuse the absence. If a Councilmember raises an objection to the absence or the reason given therefore at the time the minutes are to be approved, the matter may be place on a future agenda for debate, discussion and further consideration.

- 2.3 Minutes of Meetings. An account of all proceedings of the Council shall be kept by the City Secretary and shall constitute the official record of the Council. Such minutes, after being approved by the Council (except any closed or closed session portion), shall be open to public inspection. The City Secretary shall provide an index showing the action



of the Council in regard to all matters before to it at both regular and special meetings. A recording or “certified agenda” of each closed or closed session shall be made and maintained as required by State law.

- 2.4 Questions to Contain One Subject. All questions submitted for a vote shall contain only one subject. If two or more subjects are involved, any Councilmember may require a division, if the subjects can be reasonably divided.
- 2.5 Right to the Floor. Subject to Section 8.5, any Councilmember or member of City staff desiring to speak shall be recognized by the Mayor (or the presiding officer in the Mayor’s absence) at an appropriate time and shall confine his/her remarks to the subject under consideration or to be considered.
- 2.6 City Manager. The City Manager or the Acting City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council but shall have no vote. The City Manager shall be notified of all special meetings of the Council.
- 2.7 City Attorney. The City Attorney shall attend all meetings of the Council as required by the Council or as requested by the City Manager, and shall, upon request of the Council or the City Manager, give an opinion, either written or oral, on questions of law.
- 2.8 City Secretary. The City Secretary or the Deputy City Secretary shall attend all meetings of the Council, unless excused, and shall keep the official minutes.
- 2.9 Officers and Employees. Any officer or employee of the City, when requested by the City Manager, shall attend meetings of the Council. If requested to do so by the City Manager, they shall present information relating to matters before the Council.
- 2.10 Rules of Order. Part 8 of these Rules shall govern the proceedings of the Council.
- 2.11 Suspension of Rules. Any provision of these Rules not required by the Charter or State law may be temporarily suspended by a majority vote of the Councilmembers who are present. The vote of each person on any such suspension shall be entered in the minutes.
- 2.12 Amendment to Rules. These Rules may be amended, or new rules adopted, by a duly adopted ordinance.
- 2.13 Matters Not Addressed by Rules. Issues of the conduct or procedure of public meetings not addressed by these Rules, the Charter, or State law shall be determined by the Mayor (or the presiding officer in the Mayor’s absence).

### **ARTICLE 3. TYPES OF MEETINGS**

- 3.1 Regular Meetings. The Council shall hold regularly scheduled meetings as provided by the Code of Ordinances, Part II, Section 2-2. The Council may also hold regularly scheduled meetings which may be designated by the Council as “workshop” sessions.



- 3.2 Special Meetings. Special meetings may be called by the Mayor, the City Manager, or any three (3) members of the Council. The call for a special meeting shall be filed with the City Secretary in written form, except that announcement of a special meeting during any regular meeting at which all members are present shall be sufficient notice of such special meeting. The call for a special meeting shall specify the day, hour, and place of the special meeting and shall identify the subject or subjects to be considered.
- 3.3 Recessed Meetings. Subject to State law, any meeting of the Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular meeting.
- 3.4 Adjourned Meetings. Any meeting of the Council that has been adjourned may not be reconvened except by a motion to reconsider prior to any Councilmember's departure from the Council chamber. See Sections 9.3 and 9.4.
- 3.5. Closed Sessions. Closed sessions may only be held in accordance with state law.
- 3.6 Emergency Meetings. In case of emergency or urgent public necessity, an emergency meeting may be called as a special meeting as set forth in Section 3.2, however, an emergency meeting may not be held unless authorized by, and notice is given in accordance, with State law.

#### **ARTICLE 4. PRESIDING OFFICER AND DUTIES**

- 4.1 Mayor. The Mayor, if present, shall preside as Mayor at all meetings of the Council. In the absence of the Mayor, the Mayor Pro-Tem shall preside. In the absence of both the Mayor and the Mayor Pro-Tem, the most senior Councilmember (by time of service on the Council) present shall be the chairperson.
- 4.2 Call to Order. Each meeting of the Council shall be called to order by the Mayor, or in the Mayor's absence, by the Mayor Pro-Tem. In the absence of both the Mayor and the Mayor Pro-Tem, the meeting shall be called to order by the most senior Councilmember (by time of service on the Council) present.
- 4.3 Preservation of Order. The presiding officer shall preserve order and decorum, prevent personalities from becoming involved during debate or the impugning of members' motives, and confine Councilmembers in debate to the question under discussion.
- 4.4 Rulings by Presiding Officer. The presiding officer shall rule on points of privilege, points of procedure or order, and withdrawals of motions, subject to the right of any member to appeal to the Council as set forth in Article 9 of these Rules. See Sections 9.3, 9.4, 9.5, 9.6, and 9.8.
- 4.5 Questions to be Stated. The presiding officer shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken on all votes.
- 4.6 Substitution of Mayor. In the event the Mayor must relinquish the chair, the Mayor shall call upon the Mayor Pro-Tem to preside if the Mayor Pro-Tem is present. If the Mayor



Pro-Tem is not present, the Mayor may call upon the most senior Councilmember (by time of service on the Council) present to preside, but such substitution shall not continue beyond adjournment of that meeting.

## **ARTICLE 5. APPOINTMENT PROCEDURES**

### Article 5 Section 5.1 Appointment Procedure for the Mayor Pro Tem.

- (a) The Council will discuss, and with a majority vote, appoint the Councilmember to serve as the Mayor Pro Tem for the City.
- (b) The appointed Mayor Pro Tem must be a Councilmember and must meet the qualifications of Section 4.02 of the City Charter. In addition, to be appointed to the position of Mayor Pro Tem, a Councilmember must be an elected member of Council and a member in good standing.
- (c) Term dates for the Mayor Pro Tem position will begin in February and August of each year (the election dates offset by three (3) months). Terms will sequentially rotate according to Councilmember place.
- (d) If the Councilmember place that is up for appointment as Mayor Pro Tem is vacant or is held by a Councilmember who is not qualified to serve as Mayor Pro Tem, the Mayor Pro Tem appointment will go to the next qualified Councilmember.
- (e) The position will have a term of office of six (6) months.
- (f) The appointed Mayor Pro Tem may be removed by Council by a two-thirds (2/3) majority vote of the members of Council at any time during his or her term.
- (g) Council reserves the right to alter this procedure at any time by resolution or rule.

### 5.1 Appointment Procedure for a Councilmember.

- (a) The Council may appoint a Councilmember to a vacant seat as authorized by Section 4.06 of the City Charter.
- (b) The Council will announce and advertise on the City's website and in the City's newspaper of record that applications are being accepted for a vacant position on Council.
- (c) A due date for applications to be submitted will be set.
- (d) Applicants must meet the qualifications for a Councilmember set forth in Section 4.02 of the City Charter.
- (e) Applications will be received by the City Secretary's office and distributed to all Councilmembers.



- (f) An interview date will be set and posted for a public meeting.
- (g) Interviews of prospective candidates will be held in a public forum by a quorum of Councilmembers.
- (h) Councilmembers will discuss, and appoint by majority vote, the new member of Council at either the same meeting as the interviews or at a subsequent Council meeting.
- (i) The Council is the final judge of whether a candidate is qualified to serve as a Councilmember as set forth in Section 4.03 of the City Charter.
- (j) Council reserves the right to alter this procedure at any time by resolution or rule.

## ARTICLE 6. ORDER OF BUSINESS

- 6.1 Agenda. The City Manager and the City Secretary shall prepare an agenda for each meeting of the Council. Items may be placed on the agenda by the City Manager (or in his absence any Assistant City Manager), the Mayor, or any Councilmember, except that a Councilmember directing that an item or items be placed on an agenda must do so in open session, during a properly posted meeting of the Council. Items placed on the agenda by the City Manager (or in his absence any Assistant City Manager) may be removed only by the City Manager (or any Assistant City Manager) and he/she may do so at any time that permits the agenda for the Council meeting to be properly posted by the City Secretary's Office under the Texas Open Meetings Act. Items placed on an agenda by the Mayor may be removed only by the Mayor, and he/she may do so at any time that permits the agenda for the Council meeting to be properly posted by the City Secretary's Office under the Texas Open Meetings Act. Items placed on the agenda by a Councilmember may be removed only by that specific Councilmember, and he/she may do so at any time that permits the agenda for the Council meeting to be properly posted by the City Secretary's Office under the Texas Open Meetings Act.
- (a) Information Required. Any item to be on the agenda must be provided to the City Manager pursuant to a procedure established and modified by the City Manager from time to time. Each item on the agenda must contain sufficient information so that full disclosure of the item to be addressed is present so as to alert the Council and the public of the topic to be considered.
  - (b) Order of Listing Items; Sponsor and Responsible Staff. The agenda shall list all items for consideration in a format recommended by the City Manager. The name of the person or persons placing an item on the agenda and the name of any expected staff presenter shall be stated on the agenda.
  - (c) Copy Provided to Mayor and Council Members. The City Secretary shall furnish the Mayor and each Councilmember a copy of the agenda, including the proposed ordinances, resolutions, petitions, notices, or other materials as required. Copies of attachments and background material will generally be provided for the initial



presentation only and should be retained by the Mayor and the Councilmembers until such time as the item is finalized.

- (d) Copy Available to Public. A copy of the agenda, with or without attachments as determined by the City Manager, shall be made available to the public at City Hall prior to the meeting. Copies of the agenda shall be available to the public at the meeting.
  - (e) Order; Exception. The ordinances, resolutions, and other proposed actions shall be taken up and disposed of by the Council in the order listed in the agenda, subject to the right of the presiding officer to take up matters in a different order.
  - (f) Chair Shall Not Entertain Objections. An agenda item properly placed on a future agenda by a member of Council during open session shall not be subject to objection by another member.
- 6.2 Communication to Mayor and Council. The City Manager shall provide the Council with a copy of each ordinance or resolution and appropriate analysis of items proposed to be acted upon by the Council at a meeting. These communications shall be delivered to the Mayor and Councilmembers along with the agenda. This information should also be retained by the Mayor and Councilmembers until such time as the item is finalized. Staff members, in making presentations to Council at a meeting of the Council, should endeavor to restrict their presentations to five (5) minutes, excluding responses to questions by the Mayor and/or Councilmembers.
- 6.3 Approval of Minutes. Minutes may be approved without public reading if the City Secretary has previously furnished the Mayor and each Councilmember with a copy thereof.
- 6.4 Presentations by Members of Council. The agenda shall provide a time when the Mayor and each Councilmember may bring before the Council any business that person believes should be brought up during the “Requests by Mayor and Councilmembers” and “Announcements by Mayor and Councilmembers” portions of the agenda. These matters need not be specifically listed on the agenda unless the person desiring to make a comment knows prior to posting of the agenda that he/she will make such comment. In response to an unposted comment, there (1) may only be a statement of factual information in response, (2) a recitation of existing City policy, or (3) discussion regarding a proposal to place the subject on the agenda for a subsequent meeting.
- 6.5 Consent Agenda. At the direction of the City Manager (or in his absence an Assistant City Manager) with respect to items believed to be non-controversial, the City Secretary shall place multiple items on a “Consent Agenda” portion of the agenda, subject to the right of the Mayor or any Councilmember to request at the meeting that any one or more of such items be removed from the Consent Agenda for individual consideration. First readings of ordinances shall in all events be posted for individual consideration and shall not be included on the Consent Agenda.



**ARTICLE 7.**  
**CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS**

- 7.1 Printed, Typewritten, or Electronic Form. All ordinances and resolutions shall be presented to the Council only in printed, typewritten, or electronic form.
- 7.2 City Manager Review. All ordinances and resolutions shall be reviewed by the City Manager or his designee.
- 7.3 City Attorney to Approve. All ordinances and resolutions shall be approved as to form and legal content by the City Attorney, when requested by the Mayor or the City Manager.
- 7.4 Funding. All actions authorizing an expenditure of money shall include the exact source of the funds to be expended.
- 7.5 Reading of Caption Only. Upon being introduced, each proposed ordinance or resolution shall be read by caption only.
- 7.6 Ordinances—Two Readings; Emergencies. Ordinances introduced at a Council meeting shall not be finally acted upon until at least the next regular meeting, except that immediate action may be taken upon an emergency as determined by the Council in accordance the Charter or State law. **Ordinances that do not receive a unanimous vote on first reading shall placed on the discussion portion of the next agenda.**
- 7.7 Recording of Votes. The ayes and nays shall be taken upon the consideration of all ordinances and resolutions and shall be entered in the minutes of the Council.
- 7.8 Vote Required. Approval of every ordinance, resolution, or motion, unless otherwise required by these Rules, the Charter, or State law, shall require the affirmative vote of four (4) Councilmembers who are present and eligible to vote.
- 7.9 Tie Vote. In the event of a tie in votes on any motion, the Mayor shall cast the decisive vote in accordance with Section 4.05 of the Charter. Other Councilmembers acting as presiding officer shall not be restricted to voting only in the event of a tie.
- 7.10 Numbering Ordinances and Resolutions. After approval of a resolution or an ordinance on second reading or on a single reading as an emergency, the City Secretary shall assign a number to each ordinance or resolution within the records of the City.
- 7.11 Ordinance Passage Procedure. After passage, an ordinance shall be signed by the presiding officer and shall be attested by the City Secretary or Deputy City Secretary, and it shall be filed and thereafter preserved in the office of the City Secretary.

**ARTICLE 8.**  
**RULES OF DECORUM**

- 8.1 Recognition by presiding officer. Subject to Section 8.5, No person shall address the Council without first being recognized by the presiding officer.



- 8.2 Order. While the Council is in session, the Councilmembers must preserve the order and decorum of the meeting, and a Councilmember shall neither, by statement or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any other Councilmember while speaking or refuse to obey the orders of the presiding officer. Councilmembers are expected to remain on the dais during a Council meeting unless they have good cause to vacate.
- 8.3 Presiding Officer. The Mayor or the Mayor Pro-Tem or such other member of the Council who is serving as the presiding officer may participate in debate, subject only to such limitations of debate as are the rights and privileges of a Councilmember by reason of such Councilmember acting as the presiding officer. If the presiding officer is engaged in debate and is, at the insistence of four (4) Council members, abusing the position of the presiding officer, the presiding officer must relinquish the chair to the Mayor Pro-Tem, or in his/her absence, to the next most senior Councilmember (by time of service on the Council) present. The Mayor Pro-Tem or such other member, other than the Mayor, who is serving as presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are the rights and privileges of a Councilmember by reason of the member acting as the presiding officer.
- 8.4 Improper References to be Avoided. When a Councilmember has the floor pursuant to Section 2.5 or 8.5, he/she shall avoid all references to personalities and indecorous language.
- 8.5 Interruptions. A Councilmember, once recognized, shall not be interrupted by the Mayor or another Councilmember when speaking unless it is to raise a point of privilege (Section 9.4) or a point of procedure or order (Section 9.5), or to enter a motion to withdraw a previously-stated motion (Section 9.8), or as otherwise provided in these Rules. If a Councilmember, while speaking, is interrupted as set forth herein, the Councilmember so interrupted should cease speaking until the question is determined.

## **ARTICLE 9.**

### **MOTIONS AND MEETING PROCEDURES**

- 9.1 Motions. A Councilmember, after he/she obtains the floor, or the Mayor may make a motion on the particular subject of discussion or a procedural point as permitted. A “Second” to the motion, if required, must be made by a Councilmember who did not make the motion within a reasonable but brief time period. The Mayor may not “Second” a motion. A motion or a “Second” merely implies that the maker of the motion and the person who “Seconds” agree that the motion should come before the meeting and not that he/she necessarily favors the motion. Without a “Second”, if required, the motion dies.
- 9.2 Debate. Debate, if permitted, must be limited to the merits of the issue under discussion as stated by the presiding officer.
- 9.3 Motion Procedures. There are twelve (12) types of motions in three (3) categories: Meeting Conduct Motions (4 types), Disposition Motions (7 types), and Main Motions



(1 type)\*. When any motion is pending, any motion listed above it on the chart below is in order; those below it are out of order.

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 4 Councilmembers	2/3 Vote
<b>A. Meeting Conduct Motions</b>							
1. point of privilege	yes	no	no	no	yes	no	no
2. point of procedure or order	yes	no	no	no	yes	no	no
3. to appeal a ruling	no	yes	yes	no	no	yes	no
4. to recess	no	yes	yes	yes	no	yes	no
<b>B. Disposition Motions</b>							
5. to withdraw	yes	no	no	no	yes	no	no
6. to postpone	no	yes	yes	yes	no	yes	no
7. to refer	no	yes	yes	yes	no	yes	no
8. to amend	no	yes	yes	yes	no	yes	no
9. to limit or close debate or "call the question"	no	yes	yes	yes	no	no	yes
10. to extend debate	no	yes	yes	yes	no	yes	no
11. to count the vote	no	yes	no	no	no**	no	no
<b>C. Main Motions</b>							
12. to reconsider	yes	yes	if original motion was debatable	no	no	yes	no
13. to rescind	no	yes	yes	yes	no	no	yes
14. to take action	no	yes	yes	yes	no	Yes***	no

\*\* Mandatory if seconded; no vote required.

\*\*\* Unless a greater vote is required by the Charter or State Law

9.4 **Point of Privilege.** A point of privilege, sometimes called a point of personal privilege, is a communication from a Councilmember to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an

\* Sections 9.3 through 9.14 are included by permission of Donald A. Tortorice, The Modern Rules of Order, ABA Publishing, 2<sup>nd</sup> Edition.

\*\* Mandatory if seconded; no vote required.



overlooked right of privilege that should have been accorded to the Councilmember(s). In essence, it is a call to the presiding officer for the purpose of assuring a Councilmember's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, it cannot be debated or amended, and no vote is required.

- 9.5 Point of Procedure or Order. A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer, no seconding is required, and either inquiring into the manner of conducting business or raising a question about the propriety of a particular procedure. It is simply an inquiry and is resolved by correction or clarification by the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, a second is not required, and it cannot be debated or amended, and no vote is taken.
- 9.6 To Appeal a Ruling. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Council. Whenever a Councilmember questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given, etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of four (4) Councilmembers is required.
- 9.7 To Recess. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of four (4) Councilmembers is required.
- 9.8 To Withdraw. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Councilmember later can make a similar motion, a withdrawal motion is not subject to debate, amendment, or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand—or a new issue.
- 9.9 To Postpone or Extend. These motions may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Council to deal with the issue more effectively during the same meeting or at a later time. Unless otherwise specifically provided in the motion itself, a postponed or extension motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and



it is amendable (particularly as to postponement, timing), and an affirmative vote of four (4) Councilmembers is required.

- 9.10 To Refer. A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. (See Section 9.14). This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of-four (4) Councilmembers is required.
- 9.11 To Amend. A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments are thus in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of four (4) Councilmembers is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
- 9.12 To Limit or Close Debate or “Call the Question”. Because the extent to which an issue is discussed rests primarily with discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit or close debate is therefore an overruling of the presiding officer’s determination. A motion to close debate is the same as a motion to “call the question”. Because this motion affects the most fundamental right of any Councilmember, the right to speak one’s views, it is the only procedural motion that requires an affirmative vote of two-thirds of participants voting.
- 9.13 To Count the Vote. A motion to count the vote should be limited to those circumstances where the convenient hearing of “yeas” and “nays” cannot clearly resolve the issue. It represents the right of a Councilmember to have a vote demonstrated by count. That count can be directed by the presiding officer either as a showing of hands or a standing of voting members while the vote is recorded. Upon completion of the count, the presiding officer announces the result—and final disposition of the issue voted upon. This motion cannot interrupt a speaker. It requires a second; it is neither debatable nor amendable; and, because of the importance of the matter, it should be considered mandatory; thus, no vote is required.
- 9.14 Motion to Reconsider. Allows a main motion to be brought back before the City Council for consideration. May be made only at the meeting at which the vote to be reconsidered was taken. It may be made by any member of City Council. Any City Council member may second it. It can be made while any other question is pending, even if another member has the floor. It requires a majority vote to pass. A motion may only be reconsidered twice. If the reconsideration is moved while another subject is before the City Council, it cannot interrupt the pending business, but, as soon as the pending business has been disposed of the motion has the preference over all other main motions



and general business of the agenda. In such a case the Mayor does not state the question on the reconsideration until the immediately pending business is completed.

- 9.15 Motion to Rescind. The motion to rescind is a main motion without any privilege, may only be made when there is nothing else before the City Council and must be made at the same meeting at which the subject matter of the motion was considered, and it requires a two-thirds vote of the City Council members. It cannot be made if a motion to reconsider has been previously made. The motion to rescind can be applied to votes on all main motions with the following exceptions: votes cannot be rescinded after something has been done as a result of that vote that the City Council cannot undo; or, where a resignation has been acted upon, or one has been appointed to, or expelled from, a committee or office, and was present or was officially notified. In the case of expulsion, the only way to reverse the action afterwards is to restore the person to the committee or office, which requires the same preliminary steps and vote as is required for the original appointment.
- 9.16 To Take Action; Main Motions. Main motions state proposed policy or action on a substantive issue being considered by the Council. As such, the motion is an initial call to take particular action. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Council are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of four (4) Councilmembers is required unless a greater vote is prescribed by the Charter or State law.
- 9.17 Effect of Abstentions; action on required Abstentions; Effect of non-required Abstentions. The following rules shall apply when a Council Member abstains from voting on an item:

When the Council Member is Legally Obligated to Abstain.

When a Council Member is legally obligated to abstain from voting pursuant to Texas Local Government Code Chapter 171, a local ordinance or the City Charter then the Council Member shall leave the dais and exit City Council Chambers until such time as the debate and vote on the item has been concluded. The City Secretary shall record that the Council Member left the room and abstained from the vote in the official minutes and there shall be no other effect.

When the Council Member as no Legal Obligation to Abstain from Voting.

When a Council Member has no legal obligation to abstain from voting then an abstention shall be recorded in the minutes as an abstention and shall procedurally be treated as a “no” vote.

## **ARTICLE 10. ENFORCEMENT OF DECORUM**

- 10.1 Warning. All persons other than a recognized speaker shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a



person persists in disturbing the meeting, the presiding officer may order the person to leave the meeting. The Chief of Police, or such member or members of the Police Department or other persons as the presiding officer may designate, shall be sergeant-at-arms of the Council meetings. If the person so requested does not leave the meeting, the presiding officer may order the sergeant-at-arms to remove such person.

- 10.2 Removal. Any designated sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the sergeant-at-arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council (or successor provision of law).
- 10.3 Resisting Removal. Any person who resists removal by the sergeant-at-arms shall be charged with violating Section 42.05 (a) of the Texas Penal Code.
- 10.4 Motions to Enforce. Any Council member may move to require the presiding officer to enforce these Rules and the affirmative vote of a majority of the Councilmembers present and eligible to vote shall require the presiding officer to do so.
- 10.5 Adjournment. In the event that any meeting is willfully disturbed by a person or groups of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of the individuals who are creating the disturbance, the meeting may be adjourned and the remaining business considered at the next regular or a special meeting or, subject to State law, may be recessed to a set time and date.

## **ARTICLE 11.**

### **CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS**

- 11.1 Standing Committees. The Council may create committees, boards and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the Charter, the Code of Ordinances, or State law. Membership and selection of members shall be as determined by the Council if not specified by the Charter, the Code of Ordinances, or State law. No person may concurrently serve on more than one Board unless, by virtue of his/her position on the Council, he/she also holds a position on another Board. Persons related within the second degree by affinity or consanguinity to the Mayor or any member of the Council shall not be eligible to serve on a standing committee. No standing committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the Charter, the Code of Ordinances, or State law.
- 11.2 Special Committees. The Council may, as the need arises, authorize the appointment of “ad hoc” Council committees. Except where otherwise specifically provided by the Charter, the Mayor and the City Council shall appoint the members of the special committees. Any committee so created shall be given a “mission statement” directing its activities. Any special committee shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Councilmembers present and entitled to vote.



## **ARTICLE 12. CITIZENS RIGHTS**

- 12.1 Addressing the Council. Any person desiring to address the Council by oral communication shall first secure the permission of the presiding officer.
- 12.2 Manner of Addressing the Council – Time Limit. Each person addressing the Council shall speak at the podium into the microphone (or at another designated location), shall give his/her name and address in an audible tone of voice for the record, and, unless further time is granted by the Council, shall, subject to Section 12.4 below, limit his/her remarks to three (3) minutes or less. A person who addresses the Council through a translator will limit his/her remarks to six (6) minutes or less. All remarks shall be addressed to the Council as a body, and not to any individual member thereof. No person, other than members of the Council or City staff (when requested by the presiding officer) and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council, unless requested or approved by the presiding officer. No questions shall be asked the Councilmembers, except through the presiding officer. Responses to questions may be limited as required by State law.
- 12.3 Personal and Slanderous Remarks. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous, either while addressing the Council or otherwise while in attendance at a Council meeting, may be requested to leave the meeting, pursuant to Article 10 of these Rules, and may be removed from the meeting if necessary for the conduct of the remainder of the meeting. This is not intended to prohibit public criticism of the Council, including criticism of any act, omission, policy, procedure, program, or service unless such is otherwise prohibited by law.
- 12.4 Public Hearings. After being recognized by the presiding officer, interested persons, or their authorized representatives, may address the Council with respect to the subject matter of a public hearing being conducted. The presiding officer may establish procedures at a public hearing to limit the amount of time (which, unless modified by the presiding officer, shall be as set forth in Section 12.2 above) interested persons may speak, subject to the Councilmembers' right to appeal the presiding officer's ruling pursuant to Section 9.6. Subject to modification by the presiding officer, and subject to the Councilmembers' right of appeal pursuant to Section 9.6, the normal order of a public hearing is as follows: (i) the opening of the hearing and the establishment, if any, of a modified public hearing procedure by the presiding officer; (ii) address to the Council by any interested person(s); (iii) discussion by the Mayor and Councilmembers, including requests for information from City staff or any person(s) who addressed the Council; and (iv) action by the Council, if any is posted on the agenda relating to the hearing.
- 12.5 Written Communications. Interested persons, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail or by addressing the City Secretary, who shall, on the request of the writer, distribute copies to the Councilmembers.



- 12.6 Hearing of Residents. There shall be included on the agenda of each City Council meeting, prior to any items listed on the agenda for action to be taken, an item labeled "Hearing of Residents". After being recognized by the presiding officer, members of the public (giving precedence to residents of the City) may address the Council on items on or not on the agenda at that time, providing they have completed the "Hearing of Residents" form, unless authorized by the presiding officer. The form shall be made available to persons wishing to address the Council prior to the calling of the meeting to order and such completed form shall be made available to the presiding officer prior to the calling of the meeting to order. The persons signed up for "Hearing of Residents" must speak during the "Hearing of Residents" portion of the meeting. Councilmembers and members of City staff may not discuss unpasted items nor take any action thereon other than to (1) make a statement of factual information, (2) make a statement of existing City policy, or (3) discuss placing the item on a future agenda. Persons speaking shall be subject to the time limits set forth in Section 12.2, unless otherwise authorized by the presiding officer.

### **ARTICLE 13. COUNCIL AND STAFF RELATIONS**

- 13.1 City Manager to Provide Information. The City Manager is directly responsible for providing information to all the Councilmembers concerning any inquiries by a specific Councilmember. If the City Manager or his staff's time is being dominated or misdirected by a Councilmember, it is his responsibility to inform the Mayor or the Council as a whole.
- 13.2 City Manager's Responses to Requests. The City Manager is expected to respond in a timely manner to the Council and Councilmember's requests. When information is requested, the City Manager will estimate a reasonable time frame for collecting the requested information.
- (a) If the City Manager disagrees with the request, he should say so and explain his position.
  - (b) If the City Manager disagrees with individual directives, he should initiate clarification of the Council's will with regard to the individual Councilmember's request.
  - (c) The City Manager may delegate responsibility for the response as necessary and appropriate, but the City Manager will be responsible for its receipt by the Council in a timely manner.
  - (d) The City Manager should maintain a checklist and timetable for requests and other directives of the Council.
  - (e) All Councilmembers will be provided the same written information when any matter under consideration may be of general concern to the Council. There will be no preferential dissemination of information by the City Manager or his staff.



- 13.3 Directions to City Manager. During meetings of the Council, unless a vote is taken, a consensus of the Councilmembers present will be required to direct the City Manager to take any action.
- 13.4 City Manager's Duty to Inform. The City Manager is responsible for keeping the Council informed. The Council should be provided weekly reports outlining progress on outstanding issues as well as information on new issues and opportunities. Additionally, the Council should be informed of City news prior to release of such information to the community, newspaper(s), or other governmental entities, etc.
- 13.5 Customer Concerns. It is the responsibility of the City Manager to establish procedures for handling customer concerns in all departments with prompt feedback to citizens and Councilmembers.
- 13.6 City Manager/Council Relations. The City Manager should strive to maintain positive relations with the Council by following these guidelines:
- (a) Work to establish mutual trust with the Council.
  - (b) Maintain open lines of communication with the Council and keep Council informed.
  - (c) Inform all Councilmembers of educational opportunities, recognizing that an educated Council is in the City's best interest.
  - (d) Include the Council in City-sponsored employee social events.
  - (e) Conduct orientation sessions for new Councilmembers, including a tour of City buildings and introductions to staff.

\* \* \*

Amended: July 13, 2021



## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 13, 2021

**Department:** City Secretary

**Subject:** Resolution No. 21-R-64 – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas calling the November 2, 2021, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and approving the Comal County Agreement/Memorandum of Understanding, Bexar County Agreement/Memorandum of Understanding and the Guadalupe County Election Contract. (B. Dennis/Council)

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### BACKGROUND

The attached Resolution calls the November 2, 2021 Joint and Schertz General Election to elect Councilmembers in Places 6 and 7, for a three-year term to begin November 2021 and ending November 2024.

The City Secretary's office took the lead to begin working with the different entities about the future of elections in our jurisdictions, many of which are in more than one County. Discussions have revolved around these entities to sign agreements each with Comal, Bexar, and Guadalupe counties for their respective elections. There are several benefits by holding Joint Elections:

- Entities will divide the costs proportionately thereby creating a savings to each entity
- Utilize common Early Voting and Election Day poll locations/Vote Centers (Comal/Guadalupe)
- Utilize common Voting Equipment
- Utilize common Voting Clerks (Comal/Guadalupe)
- Reduce Voter confusion and difficulty by having several locations in our three counties during Early Voting and during Election Day
- Utilization of Vote Centers for Comal, Bexar and Guadalupe County on election day.

On Election Night, the City Secretary will take the unofficial results from the counties and tally the results for posting at City Hall on their outside bulletin board and on the City website.

Action on this item will authorize Staff to finalize agreements with all three counties and their respective Election Administrators/County Clerk to conduct our City Election, as well as finalize a Joint Elections Contracts with other entities. Due to Counties not meeting with their Commissioners Courts for approval, the Counties have yet to finalize their Early Voting and Election Day locations, a draft to the resolution (Exhibit A and Exhibit B) are attached. Once the final Early Voting and Election Day locations for the Counties are received, the City Secretary will provide a written update to Council, as well as post these locations on our website, and outside on our city bulletin board.

The City Secretary has posted the Notice of Filing for Application for Place on the November 2, 2021, Schertz General Election ballot information on the City's website, bulletin board, and in the Schertz magazine. The first day to file for Place on the November 2, 2021, Schertz General Election ballot is Saturday, July 17, 2021, but since City Offices are closed the date moves to Monday, July 19, 2021. The last day to file for Place on the November 2, 2021, Schertz General Election ballot is Monday, August 16, 2021, by 5:00 p.m. Candidate packets are available online, and it is encouraged that those interested view the information. The packet can also be obtained in the City Secretary's office, 1400



Schertz Parkway, Building #2.

Comal County, Bexar County, and Guadalupe County will meet with their Commissioners Court to approve their Early Voting Locations and Election Day Vote Center Locations. All Counties will be utilizing Vote Center Locations on Election Day. This means that any Comal County, Bexar County, or Guadalupe County registered voter can vote at any of their County Election Day Locations, regardless of the precinct in which they reside.

## **GOAL**

To successfully call the November 2, 2021, Schertz General Election and execute appropriate documents with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct our election.

## **COMMUNITY BENEFIT**

To hold Joint Elections with the various entities for the November 2, 2021, Schertz General and Joint Elections and other Special Elections with the Comal County Clerk, the Election Administrators of Bexar and Guadalupe Counties thus utilizing several common Early Voting and Election Day Vote Centers for all our registered voters. This will save taxpayer's money with different entities holding elections during this time and sharing costs.

## **SUMMARY OF RECOMMENDED ACTION**

It is recommended Council approve Resolution No. 21-R-64 calling the November 2, 2021, City of Schertz Joint General Election and approving contracts with the Comal County Clerk and the Elections Administrators of Guadalupe and Bexar County to conduct the election and approving joint election agreements.

## **FISCAL IMPACT**

Estimated Costs are:

\$ 3,000 to \$3,500 Bexar County  
\$ 3,000 Comal County  
\$32,092.50 for Guadalupe County  
\*Total \$38,092.50

Estimated cost for publication of election notice both in English and Spanish is \$6, 000 - (last years cost was \$5,714.75). Total estimated cost \$44,092.50 for the election.

## **RECOMMENDATION**

It is recommended Council approve Resolution No. 21-R-64 calling the November 2, 2021, City of Schertz Joint General Election and approving contracts with the Comal County Clerk and the Elections Administrators of Guadalupe and Bexar County to conduct the election and approving joint election agreements.

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### **Attachments**

Res 21-R-64

Exhibit A



Exhibit B  
Cost Estimates

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## NOTICE OF ELECTION

THE STATE OF TEXAS                   §  
   §  
COUNTIES OF GUADALUPE, COMAL §  
AND BEXAR                           §  
   §  
CITY OF SCHERTZ

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TO THE RESIDENT, QUALIFIED VOTERS OF THE  
  
CITY OF SCHERTZ, TEXAS

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TAKE NOTICE that an election will be held in the City of Schertz, Texas on November 2, 2021, in obedience to a Resolution duly entered by the City Council of the City of Schertz on July 13, 2021, which Resolution reads substantially as follows:



## RESOLUTION NO. 21-R-64

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CALLING AN ELECTION TO BE HELD ON NOVEMBER 2 , 2021 FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR PLACE 6, AND PLACE 7 FOR A THREE YEAR TERM AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AUTHORIZING CONTRACTS WITH THE COUNTY CLERK OF COMAL COUNTY AND THE ELECTIONS ADMINISTRATORS OF BEXAR AND GUADALUPE COUNTIES TO CONDUCT THIS ELECTION; AUTHORIZING THE ELECTION TO BE HELD AS A JOINT ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, pursuant to Section 9.01(a) of the Home Rule Charter (the “Charter”) of the City of Schertz, Texas (the “City”), the regular City election shall be held annually on the uniform election date in November, or at such other times as may be authorized or specified by State Law, at which time officers will be elected to fill those offices which become vacant that year; and

WHEREAS the terms of the offices of Councilmembers for Places 6, and Place 7 ends in November 2021 and those offices will become vacant at that time. Therefore, the City is required to conduct an election in November 2021, to fill these vacancies; and

WHEREAS, the City will hold its election jointly in the counties of Comal, Bexar, and Guadalupe with the Schertz-Cibolo-Universal City Independent School District (the “District”), the City of Cibolo, Cibolo Creek Municipal Authority, and other entities pursuant to a joint election agreement between said entities as authorized by Section 271.002 of the Texas Election Code, as amended (the “Code”).

WHEREAS, the City Council of the City (the “Council”) hereby finds and determines that holding a Joint General Election on November 2, 2021, which is the uniform election date in November prescribed under the Texas Election Code, for the purpose of electing Councilmembers for Place 6, and Place 7 is in accordance with the provisions of the City's Charter and is in the best interest of the citizens of the City; and

WHEREAS, the Council hereby finds and determines that a Joint General Election should be held in the City on November 2, 2021, for the purpose of electing the Councilmembers for Place 6, and Place 7 for a three-year term; and

WHEREAS the City will contract with the Comal County Clerk and the Election Administrators for Bexar and Guadalupe County Elections (collectively, the “Elections Administrators”) to conduct this election; and



WHEREAS, the City Secretary shall publish, and post notice of this election as required by applicable law.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:**

Section 1. An election shall be held on November 2, 2021 in and throughout the City, for the purpose of electing the Councilmembers for Place 6, and Place 7 which places are currently held by (i) Councilmember Allison Heyward – Place 6, and (ii) Councilmember Tim Brown – Place 7 for a three-year term to expire November 2024.

Section 2. The City will hold a Joint General Election with the Schertz- Cibolo- Universal City Independent School District (the “District”), the City of Cibolo, and other entities, as provided pursuant to the provisions of a joint election agreements between Comal County, Bexar County, and Guadalupe County and the City of Schertz, adopted in accordance with the provisions of Section 271.002 of the Texas Election Code, as amended (the “**Code**”).

Section 3. At said election, the candidate receiving the most votes for Councilmember for Place 6, and Place 7, respectively, shall be declared elected for a term to expire in November 2024. Any candidate desiring to have his or her name on the Official Ballot for said General Election shall, no sooner than Saturday, July 17, 2021, but since City Offices are closed the date moves to Monday, July 19, 2021, and no later than Monday, August 16, 2021 at 5:00 p.m., file with the City Secretary an application in writing in the form prescribed by the Texas Election Code requesting that his or her name be placed on the Official Ballot and declaring as a Candidate for Councilmember for either Place 6, or for Place 7.

Any person failing to file said written application for candidacy by the time aforesaid shall not be entitled to have his or her name printed on the Official Ballot. The name of all eligible candidates whose applications have been duly and timely filed shall be placed on the ballot pursuant to a drawing as provided by law.

Section 4. Pursuant to Section 61.012, Texas Election Code, as amended, the City shall provide at least one accessible voting system in each polling place used in the election. Such voting system shall comply with Texas and Federal Laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Touch screen machines may be used for Early Voting and Election Day Voting by personal appearance. Certain Early Voting may be conducted by mail. The County Clerk of Comal County and the Bexar and Guadalupe County Elections Administrators shall also utilize a Central Counting Station (the “**Station**”) as provided by Section 127.001, et seq., Texas Election Code, as amended. Comal County Clerk Bobbie Koepp, Bexar County Election Administrator Jacque Callanen, and Guadalupe County Election Administrator Lisa Hayes, will serve as the Managers and Presiding Judges of the Stations, will appoint the Election Judges and Station Clerks for each Station location and will establish a written plan for the orderly operation of the Station locations in accordance with the provisions of the Texas Election Code. The County Clerk and the Elections Administrators will appoint the Tabulation Supervisors which will also serve as the Programmers for the Stations.



Lastly, the County Clerk and the Elections Administrators will publish notice and conduct testing on the automatic tabulation equipment relating to the Stations and conduct instruction for the officials and clerks for the Stations in accordance with the provisions of the Texas Election Code.

Section 5. The City Election Early Voting Locations established for this election shall be named on **Exhibit A** attached hereto. A list of the City Election Precincts/Vote Centers and the polling places designated for each such election precinct are identified on **Exhibit B** to this Resolution, and this exhibit is incorporated by reference for all purposes. At least 79 days prior to Election Day, or as soon thereafter as is reasonably practicable, the City acting through the Mayor, the City Manager, or the designee thereof, in coordination with the Administrator, or the designee thereof, as necessary or desirable, will appoint the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Administrator, the City, and the Participants to the extent permitted by applicable law.

Each Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to act as clerks to properly conduct the election. However, if the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the Clerks. The appointment of such clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election. In the absence of the Presiding Judge named above, the Alternate Presiding Judge shall perform the duties of the Presiding Judge.

The election shall be held at the Precincts and Vote Center Locations listed on **Exhibit B** on Tuesday, November 2, 2021, as prescribed by applicable law, and, on the day of the election, the polls shall be open from 7:00 a.m. to 7:00 p.m.

The Comal County Clerk's Office, 396 N. Seguin Avenue County Office, the Bexar County Elections Office, 1103 S. Frio, Suite 100 San Antonio, Texas 78207, and the Guadalupe County Elections Office, 215 S. Milam Street, Seguin, Texas 78155 are hereby designated as the main Early Voting places at which early voting shall be conducted for those living respectively in Bexar, Comal, and Guadalupe Counties. Bobbie Koepp, Comal County Clerk (whose mailing address is 396 N. Seguin Avenue, New Braunfels, Texas 78130, Jacquelyn Callanen, the Elections Administrator of Bexar County (whose mailing address is 1103 S. Frio, Suite 100 San Antonio, Texas 78207), and Lisa Hayes, the Elections Administrator of Guadalupe County (whose mailing address is 215 S. Milam Street Seguin, Texas 78155 or PO Box 1346, Seguin Texas 78156-1346) are hereby appointed as the Early Voting Clerks to conduct such early voting in the election in accordance with the provisions of the Texas Election Code. Each Early Voting Clerk shall appoint not less than two (2) Deputy Early Voting Clerks in accordance with the provisions of the Texas Election Code.

Early voting shall be conducted from Monday, October 18, 2021, through Friday, October 29, 2021, with some exceptions of certain Saturdays, Sundays, and official State holidays. The locations and hours for the early voting are attached to this Resolution on **Exhibit A**.



Applications for ballots by mail must be received by the Early Voting Clerks of the appropriate Counties not later than the close of business on Friday, October 22, 2021.

An Early Voting Ballot Board for each County is hereby established for the purpose of processing early voting results. Bobbie Koepp Comal County Clerk, Jacquelyn Callanen, Elections Administrator of Bexar County, and Lisa Hayes, Elections Administrator of Guadalupe County will appoint the Presiding Judges of the applicable Early Voting Ballot Board. Each Presiding Judge shall appoint not less than two (2) nor more than ten (10) resident qualified voters of the applicable County to serve as members of the applicable Early Voting Ballot Board.

Section 6. The anticipated fiscal impact of conducting the election is currently estimated to be \$44,092.50.

Section 7. All resident qualified voters of the City shall be permitted to vote at any of the Early Voting locations designated in Comal, Bexar or Guadalupe County. On Election Day, such voters shall vote at any Polling Place/Vote Centers located in their designated election county (Comal, Bexar and Guadalupe). The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

Section 8. A substantial copy of this Resolution shall serve as a proper notice of the election. This notice, including a Spanish translation thereof, shall be posted (i) at City Hall not less than 21 days prior to Election Day; (ii) at three additional public places within the City not less than 21 days prior to Election Day; (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the City's internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the City's internet website not less than 21 days prior to Election Day; (v) and published in a newspaper of general circulation in the City, not more than thirty (30) days, and not less than fourteen (14) days prior to the day of the election for two successive weeks.

Section 9. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into one or more joint election agreements with other governmental organizations in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 10. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into contracts with the County Clerk and Elections Administrators to conduct the election in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 12. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordered herein.



Section 13. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 14. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Resolution would have been enacted without such invalid provision. The Council hereby authorizes the Mayor and the City Secretary of the City to make such technical modifications to this Resolution that are necessary for compliance with applicable Texas or Federal Law or to carry out the intent of this Council, as evidenced herein.

Section 15. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 16. This Resolution shall be in force and effect from and after its final passage and any publication required by law.

\* \* \* \*

PASSED, APPROVED, AND ADOPTED on this 13th day of July 2021.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis TRMC, MMC, CPM, City Secretary

(SEAL OF CITY)



**DRAFT**  
**JOINT CONSTITUTIONAL AMENDMENT, GENERAL, SPECIAL AND BOND  
ELECTIONS**  
**NOVEMBER 2, 2021**

**THE HOURS OF EARLY VOTING WILL BE:**

Mon., Oct. 18 thru Fri., Oct. 22 ..... 8:00 a.m. to 6:00 p.m.  
Sat., Oct. 23, 2021 ..... 10:00 a.m. to 6:00 p.m.  
Sun., Oct. 24, 2021 ..... 12:00 noon – 6:00 p.m.  
Mon., Oct. 25 thru Wed., Oct. 27..... 8:00 a.m. to 6:00 p.m.  
Thurs., Oct. 28 thru Fri., Oct. 29..... 8:00 a.m. to 8:00 p.m.

**October 18, 2021 – October 29, 2021**

SUN	MON	TUES	WED	THURS	FRI	SAT
17	18 *****	19 *****	20 *****	21 *****	22 *****	23 ***** ****
24 *****	25 *****	26 *****	27 *****	28 *****	29 *****	30
31	1	2 ELECTION DAY				

Legend: \*\*\*\*\* Indicates dates open for early voting

**Main Early Voting Location:**

**BEXAR COUNTY ELECTIONS DEPARTMENT.....1103 S. Frio**  
**DEAF LINK available for the hearing impaired**

**In addition to the main early polling place, early voting will be conducted at the following locations:**

\*\*\*\*\***BEXAR COUNTY JUSTICE CENTER.....300 Dolorosa**  
**BROOKHOLLOW LIBRARY.....530 Heimer Road**  
**CASTLE HILLS CITY HALL... (COMMUNITY ROOM).....209 Lemonwood Dr.**  
**CLAUDE BLACK CENTER ..... 2805 East Commerce**  
**CODY LIBRARY.....11441 Vance Jackson**  
**COLLINS GARDEN LIBRARY..... 200 North Park**  
**CONVERSE CITY HALL..... 405 S. Seguin Rd**  
**COPERNICUS COMMUNITY CENTER..... 5003 Lord Rd.**  
**ENCINO BRANCH LIBRARY..... 2515 East Evans Rd**



GREAT NORTHWEST LIBRARY.....9050 Wellwood  
 HENRY A. GUERRA, JR. LIBRARY.....7978 W Military Drive  
 JOHN IGO LIBRARY..... 13330 Kyle Seale Parkway  
 JOHNSTON LIBRARY ..... 6307 Sun Valley Drive  
 JULIA YATES SEMMES LIBRARY @ Comanche Lookout Park..... 15060 Judson Road  
 LAS PALMAS LIBRARY.....515 Castroville Road  
 LEON VALLEY CONFERENCE CENTER.....6421 Evers Rd  
 LION'S FIELD.....2809 Broadway  
 MAURY MAVERICK, JR. LIBRARY.....8700 Mystic Park  
 MCCRELESS LIBRARY..... 1023 Ada Street  
 MEMORIAL LIBRARY..... 3222 Culebra  
 MISSION LIBRARY..... 3134 Roosevelt Ave.  
 NORTHSIDE ACTIVITY CENTER.....7001 Culebra  
 OLMOS PARK CITY HALL.....120 El Prado W  
 PARMAN LIBRARY @Stone Oak..... 20735 Wilderness Oak  
 PRECINCT 1 SATELLITE OFFICE..... 3505 Pleasanton Rd.  
 PRECINCT 3 SATELLITE OFFICE..... 320 Interpark Blvd.  
 SCHAEFER LIBRARY.....6322 US Hwy 87 E  
 SHAVANO PARK CITY HALL... (COUNCIL CHAMB)..... 900 Saddletree Ct  
 SOMERSET ISD ADMIN BLDG .....7791 6th St., Somerset  
 SOUTH PARK MALL.....2310 S.W. Military  
 SOUTHSIDE ISD ADMIN. BLDG..... 1460 Martinez-Losoya Rd.  
 TOBIN LIBRARY @OAKWELL..... 4134 Harry Wurzbach  
 UNIVERSAL CITY LIBRARY..... 100 Northview Dr  
 WINDCREST TAKAS PARK CIVIC CENTER..... 9310 Jim Seal Dr.  
 WONDERLAND MALL OF THE AMERICAS @ CROSSROADS .....4522 Fredericksburg

\*\*\*\*\* Early Voting Will not be conducted on Saturday or Sunday or after 6:00 pm on  
 weekdays.

subject to change

For more information contact the office of the Bexar County Elections Administrator,  
 Jacquelyn F. Callanen, at (210) 335-VOTE (8683)



**DRAFT**  
**EXHIBIT A**  
**EARLY VOTING LOCATIONS**  
**COMAL COUNTY, TEXAS**  
**2021 JOINT CONSTITUTIONAL AMENDMENT, GENERAL/SPECIAL ELECTIONS**  
**November 2, 2021**

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Location, Dates, and Hours of Main Early Voting Polling Location

**\*\*MAIN LOCATION:** Comal County Elections Office  
396 N. Seguin Ave.  
New Braunfels, TX 78130

**DATES and HOURS:** October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 7 a.m. to 7 p.m.

\*\*Emergency and Limited ballots available at this location only.

Location, Dates, and Hours of Temporary Branch Early Voting Polling Locations

Mammen Family Public Library 131 Bulverde Crossing Bulverde Texas 78163	October 18-22, 2021 -8 a.m. to 5 p.m. October 23, 2021 – 7 a.m. to 7 p.m. October 24, 2021 – 1 p.m. to 6 p.m. October 25-29, 2021 7 a.m. to 7 p.m.
Comal County Offices - Goodwin Annex 1297 Church Hill Drive New Braunfels, Texas 78130	October 18-22, 2021 -8 a.m. to 5 p.m. October 23, 2021 – 7 a.m. to 7 p.m. October 24, 2021 – 1 p.m. to 6 p.m. October 25-29, 2021 7 a.m. to 7 p.m.
St. Francis by the Lake Episcopal Church 121 Spring Mountain Dr. Canyon Lake, Texas 78133	October 18-22, 2021 -8 a.m. to 5 p.m. October 23, 2021 – 7 a.m. to 7 p.m. October 24, 2021 – 1 p.m. to 6 p.m. October 25-29, 2021 7 a.m. to 7 p.m.
Comal County Offices - Bulverde Annex 30470 Cougar Bend Bulverde, Texas 78163	October 18-22, 2021 -8 a.m. to 5 p.m. October 23, 2021 – 7 a.m. to 7 p.m. October 24, 2021 – 1 p.m. to 6 p.m. October 25-29, 2021 7 a.m. to 7 p.m.
Garden Ridge City Hall 9400 Municipal Parkway Garden Ridge, Texas 78266	October 18-22, 2021 -8 a.m. to 5 p.m. October 23, 2021 – 7 a.m. to 7 p.m. October 24, 2021 – 1 p.m. to 6 p.m. October 25-29, 2021 7 a.m. to 7 p.m.

Applications for Ballot by Mail shall be mailed to: Bobbie Koepp, Early Voting Clerk, 396 N. Seguin Ave., New Braunfels, Texas 78130.

Applications for Ballots by Mail must be received no later than the close of business on October 22, 2021.



**GUADALUPE COUNTY**

**DRAFT**

**Exhibit A**

**NOVEMBER 2, 2021**

**(2 DE NOVIEMBRE, 2021)**

**GENERAL AND SPECIAL ELECTIONS  
(ELECCION GENERALALES Y ESPECIALES)**

**Early Voting Dates and Hours**

**(Fechas y Horarios de Votación Anticipada)**

**Monday, October 18<sup>th</sup> through Friday, October 22<sup>nd</sup>, 2021.....8:00 a.m. to 5:00 p.m.**

*Lunes, 18 de Octubre hasta el Viernes, 22 de Octubre de 2021.....8:00 de la mañana a las 5:00 de la tarde*

**Saturday, October 23<sup>d</sup>, 2021.....7:00 a.m. to 7:00 p.m.**

*Sabado, 23 de Octubre de 2021.....7:00 de la mañana a las 7:00 de la tarde*

**Sunday, October 24<sup>th</sup>, 2021.....1:00 p.m. to 6:00 p.m.**

*Domingo, 24 de Octubre de 2021.....1:00 de la tarde a las 6:00 de la tarde*

**Monday, October 25<sup>th</sup> through Friday, October 29<sup>th</sup>, 2021 .....7:00 a.m. to 7:00 p.m.**

*Lunes, 25 de Octubre de 2021 hasta el Viernes, 29 de Octubre de 2021.....7:00 de la mañana a las 7:00 de la tarde*

**Main Early Voting Polling Location**

**(Lugar Principal de Votación Anticipada)**

**SEGUIN ELECTIONS OFFICE**

215 S. Milam St., Seguin, TX 78155

Emergency and Limited ballots available only at the main location. *(Boletas limitadas y de emergencia solamente están disponibles en este lugar.)*

**Locations of Branch Early Voting Polling Locations**

**(Lugar de las Sucursales de Votación para la Votación Anticipada)**

**CIBOLO FIRE STATION #2**

3864 Cibolo Valley Dr., Cibolo, TX 78108

**CENTRAL TEXAS TECHNOLOGY CENTER**

2189 FM 758, New Braunfels, TX 78130

**GRACE CHURCH**

3240 FM 725, New Braunfels, TX 78130

**NEW BERLIN CITY HALL**

9180 FM 775, New Berlin, TX

**SCHERTZ ELECTIONS OFFICE ANNEX**

1101 Elbel Road, Schertz, TX 78154

**Applications for Ballot by Mail shall be mailed to:** *(Las solicitudes para boletas que se votaran adelantada por correo deberan enviarse a:)* Lisa Hayes, Elections Administrator, P. O. Box 1346, Seguin, TX 78156-1346. **Applications for Ballots by Mail must be received no later than the close of business on October 22, 2021.** *(Las solicitudes para boletas que se votaran adelantada por correo deberan recibirse para el fin de las horas de negocio el 22 de Octubre 2021.)*



## EARLY VOTING LOCATIONS

### COMAL COUNTY, TEXAS

#### 2021 JOINT CONSTITUTIONAL AMENDMENT, GENERAL/SPECIAL ELECTIONS

November 2, 2021

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#### Location, Dates, and Hours of Main Early Voting Polling Location

**\*\*MAIN LOCATION:** Comal County Elections Office  
396 N. Seguin Ave.  
New Braunfels, TX 78130

**DATES and HOURS:** October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 -7 a.m. to 7 p.m.

**\*\*Emergency and Limited ballots available at this location only.**

#### Location, Dates, and Hours of Temporary Branch Early Voting Polling Locations

Mammen Family Public Library  
131 Bulverde Crossing  
Bulverde Texas 78163

October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 -7 a.m. to 7 p.m.

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Comal County Offices -  
Goodwin Annex  
1297 Church Hill Drive  
New Braunfels, Texas 78130

October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 - 7 a.m. to 7 p.m.

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St. Francis by the Lake  
Episcopal Church  
121 Spring Mountain Dr.  
Canyon Lake, Texas 78133

October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 -7 a.m. to 7 p.m.

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Comal County Offices -  
Bulverde Annex  
30470 Cougar Bend  
Bulverde, Texas 78163

October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 -7 a.m. to 7 p.m.

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Garden Ridge City Hall  
9400 Municipal Parkway  
Garden Ridge, Texas 78266

October 18-22, 2021 -8 a.m. to 5 p.m.  
October 23, 2021 – 7 a.m. to 7 p.m.  
October 24, 2021 – 1 p.m. to 6 p.m.  
October 25-29, 2021 -7 a.m. to 7 p.m.



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Applications for Ballot by Mail shall be mailed to: Bobbie Koepp, Early Voting Clerk, 396 N. Seguin Ave., New Braunfels, Texas 78130.

Applications for Ballots by Mail must be received no later than the close of business on October 22, 2021.



**RAFT Election Day Vote Centers Joint Constitutional Amendment, General and Special Election November 2, 2021**

VOTING CENTER	*LOCATION	ADDRESS	CITY, STATE	ZIP CODE
VC 1	San Antonio Housing Authority	818 S. Flores	San Antonio, TX	78204
VC 2	St. Leo Catholic Church (Hall)	4423 S. Flores	San Antonio, TX	78214
VC 3	Burbank High School	1002 Edwards St.	San Antonio, TX	78204
VC 4	St. James Catholic Church	907 W. Theo Ave.	San Antonio, TX	78225
VC 5	Graebner Elementary School	530 Hoover Ave.	San Antonio, TX	78225
VC 6	John Glenn Elementary School	2385 Horal Dr.	San Antonio, TX	78227
VC 7	Adams Elementary School	135 E. Southcross	San Antonio, TX	78214
VC 8	Mission Library	3134 Roosevelt Ave	San Antonio, TX	78214
VC 9	Wright Elementary School	115 E. Huff Ave.	San Antonio, TX	78214
VC 10	Rayburn Elementary School	635 Rayburn Dr.	San Antonio, TX	78221
VC 11	Collier Elementary School	834 W. Southcross	San Antonio, TX	78211
VC 12	Pease Middle School	201 Hunt Ln.	San Antonio, TX	78245
VC 13	Dwight Middle School	2454 W. Southcross	San Antonio, TX	78211
VC 14	Brentwood Middle School	1626 W. Thompson Pl.	San Antonio, TX	78226
VC 15	Gardendale Elementary School	1731 Dahlgreen Ave.	San Antonio, TX	78237
VC 16	Ralph Langley Elementary School	14185 Bella Vista	San Antonio, TX	78253
VC 17	Johnston Library	6307 Sun Valley Dr.	San Antonio, TX	78227
VC 18	Frank Madla Elementary School	6100 Royalgate Dr.	San Antonio, TX	78242
VC 19	Five Palms Elementary School	7138 Five Palms Dr.	San Antonio, TX	78242
VC 20	Divine Providence Catholic Church	5667 Old Pearsall Rd	San Antonio, TX	78242
VC 21	Miguel Carrillo, Jr. Elementary School	500 Price Ave.	San Antonio, TX	78211
VC 22	Palo Alto Elementary School	1725 Palo Alto Rd	San Antonio, TX	78211
VC 23	South San Antonio High School	7535 Barlita Blvd.	San Antonio, TX	78224
VC 24	Ramirez Community Center	1011 Gillette Blvd.	San Antonio, TX	78224
VC 25	South Park Mall	2310 SW Military Dr.	San Antonio, TX	78224
VC 26	Vestal Elementary School	1111 W. Vestal Pl.	San Antonio, TX	78221
VC 27	Gillette Elementary School	625 Gillette Blvd.	San Antonio, TX	78221
VC 28	Precinct 1 Satellite Office	3505 Pleasanton Rd.	San Antonio, TX	78221
VC 29	Kingsborough Middle School	422 Ashley Rd.	San Antonio, TX	78221
VC 30	Virginia Myers Elementary School	3031 Village Pkwy	San Antonio, TX	78251



VC 31	City of Sandy Oaks Municipal Building	4451 Hickory Haven	Elmendorf, TX	78112
VC 32	Mission Del Lago Community Center	2301 Del Lago Pkwy	San Antonio, TX	78221
VC 33	Texas A&M San Antonio Mays Center	One University Way	San Antonio, TX	78224
VC 34	Bob Hope Elementary School	3022 Reforma Dr.	San Antonio, TX	78211
VC 35	Somerset ISD Central Office	7791 6th St.	Somerset, TX	78069
VC 36	Southwest ISD Admin Building	11914 Dragon Ln.	San Antonio, TX	78252
VC 37	Adams Hill Elementary School	9627 Adams Hill Dr.	San Antonio, TX	78245
VC 38	Ott Elementary School	100 N Grosenbacher	San Antonio, TX	78253
VC 39	Alan Shepard Middle School	5558 Ray Ellison Blvd.	San Antonio, TX	78242
VC 40	Lowell Middle School	919 Thompson Pl.	San Antonio, TX	78226
VC 41	Dr. Winn Murnin Elementary School	9019 Dugas	San Antonio, TX	78251
VC 42	Hatchett Elementary School	10700 Ingram Rd.	San Antonio, TX	78245
VC 43	Blue Skies of Texas West	5100 John D. Ryan Blvd.	San Antonio, TX	78245
VC 44	Big Country Elementary School	2250 Pue Rd.	San Antonio, TX	78245
VC 45	Lewis Elementary School	1000 Seascape	San Antonio, TX	78251
VC 46	Mary Hull Elementary School	7320 Remuda St.	San Antonio, TX	78227
VC 47	Westwood Terrace Elementary School	2315 Hackamore Lane	San Antonio, TX	78227
VC 48	Meadow Village Elementary School	1406 Meadow Way Dr.	San Antonio, TX	78227
VC 49	Henry A Guerra, Jr. Library	7978 Military Drive W	San Antonio, TX	78227
VC 50	Perales Elementary School	1507 Ceralvo St.	San Antonio, TX	78237
VC 51	Mission Academy	9210 South Presa	San Antonio, TX	78223
VC 52	Spicewood Park Elementary School	11303 Tilson Dr.	San Antonio, TX	78224
VC 53	Vale Middle School	2120 N. Ellison Dr	San Antonio, TX	78251
VC 54	Northwest Vista College Pecan Hall	3535 N. Ellison Dr.	San Antonio, TX	78251
VC 55	Evers Elementary School	1715 Richland Hills Dr.	San Antonio, TX	78251
VC 56	Ed Cody Elementary School	10403 Dugas Dr.	San Antonio, TX	78245
VC 57	Freedom Elementary School	3845 S Loop 1604 E	San Antonio, TX	78264
VC 58	Carlos Coon Elementary School	3110 Timber View Dr.	San Antonio, TX	78251
VC 59	Southside ISD Admin Bldg (Board Room)	1460 Martinez-Losoya Rd.	San Antonio, TX	78221
VC 60	Galm Elementary School	1454 Saxon Hill	San Antonio, TX	78253
VC 61	Bobbie Behlau Elementary School	2355 Camplight Way	San Antonio, TX	78245
VC 62	Raba Elementary School	9740 Raba	San Antonio, TX	78251
VC 63	Mary Michael Elementary School	3155 Quiet Plain	San Antonio, TX	78245
VC 64	Lieck Elementary School	12600 Reid Ranch	San Antonio, TX	78245



VC 65	Mireles Elementary School	12260 Rockwall Mill	San Antonio, TX	78253
VC 66	John Hoffmann Elementary School	12118 Volunteer Parkway	San Antonio, TX	78253
VC 67	Cole Elementary School	13185 Tillman Ridge	San Antonio, TX	78253
VC 68	Bexar County Elections	1103 S Frio	San Antonio, TX	78207
VC 69	Lanier High School	1514 W. Cesar E. Chavez Blvd	San Antonio, TX	78207
VC 70	Margil Elementary School	1000 Perez St.	San Antonio, TX	78207
VC 71	Crockett Elementary School	2215 Morales St.	San Antonio, TX	78207
VC 72	Shepherd King Lutheran Church	303 W. Ramsey Rd.	San Antonio, TX	78216
VC 73	Las Palmas Library	515 Castroville Rd.	San Antonio, TX	78237
VC 74	Fenwick Elementary School	1930 Waverly Ave.	San Antonio, TX	78228
VC 75	Gus Garcia Middle School	3306 Ruiz St.	San Antonio, TX	78228
VC 76	Collins Garden Library	200 N. Park Blvd.	San Antonio, TX	78204
VC 77	Edgewood Gym	4133 Eldridge Ave.	San Antonio, TX	78237
VC 78	Wrenn Middle School	627 S. Acme Rd.	San Antonio, TX	78237
VC 79	Memorial Branch Library	3222 Culebra Rd.	San Antonio, TX	78228
VC 80	Huppertz Elementary School	247 Bangor St.	San Antonio, TX	78228
VC 81	Woodlawn Hills Elementary School	110 W. Quill Dr.	San Antonio, TX	78228
VC 82	Longfellow Middle School	1130 E. Sunshine Dr.	San Antonio, TX	78228
VC 83	Pat Neff Middle School	5227 Evers Rd.	San Antonio, TX	78228
VC 84	Joe Ward Recreation Center	435 E Sunshine Dr.	San Antonio, TX	78228
VC 85	Sarah King Elementary School	1001 Ceralvo St.	San Antonio, TX	78207
VC 86	Storm Elementary School	435 Brady Blvd	San Antonio, TX	78207
VC 87	Laurel Heights United Methodist Church	227 W. Woodlawn Ave.	San Antonio, TX	78212
VC 88	Blessed Sacrament Catholic Church	108 Shannon Lee	San Antonio, TX	78216
VC 89	Huisache Avenue Baptist Church	1339 W. Huisache Ave.	San Antonio, TX	78201
VC 90	Villarreal Elementary School	2902 White Tail Dr	San Antonio, TX	78228
VC 91	Esparza Elementary School	5700 Hemphill Dr.	San Antonio, TX	78228
VC 92	Stafford Elementary School	415 S.W. 36th St.	San Antonio, TX	78237
VC 93	Woodlawn Academy	1717 W. Magnolia Ave.	San Antonio, TX	78201
VC 94	Young Women's Leadership Academy	2123 W. Huisache Ave.	San Antonio, TX	78201
VC 95	Linton Elementary School	2103 Oakhill Rd.	San Antonio, TX	78238
VC 96	Northside Activity Center	7001 Culebra Rd.	San Antonio, TX	78238
VC 97	Powell Elementary School	6003 Thunder Dr.	San Antonio, TX	78238
VC 98	Bexar County Justice Center	300 Dolorosa	San Antonio, TX	78205



VC 99	Edison High School	701 Santa Monica Dr.	San Antonio, TX	78212
VC 100	Kenwood Community Center	305 Dora St.	San Antonio, TX	78212
VC 101	Alamo Stadium Convocation Center	110 Tuleta Dr.	San Antonio, TX	78212
VC 102	Westminster Square	1838 Basse Rd.	San Antonio, TX	78213
VC 103	Whittier Middle School	2101 Edison Dr.	San Antonio, TX	78201
VC 104	Maverick Elementary School	107 Raleigh Pl.	San Antonio, TX	78201
VC 105	Leon Valley City Hall	6400 El Verde Rd.	Leon Valley, TX	78238
VC 106	San Antonio M.U.D #1	16450 Wildlake	Helotes, TX	78023
VC 107	Dellview Elementary School	7235 Dewhurst Rd.	San Antonio, TX	78213
VC 108	Ward Elementary School	8400 Cavern Hill	San Antonio, TX	78254
VC 109	Great Northwest Library	9050 Wellwood	San Antonio, TX	78250
VC 110	Community Alliance Traffic Safety (CATS)	7719 Pipers Lane	San Antonio, TX	78251
VC 111	Barkley-Ruiz Elementary School	1111 S. Navidad St.	San Antonio, TX	78207
VC 112	Brauchle Elementary School	8555 Bowens Crossing	San Antonio, TX	78250
VC 113	West Avenue Elementary School	3915 West Ave.	San Antonio, TX	78213
VC 114	Nichols Elementary School	9560 Braun Rd.	San Antonio, TX	78254
VC 115	Jimmy Elrod Elementary School	8885 Heath Circle Dr.	San Antonio, TX	78250
VC 116	Knowlton Elementary School	9500 Timber Path	San Antonio, TX	78250
VC 117	Olmos Elementary School	1103 Allena Dr.	San Antonio, TX	78213
VC 118	Jefferson High School	723 Donaldson Ave.	San Antonio, TX	78201
VC 119	Maury Maverick, Jr. Library	8700 Mystic Park	San Antonio, TX	78254
VC 120	Westfall Branch Library	6111 Rosedale Ct.	San Antonio, TX	78201
VC 121	Carson Elementary School	8151 Old Tezel Rd.	San Antonio, TX	78250
VC 122	Timberhill Villa Retirement Center	5050 Timberhill	San Antonio, TX	78238
VC 123	Trinity United Methodist Church	6800 Wurzbach Rd.	San Antonio, TX	78240
VC 124	Burke Elementary School	10111 Terra Oak	San Antonio, TX	78250
VC 125	Kuentz Elementary School	12303 Leslie Rd.	Helotes, TX	78023
VC 126	Fernandez Elementary School	6845 Ridgebrook St.	San Antonio, TX	78250
VC 127	Ogden Elementary School	2215 Leal St.	San Antonio, TX	78207
VC 128	Fields Elementary School	9570 FM 1560	San Antonio, TX	78254
VC 129	Coke Stevenson Middle School	8403 Tezel Rd.	San Antonio, TX	78254
VC 130	Wonderland of the Americas	4522 Fredericksburg Rd	San Antonio, TX	78201
VC 131	Leon Valley Elementary School	7111 Huebner Rd.	San Antonio, TX	78240
VC 132	Dr. Pat Henderson Elementary School	14605 Kallison Bend	San Antonio, TX	78254



VC 133	Northwest Church of Christ	9681 W. Loop 1604 N.	San Antonio, TX	78254
VC 134	Scarborough Elementary School	12280 Silver Pointe	San Antonio, TX	78254
VC 135	Northwest Crossing Elementary School	10255 Dover Rdg.	San Antonio, TX	78250
VC 136	Dean H. Krueger Elementary School	9900 Wildhorse Parkway	San Antonio, TX	78254
VC 137	Ridgeview Elementary School	8223 McCullough Ave.	San Antonio, TX	78216
VC 138	Connally Middle School	8661 Silent Sunrise	San Antonio, TX	78250
VC 139	Mead Elementary School	3803 Midhorizon Dr.	San Antonio, TX	78229
VC 140	Health Careers High School	4646 Hamilton Wolfe Rd.	San Antonio, TX	78229
VC 141	Las Lomas Elementary School	20303 Hardy Oak Blvd	San Antonio, TX	78258
VC 142	Leon Valley Conference Center	6427 Evers Rd.	San Antonio, TX	78238
VC 143	John Marshall High School	8000 Lobo Ln.	San Antonio, TX	78240
VC 144	Roan Forest Elementary School	22710 Roan Park	San Antonio, TX	78259
VC 145	Encino Library	2515 E. Evans Rd	San Antonio, TX	78259
VC 146	Colonial Hills United Methodist Church	5247 Vance Jackson	San Antonio, TX	78230
VC 147	Colonies North Elementary School	9915 Northampton	San Antonio, TX	78230
VC 148	Fair Oaks Ranch City Hall	7286 Dietz Elkhorn Rd.	Fair Oaks Ranch, TX	78015
VC 149	Olmos Park City Hall	120 El Prado Dr. W	Olmos Park, TX	78212
VC 150	Terrell Hills City Hall	5100 N. New Braunfels	Terrell Hills, TX	78209
VC 151	Rudder Middle School	6558 Horn Blvd.	San Antonio, TX	78240
VC 152	Alamo Heights City Hall	6116 Broadway St.	San Antonio, TX	78209
VC 153	Alzafar Shrine Auditorium Terrace Room	901 N Loop 1604 W	San Antonio, TX	78232
VC 154	Carnahan Elementary School	6839 Babcock	San Antonio, TX	78249
VC 155	Scobee Elementary School	11223 Cedar Park	San Antonio, TX	78249
VC 156	M. H. Specht Elementary School	25815 Overlook Pkwy	San Antonio, TX	78260
VC 157	Lopez Middle School	23103 Hardy Oak Blvd.	San Antonio, TX	78258
VC 158	Woodridge Elementary School	100 Woodridge	San Antonio, TX	78209
VC 159	Grey Forest Community Center	18249 Sherwood Trail	Grey Forest, TX	78023
VC 160	Barbara Bush Middle School	1500 Evans Rd.	San Antonio, TX	78258
VC 161	Alamo Heights United Methodist Church	825 E. Basse	San Antonio, TX	78209
VC 162	Healing Place Church	28703 IH 10 W	Boerne, TX	78006
VC 163	Clark High School	5150 De Zavala Rd.	San Antonio, TX	78249
VC 164	Ed Rawlinson Middle School	14100 Vance Jackson	San Antonio, TX	78249
VC 165	Grace Bible Chapel	18911 Redland Rd.	San Antonio, TX	78259
VC 166	Regency Place Elementary School	2635 MacArthur View	San Antonio, TX	78217



VC 167	Precinct 3 Satellite Office	320 Interpark Blvd	San Antonio, TX	78216
VC 168	Harmony Hills Elementary School	10727 Memory Lane	San Antonio, TX	78216
VC 169	Castle Hills City Hall	209 Lemonwood	Castle Hills, TX	78213
VC 170	Larkspur Elementary School	1802 Larkspur	San Antonio, TX	78213
VC 171	Adante Independent Living	2702 Cembalo Blvd.	San Antonio, TX	78230
VC 172	Hunters Creek Racquet Club	3630 Hunters Circle St.	San Antonio, TX	78230
VC 173	Cody Library	11441 Vance Jackson Rd.	San Antonio, TX	78230
VC 174	Woods of Shavano Community Club	13838 Parksite Woods St.	San Antonio, TX	78249
VC 175	Shavano Park City Hall	900 Saddletree Ct.	Shavano Park, TX	78231
VC 176	Brookhollow Library	530 Heimer Rd.	San Antonio, TX	78232
VC 177	Wetmore Elementary School	3250 Thousand Oaks	San Antonio, TX	78247
VC 178	St. Mark's the Evangelist Catholic Church	16316 San Pedro	San Antonio, TX	78232
VC 179	Oak Meadow Elementary School	2800 Hunters Green	San Antonio, TX	78231
VC 180	Bulverde Creek Elementary School	3839 Canyon Parkway	San Antonio, TX	78259
VC 181	Timberwood Park Elementary School	26715 S. Glenrose	San Antonio, TX	78260
VC 182	Thousand Oaks Elementary School	16080 Henderson Pass	San Antonio, TX	78232
VC 183	Hill Country Village City Hall	116 Aspen Lane	Hill Country Village, T	78232
VC 184	Hollywood Park City Hall	2 Mecca Dr.	Hollywood Park, TX	78232
VC 185	Vineyard Ranch Elementary School	16818 Huebner Rd.	San Antonio, TX	78258
VC 186	Leon Springs Elementary School	23881 IH 10 W	San Antonio, TX	78257
VC 187	Monroe S. May Elementary School	15707 Chase Hill Blvd.	San Antonio, TX	78256
VC 188	Bob Beard Elementary School	8725 Sonoma Parkway	Helotes, TX	78023
VC 189	Steubing Ranch Elementary School	5100 Knoll Creek	San Antonio, TX	78247
VC 190	Faith Lutheran Church	14819 Jones Maltsberger Rd.	San Antonio, TX	78247
VC 191	Semmes Library	15060 Judson Rd.	San Antonio, TX	78247
VC 192	Helotes Elementary School	13878 Riggs Rd.	Helotes, TX	78023
VC 193	Rhodes Elementary School	5714 North Knoll	San Antonio, TX	78240
VC 194	Redland Oaks Elementary School	16650 Red Land Rd.	San Antonio, TX	78247
VC 195	Longs Creek Elementary School	15806 O'Connor Rd.	San Antonio, TX	78247
VC 196	Oak Hills Terrace Elementary School	5710 Cary Grant Dr.	San Antonio, TX	78240
VC 197	Hartman Center II - Building One	1202 W. Bitters Bldg 1	San Antonio, TX	78216
VC 198	Hardy Oak Elementary School	22900 Hardy Oak Blvd	San Antonio, TX	78258
VC 199	Tuscany Heights Elementary School	25001 Wilderness Oak	San Antonio, TX	78258
VC 200	Cibolo Green Elementary School	24315 Bulverde Green	San Antonio, TX	78261



VC 201	First Chinese Baptist Church	5481 Prue Rd.	San Antonio, TX	78240
VC 202	Thornton Elementary School	6450 Pembroke	San Antonio, TX	78240
VC 203	UTSA H.E.B Student Union Rm. 1.002	1 UTSA Circle	San Antonio, TX	78249
VC 204	Blossom Athletic Center	12002 Jones Maltsberger Rd.	San Antonio, TX	78216
VC 205	Ellison Elementary School	7132 Oak Dr.	San Antonio, TX	78256
VC 206	McDermott Elementary School	5111 USAA Blvd.	San Antonio, TX	78240
VC 207	Church of Reconciliation-Episcopal	8900 Starcrest	San Antonio, TX	78217
VC 208	Churchill High School	12049 Blanco Rd.	San Antonio, TX	78216
VC 209	Carl Wanke Elementary School	10419 Old Prue Rd.	San Antonio, TX	78249
VC 210	Stone Oak Elementary School	21045 Crescent Oaks	San Antonio, TX	78258
VC 211	Tejeda Middle School	2909 E. Evans Rd	San Antonio, TX	78259
VC 212	Murray E. Boone Elementary School	6614 Spring Time Dr	San Antonio, TX	78249
VC 213	Aue Elementary School	24750 Baywater Stage	San Antonio, TX	78255
VC 214	Parman Library	20735 Wilderness Oak	San Antonio, TX	78258
VC 215	Huebner Elementary School	16311 Huebner Rd.	San Antonio, TX	78249
VC 216	Tex Hill Middle School	21314 Bulverde Rd.	San Antonio, TX	78259
VC 217	Dr. Hector P. Garcia Middle School	14900 Kyle Seale Parkway	San Antonio, TX	78255
VC 218	John Igo Library	13330 Kyle Seale Parkway	San Antonio, TX	78249
VC 219	Indian Springs Elementary School	25751 Wilderness Oak	San Antonio, TX	78261
VC 220	Lions Field	2809 Broadway St.	San Antonio, TX	78209
VC 221	San Antonio Central Library	600 Soledad	San Antonio, TX	78205
VC 222	Davis Scott YMCA	1213 Iowa St.	San Antonio, TX	78203
VC 223	Bowden Elementary School	515 Willow St.	San Antonio, TX	78202
VC 224	Young Men's Leadership Academy at Wheatley	415 Gabriel	San Antonio, TX	78202
VC 225	Claude Black Center	2805 E. Commerce	San Antonio, TX	78202
VC 226	Beacon Hill Elementary School	1411 W. Ashby Pl.	San Antonio, TX	78201
VC 227	Japhet Elementary School	314 Astor	San Antonio, TX	78210
VC 228	SAC Victory Center	1819 N. Main Ave.	San Antonio, TX	78212
VC 229	Foster Academy	6718 Pecan Valley	San Antonio, TX	78223
VC 230	Clear Spring Elementary School	4311 Clear Spring	San Antonio, TX	78217
VC 231	Rogers Middle School	314 Galway Dr.	San Antonio, TX	78223
VC 232	Kate Schenck Elementary School	101 Kate Schenck	San Antonio, TX	78233
VC 233	McCreless Library	1023 Ada	San Antonio, TX	78223
VC 234	James Bode Recreation Center	900 Rigsby	San Antonio, TX	78210



VC 235	Smith Elementary School	823 S. Gevers	San Antonio, TX	78203
VC 236	Highland Hills Elementary School	734 Glamis Ave.	San Antonio, TX	78223
VC 237	Pecan Valley Elementary School	3966 E. Southcross	San Antonio, TX	78222
VC 238	Hirsch Elementary School	4826 Seabreeze Dr.	San Antonio, TX	78220
VC 239	Mount Calvary Lutheran Church	308 Mount Calvary Dr.	San Antonio, TX	78209
VC 240	M. L. King Academy	3501 Martin Luther King	San Antonio, TX	78220
VC 241	Cameron Elementary School	3635 Belgium Lane	San Antonio, TX	78219
VC 242	Wilshire Elementary School	6523 Cascade Pl.	San Antonio, TX	78218
VC 243	E. Terrell Hills Elementary School	4415 Bloomdale	San Antonio, TX	78218
VC 244	Tobin Library @ Oakwell	4134 Harry Wurzbach	San Antonio, TX	78209
VC 245	Krueger Middle School	438 Lanark Dr.	San Antonio, TX	78218
VC 246	Riverside Park Elementary School	202 School St.	San Antonio, TX	78210
VC 247	Ed White Middle School	7800 Midcrown Dr.	San Antonio, TX	78218
VC 248	Windcrest Takas Park	9310 Jim Seal Dr.	Windcrest, TX	78239
VC 249	Royal Ridge Elementary School	5933 Royal Ridge Dr.	San Antonio, TX	78239
VC 250	Judson ISD ERC	8205 Palisades Dr	Live Oak, TX	78233
VC 251	Rosewood Rehabilitation & Care Center	7700 Mesquite Pass	Converse, TX	78109
VC 252	Montgomery Elementary School	7047 Montgomery Dr.	San Antonio, TX	78239
VC 253	Kirby City Hall	112 Bauman St.	Kirby, TX	78219
VC 254	Woodlake Elementary School	5501 Lake Bend East	San Antonio, TX	78244
VC 255	Converse City Hall Conference Room #1	405 South Seguin	Converse, TX	78109
VC 256	China Grove City Hall	2412 FM 1516 S.	China Grove, TX	78263
VC 257	St. Hedwig City Hall	13065 FM - 1346	St. Hedwig, TX	78152
VC 258	East Central High School	7173 FM 1628	San Antonio, TX	78263
VC 259	Harmony Elementary School	10625 Green Lake Dr.	San Antonio, TX	78223
VC 260	Elmendorf City Hall	8304 FM 327	Elmendorf, TX	78112
VC 261	Park Village Elementary School	5855 Midcrown	San Antonio, TX	78218
VC 262	Schaefer Library	6322 US Hwy. 87 E.	San Antonio, TX	78222
VC 263	Coronado Village Elementary School	213 Amistad Blvd	Universal City, TX	78148
VC 264	Sam Houston High School	4635 E. Houston	San Antonio, TX	78220
VC 265	Spring Meadows Elementary School	7135 Elm Trail Dr.	San Antonio, TX	78244
VC 266	Salinas Elementary School	10650 Old Cimarron Trl.	Universal City, TX	78148
VC 267	Miller's Point Elementary School	7027 Misty Ridge	Converse, TX	78109
VC 268	El Dorado Elementary School	12634 El Sendero	San Antonio, TX	78233



VC 269	Thousand Oaks El Sendero Library	4618 Thousand Oaks	San Antonio, TX	78233
VC 270	Woodstone Elementary School	5602 Fountainwood	San Antonio, TX	78233
VC 271	Lamar Elementary School	201 Parland	San Antonio, TX	78209
VC 272	Copernicus Comm Center	5003 Lord Rd	San Antonio, TX	78220
VC 273	Ball Academy	343 Koehler Court	San Antonio, TX	78223
VC 274	Ray D Corbett Jr High School(SCUC)	12000 Ray Corbett Dr	Schertz, TX	78154
VC 275	Judson Middle School	9695 Schaefer Rd.	Converse, TX	78109
VC 276	Metzger Middle School	7475 Binz-Engleman Rd.	San Antonio, TX	78244
VC 277	Cotton Elementary School	1616 Blanco Rd.	San Antonio, TX	78212
VC 278	Candlewood Elementary School	3635 Candleglen	San Antonio, TX	78244
VC 279	Paschall Elementary School	6351 Lake View Dr.	San Antonio, TX	78244
VC 280	Olympia Elementary School	8439 Athenian	Universal City, TX	78148
VC 281	Northern Hills Elementary School	13901 Higgins Rd.	San Antonio, TX	78217
VC 282	Stahl Elementary School	5222 Stahl Rd.	San Antonio, TX	78247
VC 283	Universal City Library	100 Northview Dr.	Universal City, TX	78148
VC 284	Elolf Elementary School	6335 Beech Trail Dr.	Converse, TX	78109

**\*Subject to Change**

**DRAFT**



**COMAL COUNTY, TEXAS**  
**2021 CONSTITUTIONAL AMENDMENT ELECTION**  
**(ELECCIÓN DE ENMIENDAS CONSTITUCIONAL DE 2021 EN EL CONDADO DE COMAL, TEXAS)**

**ELECTION PRECINCT AND ELECTION DAY POLLING LOCATIONS**  
**(PRECINTOS DE LA ELECCIÓN Y LUGARES DE VOTACIÓN EL DÍA DE LA ELECCIÓN)**

**Election Day: November 2, 2021**  
*(Día de la Elección: 2 de noviembre de 2021)*

**Election Day Polling Locations Open from 7:00 a.m. to 7:00 p.m.**  
*(El Día de la Elección los lugares de votación estarán abiertos desde las 7 a.m. hasta las 7 p.m.)*

<b>PCT (PCTO)</b>	<b>POLLING PLACE (LUGAR DE VOTACIÓN)</b>	<b>ADDRESS (DIRECCIÓN)</b>	<b>CITY (CIUDAD)</b>
101 and 401	Comal County Senior Citizens Center	655 Landa	New Braunfels
103, 203, and 207	Christ Our King Anglican Church	115 Kings Way	New Braunfels
105, 106, and 107	Vintage Oaks Amenity Center	1250 Via Principale	New Braunfels
201, 202, and 301	Westside Community Center	2932 S. IH 35	New Braunfels
102 and 204	Mammen Family Public Library	131 Bulverde Crossing	Bulverde
205	Jay F. Feibelman Garden Ridge Community Center	9500 Municipal Parkway	Garden Ridge
206 and 208	Bulverde/Spring Branch Fire & EMS @Johnson Ranch	30475 Johnson Way	Bulverde
302 and 303	Comal County Courthouse	100 Main Plaza, Room 101	New Braunfels
304, 305, and 306	Comal County Offices, Goodwin Annex	1297 Church Hill Dr.	New Braunfels
104 and 402	Tye Preston Library	16311 South Access Rd.	Canyon Lake
403	North Shore United Methodist Church	23880 N. Cranes Mill Rd.	Canyon Lake
404, 406, and 407	Christ Presbyterian Church	1620 Common Street	New Braunfels
405	Rebecca Creek Baptist Church	11755 Highway 281 N	Spring Branch



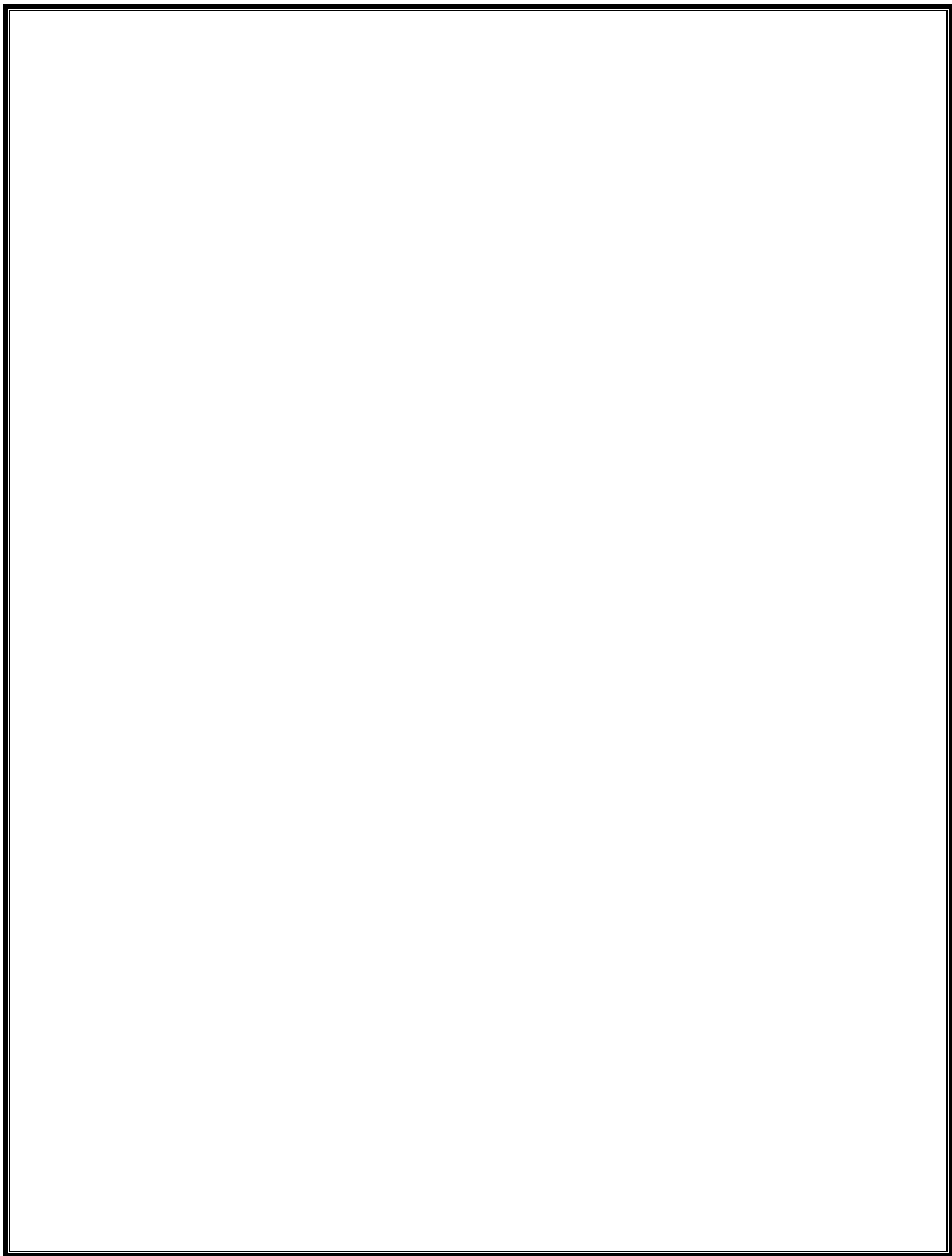
**DRAFT**  
**Exhibit B**

**November 2, 2021**  
**GENERAL ELECTION**  
**Election Day Polling Locations**  
**Polls Open from 7:00 a.m. to 7:00 p.m.**

**Guadalupe County will be using Vote Centers for the November 2, 2021 Elections.**  
**Any Guadalupe County registered voter can vote at any Guadalupe County Election Day Location,**  
**regardless of the precinct in which they reside.**

VC #1	McQueeney Lions Club , 3211 FM 78, McQueeney
VC #2	Vogel Elementary School, 16121 FM 725, Seguin
VC #3	Seguin ISD Admin Bldg., 1221 E. Kingsbury, Seguin (previously Remarkable Healthcare)
VC #4	Forest Hills Baptist Church, 8251 FM 1117, Seguin
VC #5	Justice of the Peace Court, Pct 1, 214 Medical Dr. (Office moved temporarily)
VC #6	Kingsbury United Methodist Church, 7035 FM 2438, Kingsbury
VC #7	Staples Baptist Church, 10020 FM 621, Staples
VC #8	Maranatha Fellowship Hall, 2356 S. Hwy. 80, Luling
VC #9	TLU Alumni Student Center, Conference Rooms A/B, 1109 University St., Seguin (previously Jackson Park Student Activity Center @ TLU)
VC #10	Grace Church, 3240 FM 725, New Braunfels
VC #11	McQueeney VFW Post 9213, 275 Gallagher, McQueeney
VC #12	Columbus Club of Seguin, 1015 S. Austin Street, Seguin
VC #13	Our Lady of Guadalupe Church Annex, 730 N. Guadalupe St. Seguin
VC #14	Westside Baptist Church, 1208 N. Vaughan St., Seguin
VC #15	American Legion Hall, 618 E. Kingsbury, Seguin
VC #16	Geronimo Community Center, 280 Navarro Dr, Geronimo
VC #17	St. Joseph's Mission , 5093 Redwood Rd., San Marcos
VC #18	The Silver Center, 510 E. Court St., Seguin
VC #19	Central Texas Technology Center, 2189 FM 758, Bldg B, Room 157, New Braunfels
VC #20	The Cross Church, 814 N. Bauer, Seguin
VC #21	Santa Clara City Hall, 1653 N. Santa Clara Rd., Santa Clara
VC #22	Marion Dolford Learning Center, 200 W. Schlather Lane, Cibolo
VC #23	Schertz Elections Office, 1101 Elbel Rd., Schertz
VC #24	Schertz United Methodist Church, 3460 Roy Richard Dr., Schertz
VC #25	Selma City Hall, 9375 Corporate Dr., Selma
VC #26	Crosspoint Fellowship Church, 2600 Roy Richard Drive, Schertz
VC #27	Immaculate Conception Catholic Church, 212 N. Barnett St., Marion
VC #28	Schertz Community Center, 1400 Schertz Parkway, Schertz
VC #29	Guadalupe County Services Center, 1052 FM 78, Schertz
VC #30	Schertz Community Center North, 3501 Morning Dr., Cibolo
VC #31	St. John's Lutheran Church, 606 S. Center St., Marion
VC #32	New Berlin City Hall, 9180 FM 775, New Berlin
VC #33	NBISD Transportation Bldg, 2621 Klein Way, New Braunfels (previously Klein Road Elementary School)
VC #34	Cibolo Fire Station #2, 3864 Cibolo Valley Drive, Cibolo -
VC #35	Living Waters Worship Center, 3325 N. State Hwy 46, Seguin







**COMAL COUNTY - ESTIMATE**  
**CITY OF SCHERTZ**  
**NOVEMBER 2, 2021 GENERAL/SPECIAL ELECTION**

ITEM	QUANTITY	COST PER ITEM	TOTAL COST	SCHERTZ TOTAL COST
Rental of Hart Verity Touch and Verity Access Touch 6 -Early Voting and 13 -Election Day Locations	**119	\$150.00	\$17,850.00	<b>\$178.50</b>
Rental of Controller (7-Early Voting and 13-Election Day)	**20	\$150.00	\$3,000.00	<b>\$30.00</b>
Advertise Logic and Accuracy Testing in New Braunfels Herald Zeitung	**		\$145.77	<b>\$1.46</b>
Logic and Accuracy Testing			\$25.00	<b>\$25.00</b>
Coordinating and forwarding all election info to Hart, proofing Verity Screen Shots, etc.			\$50.00	<b>\$50.00</b>
Hart Coding and Audio Fees			\$1,500.00	<b>\$1,500.00</b>
Night Results and prepare Canvass forms			\$50.00	<b>\$50.00</b>
Early Voting and Election Day Kits	**19	\$15.00	\$285.00	<b>\$2.85</b>
Storage of Election Paperwork for time prescribed by law			\$25.00	<b>\$25.00</b>
Election Workers (Judges, Alternate Judges, and Clerks) Early and Election Day per location	** A total of 146 worked the polls for Early Voting and Election Day	Early Voting Judges - \$12 per hr Clerks \$10 per hr 108 hrs each Judge and Clerk-- Election Day 13 hrs each Judge and Clerk	\$47,467.00	<b>\$474.67</b>
Hart Support for Election Day	**		\$2,950.00	<b>\$29.50</b>
Security During Election	**		\$802.55	<b>\$8.03</b>
Early Voting Ballot Board	**1- Judge 2 -Clerks		\$498.00	<b>\$4.98</b>
Processing Ballot by Mail Request, postage, etc.	0	\$1.50	\$0.00	<b>\$0.00</b>
		<b>SUBTOTAL</b>	\$74,648.32	<b>\$2,379.99</b>
Administrative Costs (10% of Total)			\$7,464.83	<b>\$238.00</b>
		<b>GRAND TOTAL</b>	\$82,113.15	<b>\$2,617.99</b>



**COMAL COUNTY - ESTIMATE**  
**CITY OF SCHERTZ**  
**NOVEMBER 2, 2021 GENERAL/SPECIAL ELECTION**

**NOTE: \*\*Equals 1% of Total Cost**



# GUADALUPE COUNTY ELECTIONS OFFICE


## COST ESTIMATE

### CITY OF SCHERTZ, TEXAS

**NOVEMBER 2, 2021  
GENERAL ELECTION**

*Includes all Guadalupe County Early Voting and Election Day Vote Center Locations*

Item #	Costs/Services	Estimate
1.	Ballots (printing, postage, processing of mail ballots; sample and provisional ballots)	\$ 1,000.00
2.	Electronic voting system programming and testing	2,500.00
3.	Publication of Electronic Voting Equipment Test and Notice of Election	50.00
4.	Election kits (Supplies, Maps, Laptops, Printers, Cell Phones, etc.)	500.00
5.	Rental of voting equipment	5,800.00
6.	Preparation and transportation of voting equipment	1,000.00
7.	Polling place rental	150.00
8.	Election Day Personnel	8,000.00
9.	Early Voting Personnel	9,000.00
10.	Early Voting Ballot Board Personnel	1,100.00
11.	Central Counting Station Personnel	75.00
12.	County Election Services Contract Administrative Fee	2,917.50
13.	<b>*TOTAL ESTIMATED ELECTION COSTS:</b>	<b>32,092.50</b>

  
LISA HAYES  
Guadalupe County Elections Administrator  
215 S. Milam St.  
Seguin, TX 78155  
830-303-6363 (Office)  
830-303-6373 (Fax)  
[lisa.hayes@co.guadalupe.tx.us](mailto:lisa.hayes@co.guadalupe.tx.us)

DATE: June 1, 2021

\*Please note, that this is an estimate and subject to change based on the number of jurisdictions contracting for the November Election. Actual Expenses will be billed and may vary from this estimate.

Allocation of costs for the entire election, unless specifically stated otherwise, will be shared between the participating authorities based on a ratio formula involving the total number of registered voters eligible to vote in the Joint Election and the number of registered voters belonging to the participating authorities for the Joint Election. The participating authorities will be responsible for their percentage of the cost or a minimum cost of \$500.00, whichever is greater.



CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 13, 2021  
**Department:** Planning & Community Development  
**Subject:** Ordinance No. 21-S-27- Hold a public hearing, consider and make a recommendation on a request for a Specific Use Permit to allow a monopole tower, telecommunications facility on approximately 0.056 acres of land generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, also known as Guadalupe County Property Identification Numbers 153960, City of Schertz, Guadalupe County, Texas. (B. James / L. Wood / E. Delgado) *First Reading*

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**BACKGROUND**

The applicant is requesting approval of a Specific Use Permit for approximately 0.056 acres in order to construct a 105-foot tall monopole, telecommunications facility. The full subject property is currently developed as the Lockaway Storage mini-warehouse / public storage business located at the intersection of FM 3009 and FM 78. The proposed telecommunications lease area is for an undeveloped 0.056 acres of the property.

Per the UDC Article 16 Definitions, a Monopole Tower is described as: *A self-supporting tower facility composed of a single spire used to support telecommunication antennas. Monopole towers cannot have guy wires or bracing.*

Per the City of Schertz Unified Development Code (UDC) Article 8, Section 21.8.6 *Telecommunications Antennas*, specifically subsection H and table 21.8.6 Antenna Facility Siting Matrix, a proposed Monopole up to 120 feet in height requires a Specific Use Permit to be located on a "Full Commercial" property. Since the subject property is currently zoned General Business District- 2 (GB-2), which is classified as a "Full Commercial" or "FC" property, in relation to UDC Section 21.8.6.G, the applicant has the ability to request for a specific use permit to allow for the construction of the proposed monopole.

Per the applicant submitted "Narrative memo and Letter of Intent" the following information was provided for consideration in relation to the proposed tower and specific site location:

- "Based on the customer demand for wireless in building coverage and the growth rate in Schertz Texas, Verizon Radio Frequency engineers have designated the above site location as a perfect location for a Wireless structure for their customers."
- "The study clearly shows lack of in-building coverage at the Lockaway location, close to the intersection of Roy Richards Drive and SH 78, a major intersection with an interrupted RR crossing."
- This site will be a standard monopole structure, with the capability to serve up to 2 other carriers on the structure, complying with current Schertz code."
- "The Vertical Bridge team has designed the proposed structure to accommodate up to three (3) carriers, again as per code & purpose. Current design is shown as a 105' (top of antenna) height monopole. Verizon will utilize the top centerline at 100'. There is a 10' required height separation from other carriers' antenna."



The applicant also provided numerous maps (attached) demonstrating the need for this tower and showing that no existing structures in the area will meet the need in the area.

Five (5) public hearing notices were mailed to surrounding property owners on June 11, 2021. At the time of this report, staff has received one (1) response in favor of the request and no responses opposed, or neutral to the request. A public hearing notice was published in the "San Antonio Express" on June 23, 2021.

A public hearing was held at the June 23, 2021 Planning and Zoning Commission meeting in which no residents spoke.

## **GOAL**

To allow a monopole tower, telecommunications facility land use by right on approximately 0.056 acres of land.

## **COMMUNITY BENEFIT**

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

## **SUMMARY OF RECOMMENDED ACTION**

### **IMPACT ON EXISTING ADJACENT DEVELOPMENT:**

The subject parcel, specifically the 0.0568 acre lease space is currently undeveloped. The site is surrounded by undeveloped land and land currently developed as part of the Lockaway Storage mini-warehouse / public storage business.

### **CONCEPTUAL SITE PLAN:**

In conjunction with the requested Specific Use Permit, the subject property has gone through the Site Plan Certification process to ensure the proposed monopole- telecommunications facility would be in compliance with all other Unified Development Code regulations. The proposed development includes a 100-foot tall monopole tower, in which the associated equipment will extend an additional five (5) feet for a total of 105 feet in height.

- **Architectural Standards:** The proposed development does not contain any proposed buildings that would require compliance with the Unified Development Code architectural standards. The only proposed structure on site will be the proposed 105-foot tall monopole, telecommunications facility.
- **Parking:** In accordance with Unified Development Code Article 8 Section 21.8.6.C.3: At least one (1) off-street parking space must be provided at each telecommunication tower facility. Based on the proposed site plan reviewed during the certification process, there is one (1) proposed parking space on the subject area lease site that is designed to meet City of Schertz regulations.
- **Screening requirements:** The proposed site plan indicates a six (6) foot high wood privacy fence that encompasses the proposed 0.0568 acre lease site. **Lighting and glare standards:** The applicant will be responsible for complying with UDC Sec. 21.9.11 Lighting and Glare Standards through the building permit process. Additionally, the site will be required to comply with UDC Section 21.8.6.4 which states "No outdoor lighting shall be allowed on any Antenna Facility except lights or lighting that is required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC)."
- **Landscaping:** The site currently has no protected or heritage class trees within the lease area. The proposed site plan indicates that a total of 2 Monterey Oaks will be planted within the lease area, one on each side of the proposed parking space. Additionally, a total of 6 Texas Elbow Bush are



proposed in conjunction with the Monterey Oaks within the landscape islands on each side of the parking space.

- Access and circulation: The site will be provided access through the existing entrance onto FM3009. The associated site plan has been reviewed by the City of Schertz Engineering Department. The proposed site plan was evaluated by TXDOT, which indicated they had no objection to the proposal, since the existing access point was to be utilized.

## **FISCAL IMPACT**

None

## **RECOMMENDATION**

As part of the site plan and specific use permit review process, the exhibits and application were provided to JBSA Randolph for their comment. Based on a letter dated May 11, 2021 a review of the documents had been completed, and JBSA did not object to the proposed telecommunications facility proposed at 200 FM 3009. Although JBSA Randolph did not object to the development, they did provide a letter indicating some considerations for the development. Such as installing anti-perching devices along the top of the structure to prevent/discourage bird species from roosting and loafing on the tower.

The applicant provided all of the required information to submit an SUP application according to UDC Section 21.8.6.J. Staff reviewed the maps and studies submitted and determined that the information met the minimum standard for approval. The applicant was able to demonstrate the need for the tower at the proposed location and was also able to demonstrate that there is not a viable option to co-locate and still meet the need. In exploring the ability to co-locate, the applicant submitted documentation for City Facilities as well as existing private towers (even outside of the City of Schertz City Limit), which Staff concluded met the intent of the UDC Section 21.8.6.J. City Staff also consulted with the City's Telecommunication Antenna Consultant in order for her to provide her review on the application based on her industry experience. The City's Consultant is recommending approval of the application. Finally, City Staff consulted with the City Attorney to fully understand the implications of the Federal Telecommunications Act on this application. Based on the information provided by the City Attorney, City Staff determined that the application met the minimum requirements of the Telecommunications Act through the maps and studies that were submitted demonstrating the need for additional coverage in the area around Elbel Road. Because the application meets the minimum requirements laid out in the Telecommunications Act as well as the UDC, Staff is recommending approval of the SUP as submitted.

This item was heard at the June 23, 2021 Planning and Zoning Commission meeting, in which the Commission provided a unanimous recommendation of approval of the Specific Use Permit request to allow a monopole tower, telecommunications facility land use by right.

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## **Attachments**

Ord. No. 21-S-27

Exhibit A

Specific Use Permit Exhibit

Site Plan Exhibits

Aerial Map

Public Hearing Notice Map

Public Hearing Notice Responses

Applicant Provided- Narrative Memo and Letter of Intent



Applicant Provided- Capacity Offload and Coverage Plots (Provided 05.03.2021)

Applicant Provided- Additional Information provided 06.16.2021

Applicant Provided- Candidate Summary

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## **ORDINANCE NO. 21-S-27**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR A MONOPOLE TOWER, TELECOMMUNICATIONS FACILITY ON APPROXIMATELY 0.056 ACRES OF LAND GENERALLY LOCATED NORTH-EAST OF THE INTERSECTION OF FM 3009 AND FM 78, ALSO KNOWN AS 200 FM 3009, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 153960, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS.**

**WHEREAS**, an application for Specific Use Permit to allow a *Monopole Tower, Telecommunications Facility* land use on approximately 0.056 acres of land generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, more particularly described in Exhibit A attached hereto and incorporated herein by reference, (hereinafter, the “Property”) has been filed with the City; and

**WHEREAS**, the City’s Unified Development Code Section 21.5.11.E. provides for certain conditions to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested specific use permit (the “Conditions”); and

**WHEREAS**, on June 23, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Conditions, hereby makes a recommendation of approval of a Specific Use Permit for a Monopole Tower, Telecommunications Facility land use; and

**WHEREAS**, on July 13, 2021, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:  
THAT:**

Section 1. A Specific Use Permit for 200 FM 3009, more particularly described in the attached Exhibit A, is hereby approved to allow a *Monopole Tower, Telecommunications Facility* land use.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.



Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Approved on first reading the 13<sup>th</sup> day of July, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 27<sup>th</sup> day of July, 2021.

---

Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)





LEASE SITE LEGAL DESCRIPTION  
SITUATED IN THE  
G. MALPAZ SURVEY NO. 67, A-221  
GUADALUPE COUNTY, TEXAS

Being 0.0568 acres (2,474 square feet) of land, out of a called Lot 1, Block 1, Sanders Subdivision, recorded under Volume 8, Page 205-206 Map Records of Guadalupe County, Texas (M.R. G.C.T.), conveyed to Lock Away 200 Roy Richard Drive, LLC, by deed recorded under County Clerk's File Number (C.F.N.) 201899014596 Official Public Records of Guadalupe County, Texas (O.P.R. G.C.T.), said 0.0568 acre tract lying in the G. Malpaz Survey No. 67, Abstract 221 and begin more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod with cap in the south line of the Remainder of a called 23.903 acres, conveyed to A-OK Mini and RV Storage, by deed recorded under Volume 2297, Page 700 O.P.R. G.C.T., also being an angle point of said Lot 1;

THENCE South 80°36'01" West, along the north line of said Lot 1, a distance of 552.33 feet to a point for curvature of said Lot 1;

THENCE along the north line of said Lot 1 and a curve to the right, having a radius of 179.98 feet, a chord bearing of North 86°09'56" West, a distance of 82.42 feet, an arc distance of 83.16 feet to a point of tangency of said Lot 1;

THENCE South 17°36'27" East, a distance of 24.32 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking angle point of a Lease Site, also being the POINT OF BEGINNING;

THENCE South 72°55'53" East, a distance of 33.20 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking the northeast corner of the herein described tract;

THENCE South 09°09'19" East, a distance of 15.28 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking the southeast corner of the herein described tract;

THENCE South 80°49'40" West, a distance of 94.45 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking an internal corner of an Access & Utility Easement, also being the southwest corner of the herein described tract;

THENCE North 09°09'19" West, a distance of 20.30 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking an angle point of said Access & Utility Easement, also being the northwest corner of the herein described tract;





THENCE North 62°04'07" East, a distance of 30.11 feet to a set 5/8 inch iron rod with cap stamped "Core 6657", marking an angle point of the herein described tract;

THENCE North 80°51'50" East, a distance of 36.16 feet to the POINT OF BEGINNING and containing a computed 0.0568 acres (2,474 square feet) of land.

A handwritten signature in black ink, appearing to read "Clemente Turrubiarres Jr.", written over a horizontal line.

Clemente Turrubiarres Jr.  
RPLS No. 6657  
Job No. 20-00834U  
Issue Date: November 18, 2020  
Revised:





[illegible]



SITE PLAN

SCHAEFER LOCKAWAY - VERTICAL BRIDGE

SITE INFORMATION

JURISDICTION: CITY OF SCHERTZ, TEXAS 78154  
QUADALUPE COUNTY

Latitude 29° 33' 38.11" N  
Longitude -98° 15' 13.30" W  
OCCUPANCY: (U – UTILITY)  
ELEVATION: 697’ AMSL  
CURRENT LAND USE: MINI-STORAGE  
LAND USE:TELECOMM. FACILITY/MINI-STORAGE  
ZONING: GB-2

APPLICANT INFORMATION

VINCENT GERARD & ASSOCIATES  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78746  
PHONE: (512) 328-2693

VINCE HUEBINGER

SITE ADDRESS

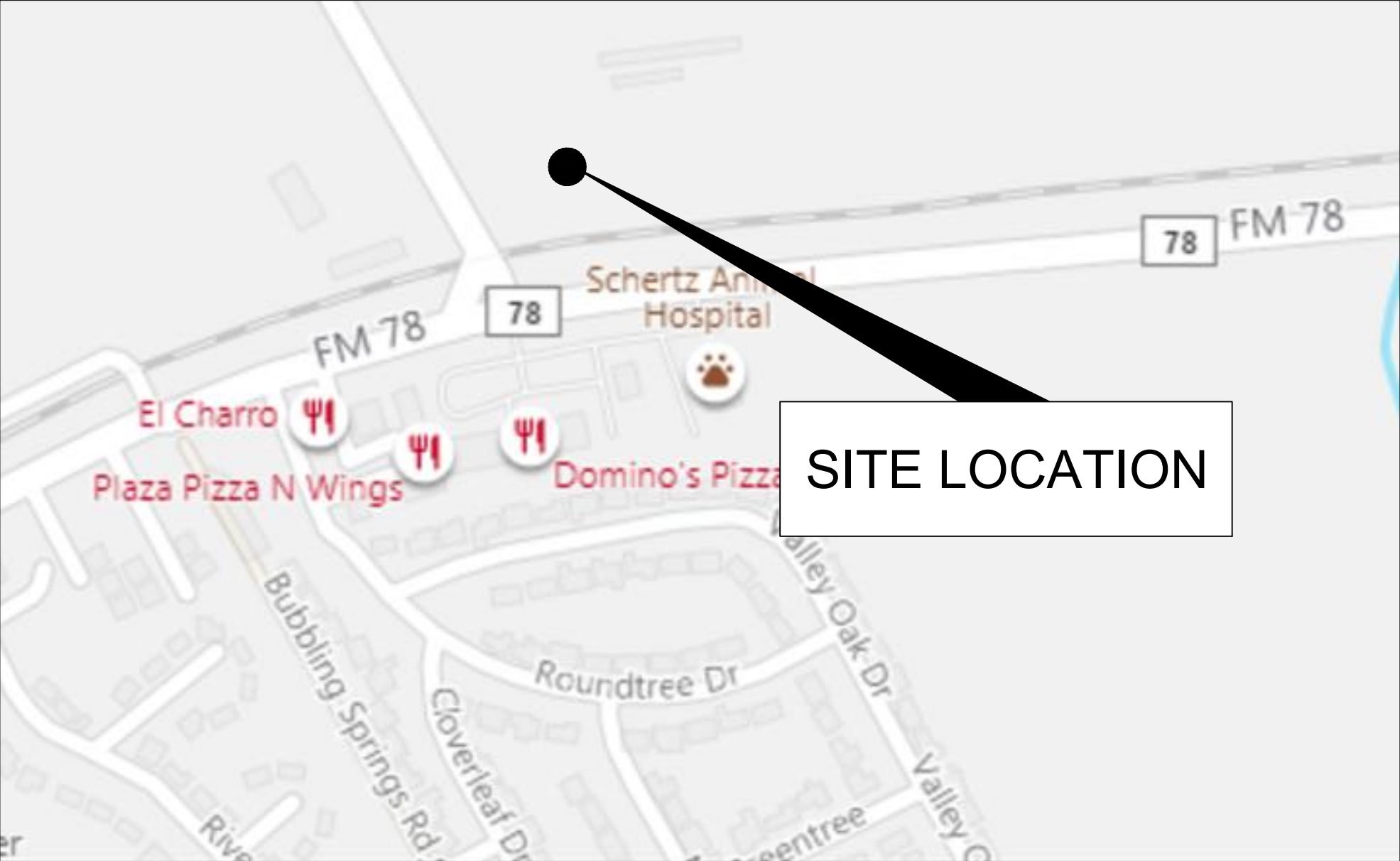
200 ROY RICHARD DR.  
CITY OF SCHERTZ, TEXAS 78154  
(911 ADDRESS NOT YET VERIFIED)

200 ROY RICHARDS DRIVE,  
GUADALUPE COUNTY SCHERTZ, TX

PROJECT TYPE

100’ MONOPOLE TOWER / 105’ ANTENNA  
(NEW CONSTRUCTION – TOWER)

VICINITY MAP:



SITE NAME:

VERTICAL BRIDGE –SCHAEFER LOCKAWAY  
– SITE LOCATED IN 'GB-2' (FC) ZONING  
FULL COMMERCIAL

DEVELOPER

VERTICAL BRIDGE  
750 PARK OF COMMERICAL  
BACO RATON, FL. 33487  
(710) 316-3837  
D,Parks@verticalbridge.com

OWNER

LOCK AWAY 200 ROY RICHARD DRIVE, LLC.  
2055 3RD AVENUE SUITE 200  
SAN DIEGO, CA 92101  
(619) 313-9387

LEGAL DESCRIPTION

SANDERS BLOCK 1 LOT1 15.68 AC  
GEO. ID: 1G3800-0001-00100-0-00  
SCHERTZ, TEXAS

SITE DATA:

EXISTING DEVELOPMENT SUMMARY

- EXISTING BUILDING HEIGHT:  
15.17'

-EXISTING USE: MINI STORAGE

- ZONING DISTRICT: GB -  
GENERAL BUSINESS & GB-2

-LOT AREA: 1,077,551 S.F./  
24.737 AC.

-EXISTING IMPERVIOUS COVER:  
852,614 S.F. / 79.10%

-EXISTING BUILDING AREA:  
81,079 S.F.

-EXISTING STORAGE AREA:  
80,764 S.F.

-EXISTING OFFICE AREA: 315  
S.F.
- EXISTING BUILDING HEIGHT:  
15.17'

-TOTAL PARKING: 28 SPACES

PROPOSED DEVELOPMENT SUMMARY:

- PROPOSED USE: CELLULAR TOWER (CELL TOWER / MINI STORAGE)

-LEASE AREA: . (CELL TOWER FACILITY: .056 S.F.)

-PROPOSED IMPERVIOUS COVER: 855,092 S.F. / 79.35%  
(PROPOSED: 2,478 S.F. /0.25%)

- TOTAL PARKING: (1 space added) 29 SPACES PROVIDED

-HANDICAP PARKING: 2 SPACES

-PROPOSED TOWER HEIGHT: 100' TOWER +5' ROD = 105' TOWER  
STRUCTURE HEIGHT

SHEET INDEX

- SHEET 1:

COVER SHEET
- SHEET 2:

OVERALL SITE PLAN
- SHEET 3:

SITE LEASE AREA PLAN
- SHEET 4:

GRADING and DRAINAGE PLAN
- SHEET 5:

TREE PRESERVATION and LANDSCAPE
- SHEET 6:

UTILITY PLAN
- SHEET 7:

DETAILS AND NOTES



06/02/2021

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SCHAEFER LOCKAWAY

LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009 , SCHERTZ, TEXAS

SUBMITTAL DATE: March 15, 2021 (accepted)  
REVISED DATE: June 3, 2021 (submitted)

verticalbridge

750 PARK OF COMMERCE DRIVE  
BACO RATON, FL 33487

PROSSNER

ENGINEERING  
13377 POND SPRINGS ROAD, SUITE 104  
AUSTIN, TEXAS 78747  
512.318.5343

verizon

wireless

VINCENT GERARD & ASSOCIATES

LAND PLANNING & ZONING CONSULTANTS  
1715 CAPITAL OF TEXAS HWY, SUITE 207  
AUSTIN, TEXAS 78746  
(512) 328-2693 - vgerard@vincentgerard.com

SITE INFORMATION

200 ROY RICHARDS DRIVE,  
GUADALUPE COUNTY SCHERTZ, TX

PROPERTY OWNER

LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
LOCKAWAY  
200 ROY RICHARD DRIVE, LLC  
2055 3RD AVENUE SUITE, 200  
SAN DIEGO, CA 92101  
(619) 313 - 9387

APPLICATION

SITE PLAN

SET ISSUED FOR PERMIT

DATE

REVISIONS

DESCRIPTION

DATE

NO.

DRAWN BY

EC

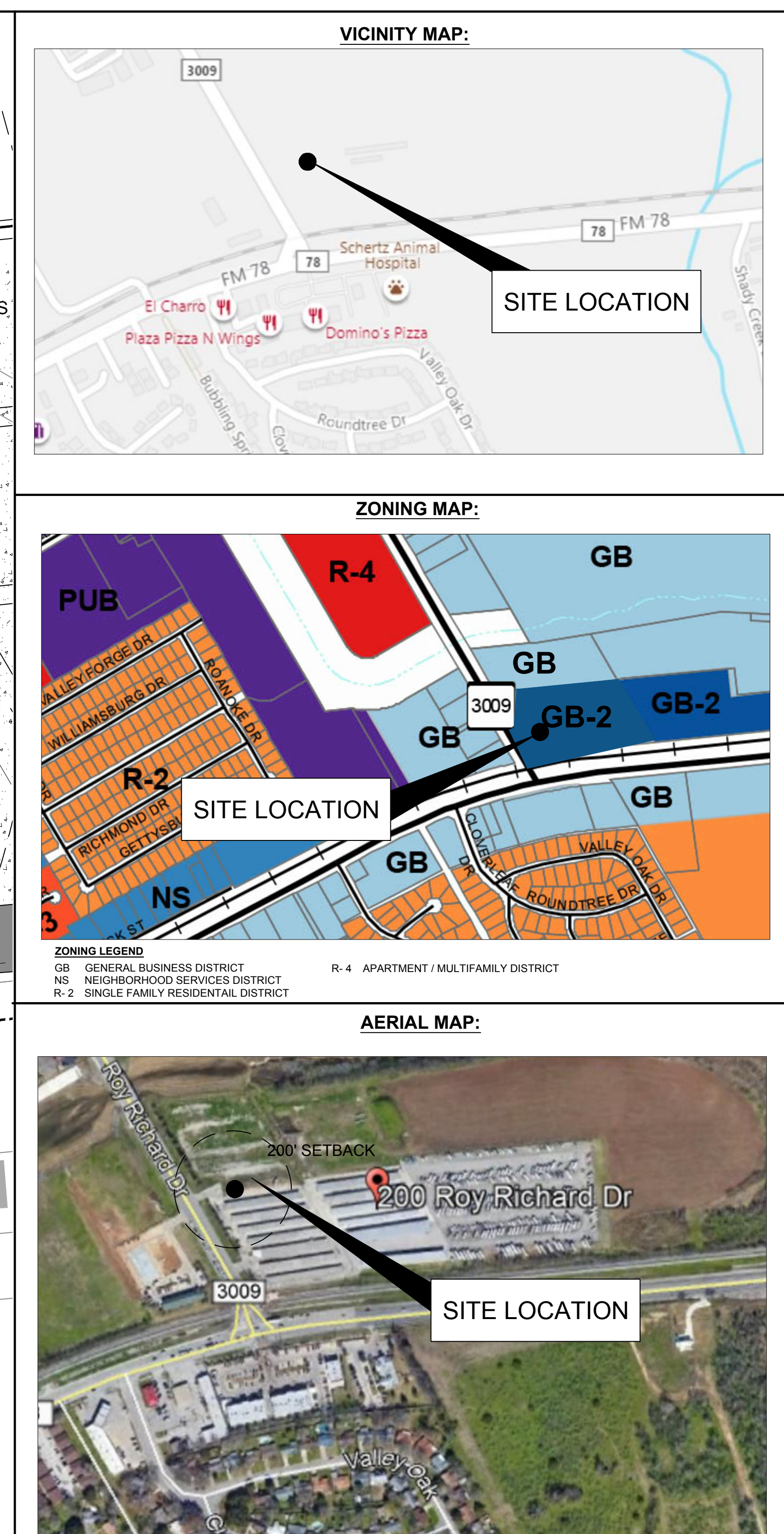
REVIEWED BY

VGH

1

1 of 7



[illegible]

EXISTING TREE  
( $\leq 8"$  TRUNK DIA.)

PROPOSED DRAINAGE FLOW

EXISTING HERITAGE TREE  
(W/ 1/2 CRZ SHOWN)

—SF— SILT FENCE 237' L.F.

—TP— TREE PROTECTION 0' L.F.

—MS— MULCH SOCK 5' L.F.

—LOC— LIMITS OF CONSTRUCTION (LOC) 2,907 SQ. FT.

—FL— FIRE LANE

—OHE— OVERHEAD LINE

—CURB— CURB

—FIRE HYDRANT— FIRE HYDRANT

—POLE— POWER POLE

THIS SITE (PROPOSED AREA) IS  
SITUATED IN ZONE "X-SHADED" IN  
GUADALUPE COUNTY, TEXAS  
INSURANCE RATE MAP  
PANEL # 48187C0220F  
DATE 11/2/2007 IS NOT WITHIN  
THE 100 YEAR FLOODPLAIN.

1. NO TREES TO BE REMOVED ON THIS PROJECT.
2. THIS CELL TOWER USE AREA IS A NEW USE BY A NEW TENANT, WITH A SEPARATE LAND LEASE.
3. ALL SIGNS MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF SCHERTZ UNIT DEVELOPMENT CODE.
3. NO TRAFFIC IS GENERATED BY THIS LAND USE, UNMANNED WIRELESS FACILITY A **TIA WAIVER HAS BEEN REQUESTED**.
4. DISTANCE FROM THE WTF AND THE NEAREST RESIDENTIAL ZONE OR USE IS +720'.
5. WIRELESS TELECOMMUNICATIONS FACILITY (WTF) IS LOCATED 150' FROM ROY RICHARDS BLVD, AS PER THE SCHERTZ CODE.
6. WTF IS LOCATED IN FULL COMMERCIAL AND COMPLIES WITH THE SCHERTZ HIERARCHY FOR WTF SITE LOCATIONS.







06/02/2021

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LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009 , SCHERTZ, TEXAS

**SUBMITTAL DATE:** March 15, 2021 (accepted)  
**REVISED DATE:** June 3, 2021 (submitted)

 7550 PARK OF COMMERCE DRIVE BOCA RATON, FL 33487			
 FIRMING F-15003 13377 PONDVIEW DRIVE, SUITE 104 AUSTIN, TEXAS 78729 512.338.3343		 LAND PLANNING & ZONING CONSULTANTS 1715 CAPITAL OF TEXAS WAY, SUITE 207 FORT WORTH, TEXAS 76104 (817) 332-2655 - vgerard@vgerard.com	
SITE INFORMATION		200 ROY RICHARDS DRIVE, GUADALUPE COUNTY SCHERTZ, TX	
PROPERTY OWNER		LOT 1, BLOCK 1 SANDERS SUBDIVISION LOCKWAY DRIVE, LLC 200 ROY RICHARDS DRIVE 2055 3RD AVENUE, SUITE, 200 SAN DIEGO, CA 92101 (619) 313 - 9387	
APPLICATION		SITE PLAN	
SET ISSUED FOR PERMIT		DATE	
REVISIONS			
NO.	DATE	DESCRIPTION	
DRAWN BY		REVIEWED BY	
EC		VGH	
<div>2</div> <div>2 of 7</div>			



## ORDINANCE REQUIREMENTS

1. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE A SITE PLAN AMENDMENT AND APPROVAL FROM THE DEVELOPMENT SERVICES DEPARTMENT.
2. APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING CODE APPROVAL, FIRE CODE APPROVAL, OR BUILDING DEPARTMENT REVIEW. ANY CHANGES TO THE EXISTING STRUCTURE, DEMOLITION OR RELOCATION PERMIT CAN ONLY BE ISSUED AFTER THE HISTORIC REVIEW PROCESS IS COMPLETED.
3. ALL SIGNS MUST COMPLY WITH THE REQUIREMENTS OF THE CITY OF SCHERTZ LAND REIFICATION DEVELOPMENT CODE.
4. THE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO THE COSTS OF IMPROVEMENTS TO UTILITIES.
5. ADDITIONAL ELECTRIC ESSENTIALS MAY BE REQUIRED AT A LATER DATE.
6. THE DEVELOPMENT OF THE PROPERTY WILL BE ISSUED PRIOR TO APPLICATION FOR BUILDING PERMIT.
7. FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, A R.O.W. EXCAVATION PERMIT IS REQUIRED.

1. THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 D.B.A. AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.

1. THE CITY OF SCHERTZ FIRE DEPARTMENT REQUIRES ASPHALT OR CONCRETE PAVEMENT PRIOR TO CONSTRUCTION AS AN "ALL-WEATHER DRIVING SURFACE."
2. HYDRANT LOCATIONS SHALL BE LOCATED AT THE CENTER OF THE FOUR-INCH OPENING AT LEAST 18 INCHES ABOVE FINISHED GRADE. THE FOUR-INCH OPENING MUST FACE THE DRIVEWAY OR STREET WITH THREE- TO SIX-FOOT SETBACKS FROM DRIVEWAYS, SIDEWALKS, AND CURBS. THE OPENING SHALL BE THREE FEET OF ANY HYDRANT AND THE FOUR-INCH OPENING SHALL BE TOTALLY UNOBSTRUCTED FROM THE STREET.
3. TIMING OF INSTALLATION, WHEN FIRE PROTECTION FACILITIES ARE INSTALLED BY THE DEVELOPER, SUCH FACILITIES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. WHEN THE FACILITIES ARE PROVIDED BY THE CITY, THE DURING THE TIME OF CONSTRUCTION, WHERE ALTERNATIVE METHODS OF PROTECTION, AS APPROVED BY THE FIRE DEPARTMENT, ARE PROVIDED.
4. ALL FIRE LINES DESIGNATED ON SITE PLAN SHALL BE REGISTERED WITH CITY OF SCHERTZ FIRE MARSHAL'S OFFICE AND INSPECTED FOR FINAL APPROVAL.
5. VENTILATION REQUIREMENTS FOR FIRE APPARATUS IS 14 FEET FOR FULL WIDTH OF ACCESS DRIVE.

1. A PRECONSTRUCTION MEETING WITH THE ENVIRONMENTAL INSPECTOR SHALL OCCUR PRIOR TO ANY SITE DISTURBANCE.
2. IF DISTURBED AREA IS NOT TO BE WORKED ON FOR MORE THAN 14 DAYS, DISTURBED AREA NEEDS TO BE STABILIZED BY REVEGETATION, MULCH, TARP OR REVEGETATION MATTING. [ECM 4.4.8.3, SECTION 5.1]
3. DISTURBED AREA IS THE RESPONSIBILITY OF THE CONTRACTOR. THE ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD AND/OR MODIFY EROSION/SEDIMENTATION CONTROL MEASURES TO SITE TO KEEP PROJECT IN COMPLIANCE WITH THE CITY OF AUSTIN RULES AND REGULATIONS. [CDC 255-183]
4. CONTRACTOR SHALL UTILIZE DUST CONTROL MEASURES DURING SITE CONSTRUCTION SUCH AS EROSION TRUCKS AND WASHING (PER ECM 4.5(A)), OR AS DIRECTED BY THE ENVIRONMENTAL INSPECTOR.
5. THE CONTRACTOR WILL CLEAN UP SPILLS THAT MIGRATE ONTO THE ROADS A MINIMUM OF ONCE DAILY. [ECM 4.4.4.0]
6. THE PROPOSED ACCESS ROUTES, MATERIAL STAGING, DUMPER, COMPACTOR/PAT WASHOUT, PORTABLE TOILETS, AND SPILLS PLACEMENT CANNOT BE WITHIN THE CRZ OF ANY PROTECTED TREES.

1. IF A GENERATOR IS EMPLOYED, IT WILL BE A DIESEL. OUTDOOR GENERATOR WILL BE 210 GALLON AND UL 142 FUEL TANK.
2. PERMANENT BACKUP EMERGENCY GENERATORS TO BE EMPLOYED AT THIS SITE WILL INCLUDE SPECIFICATIONS AND DETAILS AT THE BUILDING PERMIT REVIEW STAGE. CARRIER TYPICALLY WILL INSTALL GENERAL 50-60 KW OUTDOOR GENERATORS AS SHOWN DETAILED SITE PLAN.
3. BATTERY BACKUPS FOR ALL SITE CARRIERS WILL BE ULTRA TYPE AND WILL BE INSTALLED INDOORS WITH THERMAL PROBE INDICATORS FOR VENTILATION.
4. PROVIDE KNOX PADLOCKS OR KNOX BOX AT SLIDING GATE FOR FIRST RESPONDERS FOR ACCESS TO SITE.

LEASE SITE LEGAL DESCRIPTION  
SITUATED IN THE  
MALPAZ SURVEY NO. 67, A-221  
TEXAS  
COUNTY, TEXAS

BEING 0.0568 ACRES (2,474 SQUARE FEET) OF LAND, OUT OF A CALLED LOT 1, BLOCK 1, SANDERS SUBDIVISION, RECORDED UNDER VOLUME 8, PAGE 205-206 MAP RECORDS OF GUADALUPE COUNTY, TEXAS (M.R. G.C.T.), CONVEYED TO LOCK AWAY 200 ROY RICHARD DIVER, LLC, BY DEED RECORDED UNDER

COUNTY CLERK'S FILE NUMBER (C.F.N.) 201809014996 OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R. G.C.T.) SAID 0.0568 ACRE TRACT LYING IN THE G. MALPAZ SURVEY NO. 67, ABSTRACT 22.

CORE LAND SURVEYING  
10210 GROGANS MILL ROAD  
THE WOODLAND, TX 77380  
(224) 828-1208

**NOTE:**  
INSURANCE RATE MAP  
PANEL #48187C0220F  
DATE 11/2/2007  
THIS SITE (PROPOSED AREA) IS SITUATED IN ZONE "X-SHADED" IN GUADALUPE COUNTY, TEXAS. IS NOT WITHIN THE 100 YEAR FLOODPLAIN.

**GB**  
**GENERAL BUSINESS**  
(VACANT)

**LEASE SITE**  
**0.0568 ACRES**  
**(2,474 SQ. FT.)**

**6' ht. Wood Privacy Fence**

VARIABLE WIDTH INGRESS/EGRESS VOL. 8, PG. 205 M.R. G.C.T.

PROPERTY LINE

LIMITS OF CONSTRUCTION

VERIZON EQUIPMENT

SILT-FENCE

PROPOSED ICE BRIDGE

**6' ht. Wood Privacy Fence**

EDGE OF EXISTING CONCRETE

20' W.I.E. VOL. 8, PG. 205 M.R. G.C.T.

(EXISTING CONCRETE)  
LANDSCAPE MEDIAN

DESIGNATED PARKING SPACE

GATE

(FOR FUTURE CARRIER EQUIPMENT)

NEW FIRE LANE

**6' ht. Wood Privacy Fence**

LANDSCAPE MEDIAN

EXISTING FENCELINE

**GB - 2**  
**GENERAL BUSINESS**  
(MINI-STORAGE)

CALLED LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
VOL. 8, PG. 205-206 M.R. G.C.T.  
LOCK AWAY 200 ROY RICHARD DRIVE, LLC  
C.F.N. 201899014596 O.P.R. G.C.T.

(EXISTING CONCRETE DRIVE)

ROY RICHARDS DR.  
(100' PUBLIC ROW)

NON-ACCIDENT  
VOL. 8, PG. 205 M.R. G.C.T.

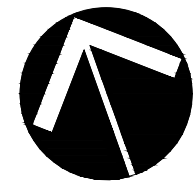
20' SCENIC AND  
VOL. 7, PG. 205 M.R. G.C.T.

50' B.L.  
VOL. 8, PG. 205 M.R. G.C.T.

The diagram is a site plan with a north arrow pointing towards the top-left. It shows a rectangular site with several features:

- EXISTING TREE (4" P. TRUNK DIA.)**: Indicated by a circle with a central dot. One is located near the top-left corner, and another is near the bottom-left corner.
- EXISTING HERITAGE TREE (W/12 CRZ SHOWN)**: Indicated by a circle with a central dot and a larger outer circle. One is located near the top-right corner.
- OVERHEAD ELECTRICAL**: Represented by a line with cross-ticks. A line runs horizontally across the top of the site.
- PROPOSED DRAINAGE FLOW**: Indicated by a line with an arrowhead pointing right.
- SILT FENCE**: Represented by a line with cross-ticks. One is located near the top-left corner, and another is near the bottom-left corner.
- TREE PROTECTION**: Indicated by a line with cross-ticks. One is located near the top-right corner, and another is near the bottom-right corner.
- MULCH SODK**: Indicated by a line with cross-ticks. One is located near the top-right corner, and another is near the bottom-right corner.
- LIMITS OF CONSTRUCTION (LOC)**: Indicated by a line with cross-ticks. A line runs horizontally across the middle of the site.
- FIRE LANE**: Indicated by a line with cross-ticks. A line runs horizontally across the bottom of the site.
- CURB**: Indicated by a line with cross-ticks. A line runs horizontally across the bottom of the site.
- STABILIZED CONSTRUCTION ENTRANCE**: Indicated by a line with cross-ticks. A line runs horizontally across the bottom of the site.
- PLANT LIST**: A list of plants to be installed, including Monterey Oak, Golden Showers Thyrillacy, and Galphimia.
- SOIL**: Indicated by a line with cross-ticks. A line runs horizontally across the bottom of the site.
- BERNARDO GRASS**: Indicated by a line with cross-ticks. A line runs horizontally across the bottom of the site.

1. SLIGHT GRADING REQUIRED ON THIS PROJECT.
2. GATE ENCLOSURE SHALL HAVE NFPA 704 SIGN.



SCALE: 1"=10'



06/02/2021

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# SCHAEFER LOCKAWAY

LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009 , SCHERTZ, TEXAS

**SUBMITTAL DATE:** March 15, 2021 (accepted)  
**REVISED DATE:** June 3, 2021 (submitted)

[illegible]



(N) TOP OF 105'-0" A.G.L.  
TOP OF STRUCTURE

(N) 100'-0"  
TOP OF MONOPOLE

NEW MONOPOLE

(N) CABLING ROUTED  
INSIDE MONOPOLE

(N) WOOD PRIVACY FENCE

(N) METER FRAME W METER,  
DISC. AND TELCO BOX

(N) ICE BRIDGE

(N) DIESEL  
GENERATOR  
ON PAD

(N) EQUIPMENT  
CABINETS ON  
CONC. PAD

NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.

NTS

**LEASE SITE**  
**0.0568 ACRES**  
**(2,474 SQ. FT.)**

**6' ht. Wood Privacy Fence**

**6' ht. Wood Privacy Fence**

**6' ht. Wood Privacy Fence**

**6' ht. Wood Privacy Fence**

**VERIZON EQUIPMENT**

**DESIGNATED PARKING SPACE**

**GATE**

**PROPOSED ICE BRIDGE**

**FIRE LANE**  
25.00'

**LANDSCAPE MEDIAN**

**EXISTING CONCRETE**  
**(EXISTING FIRE LANE)**

**EXISTING OVERHEAD ELECTRIC LINE**

**UNDERGROUND ELECTRIC POWER LINE**

**GB - 2**  
**GENERAL BUSINESS**  
**(MINI-STORAGE)**

**CALL LOT 1, BLOCK 1**  
**SANDERS SUBDIVISION**  
**VOL. 8, PG. 205-206 M.R. G.C.T.**  
**LOCK AWAY 200 ROY RICHARD DRIVE, LLC**  
**C.F.N. 201899014596 O.P.R. G.C.T.**

**20' W.L.E.**  
**VOL. 8, PG. 205**  
**M.R. G.C.T.**

**20' SCENIC AND UTILITY**  
**VOL. 7, PG. 166**

**50' B.L.**  
**VOL. 8, PG. 205 M.R. G.C.T.**

**1' NON-ACCESS E**  
**VOL. 8, PG. 205-206 M.R. G.C.T.**

**EXISTING FENCE and GATE**

**EXISTING CONCRETE DRIVE**

**EXISTING METAL STORAGE BUILDING**

**EXISTING METAL STORAGE BUILDING**

**EXISTING DRIVE**

**LEGEND**

EXISTING TREE  
(< 8" TRUNK DIA.)

EXISTING HERITAGE TREE  
(W/ 12 CRZ SHOWN)

— CHE — OVERHEAD ELECTRICAL

— PROPOSED DRAINAGE FLOW

— SF — SILT FENCE 237 FL

— TP — TREE PROTECTION 0 LE

— MS — MULCH SOCK 0 LE

— LOC — LIMITS OF CONSTRUCTION (LOC) 2,807 SQ. FT.

— FL — FIRE LANE

— CURB

STABILIZED CONSTRUCTION ENTRANCE

PLANT LIST

MONTESSEY OAK: 1.5 INCH CALIPER - 1 COUNT 15 GAL.  
 QUERCUS POLYCARPUS  
 GOLDEN SHOWERS: THYRSALLAS 6 CT. @ 5 GAL.  
 GALPHIMIA GLAUCA  
 (4" H X 4" W AT MATURITY)

SOD  
 BERBERIDA GRASS

FIRE HYDRANT

POWER POLE

NOTE:

1. SLIGHT GRADING REQUIRED ON THIS PROJECT
2. GATE ENCLOSURE SHALL HAVE NFPA 704 SIGN.





06/02/2021

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# SCHAEFER LOCKAWAY

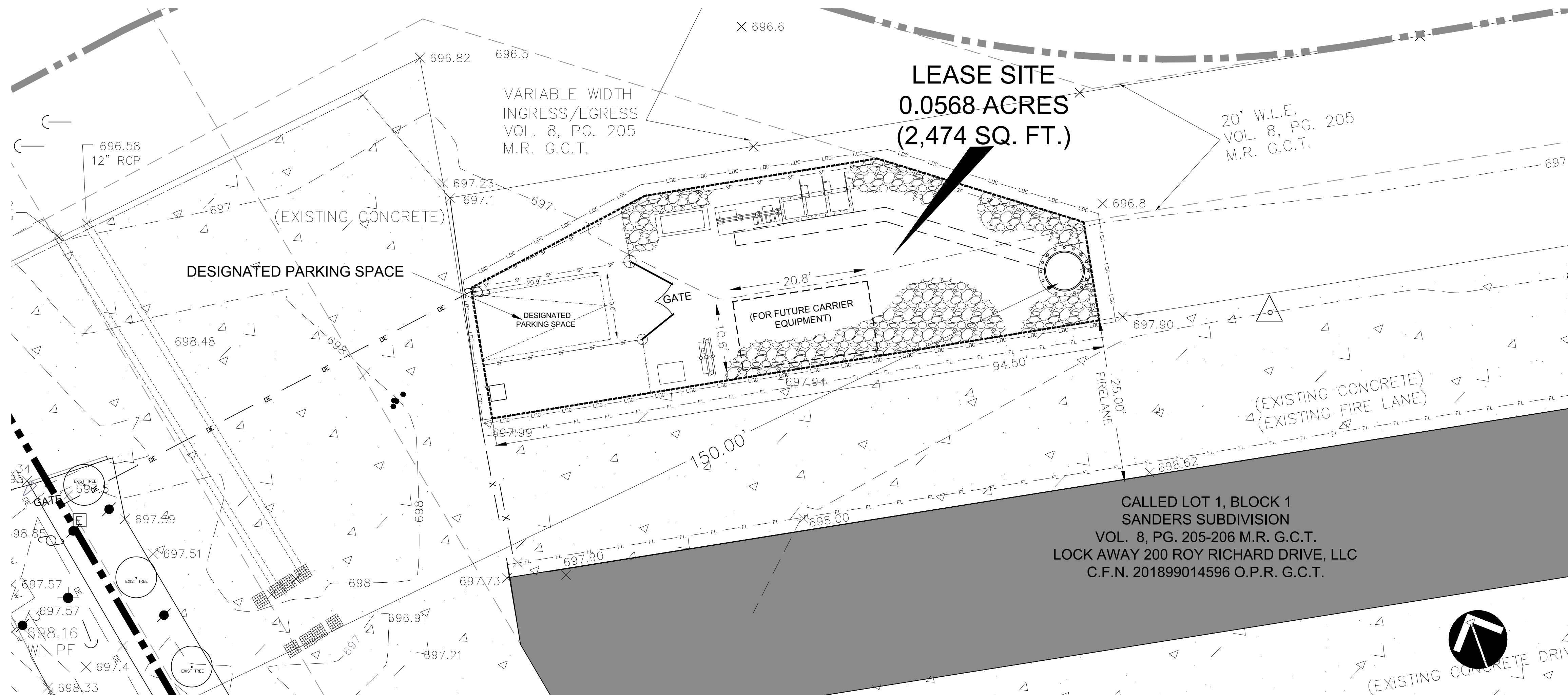
LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009 , SCHERTZ, TEXAS

**SUBMITTAL DATE:** March 15, 2021 (accepted)  
**REVISED DATE:** June 3, 2021 (submitted)

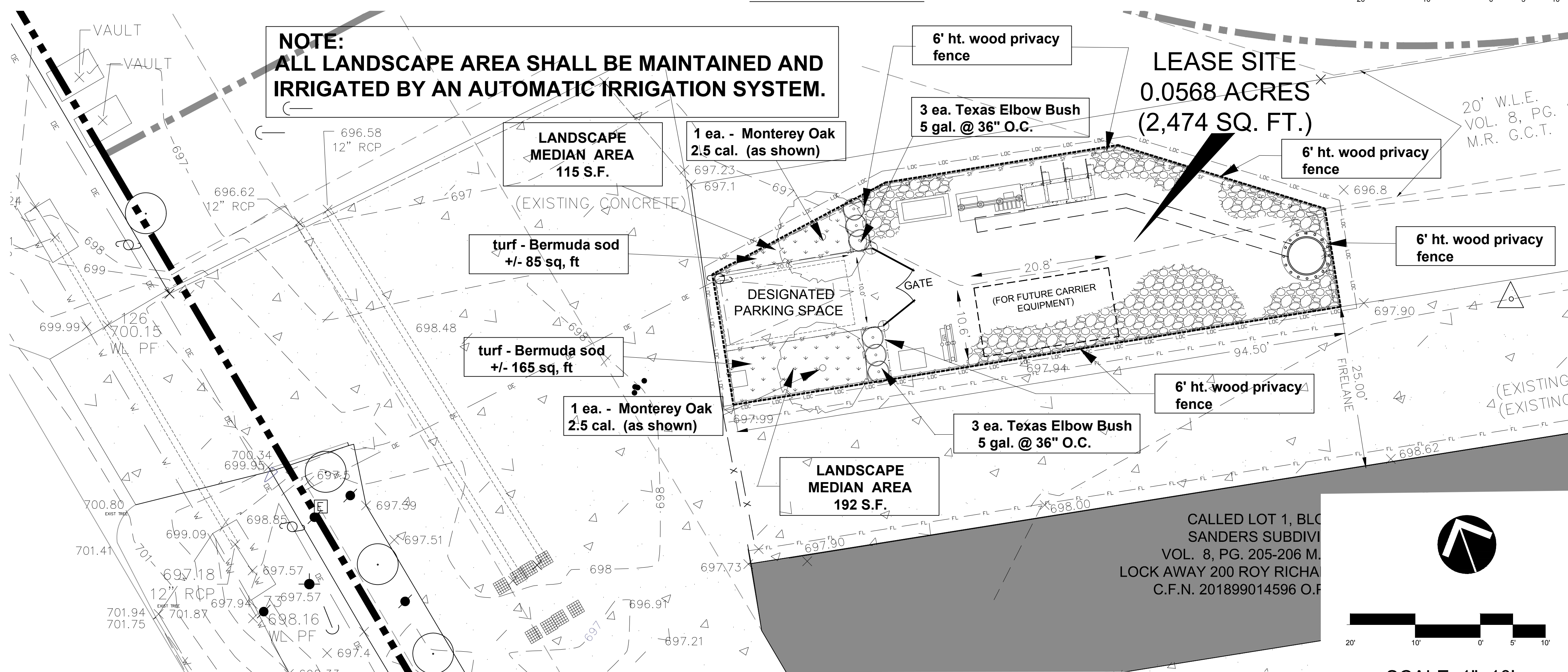
<div><div><p>750 PARK OF COMMERCE DRIVE BOCA RATON, FL 33467</p></div><div></div></div>		<div><div><p><b>PROSSNER</b> ENGINEERING FIRMING F-1506 13377 FORT MEADOWS SUITE 104 AUSTIN, TEXAS 78729 512.918.5343</p></div><div><p><b>VINCENT GERARD &amp; ASSOCIATES</b> LAND PLANNING &amp; ZONING CONSULTANTS 11111 HIGHTOWER DRIVE SUITE 201 AUSTIN, TEXAS 78748 (512)338-6050 • <a href="mailto:info@vgaengr.com">info@vgaengr.com</a></p></div></div>	
SITE INFORMATION		PROPERTY OWNER	
200 ROY RICHARDS DRIVE, SCHERTZ, TX GUADALUPE COUNTY		LOT 1, BLOCK 1 SANDERS SUBDIVISION 200 ROY RICHARD DRIVE, LLC 2055 3RD AVENUE SUITE, 200 SAN DIEGO CA 92101 (619) 313 - 9387	
APPLICATION		SITE PLAN	
SET ISSUED FOR PERMIT		DATE	
REVISIONS		DESCRIPTION	
NO.		DATE	
DRAWN BY		REVIEWED BY	
EC		VGH	
4			
4 of 7			



LEASE SITE  
0.0568 ACRES  
(2,474 SQ. FT.)



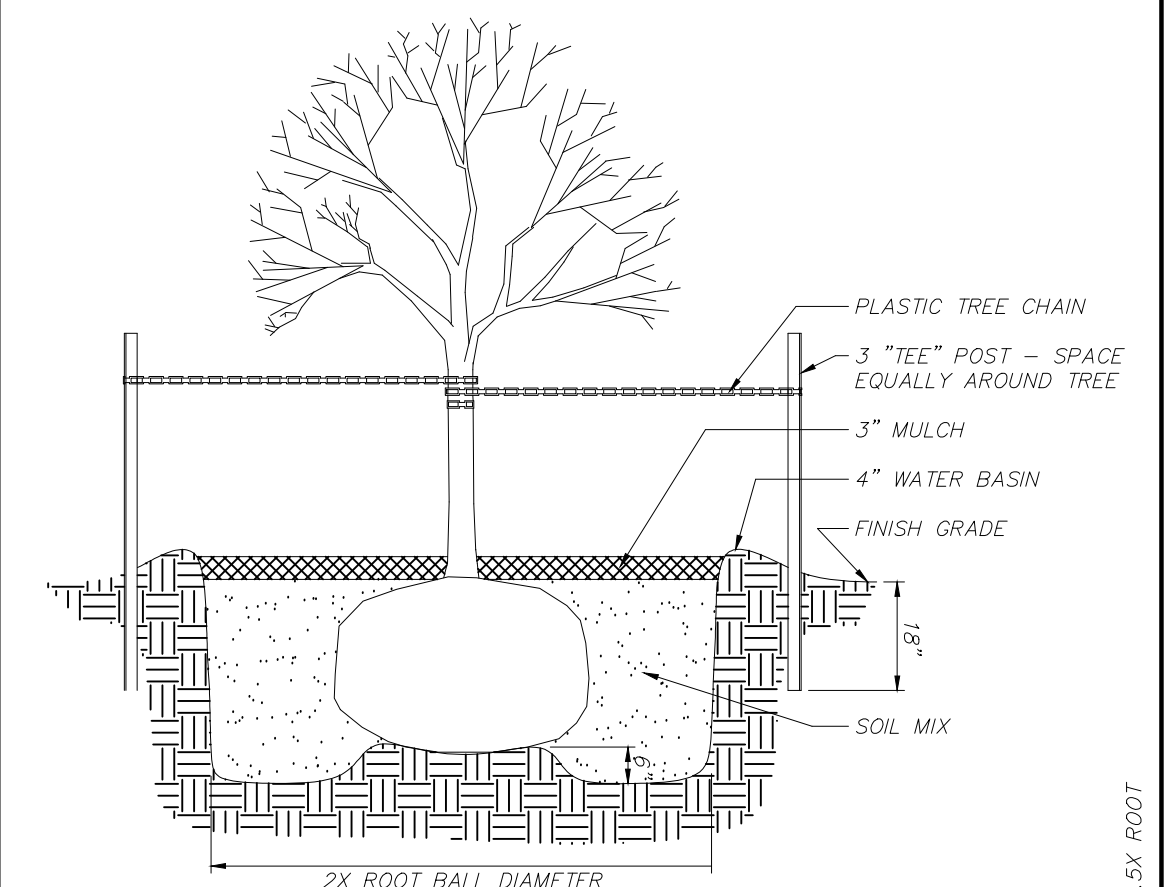
SCALE: 1"=10'



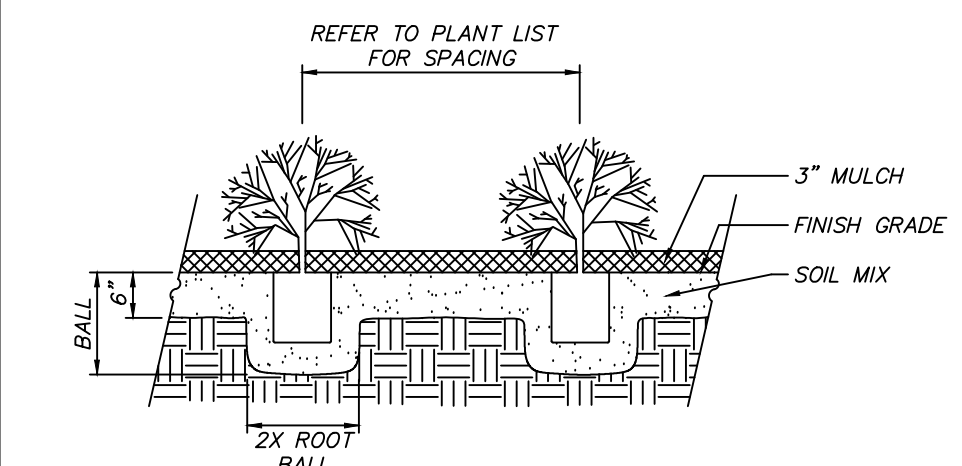
	EXISTING TREE (< 8" TRUNK DIA.)		EXISTING HERITAGE TREE (W/ 12" CRZ SHOWN)
	OVERHEAD ELECTRICAL		<u>PLANT LIST</u>
	PROPOSED SERVICE FLOW		MONTEREY OAK 2.5 INCH CALIPER 1 COUNT 15 GAL. <i>Quercus Polynoma</i>
	SILT FENCE <u>237' L.F.</u>		Texas Elbow Bush 6 CT. @ 5 GAL. <i>Forsythia</i>
	TREE PROTECTION <u>0 L.F.</u>		SOD BERMUDA GRASS
	MULCH STOCK <u>0 L.F.</u>		FIRE HYDRANT
	LIMITS OF CONSTRUCTION (6.00') <u>2,867 SQ. FT.</u>		POWER POLE
	FIRE LANE		
	CURB		
	<u>STABILIZED CONSTRUCTION ENTRANCE</u>		

## LANDSCAPE CODE SUMMARY

LANDSCAPE AREA - ZONED 1A 192 S.F.  
- ZONED 1B 77 S.F.  
TREES Required. 1 each  
TREE Provide 1 each  
SHRUBS 6 each ( Texas Elbow bush)



TREE PLANTING DETAIL  
SCALE: N.T.S.



SHRUB/GROUNDCOVER PLANTING DETAIL  
SCALE: N.T.S.

Contractor is responsible for maintaining positive drainage in all shrub and turf planting areas.

Contractor to remove all clods, rocks, concrete, trash and any other debris prior to installation of soil mix or plant material. Decomact soil prior to revegetation.

Contractor to replace all materials which are dead, unhealthy, or unsightly (as determined by the Owner) with the cost of replacement to be at the Contractor's expense.

Contractor to verify all site dimensions and layout prior to the commencement of landscape construction. Any discrepancies between the drawings and the actual site conditions shall be brought to the attention of the Owner's Representative immediately.

Contractor to water plants for 6 months to stabilize plantings.



06/02/2021

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# SCHAEFER LOCKAWAY

LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009 , SCHERTZ, TEXAS

**SUBMITTAL DATE:** March 15, 2021 (accepted)  
**REVISED DATE:** June 3, 2021 (submitted)



**PROSSNER**  
ENGINEERING  
FIRM NO. F-1506

13377 POND SPRINGS ROAD, SUITE 104  
AUSTIN, TEXAS 78729  
512.918.3343

**VINCENT GERARD & ASSOCIATES**  
LAND PLANNING & ZONING CONSULTANTS  
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207  
AUSTIN, TEXAS 78746  
(512)328-2893 - [vincent@vincentgerard.com](mailto:vincent@vincentgerard.com)

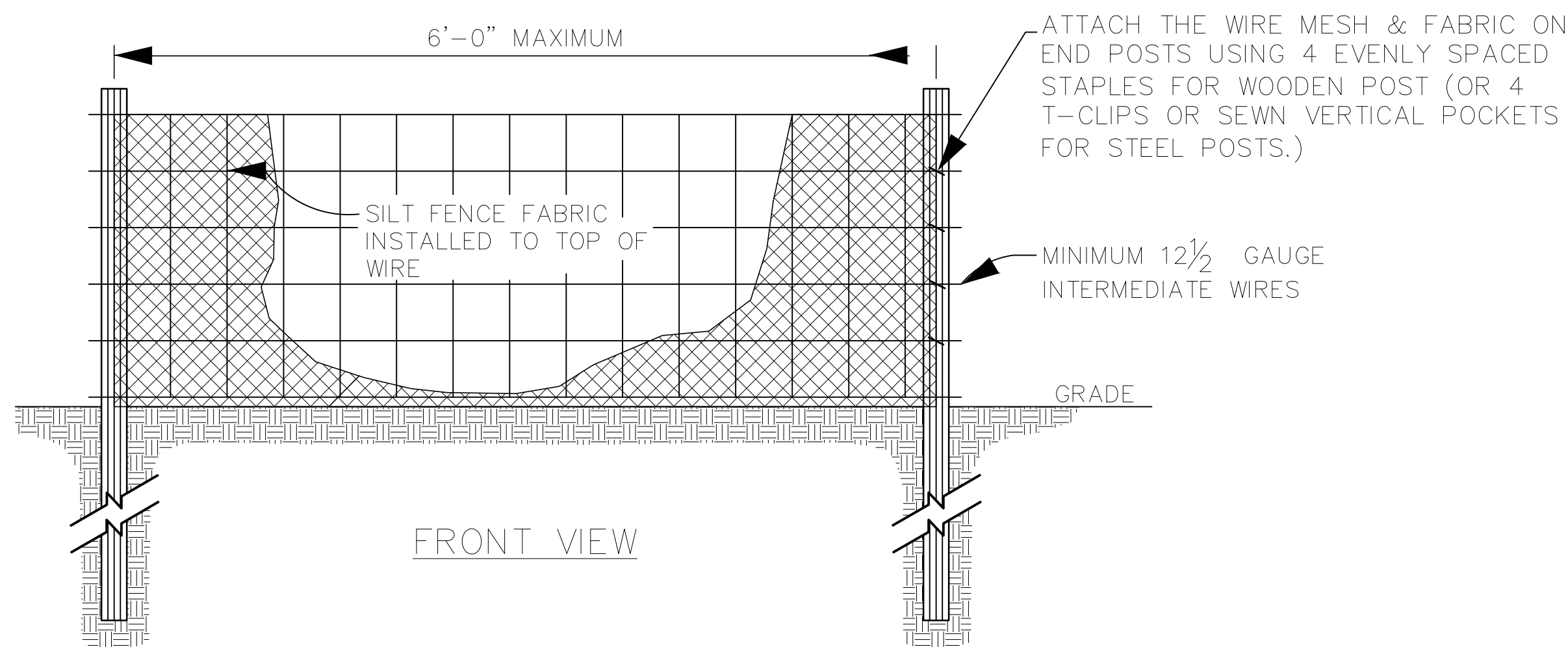
APPLICATION	<p>SITE PLAN</p>	<p>PROPERTY OWNER</p> <p>LOT 1, BLOCK 1 SANDERS SUBDIVISION LOCKAWAY 200 ROY RICHARD DRIVE, LLC 2055 3RD AVENUE SUITE, 200 SAN DIEGO, CA 92101 (619) 313 - 9387</p>	<p>SITE INFORMATION</p> <p>200 ROY RICHARDS DRIVE, SCHERTZ, TX GUADALUPE COUNTY</p>
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SET ISSUED FOR PERMIT		DATE	
<div>REVISIONS</div>	DESCRIPTION		
	DATE		
	NO.		
DRAWN BY		REVIEWED BY	
EC		VGH	
<div>5</div> <div>5 of 7</div>			



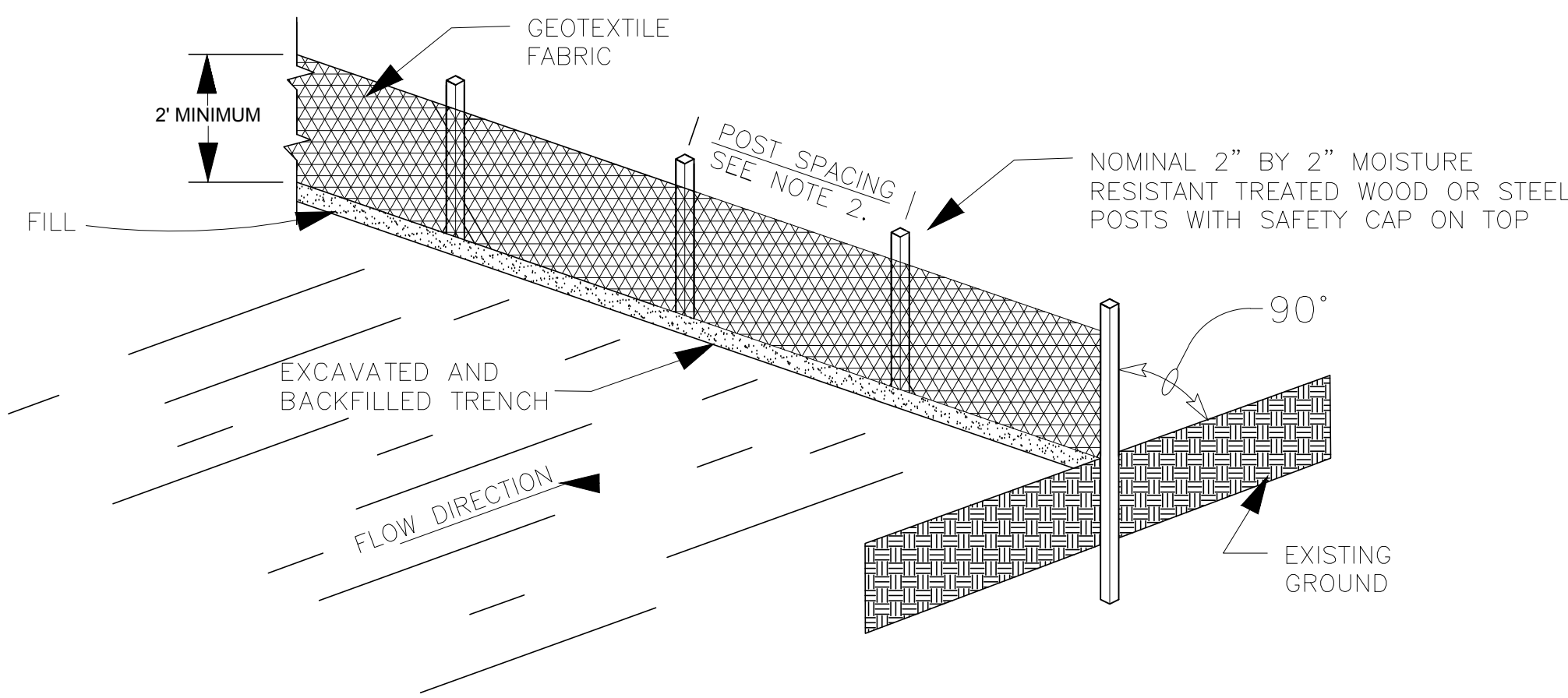






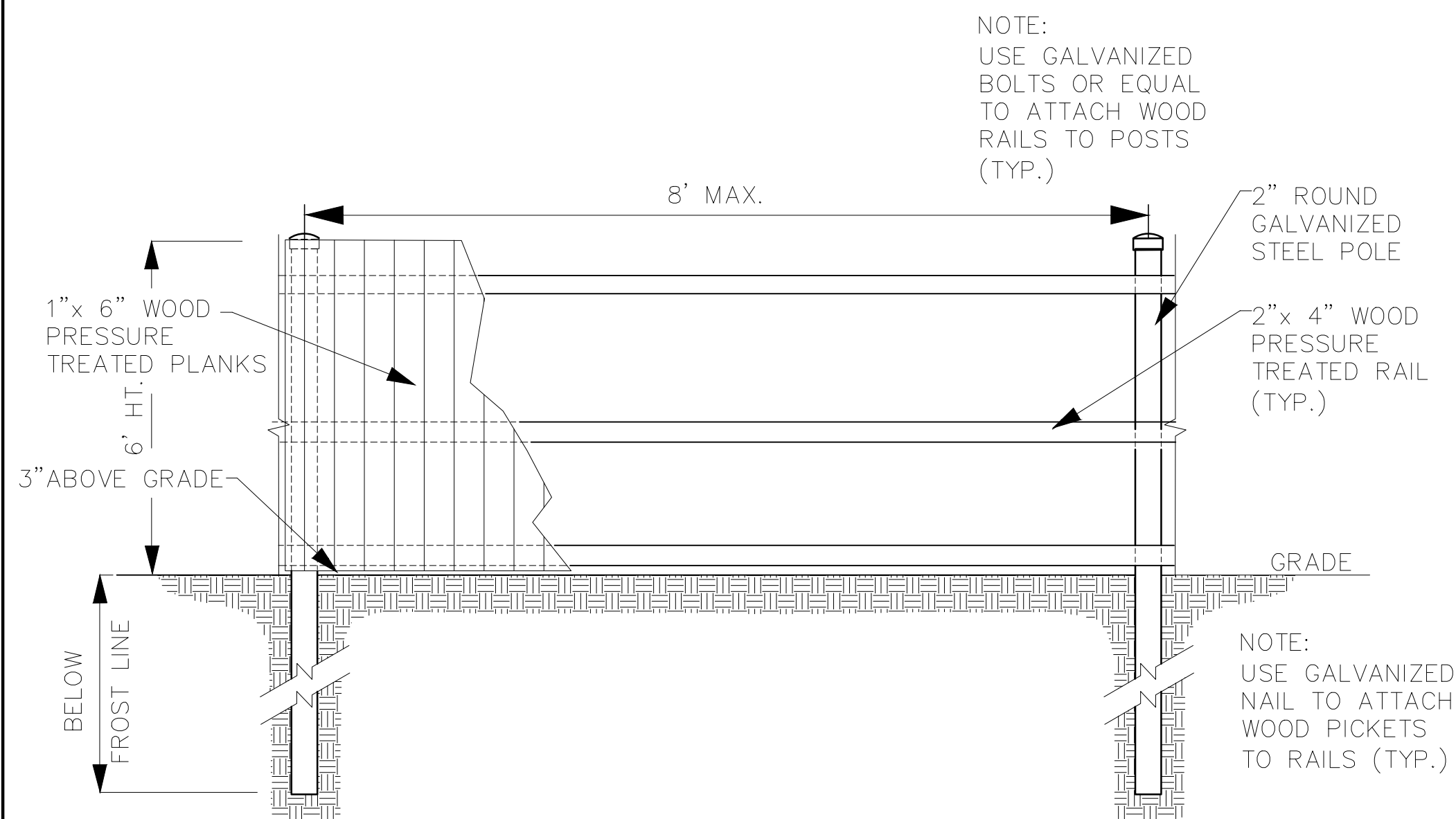
(SILT) SEDIMENT CONTROL FENCE

NTS



(SILT) SEDIMENT CONTROL FENCE

NTS

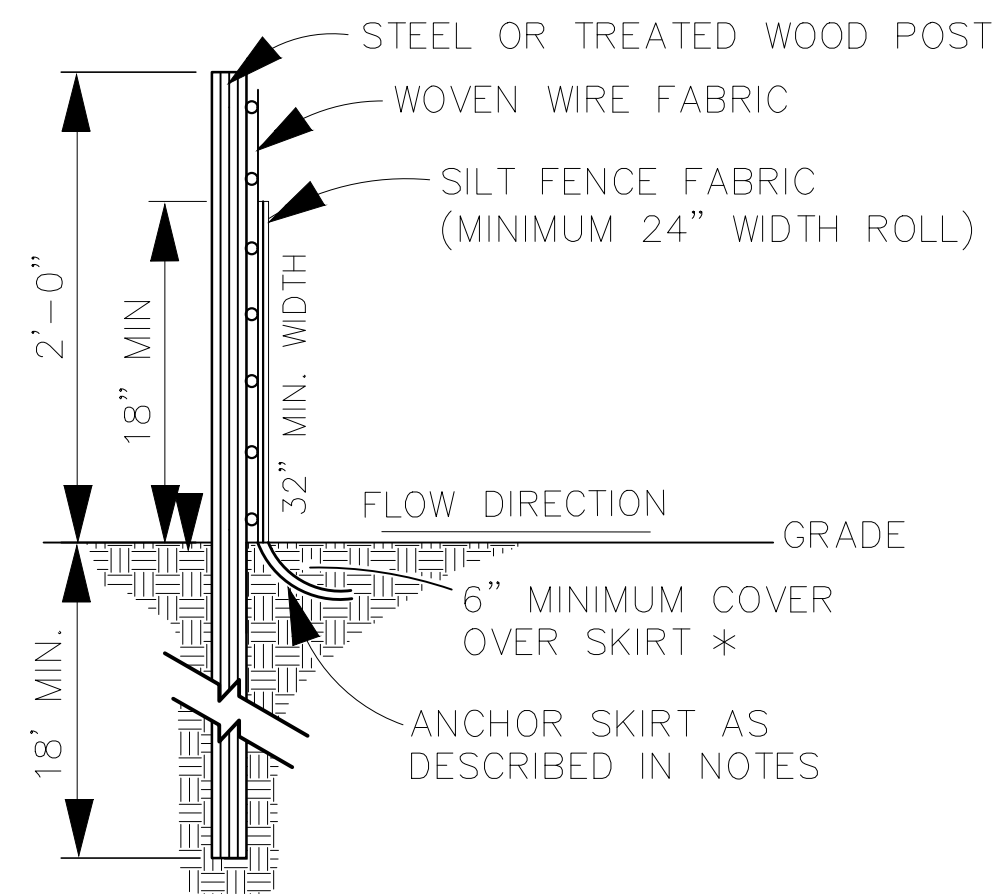


WOOD PRIVACY FENCE

NTS

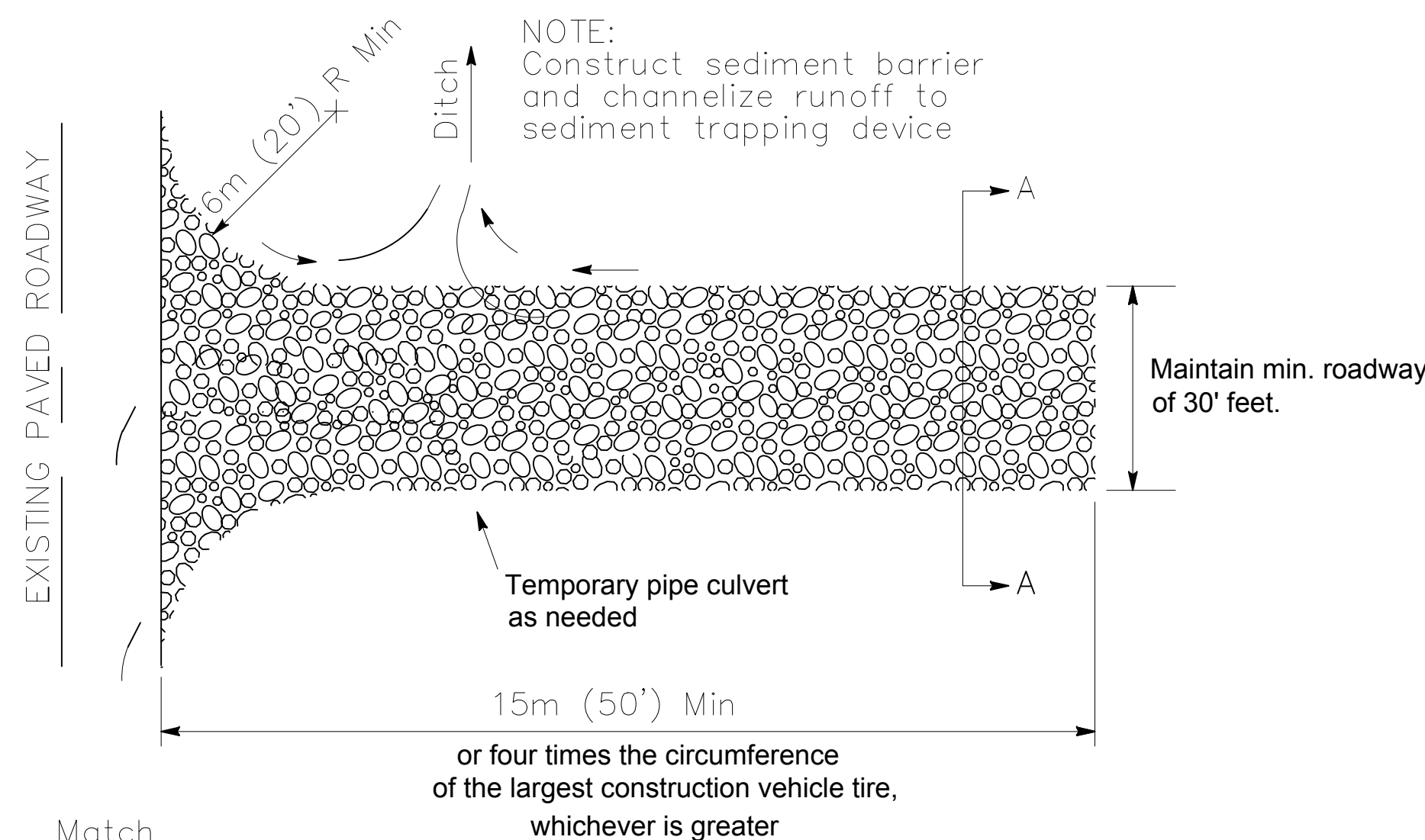
NOTE:  
USE SILT FENCE ONLY WHEN DRAINAGE AREA  
DOES NOT EXCEED 1/4 ACRE AND NEVER IN  
AREAS OF CONCENTRATED FLOW.

\* INSTALL STAKES AT A SLIGHT ANGLE TOWARD  
SOURCE OF ANTICIPATED RUNOFF.



SIDE VIEW

NTS



Match  
Existing  
Grade

1. THE ENTRANCE SHOULD BE MAINTAINED IN A CONDITION, WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY SHOULD BE REMOVED IMMEDIATELY BY THE CONTRACTOR.
3. WHEN NECESSARY, WHEELS SHOULD BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
4. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
5. ALL SEDIMENT SHOULD BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATER COURSE BY USING APPROVED METHODS.

STABILIZED CONSTRUCTION ENTRY / EXIT

NTS

## SEDIMENT CONTROL FENCE NOTES

1. THE GEOTEXTILE FABRIC SHALL BE PLACE IN THE THE EXCAVATED TRENCH, BACKFILLED, AND COMPACTED TO THE EXISTING GROUND SURFACE. THE TRENCH MUST BE A MINIMUM OF 6" DEEP AND 6" WIDE. WHERE FENCE CANNOT BE TRENCHED IN (E.G. PAVEMENT OR ROCK OUTCROP), WEIGHT FABRIC FLAP WITH 3" OF PEA GRAVEL ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.
4. WOODEN STAKES MAXIMUM OF 6' APART, STEEL STAKES MAXIMUM OF 8' APART, BOTH IMBEDDED A MINIMUM OF 18" INTO GROUND. LENGTH OF STAKES AS REQUIRED FOR MINIMUM OF 18" BURY AND FULL HEIGHT OF FILTER FABRIC.
5. TRENCH THE TOE OF THE FENCE LINES SO THE DOWNWARD FACE OF THE TRENCHES IS FLAT AND PERPENDICULAR TO DIRECTION OF FLOW.
6. SECURELY FASTEN FILTER FABRIC MATERIAL TO WIRE FENCE WITH TIE WIRES AT SPACING OF 15" MINIMUM.
7. FILTER FABRIC SHALL HAVE A MINIMUM HEIGHT OF 18" AND A MAXIMUM OF 36" OF HEIGHT ABOVE NATURAL GROUND.
8. TRENCH IN TOE OF FILTER FABRIC SO THAT THE DOWNWARD FACE OF TRENCH IS FLAT AND PERPENDICULAR TO THE DIRECTION OF FLOW, 4" MINIMUM AGAINST TRENCH WALL AND 2" MINIMUM AGAINST TRENCH FLOOR.
9. CONNECT SUCCESSIVE REINFORCEMENT SHEETS/ROLLS A MINIMUM OF 4 TIMES WITH HOG RINGS.
10. REMOVE SEDIMENT DEPOSITS WHEN SILT REACHES ON-THIRD HEIGHT OF BARRIER OR 6", WHICHEVER IS LESS.



06/02/2021

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**SCHAEFER LOCKAWAY**

LOT 1, BLOCK 1  
SANDERS SUBDIVISION  
200 FM 3009, SCHERTZ, TEXAS

SUBMITTAL DATE: March 15, 2021 (accepted)  
REVISED DATE: June 3, 2021 (submitted)

verticalbridge  
750 PARK OF COMMERCE DRIVE  
BOCA RATON, FL 33487

verizon  
wireless

PROSSNER  
ENGINEERING  
FIRM NO. F-1506  
13377 FOWLER ROAD, SUITE 104  
AUSTIN, TEXAS 78728  
512.918.3343

VINCENT GERARD & ASSOCIATES  
LAND SURVEYORS & ENGINEERS  
1711 CAPITAL OF TEXAS HWY SOUTH, STE. 201  
AUSTIN, TEXAS 78704  
512.328.5853 - vgerard@vgaeng.com

SITE INFORMATION	200 ROY RICHARDS DRIVE, SCHERTZ, TX GUADALUPE COUNTY
PROPERTY OWNER	LOT 1, BLOCK 1 SANDERS SUBDIVISION 200 ROY RICHARDS DRIVE, LLC 2005 3RD AVENUE, SUITE 200 SAN DIEGO, CA 92101 (619) 313 - 9357
APPLICATION	SITE PLAN

SET ISSUED FOR PERMIT DATE

REVISIONS	DESCRIPTION
NO.	DATE

DRAWN BY EC	REVIEWED BY VGH
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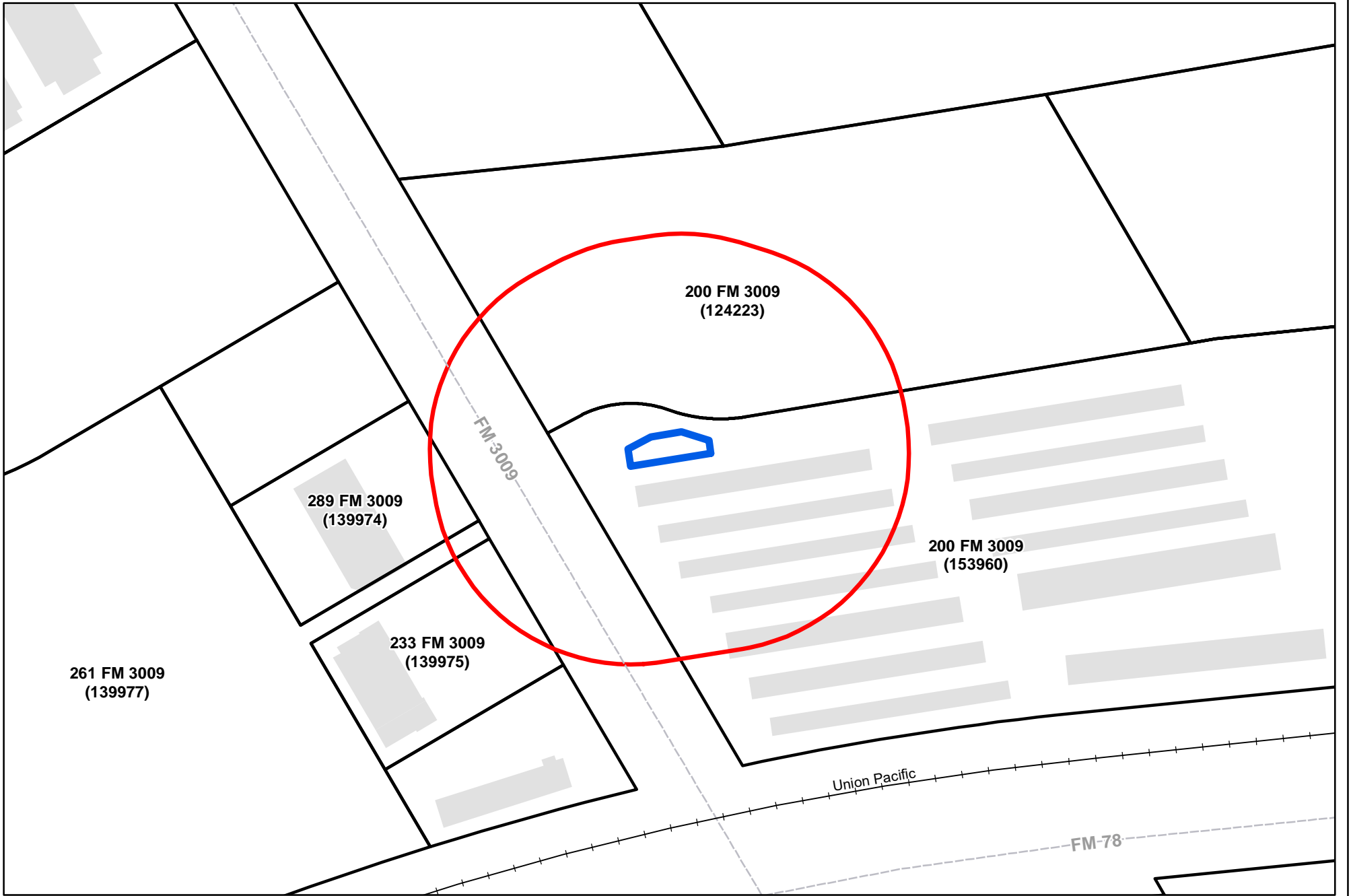
7

7 of 7









200' Buffer



Parcel Boundaries





NOTICE OF PUBLIC HEARING

June 11, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, June 23, 2021 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

**SUP2021-002-** A request for a Specific Use Permit to allow a monopole tower, telecommunications facility on approximately 0.056 acres of land generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, also known as Guadalupe County Property Identification Numbers 153960, City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Emily Delgado, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail [planning@schertz.com](mailto:planning@schertz.com). If you have any questions please feel free to call the Planning Division at (210) 619-1780.

Sincerely,

*Emily Delgado*

Emily Delgado  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **SUP2021-002**

COMMENTS: Commercial Property 233 FM 3009

NAME: Brittney Nelson SIGNATURE B Nelson  
(PLEASE PRINT)

STREET ADDRESS: 15010 Lake Fair Drive Richmond, Tx 77406

DATE: 6-15-21





VINCENT GERARD & ASSOCIATES, INC.

Ms. Emily Delgado  
Sr. Planner, Planning and Zoning Division  
City of Schertz, Texas

February 23, 2021

**RE: Vertical Bridge Specific Use Permit for Verizon Wireless, & Site Plan Certification Applications, 200 Roy Richard Drive (Parent tract). Landowners; Lockaway 200 Roy Richard Drive LLC – Narrative Memo & Letter of Intent– UDC Article 8, Section 21.8.6**

Ms. Delgado,

Per our pre-development emails and discussions, we have a request from Verizon Wireless for a wireless communications facility at the Landowner, Lockaway 200 Roy Richard Drive LLC. We hereby respectfully request review and agenda hearing to allow Vertical Bridge (Tower Owner) to construct a critical communications facility at this location to improve and continue to provide communications for the community of Schertz at this high-volume traffic location. Verizon Wireless will be the primary carrier at this site. All other carriers will have the option to collocate as well. The documents discussed for review & approval process to be uploaded are as follows;

- 1) Specific Use Application signed by the landowner and preparer (VGA),
- 2) SUP Site Plan for full review, once completed and cleared by your staff, to be included in the zoning review and made as an exhibit to the SUP approval documents with existing and/or proposed conditions,
- 3) Parent tract Survey and legal description of the land lease area specific to the wireless use, Final Plat, Parent tract is a legal platted lot, all prepared by a licensed surveyor,
- 4) Checklist for the SUP populated and signed by VGA as preparer,
- 5) Agent Authorization letter,
- 6) Tax Certificate for Landowner, &
- 7) Additional RF propagation Maps for evidence of lack of coverage, before and after on air.

It is our understanding that the City of Schertz will review the four Engineered site plan certification drawings with this application. Those were included in this submittal and reviews from Fire, Public Works, Engineering and Landscaping. Each of the site plan certification's will be filed along with the SUP for formal review. All four applications and site plans should be in approvable form. For Public Works, we have included the GVEC letter for service commitment on this site. Electrical and fiber is the only required utility for this unmanned structure.

**Narrative Memo-**

Based on the customer demand for wireless in building coverage and the growth rate in Schertz Texas, Verizon Radio Frequency engineers have designated the above site location as a perfect location for a Wireless structure for their customers. We have included the Radio Frequency engineers study for coverage in this immediate vicinity. The study clearly shows lack of in-building coverage at the Lockaway location, close to the intersection of Roy Richards Drive and



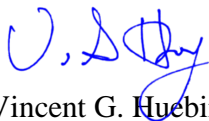
SH 78, a major intersection with an interrupted RR crossing. This site will be a standard monopole structure, with the capability to serve up to 2 other carriers on the structure, complying with current Schertz code. Based on “21.8.6- A Purpose”, the site complies with goals 3, 5 & 6 for colocation & location. With regards to “21.8.6 C – General”- the proposed location is outside 2 miles of any existing or proposed City Water tank or other city owned structures. Further, no other vertical structures or tall buildings are within 1,500’ of the proposed site that would allow Verizon Wireless to collocate their antenna and accommodate the coverage gap within this ring. Finally, “21.8.6 G -Placement”, this proposed location is in Full commercial (GB) and is over 150’ from any major arterials. Also, this site is over 600’ in distance from any existing or proposed residential uses. The RF study includes a 2-page analysis on why the southeast proposed Schertz Water Tower does not work for Verizon coverage in this area. Therefore, this site complies with the 21.8.6 criteria for a standard wireless site location in the City of Schertz code.

The Vertical Bridge team has designed the proposed structure to accommodate up to three (3) carriers, again as per code & purpose. Current design is shown as a 105’ (top of antenna) height monopole. Verizon will utilize the top centerline at 100’. There is a 10’ required height separation from other carriers’ antenna. If the tower is revised to a stealth type facility, it will drastically reduce the colocation opportunities for others and severely limit the 5G capabilities. This can be discussed in greater detail with staff and the decision makers. High traffic areas such as this will likely utilize up to 9 antenna per sector. Height is critical for each carrier, and if the height is reduced, it makes a big coverage difference. It would benefit Schertz to maintain the 105’ height so as not to increase the probability of another site needed within the area and to attract a 2<sup>nd</sup> & 3<sup>rd</sup> carrier to this specific location.

We also want to encourage you and your staff to refer to the Telecommunications Act of 1996 and Middle-Class Tax Relief Act (Spectrum) recently passed to guide local authorities with approval and denial specifics for all wireless sites. We have also included a recent letter from Texas State Senators urging all municipalities to expedite and approve critical wireless sites such as this due to current Pandemic data volumes occurring on all networks in Texas since March 2020.

If there are any questions on this application please let us know.

Respectfully



Vincent G. Huebinger

Xc: Dana Holland - AllPro  
Charmain Sanchez

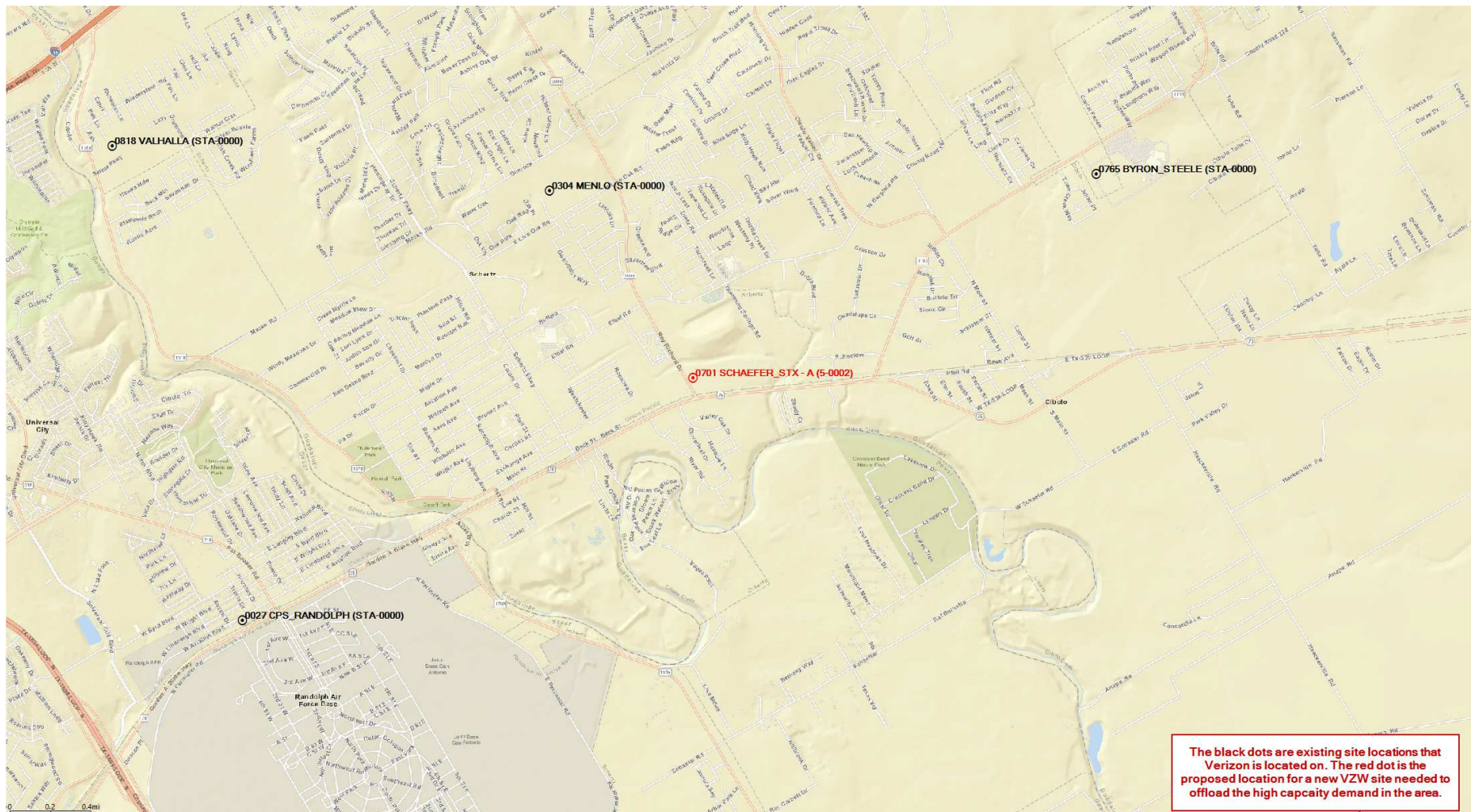


# SCHAEFFER\_STX

Capacity Offload and Coverage Plots



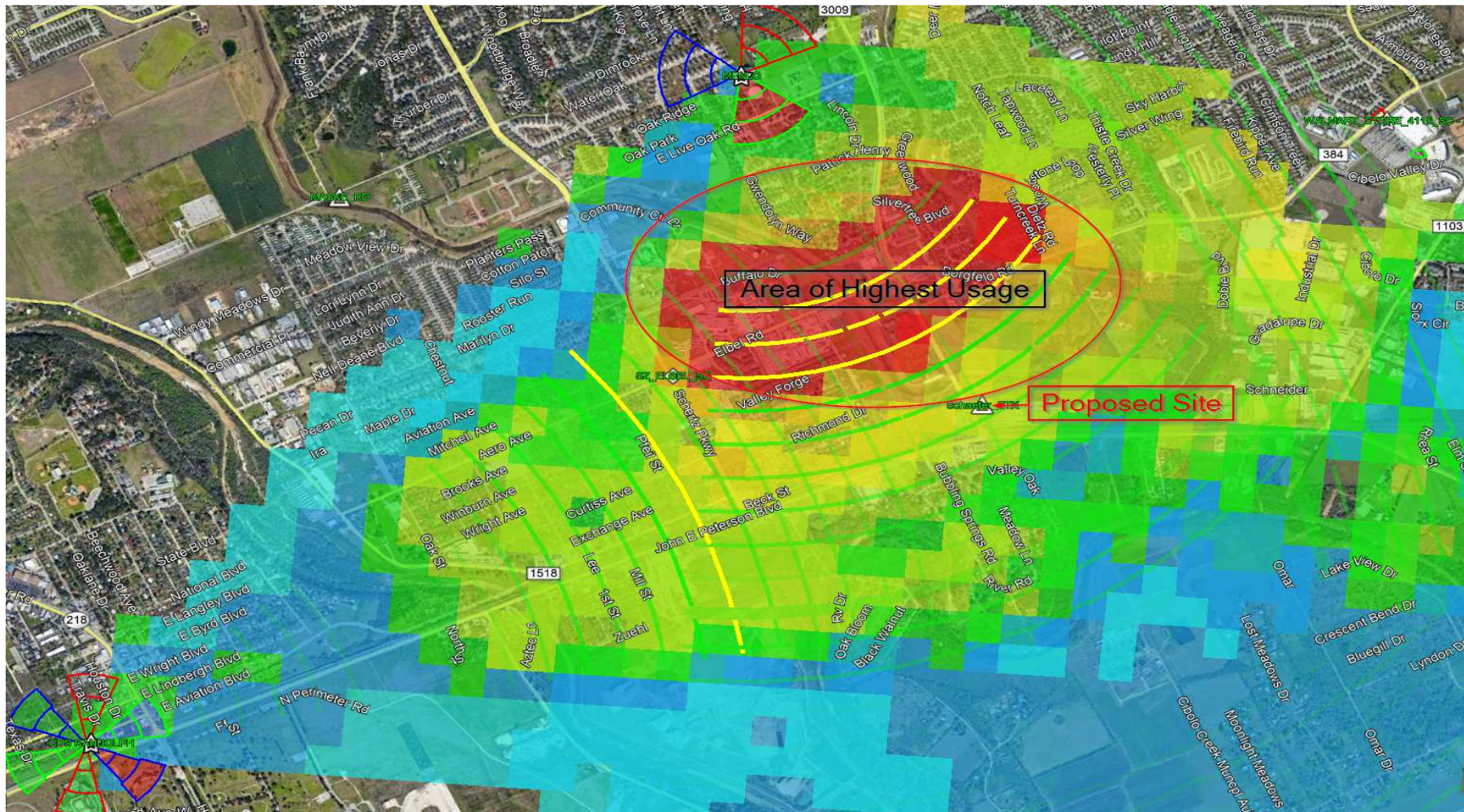
# Map of towers with visible labeling



The black dots are existing structures where Verizon is located. The red dot is the proposed Verizon site. We are not aware of any other structures that are suitable in height within or near the area of highest usage/demand as depicted on the following slides.



# Capacity Demand Map



Area of highest usage is the area where the most connections are being utilized. There may be times that the demand for network resources is so high that new connections are blocked.

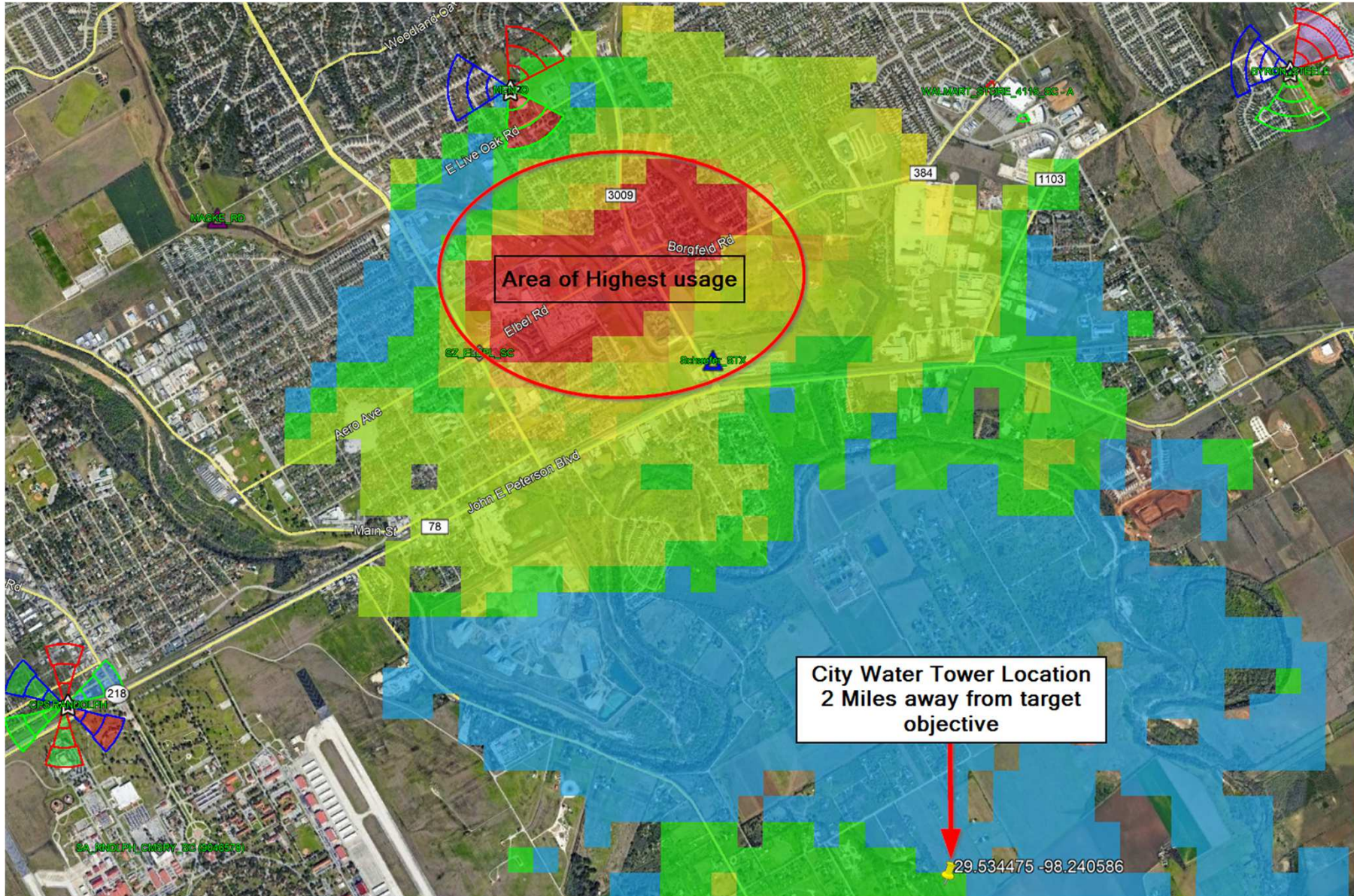
These maps are not a guarantee of coverage and are a general prediction of where coverage presently exists based on our internal data. Wireless service is subject to network and transmission limitations, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service.



**Customer usage/Demand Plot**  
Red/Orange = very high capacity demand  
Yellow/Green = Medium capacity demand  
Blue = Low capacity demand



# Capacity Demand Map in relation to City Water Tower



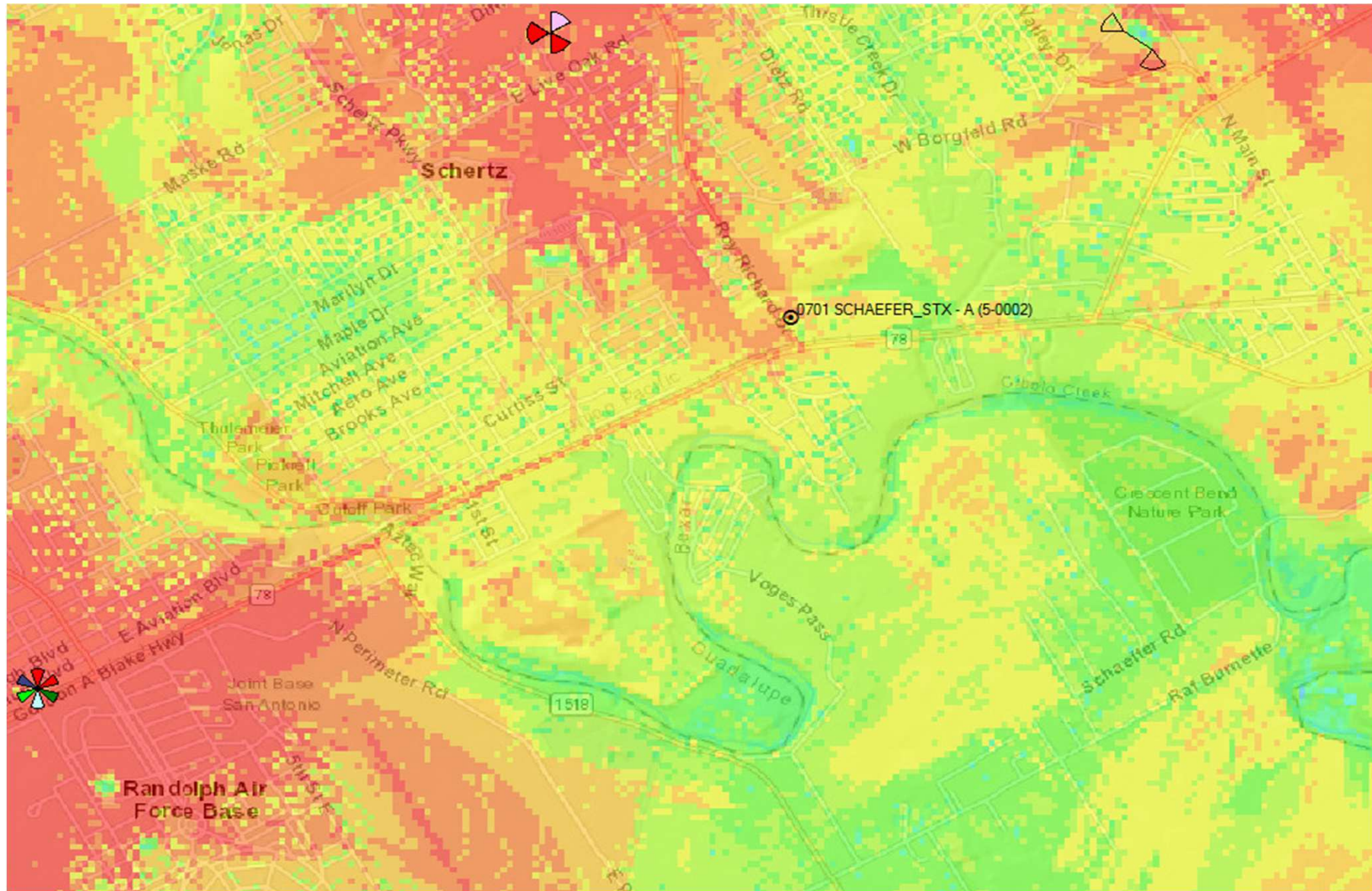
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**Customer usage/Demand Plot**  
Red/Orange = very high capacity demand  
Yellow/Green = Medium capacity demand  
Blue = Low capacity demand



# Current Coverage



These maps are not a guarantee of coverage and are a general prediction of where coverage presently exists based on our internal data. Wireless service is subject to network and transmission limitations, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service.

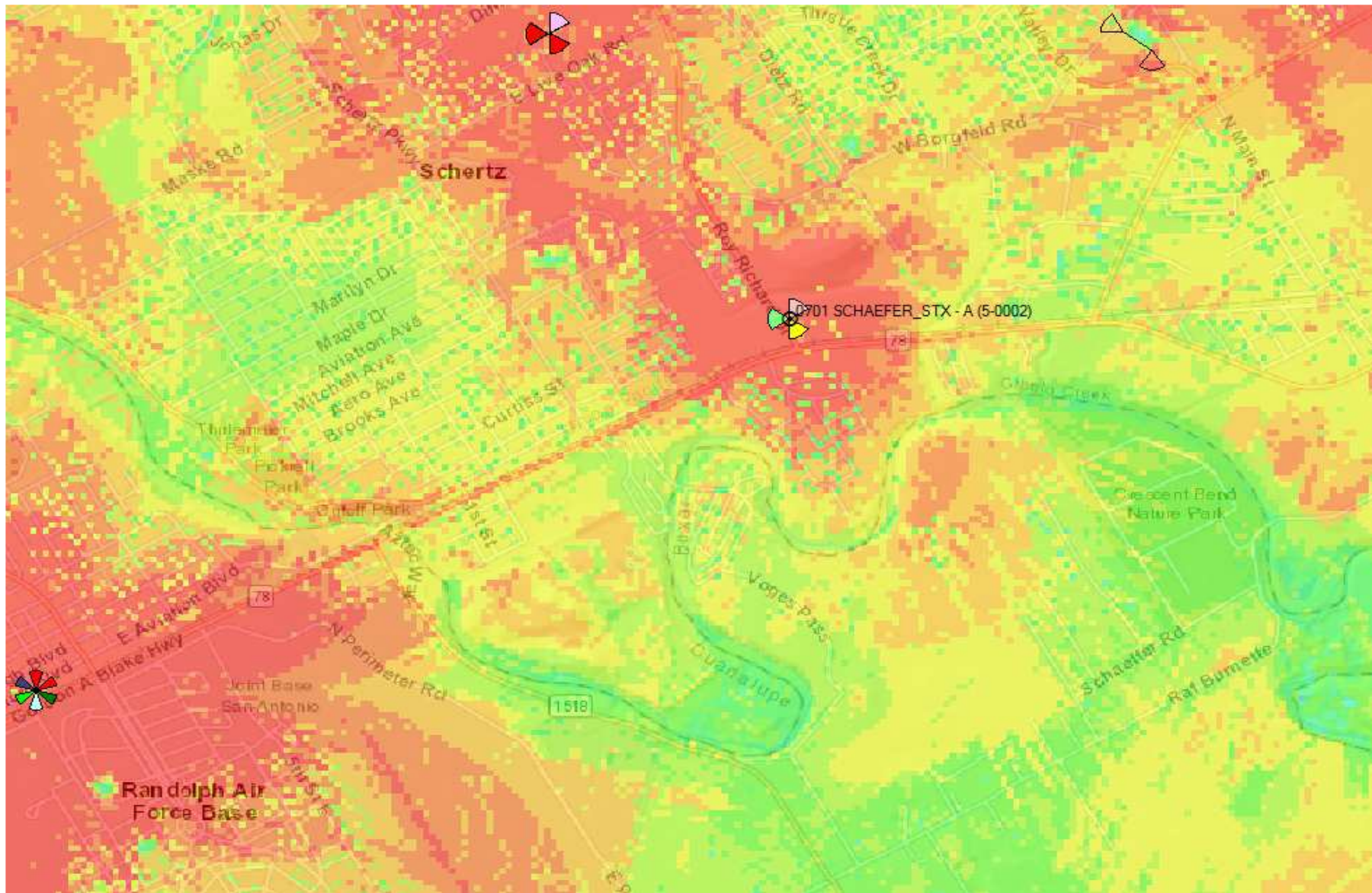


## Coverage Legend

**Red/Orange** = Expected indoor coverage  
**Yellow/Green** = In-Vehicle, but not always indoor coverage  
**Blue** = Outdoor only coverage



# Proposed Coverage



These maps are not a guarantee of coverage and are a general prediction of where coverage would exist based on our internal data. Wireless service is subject to network and transmission limitations, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service.

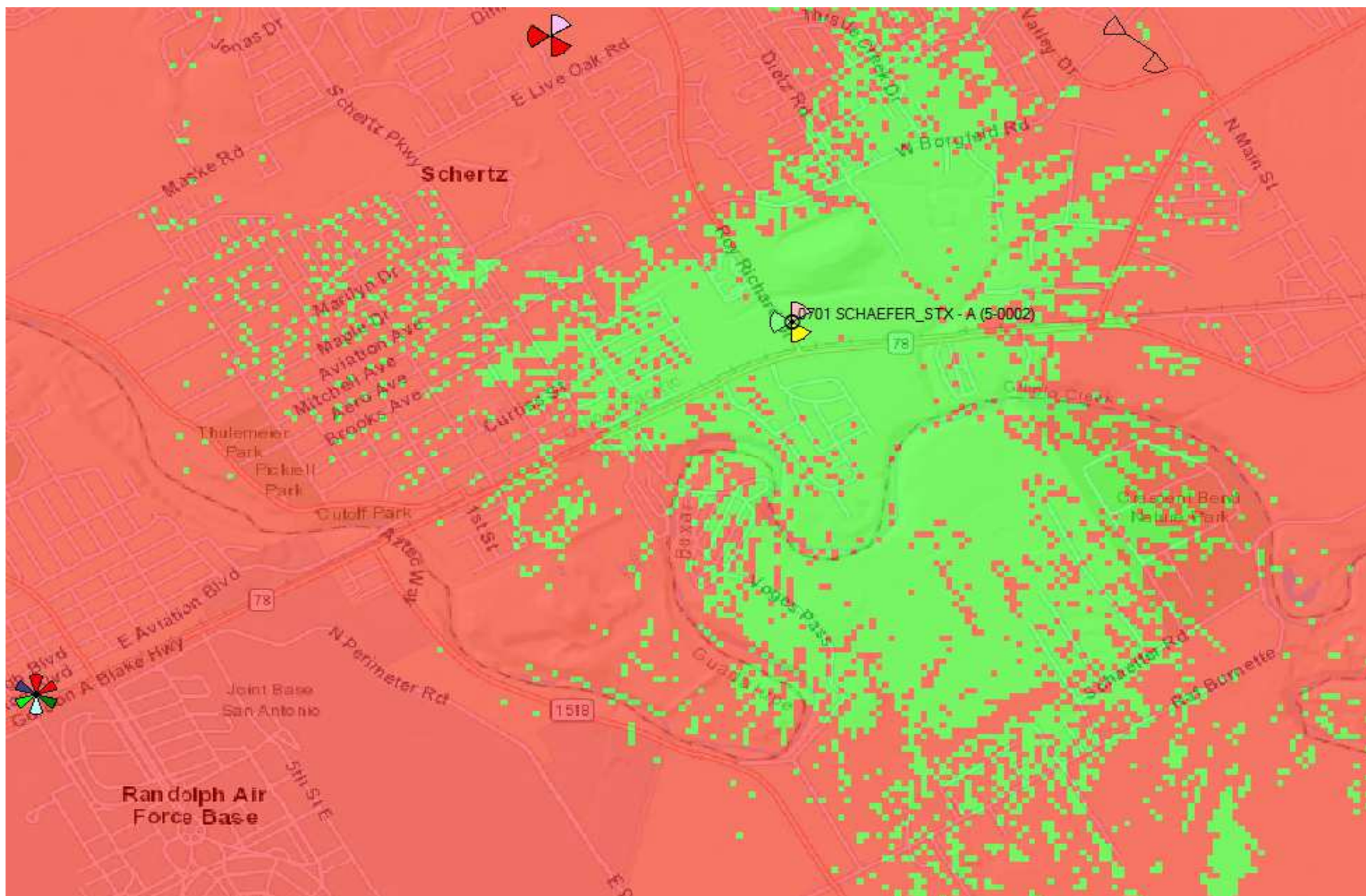


#### Coverage Legend

**Red/Orange** = Expected indoor coverage  
**Yellow/Green** = In-Vehicle, but not always indoor coverage  
**Blue** = Outdoor only coverage



## Best Server Plot With New Site (Green is the New Site's total footprint signal)

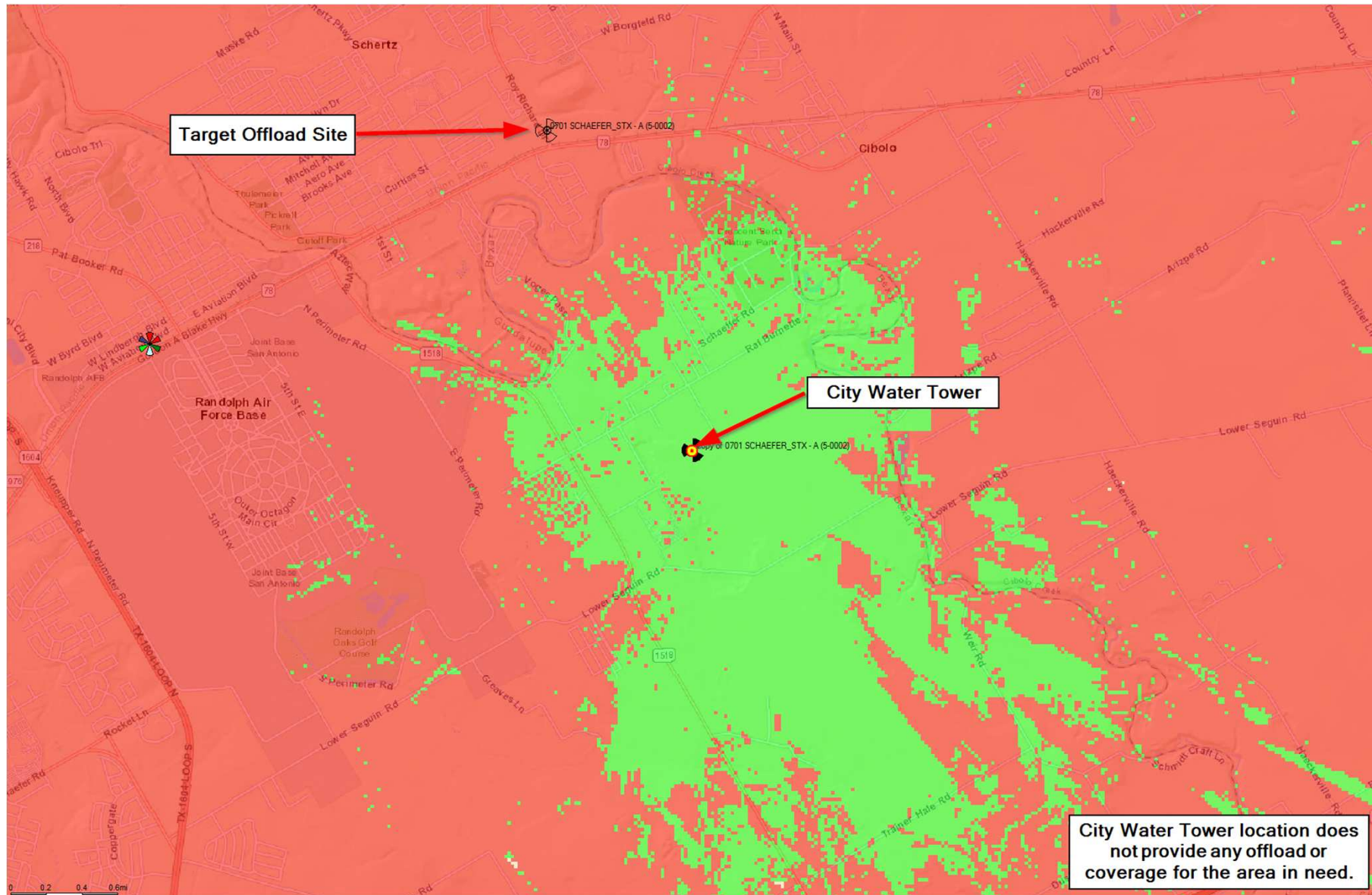


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## Best Server Plot from City Water Tower location (Green is the New Site's total footprint signal)



These maps are not a guarantee of coverage and are a general prediction of where coverage presently exists based on our internal data. Wireless service is subject to network and transmission limitations, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service.





# Cibilo Water Tower 2 miles SE

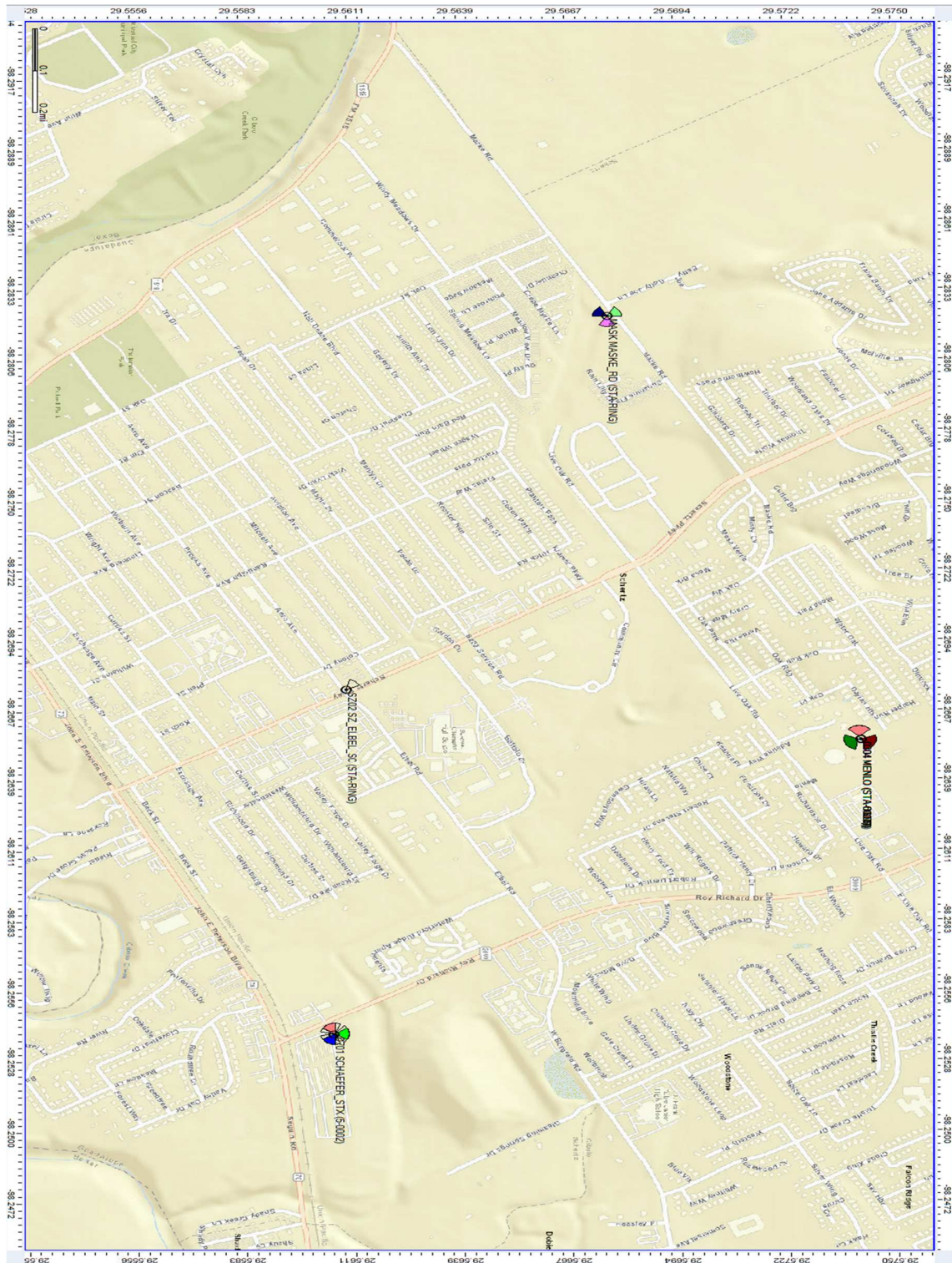
Existing Verizon site





**Thank you.**



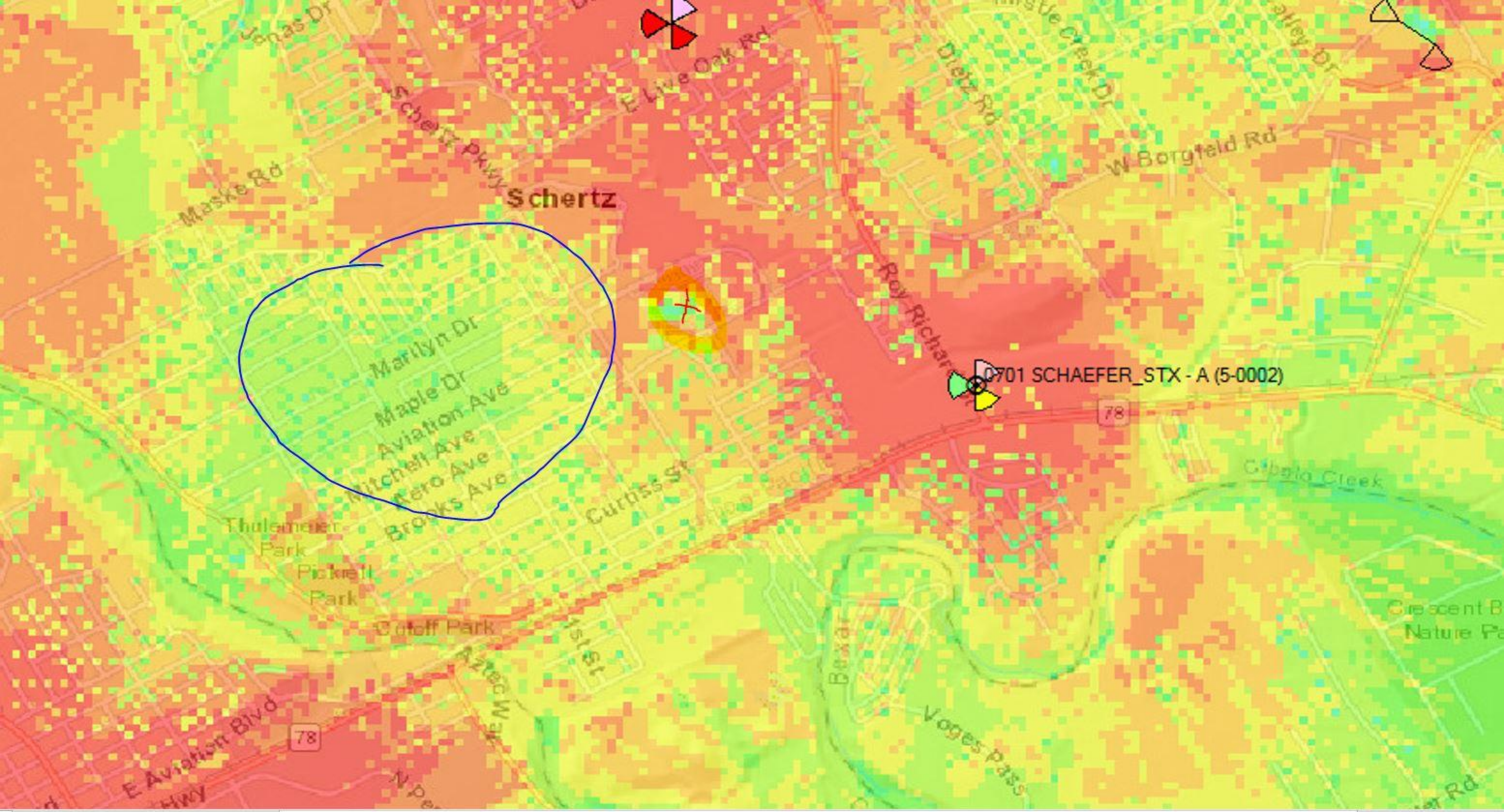


ProjectNumber: 16224285 LAT: 29.567718 LON: -98.282272

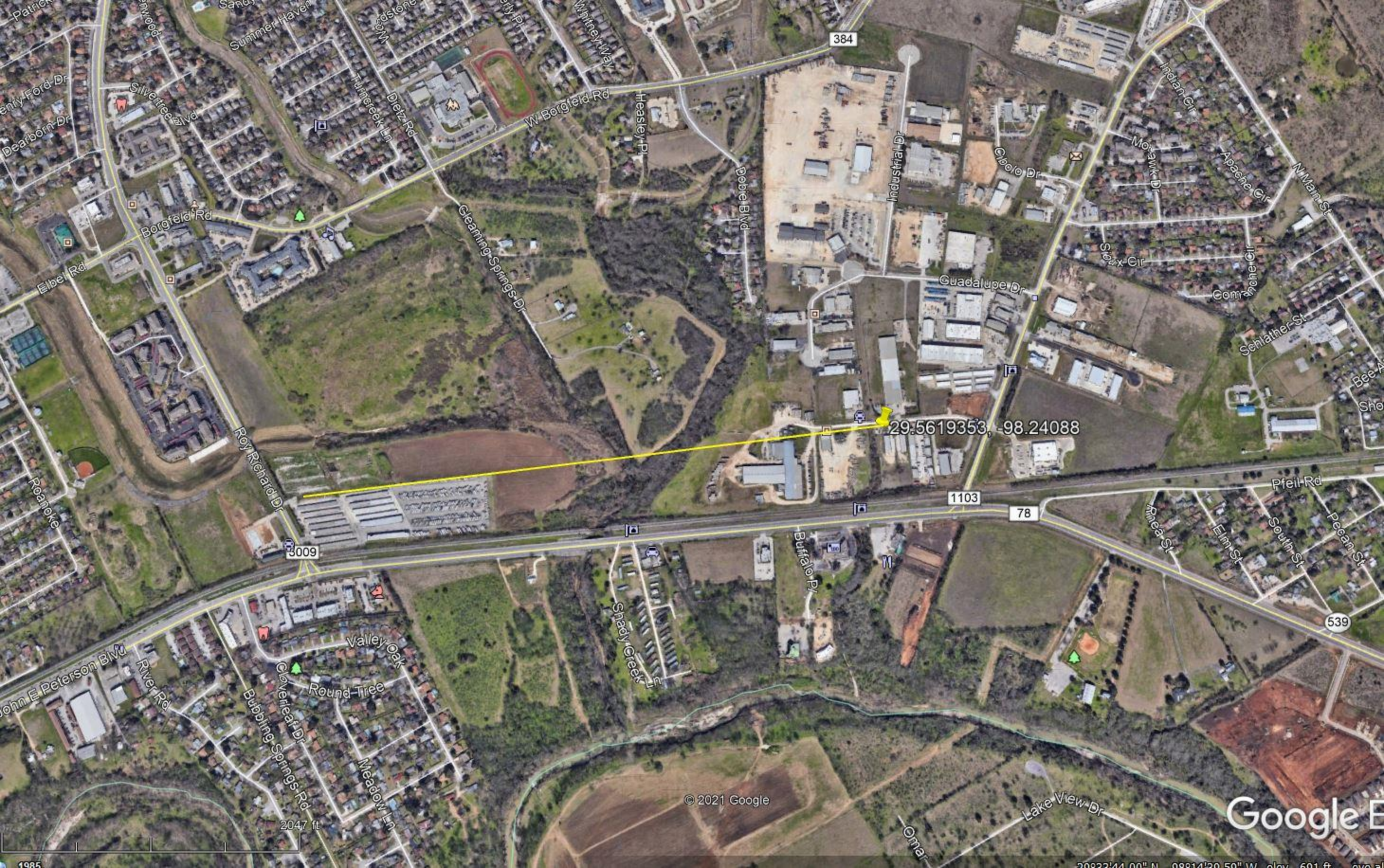
2 - A Small Cell / Medium Cell site Named SZ\_ELBEL\_SC: Name: SZ\_ELBEL\_SC

ProjectNumber: 2475302 LAT: 29.560963 LON: -98.267251

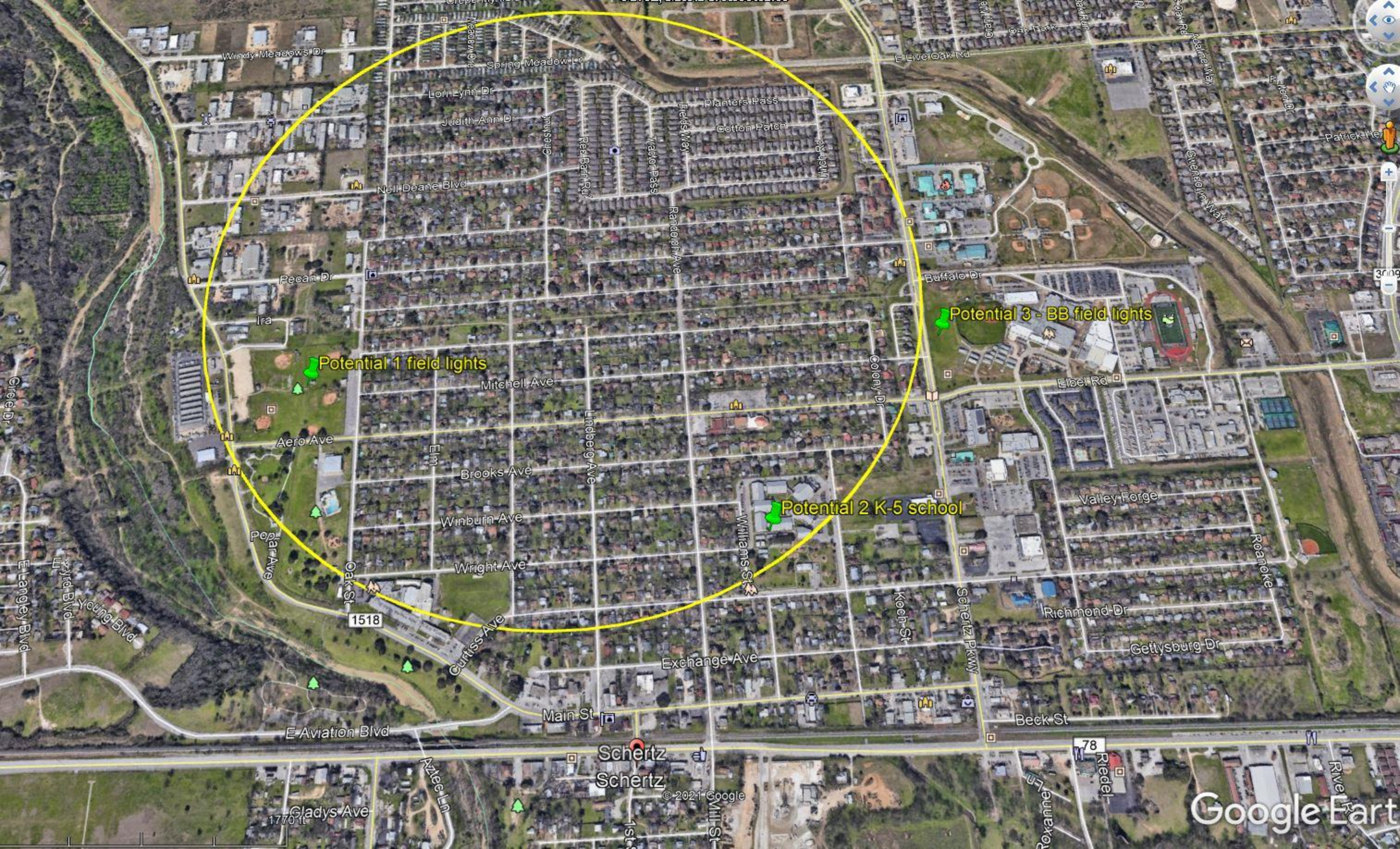












Potential 1 field lights

Potential 2 K-5 school

Potential 3 - BB field lights



# Site Candidate Summary

June 18, 2021  
Verizon Site - Lockaway Storage

Proposed Wireless Telecommunication Facility in Schertz Texas

Prepared for



By **Vincent Gerard & Associates, Inc.**

Land Planning, Development & Zoning Consultants

1715 South Capital Of Texas Highway, Suite 207

Austin, Texas 78746

[Vincentgerard.com](http://Vincentgerard.com) | (512) 328-2693



# Site Candidate Ring & Verizon Sites





## Existing Adjacent Tracts in Search Ring – Zoning Map





**Site #1** AT&T  
Cibolo Tx  
Site would  
cover less  
than 50% of  
Coverage area  
Leading to  
another  
Site necessary  
in Schertz.  
Also, Coverage  
overlap from  
Wal Mart SC  
Rooftop –  
4,200' east



Lockaway Storage • Schertz Texas - Top 50 site

verticalbridge  
750 PARK OF COMMERCE DRIVE  
BOCA RATON, FL 33487



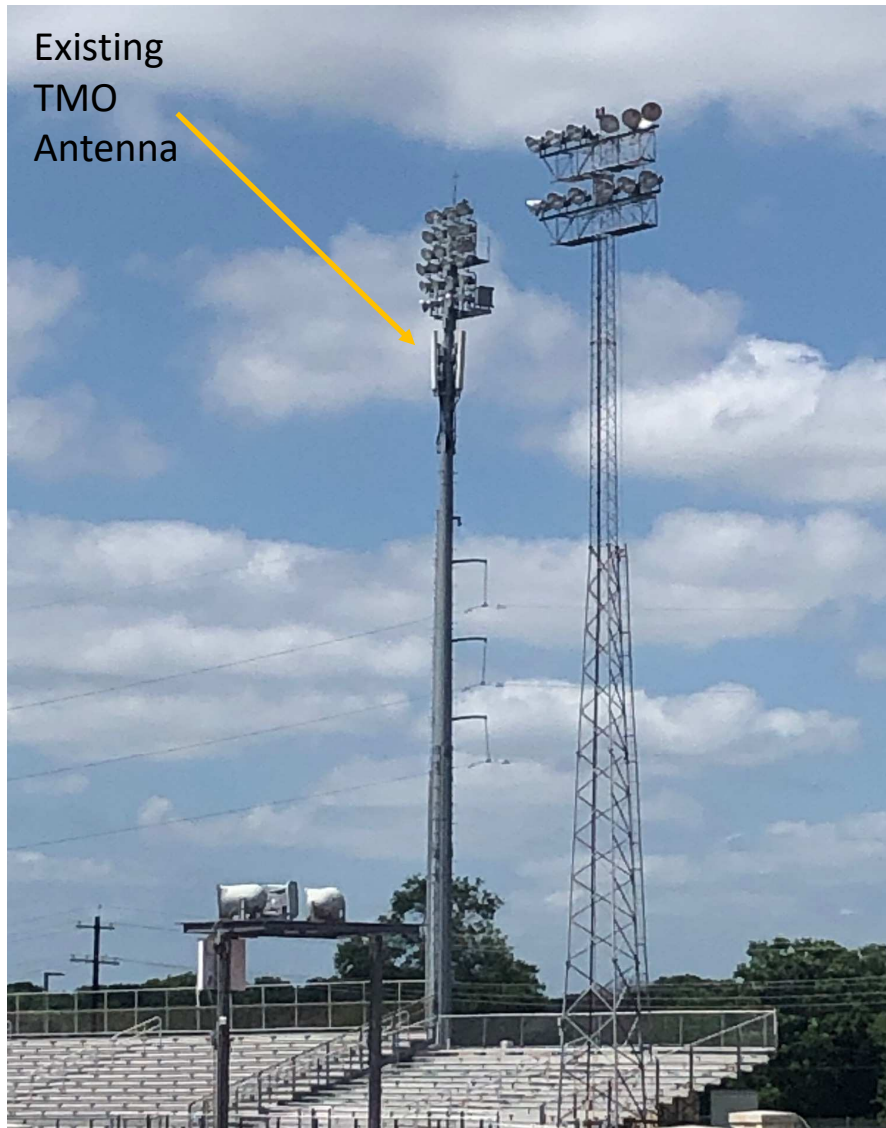
**Site #2** Clemens  
HS T-Mobile  
Field Light Pole.  
Site is limited to  
one (1) structural  
flush mount every  
10' below existing  
antenna, same  
problem with Live  
Oak Water Tower  
Coverage area  
Is not addressing  
high demand,  
Leading to another  
Site necessary in  
Schertz. This site  
would work for  
Planned Future  
Elbel Small Cell



Lockaway Storage • Schertz Texas - Top 50 site

verticalbridge  
750 PARK OF COMMERCE DRIVE  
BOCA RATON, FL 33487

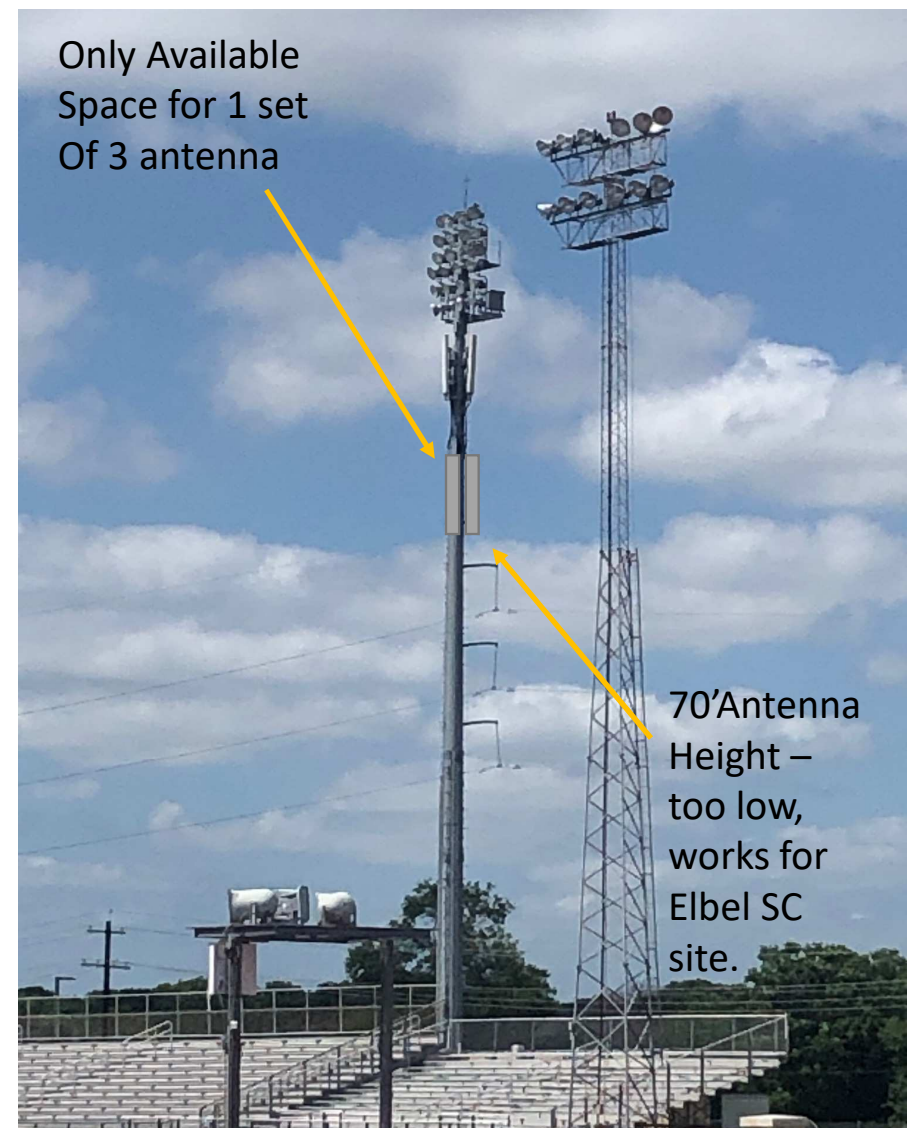




Existing  
TMO  
Antenna

**verizon**

Lockaway Storage • Schertz Texas - Top 50 site



Only Available  
Space for 1 set  
Of 3 antenna

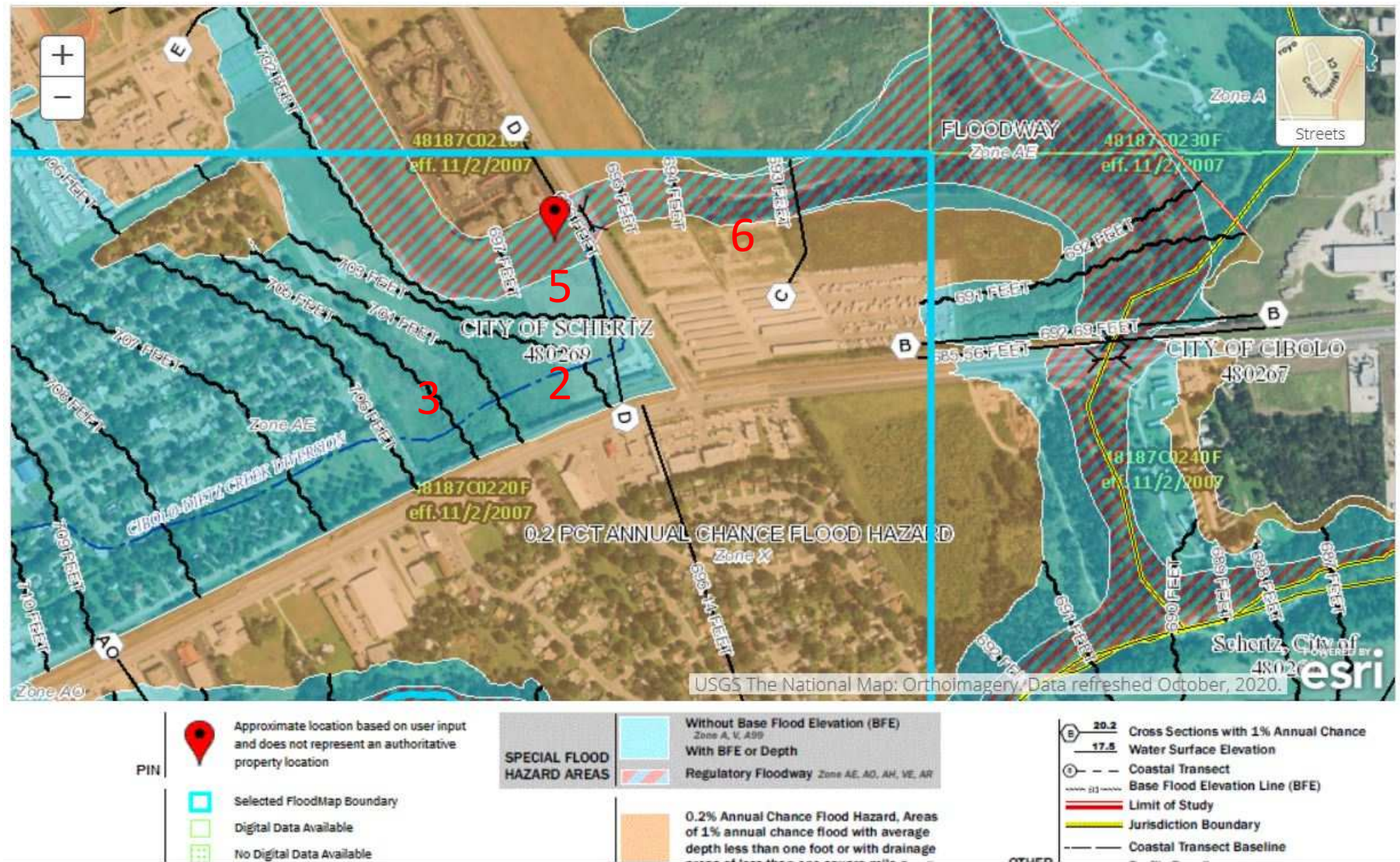
70'Antenna  
Height –  
too low,  
works for  
Elbel SC  
site.

**verticalbridge**  
750 PARK OF COMMERCE DRIVE  
BOCA RATON, FL 33487





- 2. Floodplain
- 3. Floodplain
- 5. Floodplain
- 6. Floodplain & Floodway



Lockaway Storage • Schertz Texas - Top 50 site



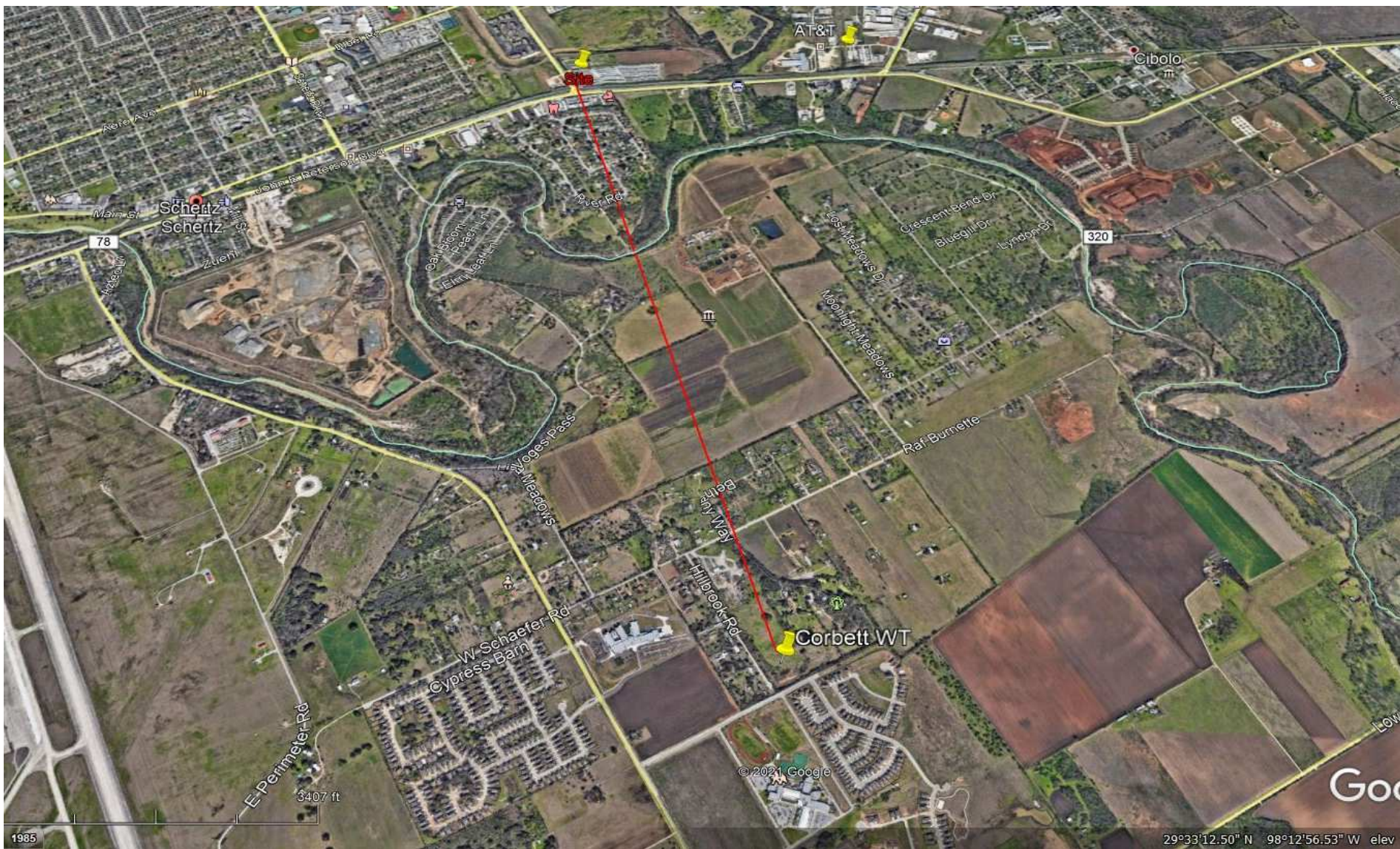


Google Earth  
verticalbridge  
750 PARK OF COMMERCE DRIVE  
BOCA RATON, FL 33487





Schertz  
Corbett WT  
(Future)  
2 Miles South  
Probable  
Future Site  
When  
constructed  
2022-2023



Lockaway Storage • Schertz Texas - Top 50 site





Cibolo WT  
2 Miles East  
Not within  
The target  
Coverage  
Area.



Lockaway Storage • Schertz Texas - Top 50 site



## Site Candidate Summary

**This high priority site for a major intersection of FM 78 and Roy Richards Drive. Phone call & Data Volumes have exceeded the capacity of Verizon Menlo – Schertz WT on Live Oak, Over 126%. This candidate selection has taken the Verizon & Vertical Bridge Teams over 3 years We believe this study Shows that this is the only remaining parcel available.**





**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 13, 2021  
**Department:** City Secretary  
**Subject:** Workshop discussion on the results of the Water and Wastewater Rate Study. (C. Kelm/S. Williams/D. Kneuper)

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**BACKGROUND**

The City of Schertz Public Works Department contracted with Utility Engineering Group (UEG) to perform a Water and Wastewater Rate Study. Traditionally, the City has performed full rate studies approximately every five years with smaller updates as needed. The rate study done this year is independent of previous studies in order to provide a complete analysis.

The analysis performed by UEG and City Staff involved reviewing historical financial information, water billing data, as well as future forecasting that our partner agencies have completed such as CCMA and SSLGC. The analysis concluded there are two driving factors that effect the future rates for the City of Schertz. Those factors are capital improvement projects and increases in the cost of purchased water as a result of the SSLGC Guadalupe Project.

In previous rate studies, an assumed capital improvement project cost was generally plugged into the analysis. This general approach has resulted in underfunding in the Water & Sewer Construction Reserves to ensure safe and reliable water. Now that City Staff has developed a full ten-year Capital Improvement Plan (CIP) the rate analysis was accomplished using the estimated costs of necessary projects. By using the CIP, the rates can be structured and scaled to generate appropriate funding to support the Water and Wastewater services in the City.

The SSLGC Guadalupe Project is under construction and is expected to begin delivering water to the City of Schertz during the 2022 - 2023 fiscal year. The water produced from this project does not have the same rate as the Gonzales Project water and will result in the City's cost of water to increase by approximately 11% from fiscal year 2021 - 2022 to 2022 - 2023. This increase was considered when completing the rate analysis in order to phase in the increase to the customers.

Based on these factors, as well as others, that will be further presented during the rate study workshop, UEG and City Staff are recommending a combined Water and Wastewater target revenue increase for fiscal year 2021 - 2022 of 4%. The workshop will allow for discussion of the study and the proposed rates; but no action will formally be taken during the workshop.

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**CITY COUNCIL MEMORANDUM**

**City Council Meeting: July 13, 2021**

**Department: Engineering**

**Subject: Monthly update - on major projects in progress/CIP. (B. James/K. Woodlee)**

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**Attachments**

July 2021 Major Project Update

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## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 13, 2021

**Department:** City Manager

**Subject:** Update on Major Projects in Progress

### Background

This is the monthly update on large capital projects that are in progress or in the planning process. This update is being provided so Council will be up to date on the progress of these large projects. If Council desires more information on any project or on projects not on this list, please reach out to staff and that information will be provided.

### Facilities Projects:

#### **1. 27 Commercial Place Renovation**

- Project Status: Construction Phase
- Construction Start: June 2021
- Estimated Completion: September 2021
- Cost of Construction: \$1,372,794
- Project Update: Construction began on June 1<sup>st</sup> with the contractor mobilizing to the site. The contractor will be working on the office renovation, site work, and digging the service pits during the month of June. Weekly project meetings continue with City Staff and the contractor. Construction project is on schedule.

#### **2. Emergency Services Restroom Remodel Project**

- Project Status: Closeout Phase
- Construction Start: August 2020
- Estimated Completion: May 2021
- Cost of Construction (All Phases): \$224,075
- Project Update: All phases of the restroom renovations have been completed. Staff is working with the contractor to resolve punch list items. Project has been completed and one punch item is left to repair some tile.

#### **3. Animal Adoption Center HVAC Replacement Project**

- Project Status: Pre-Construction Phase
- Estimated Construction Start: Summer 2021
- Estimated Cost of Construction: \$700,000
- Project Update: City Staff has reviewed and provided comments to Team Mechanical on the 50% plans. Team Mechanical has submitted final plans for



review and comments are expected to be provided by City Staff the first week of July. Permitting is expected to follow the finalization of the plans.

**4. Fire Station #1 HVAC Replacement Project**

- Project Status: Construction Phase
- Construction Start: July 2021
- Estimated Completion: Summer 2021
- Cost of Construction: \$38,214.00
- Project Update: Beyer Mechanical began the project the first week of July. It is expected that the project will take approximately one month to complete.

**5. City Hall Lighting Retrofit Project**

- Project Status: Complete
- Project start: May 2021
- Estimated Completion: July 2021
- Estimated Project Cost: \$9,100
- Project Update: The City's Electrician continued working on the project throughout the month of June. The project was completed on July 7<sup>th</sup>, which was ahead of the proposed schedule.

**Drainage Projects:**

**1. Castle Hills Channel, Colony Drive Channel, Osage Avenue Channel**

- Project Status: Construction Phase
- Start: November 2020
- Estimated Completion: Summer 2021
- Cost of Construction: \$378,425.15 (NTE \$416,267.68)
- Project Update: C-3 Environmental has completed the Colony Drive Channel and the Castle Hills Channel. C-3 has completed the fine grading and has re-established vegetation on the Osage Avenue Channel. The project is complete pending the removal of temporary irrigation.

**2. Doerr Lane Channel**

- Project Status: Closeout Phase
- Start: April 2021
- Estimated Completion: June 2021
- Cost of Construction: \$36,000.00
- Project Update: C-3 Environmental has completed the installation of the hydroturf and has re-established vegetation as required. Project is complete pending a final walkthrough.

**3. Savannah Square Detention Basin, Sycamore Creek at Westchester Drive, and Dietz Creek at Arroyo Verde (2020 Silt Removal Projects)**

- Project Status: Construction Phase
- Consultant: Ford Engineering
- Estimated Construction Start: July 26, 2021
- Cost of Construction: \$291,627.47 (NTE \$320,000)



- Project Update: This contract was awarded to Myers Concrete Construction. Construction is anticipated to begin on July 26<sup>th</sup>. The first project site will be Dietz Creek at Arroyo Verde, so that surveyors for the Dedicated Transmission Main project can survey Dietz Creek with work completed.

#### **4. Fire Station #2 Channel Improvements**

- Project Status: Construction Phase
- Consultant: Ford Engineering
- Estimated Construction Start: May 24, 2021
- Project Update: No change from last updated. C3 Environmental Specialties has continued to close the driveway entrance to FM 2252 to expedite removal and replacement of the driveway. Substantial completion is expected on July 23<sup>rd</sup>.

### **Water and Wastewater Projects:**

#### **1. FM 1103 Sewer Extension Project**

- Project Status: Construction Phase
- Construction Start: May 2021
- Construction Completion: Summer 2021
- Cost of Construction: \$74,235.00 (NTE: \$81,659.00)
- Project Update: M&C Fonseca Construction installed all of the sewer during the month of June. The work has to go through final inspections as well as a final walkthrough to generate a punch list. The project is expected to be fully completed in August.

#### **2. E. Live Oak Pump Additions Project**

- Project Status: Complete
- Construction Start: April 2020
- Construction Completion: Spring 2021
- Cost of Construction: \$1,560,000
- Project Update: The contractor completed all punchlist items and resolved the outstanding pump issues. The project was accepted in early July and the pumps have been operating on the system as designed.

### **Engineering Projects:**

#### **1. 2018 Street Preservation and Maintenance Reconstruction Project**

- Project Status: Substantially Complete
- Construction Start: January 2020
- Construction Completion: Summer 2020
- Cost of Construction: \$1,501,199
- Project Update: The Schertz Parkway Concrete Pavement Repair project has been completed. Warranty repairs to the pavement section between Maske and Woodland Oaks on the west side of the street have been completed. The contractor will be making some repairs to a couple of panels on the east side of the street this



month. The concrete pavement grinding is tentatively scheduled for late this month/early August.



## **2. 2018 Street Preservation and Maintenance Rehabilitation Project**

- Project Status: Fully Complete
- Construction Start: April 2020
- Construction Completion: Summer 2020
- Cost of Construction: \$2,611,348
- Project Update: No change from the last update. The project is fully complete.

## **3. 2018 Street Preservation and Maintenance Resurfacing Project**

- Project Status: Under Construction
- Construction Start: March 2020
- Construction Completion: Summer 2020
- Cost of Construction: \$791,174.34
- Project Update: No change from last report. Waiting on favorable weather conditions so the contractor can perform warranty repairs on the chip sealed areas. Staff and our consultant are working on the bid packages for the additional surfacing on top of the chip seal (fog seal and slurry seal in the Estates at Wilson's Preserve). Bidding is expected to start this month.

## **4. Cibolo Valley Drive Expansion Project**

- Project Status: Under Construction
- Construction Start: May 2020
- Construction Completion: Summer 2021
- Cost of Construction: \$4,806,762 total (\$1,300,000 City of Schertz Contribution)



- Project Update: Project is substantially complete. A second project walk-through will be scheduled for next week to identify any additional or remaining punch list items.

#### **5. Cherry Tree Rehabilitation Project**

- Project Status: Bidding complete
- Consultant: Ford Engineering
- Project Start Date: November 2020
- Project Completion Date: December 2020
- Total Project Cost: \$273,193.80 (NTE amount \$300,600)
- Project Update: The project is fully complete.

#### **6. Elbel Road Storm Drain and Paving**

- Project Status: Design
- Consultant: Ford Engineering
- Project Start Date: August 2020
- Project Completion Date: Summer 2021
- Total Project Cost: \$1,560,000
- Project Update: Bids were opened on July 8<sup>th</sup>. Staff is reviewing the bids and will be making an award recommendation to Council this month.

#### **7. 2020 Street Preservation and Maintenance (Resurfacing) Project**

- Project Status: Design
- Consultant: Kimley-Horn & Associates
- Project Update: The bid package is undergoing final review. The bidding process will start this month and Staff expects to make an award recommendation to Council in late August. This contract includes the slurry seal application to The Estates at Wilson's Preserve. The contract documents require the slurry seal to be applied in The Estates at Wilson's Preserve first.

#### **8. Tri-County Parkway Reconstruction Project**

- Project Status: Design
- Consultant: Halff Associates
- Project Update: Project plans are undergoing the final review. Staff is coordinating with the veterinary clinic at the FM 3009/Tri-County Parkway intersection to help finalize the construction plans. Engineering Staff is coordinating with EDC to meet with business owners who have requested a meeting to discuss the project and planned traffic control. Halff Associates continue to coordinate with the utility companies to address all known utility conflicts in the project area. The utility companies are working on plans and construction schedules to relocate their facilities. Once Halff has all the construction schedules from the utility companies, a bidding schedule will be developed for the project.

#### **9. Corbett Elevated Water Storage Tank**

- Project Status: Complete
- Construction Start: March 2019
- Construction Completion: Fall 2020



- Cost of Construction: \$4,682,000.00
- Project Update: The contractor has completed all outstanding items and has submitted all required closeout documents. The project was accepted in early July. The tank continues to operate on the system as designed.

#### **10. Woman Hollering Creek Wastewater Interceptor Main and Lift Station**

- Project Status: Design – Currently Bidding
- Consultant: Cobb, Fendley & Associates, Inc.
- Estimated Construction Start: Early Summer 2021
- Estimated Cost of Construction: \$12 million
- Project Update: The project was advertised for bid June 9 and proposals for construction are to be due July 20, 2021.

#### **11. Pedestrian Routes and Bike Lanes Project**

- Project Status: Under Construction
- Construction Start: Spring 2021
- Construction Management: AG|CM
- Estimated Cost of Construction: \$1.3 million
- Project Update: We are still waiting on TXDOT approval of the pathway re-alignment to complete the decomposed granite trail. Information was submitted to TXDOT regarding the re-alignment and we received comments back. A resubmittal was made to TXDOT and we just received additional comments back. Our consultant is working on addressing those comments. The contractor is working on the last segment of the work on the south side of Live Oak. Some of the drive approaches have been replaced and some of the prep work for the new curb and gutter has been completed. With favorable weather, the contractor hopes to have the south side work completed by the end of this month. He will then begin work on the north side of the street. He anticipates completion of the north side work in two months after he starts.

#### **12. Water and Wastewater Master Plan Update and Impact Fee Study**

- Project Status: Study
- Consultant: Lockwood, Andrews, and Newnam, Inc.
- Project Start Date: December 2019
- Project Completion Date: TBD 2021
- Total Project Cost: \$467,280 (NTE \$500,000)
- Project Update: No change from June update. Consultant is finalizing the existing system evaluation technical memorandums. Staff met with LAN in early March to review drafts of the reports. Consultant is making identified corrections. Completion of the future conditions evaluation is underway and the Master Plan report is expected to be submitted in June or July. The Impact Fee update of this project will follow that and the schedule will be set by how well the statutorily required meetings with various groups can be coordinated with Board, Committee, and Council meeting.



### **13. 16" Dedicated Transmission Main Phase II**

Overall project intent is the construction of a 16" dedicated water transmission main to connect the Live Oak water storage facility to the IH 35 storage tank. Phase 1 (route study, land acquisition coordination) was completed in March 2021.

- Project Status: Design Phase
- Consultant: Kimley-Horn & Associates
- Design Project Start Date: June 1, 2021
- Project Completion Date: Winter 2022
- Project Cost (Phase 2 Design): \$1,508,875.50
- Project Update: A Notice to Proceed was provided to Kimley-Horn, and the project team has initiate field work for environmental investigations near the Chevron Pipeline crossing, topographic surveying, and geotechnical borings. The 60% Design package is anticipated to be received on December 1, 2021. The project team continues to coordinate with properties with approved right-of-entries for field work.

### **14. Stormwater Control Inventory and City Operations Assessment**

The work of this project is an action included in the City's Stormwater Management Plan (Plan). The Plan is the blueprint of activities needed to comply with the City's Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) General Permit required by virtue of the City's classification as Municipal Separate Storm Sewer System (MS4).

This project specifically consists of development of an inventory of City facility stormwater controls and an assessment of city operations as related to stormwater control and quality.

- Project Status: Study
- Consultant: Utility Engineering Group, PLLC
- Project Start Date: July 2020
- Project Completion Date: Spring 2021
- Total Project Cost: \$35,000
- Project Update: No change from last report. Consultant and City staff have visited most of the City sites proposed for visits. Consultant has submitted a partial draft copy from the compiled information and will be scheduling visits to facilities with the appropriate staff for the higher priority facilities to discuss operations. Draft Inventory is under review by staff.

### **15. Riata Lift Station Relocation (Design Phase)**

Overall project intent is to relocate the Riata Lift Station ahead of TxDOT's IH-35 NEX Project to remove it from conflict with the proposed improvements. The design phase will identify a new site for the lift station, design the new lift station, and design the abandonment of the existing lift station.

- Project Status: Design Phase
- Consultant: Utility Engineering Group, PLLC (UEG)
- Design Project Start Date: August 2020
- Expected Design Project Completion Date: Summer 2021
- Total Project Cost: \$129,795 (NTE \$143,000)



- Project Update: No change since June update. City staff is completing review of the 90% design submitted by UEG.

#### **16. Aviation Heights Water Main Construction – Phases 5, 6, and 7 (Bid Phase)**

Overall project intent is the construction of an 8” water main within the Aviation Heights area along Aero Avenue, Brooks Avenue, Winburn Avenue, Mitchell Avenue, and Aviation Avenue.

- Project Status: Bid Phase
- Consultant: Ford Engineering
- Project Start Date: Fall 2021
- Expected Project Completion Date: Fall 2022
- Total Project Cost: \$1,814,105.20 (NTE \$2,000,000)
- Project Update: Request for Proposals were due Wednesday, July 7<sup>th</sup>. Five bidders provided responses. Responses are currently under review.

#### **17. Crest Oak Wastewater Upsize**

Overall project intent is to upsize the existing 10” sewer main which extends approximately 2,600 linear feet north of Crest Oak.

- Project Status: Scoping phase
- Consultant: Kimley-Horn & Associates
- Design Project Start Date: July 7, 2021
- Expected Project Completion Date: September 7, 2021
- Total Project Cost: \$16,555.00 for the capacity analysis
- Project Update: A Notice to Proceed was provided to Kimley-Horn on July 7<sup>th</sup> to complete a capacity analysis. This analysis will identify current and future contributing flows, which will be used to size the future upgrade of the existing sewer main.

#### **18. FM 1518 Utility Relocations**

Overall project intent is to relocate the water and sewer utilities to avoid conflicts as part of the TXDOT FM 1518 Project. The current contract is for the design services of the project.

- Project Status: Design Phase
- Consultant: Halff Associates
- Design Project Start Date: June 2021
- Expected Design Project Completion Date: September 2022
- Total Project Cost: \$548,370 (NTE \$600,000)
- Project Update: Halff has provided a review set to the City to confirm conflict and new alignments of utility lines. Staff has reviewed this set and is coordinating with Halff to have a preliminary set of plans ready to submit to TXDOT as soon as possible.



## **19. Corbett Ground Storage Tank**

Overall project intent is the construction of a 3.0 Million Gallon ground storage tank for filling the Corbett Elevated Storage Tank, the East Live Oak Elevated Storage Tank, plus additional storage.

- Project Status: Design Phase
- Consultant: Ford Engineering
- Design Project Start Date: June 7, 2021
- Expected Project Completion Date: May 2022
- Total Project Cost: \$466,265.00
- Project Update: The study and report phase (including geotechnical investigation and topographic survey) will be completed in August 2021. The project team met on July 1<sup>st</sup> to discuss the proposed site plan, pump selection, and stormwater management requirements.

### **TxDOT Roadway Projects:**

- 1. FM 1103 Improvement Project:** No change from June update. Utility relocations are wrapping up. The current let date for a construction contract is July 2021.
- 2. FM 1518 Improvement Project:** No change from June update. TxDOT is in the Plans, Specs, and Estimates (PS&E) stage of the project. At this time, a consultant for TxDOT has prepared 60% construction plans. TxDOT continues acquiring property needed as right of way for the expansion project. As parcels are acquired, TxDOT contractors are physically clearing the right of way in preparation for final surveying and design.

TxDOT has not yet acquired parcels needed from JB SA-Randolph. That process is proceeding, however slowly. Because of delays with that acquisition and increased costs, the project may be split into segments. Staff has been meeting with TxDOT regarding plans to address the budget shortfall. With Bexar County's support (including funding and identification as a number one priority project) TxDOT will be submit the remaining funding need to AAMPO during this season's call for projects. It is not currently anticipated that the City of Schertz will be requested to contribute additional funding however, if that becomes a need, staff will bring a proposal to Council for consideration at a future meeting.

At least a portion of the project is still currently scheduled for letting in September 2022; construction may begin as early as January 2023.

- 3. I-35 Operational Improvements Project (FM 2252 to Schwab Road):** Contractor continues work on retaining walls, grading of ditches and swales, placing electrical components, repair of frontage road failures, and placement of new curb, sidewalk, and riprap. Estimated final cost of the project is \$25.5 million. The current schedule includes an expectation of substantial completion in late fall 2021.
- 4. I-35 NEX (I-410 South to FM 1103):** No change from June update. A full description of the project to expand I-35 from I 410 South to FM 1103 can be found by searching keywords "I-35 from I-410" at TxDOT.gov. Schematic exhibits of the proposed



improvements are available on that website. Public Works and Engineering staff are participating in utility coordination meetings with TxDOT and its contractors regarding relocations that may need to take place in advance of or in conjunction with the roadway construction. Construction is expected to begin in spring 2021 and take 4 to 5 years to complete. The portion of the I-35 NEX project from the Cibolo Creek to its termination at FM 1103 has a cost of \$621 million.

TxDOT is acquiring needed right of way and carrying out demolition activities as property is acquired. One parcel of right of way being acquired impacts the detention pond that was constructed with development of the Riata Subdivision. The physical pond will need to be modified to remove its encroachment into the proposed right of way. Because this is a drainage facility within a City easement, the City is responsible for the modification however, TxDOT will provide funding for that work via reimbursement.

- 5. IH-10 Graytown Road to Guadalupe County Line:** No change from June update. Construction of this \$157 million project to expand IH 10 underway. Traffic controls have been placed and work has begun on the transition of the access roads from two-way to one-way. Grading for the widening of the main lanes has also begun. Ramp and lane closures take place as necessary. The construction timeline for the project is 53 months.

#### **Planning and Community Development Projects:**

- 1. CityView Permitting and Development Software**

No change from June update. The CityView software is currently being configured by the CityView implementation team. City Staff has continued to hold bi-weekly meetings with CityView to monitor the progress of configuration and continue discussion related to the software. A proposed timeline is being drafted by CityView to present to the City. When the configuration is complete by CityView and the software is validated (tested) by City Staff, we move to end user staff training and then go live.

- Total Project Cost: \$523,766.00
- Project Start Date: June 2018
- Project Completion Date: TBD – Fall/Winter 2021