



**MEETING AGENDA**  
**City Council**  
**REGULAR SESSION CITY COUNCIL**  
**July 5, 2022**

**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 5, 2022 at 5:30 p.m.**

**Swearing-in Ceremony and Reception of Fire Chief Greg Rodgers - 5:30 - 6:00 PM**

**City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, July 5, 2022, 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 Whittaker)**

**Employee Recognition - Introduce New Employees**

- Engineering: Herman Pacheco, Inspector
- Finance: Mike Walkden, Finance Analyst
- Planning & Community Development: Samuel Haas, Planner
- Public Works Drainage: Trevor Walker, Drainage Worker 1
- Public Works Streets: Jesse Jr. Nauta, and Ernesto Galan, Street Worker I; Brian Ricker, Anthony Grubbs and Jeremy Weaver, Service Worker I;

**Presentations**

- Presentation regarding CityView (B. James/L. Wood/E. Delgado)

## 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 regular meeting of June 28, 2022. (B. Dennis)
2. **Ordinance No. 22-S-25** - Consideration and/or action on a request to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation, generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal County, Texas. ***Final Reading*** (B. James/L. Wood/M. Harrison)
3. **Ordinance No. 22-S-26** - Consideration and/or action on a request to rezone approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4), generally located 1,100 feet west of the intersection of FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, and 75246, City of Schertz, Comal County, Texas. ***Final Reading*** (B. James/L. Wood/M. Harrison)



4. **Resolution No. 22-R-71** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to sign a Letter of Intent (LOI) with Southwest Ambulance Sales for the purchase of one (1) new ambulance for Fiscal Year 2022/2023. (C. Kelm/J.Mabbitt)
5. **Resolution No. 22-R-60** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas calling the November 8, 2022, 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)
6. **Resolution 22-R-69** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into an agreement with the Texas State Library and Archives Commission relating to the reimbursement of expenses incurred through the lending of Schertz Public Library materials to other libraries. (B. James/M. Uhlhorn)

#### **Discussion and Action Items**

7. **Ordinance No. 22-M-29** - Consideration and/or action approving an Ordinance amending the City Council Rules of Conduct and Procedure to include the Appointment Procedures for City Council Liaison Positions to the City of Schertz Boards, Commissions and Committees. **First Reading** (M. Browne/B. Dennis/S. Edmondson)

#### **Public Hearings**

8. **Ordinance No. 22-S-27** - Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 287 acres of land generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers 310053, 310060, 310121, Bexar County, Texas **First Reading** (B. James, L. Wood, M. Harrison)
9. **Ordinance No. 22-S-28** - Conduct and hold a public hearing and consideration and/or action on a request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar County, Texas. **First Reading** (B. James, L. Wood, M. Harrison)

#### **Roll Call Vote Confirmation**

#### **Closed Session**

10. The City Council will meet in closed session in accordance with Section 551.074 of the Texas Government Code to discuss the direction to fill the City Manager vacancy.

11. City Council will meet in Closed Session in accordance with Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect.
  - Project E-080
12. City Council will meet in closed session under Section 551.071 to consult with City attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to wit: police department evidence room storage and destruction procedures.

### **Reconvene into Regular Session**

13. Take any action based on discussions held in Closed Session under Agenda Item 10.
14. Take any action based on discussions held in Closed Session under Agenda Item 11.
15. Take any action based on discussions held in Closed Session under Agenda Item 12.

### **Roll Call Vote Confirmation**

### **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 1st DAY OF JULY 2022 AT 9:00 A.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

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 \_\_\_\_\_, 2022. 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> Animal Advisory Commission - Alternate 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 – Place 2 (VACANT)</b>
<b>Councilmember Whittaker – Place 3</b> Audit Committee Interview Committee for Boards and Commissions TIRZ II Board	<b>Councilmember Dahle – Place 4</b> Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board
<b>Councilmember Heyward – Place 6</b> Animal Advisory Commission Audit Committee Investment Advisory Committee Main Street Committee	<b>Councilmember Brown – Place 7</b> Main Street Committee Schertz-Seguin Local Government Corporation - Alternate

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 5, 2022  
**Department:** City Secretary  
**Subject:** Minutes – Consideration and/or action regarding the approval of the minutes of the regular meeting of June 28, 2022. (B. Dennis)

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**BACKGROUND**

The City Council held a Regular City Council meeting on June 28, 2022.

**RECOMMENDATION**

Recommend Approval.

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**Attachments**

06-28-2022 Minutes

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MINUTES  
REGULAR MEETING  
June 28, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 28, 2022, 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 David Scagliola; Councilmember Mark Davis; City Council Place 2 - Vacant; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Jill Whittaker; Councilmember Michael Dahle

City Staff: City Manager Dr. Mark Browne; Assistant City Manager Brian James; Assistant City Manager Charles Kelm; City Attorney Daniel 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 pm.

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

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

### **Presentations**

- Presentation and update regarding Neighborhood Services. (B. James/L. Wood/R. Vera)

Mayor Gutierrez recognized Neighborhood Services Manager Rebecca Vera who provided a PowerPoint of the Neighborhood Services Department.

- Comprised of two Divisions: Code Enforcement and Environmental Health (Sanitarian).
- Our mission is to protect and promote the health, safety and Keep Schertz a beautiful place to live.
- Neighborhood Services has developed a new logo and a proactive approach to engage neighborhoods to reinvigorate the sense of community.

Goals:

- Protect the community from environmental and health hazards.
- To provide quality education and enforcement of city codes and ordinances so that Schertz is a great livable community.
- Work hand-in-hand with community stakeholders to increase and maintain a high

quality of life.

- Provide interdepartmental assistance and direction when enforcing city regulation.

#### Benefits:

- Maintain property values
- Create a sense of community
- Improved property maintenance
- Foster resident pride in their neighborhood

#### Programs in the Works

- HOA Engagement
  - Love Where You Live
  - Resource outreach – Grant Application
  - COMING SOON!! Schertz Community Tool Shed will offer the use lawn care equipment for Schertz residents at no cost.
- Presentation regarding CityView. (B. James/L. Wood/E. Delgado)

Mayor Gutierrez recognized Senior Planner Emily Delgado who explained that due to the council chamber computer being unable to access the city internet, she would like to postpone the CityView Presentation to another City Council meeting.

Mayor Gutierrez asked for a motion to postpone the CityView Presentation.

Moved by Councilmember Heyward, seconded by Mayor Pro-Tem Scagliola

AYE: Mayor Pro-Tem David Scagliola, Councilmember Mark Davis,  
Councilmember Allison Heyward, Councilmember Tim Brown

PASSED

ABSENT: Councilmember Jill Whittaker, Councilmember Michael Dahle

### City Events and Announcements

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

Mayor Gutierrez recognized Assistant City Manager Charles Kelm who provided the following information:

#### **Monday, July 4**

City Offices Closed in observance of Independence Day

#### **4th of July Jubilee**

Let Freedom Run 5K – Starts promptly at 9:15 AM

Don your best patriotic gear and run along the Jubilee parade route prior to the parade. 2022 marks the 10th race in Schertz. Register for the race on Schertz.com.

Parade – Begins at 9:30 AM

In a time-honored tradition, individuals and non-profit groups are welcome to join the

City of Schertz for a Patriotic Parade through downtown Schertz.  
Float and Fireworks – From 6:00 - 10:00 PM -- SOLD OUT!

Live Music – Begins at 6:00 PM

Groove Knight will be providing Live Music at Pickrell Park!

Kids Carnival – Opens at 11:00 AM

The Kids Carnival is held at Thulemeyer Park.

Fireworks Show – Begins at approximately 9:15 PM

Bring your blankets and lawn chairs to Pickrell Park for a spectacular finale to Jubilee.  
Sponsored by HEB.

## **Tuesday, July 5**

Next regular scheduled Council meeting

6:00 PM

Council Chambers

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

Mayor Gutierrez recognized City Manager Mark Browne who thanked the Public Works Utilities Dept. for taking care of the numerous water main breaks. He also thanked the Parks Dept. for all their hard work in preparation for the 4th of July Jubilee festivities and for fixing the pump at Pickrell Park over the weekend.

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

Mayor Gutierrez thanked the Parks Dept. for the Great Northern Trail Grand Opening and the work put in for the 4th of July Jubilee. He also wanted to thank the Public Works Dept. for taking care of the water main breaks during this dry season. Mayor Gutierrez wished Fire Chief Kade Long congratulations on his recent retirement from the City of Schertz.

## **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.***

No one signed up to speak.

## **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 Consent Agenda Items 1-5 into record.

Mayor Pro-Tem Scagliola read the following Consent Agenda Items 6-10 into record.

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of June 14, 2022. (B. Dennis)
2. **Resolution No. 22-R-61** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas accepting the semi-annual report with respect to the progress of the Capital Improvements Plan, and other matters in connection therewith. (C. Kelm/S. Williams)
3. **Appointments and Reappointments to the Tax Increment Reinvestment Zone II (TIRZ) Board** - Consideration and/or action approving the appointment of Bradford Pittenger and the reappointment of Clark McChesney, Jr. (B. Dennis/Mayor-Council)
4. **Appointments and Reappointments to various Boards, Commissions and Committees** - Consideration and/or action approving the Reappointments and Appointments to the Building and Standards Commission, Historical Preservation Committee, the Planning & Zoning Commission and the Transportation Safety Advisory Commission. (B. Dennis/Mayor-Council)
5. **Resolution No. 22-R-62** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing an amendment to Resolution 21-R-112 for the purchase of a Brush Truck from Siddons Martin Emergency Group for FY2021-2022. (C. Kelm/K. Long)
6. **Resolution No. 22-R-64** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas appointing members to the Alamo Area Council of Governments Regional Emergency Preparedness Advisory Committee. (C. Kelm/K. Long)
7. **Resolution No. 22-R-66** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine debt revenue adjustments for certain inactive outstanding receivables and other matters in connection therewith. (M. Browne/J. Walters)
8. **Resolution 22-R-65** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving the SSLGC Fiscal Year 2022-2023 Water Rates and other matters in connection therewith. (C. Kelm/S. Williams/A.Beard)



9. **Resolution 22-R-67-** Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the Schertz Seguin Local Government Corporation (SSLGC) Budget Amendment for Fiscal Year 2021-22 in the amount of \$380,000 as a transfer to the SSLGC Operating Fund, \$300,000 as a transfer to the Rate Stabilization fund and \$569,669 as a transfer to the Repair and Replacement fund and other matters in connection therewith. (C. Kelm/S. Williams/A. Beard)
10. **Resolution 22-R-68 -** Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving the SSLGC Fiscal Year 2022-2023 Annual Budget and other matters in connection therewith. (C. Kelm/S. Williams/A. Beard)

Mayor Gutierrez asked if there were any items City Council wished to be removed from the Consent Agenda. As no items were removed, Mayor Gutierrez asked for a motion to approve Consent Agenda Items 1-10.

Moved by Mayor Pro-Tem David Scagliola, seconded by Councilmember Allison Heyward

AYE: Mayor Ralph Gutierrez, Mayor Pro-Tem David Scagliola, Councilmember Mark Davis, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

## **Discussion and Action Items**

## **Public Hearings**

11. **Ordinance No. 22-S-25 -** Conduct a public hearing and consideration and/or action on a request to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation, generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal County, Texas. ***First Reading*** (B. James/L. Wood/M. Harrison)

Mayor Gutierrez read the following into record:

### **ORDINANCE NO. 22-S-25**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE COMPREHENSIVE LAND USE PLAN BY CHANGING APPROXIMATELY 22 ACRES OF THE FUTURE LAND USE MAP FROM THE AGRICULTURAL**

**CONSERVATION LAND USE DESIGNATION TO THE  
MULTIFAMILY RESIDENTIAL LAND USE DESIGNATION,  
GENERALLY LOCATED APPROXIMATELY 1,100 FEET WEST OF  
THE INTERSECTION OF F 482 AND HUBERTUS ROAD, ALSO  
KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION  
NUMBERS 401272, 401273, 75375, 75237, AND 75246 CITY OF  
SCHERTZ, COMAL COUNTY, TEXAS.**

Mayor Gutierrez recognized City Planner Megan Harrison who presented a PowerPoint presentation explaining the request to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation. This proposed Future Land Use designation is intended to allow Apartment buildings, and developments with three or more units as well as nursing homes and assisted-care group living facilities.

Mayor Gutierrez recognized Mr. Chris Bancroft, Texas Multi-Family Capital, 111 West 6th Street, Austin, TX, who is the applicant who is requesting to amend the Comprehensive Land Use Plan. Mr. Bancroft explained why they are asking to amend the Comprehensive Land Use Plan, so they can then request to rezone this area for Multi-Family Residential land use.

Mayor Gutierrez opened the Public Hearing and recognized the following:

Mr. Dana Eldridge, 2628 Gallant Fox Drive-Mr. Eldridge's concern is the traffic that will increase with the current middle school, the planned elementary school and the large industrial type businesses with trucks using the roads around this area.

As no one else spoke; Mayor Gutierrez closed the Public Hearing for asked for Council comments.

Councilmembers expressed concerns with building residential on west side of IH-35. However, with Danville Middle School located on Hubertus Rd, and the plans to build an elementary school nearby, affordable housing is needed. Multifamily developments are a good start.

Mayor Gutierrez asked for a motion to approve Ordinance 22-S-25 on the first reading.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem David Scagliola, Councilmember Mark Davis,  
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

12. **Ordinance No. 22-S-26** - Conduct a public hearing and consideration and/or action on a request to rezone approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4), generally located 1,100 feet west of the intersection of FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, and 75246, City of Schertz, Comal County, Texas. *First Reading* (B. James/L. Wood/M. Harrison)

Mayor Gutierrez read the following into record:

**ORDINANCE NO. 22-S-26**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 22 ACRES OF LAND TO APARTMENT/MULTI-FAMILY RESIDENTIAL DISTRICT (R4), GENERALLY LOCATED 1,100 FEET WEST OF THE INTERSECTION OF FM 482 AND HUBERTUS ROAD, ALSO KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBERS, 401272, 401273, 75375, 75237, AND 75246, COMAL COUNTY, TEXAS. FIRST READING**

Mayor Gutierrez recognized City Planner Megan Harrison who presented a PowerPoint presentation explaining the request to rezone stating the property has the land use designation under the Sector Plan for North Schertz as Agricultural Conservation. The applicant requested a zone change for the approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4). The applicant also requested, for the approximately 22 acres of land, through a Comprehensive Land Use Plan Amendment to change the land use designation to Multi-Family Residential District. The zone change and land use designation change would still leave a vast amount of large acre residential tracts as well as Agricultural Conservation land use designation for Northern Schertz. This proposed rezoning would be a less intense use for the area given that a majority of the properties are zoned Manufacturing Light (M-1) and would act as a buffer to the existing large acre residential lots from the light industrial/commercial uses and schools.

The Planning and Zoning Commission held a public hearing on May 25, 2022, and offered a recommendation of approval with a 5-0 vote. Staff supports the Commissions recommendation and recommends approval of the proposed rezoning from Agricultural District (AD) and Manufacturing Light (M-1) to Apartment/Multi-Family Residential District (R-4).

Mayor Gutierrez recognized Mr. Chris Bancroft, Texas Multi-Family Capital, 111 West 6th Street, Austin, TX., who provided a brief presentation on the proposed project.

Mayor Gutierrez opened the Public Hearing and as no one spoke; closed the Public Hearing for Council comments. Mayor Gutierrez called for a motion to approve Ordinance 22-S-26 on the first reading.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown to approve Ordinance No. 22-S-26 on first reading.

AYE: Mayor Ralph Gutierrez, Mayor Pro-Tem David Scagliola, Councilmember Mark Davis, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 13. Resolution No. 22-R-58** - Conduct a public hearing and consideration and/or action approving a Resolution accepting a petition for voluntary annexation of approximately 45 acres of land generally located 3,700 feet east of the intersection of FM 1518 and Schaefer Road, known as property addresses 12250 Schaefer Road and 12198 Schaefer Road, also known as Bexar County Property Identification Numbers 309837, 309814, and 309807 Bexar County, Texas. (B. James/L. Wood/M. Harrison)

Mayor Gutierrez read the following into record:

#### **RESOLUTION NO. 22-R-58**

#### **A RESOLUTION OF THE CITY COUNCIL OF SCHERTZ, TEXAS ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SCHERTZ**

Mayor Gutierrez recognized City Planner Megan Harrison who stated on behalf of each property owner Moy Tarin Ramirez Engineers, LLC submitted a petition for voluntary annexation to the City of Schertz for approximately 45 acres of land. The property is generally located 3,700 feet east of the intersection of FM 1518 and Schaefer Road, also known as Property Identification Numbers 309837, 309814, and 309807.

Upon City Council accepting the petition for the voluntary annexation of the approximately 45 acres of land, the property owners would be able to initiate the annexation and zone change processes for the subject property. The adoption of this resolution does not annex the subject properties into the City, but instead allows the City Council to annex the property by ordinance in the future. A subsequent ordinance for annexation must be approved by City Council in order to annex the property into the City of Schertz. There was a public hearing notice published in the "San Antonio Express" newspaper on June 8th, 2022.

The property owners are requesting voluntary annexation into the City of Schertz due to wanting the subject properties to be located within the City of Schertz City limits in order to develop the land as a Planned Development District (PDD). Staff recommends approval.

Mayor Gutierrez opened the Public Hearing and as no one spoke; closed the Public Hearing for Council comments. No comments from Council. Mayor Gutierrez called

for a motion to approve Resolution No. 22-R-58.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward to approve Resolution No. 22-R-58

AYE: Mayor Ralph Gutierrez, Mayor Pro-Tem David Scagliola, Councilmember Mark Davis, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

## **Roll Call Vote Confirmation**

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for Agenda Items 1 through 13.

## **Workshop**

Mayor Gutierrez recessed the meeting at 6:47 p.m. as they lost a quorum as Councilmember Heyward left the dais. Mayor Gutierrez reconvened the meeting at 6:51 p.m. as a quorum was now present, and Councilmember Heyward returned to the dais.

### **14. Discussion regarding fees being waived and charged for the Main Street area.**

Mayor Gutierrez recognized Assistant City Manager Brian James who provided a presentation explaining the Current Development Fee Waivers for the Main Street Area.

Currently, waive Inspection and Planning Fees as well as the floodplain permit fees and clearing and grading fees for the Main Street Incentive Area since 2016.

Development fees/charges not being waived in the Main Street Area

- Tree Mitigation Fees
- Street cut and tap fees
- Impact Fees – roadway, water (City and SSLGC) and sewer (City and CCMA).

If Council desires to waive the tree mitigation, street cut and tap fees, staff recommends doing so in conjunction with the creation of a Neighborhood Empowerment Zone.

The City Council does not have the power to waiver the impact fees charged by CCMA and SSLGC.

Impact Fees must comply with Chapter 395 of the Texas Local Government Code so waiving them is more problematic and would require removing Main Street from the impact fee service areas. If Council is interested, staff can work with the City Attorney to explore this option.

Councilmember Davis stated this is a worthy topic to pursue. Council has had several discussions about putting in effort towards the Main Street redevelopment project. If we are wanting to make Main Street a walkable community, a community gathering place, and encourage new businesses to come down there, it is difficult with the challenges with the floodplain and other issues. With the costs the business owners will have in redeveloping, it can potentially help encourage the redevelopment on Main Street.

Councilmember Brown asked if there is a way reassess the fees instead of waiving them in full. ACM Mr. James responded that, yes, they can create an Empowerment Zone around Main Street and reduce the fees or adjust them.

Mayor Pro-Tem Scagliola would like to have the City be more of a partner with the local business owners vs. spending a lot of city money. He stated he would like to speak to with ACM Brian James on this and other topics at a later time.

ACM Mr. James confirmed that Council would like Staff to speak with Mayor Pro-Tem Scagliola, work with the City Attorney about the implications of these options and then come back to Council with other options.

## **Roll Call Vote Confirmation**

No roll call vote.

## **Requests and Announcements**

- Announcements by the City Manager.

No further announcements.

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

No items requested.

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

No items requested.

- Announcements by Mayor and Councilmembers

Councilmember Davis stated he attended the retirement ceremony for Fire Chief Kade Long.

Councilmember Heyward stated she also attended the retirement ceremony for Fire Chief Kade Long, and last week attended the TML Board of Directors Conference.

Councilmember Brown state he too attended the retirement ceremony for Fire Chief Kade Long.

## **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:16 p.m.

ATTEST:

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Ralph Gutierrez, Mayor

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Brenda Dennis, City Secretary

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 5, 2022

**Department:** Planning & Community Development

**Subject:** Ordinance No. 22-S-25 - Consideration and/or action on a request to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation, generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal County, Texas. *Final Reading* (B. James/L. Wood/M. Harrison)

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### BACKGROUND

Owners:

- Juan A. Vidalez, Jr., 7636 FM 482: Parcel ID 401272
- Bryan Moczygemba, 7608 FM 482: Parcel ID 401273
- Mary Helen Esquivel, 7576 FM 482: Parcel ID 75237
- Joanna C. Francois, 7590 FM 482: Parcel ID 75375
- Gary and Carol Cusick, 7570 F 482: Parcel ID 75246

Thirteen (13) public hearing notices were mailed to the surrounding property owners on May 13, 2022 with a public hearing notice published in the "San Antonio Express" on June 8, 2022 prior to the City Council public hearing. At the time of the staff report Staff received 1 response opposed and 2 responses in favor of the requested Comprehensive Land Use Plan Amendment.

### GOAL

The goal is to amend the Comprehensive Land Use Plan by changing approximately 22 acres of land of the Future Land Use Map from Agricultural Conservation land use designation to Multi-Family Residential land use designation.

### COMMUNITY BENEFIT

The community benefit is to promote safe, orderly, efficient development and bring about the City's vision of future growth.

### SUMMARY OF RECOMMENDED ACTION

The applicant is requesting to amend the Comprehensive Land Use Plan by changing approximately 22 acres of land of the Future Land Use Map from Agricultural Conservation land use designation to Multi-Family Residential land use designation. The Future Land Use Map for the subject area was evaluated as part of the Sector Plan Amendment to the Comprehensive Land Use Plan, adopted by City Council on July 16, 2013. The subject properties are currently under the Agricultural Conservation land use designation. Some of the character defining elements of Agricultural Conservation are mainly large-lot residential and agricultural uses with some agricultural related commercial uses being permitted (landscaping business, metal workshop, farmers market, convenience store, etc..., with appropriate design and transition standards).



The applicant is proposing to change the Future Land Use designation of the subject properties to Multi-Family Residential. This proposed Future Land Use designation is intended to allow Apartment buildings, and developments with three or more units as well as nursing homes and assisted-care group living facilities.

Beginning from the mid-block of IH 35 heading north towards FM 482 the area has the land use designation of Agricultural Conservation. The properties surrounding these parcels have uses such as large acre residential tracts, light industrial/commercial businesses, a planned elementary and existing middle school. The proposed land use designation of Multi-Family Residential would serve as a buffer to the large acre residential tracts to the schools and the light industrial/commercial businesses.

#### **FISCAL IMPACT**

None

#### **RECOMMENDATION**

The 2013 Sector Plan Amendment of the Comprehensive Land Use Plan sought to establish future development of the North Schertz area to have a mixture of commercial, light industrial, mixed use and rural conservation. This would allow for smart growth as the City of Schertz continues to grow and develop.

The surrounding properties of the subject tracts have uses that range from large acre residential lots, light industrial/commercial businesses, as well as a middle school with a planned elementary school. There has been growth in the area from FM 2252 to Schwab Road with smaller light industrial/commercial businesses, that are allowed given that the majority of the area is zoned Manufacturing Light District (M-1). The existing businesses and schools pose a need for the area to provide another option for housing. In allowing the land use designation to be amended to Multi-Family Residential it would provide a buffer to the existing residential properties from the light industrial/commercial businesses and the schools.

**The Planning and Zoning Recommendation:** The Planning and Zoning Commission held a public hearing on May 25th, 2022 where the Commission made a recommendation of approval to the City Council with a vote 4-1, Chairman Outlaw with the nay. The Commission spoke at length regarding the Comprehensive Land Use Plan, traffic, and the current uses of the area.

Staff supports the Commissions' recommendation to City Council and recommends approval of the Comprehensive Land Use Plan Amendment from the Agricultural Conservation land use designation to Multi-Family Residential land use designation.

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#### **Attachments**

Ord. No. 22-S-25

Aerial Map

Public Hearing Notice Map

Amendment Memo

Proposed Comprehensive Land Use Designation

Public Hearing Notice Responses

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## **ORDINANCE NO. 22-S-25**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE COMPREHENSIVE LAND USE PLAN BY CHANGING APPROXIMATELY 22 ACRES OF THE FUTURE LAND USE MAP FROM THE AGRICULTURAL CONSERVATION LAND USE DESIGNATION TO THE MULTI-FAMILY RESIDENTIAL LAND USE DESIGNATION, GENERALLY LOCATED APPROXIMATELY 1,100 FEET WEST OF THE INTERSECTION OF F 482 AND HUBERTUS ROAD, ALSO KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBERS 401272, 401273, 75375, 75237, AND 75246 CITY OF SCHERTZ, COMAL COUNTY, TEXAS.**

**WHEREAS**, an application to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation, generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246, and more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City; and

**WHEREAS**, the City’s Unified Development Code Section 21.4.6.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on an amendment to the Comprehensive Land Use Plan (the “Criteria”); and

**WHEREAS**, on May 25, 2022, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested Comprehensive Land Use Plan Amendment; and

**WHEREAS**, on June 28, 2022, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Comprehensive Land Use Plan Amendment be approved as provided for herein.

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

Section 1. The current Comprehensive Land Use Plan is hereby amended to change the Future Land Use Map of the property, as shown and more particularly described in the attached Exhibit B, from Agricultural Conservation land use designation to Multi-Family Residential land use designation.

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 28<sup>th</sup> day of June 2022.

PASSED, APPROVED AND ADOPTED on final reading the 5th day of July 2022.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)





Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



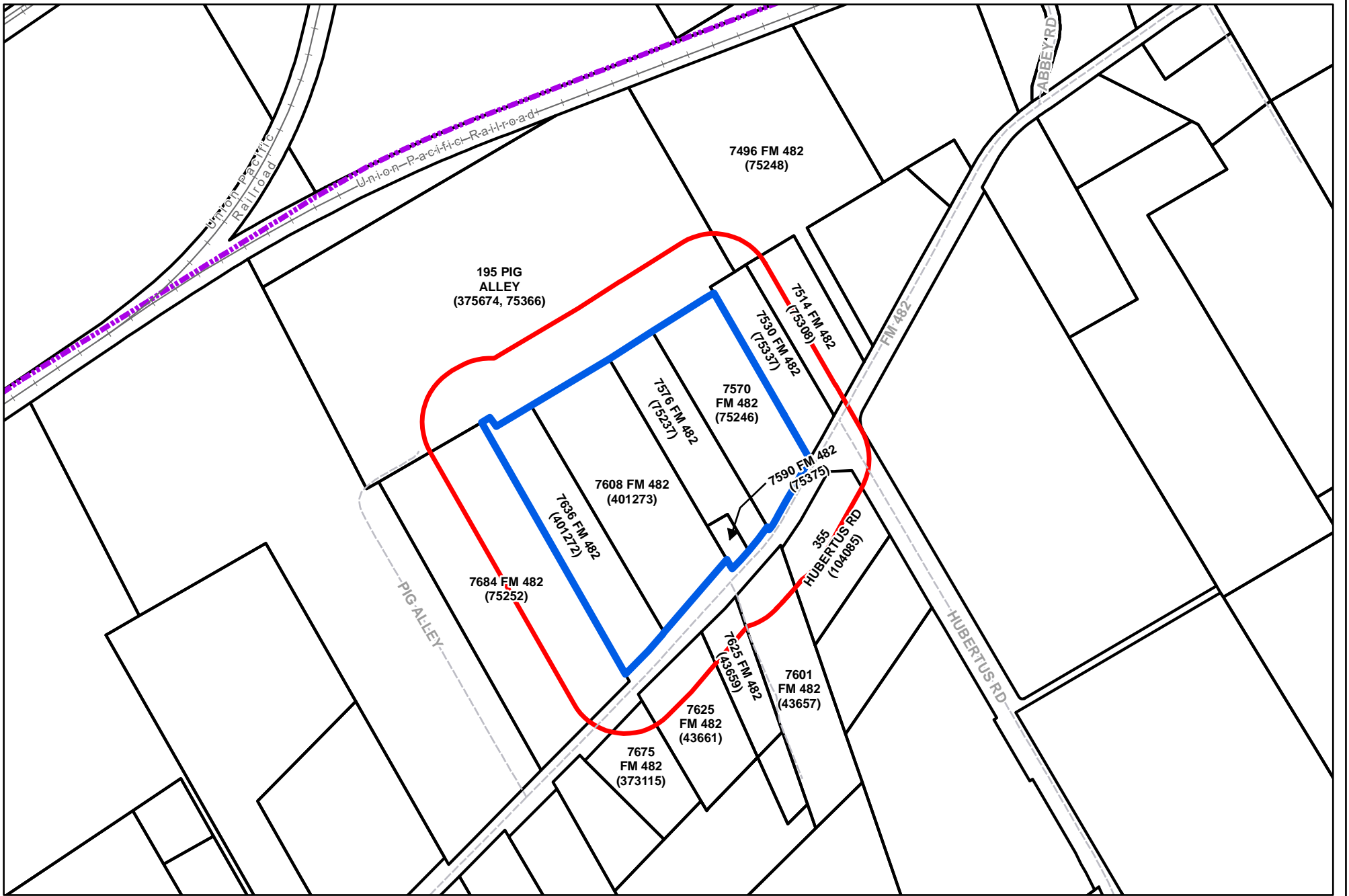
FM 482 REZONE & COMPREHENSIVE  
LAND USE PLAN AMENDMENT

<all other values>	60' Expansion	86' Extension	120' Proposed	1", 1 1/2"	8"	20"	Schertz Gravity	Hydrant	200' Buffer
Highways	60' Proposed	86' Proposed	Abandoned	2", 2 1/2"	10"	24"	Schertz Pressure	Manholes	Schertz Municipal Boundary
Major Roads	60' Extension	120' Expansion	Future TxDOT	3"	12"	30"	Neighboring Main	Neighboring Gravity	County Boundaries
Minor Roads	86' Expansion	120' Extension	Highway	4"	16"	36"	Private Main	Private Pressure	
Other Cities				6"	18"				

1 Inch = 200 Feet







**SCHERTZ**  
COMMUNITY • SERVICE • OPPORTUNITY

Last Update: May 10, 2022

City of Schertz, GIS Specialist: Bill Gardner, gis@schertz.com (210) 619-1185  
The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be made and information may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

# City of Schertz

## FM 482 - REZONE & COMPREHENSIVE LAND USE PLAN AMENDMENT



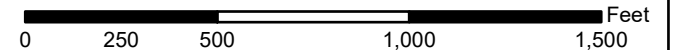
Parcel Boundaries



Schertz City Boundary



200' Buffer



# Memo

Date: 05-03-2022

To: City of Schertz Planning & Zoning Commission

From: Chris Bancroft, Principal, Texas Multifamily Capital, LLC

Re: Comprehensive Land Use Plan Amendment for:

7608 FM 482, 7576 FM 482, 7636 FM 482, 7590 FM 482 and 7570 FM 482

NEW BRAUNFELS, TX 78132

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To Whom it May Concern,

Texas Multifamily Capital, LLC (TMC) has submitted an application for rezoning for the above noted properties that make up the FM 482 & Hubertus Rd 5-property assemblage. The requested zoning for the 5-property assemblage is Apartment/Multifamily District (R4). Currently the two westernmost parcels are zoned Agricultural District (AD) while the three easternmost parcels are zoned Light Industrial (M-1).

The City of Schertz Sector Plan, adopted into the Comprehensive Land Use Plan on July 16, 2013, identifies these properties as an Agricultural Conservation land use designation. **TMC is requesting an amendment to the Comprehensive Land Use Plan to change the land use designation for these properties from Agricultural Conservation to Multi-Family Residential to accommodate Apartment/Multi-family District (R4) zoning.**

Currently, these properties are being utilized as single family homes. Neighboring properties to the south, west and north have similar current land uses of either single family or agricultural land. All surrounding properties - with one exception - are currently zoned (M-1) Light Industrial. The only adjacent property not currently zoned M-1 belongs to Comal ISD and will likely be used for a future school or school expansion. On the eastern corner of FM 482 and Hubertus Rd, approximately 250 feet away from the 5-property assemblage is Danville Middle School, also part of Comal ISD.

While the comprehensive land use plan indicates Agricultural Conservation across much of the North Schertz Sector, much the existing zoning (M-1 Light Industrial) contradicts this designation. This includes most of the property along FM 482 and areas surrounding both the 5-property assemblage and Danville Middle School.

TMC is aware that the City of Schertz Comprehensive Land Use plan is in the process of being updated and revised for 2022. Much of what is outlined in the current Comprehensive plan from 2013 is no longer relevant to the current market conditions. Demand for housing in Central Texas has skyrocketed over the past few years. Demand for **affordable rental housing** has also skyrocketed, as single family home prices have increased at unsustainable rates along the same timeline. Danville Middle School also did not exist in 2013 when the current Comprehensive plan was approved. The school certainly requires different land uses for the area that are more compatible.

It can be safely assumed that as properties in the area sell over time, they will likely convert to their by-right use of (M-1) Light Industrial. This of course conflicts with the current Comprehensive plan indications for Agricultural Conservation. Light industrial is **not** a compatible use adjacent to a large public school with close to 1,000 children. Light industrial facilities adjacent to a large public school will likely cause issues ranging from environmental safety, traffic safety, crime, noise, pollution and a number of other issues associated with those incompatible land uses.

TMC envisions building three story garden style apartments on the 5-property assemblage. A thoughtfully designed apartment community with ample green space and parkland is complimentary to the adjacent middle school, and would create a better transition of land uses between the school and the other M-1 zoned properties. It will serve to provide affordable rental housing for the families with children that attend Danville Middle School, but also provide affordable rental housing for the local residents of the rapidly growing City of Schertz.

We appreciate the Planning & Zoning Commissions consideration for Comprehensive Land Use Plan amendment to accommodate R4 zoning for these properties.

Sincerely,

Chris Bancroft


Principal


Texas Multifamily Capital, LLC


512-705-0212





(PROPOSED)  
COMPREHENSIVE LAND USE:  
MULTI-FAMILY RESIDENTIAL


-  Rural Frontage


 Sector Boundary


 Air Installation Impact


 Air Installation Compatible


 Civic, Schools



 Main Street Commercial


 Commercial Campus


 Commercial Light Industrial


 Highway Commercial


 Industrial


 Industry, Technology and R and D
-  Parks, Open Space


 Agricultural Conservation


 Estate Neighborhood


 Single Family Residential


 Multi-Family Residential


 Manufactured Housing

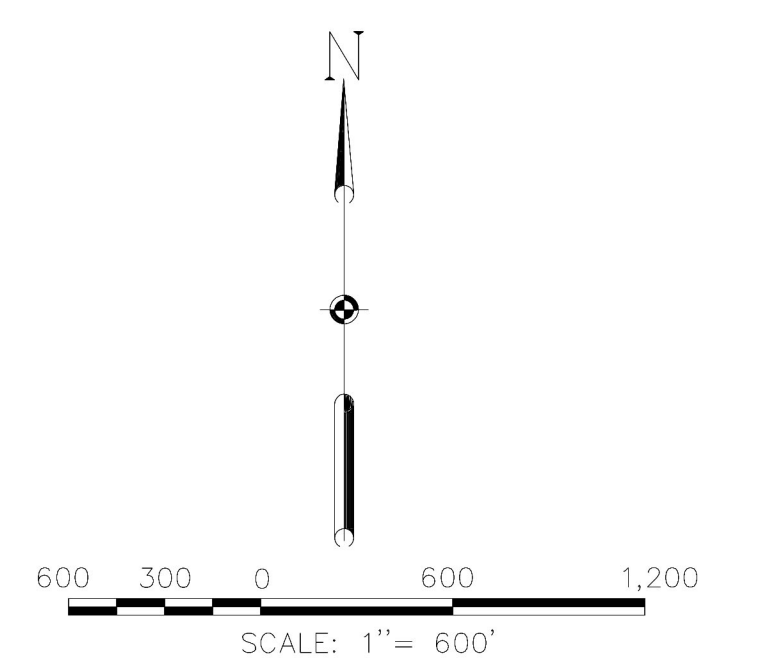
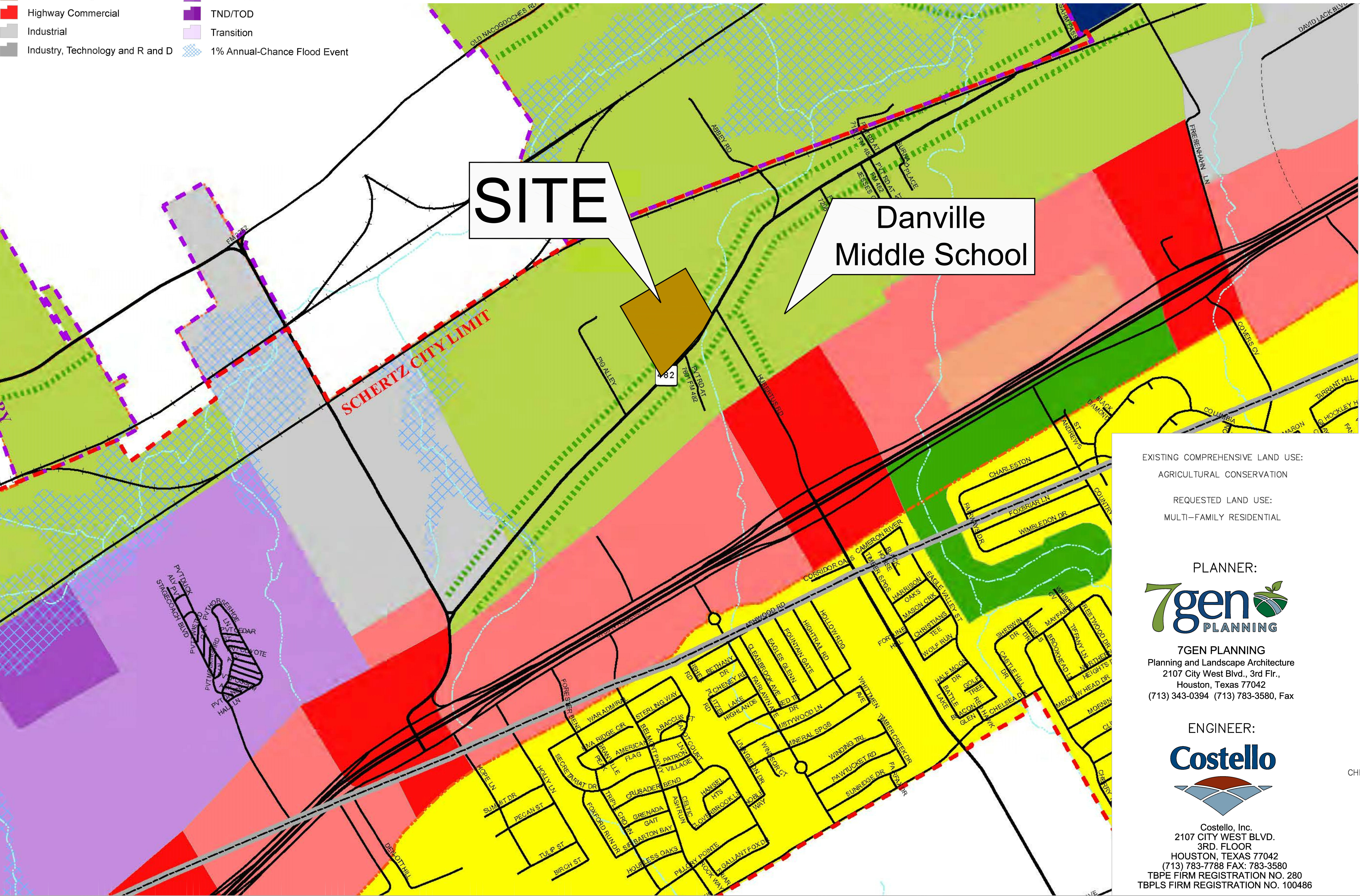
 Mixed Use Neighborhood

 Mixed Use Core

 TND/TOD

 Transition

 1% Annual-Chance Flood Event



LOT 1, BLOCK 1 CLAYTON HOMES  
AUGUST 24, 2016  
(DOC. NO. 201606035823, M.P.R.)  
OWNER: JUAN A. VIDALEZ, JR.  
(DOC. NO. 201706005484, O.P.R.)

LOT 2, BLOCK 1 CLAYTON HOMES  
AUGUST 24, 2016  
(DOC. NO. 201606035823, M.P.R.)  
OWNER: BRYAN MOCZYGEMBA  
(DOC. NO. 201706002658, O.P.R.)

0.3462 OF AN ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: JOANNA C. FRANCOIS  
(VOL.321 PG. 162, D.P.R.)

3.660 ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: MARY HELEN ESQUIVEL  
(VOL.321 PG. 162, D.P.R.)  
(DOC. NO. 2016PCA0125, O.P.R.)

5.073 ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: GARY L. AND CAROL CUSICK  
(VOL.300 PG. 791, O.P.R.)

EXISTING COMPREHENSIVE LAND USE:  
AGRICULTURAL CONSERVATION

REQUESTED LAND USE:  
MULTI-FAMILY RESIDENTIAL

PLANNER:

**7gen**   
PLANNING

**7GEN PLANNING**  
Planning and Landscape Architecture  
2107 City West Blvd., 3rd Fl.,  
Houston, Texas 77042  
(713) 343-0394 (713) 783-3580, Fax

ENGINEER:

**Costello** 

Costello, Inc.  
2107 CITY WEST BLVD.  
3RD. FLOOR  
HOUSTON, TEXAS 77042  
(713) 783-7788 FAX: 783-3580  
TBPE FIRM REGISTRATION NO. 280  
TBPLS FIRM REGISTRATION NO. 100486

APPLICANT:

CHRIS BANCROFT (TEXAS MULTIFAMILY CAPITAL)  
512-705-0212  
1515 S. CAPITAL OF TEXAS HIGHWAY  
SUITE 405  
AUSTIN, TX 78746

SURVEYOR:

KFW SURVEYING  
210-979-8444  
3421 PAESANOS PKWY.  
SUITE 101  
SAN ANTONIO, TX 78231



## **Megan Harrison**

---

**From:** Hollis Wooldridge  
**Sent:** Wednesday, May 18, 2022 9:11 PM  
**To:** Megan Harrison  
**Subject:** Response to ZC2022-010  
**Attachments:** Schertz ZC2022-010.pdf; Schertz Land Protest Letter CY2022.docx

Hi Megan,

Please see the attached info with regards to the public hearing referred to above and acknowledge receipt at your convenience. We will very likely attend the hearing and can speak directly to our written narrative if necessary.

Thank you,  
Hollis Wooldridge  
7496 FM 482  
New Braunfels, TX 78132

NOTE - This message contains an attachment that might contain a malicious payload. Schertz makes every effort to block transmission of dangerous attachments, but you as the recipient should always be cautious of receiving messages with attachments that you don't recognize or request from the sender.

NOTICE OF PUBLIC HEARING

May 13, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, May 25, 2022 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:

**ZC2022-010** – A request to amend the Comprehensive Land Use Plan by changing approximately 22 acres of the Future Land Use Map from the Agricultural Conservation land use designation to the Multi-Family Residential land use designation, generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal 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 Megan Harrison, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions, please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,



Megan Harrison  
Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2022-010

COMMENTS: 365 ATTACHED

NAME: HOLLYS WOOLDEIDGE SIGNATURE:   
(PLEASE PRINT)

STREET ADDRESS: 7496 FM 482, NEW BRAUNFELS, TX 78132

DATE: 5-18-2022

May 18, 2022

Schertz Planning and Zoning Commission  
1400 Schertz Parkway  
Schertz, Texas 78154

Re: Property 75248  
Owners: Hollis and Laura Wooldridge  
Address: 7496 FM 482, New Braunfels, TX 78132  
Re: Hearing ZC2022-010

To Whom It May Concern:

We are hereby protesting the request to change 22 acres to Multi-Family Residential land use – primarily due to ongoing concerns of flooding during rain events.

We moved to this address from San Antonio in August 1994 and at that time, our access from FM 482 flooded only when 5" to 6" of rain or more fell over an extended period. The properties around us consisted primarily of farmland, which absorbed substantial amounts of rain before any runoff occurred. In addition, much of the land directly across I-35 between exits 177 and 178 also consisted of agricultural land.

A RBFCU bank was built in 2007 and a Valero service station was constructed in 2016 on the corner of Hubertus Road and I-35 South, about 3/4 of a mile from our property, and these buildings are located on the high side of the flood plain. In addition, we also now have Danville Middle School directly across from our property, which opened in fall of 2018, and Comal ISD elementary school #20 is currently under construction across Hubertus Road; it is scheduled to open in fall of 2023. The former farmland where these buildings are now located has been replaced with concrete, pavement and other hard impermeable surfaces. Furthermore, more than 2000 houses were built on the east side of 35 in the past 10-12 years; that storm water runoff goes underneath I-35 and ultimately across FM 482. Road access to our property is on the lower west side of FM 482, through Dry Comal Creek flood plain and our property is now inaccessible during rains of more than 1". In addition, a great deal of trash floats in with every flood – most of it in the form of plastic bottles and anything else that will float.

In 2017, a neighbor who was renting the house on 7514 FM 482 was washed into our stock pond while inside his truck when he tried to access his driveway during a flood, which came after a 4" downpour that fell in about an hour. Schertz Emergency Services were called to rescue him from the truck using a boat. We were away from our house during the rainfall and could not gain entrance to our property for 5 hours after the rain stopped.

We were told when Danville Middle School plans were under review that sufficient retention would be installed to control flood waters, but the pond area is easily overwhelmed once its limit is reached. The latest round of rain that fell on April 25, 2022, washed a large amount of organic material into the retention area and clogged the discharge grate, which forced more water across FM 482 and onto our property. Unless FM 482 is widened and drainage improved, reliable access to all property in this area is completely dependent on the weather.

In addition, we have tremendous concerns about increases in vehicle traffic on FM 482 over the past few years. Since the use of mobile app mapping, FM 482 has become a regular alternate route to IH 35 when the highway is experiencing heavy traffic, and that extra traffic has regularly resulted in restriction of our egress from our own property. The frequent semi-truck traffic is also destructive to the road surface. We were previously able to exercise with a walk alongside the road within a mile in either direction, but it is no longer safe to do so. Now that there are two schools with no neighborhoods nearby, the attending students and staff must arrive and depart via bus or private vehicle, which has also increased traffic on FM 482. In addition to addressing

the drainage issues, the road must be widened to support more development. It is also very difficult to put a monetary value on the loss of bucolic views and wildlife habitation, but these proposed structures certainly decrease the value of surrounding land.

In conclusion, we believe that any further development must be preceded by an integrated and fully developed infrastructure plan before any variances can be considered, in order to protect everyone in this area.

Sincerely,  
Hollis and Laura Wooldridge  
7496 FM 482  
New Braunfels, TX 78132  
Enc: Various photographs showing flood damage and elevations



Neighbor's truck swept and stranded by flood waters in 2017. Schertz Fire Department had to perform a boat rescue of the driver during the height of the flood.



Our fence in 2017, which was damaged after the truck was swept through. This photo taken two days afterwards.



April 25, 2022 – Taken just after the rain ended; shows our property facing east. The water varies from a few inches to about 6 feet at its deepest point.



April 25, 2022 – Taken just after the rain ended; shows our property facing east towards our neighbor. This water has crossed FM 482 and is blocking access to both the road and our driveway.





April 25, 2022 – Taken from our driveway about 2-1/2 hours after flood waters subsided showing our driveway facing south along FM 482. The utility truck in the background had just loaded a backhoe which was used to clear FM 482 of debris to allow general vehicle access.



April 26, 2022 – Taken from our driveway the following day at 4:30 pm, also facing south along FM 482. An unknown party made an attempt to clean the drainage ditch sometime during the day.

We can provide MANY more photos of floods in recent years should they be needed.

## Megan Harrison

---

**From:** Georgiana Watts  
**Sent:** Monday, May 23, 2022 8:43 PM  
**To:** Megan Harrison  
**Subject:** ZC2022-010 Public Hearing land use plan

Good day - I cannot attend the meeting Wednesday as our daughter is graduating from Davenport High School.

We are in favor of the change.

We are basically behind the said properties. With 37 acres at 195 Pig Aly (375674,75366)

Thank you,  
Georgiana Watts  
195 Pig Alley  
5/23/2022

Georgiana Watts

Sent from my iPhone



NOTICE OF PUBLIC HEARING

May 13, 2022

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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 Megan Harrison, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions, please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,



Megan Harrison  
Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2022-010**

COMMENTS: \_\_\_\_\_

NAME: Mary Helen Espinoza SIGNATURE: Mary Helen Espinoza  
(PLEASE PRINT)

STREET ADDRESS: 7576 F.M 482 New Braunfels, Texas 78132

DATE: May-19-22

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 5, 2022

**Department:** Planning & Community Development

**Subject:** Ordinance No. 22-S-26 - Consideration and/or action on a request to rezone approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4), generally located 1,100 feet west of the intersection of FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, and 75246, City of Schertz, Comal County, Texas.  
*Final Reading (B. James/L. Wood/M. Harrison)*

---

**BACKGROUND**

Owner:

- Juan A. Vidalez, Jr., 7636 FM 482: Parcel ID 401272
- Bryan Moczygemba, 7608 F 482: Parcel ID 401273
- Mary Helen Esquivel, 7576 FM 482: Parcel ID 75237
- Joanna C. Francois, 7590 F 482: Parcel ID 75375
- Gary and Carol Cusick, 7570 FM 482: Parcel ID 75246

Thirteen (13) public hearing notices were mailed to the surrounding property owners on May 13, 2022, with a public hearing to be published in the "San Antonio Express" on June 8, 2022 prior to the City Council public hearing. At the time of the staff report staff has received 2 responses in favor of the proposed zone change.

**GOAL**

The goal is to rezone approximately 22 acres of land from Agricultural District (AD) and Manufacturing Light District (M-1) to Apartment/Multi-Family Residential District (R-4).

**COMMUNITY BENEFIT**

The community benefit is to promote safe, orderly, efficient development and bring about the City's vision of future growth.

**SUMMARY OF RECOMMENDED ACTION**

The subject property is currently identified as Agricultural Conservation per the Sector Plan for North Schertz. The Agricultural Conservation land use designation is described to preserve the rural/agricultural area, to have a minimum lot size of 5 acres, and maintain a 70% open space. The applicant has requested a Comprehensive Land Use Plan amendment in order to allow the Multi-Family Residential land use designation for the subject properties. The subject properties currently have the zoning designation of Agricultural District (AD) and Manufacturing Light District (M-1), which the applicant is requesting to rezone the approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4). There has been growth and interest for the areas between FM 2252 and Schwab Road to have smaller light industrial/commercial businesses, as well as a planned elementary school and existing middle school, which would create a need to have housing in this area. Also, the proposed rezoning of the subject tracts would act as a buffer to the existing large acre residential tracts

from the current uses that surround this property, light industrial/commercial businesses and schools.

- **Impact of Infrastructure:** In order to service this property the developer would be obligated to extend and design sanitary services as these parcels are not serviced by public sanitary sewer. Additionally, water capacity would need to be evaluated as these properties are within Green Valley SUD service area. Improvements to existing and planned public roadways will be identified through the Traffic Impact Analysis Study during the platting process.
- **Impact of Public Facilities/Services:** The proposed zone change would have minimal impact on the public services, such as schools, fire, police and parks.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The subject property is surrounded by several large acre residential properties, commercial/industrial businesses, and a planned elementary school and existing middle school. Based on the existing uses of the surrounding properties the proposed rezone would act as a buffer for the large acre residential tracts and the light industrial/commercial businesses and the schools.

#### **FISCAL IMPACT**

None

#### **RECOMMENDATION**

The property has the land use designation under the Sector Plan for North Schertz as Agricultural Conservation. The applicant requested a zone change for the approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4). The applicant also requested, for the approximately 22 acres of land, through a Comprehensive Land Use Plan Amendment to change the land use designation to Multi-Family Residential District. The zone change and land use designation change would still leave a vast amount of large acre residential tracts as well as Agricultural Conservation land use designation for Northern Schertz. This proposed rezoning would be a less intense use for the area given that a majority of the properties are zoned Manufacturing Light (M-1) and would act as a buffer to the existing large acre residential lots from the light industrial/commercial uses and schools.

The Planning and Zoning Commission held a public hearing on May 25, 2022, and offered a recommendation of approval with a 5-0 vote. Staff supports the Commissions recommendation and recommends approval of the proposed rezoning from Agricultural District (AD) and Manufacturing Light (M-1) to Apartment/Multi-Family Residential District (R-4).

---

#### **Attachments**

Ord. No. 22-S-26

Aerial Map

Public Hearing Notice Map

Zoning Exhibit

Public Hearing Notice Responses

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## **ORDINANCE NO. 22-S-26**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 22 ACRES OF LAND TO APARTMENT/MULTI-FAMILY RESIDENTIAL DISTRICT (R-4), GENERALLY LOCATED 1,100 FEET WEST OF THE INTERSECTION OF FM 482 AND HUBERTUS ROAD, ALSO KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBERS, 401272, 401273, 75375, 75237, AND 75246, COMAL COUNTY, TEXAS.**

**WHEREAS**, an application to rezone approximately 22 acres of land to Apartment/Multi-Family Residential District (R-4), generally located 1,100 feet west of the intersection of FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, and 75246, and more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City; and

**WHEREAS**, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria 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 zone change (the “Criteria”); and

**WHEREAS**, on May 25, 2022, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning; and

**WHEREAS**, on June 28, 2022, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

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

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned Apartment/Multi-Family Residential District (R-4).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. 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 4. 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 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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 7. 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 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. 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 28<sup>th</sup> day of June 2022.

PASSED, APPROVED AND ADOPTED on final reading the 5<sup>th</sup> day of July 2022.

---

Ralph Gutierrez, Mayor

ATTEST:

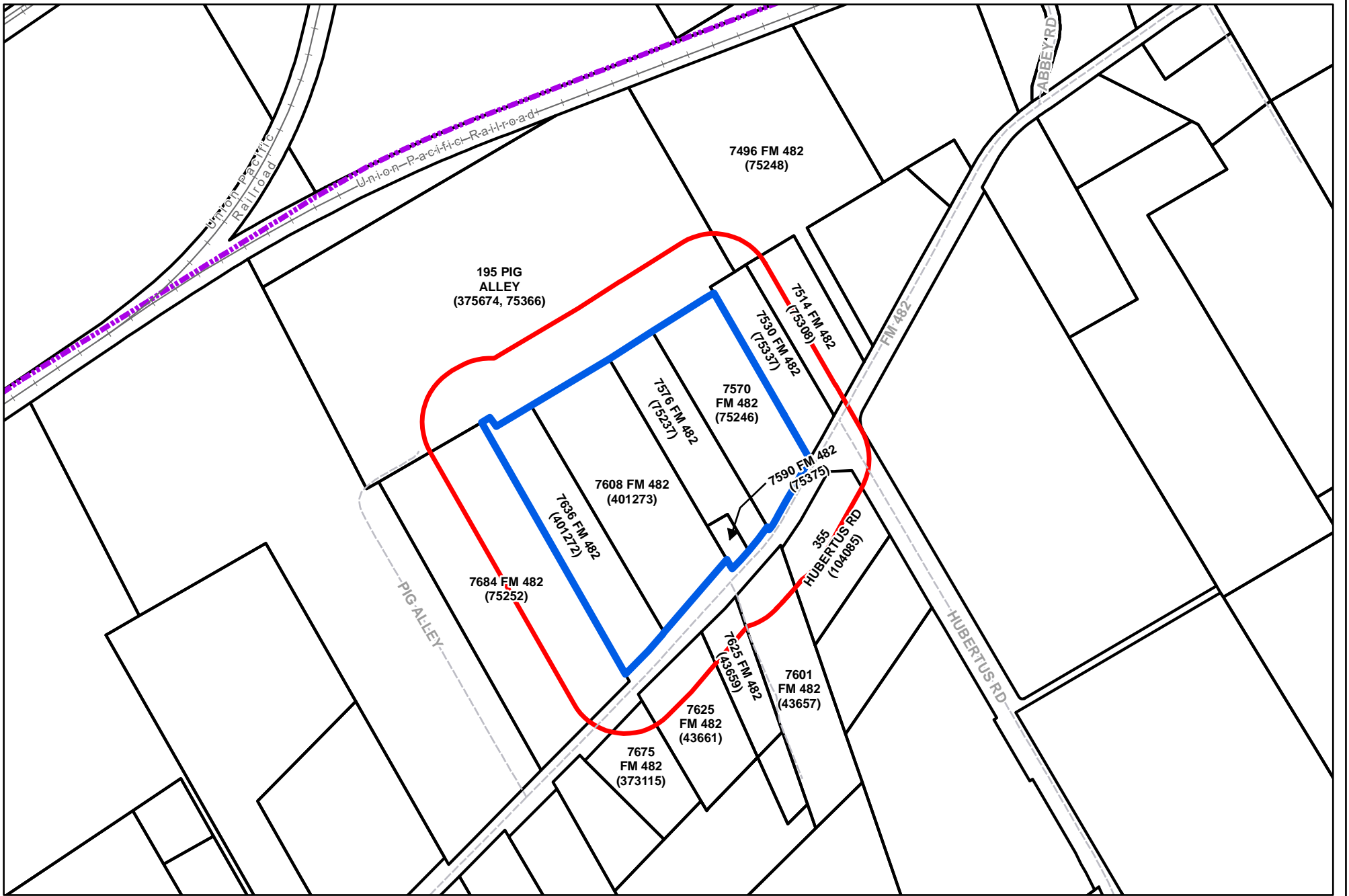
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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)









Last Update: May 10, 2022

City of Schertz, GIS Specialist: Bill Gardner, gis@schertz.com (210) 619-1185  
 "The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be made and information may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time."

# City of Schertz

## FM 482 - REZONE & COMPREHENSIVE LAND USE PLAN AMENDMENT



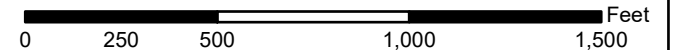
Parcel Boundaries



Schertz City Boundary

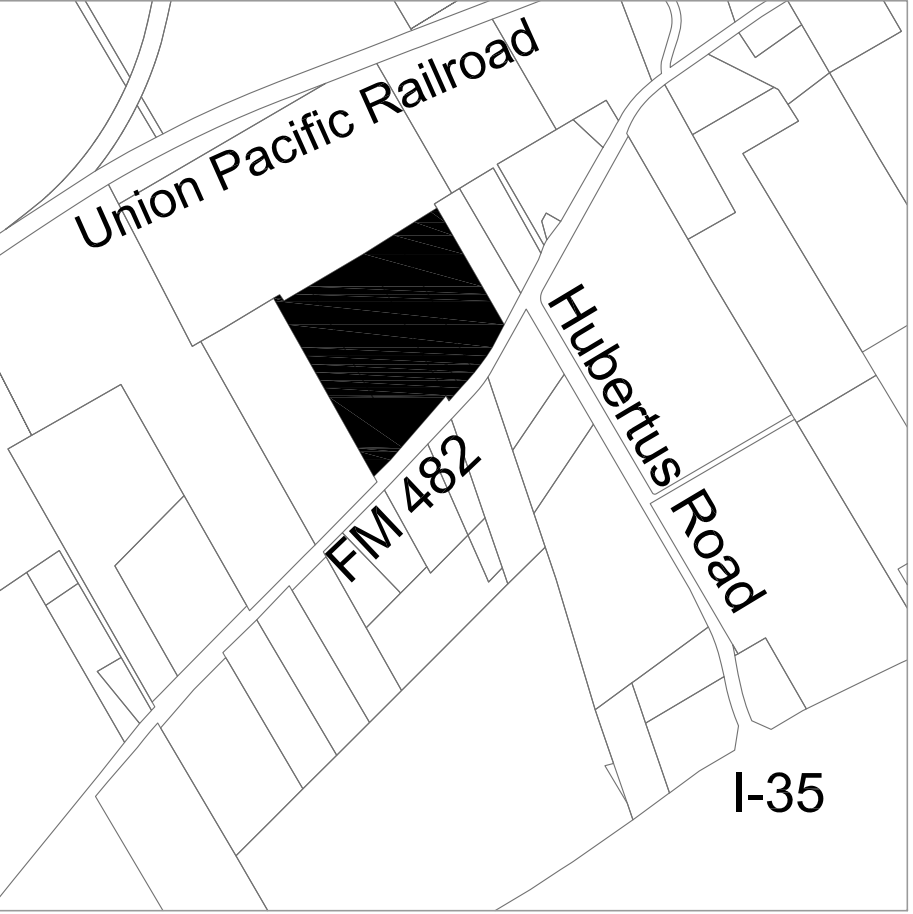


200' Buffer



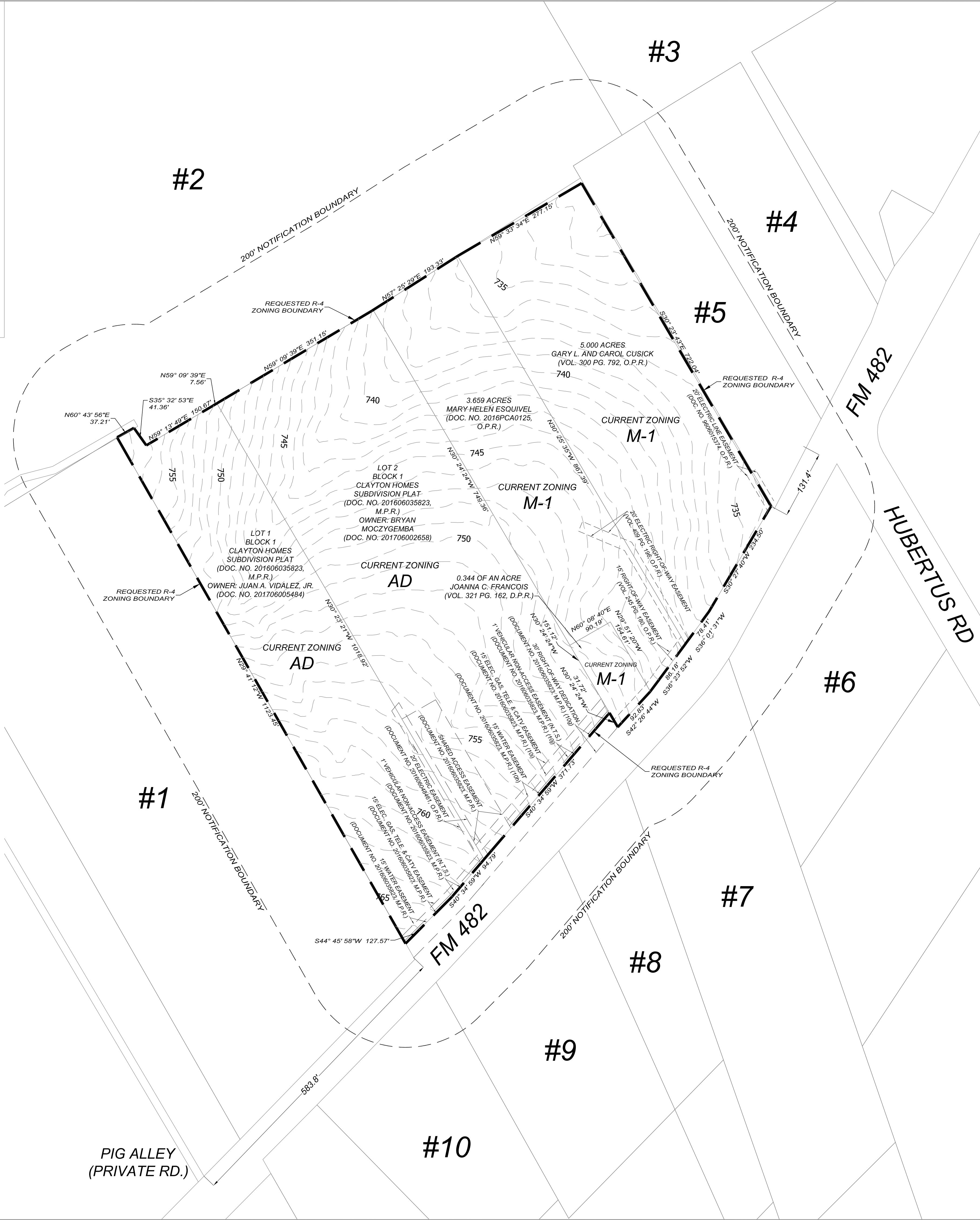


VICINITY MAP (NTS)



ADJACENT PROPERTIES

#1 RESIDENTIAL M-1 A-175 SUR-98 R GARZA, AC 13.162 TAYNYA G MURPHY 75252 7684 FM 482 NEW BRAUNFELS, TX 78132	#6 UNDEVELOPED GB A-175 SUR-98 R GARZA, AC 4.0 COMAL ISD 104085 355 HUBERTUS RD. NEW BRAUNFELS, TX 78132
#2 RESIDENTIAL M-1 A-175 SUR-98 R GARZA, AC 31.748 GEORGIANA WATTS, BLAKE SOECHTING 375673 195 PIG ALLEY SCHERTZ, TX 78154	#7 RESIDENTIAL M-1 OLSON TRACTS A-175 SUR-98 R GARZA, TRACT AC 4.998 COMAL ISD 43657 7601 FM 482 NEW BRAUNFELS, TX 78132
#3 AGRICULTURAL M-1 A-175 SUR-98 R GARZA, AC 12.0 HOLLIS LEE & LAURA WOOLDRIDGE 75248 7496 FM 482 NEW BRAUNFELS, TX 78132	#8 RESIDENTIAL M-1 OLSON TRACTS A-175 SUR-98 R GARZA, TRACT 7 LG PT AC 1.83 EMELIE HAAG GREGORY 43659 0 FM 482 NEW BRAUNFELS, TX 78132
#4 RESIDENTIAL M-1 A-175 SUR-98 R GARZA, AC 3.039 PEDRO & ROLANDO MONTALVO 75308 7514 FM 482 NEW BRAUNFELS, TX 78132	#9 RESIDENTIAL M-1 OLSON TRACTS A-175 SUR-98 R GARZA, TRACT 8 LG PT-10 & 12 SM PT, AC 3.757 EMELIE HAAG GREGORY 43661 7625 FM 482 NEW BRAUNFELS, TX 78132
#5 RESIDENTIAL M-1 A-175 SUR-98 R GARZA, AC 2.78 JACQUELINE & DAVE WOOD 75337 7530 FM 482 NEW BRAUNFELS, TX 78132	#10 RESIDENTIAL M-1 COMAL ISD 373115 7675 FM 482 NEW BRAUNFELS, TX 78132



LEGEND

- 200' NOTIFICATION BOUNDARY
- REQUESTED ZONING DISTRICT BOUNDARY
- PROPERTY LINES
- 1' CONTOUR LINES
- EXISTING EASEMENTS

LOT 1, BLOCK 1 CLAYTON HOMES  
AUGUST 24, 2016  
(DOC. NO. 201606035823, M.P.R.)  
OWNER: JUAN A. VIDALEZ, JR.  
(DOC. NO. 201706005484, O.P.R.)

LOT 2, BLOCK 1 CLAYTON HOMES  
AUGUST 24, 2016  
(DOC. NO. 201606035823, M.P.R.)  
OWNER: BRYAN MOCZYGEMBA  
(DOC. NO. 201706002658, O.P.R.)

0.3462 OF AN ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: JOANNA C. FRANCOIS  
(VOL.321 PG. 162, D.P.R.)

3.660 ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: MARY HELEN ESQUIVEL  
(VOL.321 PG. 162, D.P.R.)  
(DOC. NO. 2016PCA0125, O.P.R.)

5.073 ACRE TRACT OF LAND,  
OUT OF THE RAFAEL GARZA SURVEY  
NO. 98, ABSTRACT 175  
OWNER: GARY L. AND CAROL CUSICK  
(VOL.300 PG. 791, O.P.R.)

EXISTING ZONING:  
TOTAL ACREAGE – AD:12.755 ac, M-1: 9.08 ac

REQUESTED ZONING:  
TOTAL ACREAGE – R-4: 21.835 ac

NOTES:

- NO STREETS ARE PROPOSED ON SITE
- NO THOROUGHFARES ON OR ADJACENT TO SITE
- NO 100-YR FLOODPLAIN EXISTS ON SITE

OWNERS:

JUAN A. VIDALEZ JR.  
210-701-3228  
7636 FM 482  
NEW BRAUNFELS, TX 78132

BRYAN MOCZYGEMBA  
830-660-3743  
7576 FM 482  
NEW BRAUNFELS, TX 78132

JOANNA C. FRANCOIS  
210-213-9891  
7590 FM 482  
NEW BRAUNFELS, TX 78132

MARY HELEN ESQUIVEL  
210-844-9096  
7576 FM 482  
NEW BRAUNFELS, TX 78132

GARY L. AND CAROL CUSICK  
830-660-1587  
7570 FM 482  
NEW BRAUNFELS, TX 78132

PLANNER:

**7gen** PLANNING

7GEN PLANNING  
Planning and Landscape Architecture  
2107 City West Blvd., 3rd Fl.,  
Houston, Texas 77042  
(713) 343-0394 (713) 783-3580, Fax

ENGINEER:

**Costello**

Costello, Inc.  
2107 CITY WEST BLVD.  
3RD. FLOOR  
HOUSTON, TEXAS 77042  
(713) 783-7788 FAX: 783-3580  
TBPE FIRM REGISTRATION NO. 280  
TBPLS FIRM REGISTRATION NO. 100486

APPLICANT:

CHRIS BANCROFT (TEXAS MULTIFAMILY CAPITAL)  
512-705-0212  
1515 S. CAPITAL OF TEXAS HIGHWAY  
SUITE 405  
AUSTIN, TX 78746

SURVEYOR:

KFW SURVEYING  
210-979-8444  
3421 PAESANOS PKWY.  
SUITE 101  
SAN ANTONIO, TX 78231



NOTICE OF PUBLIC HEARING

May 13, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, May 25, 2022, 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:

**ZC2022-008**– A request to rezone approximately 22 acres of land from Agricultural District (AD) and Manufacturing Light (M-1) to Apartment/Multi-Family Residential District (R-4), generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal 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 [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions, please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,



Megan Harrison  
Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2022-008**

COMMENTS: \_\_\_\_\_

NAME: Isabel Perez SIGNATURE: [Handwritten Signature]  
(PLEASE PRINT)

STREET ADDRESS: 7576 Fm 482 New Braunfels, TX 78132

DATE: 5-19-22

NOTICE OF PUBLIC HEARING

May 13, 2022

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**ZC2022-008**— A request to rezone approximately 22 acres of land from Agricultural District (AD) and Manufacturing Light (M-1) to Apartment/Multi-Family Residential District (R-4), generally located approximately 1,100 feet west of the intersection between FM 482 and Hubertus Road, also known as Comal County Property Identification Numbers 401272, 401273, 75375, 75237, 75246 City of Schertz, Comal County, Texas.

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Sincerely,



Megan Harrison  
Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2022-008**

COMMENTS: \_\_\_\_\_

NAME: Amanda Moczygemba SIGNATURE: Amanda Moczygemba  
(PLEASE PRINT)

STREET ADDRESS: 7608 Fm 482 N.B., TX 78132

DATE: 5/23/22

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 5, 2022

**Department:** Emergency Medical Services

**Subject:** Resolution No. 22-R-71 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to sign a Letter of Intent (LOI) with Southwest Ambulance Sales for the purchase of one (1) new ambulance for Fiscal Year 2022/2023. (C. Kelm/J.Mabbitt)

---

**BACKGROUND**

The EMS Department currently has a fleet of eleven (11) ambulances, seven (7) of these ambulances are "front-line" or are in-service at any given time which leaves a reserve fleet of four (4) ambulances. A goal is to have four (4) reserve ambulances to allow our fleet department time to "down" each ambulance for preventative and safety checks. Mileage for these ambulances range from 9,000 to over 207,000 miles:

Unit #	Year	Mileage
274	2013	207,222
275	2013	195,885
276*	2015	193,440
277	2015	183,132
278-B	2015	9,123
279	2015	185,322
280	2017	141,849
281	2017	86,889
282	2020	71,380
283	2021	15,173
284	2021	14,295

\*OOS - being re-mounted

After coordination with the Fleet Department and in-line with our vehicle replacement program, it was decided to purchase this ambulance from Southwest Ambulance Sales. Southwest Ambulance Sales is a HGAC Buy Purchasing Cooperative program participant.

Like our previous five ambulances, this ambulance will be mounted on a Ford F450 chassis.

Due to COVID-19, ambulance manufacturers have lengthened their build times (mainly due to chassis delays) and to have our ambulance built by January 2024 we need to have a Letter of Intent (LOI) signed to save a chassis for the build.

#### **GOAL**

Authorizing the City Manager to sign a Letter of Intent (LOI) with Southwest Ambulance Sales for the intent to purchase one (1) new ambulance for FY23.

#### **COMMUNITY BENEFIT**

The items purchased from Southwest Ambulance Sales are in support of EMS response to the communities served.

#### **SUMMARY OF RECOMMENDED ACTION**

Staff recommends approving the attached Letter of Intent (LOI) authorizing the City Manager to sign a Letter of Intent (LOI) with Southwest Ambulance Sales for the purchase of one (1) new ambulance for FY23.

#### **FISCAL IMPACT**

This ambulance will be purchased in FY23 contingent on approval of the FY23 budget. The total amount for this ambulance will not exceed \$265,000. Staff will return for approval of the funds once the budget is approved and prior to the Purchase Order being placed.

#### **RECOMMENDATION**

Staff recommends approval of Resolution No. 22-R-71

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#### **Attachments**

Quote

LOI

Resolution 22-R-71

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Dealer: SWAS

Approved By:

Date:

Customer:

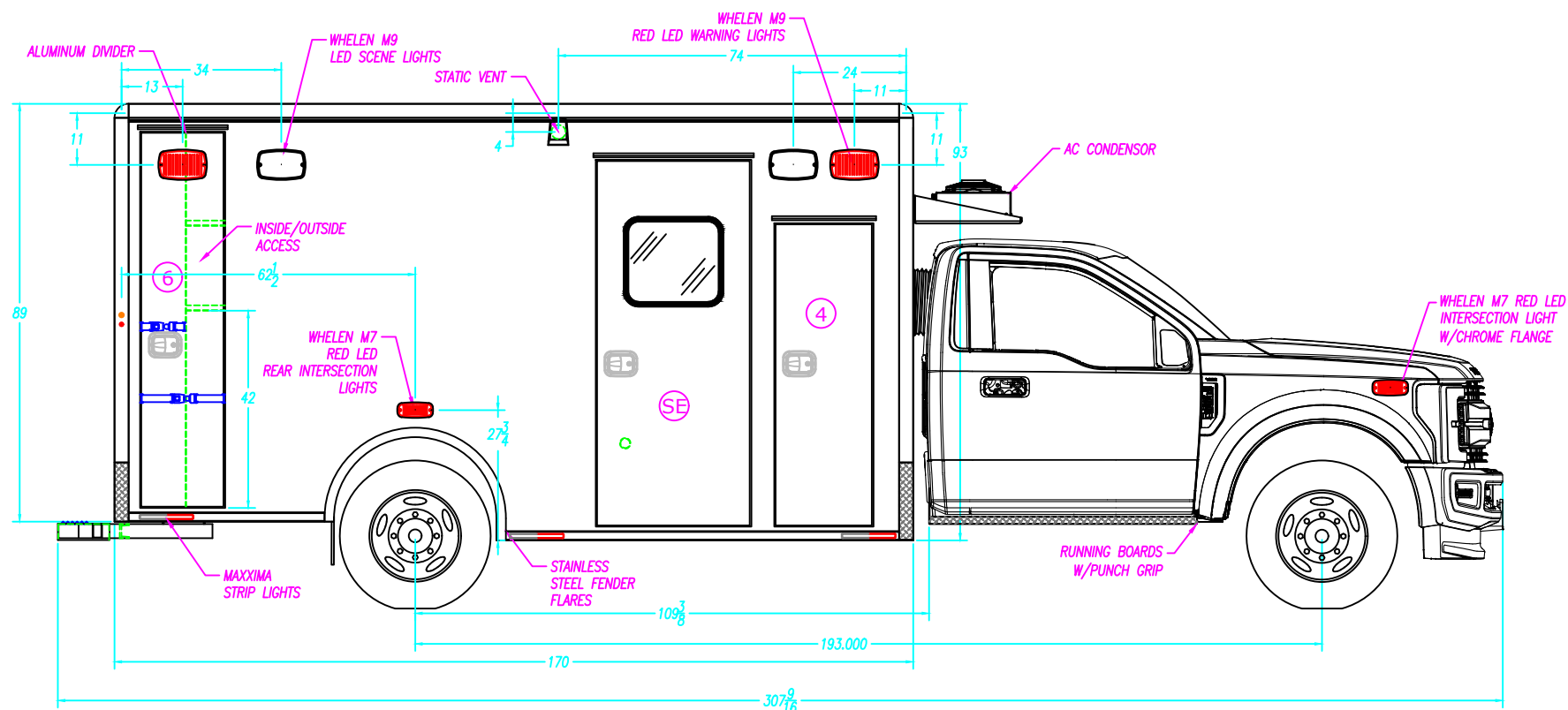
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21-M1209-10

Sheet

A

ALL WARNING, SCENE, AND TAIL LIGHTS TO HAVE CHROME BEZELS.

ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS  
WIRE TO OEM

## COMPARTMENT SIZES

NOTE: THE DIMENSIONS BELOW ARE INSIDE TUB DIMENSIONS

NO.	COMPARTMENT TYPE	WIDTH	HEIGHT	DEPTH
4	ALS COMPARTMENT	---	---	---
5	BATTERY COMPARTMENT	20 1/2"	18 1/2"	23 1/8"
6	BACK BOARD COMPARTMENT	20"	79 1/2"	22"
-	-	-	-	-

## COMPARTMENT / ENTRY DOOR SIZES

NO.	COMPARTMENT / ENTRY DOOR TYPE	WIDTH	HEIGHT
4	ALS DOOR	20 1/2"	64 1/8"
5	BATTERY STORAGE DOOR	---	---
SE	SIDE ENTRY DOOR	32 1/2"	77 3/8"
6	BACK BOARD STORAGE DOOR	17 1/2"	79 3/8"
-	-	-	-

## COMPARTMENT &amp; ENTRY DOORS

NO.	PART NUMBER	NO.	PART NUMBER
4	33-A11398	6	33-A10784
SE	78-116138	-	-
-	---	-	---

M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.		
DESCRIPTION: CURB SIDE EXTERIOR		
DRAWN BY: I.STANSBURY	DATE CREATED: 2/1/2022	SCALE: 5/16"=1'
REVISED BY: I.STANSBURY	DATE REVISED: 4/11/2022	REVISION: A
Note: Drawings are for reference only, measurements may vary from actual product.		

## COMPARTMENT TUBS

NO.	PART NUMBER	NO.	PART NUMBER
4	33-102298	-	---
SE	33-102648	-	---
6	33-103025	-	---



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

"LET US SHOW YOU THE MEDIX DIFFERENCE"  
WWW.MEDIXAMBULANCE.COM

Dealer: SWAS

Approved By:

Date:

Customer:

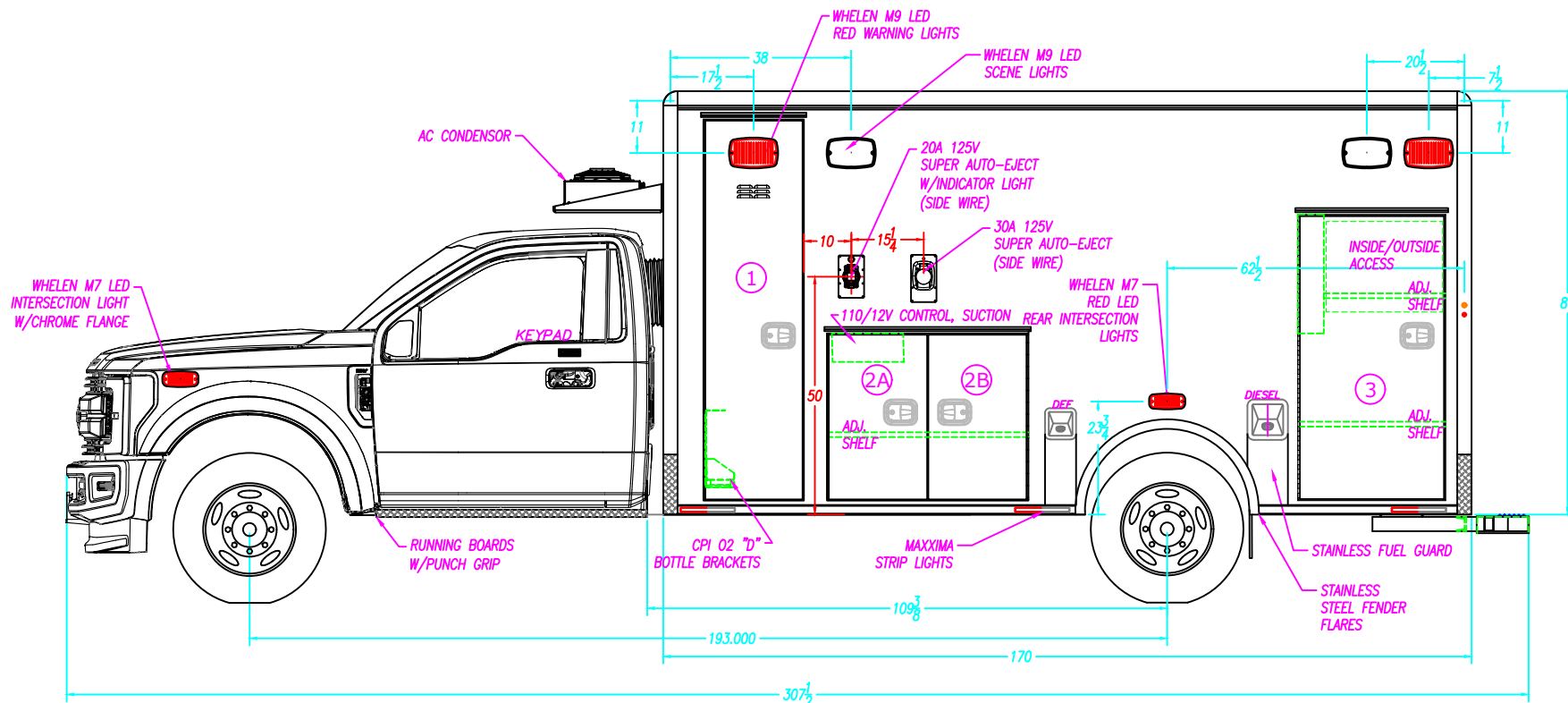
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21-M1209-10

Sheet

B

ALL WARNING, SCENE, AND TAIL LIGHTS TO HAVE CHROME BEZELS.

ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS  
WIRE TO OEM

## COMPARTMENT SIZES

NOTE: THE DIMENSIONS BELOW ARE INSIDE TUB  
DIMENSIONS

NO.	COMPARTMENT TYPE	WIDTH	HEIGHT	DEPTH
1	O2 COMPARTMENT	20 1/2"	79 1/2"	18 1/2"
2	MID STORAGE COMPARTMENT	41 3/4"	34 1/2"	18 1/2"
3	REAR STORAGE COMPARTMENT	34"	59 1/2"	19 1/4"
---	---	---	---	---

## COMPARTMENT / ENTRY DOOR SIZES

NO.	COMPARTMENT / ENTRY DOOR TYPE	WIDTH	HEIGHT
1	O2 STORAGE DOOR	20 1/2"	79 1/2"
2A	MID STORAGE DOOR-A	20 1/2"	34 1/2"
2B	MID STORAGE DOOR-B	20 1/2"	34 1/2"
3	REAR STORAGE DOOR	32 1/2"	59 1/2"

## COMPARTMENT &amp; ENTRY DOORS

NO.	PART NUMBER	NO.	PARTNUMBER
1	33-A10780	3	33-A11397
2	33-A10781		

M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.		
DESCRIPTION: STREET SIDE EXTERIOR		
DRAWN BY: I.STANSBURY	DATE CREATED: 2/1/2022	SCALE: 5/16"=1'
REVISED BY: I.STANSBURY	DATE REVISED: 4/11/2022	REVISION: A
Note: Drawings are for reference only, measurements may vary from actual product.		

## COMPARTMENT TUBS

NO.	PART NUMBER	NO.	PARTNUMBER
1	33-100689	-	---
2	33-103079	-	---
3	33-105141	-	---

3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669"LET US SHOW YOU THE MEDIX DIFFERENCE"  
WWW.MEDIXAMBULANCE.COM

Dealer: SWAS

Approved By:

Date:

Customer:

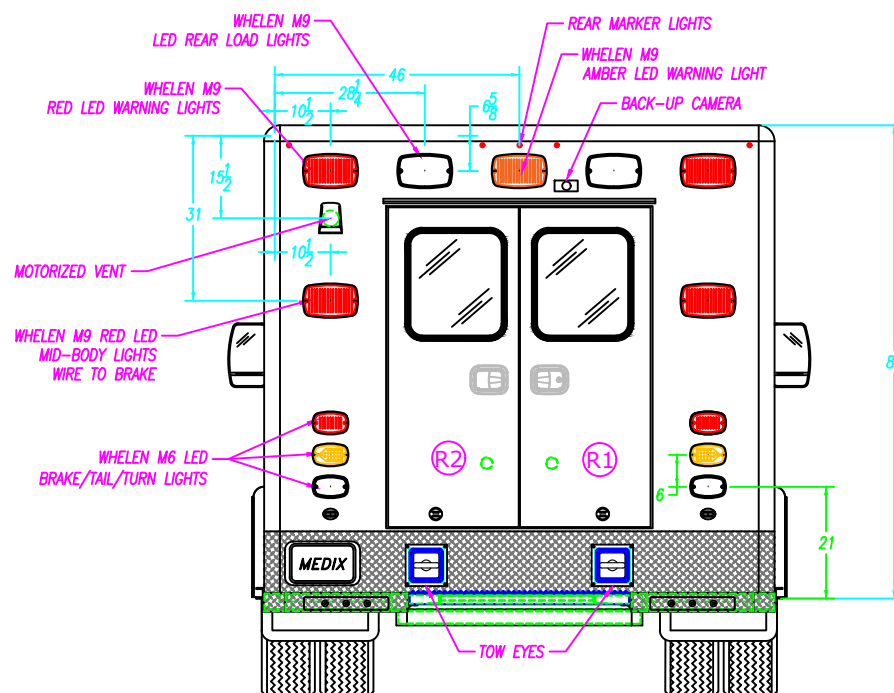
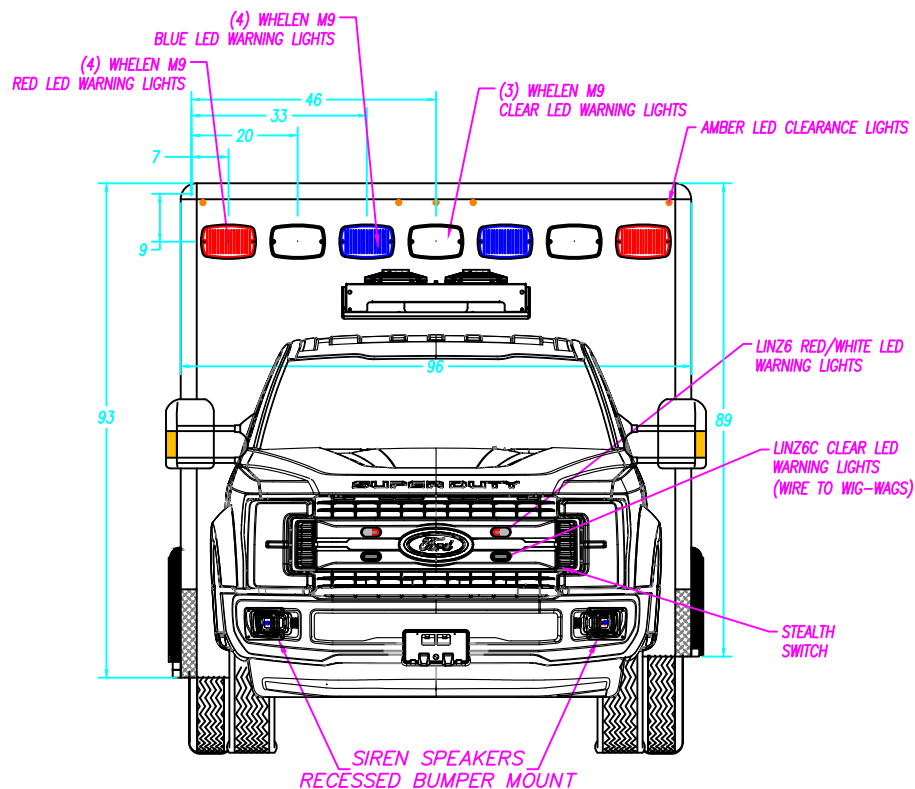
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C

ALL WARNING, SCENE, AND TAIL LIGHTS TO HAVE CHROME BEZELS.

ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS  
WIRE TO OEM



## REAR ENTRY DOOR SIZES

NO.	WIDTH	HEIGHT	PART NUMBER
RE	54"	64 ½"	78-116135

M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION: FRONT & REAR EXTERIOR

DRAWN BY: I.STANSBURY	DATE CREATED: 2/1/2022	SCALE: 5/16"=1'
REVISED BY: I.STANSBURY	DATE REVISED: 4/11/2022	REVISION: A

Note: Drawings are for reference only, measurements may vary from actual product.



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

"LET US SHOW YOU THE MEDIX DIFFERENCE"  
WWW.MEDIXAMBULANCE.COM



Dealer: SWAS

Approved By:

Date:

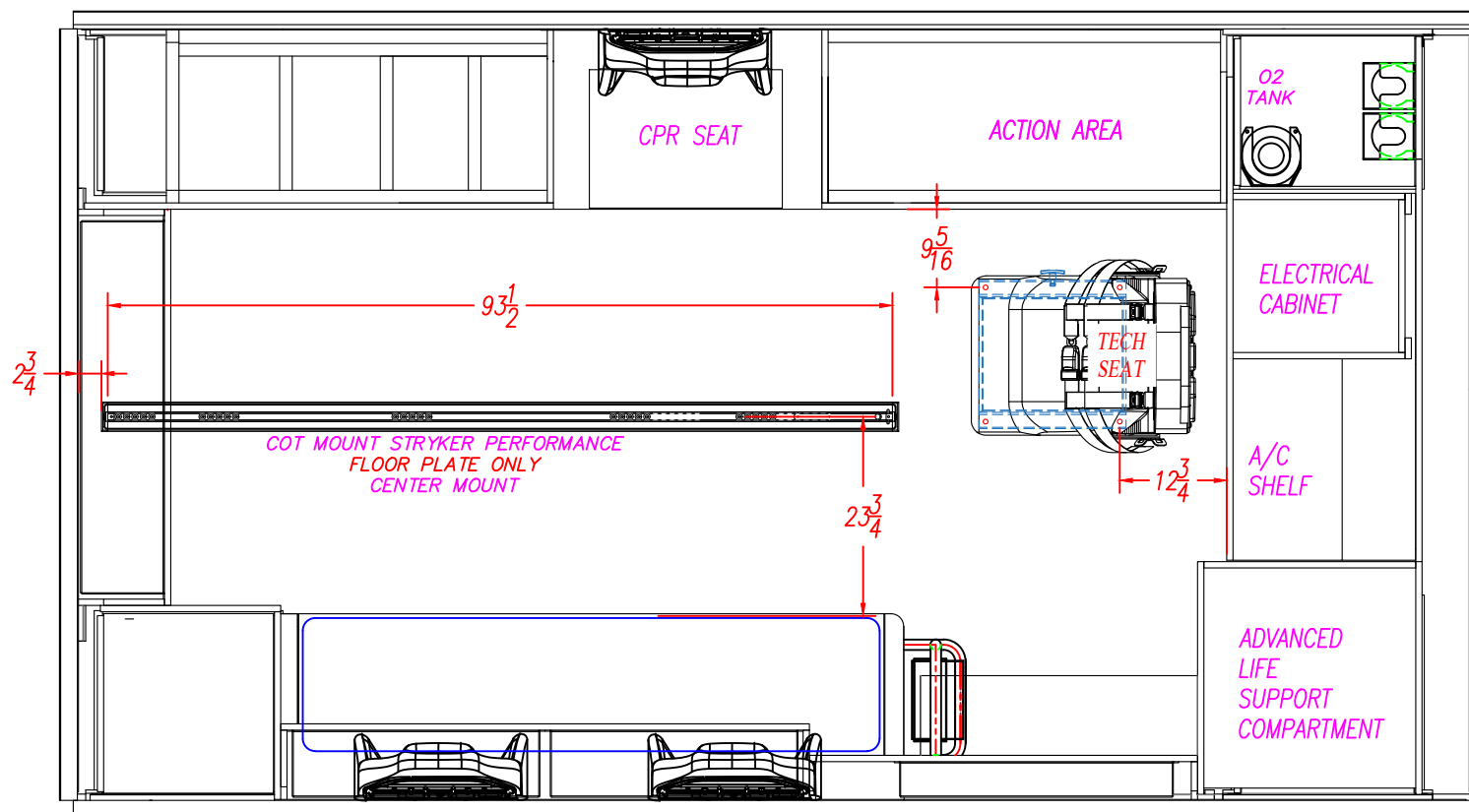
Customer:

CITY OF PHARR

21-M1209-10

Sheet

D



M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

PATIENT AREA PLAN

DRAWN BY:  
I. STANSBURY

DATE CREATED:  
2/1/2022

SCALE:  
1/2"=1'

REVISED BY:  
I. STANSBURY

DATE REVISED:  
4/11/2022

REVISION:  
A

Note: Drawings are for reference only, measurements may vary from actual product.

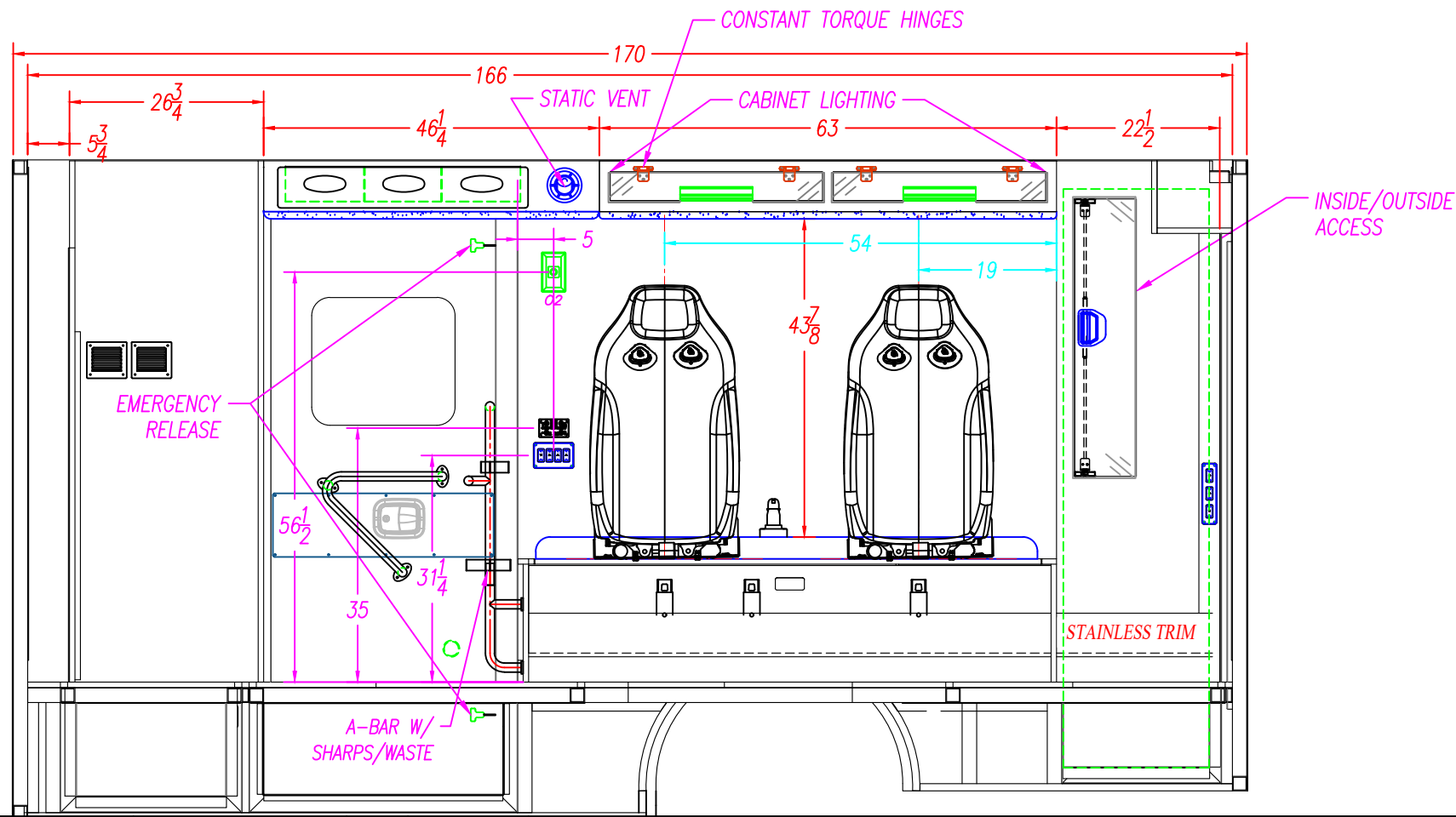



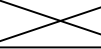

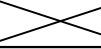

3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

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WWW.MEDIXAMBULANCE.COM

— VANNER  
LSC12-1100  
INVERTER

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**WWW.MEDIXAMBULANCE.COM**



4" SEATBELT PLATE LOCATION		WELD SHOP	33	INCHES	NOTE: THIS DIMENSION IS FROM THE BOTTOM OF THE WALL TO THE BOTTOM OF THE 4" PLATE.						
		CABINET SHOP	NOTE: THE HOLES FOR THE TOP SEATBELT BOLTS ARE 1 1/4" FROM THE TOP OF THE SQUAD BENCH TO THE CENTER OF THE SEATBELT BOLT. NOTE: THE HOLES FOR THE BOTTOM SEATBELT BOLTS ON THE SQUAD BENCH ARE 9 3/8" FROM THE TOP OF THE FLOOR TO THE CENTER OF THE BOLT.								
		NOTE: READ THE DIMENSIONS FROM RIGHT TO LEFT AS VIEWED	THE LOCATION OF THE BOTTOM SEATBELT HOLES ARE FROM THE REAR OF THE SQUAD BENCH TO THE CENTER OF THE 1/2" HOLE	BOTTOM			54"	42"	19"		
			THE LOCATION OF THE TOP SEATBELT HOLES ARE FROM THE REAR WALL TO THE CENTER OF THE 1/2" HOLE	TOP			54"	39"	19"		
INTERIOR CABINET STORAGE					M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.			 3008 MOBILE DRIVE ELKHART, IN 46514 PH: 574-266-0911 FAX: 574-266-6669			
ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE	DESCRIPTION: CURB SIDE INTERIOR						
A	4"	26 1/4"	7"		DRAWN BY: I.STANSBURY						
B					DATE CREATED: 2/1/2022			SCALE: 1/2"=1'			
C					REVISED BY: I.STANSBURY						
D					DATE REVISED: 4/11/2022						
E					REVISION: A			"LET US SHOW YOU THE MEDIX DIFFERENCE" WWW.MEDIXAMBULANCE.COM			
F					Note: Drawings are for reference only, measurements may vary from actual product.						

Dealer: SWAS

Approved By:

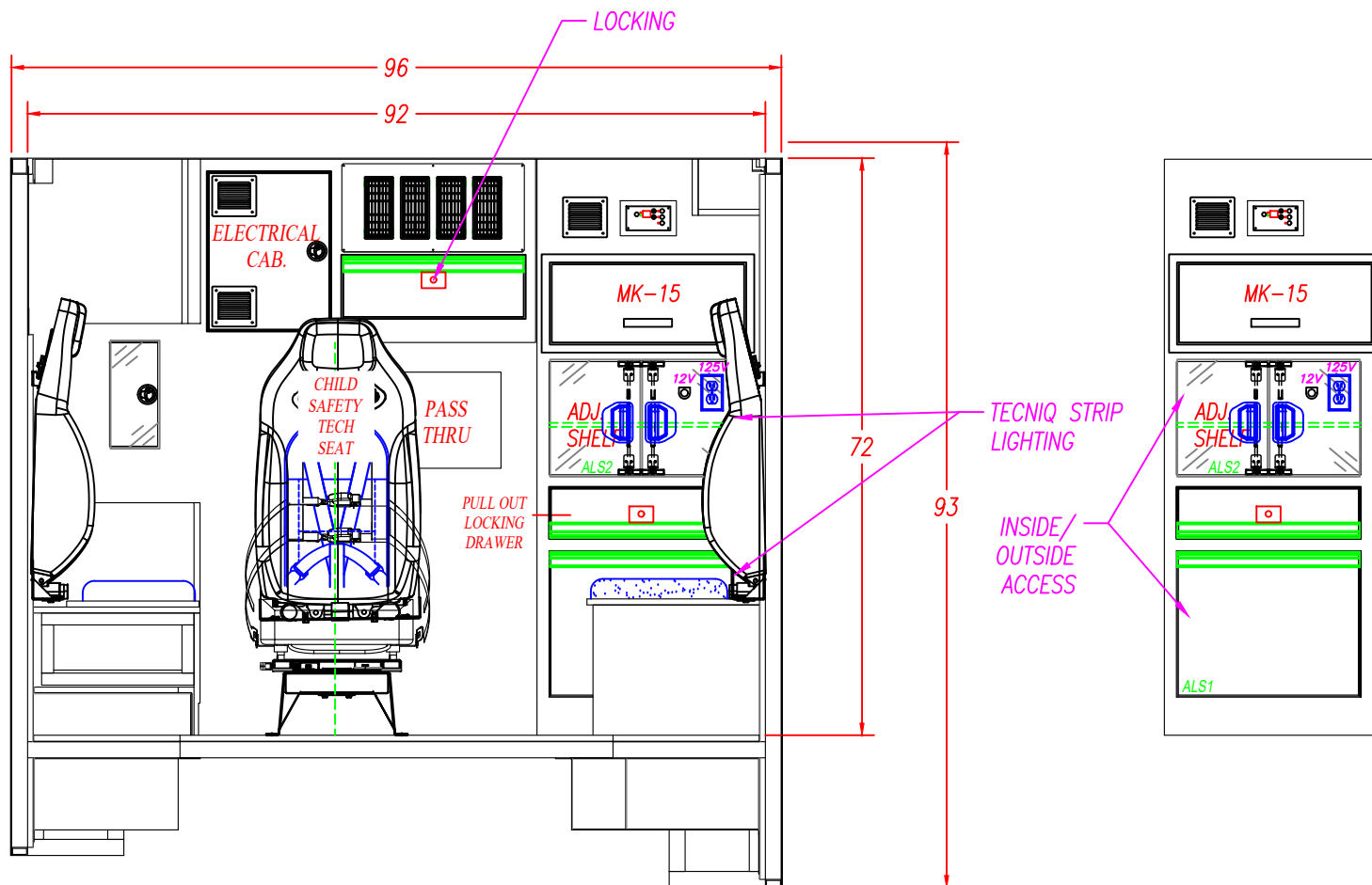
Date:

Customer:

CITY OF PHARR

21-M1209-10

Sheet  
G



INTERIOR CABINET STORAGE

ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE
ALS1	18 1/4"	23"	25 1/4"	
ALS2	14 1/8"	23"	25 1/4"	

M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

FRONT ELEVATION

DRAWN BY:	DATE CREATED:	SCALE:
I. STANSBURY	2/1/2022	1/2"=1'
REVISED BY:	DATE REVISED:	REVISION:
I. STANSBURY	4/11/2022	A

Note: Drawings are for reference only, measurements may vary from actual product.



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

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Dealer: SWAS

Approved By:

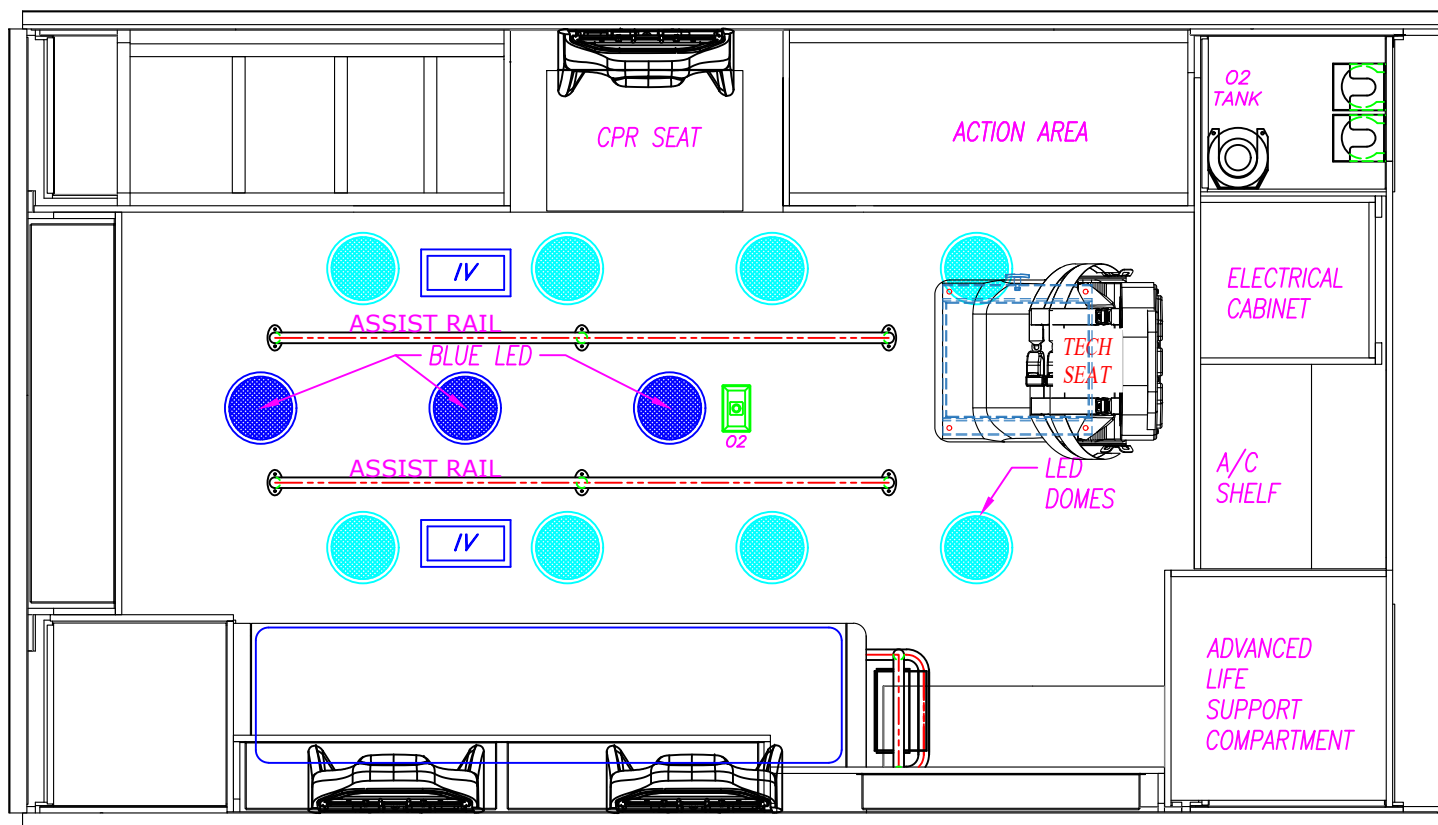
Date:

Customer:

CITY OF PHARR

21-M1209-10

Sheet  
H



M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

CEILING LAYOUT

DRAWN BY:  
I.STANSBURY

DATE CREATED:  
2/1/2022

SCALE:  
1/2"=1'

REVISED BY:  
I.STANSBURY

DATE REVISED:  
4/11/2022

REVISION:  
A

Note: Drawings are for reference only, measurements may vary from actual product.



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

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Dealer: SWAS

Approved By:

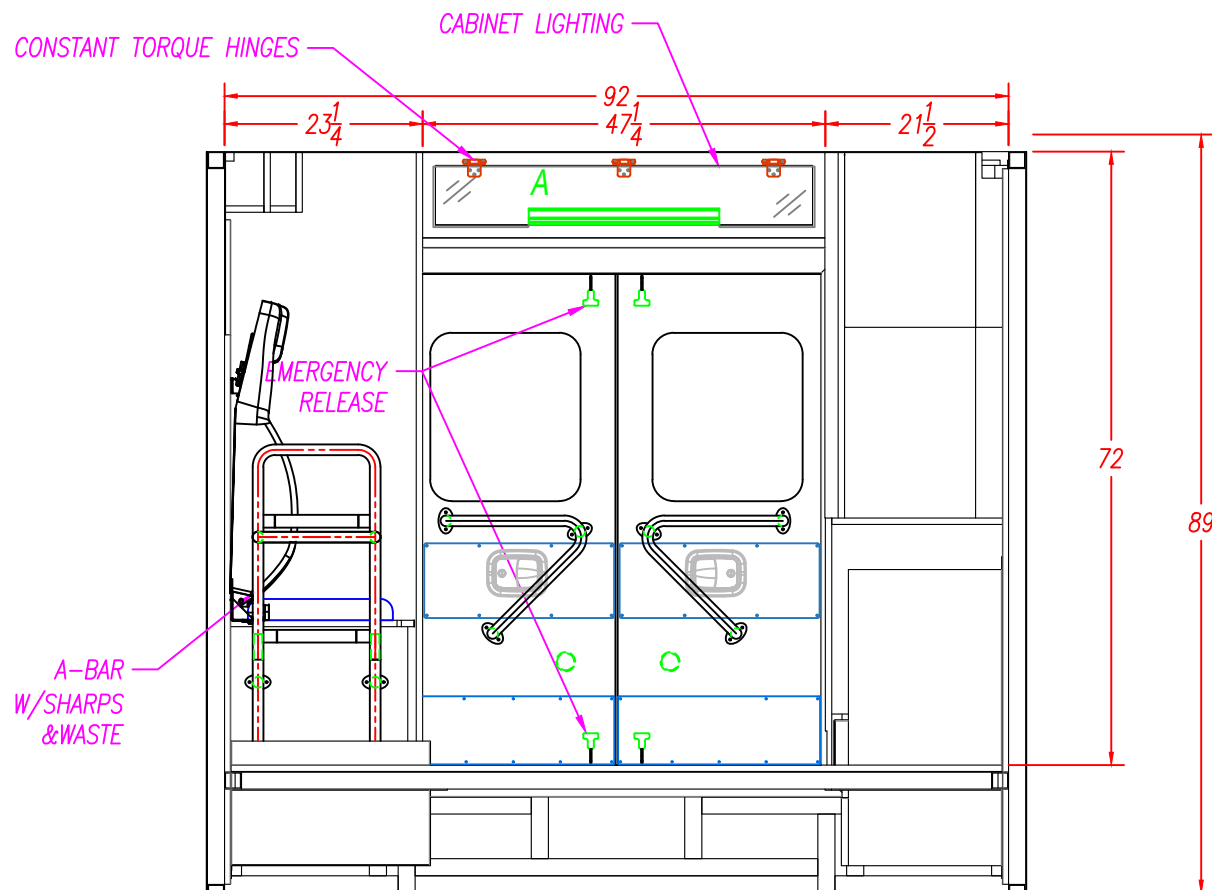
Date:

Customer:

CITY OF PHARR

21-M1209-10

Sheet



# INTERIOR CABINET STORAGE

ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE
A	7"	44 1/4"	9"	
B				
C				
D				
E				
F				

M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

REAR ELEVATION

DRAWN BY:	DATE CREATED:	SCALE:
I. STANSBURY	2/1/2022	1/2"=1'
REVISED BY:	DATE REVISED:	REVISION:
I. STANSBURY	4/11/2022	A

Note: Drawings are for reference only, measurements may vary from actual product.



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

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**Dealer:** SWAS

**Approved By:**

**Date:**

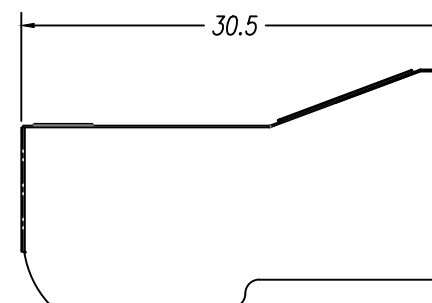
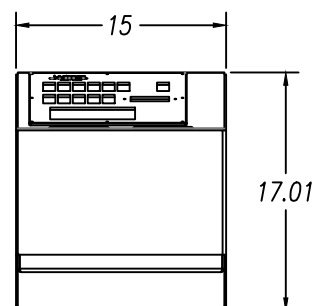
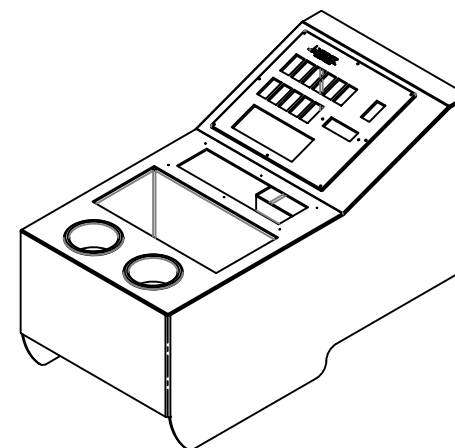
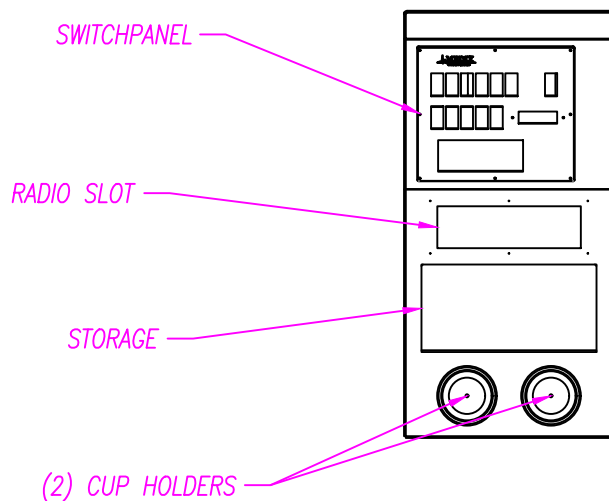
**Customer:**

CITY OF PHARR

21-M1209-10

Sheet

**J**



M2 170" TYPE I  
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

FRONT CONSOLE

DRAWN BY:  
I.STANSBURY

DATE CREATED:  
2/1/2022

SCALE:  
1/2"=1'

REVISED BY:  
I.STANSBURY

DATE REVISED:  
4/11/2022

REVISION:  
A

Note: Drawings are for reference only, measurements may vary from actual product.



3008 MOBILE DRIVE  
ELKHART, IN 46514  
PH: 574-266-0911  
FAX: 574-266-6669

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July 6, 2022

Southwest Ambulance Sales  
621 Kennedale Pkwy  
Kennedale, TX 76060

Re: Official Notice of Intent (Medix MSV II 170 M-1209)

To Whom It May Concern:

This letter shall serve as Official Notice of Intent to purchase one (1) Medix MSV Type I ambulance mounted on a 2022 Ford F-450 Diesel chassis for the City of Schertz EMS.

The total cost of the module including chassis is \$261,417.12 based on Reference Medix MSV II 170 M-1209.

This LOI is contingent upon final approval of the FY 2023 budget by the City Council of Schertz, TX.

Respectfully,

Mark Browne



## **RESOLUTION NO. 22-R-71**

### **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF INTENT (LOI) WITH SOUTHWEST AMBULANCE SALES FOR THE PURCHASE OF ONE (1) NEW AMBULANCE FOR FISCAL YEAR 2022/2023 AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Schertz EMS Department has chosen Southwest Ambulance Sales, a HGACBuy Purchasing Cooperative vendor, for the purchase of one (1) Ford Ambulance; and

WHEREAS, the total cost of one ambulance will be no more than \$265,000; and

WHEREAS, this purchase will be funded with budgeted operating costs from the FY23 approved budget.

WHEREAS, HGACBuy Purchasing Cooperative is a national online purchasing cooperative, developed to comply with state laws which require government entities to make purchases through a competitive procurement process; and

WHEREAS, HGACBuy Purchasing Cooperative gives public entities the advantage of leveraging the cooperative's ability to obtain bulk discounts, combined with the ease of online, web-based shopping and ordering; and

WHEREAS, purchases under the cooperative programs meet the requirements under the Texas Local Government Purchasing Code rule for cooperative purchases as adopted by the City of Schertz Resolution 11-R-41 on August 30, 2011 amending the City's purchasing policy; therefore,

**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 sign a Letter of Intent (LOI) with Southwest Ambulance Sales attached in Exhibit A for one ambulance not to exceed \$265,000.

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 5th day of July 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 5, 2022

**Department:** City Secretary

**Subject:** Resolution No. 22-R-60 – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas calling the November 8, 2022, 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 8, 2022 Joint and Schertz General Election to elect a Mayor and Councilmembers in Places 1 and 2, for a three-year term to begin November 2022 and ending November 2025.

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 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 on 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 Joint Elections Contracts with other entities. Due to the 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 8, 2022, 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 8, 2022, Schertz General Election Ballot is Saturday, July 23, 2022, but since City Offices are closed the date moves to Monday, July 25, 2022. The last day to file for Place on the November 8, 2022, Schertz General Election Ballot is Monday, August 22, 2022, 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 8, 2022 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 8, 2022, 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. 22-R-60 calling the November 8, 2022, 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:

\$ 4,509.62 Bexar County  
\$ 2,650.25 Comal County  
\$25,368.50 Guadalupe County  
\*Total \$32,528.37

Estimated cost for Publication of Election Notice both in English and Spanish is \$6,000 - (last years cost was \$5,714.75). The total estimated cost is \$38,528.37 for the election.

#### **RECOMMENDATION**

Staff recommends that Council approves Resolution No. 22-R-60, calling the November 8, 2022, 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 the joint election agreements.

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#### **Attachments**

Resolution 22-R-60  
Exhibit A

Exhibit B  
Election Agreements  
Cost Estimates

---

## NOTICE OF ELECTION

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

-----0-----

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

-----0-----

TAKE NOTICE that an election will be held in the City of Schertz, Texas on November 8, 2022, in obedience to a Resolution duly entered by the City Council of the City of Schertz on July 5, 2022, which Resolution reads substantially as follows:

## RESOLUTION NO. 22-R-60

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CALLING AN ELECTION TO BE HELD ON NOVEMBER 8 , 2022 FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEMBERS FOR PLACE 1, AND PLACE 2 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 ELECTIONS 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 the Mayor and Councilmembers for Place 1, and Place 2 ends in November 2022 and those offices will become vacant at that time. Therefore, the City is required to conduct an election in November 2022 to fill these vacancies; and

WHEREAS, the City will hold its election jointly in the counties of Comal, Bexar, and Guadalupe 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”); and

WHEREAS, the City Council of the City (the “Council”) hereby finds and determines that holding a Joint General Election on November 8, 2022, which is the uniform election date in November prescribed under the Texas Election Code, for the purpose of electing a Mayor and Councilmembers for Place 1, and Place 2 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 8, 2022, for the purpose of electing the Mayor and Councilmembers for Place 1, and Place 2 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 8, 2022, in and throughout the City, for the purpose of electing a Mayor and Councilmembers for Place 1, and Place 2 which places are currently held by (i) Ralph Gutierrez – Mayor (ii) Councilmember Mark Davis – Place 1 and (iii) Council vacant seat – Place 2 for a three-year term to expire November 2025.

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 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 Mayor and Councilmember Place 1, and Place 2, respectively, shall be declared elected for a term to expire in November 2025. Any candidate desiring to have his or her name on the Official Ballot for said General Election shall, no sooner than Saturday, July 23, 2022, but since City Offices are closed the date moves to Monday, July 25, 2022, and no later than Monday, August 22, 2022 at 5:00 p.m., file with the City Secretary an application in writing and 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 Mayor and Councilmember for either Place 1, or for Place 2.

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 Vote Center Locations listed on **Exhibit B** on Tuesday, November 8, 2022, 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 24, 2022, through Friday, November 4, 2022, 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 28, 2022.

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 \$39,000.00.

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.

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 5th day of July 2022.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis TRMC, MMC, CPM, City Secretary

(SEAL OF CITY)

## EXHIBIT A

BEXAR COUNTY

**JOINT GENERAL, SPECIAL, CHARTER AND BOND ELECTION  
ELECCION GENERAL, ESPECIAL, CARTA Y BONOS CONJUNTO  
NOVEMBER 8, 2022  
8 de noviembre de 2022**

**THE HOURS OF EARLY VOTING WILL BE: (LAS HORAS Y FECHAS DE VOTACIÓN  
ADELANTADA SERAN:)**

Monday, October 24 thru Friday, October 28, 2022.....8:00 a.m. to 6:00 p.m.  
Lunes 24 de octubre de 2022 hasta viernes 28 de octubre de 2022.....8:00 a.m. a 6:00 p.m.  
Saturday, October 29, 2022.....8:00 a.m. to 8:00 p.m.  
Sábado 29 de octubre de 2022.....8:00 a.m. a 8:00 p.m.  
Sunday, October 30, 2022.....12:00 noon to 6:00 p.m.  
Domingo 30 de octubre de 2022.....12:00 noon to 6:00 p.m.  
Monday, October 31 thru Friday, November 4, 2022 .....8:00 a.m. to 8:00 p.m.  
Lunes 31 de octubre de 2022 hasta viernes 4 de noviembre de 2022.....8:00 a.m. a 8:00 p.m.

**October 24, 2022 – November 4, 2022**

SUN	MON	TUES	WED	THURS	FRI	SAT
23	24 *****	25 *****	26 *****	27 *****	28 *****	29 *****
30 *****	31 *****	1 *****	2 *****	3 *****	4 *****	5
6	7	8  Election Day				

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

**Main Early Voting Location: (Localidad Principal de Votación Adelantada:)**

**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:  
(Ademas de la localidad principal, votacion adelantada se llevara a cabo en las siguiente localidades:)**

**BEXAR COUNTY JUSTICE CENTER...(Basement).....300 Dolorosa  
(Sotano)**

**\*\*\*Bexar County Justice Center closes at 6:00 p.m. Also closed Saturday and Sunday**

BROOKHOLLOW LIBRARY.....	530 Heimer Road
CASTLE HILLS CITY HALL... (Community Room).....	209 Lemonwood Dr
CLAUDE BLACK CENTER.....	2805 East Commerce
CODY BRANCH LIBRARY.....	11441 Vance Jackson
OLD CONVERSE CITY HALL.....	407 S. Seguin Rd
COPERNICUS COMMUNITY CENTER.....	5003 Lord Rd
CORTEZ BRANCH LIBRARY.....	2803 Hunter Blvd
ENCINO BRANCH LIBRARY.....	2515 East Evans Rd
GREAT NORTHWEST BRANCH LIBRARY.....	9050 Wellwood
GUERRA BRANCH LIBRARY.....	7978 W. Military Drive
HELOTES CITY HALL .....	12951 Bandera Rd
IGO BRANCH LIBRARY.....	13330 Kyle Seale Parkway
INDIAN SPRINGS ELEMENTARY...(Front Hallway).....	25751 Wilderness Oak
JOHNSTON BRANCH LIBRARY.....	6307 Sun Valley Drive
KIRBY CITY HALL.....	112 Bauman
LAS PALMAS BRANCH LIBRARY.....	515 Castroville Road
LEON VALLEY CONFERENCE CENTER.....	6421 Evers Rd
LION'S FIELD.....	2809 Broadway
MAVERICK BRANCH LIBRARY.....	8700 Mystic Park
MEMORIAL BRANCH LIBRARY.....	3222 Culebra Rd.
MCCRELESS BRANCH LIBRARY.....	1023 Ada Street
MISSION BRANCH LIBRARY.....	3134 Roosevelt Ave
NORTHSIDE ACTIVITY CENTER.....	7001 Culebra
NORTHWEST VISTA COLLEGE... (Pecan Hall, Rm 100).....	3535 N. Ellison Dr
OLMOS PARK CITY HALL.....	120 El Prado W
PALO ALTO COLLEGE...(Performing Arts Center, Rm 163).....	1400 W. Villaret Blvd
PARMAN BRANCH LIBRARY@Stone Oak.....	20735 Wilderness Oak
PRECINCT 1 SATELLITE OFFICE.....	3505 Pleasanton
SCHAEFER BRANCH LIBRARY.....	6322 US Hwy 87 E
SEMMES BRANCH LIBRARY @ Comanche Lookout Park.....	15060 Judson Road
SHAVANO PARK CITY HALL... (Lobby).....	900 Saddletree Ct
SOMERSET CITY HALL.....	7360 E 6 <sup>th</sup> St. Somerset
SOUTHSIDE ISD ADMIN BLDG .....	1460 Martinez-Losoya Rd
TIMBERWOOD PARK ELEMENTARY...(Front Hallway).....	26715 S. Glenrose
TOBIN BRANCH LIBRARY @OAKWELL.....	4134 Harry Wurzbach
UNIVERSAL CITY LIBRARY.....	100 Northview Dr
UTSA... (Bexar Room).....	1 UTSA Circle
VAN RAUB ELEMENTARY.....	8776 Dietz Elkhorn
WINDCREST TAKAS PARK CIVIC CENTER.....	9310 Jim Seal Dr
WONDERLAND MALL OF THE AMERICAS @ CROSSROADS (Upper Level B61).....	4522 Fredericksburg Rd

subject to change  
(*sujeto a cambio*)

Last day to receive an application to vote by mail is October 26, 2022.

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

(Para mas informacion comuniquese con oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al telefono (210) 335-VOTE (8683))

**PROPOSED**  
**EARLY VOTING LOCATIONS**  
(SITIOS DE VOTACIÓN ANTICIPADA)  
**COMAL COUNTY, TEXAS**  
(EL CONDADO DE COMAL, TEXAS)  
**NOVEMBER 8, 2022 GENERAL AND SPECIAL ELECTIONS**  
(2 DE NOVIEMBRE DE 2022 ELECCIONES GENERALES Y ESPECIALES)

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**Location, Dates, and Hours of Main Early Voting Polling Location**  
*(Lugar, Fechas y Horas de los Centros Principales de Votación para la Votación Anticipada)*

**\*\*MAIN LOCATION:** Comal County Elections Office  
(los Centros Principales) 396 N. Seguin Ave.  
New Braunfels, TX 78130  
**DATES and HOURS:** October 24 – November 4, 2022 (Times to be determined at a later date)

**\*\*Emergency and Limited ballots available at this location only.** (Boletas limitadas y de emergencia solamente están disponibles en esta caseta.)

**Location, Dates, and Hours of Temporary Branch Early Voting Polling Locations**  
*(Lugar, Fechas y Horas de las Sucursales de los Centros Temporal de Votación para la Votación Anticipada)*

Mammen Family Public Library  
131 Bulverde Crossing  
Bulverde Texas 78163

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

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

October 24 – November 4, 2022 (Times to be determined at a later date)

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

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

**Applications for Ballot by Mail shall be mailed to:** (Las solicitudes para boletas que se votaran adelantada por correo deberan enviarse a:) 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, 28, 2022.** (Las solicitudes para boletas que se votaran adelantada por correo deberan recibirse para el fin de las horas de negocio el 28 de octubre, 2022).

**PROPOSED SUBJECT TO CHANGE**

**GUADALUPE COUNTY**  
**DRAFT**  
**Exhibit A**  
**NOVEMBER 8, 2022**  
**(8 DE NOVIEMBRE, 2022)**

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

**Early Voting Dates and Hours**  
**(Fechas y Horarios de Votación Anticipada)**

**Monday, October 24<sup>th</sup> through Friday, October 28<sup>th</sup>, 2022.....8:00 a.m. to 5:00 p.m.**

*Lunes, 24 de Octubre hasta el Viernes, 28 de Octubre de 2022.....8:00 de la mañana a las 5:00 de la tarde*

**Saturday, October 29<sup>th</sup>, 2022.....7:00 a.m. to 7:00 p.m.**

*Sabado, 29 de Octubre de 2022.....7:00 de la mañana a las 7:00 de la tarde*

**Sunday, October 30<sup>th</sup>, 2022.....1:00 p.m. to 6:00 p.m.**

*Domingo, 30 de Octubre de 2022.....1:00 de la tarde a las 6:00 de la tarde*

**Monday, October 31<sup>st</sup> through Friday, November 4<sup>th</sup>, 2022 .....7:00 a.m. to 7:00 p.m.**

*Lunes, 31 de Octubre de 2022 hasta el Viernes, 4 de Noviembre de 2022.....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)**

<b>CIBOLO FIRE STATION #2</b>	3864 Cibolo Valley Dr., Cibolo, TX 78108
<b>CENTRAL TEXAS TECHNOLOGY CENTER</b>	2189 FM 758, New Braunfels, TX 78130
<b>GRACE CHURCH</b>	3240 FM 725, New Braunfels, TX 78130
<b>NEW BERLIN CITY HALL</b>	9180 FM 775, New Berlin, TX
<b>SCHERTZ ELECTIONS OFFICE ANNEX</b>	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 28, 2022.** *(Las solicitudes para boletas que se votaran adelantada por correo deberan recibirse para el fin de las horas de negocio el 28 de Octubre 2022.)*



## **EXHIBIT B**

### **COUNTY ELECTION DAY VOTE CENTERS**

**COUNTY CLERKS AND ELECTON ADMINISTRATORS ARE STILL WORKING ON LOCATIONS TO BE  
APPROVED BY THEIR COMMISSIONERS COURT**

**INFORMATION ON LOCATION ONCE APPROVED WILL BE SENT OUT AND PLACED ON OUR CITY  
WEBSITE**

**THE ATTACHED ARE DRAFTS**

**BEXAR COUNTY**  
General, Special, Charter November 8, 2022  
Polls open from 7:00 a.m. to 7:00 p.m.

**DRAFT Election Day Vote Centers Joint General, Special, Carter and Bond Election November 8, 2022**

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 Barlite 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 Groesenbacher	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

**BEXAR COUNTY**  
**General, Special, Charter November 8, 2022**  
**Polls open from 7:00 a.m. to 7:00 p.m.**

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

**BEXAR COUNTY**  
**General, Special, Charter November 8, 2022**  
**Polls open from 7:00 a.m. to 7:00 p.m.**

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

[illegible]

**BEXAR COUNTY**  
**General, Special, Charter November 8, 2022**  
**Polls open from 7:00 a.m. to 7:00 p.m.**

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



**BEXAR COUNTY**  
**General, Special, Charter November 8, 2022**  
**Polls open from 7:00 a.m. to 7:00 p.m.**

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??	City of Schertz Fire Station #3 (SCUC)	11917 Lower Seguin Road	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**

# PROPOSED SUBJECT TO CHANGE

## GENERAL/SPECIAL ELECTIONS

November 8, 2022

Election Day Polling Locations

Polls Open from 7:00 a.m. to 7:00 p.m.

Comal County will be using Vote Centers for the November 8, 2022 Elections

VC #1	Comal County Senior Citizens Center, 655 Landa, New Braunfels
VC #2	Mammen Family Public Library, Meeting Room A, 131 Bulverde Crossing, Bulverde
VC #3	Tye Preston Memorial Library, 1631 1 South Access Rd., Canyon Lake
VC #4	Canyon Springs Resort Clubhouse, 691 Canyon Springs Dr., Canyon Lake
VC #S	ESD Station #4, 215 Rebecca Creek Rd, Canyon Lake
VC #6	Vintage Oaks Amenity Center, 1250 Via Principale, New Braunfels
VC#7	Peace Lutheran Church, Foyer, 1 147 S. Walnut, New Braunfels
VC #S	Christ Our King Anglican Church, 1 15 Kings Way, New Braunfels
VC #9	Comal County Offices, Bulverde Annex, JP2 Courtroom, 30470 Cougar Bend, Bulverde
VC #10	Jay F. Feibelman Garden Ridge Community Center, Wildflower Room, 9500 Municipal Parkway, Garden Ridge
VC #11	Bulverde/Spring Branch Fire & EMS @ Johnson Ranch, 30475 Johnson Way, Bulverde
VC #12	Cibolo Creek Community Church, 30395 Ralph Fair Rd., Boerne
VC #13	Westside Community Center, Gym, 2932 S. IH 35, New Braunfels
VC #14	Columbus Club Hall, Meeting Room, 1 1 1 Landa, St., New Braunfels
VC #15	New Braunfels Library, Large Meeting Room, 700 E. Common, New Braunfels
VC #16	Comal County Offices, Goodwin Annex, Training Room, 1297 Church Hill, New Braunfels
VC #17	New Braunfels Christian Church, Fellowship Hall, 734 N. Loop 337, New Braunfels
VC #18	St Francis by the Lake Episcopal Church, Large Room, 121 Spring Mountain Dr., Canyon Lake
VC #19	Rebecca Creek Elementary School, 125 Quest Avenue, Spring Branch
VC #20	Gruene Methodist Church, 2629 E. Common St., New Braunfels
VC #21	Rebecca Creek Baptist Church , 1 1755 Hwy 281 N., Spring Branch
VC #22	River Chase Clubhouse, 436 River Chase Way, New Braunfels

**VOTE CENTER ELECTION** (*Elección de Centros de Votación*). On Election Day, eligible Comal County **VOTERS MAY VOTE AT ANY** of the locations listed on this page. Voters are **NOT** limited to only voting in the where they are registered to vote. (*En el día de elección votantes elegibles del Condado de Comal podrán votar en cualquier sitio indicado en esta página. Votantes tienen más opciones en dónde votar, sin limitarse al en donde están registrados para votar.*)

**SUBJECT TO CHANGE DUE TO COVID-19**

(*SUJETO A CAMBIOS DEB/DO A COVID-19*)



**DRAFT**  
**Exhibit B**

**November 8, 2022**  
**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 8, 2022 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

## **JOINT ELECTION AGREEMENT**

This Agreement is entered into by and between Bexar County Elections Administrator (“ADMINISTRATOR”), acting on behalf of Bexar County; Edwards Aquifer Authority (“EAA”); East Central Independent School District (“ECISD”); Edgewood Independent School District (“EISD”); South San Antonio Independent School District (“SSISD”); Southside Independent School District (“SISD”); the City of Converse (“COC”); the City of Sandy Oaks (“COSO”); the City of Schertz (“COSCH”); the City of Windcrest (“COW”); the Bexar WCID (“WCID”); the Green Valley Special District (“GVS”); and the Trinity Glen-Rose Groundwater District (“TGR”) and they may also be referred to, individually, as an “Entity” or, collectively, as the “Entities,” acting by and through their duly appointed and qualified representatives, pursuant to Texas Election Code Section 271.002(a), for the election.

**WHEREAS**, EAA will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, ECISD will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, EISD will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, SSISD will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, SISD will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, COC will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, COSO will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, COSCH will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, COW will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, WCID will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, GVS will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, TGR will conduct a general election on Tuesday, November 8, 2022; and

**WHEREAS**, Section 271.002(a) of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the Vote Centers that can be served by common polling places; and

**WHEREAS**, the Entities desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

**WHEREAS**, the Entities desire to enter into an agreement setting out their respective duties and responsibilities for the November 8, 2022 election;

**NOW THEREFORE**, it is agreed that the Entities will hold a joint election on Tuesday, November 8, 2022 (the “Joint Election”) under the following terms and conditions:

## **I.**

The Entities are each required to enter into their own separate contract with ADMINISTRATOR for election services and will hold elections jointly with other Entities in the Vote Centers that can be served by common polling places, using joint election officer and clerks as ADMINISTRATOR determines is necessary to hold an election safely for Officials and Voters alike due to COVID 19 as appropriate.

## **II.**

The Entities agree to conduct early voting jointly. ADMINISTRATOR will arrange for and handle early voting in person and by mail for the Joint Election in accordance with her contracts with those Entities. Appropriate notices to the public related to early voting will be provided by the Entities.

## **III.**

The Entities agree that a single ballot, containing all the measures and offices to be voted on shall be used in this Joint Election.

## **IV.**

Each Entity is responsible for its own posting of public notices in connection with the Joint Election. ADMINISTRATOR shall be responsible for publishing a Notice of Election in a newspaper of general circulation in the territory as required of all the Entities under Section 4.003 of the Election Code, and each Entity shall pay ADMINISTRATOR its proportionate share of the publishing cost.

## **V.**

Each Entity is responsible for paying ADMINISTRATOR for any and all other election costs, as applicable to the specific Entity and agreed upon by separate contract for election services between each Entity and ADMINISTRATOR.

## **VI.**

ADMINISTRATOR will tabulate the ballots and provide a set of copies of the affidavit page of each return along with the returns of the election, as agreed upon by separate contract between each Entity and ADMINISTRATOR.

## **VII.**

Each Entity will be responsible for canvassing its respective precinct returns for the Joint Election.

## **VIII.**

The Entities agree to comply with any and all applicable state and federal record retention statutes. Each Entity shall be the custodian of its respective election records.

**IX.**

If an Entity determines not to participate in the Joint Election to be held on Tuesday, November 8, 2022, because it has no contested positions, the nonparticipating Entity shall promptly notify ADMINISTRATOR and the other Entities, and this Agreement shall be automatically amended to delete the nonparticipating Entity as a party to the Agreement.

**X.**

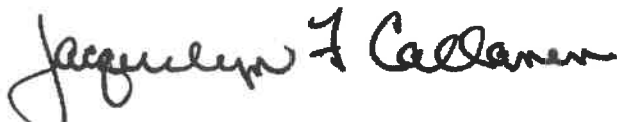
The undersigned persons are the duly authorized signatories of their Entities, and their signatures represent acceptance of the terms and conditions of this Agreement, as passed and approved by their respective governing bodies.

**XI.**

This Agreement may be executed in two or more counterparts. Together the counterparts shall be deemed an executed original instrument. The Entities may execute this Agreement and exchange counterparts of the signature pages by means of facsimile or email transmission, and the receipt of executed counterparts by facsimile or email transmission shall be binding on the Entities. Following a facsimile or email exchange, the Entities shall promptly exchange original signature pages.

SIGNED and AGREED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BEXAR County ELECTIONS ADMINISTRATOR    **ENTITY:** \_\_\_\_\_



**BY:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

\_\_\_\_\_  
Jacquelyn F. Callanen



**CYNTHIA JAQUA  
COMAL COUNTY  
ELECTIONS COORDINATOR**

396 N. Seguin Ave. • New Braunfels • Texas • 78130  
(830) 221-1352 Fax: (830) 608-2013  
e-mail: [jaquac@co.comal.tx.us](mailto:jaquac@co.comal.tx.us)

June 21, 2022

**CITY OF SCHERTZ  
CONTRACT FOR ELECTION SERVICES  
November 8, 2022 General/Special Election**

This contract for election services made by and between **City of Schertz** hereinafter called ENTITY and **Bobbie Koepp, Comal County Clerk**, hereinafter called CONTRACTING OFFICER is based on the following:

The ENTITY and CONTRACTING OFFICER have determined that it is in the public interest of the inhabitants of the ENTITY that the following contract be made and entered into for the purpose of having the CONTRACTING OFFICER furnish the ENTITY certain election services and equipment needed by the ENTITY for their November 8, 2022 General/Special Election. Electronic voting equipment will be used, specifically the Hart Verity known as Verity Duo, Scan, and Controller. Hart Verity Duo has a paper vote record.

**DUTIES AND SERVICES OF THE CONTRACTING OFFICER:**

1. Bobbie Koepp, Comal County Clerk, shall be designated and agrees to act as the Election Administrator and the Early Voting Clerk for the election, and shall conduct early voting in person and by mail.
2. Forward all information to vendor (Hart) for the Coding and Audio files for Verity Duo, Scan, and Controller
3. Advertise, prepare, and conduct the Logic and Accuracy Tests as required by State Law.
4. Conduct Early Voting for Ballot by Mail at main Early Voting location 396 N. Seguin, New Braunfels, Texas 78130.
5. Provide training on conducting an election, with Hart Verity Duo, Scan, and Controller and Knowink Poll Pads for all Early Voting and Election Day workers.

6. Require HART to provide screen shot proofs for ENTITY's approval.
7. Procure and provide election supplies, including but not limited to the preparation, printing of ballots for Ballot by Mail requests, and distribution of sample ballots.
8. Prepare and provide adequate election equipment for the election (Hart Verity Duo, Scann, Controller, and Knowink Poll Pads)
9. Prepare Early Voting and Election Day packets and supply bags for Early Voting and Election Day Polling Locations.
10. Provide the Official Registered Voter Lists for City of Schertz (Comal County Voters) for use on Knowink Poll Pad.
11. Deliver all voting equipment (Verity Duo, Scan, Controller, and Knowink Poll Pads) and election supplies for Early Voting and Election Day to polling locations.
12. Ensure Election Judges return specified voting equipment and supplies from Early Voting after polls close on November 4, 2022.
13. Pick up all voting equipment (Verity Duo) and election supplies for Early Voting and Election Day and return to Comal County Elections Office, 396 N. Seguin Ave., New Braunfels.
14. Ensure Election Judges return specified voting equipment and supplies from Election Day Polling Locations after polls close on November 8, 2022.
15. Recruit election judges and clerks for Early Voting and Election Day.
16. Election judges and clerks for Early Voting and Election Day will be compensated by CONTRACTING OFFICER and reimbursed by ENTITY.
17. Issue Writs of Election for election judges and notice of appointments to Presiding and Alternate Judges.
18. Procurement and payment of Early Voting Ballot Board personnel who will meet at the Comal County Elections Office, 396 N. Seguin Ave., New Braunfels, Texas 78130, on Election Day and other dates as prescribed by law to process Ballots by Mail and Provisional Ballots.
19. Set up the Central Accumulation Station and appoint personnel to tabulate the results of the Early and Election Day votes; provide Final Unofficial results for Canvass.
20. Provide overall administration and supervision of the election and advisory services.
21. Meet ADA requirements for the election, as the law relates to polling locations, voter assistance, and other ADA requirements, if any.
22. Reporting precinct results to the Secretary of State, if required.



23. Maintain election materials and paperwork in storage for the allotted time as prescribed by law.

#### **DUTIES OF THE ENTITY:**

1. Prepare all Election Orders and Notice of Election as required by law and prepare and publish the Notice of Election.
2. Provide the County Elections Office with ENTITY's ballot information, etc. ENTITY shall conduct its ballot position drawing on or about, \_\_\_\_\_, 2022, and send the CONTRACTING OFFICER the ballot order so that it may be forwarded for Coding and Audio to Hart. ENTITY will be responsible for approving the screen shot proofs from Hart.
3. ENTITY shall be responsible for any loss and/or physical damage to the equipment while it is in ENTITY's possession and control.
4. Only the actual expenses directly attributable to the Contract may be charged. (Section 31.100(b), Texas Election Code) The County Elections Officer will submit the actual costs for items contracted for pursuant to this Contract with the ENTITY as soon as all invoices are received from the vendors. The ENTITY agrees to pay costs of the election within ten (10) ENTITY workdays of receipt of the statement.

#### **GENERAL PROVISIONS:**

- A. **ENTIRE AGREEMENT:** This Agreement contains the entire agreement between the parties and correctly sets forth the rights, duties, and obligations of each to the other as of the Effective Date. Any oral representations or modifications concerning this Agreement will be of no force or effect excepting a subsequent written modification executed by both parties.
- B. **SEVERABILITY:** If a court of competent jurisdiction determines that any term of this contract is invalid or unenforceable to any extent under applicable law, the remainder of this Agreement (and the application of this Agreement to other circumstances) shall not be affected thereby; and each remaining term shall be valid and enforceable to the fullest extent permitted by law.
- C. **CHOICE OF LAW AND VENUE:** This agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with the laws of the State of Texas, without regard to its conflict of laws principles. Exclusive venue shall be in a court of competent jurisdiction in Comal County, Texas.

**D. RELATIONSHIP OF THE PARTIES:** Each party to this contract, in the performance of this contract, shall act in an individual capacity and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purposes whatsoever.

**E. FORCE MAJEURE:** In the event that CONTRACTING OFFICER shall be prevented from performing any of its obligations due under the terms of this contract by an act of God, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control of the parties hereto. CONTRACTING OFFICER shall be excused from such obligations beyond its control and undertakings set forth under the terms of this agreement.

**DATED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2022

---

Mayor, City of Schertz

---

BOBBIE KOEPP  
Comal County Clerk

**SEE ATTACHED ESTIMATE OF EXPENSES**

**THE STATE OF TEXAS        }**  
**}**  
**COUNTY OF GUADALUPE }**



### **CONTRACT FOR ELECTION SERVICES**

**THIS CONTRACT** made by and between Guadalupe County, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as "County," and the City of Schertz, Texas, hereinafter referred to as "Political Subdivision," pursuant to Texas Election Code Sections 31.092(a) for an election to be held on November 8, 2022, and to be administered by Lisa Hayes, Elections Administrator, hereinafter referred to as "Elections Administrator".

Said Political Subdivision is holding a General Election and/or Special Election, at their expense on November 8, 2022.

The County owns an electronic voting system, the Express Vote Universal Voting System for Early Voting, Election Day voting, and Early Voting by Mail, which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. Political Subdivision desires to use the County's electronic voting system and to compensate the County for such use.

**NOW THEREFORE**, in consideration of the mutual covenants, agreements, and benefits to the parties, **IT IS AGREED** as follows:

#### **I. ADMINISTRATION**

The Elections Administrator of Guadalupe County shall coordinate, supervise, and handle all aspects of administering the Election as provided in this Contract. Political Subdivision agrees to pay Guadalupe County for equipment, supplies, services, and administrative costs as provided in this Contract. The Elections Administrator shall serve as the administrator for the Election; however, the Political Subdivision shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Political Subdivision.

It is understood that other political subdivisions may wish to participate in the use of the County's electronic voting system and polling places, and it is agreed that Guadalupe County and the Elections Administrator may enter into other contracts for election services for those purposes on terms and conditions generally similar to those set forth in this contract. Political Subdivision agrees that other political subdivisions that may have territory located partially or wholly within the boundaries of Political Subdivision, and in such case all parties sharing common territory shall enter into a Joint Election Agreement and share a joint ballot on the county's electronic voting system at the applicable polling places. In such cases, costs shall be divided among the participants.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

## **II. LEGAL DOCUMENTS**

Political Subdivision shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or Political Subdivision's governing body, charter, or ordinances.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of the Political Subdivision, including translation to languages other than English. Political Subdivision shall provide a copy of their election order and notice to the Elections Administrator. The Political Subdivision shall prepare a submission to the United States Department of Justice for preclearance of the election procedures and polling places, pursuant to the Voting Rights Act of 1965, as amended.

## **III. VOTING LOCATIONS**

The Elections Administrator shall arrange for the use of all Election Day voting locations. Voting locations will be, whenever possible, the usual voting locations for Political Subdivision. In the event a voting location is not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Political Subdivision.

If polling places are different from the polling place(s) used by Political Subdivision in its most recent election, Political Subdivision agrees to post a notice no later than the day before the election, at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and stating the political subdivision's polling place names and addresses in effect for election.

## **IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL**

Elections Administrator shall recommend election judges, alternate judges and clerks. Upon request by the Elections Administrator, Political Subdivision agrees to assist in recruiting polling place officials who are bilingual (fluent in both English and Spanish).

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election judges appointed for the Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for election judges to pick up their election supplies. Each Presiding Election Judge will be

sent a letter from the Elections Administrator notifying him/her of their appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the Presiding Judge may appoint.

Each election judge and clerk will receive compensation at an hourly rate established by Guadalupe County pursuant to Texas Election Code Section 32.091. (Election Judge and Alternate Judge - \$12/hour; Clerks-\$10/hour; Early Voting Clerks-\$10/hour) The Election Judge will receive an additional sum of \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close. In addition, all workers receive a \$20 flat rate compensation for mandatory training.

#### **V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT**

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to official ballots, sample ballots, voter registration lists, and all forms, signs and other materials used by the election judges at the voting locations. The Elections Administrator shall provide the necessary voter registration information, instructions, and other information needed for the election. If special maps are needed for a particular Political Subdivision, the Election Administrator will order the maps and pass that charge on to that particular Political Subdivision.

Political Subdivision shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). This list shall be delivered to the Elections Administrator as soon as possible after ballot positions have been determined by each of the participating authorities. Said list shall be provided to the Elections Administrator by the date set out in the published Election Calendar provided by the Secretary of State. Each participating authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions.

It is agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are independent contractors and are not employees or agents of the County or Political Subdivision. No statement contained in this Contract shall be construed so as to find any judge, clerk, or any other election personnel an employee or agent of the County or Political Subdivision, and no election personnel shall be entitled to the rights, privileges, or benefits of County or Political Subdivision employees except as otherwise stated herein, nor shall any election personnel hold himself out as an employee or agent of the County or Political Subdivision, unless considered a county employee as determined by the Guadalupe County Human Resources Department.

## **VI. EARLY VOTING**

Political Subdivision agrees to appoint the Elections Administrator as the Early Voting Clerk. Political Subdivision also agrees to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. Political Subdivision further agrees that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by Guadalupe County pursuant to Section 83.052 of the Texas Election Code (\$10.00/hour). Early Voting by personal appearance will be held at the locations, dates, and times determined by Guadalupe County. Any qualified voter of the Election may vote early by personal appearance at any one of the early voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the Political Subdivision shall be forwarded immediately by fax or courier to the Elections Administrator for processing.

The Elections Administrator shall, upon request, provide the Political Subdivision a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

## **VII. EARLY VOTING BALLOT BOARD**

Elections Administrator shall appoint an Early Voting Ballot Board (EVBB) to process early voting results from the Election. The Presiding Judge, with the assistance of the Elections Administrator, may appoint two or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the early voting ballots.

## **VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS**

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this Contract.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager:     Lisa Hayes      
Tabulation Supervisor:     Missy Doss      
Presiding Judge:     Lisa Hayes    

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted, and will deliver a copy of the unofficial canvass to the Political Subdivision



as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

#### **X. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION**

Political Subdivision may withdraw from this Contract should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code, or should it be later ruled that the election is not needed. Political Subdivision is fully liable for any expenses incurred by Guadalupe County on behalf of Political Subdivision. Any monies deposited with the county by the withdrawing authority shall be refunded, minus the aforementioned expenses.

#### **XI. RECORDS OF THE ELECTION**

Voted ballots and all records of the Election will be given to the Political Subdivision to be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Elections Code. However, if the Political Subdivision enters into a Joint Election Agreement with another political subdivision, the Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Election as authorized by Section 271.010 of the Texas Election.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the participating authority.

#### **XII. RECOUNTS**

A recount may be obtained as provided by Title 13 of the Texas Election Code. Political Subdivision agrees that any recount shall take place at the offices of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor and the Political Subdivision's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The Elections Administrator agrees to provide advisory services to the District as necessary to conduct a proper recount.

### **XIII. MISCELLANEOUS PROVISIONS**

1. The Elections Administrator shall file copies of this document with the Guadalupe County Treasurer and the Guadalupe County Auditor in accordance with Section 31.099 of the Texas Election Code.

2. In the event that legal action is filed contesting Political Subdivision's election under Title 14 of the Texas Election Code, Political Subdivision shall choose and provide, at its own expense, legal counsel for the County, the Elections Administrator, and additional election personnel as necessary.

3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.

4. The parties agree that under the Constitution and laws of the State of Texas, neither Guadalupe County nor Political Subdivision can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.

5. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Guadalupe County, Texas.

6. In the event of one of more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

7. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.

8. The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.

9. Any amendments of this Contract shall be of no effect unless in writing and signed by all parties hereto.

10. **Force Majeure.** If the performance of the Agreement is adversely restricted or if either party is unable to conform to any obligation by reason of any Force Majeure Event then, the party affected, upon giving prompt written notice to the other party, shall be excused from such performance on a day-to-day basis to the extent of such restriction (and the other party shall likewise be excused from performance of its obligations on a day-to-day basis to the extent such party's obligations relate to the performance so restricted); provided, however, that the party so affected shall use all commercially reasonable efforts to avoid or remove such causes of non-performance and both parties shall proceed

whenever such causes are removed or cease. “Force Majeure Event” means any failure or delay caused by or the result of causes beyond the reasonable control of a party or its service providers that could not have been avoided or corrected through the exercise of reasonable diligence, including natural catastrophe, internet access or related problems beyond the demarcation point of the party’s or its applicable infrastructure provider’s facilities, state-sponsored malware or state-sponsored cyber-attacks, terrorist actions, laws, orders, regulations, directions or actions of governmental authorities having jurisdiction over the subject matter hereof, or any civil or military authority, national emergency, insurrection, riot or war, or other similar occurrence. If a party fails to perform its obligations as a result of such restriction for a period of more than thirty (30) days, then the other party may terminate the affected Services without liability.

**IN TESTIMONY HEREOF**, this Contract, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

1. It has on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, been executed on behalf of Guadalupe County by the Elections Administrator pursuant to the Texas Election Code so authorizing; and

2. It has on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, been executed on behalf of the Political Subdivision by its Presiding Officer or authorized representative, pursuant to an action of the Political Subdivision so authorizing.

GUADALUPE COUNTY, TEXAS

ATTEST:  
City of Schertz, Texas:

By: \_\_\_\_\_  
Lisa Hayes  
Elections Administrator

By: \_\_\_\_\_  
Presiding Officer/Authorized Representative



BeAR County

Schertz

EXHIBIT "A"

8-Nov-22

I	Early Voting	Units	Cost Per Unit	Estimated	TOTALS
A	REMUNERATION				
	REMUNERATION SUMMARY				
	NUMBER OF JUDGES	1			
	HOURS WORKED	80	\$17.00	\$1,360.00	
	HOURS WORKED OVERTIME	60	\$25.50	\$1,530.00	
	NUMBER OF CLERKS	3.75			
	HOURS WORKED	80	\$15.50	\$1,240.00	
	HOURS WORKED OVERTIME	60	\$23.25	\$1,395.00	
	JUDGES DAILY RETURN FEE				
	NUMBER OF TRIPS	3			
	COST PER TRIP		\$7.50	\$22.50	
	COST PER CREW	CC		\$5,547.50	
	NUMBER OF SITES	42			
	WAGES			\$232,995.00	
	TOTAL FICA			\$17,824.12	
	TEMP AGENCY MARKUP		15.59%	\$36,323.92	
	TOTAL REMUNERATION			\$287,143.04	\$287,143.04
B	PRINTING				
	PRINTING OF EARLY VOTING SUPPLIES				
	FORMATTING STYLE	110	\$50.00	\$5,500.00	
	COST OF BALLOTS		\$0.50		
	NUMBER OF MAIL BALLOTS	85,000		\$42,500.00	
	COST OF BALLOT CARDS		\$0.12	\$60,000.00	
	NUMBER OF BALLOT CARDS	500,000			
	BALOTAR SET UP		\$500.00	\$500.00	
	COST OF SAMPLE BALLOTS		\$0.05		

	NUMBER OF SAMPLE BALLOTS	50,000		\$2,500.00	
	TOTAL PRINTING			\$111,000.00	\$111,000.00
C	MAIL				
	NUMBER OF WHITE ENVELOPES	85,000	\$0.17	\$14,450.00	
	NUMBER APPLICATIONS	5,000	\$0.05	\$250.00	
	NUMBER OF CARRIER ENVELOPES	85,000	\$0.12	\$10,200.00	
	NUMBER OF TRANSPORT ENVELOPES	85,000	\$0.13	\$11,050.00	
	NUMBER OF POSTAGE STAMPS	85,000	\$0.60	\$51,000.00	
	TOTAL MAIL			\$86,950.00	\$86,950.00
D	TEMPORARY WORKERS				
	NUMBER OF TEMP EMPLOYEES/MAIL	6			
	HOURS WORKED	280	\$17.00	\$28,560.00	
	NUMBER OF MONTHS	2			
	WORKMANS COMP UNEMPLOYEMENT		\$49.33	\$591.96	
	EQUIPMENT PREPARATION				
	NUMBER OF TEMPORARY EMPLOYEES	6	\$17.00		
	HOURS WORKED	36		\$3,672.00	
	WAREHOUSE				
	NUMBER OF TEMPORARY EMPLOYEES	6			
	HOURS WORKED	320	\$17.00	\$32,640.00	
	WORKMANS COMP UNEMPLOYEMENT		\$49.33		
	NUMBER OF MONTHS	2		\$591.96	
	FICA			\$4,681.80	
	TOTAL TEMP EMPLOYEE COST			\$70,737.72	\$70,737.72
E	RENTAL				
	NUMBER OF SITES	42			
	NUMBER OF SITES COSTS	3	\$500.00	\$1,500.00	
	NUMBER OF EXPRESS VOTES	320	\$50.00	\$672,000.00	

	NUMBER OF DS200S		50	\$75.00	\$157,500.00	
	NUMBER OF TOUCHES - ADA		42	\$33.00	\$58,212.00	
	NUMBER OF DAYS PROVISIONAL BAGS AND SEALS		12	\$6.00	\$72.00	
	NUMBER OF COMPUTERS		50	\$200.00	\$10,000.00	
	NUMBER OF TABLES		10	\$10.00	\$100.00	
	NUMBER OF CHAIRS		40	\$2.50	\$100.00	
	NUMBER LOCKS ,CHAINS,		42	\$5.00	\$210.00	
	TOTAL RENTAL				\$899,694.00	\$899,694.00
F	STAFFTIME					
	DAILY RETURNS					
	NUMBER OF EMPLOYEES		14	\$32.00		
	HOURS WORKED ( DAYS X NO. HOURS)		20		\$8,960.00	
	FICA 7.65				\$90.22	
	TOTAL WAGES				\$9,050.22	
	PRO RATA COST		1			
	TOTAL STAFFTIME				\$9,050.22	\$9,050.22
G	E.B.B.AND S.V.C.					
	EARLY BALLOT BOARD					
	NUMBER OF BOARD MEMBERS		20			
	HOURS WORKED		80	\$17.00	\$27,200.00	
	SIGNATURE VERIFICATION COMM.					
	NUMBER OF MEMBERS		0			
	HOURS WORKED		0	\$9.75	\$0.00	
	TOTAL WAGES				\$27,200.00	
	UNEMPLOYMENT				\$0.08	
	FICA 7.65				\$2,080.80	
	PRO RATA COST		1			
	TOTAL E.B.B. AND S.V.C. COST				\$29,280.88	\$29,280.88

<b>H</b>	<b>PUBLICATION POLLING PLACES</b>					
	EXPRESS NEWS	2	\$36,000.00		\$72,000.00	
	LA PRENSA	2	\$6,000.00		\$12,000.00	
		1	\$750.00		\$750.00	
	PRO RATA COST	1			\$0.00	
	<b>TOTAL PUBLICATION</b>				\$84,750.00	<b>\$84,750.00</b>
<b>I</b>	<b>MISCELLANEOUS</b>					
	NUMBER OF LABELS	75	\$15.00		\$1,125.00	
	NUMBER OF CELL PHONES	41	\$35.00		\$1,435.00	
	TRAINING CLASS FOR E.V. JUDGES					
	NUMBER OF JUDGES	0				
	NUMBER OF HOURS	4	\$20.00		\$80.00	
	WRITS AND MAILOUTS TO JUDGES					
	ENVELOPES AND POSTAGE	300	\$0.47		\$141.00	
	NUMBER OF KITS	42	\$50.00		\$2,100.00	
	<b>TOTAL MISCELLANEOUS</b>				\$4,881.00	<b>\$4,881.00</b>
<b>K</b>	<b>SUMMARY OF E.V. COST</b>					
	REMUNERATION				\$287,143.04	\$287,143.04
	PRINTING OF E.V. SUPPLIES				\$111,000.00	\$111,000.00
	MAIL				\$86,950.00	\$86,950.00
	TEMPORARY EMPLOYEE COST				\$70,737.72	\$70,737.72
	RENTAL				\$899,694.00	\$899,694.00
	STAFFTIME				\$9,050.22	\$9,050.22
	E.B.AND S.V.C. COST				\$29,280.88	\$29,280.88
	MISCELLANEOUS				\$4,881.00	\$4,881.00
	PUBLICATION				\$84,750.00	\$84,750.00
	EARLY VOTING COST SUBTOTAL				\$1,583,486.86	\$1,583,486.86
	<b>TOTAL EARLY VOTING COST</b>					



	10% CONTRACT FEE EARLY VOTING					\$158,348.69	\$158,348.69
	<b>Grand Total Early Voting</b>					\$1,741,835.54	\$1,741,835.54

**Schertz** **EXHIBIT "B"** **8-Nov-22**

	Election Day	Units	Cost Per Unit	Estimated	TOTALS
<b>II</b>	<b>REMUNERATIONS</b>				
<b>A</b>	NUMBER OF JUDGES	1			
	HOURS WORKED	15	\$17.00	\$255.00	
	NUMBER OF CLERKS	4.0			
	HOURS WORKED	15	\$15.50	\$930.00	
	FICA 7.65 FOR JUDGES AND CLERKS			\$90.65	
	TOTAL WAGES JUDGES and CLERKS			\$1,275.65	
	NUMBER OF SITES	258	\$1,275.65	\$329,118.35	
	SECURITY	10			
	HOURS WORKED	24	\$35.00	\$8,400.00	
	FICA 7.65 FOR SECURITY			\$642.60	
	TOTAL WAGES SECURITY			\$9,042.60	
	TOTAL REMUNERATION			\$338,160.95	
	<b>REMUNERATIONS TOTAL</b>			\$338,160.95	<b>\$338,160.95</b>
<b>B</b>	<b>ELECTION NIGHT RETURNS</b>				
	NUMBER OF SITES RETURNS	258	\$25.00	\$6,450.00	
	NUMBER OF KITS	258	\$50.00	\$12,900.00	
	<b>TOTAL KITS AND RETURNS</b>			\$19,350.00	<b>\$19,350.00</b>

<b>C</b>	<b>RENTAL</b>					
	NUMBER OF SITES		258			
	NUMBER OF SITES COSTS		74	\$500.00	\$37,000.00	
	NUMBER OF EXPRESSVOTES		1,548	\$50.00	\$77,400.00	
	NUMBER OF DS200		258	\$75.00	\$19,350.00	
	NUMBER OF EXPRESS TOUCH		258	\$33.00	\$8,514.00	
	NUMBER OF PROVISIONAL BAGS AND SEALS USED		258	\$6.00	\$1,548.00	
	NUMBER OF COMPUTERS		258	\$20.00	\$5,160.00	
	NUMBER OF TABLES		50	\$10.00	\$500.00	
	NUMBER OF CHAIRS		200	\$2.50	\$500.00	
	NUMBER LOCKS ,CHAINS,		0	\$5.00	\$0.00	
	<b>TOTAL RENTAL</b>				\$149,972.00	<b>\$149,972.00</b>
<b>D</b>	<b>TRANSPORTATION</b>					
	MOVERS		303	\$168.00	\$50,904.00	
	TRUCK RENTAL		5	\$400.00	\$2,000.00	
	PRO RATA COST		1			
	TRANSPORTATION				\$52,904.00	
	<b>TRANSPORTATION TOTAL</b>				\$0.00	<b>\$52,904.00</b>
<b>E</b>	<b>PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES</b>					
	PERSONEL COST ON SITE TECHS		85	\$300.00	\$25,500.00	
	TEMP AGENCY MARKUP			15.59%	\$3,975.45	
	PROGRAMMING		10	\$1,500.00	\$15,000.00	
	VOICE FILES		1	\$2,500.00	\$2,500.00	
	ON SITE VENDOR SUPPORT		6	\$4,500.00	\$27,000.00	
	CENTRAL COUNTING STATION JUDGE		12	\$25.00	\$300.00	
	NUMBER OF SITES/PERSONNEL		5	\$25.00	\$1,000.00	
	REGIONAL SENDING SITES		6		\$6,000.00	
	CENTRAL COUNTING STATION MGR HRS		25	\$40.00	\$1,000.00	

	TABULATION SUPERVISOR HOURS	18	\$35.00	\$630.00	
	ASST TO TAB. SUPERVISOR HOURS	18	\$25.00	\$450.00	
	COMPUTER COST	0	\$40,500.00	\$0.00	
	TABULATION SOFTWARE	0	\$25,800.00	\$0.00	
	AIS 850 AND 450S OPTICAL SCANNERS	1	\$7,600.00	\$7,600.00	
	PUBLIC TEST	1	\$50.00	\$50.00	
	PREVENTIVE MAINT. INSP	1	\$2,600.00	\$2,600.00	
	PICK AND DELIVERY	0	\$20.00	\$0.00	
	PRO RATA COST	1			
	INFORMATION SERVICES			\$93,605.45	
	TOTAL PETS			\$93,605.45	\$93,605.45
F	ELECTION DEPARTMENT STAFF				
	NUMBER OF EMPLOYEES	22	\$32.00		
	HOURS WORKED	9		\$6,336.00	
	FICA 7.65			\$484.70	
	PRO RATA COST	1			
	TOTAL STAFFTIME WAGES			\$6,820.70	\$6,820.70
G	TEMPORARY EMPLOYEE				
	NUMBER OF EMPLOYEES ( POST ELEC.)	5			
	HOURS WORKED	40	\$17.00	\$3,400.00	
	PRO RATA COST			\$0.00	
	WORKMANS COMP UNEMPLOYEMENT	1	\$49.33	\$246.65	
	PHONE BANK RATE PER HOUR		\$17.00	\$0.00	
	HOURS WORKED	12			
	NUMBER OF EMPLOYEES	20		\$4,080.00	
	TEMPORARY EMPLOYEE COST			\$7,726.65	
	FICA 7.65	1		\$591.09	
	TOTAL TEMP EMPLOYEE COST	1		\$8,317.74	\$8,317.74

H	PUBLICATION					
	EXPRESS NEWS ACCURACY TEST	1	\$324.00		\$324.00	
	LA PRENSA	1	\$0.00		\$0.00	
	PRO RATA COST	1				
	TOTAL PUBLICATION				\$324.00	\$324.00
I	MISCELLANEOUS					
	NOTIFICATION TO JUDGES/payroll	2,400	\$0.48		\$1,152.00	
	POLLING SITE RENTAL	75	\$210.00		\$15,750.00	
	CELL PHONES AND AIRTIME	258	\$30.00		\$7,740.00	
	TOTAL MISCELLANEOUS				\$24,642.00	\$24,642.00
J	SUMMARY ELECTION DAY COST					
	REMUNERATIONS				\$338,160.95	\$338,160.95
	ELECTION KITS AND RETURNS				\$19,350.00	\$19,350.00
	RENTAL				\$149,972.00	\$149,972.00
	TRANSPORTATION				\$52,904.00	\$52,904.00
	PROGRAMMING				\$93,605.45	\$93,605.45
	STAFFTIME				\$6,820.70	\$6,820.70
	TEMPORARY EMPLOYEE COST				\$8,317.74	\$8,317.74
	PUBLICATION				\$324.00	\$324.00
	MISCELLANEOUS				\$24,642.00	\$24,642.00
	ELEC. DAY COST SUBTOTAL				\$694,096.84	\$694,096.84
	TOTAL ELECTION DAY				\$694,096.84	\$694,096.84
	10% CONTRACT FEE				\$69,409.68	\$69,409.68
	Grand Total Election Day				\$763,506.52	\$763,506.52

	Total	ESTIMATE
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Early Voting Grand Total	\$1,741,835.54	\$1,741,835.54
Election Day Grand Total	\$763,506.52	\$763,506.52
Total For Early Voting and Election Day	\$2,505,342.07	\$2,505,342.07
Pro Rata Share .18%	\$4,509.62	\$4,509.62
Amount of Deposit	\$4,509.62	\$4,509.62
(Overpaid)/Underpaid		

**COMAL COUNTY - ESTIMATE**  
**CITY OF SCHERTZ**  
**NOVEMBER 8, 2022 GENERAL/SPECIAL ELECTION**

ITEM	QUANTITY	COST PER ITEM	TOTAL COST	SCHERTZ TOTAL COST
Rental of Hart Verity Duo, Scan, and Controller - 6-Early Voting and 13 -Election Day Locations	**140	\$150.00	\$21,000.00	<b>\$210.00</b>
Advertise Logic and Accuracy Testing in New Braunfels Herald Zeitung	**		\$180.00	<b>\$1.80</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	**		\$5,500.00	<b>\$55.00</b>
Early Voting Ballot Board	**1- Judge 2 -Clerks		\$1,500.00	<b>\$15.00</b>
Processing Ballot by Mail Request, postage, etc.	0	\$1.50	\$0.00	<b>\$0.00</b>
		<b>SUBTOTAL</b>	<b>\$77,582.00</b>	<b>\$2,409.32</b>
Administrative Costs (10% of Total)			\$7,758.20	<b>\$240.93</b>
		<b>GRAND TOTAL</b>	<b>\$85,340.20</b>	<b>\$2,650.25</b>

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

# GUADALUPE COUNTY ELECTIONS OFFICE

## COST ESTIMATE

### CITY OF SCHERTZ, TEXAS

**NOVEMBER 8, 2022  
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)	\$ 2,994.56
2.	Electronic voting system programming and testing	2,079.56
3.	Publication of Electronic Voting Equipment Test and Notice of Election	249.55
4.	Election kits (Supplies, Maps, Laptops, Printers, Cell Phones, etc.)	532.37
5.	Rental of voting equipment	4,159.11
6.	Preparation and transportation of voting equipment	1,663.64
7.	Polling place rental	137.25
8.	Election Day Personnel	4,325.48
9.	Early Voting Personnel	5,822.76
10.	Early Voting Ballot Board Personnel	998.19
11.	Central Counting Station Personnel	99.82
12.	County Election Services Contract Administrative Fee	2,306.23
13.	<b>*TOTAL ESTIMATED ELECTION COSTS:</b>	<b>25,368.50</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 22, 2022

\*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 5, 2022

**Department:** Library

**Subject:** Resolution 22-R-69 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to enter into an agreement with the Texas State Library and Archives Commission relating to the reimbursement of expenses incurred through the lending of Schertz Public Library materials to other libraries. (B. James/M. Uhlhorn)

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### BACKGROUND

As part of its quest to make a wide variety of materials available to its patrons, The Schertz Public Library participates in an Interlibrary Loan (ILL) system. The conditions of this service are based on the interlibrary loan protocols established in the national Interlibrary Loan Code and the policies established by the Texas State Library & Archives Commission (TSLAC) for its statewide interlibrary loan program.

An interlibrary loan (ILL) is a transaction in which library material, or a copy of the material, is made available by one library to another upon request. The purpose of ILL is to obtain library material not available in the Schertz Public Library and to lend material found at the Schertz Public Library to other libraries. ILL service is available free of charge to all Schertz Public Library cardholders in good standing. As a reminder, ILL serves as an adjunct to, not a substitute for, collection development at the local level.

The reimbursements are based on the number of loans made by the Schertz Public Library from August 1, 2021 to July 31, 2022. The reimbursements are pass-through awards of the federal Grants to States program from the Institute of Museum and Library Services (IMLS).

### GOAL

TSLAC supports a statewide ILL program in order to assure Texans will have access to shared library resources to meet learning and informational needs. To encourage libraries to participate in the system as lenders, as well as borrowers, the Interlibrary Loan Lending Reimbursement Program helps support Texas libraries with reimbursements for direct, out-of-pocket costs associated with participating in statewide resource-sharing such as postage and shipping costs.

### COMMUNITY BENEFIT

No library can physically own every item of interest to its customers, but ILL service is the next best thing to it! ILL service is essential to the vitality of libraries of all types and sizes as a means of greatly expanding the range of materials available to users. Lending between libraries is in the public interest and should be encouraged.

Participating in ILL service as a lender is helpful to the overall health of the ILL program. Lenders are an essential part of the service and help keep the program viable. Our own customers take advantage of



the system and borrow as many items as we lend to others. Participating in the reimbursement program not only helps offset the costs of lending materials, but helps reduce our own postage costs when returning borrowed ILL materials to other libraries through the courier service.

#### **SUMMARY OF RECOMMENDED ACTION**

Staff recommends adoption of Resolution 22-R-69 allowing the City to participate in the ILL Lending Reimbursement Program in order to receive reimbursement for the lending of our library materials to other participating libraries.

#### **FISCAL IMPACT**

Last fiscal year, the City was reimbursed at the rate of \$8.17 per item lent and received \$11,225.58 to offset the costs associated with ILL. The library will lend somewhere between 1,100-1,300 items to other libraries during this grant cycle. The estimate for reimbursement is between \$10,000-11,000, but the actual reimbursement amount is yet to be determined and will depend on the number of actual loans made, participants in the program and available funding.

#### **RECOMMENDATION**

Staff recommends adoption of Resolution 22-R-69 allowing the City to participate in the ILL Lending Reimbursement Program in order to receive reimbursement for the lending of our library materials to other participating libraries.

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#### **Attachments**

ILL Resolution  
2022 ILL Terms & Conditions

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**RESOLUTION NO. 22-R-69**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEXAS STATE LIBRARY AND ARCHIVES COMMISSION RELATING TO THE REIMBURSEMENT OF EXPENSES INCURRED THROUGH THE LENDING OF SCHERTZ PUBLIC LIBRARY MATERIALS TO OTHER LIBRARIES.**

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City enter into an agreement with Texas State Library and Archives Commission (TSLAC) relating to the Interlibrary Loan (ILL) Lending Reimbursement Program; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with TSLAC pursuant to the ILL Lending Reimbursement Terms & Conditions in order to accept reimbursements to the General Fund attached hereto as Exhibit A (the “Agreement”).

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

The City Council hereby authorizes the City Manager to execute and deliver the Agreement with TSLAC in substantially the form set forth on Exhibit A.

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.

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.

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

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.

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.

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

PASSED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)

**EXHIBIT A**

**INTERLIBRARY LOAN LENDING REIMBURSEMENT  
PROGRAM AGREEMENT**



TEXAS STATE LIBRARY  
AND  
ARCHIVES COMMISSION



## SFY 2022 ILL LENDING REIMBURSEMENT PROGRAM GUIDELINES AND TERMS & CONDITIONS

QUESTIONS? Contact Sara Hayes at [shayes@tsl.texas.gov](mailto:shayes@tsl.texas.gov).

### Program Description

The Texas State Library and Archives Commission (TSLAC) supports a statewide interlibrary loan program for accredited public libraries to help assure that Texans will have access to shared library resources to meet learning and information needs.

The Interlibrary Loan Lending Reimbursement Program helps support Texas libraries with partial reimbursements for direct, out-of-pocket costs associated with participating in statewide resource sharing such as staff time, postage costs, courier subscriptions, and shipping material costs.

The reimbursements apply to lends made between August 1, 2021 – July 31, 2022. While dispersed after the end of SFY 2022, the reimbursement payments do need to be applied to costs associated with resource sharing costs expended *during* the time lends were made. **Please discuss this program with your legal entity's accounting office so they are aware this is federal money and, if approved, to expect the payment after the end of the state fiscal year on August 31, 2022.**

### Award Information

The reimbursements are sub awards (or pass-through awards) of the Grants to States program from the Texas State Library and Archives Commission's federal funder, Institute of Museum and Library Services (IMLS).

Federal Award Identification # (FAIN): LS-249990-OLS-21

Federal Award Date: January 19, 2021

Assistance Listing Number/Title: 45.310 State Library Program

Eligible participants will receive a flat rate reimbursement for each lend provided to other Texas libraries through the Navigator ILL system between **August 1, 2021 – July 31, 2022**.

Participants will maintain financial records and supporting documents relating to this program and award (shipping receipts, staff time documentation, courier, and cataloging invoices, etc.) for three years after the last State Program Report for the Texas LSTA 5-Year Plan 2018-2022, is submitted on January 29, 2024. Participants need to maintain their records through January 29, 2027.

### Eligibility Information

Accredited Texas public libraries, through their governing authority (city, county, board, or district), who are live on Navigator and lending through that system are eligible to apply for a reimbursement payment through this program.

Texas academic libraries that have agreed to lend materials to Texas public libraries through the Texas Group catalog are also eligible for reimbursement payments based on the number of lends made to Texas Navigator



libraries during the eligible lending period.

Libraries must lend items to other Texas public libraries using OCLC's Navigator system to be eligible for a reimbursement. OCLC will provide Navigator lending statistics to TSLAC for calculating reimbursement.

Before submitting an application, applicant organizations must have a current and active federal Unique Entity ID (UEI). The federal government uses a unique identifier for each entity (company, non-profit, organization, etc.) that does business with the federal government. For more than two decades, Dun & Bradstreet's Data Universal Numbering System (DUNS) served as the unique entity ID. On April 4, 2022, the federal government completed the transition to a new UEI issued within the System for Award Management (SAM). The DUNS number is no longer be an accepted UEI.

If you are currently registered in SAM.gov, you've already been assigned a SAM Unique Entity ID. It's viewable on your entity registration record in SAM.gov. If you have never registered at SAM.gov or have never applied for a grant with TSLAC or other state or federal agency, you will need to initiate the process of obtaining a SAM UEI at SAM.gov.

To get started registering your entity, to renew your registration, or for more information, visit [SAM.gov](https://sam.gov) or to refer to the [Quick Start Guide for Getting a Unique Entity ID](#), published by the US General Services Administration (GSA).

Libraries' legal entities must also have an Active Direct Deposit Account and Texas Identification Number on file at TSLAC.

State agencies/universities will be asked for additional information by TSLAC's grants accountant.

There is no requirement for cost sharing, matching funds, or cost participation with this program.

### **Application and Submission Information**

TSLAC uses an online grant management system or GMS that enables applicants to apply for grants electronically through a web portal at <https://grants.tsl.texas.gov>. Applications and required documents must be submitted in GMS by the due dates to be eligible for consideration. To submit your application online, you must have an active GMS account. To create or activate an account, please have your library director submit a completed GMS Import Template (<https://www.tsl.texas.gov/ldn/grants/forms-tools>) to [shayes@tsl.texas.gov](mailto:shayes@tsl.texas.gov). The e-mail should reference "GMS Access" in the subject line. TSLAC staff will review the request and grant appropriate access.

If there are accessibility issues or concerns, participants may request paper copies of certain materials from Sara Hayes, ILL Coordinator, via e-mail at [shayes@tsl.texas.gov](mailto:shayes@tsl.texas.gov).

#### Application Components:

1. Opt into the program through the GMS portal and print out the system generated Participation Signature form.
2. Complete and submit the Participation Signature form in the Grant Management System portal by July 14, 2022. \*Signed by appropriate Legal Entity (City, County, Library Board, University)
3. Complete and submit a Performance Certification form in the Grant Management System between August 17-31, 2022, after receiving the library's award amount from TSLAC mid-August.  
\*Signed by Library Director

4. Complete and submit a Single Audit Certification form and submit to TSLAC by December 31, 2022.

Required forms are available in the GMS portal at [grants.tsl.texas.gov](https://grants.tsl.texas.gov) under the Documents tab in the folder titled "2022 ILL Lending Reimbursement Program".

Forms submitted after stated deadlines may not be considered for reimbursement.

Submit forms:

Through TSLAC's Grant Management System portal at [grants.tsl.texas.gov](https://grants.tsl.texas.gov).

Program Timeline

**May 3, 2022:** Webinar: FY 2022 ILL Lending Reimbursement Program Overview for Texas Libraries, 10:00 a.m. - 11:00 a.m. Register [here](#).

**May 3, 2022:** Access opens to opt-in to the FY 2022 ILL Lending Reimbursement Program in the Grant Management System (GMS) portal.

**July 14, 2022:** Deadline to submit completed Participation Signature form in the GMS portal, signed by authorized legal entity signatory.

**August 17, 2022:** TSLAC will notify libraries of total eligible lends and award amounts and begin accepting Performance Certification forms through the GMS portal.

**August 31, 2022:** Deadline to submit completed Performance Certification form in GMS, signed by Library Director.

**September 2022:** Reimbursement payments dispersed to legal entities (cities, counties, universities).

**Texas State Library and Archives Commission**  
**Library Services and Technology Act (LSTA) – Terms and Conditions**

**I. GENERAL TERMS AND CONDITIONS**

- A. The Subrecipient will comply with all applicable federal and state laws and any other requirements relevant to the performance of Subrecipient under this contract, including the following rules and guidance as applicable:
  - 1. Texas Grant Management Standards (TxGMS) (<https://comptroller.texas.gov/purchasing/grant-management/>); and
  - 2. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §200 and §3187 (Supercircular)) (<https://federalregister.gov/a/2013-30465>).
- B. The Subrecipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. Subrecipient understands that IMLS and TSLAC reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use the work for Federal or state government purposes, and to authorize others to do so. (2 CFR §200.315)
- C. All publicity relating to the grant award must include acknowledgment of the Institute of Museum and Library Services ([www.imls.gov/recipients/imls\\_acknowledgement.aspx](http://www.imls.gov/recipients/imls_acknowledgement.aspx)) and the Texas State Library and Archives Commission. Publicity includes, but is not limited to press releases, media events, public events, displays in the benefiting library, announcements on the Subrecipient's website, and materials distributed through the grant project. The Subrecipient will provide TSLAC with one set of all public relations materials produced under this grant with the final quarterly performance report.
- D. Subrecipients will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) that prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and §§1685-1686), that prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), that prohibits discrimination on the basis of disability and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), that prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §523 and §527 of the Public Health Service Act of 1912 (42 U.S.C. §290 dd-3 and §290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) that may apply to the application.
- E. Subrecipient understands that acceptance of funds under this contract acts as acceptance of the authority of duly authorized representatives of TSLAC, IMLS, the Comptroller General of the United States, and the Texas State Auditor's Office, or any successor agencies, to conduct an audit or investigation in connection with those funds. Subrecipient further agrees to cooperate fully with said representatives in the conduct of the audit or investigation and agrees to provide access to all books, documents, papers, examinations, excerpts, transcripts, copies, and any other records necessary to conduct the audit and/or investigation. Subrecipient will ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through Subrecipient, and the requirement to cooperate, is included in the contract for any sub-grant awarded.

- H. The Subrecipient, *if a private entity*, will comply with Federal law pertaining to trafficking in persons. Subrecipient and its employees may not:
  - 1. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
  - 2. Procure a commercial sex act during the period of time that the award is in effect; or
  - 3. Use forced labor in the performance of the award or subawards under the award
- I. The Subrecipient agrees to maintain all financial and programmatic records, supporting documents, statistical records, and other records relating to this grant award for three years after the last State Program Report for the Texas LSTA 5-Year Plan 2018-2022 is submitted (anticipated date of submission is January 29, 2024). **This means the Subrecipient must maintain all grant-related records through January 29, 2027. In addition, Subrecipients that operate as state agencies must comply with (Texas Government Code, §441.1855), relating to state agency contracting and the retention of all contract-related documents.**

**In the event the Subrecipient or receiving entity ceases to exist, the Subrecipient will notify TSLAC in writing providing the name of the legal entity that will maintain the records and the location of the records.**
- J. Loss of all of Subrecipient's staff prior to the end of the grant period or the termination date, whichever is earlier, does not relieve the Subrecipient of its obligation to fulfill all terms and conditions of the grant with regard to reporting requirements, retention of records and requirements for disposition of equipment and supplies.
- K. The parties agree that no provision of this contract is in any way intended to constitute a waiver by TSLAC or the State of Texas of any immunities from suit or from liability that TSLAC or the State of Texas may have by operation of law.
- L. The Subrecipient agrees to develop or revise, as necessary, any specific written documentation of its current procedures for (1) collecting and reporting performance measures; (2) conducting a fixed asset inventory; and/or, (3) any other issues identified in the Subrecipient's grant activities or internal audit. Drafts of this procedural documentation will be submitted to TSLAC by dates established mutually between TSLAC and Subrecipient. TSLAC will provide review and guidance to enable final versions to be approved on or before established deadlines
- M. The Subrecipient agrees to submit an audit certification form for the auditable period including August 31, 2022, to TSLAC no later than **December 31, 2022, or other deadline as specified by TSLAC.**
- N. If a single audit is required, the Subrecipient will comply with the Supercircular (2 CFR §200.512 Report Submission). The audit shall be completed and the required data collection form submitted to the Federal Audit Clearinghouse (FAC) within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a longer period is agreed to in advance by the state agency that provided the funding or a different period is specified in a program-specific audit guide.
- O. TSLAC reserves the right to withhold final payment on this Grant until all required reports and forms are received.

## II. GRANT CERTIFICATIONS

- A. The Subrecipient certifies by this contract that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid for such purpose, the Subrecipient shall complete and submit OMB form SF-LLL, Disclosure of Lobbying Activities, in accordance with its instructions. The Subrecipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants,

contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly, as specified in 31 U.S.C. §1352.

- B. Subrecipient certifies that neither subrecipient nor any of its principals (a) are presently excluded or disqualified; (b) have been convicted within the preceding three years of any of the offenses listed in 2 CFR §180.800(a) or had a civil judgment rendered against it or them for one of those offenses within that time period; (c) are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in 2 CFR §180.800(a); or (d) have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default. Where the Subrecipient is unable to certify to any of the statements in this certification, the Subrecipient shall attach an explanation to these Certifications.
- C. The Subrecipient certifies all applicable activities related to this grant will be in compliance with the Copyright Law of the United States (Title 17, U.S. Code).
- D. In addition to Federal requirements, state law requires a number of assurances from applicants for Federal pass-through or other state-appropriated funds. (TxGMS, Appendix 6, Uniform Assurances by Local Governments)

### III. ENFORCEMENT

- a. Remedies for noncompliance. If Subrecipient materially fails to comply with any term of the contract, whether stated in a state or federal statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, TSLAC may take one or more of the following actions, or impose other sanctions, as appropriate in the circumstances:
  - i. Temporarily withhold cash payments pending correction of the deficiency by the Subrecipient, or more severe enforcement action by TSLAC;
  - ii. Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;
  - iii. Wholly or partly suspend or terminate the current contract for the Subrecipient's program;
  - iv. Withhold further awards for the program; or
  - v. Take other remedies that may be legally available.
- b. Hearings, appeals. In taking an enforcement action, TSLAC will provide the Subrecipient an opportunity for such hearing, appeal, or other administrative proceeding to which the Subrecipient is entitled under any statute or regulation applicable to the action involved. Appeal/protest procedures are outlined in the Texas Administrative Code (TAC), Title 13, Part 1, Chapter 2, Subchapter A, Rule 2.55.
- c. Effects of suspension and termination. Costs of Subrecipient resulting from obligations incurred by the Subrecipient during a suspension or after termination of an award are not allowable unless TSLAC expressly authorized in the notice of suspension or termination, or subsequently. Other Subrecipient costs during suspension or after termination that are necessary, and not reasonably avoidable, are allowable if:
  - i. The costs resulting from obligations that were properly incurred by the Subrecipient before the effective date of suspension or termination are not in anticipation of it and, in the case of a termination, are non-cancelable; and,
  - ii. The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes effect.
- d. Relationship to Debarment and Suspension. The enforcement remedies identified in this section, including suspension and termination, do not preclude Subrecipient from being subject to "Debarment and Suspension" under Executive Order 12549 (See TxGMS, Appendix 6, Debarment and Suspension) and state law.



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 5, 2022  
**Department:** City Secretary  
**Subject:** Ordinance No. 22-M-29 - Consideration and/or action approving an Ordinance amending the City Council Rules of Conduct and Procedure to include the Appointment Procedures for City Council Liaison Positions to the City of Schertz Boards, Commissions and Committees. *First Reading* (M. Browne/B. Dennis/S. Edmondson)

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**BACKGROUND**

At the City Council meeting of June 14, 2022, Council discussed and concurred to have City Council Liaisons appointed to the City of Schertz Boards, Commission and Committees and set up guidelines. Ordinance No. 22-M-29 amends the City Council Rules of Conduct and Procedure to include Section 5.3 - Appointment Procedures for City Council Liaison Positions.

**GOAL**

The Council Liaison to provide updates and information back to City Council regarding their assigned Board, Commission or Committee when needed.

**COMMUNITY BENEFIT**

Council Liaisons will facilitate communications between the City Council and their assigned Board, Commission or Committee, as well as keeping the community updated.

**SUMMARY OF RECOMMENDED ACTION**

Approve Ordinance No. 22-M-29 on First Reading to amend the City Council Rules of Conduct and Procedure to provide Appointment Procedures for City Council Liaison Positions to the City of Schertz Boards, Commissions and Committees.

**FISCAL IMPACT**

None

**RECOMMENDATION**

Approve Ordinance No. 22-M-29 on First Reading.

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**Attachments**

Rules Conduct -Procedure  
Ordinance No. 22-M-29

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## **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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- 13.5 Customer Concerns 15
- 13.6 City Manager/Council Relations 15

## **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.
- 3.5—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.

#### **Section 5.2 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.

Section 5.3 – Appointment procedure for City Council Liaison Positions to the City of Schertz Boards, Commissions and Committees.

- (a) The Council will discuss, and with a majority vote, appoint the Councilmember to serve as the Board, Commission, or Committee City Council Liaison.
- (b) The appointed City Council Liaison 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 a City Council Liaison, a Councilmember must be an elected member of Council and a member in good standing.
- (c) Assignments for the City Council Liaison positions will be reviewed annually in December, and if needed, changes in appointments can be made at this time. Appointments can also be made at any time if there is an open City Council Liaison position.
- (d) The appointed City Council Liaison 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 appointment.
- (e) City Council Liaison will attend meetings for observation purposes only and will provide updates and information from their assigned Board, Commission or Committee to City Council when needed.
- (f) City Council Liaison do not serve as ex-officio members of Boards, Commissions, and Committees.
- (g) City Council Liaison are a non-voting member of their assigned Board, Commission and Committee. They are to facilitate communications between the City Council and their assigned Board, Commission, or Committee.
- (h) City Council Liaison will be careful of their personal opinions, political opinions and limit contact with Board, Commission and Committee members. Any public

comments made by a Councilmember at these meetings should be clearly made as an individual opinion and not a reflection or representation of the City Council. They are also to remember that the members serve the community, not the individual Councilmembers

- (i) 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.

- (k) 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.
- (l) 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.
- (m) 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.
- (n) 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.

- (o) 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.
- (p) 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 (a) be placed on the consent portion of the next agenda or (b) be 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.

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\* 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.

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 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.

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\*\* Mandatory if seconded; no vote 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.
- (q) If the City Manager disagrees with the request, he should say so and explain his position.
  - (r) 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.
  - (s) 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.
  - (t) The City Manager should maintain a checklist and timetable for requests and other directives of the Council.
  - (u) 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:

- (v) Work to establish mutual trust with the Council.
- (w) Maintain open lines of communication with the Council and keep Council informed.
- (x) Inform all Councilmembers of educational opportunities, recognizing that an educated Council is in the City's best interest.
- (y) Include the Council in City-sponsored employee social events.
- (z) Conduct orientation sessions for new Councilmembers, including a tour of City buildings and introductions to staff.

\* \* \*

Amended: July 13, 2021

## **ORDINANCE NO. 22-M-29**

**AN ORDINANCE BY THE CITY OF SCHERTZ AUTHORIZING AND AMENDING CITY COUNCIL RULES OF CONDUCT AND PROCEDURE TO INCLUDE APPOINTMENT PROCEDURES FOR CITY COUNCIL LIAISON POSITIONS TO THE CITY OF SCHERTZ BOARDS, COMMISSIONS AND COMMITTEES; 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 21-M-28; and

WHEREAS, the City Council discussed the following changes at their meeting of June 14, 2022; 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 City Council Liaison to City Boards, Commission, and Committees.

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. Appointment Procedures**

#### **Section 5.3 – Appointment procedures for City Council Liaison Positions to the City of Schertz Boards, Commissions and Committees.**

- (a) The Council will discuss, and with a majority vote, appoint the Councilmember to serve as the Board, Commission, or Committee City Council Liaison.
- (b) The appointed City Council Liaison 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 a City Council Liaison, a Councilmember must be an elected member of Council and a member in good standing.
- (c) Assignments for the City Council Liaison positions will be reviewed annually in December, and if needed, changes in appointments can be made at that time. Appointments can also be made at any time if there is an open City Council Liaison position.



- (d) The appointed City Council Liaison 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 appointment.
- (e) City Council Liaison will attend meetings for observation purposes only and will provide updates and information from their assigned Board, Commission or Committee to City Council when needed.
- (f) City Council Liaison do not serve as ex-officio members of Boards, Commissions, and Committees.
- (g) City Council Liaison are a non-voting member of their assigned Board, Commission and Committee. They are to facilitate communications between the City Council and their assigned Board, Commission, or Committee.
- (h) City Council Liaison will be careful of their personal opinions, political opinions and limit contact with Board, Commission and Committee members. Any public comments made by a Councilmember at these meetings should be clearly made as an individual opinion and not a reflection or representation of the City Council. They are also to remember that the members serve the community, not the individual Councilmembers
- (i) Council reserves the right to alter this procedure at any time by resolution or rule

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 5th of July 2022.

PASSED, APPROVED AND ADOPTED ON FINAL READING, the 12<sup>th</sup> day of July 2022.

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Mayor, Ralph Gutierrez

ATTEST:

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City Secretary, Brenda Dennis

(Seal of City)

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 5, 2022  
**Department:** Planning & Community Development  
**Subject:** Ordinance No. 22-S-27 - Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 287 acres of land generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers 310053, 310060, 310121, Bexar County, Texas *First Reading* (B. James, L. Wood, M. Harrison)

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### BACKGROUND

Annexation of land into the City's corporate limits may be voluntary or involuntary. Each type has Texas Local Government Code (LGC) requirements that identify the necessary process based on the annexation type. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions that apply to requests for voluntary annexation meeting certain criteria. This section of the City's UDC includes provisions of processing of voluntary annexation requests.

On behalf of each of the property owners, Scott Felder Homes LLC, Pape-Dawson Engineers, Ltd., and Killen, Griffin & Farrimond, PLLC., submitted a petition for voluntary annexation to the City of Schertz for approximately 287 acres of land. The properties are generally located 6,050 feet east of the intersection of Trainer Hale Road and FM 1518, also known as Property Identification Numbers 310053, 310060, and 310121.

On June 7, 2022, City Council approved Resolution 22-R-53, accepting a petition for voluntary annexation, therefore allowing this annexation ordinance to be heard by the City Council. The property owners are also requesting to zone the subject property to Planned Development District (PDD) which will be heard immediately following action of the annexation Ordinance 22-S-27.

A public hearing notice was published in the San Antonio Express for the public hearing associated with the annexation ordinance on June 15th, 2022.

### GOAL

The property owners are requesting voluntary annexation into the City of Schertz because they are wanting to develop the property as a residential subdivision under the Planned Development District (PDD).

### COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

### SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of annexation Ordinance 22-S-27.

## **FISCAL IMPACT**

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. While some services are provided to the subject property through an interlocal agreement, the City of Schertz must provide police protection, fire protection, emergency medical services, operation and maintenance of streets, solid waste collection, sewer service, and water service. However, the fiscal impact of these annexations were already accounted for given that the subject properties are under delayed annexation development agreements, which will expire in 2024. Per the original agreement, the subject properties were planned to be annexed in 2024, and thus the aforementioned services would be required to be provided at that time.

## **RECOMMENDATION**

Staff recommends approval of Ordinance 22-S-27 and the annexation of approximately 287 acres of land.

As part of the annexation process staff is required to send public hearing mailers prior to the City Council meeting to all the properties within 200-feet as well as the associated School District. Unfortunately, staff did not complete this crucial step, therefore, there can be no action/motion on Ordinance 22-S-27 at this meeting. Since the public hearing notice was published in the San Antonio Express, the public hearing will need to be conducted. However, since the mailers were not sent, no action can be taken on this item, or the associated zone change at the July 5th meeting. The items will be heard for first reading and action on July 12th, 2022 after all appropriate notification requirements are met.

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## **Attachments**

Ord. 22-S-27

Aerial Map

Exhibit A: Metes and Bounds

Exhibit B: Petitions

Service Plan

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**ORDINANCE NO. 22-S-27**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, PROVIDING FOR THE EXTENTION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 287 ACRES OF LAND LCOATED IN BEXAR COUNTY APPROXIMATELY 6,050 FEET EAST OF THE INTERSECTION OF TRAINER HALE ROAD AND FM 1518, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 310053, 310060, 310121, BEXAR COUNTY, TEXAS.**

**WHEREAS**, the City Council of the City of Schertz (the “City”) has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the “Annexed Land”); and

**WHEREAS**, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.035 (c) of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code; as amended; and

**WHEREAS**, Texas Local Government Code Section 43.028 authorizes the City of Schertz to extend its City limit boundaries through the voluntary annexation of area adjacent to those boundaries upon petition of a landowner; and

**WHEREAS**, a public hearing notice was published in the San Antonio Express News on May 18<sup>th</sup>, 2022 for the hearing on June 7<sup>th</sup>, 2022, and notice was published in the San Antonio Express News on June 15<sup>th</sup> for the hearing on July 5<sup>th</sup>, 2022; and

**WHEREAS**, on June 7<sup>th</sup> the City Council conducted a public hearing and after considering the request for voluntary annexation, adopted Resolution 22-R-53 accepting petition for voluntary annexation; and

**WHEREAS**, the City Council finds that the Annexed Land is suitable, and it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

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

Section 1. The City Council hereby annexes the Land described in Exhibit A.

Section 2. The Annexed Land shall be included within the City’s corporate limits effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.



Section 3. The land and territory more particularly described as that portion of the tract of land described in Exhibit A, attached hereto and incorporated herein by reference shall be part of the City of Schertz, Texas and inhabitants thereof shall be entitled to all of the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Schertz, Texas.

Section 4. A service plan outlining the provisions of necessary municipal service to the property described in Exhibit A is hereby approved and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein as Exhibit B.

Section 5. The City manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the additions to the City's Corporate Limits and the City Secretary is hereby authorized and directed to provide appropriate notice to the State of Texas and the County of Guadalupe of this annexation.

Section 6. 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 7. 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 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. 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 10. 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 11. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 12. 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.

PASSED AND ADOPTED, this 5th day of July, 2022.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

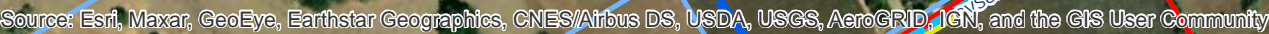
ATTEST:

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City Secretary, Brenda Dennis

(CITY SEAL)














Legend for road types and categories:




- <all other values>
- Highways
- Major Roads
- Minor Roads
- Other Cities
- <all other values>
- Freeway
- Principal Arterial
- Planned Principal Arterial
- Secondary Arterial
- Planned Secondary Arterial
- Secondary Rural Arterial
- Planned Secondary Rural Arterial
- Residential Collector
- Planned Residential Collector




Commercial Collector B  
Planned Commercial Collector B  
Commercial Collector A  
Planned Commercial Collector A



 1", 1 1/2"   
  10"   
  30"

 2", 2 1/2"   
  12"   
  36"



 3"   
  16"   
  Neighbor



 4"   
  18"   
  Private


 6"   
  20"   
  Schertz P

 8"   
  24"

- Schertz Gravity
- Schertz Pressure
- Neighboring Gravity
- Private Pressure

 Hydrant
  200' Buffer

 Manholes
  Schertz Municipal Boundary

 County Boundaries

1 Inch = 500 Feet

0 250 500 1,000 Feet



METES AND BOUNDS DESCRIPTION  
FOR

A 74.477 acre, or 3,244,220 square feet more or less, tract of land out of a portion that called 144 acre tract conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, Volume 13921, Page 132, of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, in Bexar County, Texas. Said 74.477 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found  $\frac{1}{2}$ " iron rod on the north right-of-way line of Trainer Hale Road, an 80-foot public right-of-way, at the southeast corner of a remainder of a 5.000 acre tract, conveyed to Bryson Kneupper Properties, in deed recorded in Volume 11355, Page 2475, and at the southwest corner of a 1.00 acre tract conveyed to Robert L. and Deborah K Wright, Volume 17409, Page 1329, both of said Official Public Records of Bexar County, Texas;

THENCE: N 30°27'16" W, departing said north right-of-way line, along and with the west line of said 1.00 acre tract, same being the east line of said remainder of 5.000 acres, a distance of 208.28 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said 1.00 acre tract, at the southwest corner of a called 78.146 acre tract, conveyed to Valerie Hartmann & Brian Beutnagel, in deed recorded in Document No. 20180200199, of said Official Public Records;

THENCE: N 30°24'26" W, along and with said east line, same being the west line of said 78.146 acre tract, a distance of 817.93 feet to a found  $\frac{1}{2}$ " iron rod at the northeast corner of said remainder of 5.000 acres, at the southeast corner of said 144 acre tract, and the POINT OF BEGINNING of the herein described tract;

THENCE: S 59°40'19" W, along and with the south line of said called 144 acre tract, along and with the north line of said remainder of 5.00 acres, a distance of 212.15 feet to a point at the northeast corner of a 5.05 acre tract, conveyed to Joe H. & Florence Reinhard, in deed recorded in Volume 10957, Page 2025, of said Official Public Records, along and with the north line of said 5.05 acre tract, a distance of 423.86 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said 5.05 acre tract, same being the northeast corner of a remainder of a 9.966 acre tract, conveyed to Gerald & Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records, continuing along the north line of said remainder of 9.966 acre tract, for a total distance of 1060.68 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said remainder of 9.966 acre tract, same being the northeast corner of a called 53.28 acre tract conveyed to Kneupper Bryson Properties, Ltd., in deed recorded in Volume 17909, Page 62, of said Official Public Records;

THENCE: Along and with the south line of said called 144 acre tract, same being the north line of said called 53.28 acre tract, the following bearings and distances:

S 59°39'37" W, a distance of 1064.20 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 29°11'54" E, a distance of 147.22 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 53°07'49" W, a distance of 163.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 68°52'10" W, a distance of 80.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 19°46'14" W, a distance of 119.14 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 73°30'20" W, a distance of 440.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 58°09'40" W, a distance of 113.89 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 30°43'11" W, a distance of 331.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 47°28'40" W, a distance of 73.91 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 60°39'30" W, a distance of 190.64 feet to a found ½" iron rod at the northwest corner of said called 53.28 acre tract, at the northeast corner of a 10.013 acre tract, conveyed to Michael McCoy, in deed recorded in Document No. 20190008091, of said Official Public Records;

THENCE: S 59°49'38" W, along and with the north line of said 10.013 acre tract, same being the south line of said called 144 acre tract, a common line, a distance of 66.70 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: Departing said common line, over and across said called 144 acre tract the following bearings and distances:



N 11°02'47" W, a distance of 673.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 55°27'16" E, a distance of 433.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 59°42'20" E, a distance of 60.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 30°17'40" W, a distance of 74.41 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

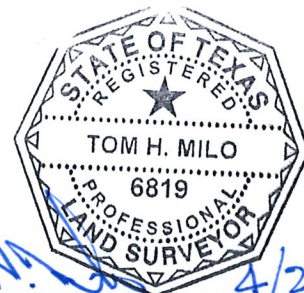
N 56°49'29" W, a distance of 326.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north line of said called 144 acre tract, same being the south line of a portion of Lot 1, conveyed to Phillip Sweet, in deed recorded in Volume 17967, Page 1563, of said Official Public Records, a common line;

THENCE: N 59°28'25" E, along and with said common line, a distance of 820.45 feet to a found 2" iron pipe at the southeast corner of said portion of Lot 16, same being the southwest corner of a called 17.27 acre tract, conveyed to Daniel O. Corrigan, in deed recorded in Volume 15676, Page 2488 of said Official Public Records;

THENCE: N 59°31'01" E, along and with the north line of said called 144 acre tract, same being the south line of said called 17.27 acre tract, a distance of 574.27 feet to a southeast corner of said 17.27 acre tract, same being the southwest corner of a remainder of 188.68 acre tract, conveyed to Wiederstein Trust Fund, in Document No. 20160103970, of said Official Public Records, continuing along and with said north line, same being the south line of said remainder of 188.68 acre tract for a total distance of 2059.53 feet to a found ½" iron rod at the northeast corner of said called 144 acre tract, at the northwest corner of said called 78.146 acre tract;

THENCE: S 30°19'51" E, along and with the east line of said called 144 acre tract, same being the west line of said called 78.146 acre tract, a distance of 1040.16 feet to the POINT OF BEGINNING and containing 74.477 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: April 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 74.477AC.docx





METES AND BOUNDS DESCRIPTION  
FOR

A 78.294 acre, or 3,410,508 square feet more or less, tract of land out of all of that called 78.294 acre tract conveyed to Valerie Hartmann & Brian Beutnagel in Document No. 20180200199 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 78.294 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with a cap marked "Baker" on the north right-of-way line of Trainer Hale Road, at the southeast corner of said called 78.294 acre tract, and at the southwest corner of a 68.146 acre tract conveyed to Charles Luensmann in deed recorded in Volume 10175, Page 534 of said Official Public Records;

THENCE: S 59°01'17" W, along and with said north right-of-way line, a distance of 1470.42 feet to a found ½" iron rod at a southwest corner of said called 78.294 acre tract, same being the southeast corner of a 1.00 acre tract conveyed to Robert L. & Deborah K Wright, in deed recorded in Volume 17409, Page 1329 of said Official Public Records;

THENCE: N 30°26'46" W, along and with a west line of said called 78.294 acre tract, same being the east line of said 1.00 acre tract, a distance of 208.38 feet to a found ½" iron rod at an interior corner of said called 78.294 acre tract, same being the northeast corner of said 1.00 acre tract;

THENCE: S 59°41'08" W, along and with the north line of said 1.00 acre tract, same being a south line of said 78.294 acre tract, a distance of 208.48 feet to a found ½" iron rod at a southwest corner of said called 78.294 acre tract, same being the northwest corner of said 1.00 acre tract, on the east line of a remainder of 5.000 acre tract conveyed to Bryson Kneupper Properties in deed recorded in Volume 11355, Page 2475, of said Official Public Records of Bexar;

THENCE: N 30°24'26" W, along and with the west line of said 78.294 acre tract, same being the east line of said 5.000 acre tract, a common line, a distance of 817.93 feet to a found ½" iron rod at the northeast corner of said remainder of 5.000 acre tract, at the southeast corner of a called 144 acre tract conveyed to Brycap Commercial Properties LLC, in deed recorded in Volume 13921, Page 157, and Volume 13921, Page 132, both of said Official Public Records;

THENCE: N 30°19'51" W, along and with the east line of said called 144 acre tract, same begin the west line of said called 78.294 acre tract, a distance of 1040.16 feet to a found ½" iron rod at the northwest corner of said 78.294 acre tract, same being a northeast corner of said called 144 acre tract, on the south line of a remainder of 188.68 acre tract conveyed to Wiederstein Trust Fund in deed recorded in Document No. 20160103970 of said Official Public Records;

THENCE: N 59°43'43" E, along and with the north line of said 78.294 acre tract, a distance of 1676.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the northeast corner of said called 78.294 acre tract, at the northwest corner of said 68.146 acre tract;

THENCE: S 30°26'31" E, along and with the east line of said called 68.146 acre tract, same being the west line of said 68.146 acre tract, a distance of 2048.18 feet to the POINT OF BEGINNING and containing 78.294 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: April 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 78.294AC.docx





METES AND BOUNDS DESCRIPTION  
FOR

A 165.410 acre, or 7,205,273 square feet more or less, tract of land out of that remaining portion of a 188.68 acre tract conveyed to Wiederstein Trust Fund, in deed recorded in Document No. 20160103970, of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 165.410 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a point on the north right-of-way line of Trainer Hale Road, at the southeast corner of a called 78.146 acre tract conveyed to Valerie Hartmann & Brian Beutnagel in Document No. 20180200199 of the Official Public Records of Bexar County, Texas, and at the southwest corner of a 68.146 acre tract conveyed to Charles Luensmann in deed recorded in Volume 10175, Page 534 of said Official Public Records;

THENCE: N 30°26'31" W, departing said north right-of-way line, along and with the east line of said called 78.146 acre tract, same being the west line of called 68.146 acre tract, a distance of 2048.18 feet to a found ½" iron rod on the south line of said remainder of 188.68 acres and to the POINT OF BEGINNING of the herein described tract;

THENCE: S 59°43'43" W, along and with the south line of said remainder of 188.68 acres, same being the north line of said called 78.146 acre tract, a distance of 1676.34 feet to a found ½" iron rod at the northwest corner of said called 78.146 acre tract, same being the northeast corner of a called 144 acre tract, conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, and in deed recorded in Volume 13921, Page 132, of the Official Public Records;

THENCE: S 59°31'01" W, along and with the south line of said remainder of 188.68 acres, same being the north line of said called 144 acre tract, a distance of 1485.72 feet to an iron fence post at the southwest corner of said called 188.68 acres, same being the southeast corner of a called 17.27 acre tract conveyed to Daniel O. Corrigan, in deed recorded in Volume 15676, Page 2488 of said Official Public Records;

THENCE: Along and with the east line of said called 17.27 acre tract, same being west line of said remainder of a 188.68 acre tract, the following bearings and distances:

N 31°26'12" W, a distance of 1084.60 feet to a fence post;

N 73°14'37" W, a distance of 373.67 feet to a fence post;

S 81°06'40" W, a distance of 329.41 feet to a fence post at the southwest corner of said called 188.68 acre tract and northwest corner of said 17.27 acre tract, both lying on the east line of Lot 17, conveyed to Thomas H. Williams in deed recorded in Volume 10847, Page 1809, of said Official Public Records;

THENCE: N 30°17'07" W, along and with the west line of said called 188.68 acre tract and the east lines of said Lot 17, east line of Lot 19, conveyed to Anthony Heyden in deed recorded in Volume 17890, Page 2269 of said Official Public Records and the east line of Lot 20A, Lot 20B, and Lot 20C conveyed to Rachel Escobedo recorded in Volume 15465, Page 1129 of said Official Public Records, a distance of 789.47 feet to an iron fence post at the northwest corner of said called 188.68 acre tract, the east line of Lot 20A, Lot 20B, and Lot 20C, and the southwest corner of a 10.126 acre tract conveyed to Krickhahn ETC. Enterprises, LLC, in deed recorded in Volume 11319, Page 762 of said Official Public Records;

THENCE: N 59°30'44" E, along and with the north line of said remainder of a 188.68 acre tract, same being the south line of said 10.126 acre tract, a common line, a distance of 3167.68 feet to a found ½" iron rod at the northeast corner of said remainder of 188.68 acres, on the west line of a 42.116 acre tract, conveyed to Alvin Krueger Melvin, in deed recorded in Volume 16034, Page 1089, of said Official Public Records;

THENCE: S 32°16'11" E, along and with said west line, a distance of 20.32 feet to a found ½" iron rod with an aluminum cap at the northeast corner of a remainder of 5.767 acre tract, conveyed to Betty Jean Wiederstein, recorded in Volume 17890, Page 2269, and in Volume 5261, Page 231, both of said Official Public Records;

THENCE: S 56°09'27" W, along and with the north line of said remainder of 5.767 acres, a distance of feet, to a point at the northeast corner of a 1.393 acre tract conveyed to Hoover Edwards, in deed recorded in Volume 8227, Page 351, of said Official Public Records, for a total distance of 278.34 feet to a found ½" iron rod at the northwest corner of said 1.393 acre tract;

THENCE: S 29°23'13" E, along and with an east line of said called 188.68 acre tract and the west line of said 1.393 acre tract, a distance of 321.87 feet to a found ½" iron rod at the southwest corner of said 1.393 acre tract, same being an interior corner of said remainder of 5.767 acre tract;



THENCE: S 29°25'41" E, along and with the east line of said remainder of 5.767 acre tract, a distance of 346.13 feet to a found ½" iron rod;

THENCE: N 65°12'00" E, along and with a north line of said called 188.68 acre tract, the south line of said remainder of 5.767 acre tract, a distance of 572.69 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at a north corner of said called 188.68 acre tract, the southeast corner of said remainder of a 5.767 acre tract, on the southwest line of said 42.116 acre tract;

THENCE: S 68°03'04" E, along and with said southwest line, a distance of 183.77 feet to a found ½" iron rod at the southwest corner of said 42.116 acre tract, same being a northwest corner of Tract "B", conveyed to Ruth E. Martin in deed recorded in Volume 16034, Page 1089 of said Official Public Records;

THENCE: S 51°58'59" E, along and with the east line of said called 188.68 acre tract the west line of said Tract "B", a distance of 1473.61 feet to a found ½" iron rod on the north line of said called 68.146 acre tract;

THENCE: S 59°49'51" W, along and with said north line, a distance of 362.56 feet to the POINT OF BEGINNING and containing 165.410 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: May 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 165.423AC.docx





METES AND BOUNDS DESCRIPTION  
FOR TRACT 1

A 43.104 acre, or 1,877,611 square feet more or less, tract of land out of that all of that called 53.28 acre tract conveyed to Kneupper Bryson Properties LTD., in deed recorded in Volume 17909, Page 62 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, in County Block 5059, of Bexar County, Texas. Said 43.104 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north right-of-way line of Trainer Hale Road, an 80-foot public right-of-way, and at the southeast corner of said called 53.28 acre tract, same being the southwest corner of a remainder of 9.966 acre tract, conveyed to Gerald and Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records;

THENCE: S 59°45'45" W, along and with said north right-of-way line, same being the south line of said called 53.28 acre tract, a distance of 1186.70 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: Departing said north right-of-way line, over and across said called 53.28 acre tract the following bearings and distances:

N 43°21'39" W, a distance of 264.15 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 69°32'59" W, a distance of 75.10 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 88°57'21" W, a distance of 166.79 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 54°32'02" W, a distance of 92.58 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 59°48'04" W, a distance of 848.36 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the west line of said called 53.28 acre tract, same being, same being the southeast line of a 8.300 acre tract conveyed to Gary Obearle indeed recorded in Volume 4154, Page 516 of said Official Public Records;

THENCE: N 30°27'18" W, along and with said common line, a distance of 217.59 feet to the northeast corner of said 8.300 acre tract, same being the southeast corner of a 10.013 acre tract conveyed to Michael McCoy in deed recorded in Document No. 20190008091 of said Official Public Records, a distance of 532.09 feet to a found ½" iron rod at the northeast corner of said 10.013 acre tract, on the south line of a called 144 acre tract, conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, and Volume 13921, Page 132, both of said Official Public Records;

THENCE: Along and with the north line of said called 53.28 acre tract, same being the south line of said called 144 acre tract, the following bearings and distances:

N 60°39'30" E, a distance of 190.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 47°28'40" E, a distance of 73.91 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 30°43'11" E, a distance of 331.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 58°09'40" E, a distance of 113.89 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 73°30'20" E, a distance of 440.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 19°46'14" E, a distance of 119.14 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 68°52'10" E, a distance of 80.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 53°07'49" E, a distance of 163.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 29°11'54" W, a distance of 147.22 feet to a found 2" iron pipe;

N 59°39'37" E, a distance of 1064.20 feet to a found ½" iron rod at the northeast corner of said 53.28 acre tract, same being the northwest corner of a remainder of a 9.966 acre tract, conveyed to Gerald and Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records;

THENCE: S 30°24'03" E, along and with the east line of said 53.28 acre tract, same being the west line of said remainder of 9.966 acre tract, a distance of 1025.60 feet to the POINT OF BEGINNING and containing 43.104 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: May 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 FN 43.104AC.docx



November 11, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 9275 Weir Avenue Schertz, Texas 78154**

To Whom It May Concern:

Wiederstein Trust Fund is the owner of approximately 169.5 acres located at 9275 Weir Avenue Schertz, Texas 78154 ("Property"). This letter is a request by the owner for the voluntary annexation of the Property.

Sincerely,

**Wiederstein Trust Fund**

  
Vickie McDaniel, co-trustee

STATE OF TEXAS


COUNTY OF Austin

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Vickie McDaniel, co-trustee of Wiederstein Trust Fund, who acknowledged she is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16 day of November, 2021.



  
Notary Public, State of Texas  
Printed Name: Juana Mora



November 11, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154


**Re: Voluntary Annexation - 9275 Weir Avenue Schertz, Texas 78154**

To Whom It May Concern:

Wiederstein Trust Fund is the owner of approximately 169.5 acres located at 9275 Weir Avenue Schertz, Texas 78154 ("Property"). This letter is a request by the owner for the voluntary annexation of the Property.

Sincerely,

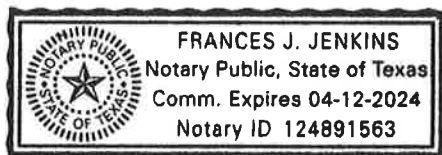
**Wiederstein Trust Fund**


  
David Wiederstein, co-trustee

STATE OF TEXAS                   §  
   §  
COUNTY OF Bexar           §

BEFORE ME, the undersigned authority, on this day personally appeared David Wiederstein, co-trustee of Wiederstein Trust Fund, who acknowledged he is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16<sup>th</sup> day of November, 2021.



  
Notary Public, State of Texas  
Printed Name: Frances Jenkins

November 11, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 9275 Weir Avenue Schertz, Texas 78154**

To Whom It May Concern:

Wiederstein Trust Fund is the owner of approximately 169.5 acres located at 9275 Weir Avenue Schertz, Texas 78154 ("Property"). This letter is a request by the owner for the voluntary annexation of the Property.

Sincerely,

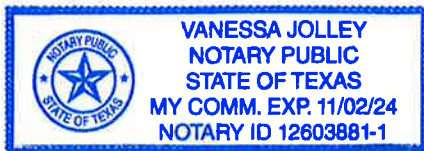
**Wiederstein Trust Fund**

Diane Hunter  
Diane Hunter, co-trustee

STATE OF TEXAS                   §  
   §  
COUNTY OF Guadalupe   §

BEFORE ME, the undersigned authority, on this day personally appeared Diane Hunter, co-trustee of Wiederstein Trust Fund, who acknowledged she is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16<sup>th</sup> day of November 2021.



Vanessa Jolley  
Notary Public, State of Texas  
Printed Name: Vanessa Jolley



November 11, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 9275 Weir Avenue Schertz, Texas 78154**

To Whom It May Concern:

Wiederstein Trust Fund is the owner of approximately 169.5 acres located at 9275 Weir Avenue Schertz, Texas 78154 ("Property"). This letter is a request by the owner for the voluntary annexation of the Property.

Sincerely,

**Wiederstein Trust Fund**

  
Rebecca Robertson, co-trustee

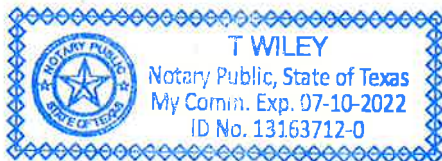
STATE OF TEXAS


COUNTY OF Bexar

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Rebecca Robertson, co-trustee of Wiederstein Trust Fund, who acknowledged she is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16 day of Nov, 2021.



  
Notary Public, State of Texas  
Printed Name: T. Wiley

November 4, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 8676 Trainer Hale Road Schertz, Texas 78154**

To Whom It May Concern:

I, Brian Beutnagel, along with Valerie Hartmann, own approximately 78.146 acres located at 8676 Trainer Hale Road, Schertz, Texas 78154 ("Property"). This letter is a request by both owners for the voluntary annexation of the Property.

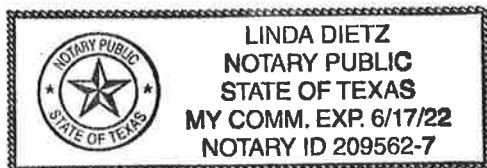
Sincerely,


  
Brian Beutnagel

STATE OF TEXAS                   §  
COUNTY OF Guadalupe   §

BEFORE ME, the undersigned authority, on this day personally appeared Brian Beutnagel who acknowledged he is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16<sup>th</sup> day of November, 2021 2021.



  
Notary Public, State of Texas  
Printed Name: Linda Dietz

November 4, 2021

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 8676 Trainer Hale Road Schertz, Texas 78154**

To Whom It May Concern:

I, Valerie Hartmann, along with Brian Beutnagel, own approximately 78.146 acres located at 8676 Trainer Hale Road, Schertz, Texas 78154 ("Property"). This letter is a request by both owners for the voluntary annexation of the Property.

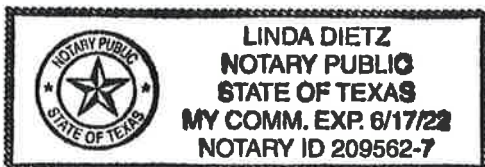
Sincerely,


  
Valerie Hartmann

STATE OF TEXAS §  
COUNTY OF Guadalupe §

BEFORE ME, the undersigned authority, on this day personally appeared Valerie Hartmann who acknowledged she is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 16<sup>th</sup> day of November 2021 2021.



  
Notary Public, State of Texas  
Printed Name: Linda Dietz

May 31, 2022

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 8850 Trainer Hale Road Schertz, Texas 78154**

To Whom It May Concern:

Kneupper Bryson Properties, Ltd. is the owner of approximately 43.104 acres located at 8850 Trainer Hale Road Schertz, Texas 78154 ("Property"). Please accept this letter as a request for voluntary annexation of the Property.

Sincerely,

**Kneupper Bryson Properties, LTD,**  
a Texas limited partnership

By: EdPat Management, LLC,  
a Texas limited liability company  
its General Partner

By: [Signature]  
Name: Bryan Bryson  
Title: Manager

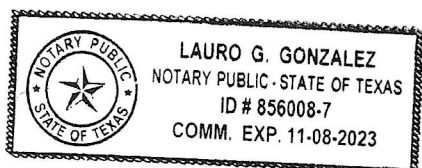
STATE OF TEXAS

COUNTY OF Bexar

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Bryan Bryson of EdPat Management, LLC, a Texas limited liability company, General Partner of Kneupper Bryson Properties, Ltd., a Texas limited partnership, who acknowledged he is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1<sup>st</sup> day of June,  
2021.  
2022



[Signature]  
Notary Public, State of Texas  
Printed Name: Lauro Gonzalez



May 31, 2022

City of Schertz  
Planning Department  
1400 Schertz Pkwy  
Schertz, TX 78154

**Re: Voluntary Annexation - 8850 Trainer Hale Road Schertz, Texas 78154**

To Whom It May Concern:

Kneupper Bryson Properties, Ltd. is the owner of approximately 43.104 acres located at 8850 Trainer Hale Road Schertz, Texas 78154 ("Property"). Please accept this letter as a request for voluntary annexation of the Property.

Sincerely,

**Kneupper Bryson Properties, LTD,**  
a Texas limited partnership

By: EdPat Management, LLC,  
a Texas limited liability company  
its General Partner

By: *Caprice Fredrickson*  
Name: *Caprice Fredrickson*  
Title: *Manager*

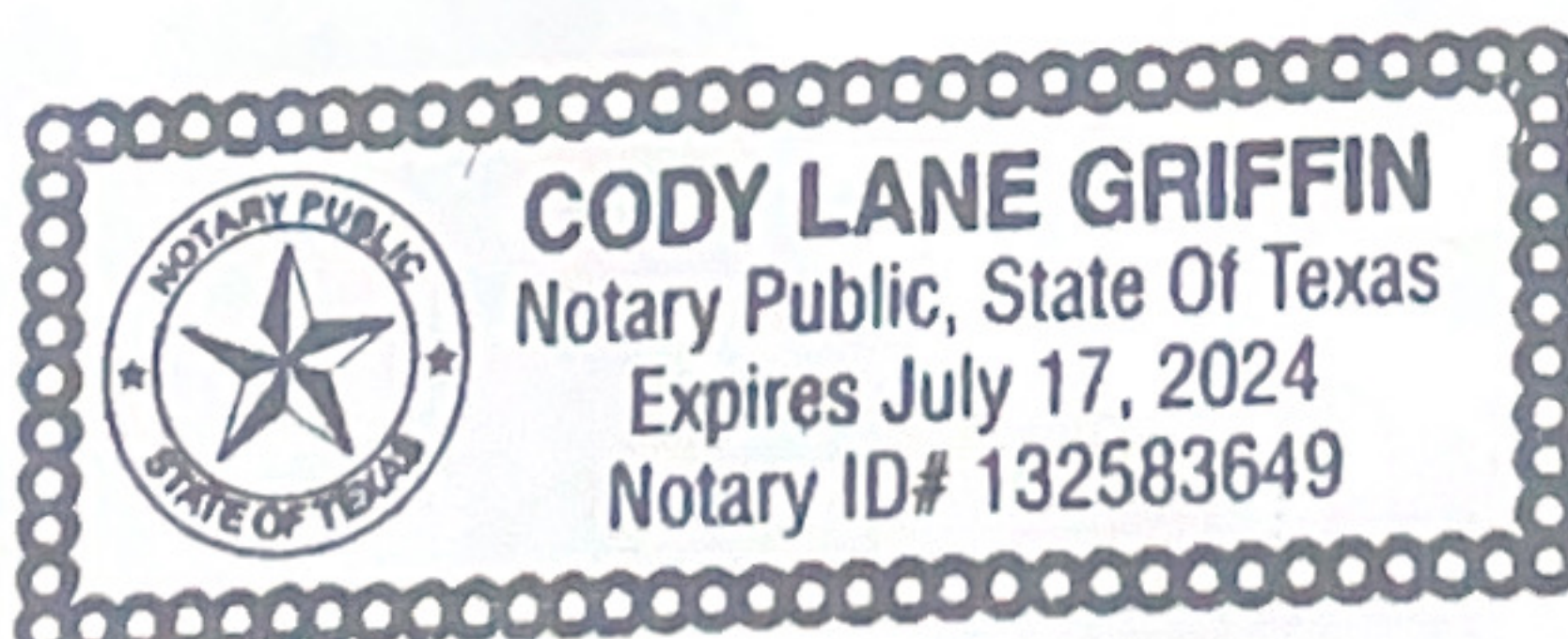
STATE OF TEXAS

COUNTY OF *TARRANT*

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared *Caprice Suzanne Fredrickson, Manager* of EdPat Management, LLC, a Texas limited liability company, General Partner of Kneupper Bryson Properties, Ltd., a Texas limited partnership, who acknowledged he is authorized to execute this document on its behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this *1* day of *June*, 2021.



*Cody Lane Griffin*  
Notary Public, State of *Texas*  
Printed Name: *Cody Lane Griffin*



**SERVICE PLAN  
CITY OF Schertz, TEXAS**

**SERVICE PLAN FOR ANNEXATION OF  
Bexar County, Property Id: 310053, 310060, and 310121**

Upon annexation of the area identified above and as identified on Exhibit A, the City of Schertz will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

A 43.104 acre, or 1,877,611 square feet more or less, tract of land out of that all of that called 53.28 acre tract conveyed to Kneupper Bryson Properties LTD., in deed recorded in Volume 17909, Page 62 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, in County Block 5059, of Bexar County, Texas. Said 43.104 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

A 165.410 acre, or 7,205,273 square feet more or less, tract of land out of that remaining portion of a 188.68 acre tract conveyed to Wiederstein Trust Fund, in deed recorded in Document No. 20160103970, of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 165.410 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

A 78.294 acre, or 3,410,508 square feet more or less, tract of land out of all of that called 78.294 acre tract conveyed to Valerie Hartmann & Brian Beutnagel in Document No. 20180200199 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 78.294 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

**SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION**

1. **Police Protection**

The City of Schertz, Texas and its Police Department will provide police protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

2. **Fire Protection and Emergency Medical Services**

The City of Schertz, Texas will provide fire protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Schertz, Texas will provide EMS services to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. **Maintenance of Water and Wastewater Facilities**

All water and wastewater facilities owned or maintained by the City of Schertz at the time of the proposed annexation shall continue to be maintained by the City of Schertz. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Schertz to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Schertz standard extension policy now existing or as may be amended. Existing On-site sewerage systems may be maintained in accordance with the County's regulations.

4. **Solid Waste Collection**

Solid waste collection will be provided to citizens in the newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. The City may negotiate with annexed areas to allow continued services with an existing solid waste management provider. After the second anniversary of the annexation date, the City will impose fees and provide the service.

If areas with private roads and/or gates are arranged so that garbage may be collected without creating a safety hazard, the City, at its discretion, may collect the garbage provided proper indemnification is received from the community association or individual property owners. The City will then impose fees and provide the service. Garbage collection locations shall be subject to the approval of the Sanitation Manager. In the event the City does not collect garbage within the areas with private roads and/or gates, residents of these areas will not be billed for service after the two-year date.

5. **Maintenance of Roads and Streets**

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association.

6. **Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Schertz, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. **Maintenance of any Publicly owned Facility, Building or Municipal Service**

The City of Schertz, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. **Other Services**

The City of Schertz, Texas finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

**CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS**

1. **Police and Fire Protection and Solid Waste Collection**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Schertz, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. **Water and Wastewater Facilities**

For the next 2 ½ years, the City of Schertz, Texas finds and determines that there is water and wastewater services available to the annexed areas pursuant to the City of Schertz extension policies.

3. **Roads and Streets**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. **Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

**SPECIFIC FINDINGS**

The City of Schertz, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

**TERMS**

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Schertz.

**LEVEL OF SERVICE**

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area

of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 5, 2022  
**Department:** Planning & Community Development  
**Subject:** Ordinance No. 22-S-28 - Conduct and hold a public hearing and consideration and/or action on a request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar County, Texas. *First Reading* (B. James, L. Wood, M. Harrison)

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### BACKGROUND

#### Owners:

- Wiederstein Trust Fund: 9275 Weir Ave, Parcel ID 310053
  - Vickie McDaniel, co-trustee
  - David Wiederstein, co-trustee
  - Diane Hunter, co-trustee
  - Rebecca Robertson, co-trustee
- Brian Beutnagel and Valerie Hartmann, 8676 Trainer Hale Road, Parcel ID 310060
- Brycap Farm Properties, LLC, 7820 E. FM 1518 N., Parcel ID 310061
  - Bryan Bryson, partner/owner
  - Caprice Fredricksen, manager
- Kneupper Bryson Properties, Ltd., 8850 Trainer Hale Road, Parcel ID 310121
  - Bryan Bryson, manager
  - Caprice Fredricksen, manager

Applicant: Ashley Farrimond, Killen, Griffin & Farrimond PLLC and Marcus Moreno, Scott Felder Homes

Twenty-eight public hearing notices were mailed to the surrounding property owners on June 10th, 2022 with a public hearing notice published in the "San Antonio Express" on June 15, 2022, prior to the City Council public hearing. At the time of this report staff has received one (1) response opposed and five (5) responses in favor of the request.

### GOAL

The goal is to rezone approximately 362 acres of land to Planned Development District (PDD).

### COMMUNITY BENEFIT

The community benefit is to promote safe, orderly, efficient development and bring about the City's vision of future growth.

### SUMMARY OF RECOMMENDED ACTION

The applicant is proposing to zone change approximately 362 acres of land from Pre-Development District (PRE) and Development Agreements (Delayed Annexation) (DVL)/outside city limits to Planned Development District (PDD).

According to the proposed Sterling Grove Subdivision PDD Development Standards, the subdivision will have two different base zoning districts: 'SF 55' and '0.5ac'. Please see "Table One"-Dimensional Requirements" within the Sterling Grove PDD Development Standards, copied below for reference, which provides full details on lot sizes and building setback requirements. The PDD also outlines other modifications for residential lots, including reduced rear yard setbacks for both the SF 55 and 0.5ac and reduced side yard setback for the 0.5ac lots.

Table One- Dimensional Requirements										
		Minimum Lot Size			Minimum Yard Setback			Min. Off Street Parking Spaces	Misc. Requirements	
Code	Classification	Area sf	Width ft	Depth ft	Front ft	Side ft	Rear ft	Parking	Max Height	Max Impervious Coverage
SF 55	Single Family	6,050	55	110	25*	10	15	2	35	60%
0.5 Ac	Single Family	21,780	N/A	N/A	25	10	15	2	35	50%

\*Buildings constructed on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 20 feet.

The Sterling Grove Conceptual Plan indicates that there will be approximately 3 acres of park, 15.3 acres of open space, approximately 27 acres of land for floodplain, open space, and city trail system, and approximately 3 acres of land for an amenity center. There is also several basins and drainage easements through the development as well.

Additionally, the Sterling Grove Subdivision PDD Development Standards proposed to modify the regulations for Subdivision Entry Signs.

Please see the table below for the proposed changes to UDC Sec 21.11.15.

UDC Section	Current Regulation	Proposed Regulation
Sec. 21.11.15.C Maximum Area	32 square feet per sign face	200 square feet per sign face
Sec 21.11.15.D Maximum Number of Signs	1 Primary Entry Sign and 1 Second Entry Sign which is 75% of the Primary	2 Primary Entry Signs (no secondary) both of which would be located on Trainer Hale Road

The Comprehensive Land Use Plan (CLUP) through the future land use plan and the Schertz Sector Plan for Southern Schertz designates the subject properties as Agricultural Conservation and Estate Neighborhood. A Comprehensive Land Use Plan Amendment was approved by the Schertz City Council on January 25, 2022, which changed the future land use plan designation of the approximately 362 acres of land from Agricultural Conservation and Estate Neighborhood to Single-Family Residential land use designation. The objective of the Single-Family Residential land use designation is to have a mixture of residential uses and limited commercial development.

- **Comprehensive Plan Goals and Objectives:** Areas classified as the Single-Family Residential land use designation are intended to utilize a traditional neighborhood design that includes a mixture of residential uses, as well as limited commercial development to support the daily activities of the development. The proposed zone change meets the goals and objectives of the Single-Family Residential future land use designations, and is therefore in conformance with the Comprehensive Land Use Plan.
- **Impact of Infrastructure:** The subject properties have dual Certificate of Convenience and Necessity (CCN), specifically the City of Schertz and Green Valley Special Utility District. The portions of the subject tract that are within the City of Schertz CCN will be obligated to design water and sanitary sewer services throughout the subdivision during the Master Development Plan Process in order to connect to public utility systems. Right-of-way dedication will be required from the proposed development as identified on the Master Thoroughfare Plan, i.e. Trainer Hale (secondary arterial) and the North & South Connector as a planned residential collector.
- **Impact of Public Facilities/Services:** In accordance with the Texas Local Government (LGC) Chapter 43, the City must provide public services to the land on the effective date of the annexation.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The surrounding properties to the subject property are all currently being used for single-family residences, agricultural uses, or are undeveloped. The proposed zone change to PDD, given the single-family residential base zoning throughout the entire subdivision is compatible with the existing and potential adjacent land uses.

#### **FISCAL IMPACT**

None

#### **RECOMMENDATION**

The property has the land use designation under the Schertz Sector Plan for Southern Schertz as Single-Family Residential. The Single-Family Residential land use designation encourages the development of traditional neighborhood design that includes a mixture of residential uses, as well as limited commercial development to support the daily activities of the development. The proposed rezoning to Planned Development District does conform with the Comprehensive Land Use Plan designation.

The Sterling Grove Subdivision is providing curvilinear streets, mailbox bump outs with a cover and 2 parking spaces, an amenity center, approximately 3 acres of park, approximately 22 acres of drainage basins, approximately 27 acres of floodplain, open space and city trail system, approximately 15.5 acres of open space, and several drainage easements throughout the development. The applicant is actively working with the Parks Department on finalizing details on the proposed park land, which at this time has not been determined to be public or private. The proposed development will be providing six hundred seventy-two (672) of the proposed 'SF 55' lots and one hundred sixty (160) 0.5 acre lots. The median lot size will not meet 7,600 square footage as discussed in the subcommittee meetings as the overall lot size will be 6,050sqft. Approximately 20% of the proposed development will be in accordance with the 0.5 acre lot size.

The Planning and Zoning Commission conducted a public hearing on June 22, 2022 where they had a lengthy discussion on the proposed rezoning as well as the concept plan. The Commission discussed their concerns that the development did not meet some of the standards that were discussed by the Sub Committee. There were concerns that the development was predominately 55-foot wide lots instead of the mixture of lot sizes. Also discussed were the curvilinear streets which are predominately in the half-acre side and not shown to be on the 55-foot side. Another concern was that the concept plan provided in the staff report was different from the concept plan the applicant showed during their

presentation. The Commission and the applicant discussed trying to find a way to have the developer add a mixture of lot sizes in order to meet the intent of the Sub Committee discussions. However, after going back and forth there was no agreement on the percentage for the mixture of lot sizes. The Commission then proceeded with making a recommendation to the City Council for approval with a vote of 3-1, but due to there only being 4 members present at the meeting, the motion failed. The Commission discussed making another motion but realized there would not be an affirmative vote, as no Commissioners were interested in changing their previous vote. Therefore, the recommendation from the Planning and Zoning Commission is for denial due to there not being an affirmative vote based on the 4 Commissioners present at the meeting.

Staff recommends approval of Ordinance 22-S-28, a request to rezone approximately 362 acres of land to Planned Development District (PDD).

As part of the associated annexation process from the subject property, staff is required to send public hearing mailers prior to the City Council meeting to all the properties within 200-feet as well as the associated School District. Unfortunately, staff did not complete this crucial step, therefore, there can be no action/motion on the annexation Ordinance 22-S-27 at the July 5th meeting. Since the annexation of the property cannot proceed until proper noticing is completed, the zone change request Ordinance 22-S-28 also cannot proceed forward with an action/motion at the July 5th City Council meeting. Since the public hearing notices were published in the San Antonio Express, the public hearing will need to be conducted on this item. However, since the mailers were not sent, no action can be taken on this item or the annexation ordinance at the July 5th meeting. The item will be heard for first reading and action on July 12th, 2022 after all appropriate notification requirements are met.

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### **Attachments**

Ord. 22-S-28

Aerial Map

Public Hearing Notice Map

Exhibit A: Metes and Bounds

Exhibit B: Conceptual Site Plan

Zoning Exhibit

Public Hearing Notice Responses

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**ORDINANCE NO. 22-S-28**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 362 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED 6,050 FEET EAST OF THE INTERSECTION OF TRAINER HALE ROAD AND FM 1518, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS, 310053, 310060, 310061, AND 310121, BEXAR COUNTY, TEXAS.**

**WHEREAS**, an application to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar County, Texas, and more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City; and

**WHEREAS**, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria 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 zone change (the “Criteria”); and

**WHEREAS**, on June 22, 2022, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning; and

**WHEREAS**, on July 5, 2022, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

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

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned Planned Development District (PDD).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. 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 4. 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 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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 7. 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 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. 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 5<sup>th</sup> day of July 2022.

PASSED, APPROVED AND ADOPTED on final reading the 12<sup>th</sup> day of July 2022.

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Ralph Gutierrez, Mayor

ATTEST:

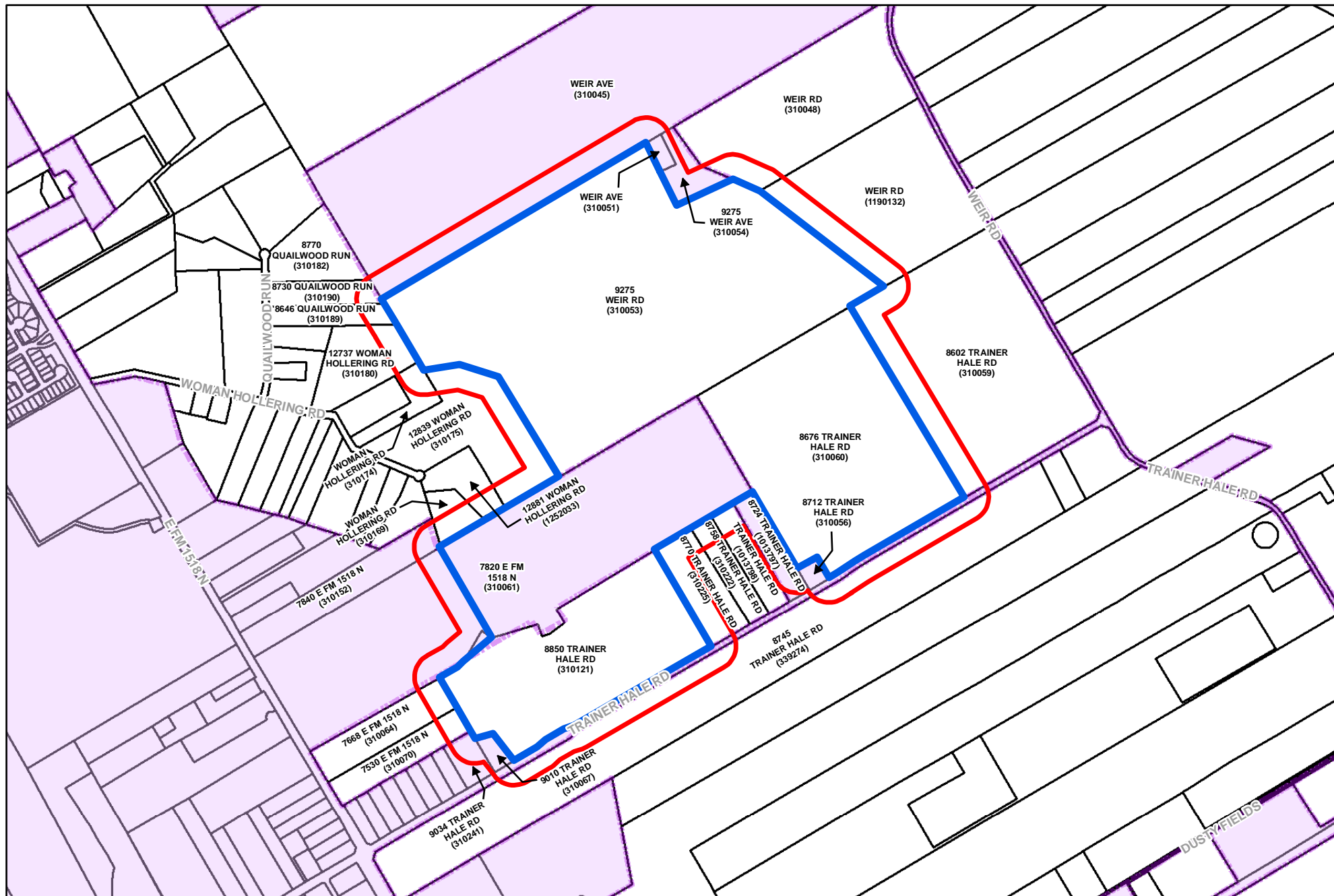
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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)









# City of Schertz

## Sterling Grove

### Trainer Hale Rd



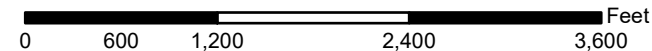
Parcel Boundaries



Schertz City Boundary



200' Buffer





METES AND BOUNDS DESCRIPTION  
FOR

A 74.477 acre, or 3,244,220 square feet more or less, tract of land out of a portion that called 144 acre tract conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, Volume 13921, Page 132, of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, in Bexar County, Texas. Said 74.477 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found  $\frac{1}{2}$ " iron rod on the north right-of-way line of Trainer Hale Road, an 80-foot public right-of-way, at the southeast corner of a remainder of a 5.000 acre tract, conveyed to Bryson Kneupper Properties, in deed recorded in Volume 11355, Page 2475, and at the southwest corner of a 1.00 acre tract conveyed to Robert L. and Deborah K Wright, Volume 17409, Page 1329, both of said Official Public Records of Bexar County, Texas;

THENCE: N 30°27'16" W, departing said north right-of-way line, along and with the west line of said 1.00 acre tract, same being the east line of said remainder of 5.000 acres, a distance of 208.28 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said 1.00 acre tract, at the southwest corner of a called 78.146 acre tract, conveyed to Valerie Hartmann & Brian Beutnagel, in deed recorded in Document No. 20180200199, of said Official Public Records;

THENCE: N 30°24'26" W, along and with said east line, same being the west line of said 78.146 acre tract, a distance of 817.93 feet to a found  $\frac{1}{2}$ " iron rod at the northeast corner of said remainder of 5.000 acres, at the southeast corner of said 144 acre tract, and the POINT OF BEGINNING of the herein described tract;

THENCE: S 59°40'19" W, along and with the south line of said called 144 acre tract, along and with the north line of said remainder of 5.00 acres, a distance of 212.15 feet to a point at the northeast corner of a 5.05 acre tract, conveyed to Joe H. & Florence Reinhard, in deed recorded in Volume 10957, Page 2025, of said Official Public Records, along and with the north line of said 5.05 acre tract, a distance of 423.86 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said 5.05 acre tract, same being the northeast corner of a remainder of a 9.966 acre tract, conveyed to Gerald & Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records, continuing along the north line of said remainder of 9.966 acre tract, for a total distance of 1060.68 feet to a found  $\frac{1}{2}$ " iron rod at the northwest corner of said remainder of 9.966 acre tract, same being the northeast corner of a called 53.28 acre tract conveyed to Kneupper Bryson Properties, Ltd., in deed recorded in Volume 17909, Page 62, of said Official Public Records;

THENCE: Along and with the south line of said called 144 acre tract, same being the north line of said called 53.28 acre tract, the following bearings and distances:

S 59°39'37" W, a distance of 1064.20 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 29°11'54" E, a distance of 147.22 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 53°07'49" W, a distance of 163.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 68°52'10" W, a distance of 80.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 19°46'14" W, a distance of 119.14 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 73°30'20" W, a distance of 440.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 58°09'40" W, a distance of 113.89 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 30°43'11" W, a distance of 331.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 47°28'40" W, a distance of 73.91 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 60°39'30" W, a distance of 190.64 feet to a found ½" iron rod at the northwest corner of said called 53.28 acre tract, at the northeast corner of a 10.013 acre tract, conveyed to Michael McCoy, in deed recorded in Document No. 20190008091, of said Official Public Records;

THENCE: S 59°49'38" W, along and with the north line of said 10.013 acre tract, same being the south line of said called 144 acre tract, a common line, a distance of 66.70 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: Departing said common line, over and across said called 144 acre tract the following bearings and distances:



N 11°02'47" W, a distance of 673.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 55°27'16" E, a distance of 433.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 59°42'20" E, a distance of 60.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 30°17'40" W, a distance of 74.41 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

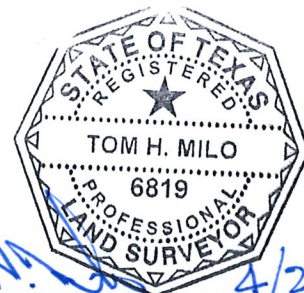
N 56°49'29" W, a distance of 326.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north line of said called 144 acre tract, same being the south line of a portion of Lot 1, conveyed to Phillip Sweet, in deed recorded in Volume 17967, Page 1563, of said Official Public Records, a common line;

THENCE: N 59°28'25" E, along and with said common line, a distance of 820.45 feet to a found 2" iron pipe at the southeast corner of said portion of Lot 16, same being the southwest corner of a called 17.27 acre tract, conveyed to Daniel O. Corrigan, in deed recorded in Volume 15676, Page 2488 of said Official Public Records;

THENCE: N 59°31'01" E, along and with the north line of said called 144 acre tract, same being the south line of said called 17.27 acre tract, a distance of 574.27 feet to a southeast corner of said 17.27 acre tract, same being the southwest corner of a remainder of 188.68 acre tract, conveyed to Wiederstein Trust Fund, in Document No. 20160103970, of said Official Public Records, continuing along and with said north line, same being the south line of said remainder of 188.68 acre tract for a total distance of 2059.53 feet to a found ½" iron rod at the northeast corner of said called 144 acre tract, at the northwest corner of said called 78.146 acre tract;

THENCE: S 30°19'51" E, along and with the east line of said called 144 acre tract, same being the west line of said called 78.146 acre tract, a distance of 1040.16 feet to the POINT OF BEGINNING and containing 74.477 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: April 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 74.477AC.docx



METES AND BOUNDS DESCRIPTION  
FOR

A 78.294 acre, or 3,410,508 square feet more or less, tract of land out of all of that called 78.294 acre tract conveyed to Valerie Hartmann & Brian Beutnagel in Document No. 20180200199 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 78.294 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

- BEGINNING: At a found ½" iron rod with a cap marked "Baker" on the north right-of-way line of Trainer Hale Road, at the southeast corner of said called 78.294 acre tract, and at the southwest corner of a 68.146 acre tract conveyed to Charles Luensmann in deed recorded in Volume 10175, Page 534 of said Official Public Records;
- THENCE: S 59°01'17" W, along and with said north right-of-way line, a distance of 1470.42 feet to a found ½" iron rod at a southwest corner of said called 78.294 acre tract, same being the southeast corner of a 1.00 acre tract conveyed to Robert L. & Deborah K Wright, in deed recorded in Volume 17409, Page 1329 of said Official Public Records;
- THENCE: N 30°26'46" W, along and with a west line of said called 78.294 acre tract, same being the east line of said 1.00 acre tract, a distance of 208.38 feet to a found ½" iron rod at an interior corner of said called 78.294 acre tract, same being the northeast corner of said 1.00 acre tract;
- THENCE: S 59°41'08" W, along and with the north line of said 1.00 acre tract, same being a south line of said 78.294 acre tract, a distance of 208.48 feet to a found ½" iron rod at a southwest corner of said called 78.294 acre tract, same being the northwest corner of said 1.00 acre tract, on the east line of a remainder of 5.000 acre tract conveyed to Bryson Kneupper Properties in deed recorded in Volume 11355, Page 2475, of said Official Public Records of Bexar;
- THENCE: N 30°24'26" W, along and with the west line of said 78.294 acre tract, same being the east line of said 5.000 acre tract, a common line, a distance of 817.93 feet to a found ½" iron rod at the northeast corner of said remainder of 5.000 acre tract, at the southeast corner of a called 144 acre tract conveyed to Brycap Commercial Properties LLC, in deed recorded in Volume 13921, Page 157, and Volume 13921, Page 132, both of said Official Public Records;



THENCE: N 30°19'51" W, along and with the east line of said called 144 acre tract, same begin the west line of said called 78.294 acre tract, a distance of 1040.16 feet to a found ½" iron rod at the northwest corner of said 78.294 acre tract, same being a northeast corner of said called 144 acre tract, on the south line of a remainder of 188.68 acre tract conveyed to Wiederstein Trust Fund in deed recorded in Document No. 20160103970 of said Official Public Records;

THENCE: N 59°43'43" E, along and with the north line of said 78.294 acre tract, a distance of 1676.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the northeast corner of said called 78.294 acre tract, at the northwest corner of said 68.146 acre tract;

THENCE: S 30°26'31" E, along and with the east line of said called 68.146 acre tract, same being the west line of said 68.146 acre tract, a distance of 2048.18 feet to the POINT OF BEGINNING and containing 78.294 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: April 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 78.294AC.docx



METES AND BOUNDS DESCRIPTION  
FOR

A 165.410 acre, or 7,205,273 square feet more or less, tract of land out of that remaining portion of a 188.68 acre tract conveyed to Wiederstein Trust Fund, in deed recorded in Document No. 20160103970, of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, County Block 5059, of Bexar County, Texas. Said 165.410 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a point on the north right-of-way line of Trainer Hale Road, at the southeast corner of a called 78.146 acre tract conveyed to Valerie Hartmann & Brian Beutnagel in Document No. 20180200199 of the Official Public Records of Bexar County, Texas, and at the southwest corner of a 68.146 acre tract conveyed to Charles Luensmann in deed recorded in Volume 10175, Page 534 of said Official Public Records;

THENCE: N 30°26'31" W, departing said north right-of-way line, along and with the east line of said called 78.146 acre tract, same being the west line of called 68.146 acre tract, a distance of 2048.18 feet to a found ½" iron rod on the south line of said remainder of 188.68 acres and to the POINT OF BEGINNING of the herein described tract;

THENCE: S 59°43'43" W, along and with the south line of said remainder of 188.68 acres, same being the north line of said called 78.146 acre tract, a distance of 1676.34 feet to a found ½" iron rod at the northwest corner of said called 78.146 acre tract, same being the northeast corner of a called 144 acre tract, conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, and in deed recorded in Volume 13921, Page 132, of the Official Public Records;

THENCE: S 59°31'01" W, along and with the south line of said remainder of 188.68 acres, same being the north line of said called 144 acre tract, a distance of 1485.72 feet to an iron fence post at the southwest corner of said called 188.68 acres, same being the southeast corner of a called 17.27 acre tract conveyed to Daniel O. Corrigan, in deed recorded in Volume 15676, Page 2488 of said Official Public Records;

THENCE: Along and with the east line of said called 17.27 acre tract, same being west line of said remainder of a 188.68 acre tract, the following bearings and distances:

N 31°26'12" W, a distance of 1084.60 feet to a fence post;

N 73°14'37" W, a distance of 373.67 feet to a fence post;

S 81°06'40" W, a distance of 329.41 feet to a fence post at the southwest corner of said called 188.68 acre tract and northwest corner of said 17.27 acre tract, both lying on the east line of Lot 17, conveyed to Thomas H. Williams in deed recorded in Volume 10847, Page 1809, of said Official Public Records;

THENCE: N 30°17'07" W, along and with the west line of said called 188.68 acre tract and the east lines of said Lot 17, east line of Lot 19, conveyed to Anthony Heyden in deed recorded in Volume 17890, Page 2269 of said Official Public Records and the east line of Lot 20A, Lot 20B, and Lot 20C conveyed to Rachel Escobedo recorded in Volume 15465, Page 1129 of said Official Public Records, a distance of 789.47 feet to an iron fence post at the northwest corner of said called 188.68 acre tract, the east line of Lot 20A, Lot 20B, and Lot 20C, and the southwest corner of a 10.126 acre tract conveyed to Krickhahn ETC. Enterprises, LLC, in deed recorded in Volume 11319, Page 762 of said Official Public Records;

THENCE: N 59°30'44" E, along and with the north line of said remainder of a 188.68 acre tract, same being the south line of said 10.126 acre tract, a common line, a distance of 3167.68 feet to a found ½" iron rod at the northeast corner of said remainder of 188.68 acres, on the west line of a 42.116 acre tract, conveyed to Alvin Krueger Melvin, in deed recorded in Volume 16034, Page 1089, of said Official Public Records;

THENCE: S 32°16'11" E, along and with said west line, a distance of 20.32 feet to a found ½" iron rod with an aluminum cap at the northeast corner of a remainder of 5.767 acre tract, conveyed to Betty Jean Wiederstein, recorded in Volume 17890, Page 2269, and in Volume 5261, Page 231, both of said Official Public Records;

THENCE: S 56°09'27" W, along and with the north line of said remainder of 5.767 acres, a distance of feet, to a point at the northeast corner of a 1.393 acre tract conveyed to Hoover Edwards, in deed recorded in Volume 8227, Page 351, of said Official Public Records, for a total distance of 278.34 feet to a found ½" iron rod at the northwest corner of said 1.393 acre tract;

THENCE: S 29°23'13" E, along and with an east line of said called 188.68 acre tract and the west line of said 1.393 acre tract, a distance of 321.87 feet to a found ½" iron rod at the southwest corner of said 1.393 acre tract, same being an interior corner of said remainder of 5.767 acre tract;



THENCE: S 29°25'41" E, along and with the east line of said remainder of 5.767 acre tract, a distance of 346.13 feet to a found ½" iron rod;

THENCE: N 65°12'00" E, along and with a north line of said called 188.68 acre tract, the south line of said remainder of 5.767 acre tract, a distance of 572.69 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at a north corner of said called 188.68 acre tract, the southeast corner of said remainder of a 5.767 acre tract, on the southwest line of said 42.116 acre tract;

THENCE: S 68°03'04" E, along and with said southwest line, a distance of 183.77 feet to a found ½" iron rod at the southwest corner of said 42.116 acre tract, same being a northwest corner of Tract "B", conveyed to Ruth E. Martin in deed recorded in Volume 16034, Page 1089 of said Official Public Records;

THENCE: S 51°58'59" E, along and with the east line of said called 188.68 acre tract the west line of said Tract "B", a distance of 1473.61 feet to a found ½" iron rod on the north line of said called 68.146 acre tract;

THENCE: S 59°49'51" W, along and with said north line, a distance of 362.56 feet to the POINT OF BEGINNING and containing 165.410 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: May 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 165.423AC.docx





METES AND BOUNDS DESCRIPTION  
FOR TRACT 1

A 43.104 acre, or 1,877,611 square feet more or less, tract of land out of that all of that called 53.28 acre tract conveyed to Kneupper Bryson Properties LTD., in deed recorded in Volume 17909, Page 62 of the Official Public Records of Bexar County, Texas, out of the J. Diaz Survey No. 66, Abstract No. 187, in County Block 5059, of Bexar County, Texas. Said 43.104 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north right-of-way line of Trainer Hale Road, an 80-foot public right-of-way, and at the southeast corner of said called 53.28 acre tract, same being the southwest corner of a remainder of 9.966 acre tract, conveyed to Gerald and Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records;

THENCE: S 59°45'45" W, along and with said north right-of-way line, same being the south line of said called 53.28 acre tract, a distance of 1186.70 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: Departing said north right-of-way line, over and across said called 53.28 acre tract the following bearings and distances:

N 43°21'39" W, a distance of 264.15 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 69°32'59" W, a distance of 75.10 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 88°57'21" W, a distance of 166.79 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 54°32'02" W, a distance of 92.58 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 59°48'04" W, a distance of 848.36 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the west line of said called 53.28 acre tract, same being, same being the southeast line of a 8.300 acre tract conveyed to Gary Obearle indeed recorded in Volume 4154, Page 516 of said Official Public Records;

THENCE: N 30°27'18" W, along and with said common line, a distance of 217.59 feet to the northeast corner of said 8.300 acre tract, same being the southeast corner of a 10.013 acre tract conveyed to Michael McCoy in deed recorded in Document No. 20190008091 of said Official Public Records, a distance of 532.09 feet to a found ½" iron rod at the northeast corner of said 10.013 acre tract, on the south line of a called 144 acre tract, conveyed to Brycap Commercial Properties, LLC, in deed recorded in Volume 13921, Page 157, and Volume 13921, Page 132, both of said Official Public Records;

THENCE: Along and with the north line of said called 53.28 acre tract, same being the south line of said called 144 acre tract, the following bearings and distances:

N 60°39'30" E, a distance of 190.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 47°28'40" E, a distance of 73.91 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 30°43'11" E, a distance of 331.94 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 58°09'40" E, a distance of 113.89 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 73°30'20" E, a distance of 440.97 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 19°46'14" E, a distance of 119.14 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 68°52'10" E, a distance of 80.64 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 53°07'49" E, a distance of 163.88 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

N 29°11'54" W, a distance of 147.22 feet to a found 2" iron pipe;

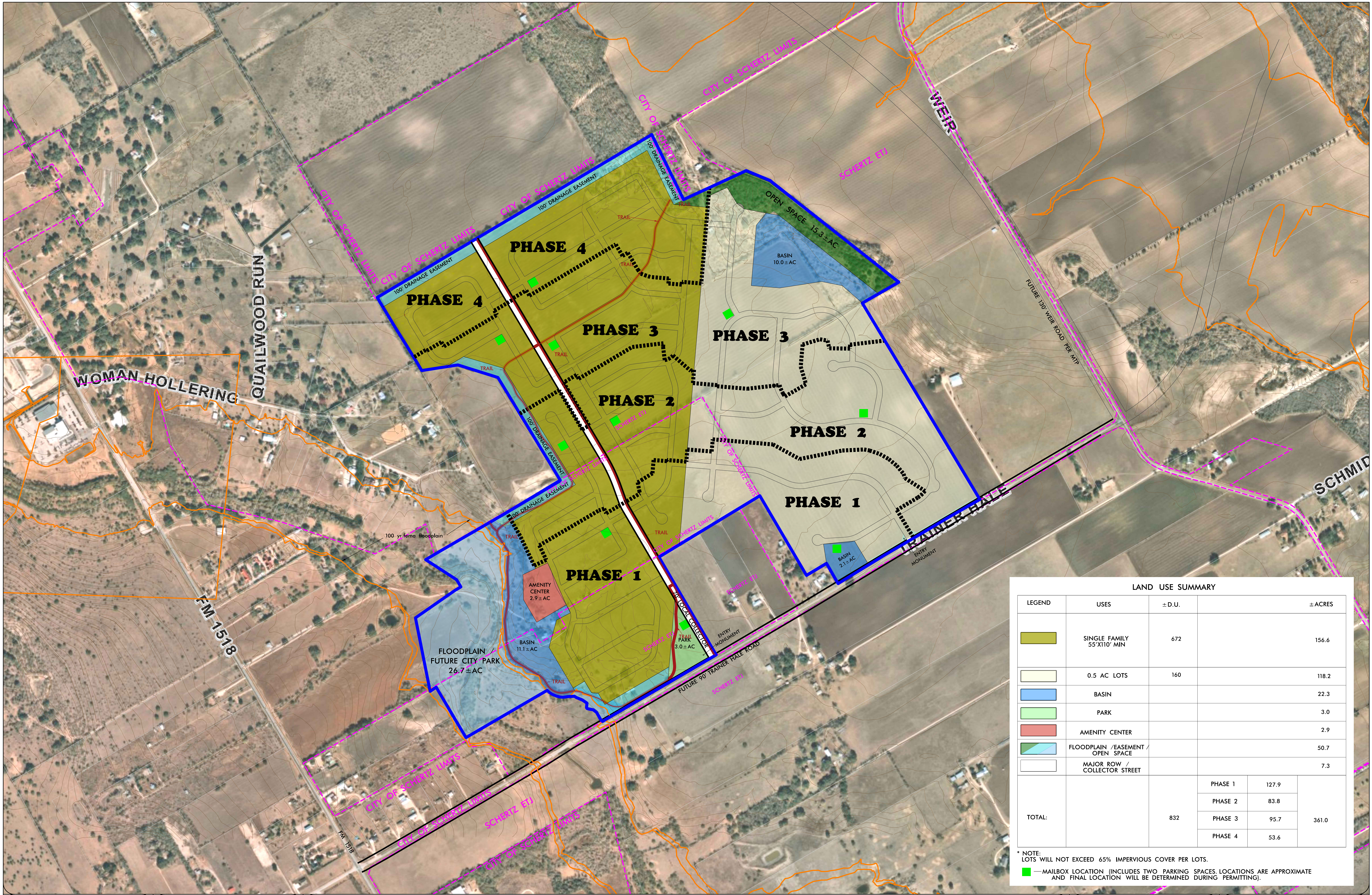
N 59°39'37" E, a distance of 1064.20 feet to a found ½" iron rod at the northeast corner of said 53.28 acre tract, same being the northwest corner of a remainder of a 9.966 acre tract, conveyed to Gerald and Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records;

THENCE: S 30°24'03" E, along and with the east line of said 53.28 acre tract, same being the west line of said remainder of 9.966 acre tract, a distance of 1025.60 feet to the POINT OF BEGINNING and containing 43.104 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 30037-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: May 2022  
JOB NO. 30037-00  
DOC. ID. N:\CIVIL\30037-00\Word\30037-00 FN 43.104AC.docx







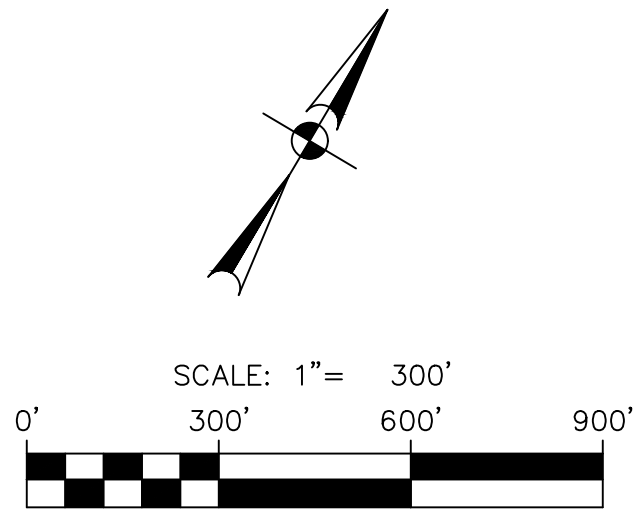
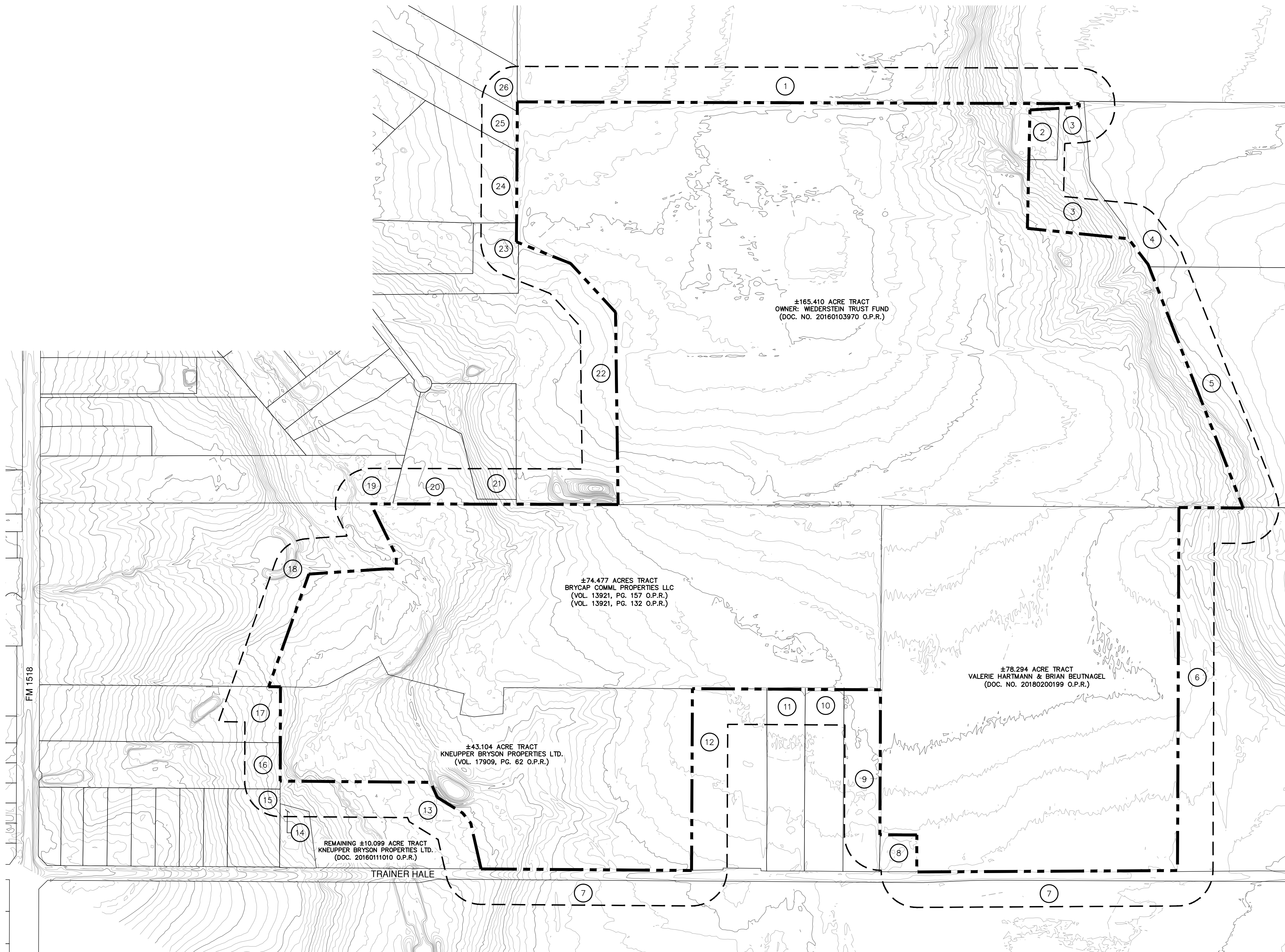
LAND USE SUMMARY					
LEGEND	USES	± D.U.	± ACRES		
	SINGLE FAMILY 55'X110' MIN	672	156.6		
	0.5 AC LOTS	160	118.2		
	BASIN		22.3		
	PARK		3.0		
	AMENITY CENTER		2.9		
	FLOODPLAIN /EASEMENT / OPEN SPACE		50.7		
	MAJOR ROW / COLLECTOR STREET		7.3		
TOTAL:	832		PHASE 1	127.9	361.0
			PHASE 2	83.8	
			PHASE 3	95.7	
			PHASE 4	53.6	

\* NOTE:  
LOTS WILL NOT EXCEED 65% IMPERVIOUS COVER PER LOTS.  
 — MAILBOX LOCATION (INCLUDES TWO PARKING SPACES. LOCATIONS ARE APPROXIMATE AND FINAL LOCATION WILL BE DETERMINED DURING PERMITTING).



Date: May 17, 2023 11:35am User: JD: hmrack41  
File: P:\300\37\NOI\Design\Exhibits\220517-ZONING EXHIBIT.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL. AERIAL IMAGERY PROVIDED BY GOOGLE/UNLESS OTHERWISE NOTED. Imagery © 2016,CAPOODigital Globe,Texas Orthoregistry Program, USDA Farm Service Agency.



LEGEND:

- UNIT BOUNDARY
- 200' NOTIFICATION BOUNDARY
- PROPERTY IN 200' NOTIFICATION AREA (SEE TABLE FOR DETAILS)
- EXISTING CONTOURS

PROPERTIES IN 200' NOTIFICATION AREA					
	PROPERTY ID	OWNER NAME + ADDRESS	PROPERTY USE	CITY JURISDICTION + ZONING	SUBDIVISION AND/OR RECORDING INFO.
1	310045	KRICKHAHN ETC ENTERPRISES LLC, 449 STEARMAN LN, MARION, TX, 78124.	LAND	SHERTZ - PRE	UNPLATTED (DOC. 20050073324)
2	310051	EDWARDS HOOVER, PO BOX 41, CIBOLO, TX, 78108.	RURAL	SHERTZ - PRE	UNPLATTED (VOL. 8227, PG. 351, OPR)
3	310054	WIEDERSTEIN BETTY JEAN, 9275 WEIR RD, SCHERTZ, TX, 78108.	LAND	SHERTZ - PRE	UNPLATTED (DOC. 20160103970)
4	310048	KRUEGER MELVIN ALVIN, 334 PRIVATE ROAD 5936 YANTIS, TX, 75497.	LAND	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20130066514)
5	1190132	MARTIN RUTH E, 3051 HAECKERVILLE RD CIBOLO, TX, 78108.	LAND	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20130066514)
6	310059	LUENSMANN CHARLES O, 8447 TRAINER HALE RD SCHERTZ, TX, 78154.	LAND	SHERTZ ETJ - DVL	UNPLATTED (VOL. 10175, PG. 534, OPR)
7	339274	LUENSMANN HENRRY W FAMILY TR, LUENSMANN HELEN S, 8745 TRAINER HALE RD SCHERTZ, TX, 78154.	LAND	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20080030399 & 20080003040)
8	310056	WRIGHT ROBERT L & DEBORAH K, 8712 TRAINER HALE RD SCHERTZ, TX, 78154.	RURAL	SHERTZ - PRE	UNPLATTED (DOC. 20150155533)
9	1013797	BRYSON KNEUPPER PROPERTIES, 1601 EASY ST, AUSTIN, TX, 78746.	RURAL	SHERTZ - PRE	UNPLATTED (DOC. 20050089484)
10	1013798	BARR JAMES W JR & SHARON, 8758 TRAINER HALE RD, SCHERTZ, TX, 78154.	RURAL	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20040205732)
11	310222	BARR JAMES W JR & SHARON, 8758 TRAINER HALE RD, SCHERTZ, TX, 78154.	RURAL	SHERTZ ETJ - DVL	UNPLATTED
12	310225	VRANA GERALD WAYNE & DIANA KELLY, 8770 TRAINER HALE RD, SCHERTZ, TX, 78154.	RURAL	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20180028404)
13	310121	KNEUPPER BRYSON PROPERTIES LTD, 1601 EASY ST, AUSTIN, TX, 78746.	LAND	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20160111010)
14	310067	STREMPER TYLER R, 9010 TRAINER HALE RD, SCHERTZ, TX, 78154.	RURAL	SHERTZ - PRE	UNPLATTED (DOC. 20200312366)
15	310241	JERNIGAN TIFFANY L, 9034 TRAINER HALE RD, SCHERTZ, TX, 78154.	RURAL	SHERTZ - PRE	LOT 9, CB 5059; TRAINER HALE SUBDIVSION (VOL. 9545, PG. 20)
16	310070	WELCH GEORGE M, 122 RIVER RD, SCHERTZ, TX, 78154.	INDUSTRIAL/ RES	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20210267814)
17	310064	MCCOY MICHAEL A, 7668 E FM 1518 N, SCHERTZ, TX, 78154.	RURAL	SHERTZ ETJ - DVL	UNPLATTED (DOC. 20190008091)
18	310061	BRYCAP COMMIL PROPERTIES LLC, 1601 EASY ST, AUSTIN, TX, 78746.	LAND	SHERTZ - PRE	UNPLATTED (DOC. 20090056951)
19	310152	MARTINEZ MARK L & MARTINEZ ELADIO, 7840 E FM 1518 N, SCHERTZ, TX, 78154.	RURAL	SHERTZ - PRE	UNPLATTED (DOC. 20150198564)
20	310169	SWEET PHILIP, 12870 WOMAN HOLLERING RD, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED (DOC. 20160134658)
21	1252033	HEGLER RYAN P, 12881 WOMAN HOLLERING RD, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED
22	310175	CORRIGAN DANIEL O & CHRISTIN M, 12839 WOMAN HOLLERING RD, SCHERTZ, TX, 78154.	SINGLE FAMILY	OCL	UNPLATTED (DOC. 20110199838)
23	310174	WILLIAMS THOMAS H, PO BOX 127, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED (VOL. 10847, PG. 1809, OPR)
24	310180	VANDER HEYDEN ANTHONY B & SUSAN P, 12737 WOMAN HOLLERING RD, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED (VOL. 6501, PG. 630, OPR)
25	310189	ESCOBEDO RACHAEL, 8646 QUAILWOOD RUN, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED (DOC. 20120078512)
26	310190	CARDENAS JESUS PADILLA & TRUJILLO MARIANA, 8730 QUAILWOOD RUN, SCHERTZ, TX, 78154.	RURAL	OCL	UNPLATTED (DOC. 20210310535)



---

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLPDD20220079**

COMMENTS: \_\_\_\_\_

NAME: Philip Sweet SIGNATURE Philip Sweet  
(PLEASE PRINT)

STREET ADDRESS: 12870 WOMANTOLLERING RD SCHERTZ

DATE: 6-14-22

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **PLPDD20220079**

COMMENTS: \_\_\_\_\_

NAME: Ruth E. Martin SIGNATURE Ruth E Martin  
(PLEASE PRINT)

STREET ADDRESS: 3051 Haskewille Rd, Lubbock TX 79108-4136

DATE: 15 June 2022 (Weir Rd 1190132)

## NOTICE OF PUBLIC HEARING

June 10, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, June 22, 2022, 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:

**PLPDD20220079**— A request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar 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 [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,

Megan Harrison  
Planner

## Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **PLPDD20220079**

COMMENTS: \_\_\_\_\_

NAME: Bryan Bryson (PLEASE PRINT) SIGNATURE Bryan BrysonSTREET ADDRESS: 8850 Trainer HaleDATE: 6/15/22

NOTICE OF PUBLIC HEARING

June 10, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, June 22, 2022, 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:

**PLPDD20220079**— A request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar 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 [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,



Megan Harrison  
Planner

---

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **PLPDD20220079**

COMMENTS: \_\_\_\_\_

NAME: Caprice Fredrickson SIGNATURE:   
(PLEASE PRINT)

STREET ADDRESS: 2820 FM 1518

DATE: 6/15/22



NOTICE OF PUBLIC HEARING

June 10, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, June 22, 2022, 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:

**PLPDD20220079**— A request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar 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 [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,

Megan Harrison  
Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for PLPDD20220079

COMMENTS: I am signing on behalf of my father Ray Joy Wiederstein who is deceased & I am the executor.

NAME: Rebecca Robertson SIGNATURE Rebecca Robertson  
(PLEASE PRINT)

STREET ADDRESS: 9275 Weir Road, Cibola, TX 78108

DATE: 14 June 2022

NOTICE OF PUBLIC HEARING

June 10, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, June 22, 2022, 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:

**PLPDD20220079**– A request to rezone approximately 362 acres of land to Planned Development District (PDD), generally located 6,050 feet east from the intersection of Trainer Hale Road and FM 1518 also known as Bexar County Property Identification Numbers, 310053, 310060, 310061 and 310121, Bexar 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 [mharrison@schertz.com](mailto:mharrison@schertz.com). If you have any questions please feel free to call Megan Harrison, Planner directly at (210) 619-1781.

Sincerely,



Megan Harrison  
Planner

---

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for PLPDD20220079

COMMENTS: I am signing on behalf of my mother Betty Jean Wiederstein who is deceased + I am the executor.

NAME: Rebecca Robertson SIGNATURE: Rebecca Robertson  
(PLEASE PRINT)

STREET ADDRESS: 9275 Weir Road, Cibola, TX 78108

DATE: 14 June 2022