



**MEETING AGENDA**  
**City Council**  
**REGULAR SESSION CITY COUNCIL**  
**July 12, 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 12, 2022 at 6:00 p.m.**

**City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, July 12, 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 Dahle)**

**Presentations**

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

**City Events and Announcements**

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

**Hearing of Residents**

*This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.*

***All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may***

*be requested to leave the meeting.*

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

## **Consent Agenda Items**

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of July 5, 2022. (B. Dennis)
2. **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. ***Final Reading*** (M. Browne/B. Dennis/S. Edmondson)
3. **Resolution No. 22-R-72** - 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 Interlocal Agreement for EMS billing services with the City of Alamo Heights, and other matters in connection therewith. (C. Kelm/J. Mabbitt)

## **Discussion and Action Items**

4. **City Council Liaison Appointments** - Discussion and possible action regarding various City Council Liaison Appointments to the City of Schertz Boards, Commissions and Committees. (Mayor/Council/B. Dennis)

## **Public Hearings**

5. **Resolution No. 22-R-70** - Conduct a public hearing and consideration and/or action approving a Resolution of the City of Schertz Texas Authorizing the Approval of Development Agreements with Wiederstein Trust Fund, Brian Beutnagel and Valerie Hartmann, for approximately 124 acres of land to install on-site sewage facilities and other matters in connection therewith. (B. James/L. Wood/M. Harrison)
6. **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)



7. **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**

## **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 8th DAY OF JULY 2022 AT 2:30 P.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 12, 2022  
**Department:** City Secretary  
**Subject:** Minutes – Consideration and/or action regarding the approval of the minutes of the meeting of July 5, 2022. (B. Dennis)

---

**BACKGROUND**

The City Council held a Regular City Council meeting on July 5, 2022.

**RECOMMENDATION**

Recommend Approval.

---

**Attachments**

7-5-2022 Draft min

---

# DRAFT

## MINUTES REGULAR MEETING July 5, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on July 5, 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 Jill Whittaker; Councilmember Michael Dahle; Councilmember Allison Heyward; Councilmember Tim Brown

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 p.m.

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

Mayor Gutierrez recognized Councilmember Jill Whittaker who provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

### **Employee Recognition - Introduce New Employees**

Department Heads introduced their new employees to the City Council.

- 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)

Mayor Gutierrez recognized Senior Planner Emily Delgado who provided a brief PowerPoint with live demonstration on the features of the new CityView software. She stated CityView is a land use management software which will help automate business processes such as planning projects, permitting, inspections, contractors' registrations and code enforcement. The new software will allow citizens, applicants and contractors to sign up and/or register to use an interactive web portal to submit, pay, request, and track their projects, permits and inspections, planning applications, and code enforcement complaints online.

Departments involved: Planning and Community Development including all three divisions (Planning, Building Permits and Inspections, and Neighborhood Services), Engineering Department, Public Works Department, Fire Department, Parks Department, IT and GIS.

### **CityView Components**

CityView consists of three separate applications:

- Portal: Utilized by residents and customers to submit, receive updates and comments, and pay fees for applications, permits, and code enforcement complaints
- Workspace: Utilized by City Staff to complete reviews of the applications submitted, process applications and permits
- Mobile: Utilized by Field Staff, ie. Inspectors to complete inspections in the field

CityView Portal is accessible from the City of Schertz Website, CityView Workspace is utilized by City Staff to complete their day-to-day work assignments, and CityView Mobile is utilized by field staff to complete their inspections.

Ms. Delgado provided stats since GoLive on May 16th. Key take aways since GoLive:

- Prior to CityView Building Permits was utilizing multiple different software programs (Incode, WebQA, Sharepoint, Planner). Now Permits and Inspections is utilizing only CityView which has decreased the processing and intake time of permits.
- By only needing one software system it is providing staff more time to assist customers at the counter and on the phone. This is not unique just to Building Permits, other departments such as Planning, Engineering, Fire, and Public Works have also eliminated other software programs they were using.
- CityView offers transparency for the residents and customers that was not previously available.
- CityView's reporting capabilities provides staff the ability to quickly

see workload, current status, next steps, revenue, etc. Previously, it was much more difficult and not as encompassing.

Ms. Delgado opened it up for questions and comments from Council. Mayor and Council provided their comments on how useful this software will make it for all involved to be able to track their projects, permits and inspections, planning applications, and code enforcement complaints online.

## **City Events and Announcements**

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

Mayor Gutierrez recognized Assistant City Manager Brian James who provided the following announcements:

### **Thursday, July 7**

**Taco Palenque - City of Schertz Ribbon Cutting Ceremony** 12 Noon, 17605 I-35 N

**Celebrating Parks & Rec Month Pupsicle Party** 6:00 – 8:00 PM, Schertz Dog Park, 940 Community Circle

### **Saturday, July 9**

**Nature Discovery Series Discover Clues & Traces** 10:00 – 11:00 AM, Crescent Bend Nature Park

### **Tuesday, July 12**

**Next regular scheduled Council meeting**, 6:00 PM, Council Chambers

**Thursday, July 14 NEP**, 11:30 AM, Olympia Hills Golf and Conference Center  
Please RSVP to the City Secretary's office.

### **Election Information**

Filing for place on the November 8, 2022 ballot for the City of Schertz Joint General Election to elect a Mayor and Councilmembers in Place 1 and 2 for a three-year term from November 2022 and ending November 2025 **begins July 25 and ends August 22, 2022 at 5:00 PM**. Candidate packets are available online on the city's website and can also be obtained in the City Secretary's office, 1400 Schertz Parkway, Building #2.

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

City Manager Dr. Mark Browne thanked all the employees who helped with the 4th of July Jubilee event. It was a fantastic success, and he really appreciated everyone's efforts. Led by Lauren Shrum and her team, everything went really well from the parade in the morning to the carnival and other activities in the afternoon and then the music and fireworks that evening.

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

Mayor Gutierrez also expressed his thanks to all staff involved in the success of the 4th of Jubilee event.

## Hearing of Residents

*This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.*

***All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.***

Mayor Gutierrez recognized the following who spoke:

- Ms. Maggie Titterington, 1730 Schertz Parkway, provided the following information:

Great 4th of July and many thanks to the staff for all their hard work. As a resident, I so appreciate the celebration.

July 19th is our monthly Chamber Luncheon featuring the graduation of our Leadership CORE class. Jay Johnson will be our guest keynote speaker.

July 29th is our Summer Smoothie Celebration at Tropical Smoothie from 7:30am to 9:00am. This takes the place of our "Coffee at The Chamber" events through the summer months. Free smoothies and breakfast goodies are available, so come out.

CityView is fantastic, and she would like to see if we can do a presentation to their members.

The Chamber took first place for Best Directory at the Texas Chamber of Commerce Executives Conference last week. They also placed in the Top 10 of the San Antonio Business Journals List of Top Chambers of Commerce in the area.

- Mr. Daniel Jameson, 1048 Richmond Drive, commented on the great 4th July Jubilee event.
- Mr. Herman Harlohs, 11564 Ware Seguin Road, stated he had a situation happen a few weeks ago where an individual was going at a high rate of speed on his street and lost control and went through his fence. Issue why they lost control is the road condition around the 11520 location there is a dip and a bump and a dip, those that live in the area drive around on the other lane to avoid it, also at the 12630 location there is also a large dip. At these locations you can see skid marks where trailer hitches have hit the holes and left marks, some neighbors have indicated the dips are so sever that it hits their oil pans because they are bottoming out. Wanting to know if someone from Public Works can come out to improve those areas, he also mentioned the reflectors

that the contractor put in when they improved that road need to be replaced as well as no stripping visible. He stated that the old portion of Ware Seguin needs new signage. City Manager Dr. Mark Browne asked Assistant City Manager Charles Kelm to speak to Mr. Harlohs.

- Mr. Nick Sherman, 653 Padova, Cibolo, is on the Board of Directors with the Green Valley SUD and was here tonight on his own behalf. Green Valley has had an unexpected Board vacancy in their Presidency, and the Vice President automatically ascends to the Presidency, the remaining Board Members will appoint a replacement director. They have an agenda posted with instructions on how to apply and any resident of Schertz that has Green Valley services are eligible to put in their name for appointment. The date of July 14th has been set to consider appointments, anyone interested, please go to their website where instructions are listed there - email your information to Mr. Pat Allen, General Manager at [patallen@Gvsud.org](mailto:patallen@Gvsud.org) and your name will be added to the list of applicants.

Second point of business is that he lives in the area of Old Weiderstein Road and greatly appreciates the City doing improvements to the roadway. Public works did a great job.

## 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 1-3 into record. Mayor Pro-Tem Scagliola read the following Consent Agenda Items 4-6 into record.

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)

Mayor Gutierrez ask 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 1-6.

Moved by Councilmember Tim Brown, seconded by Councilmember Jill Whittaker to approve Consent Agenda Items 1-6.

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

Passed

## **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)

Mayor Gutierrez read the following into record:

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

**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)**

Mayor Gutierrez recognized City Secretary Brenda Dennis who introduced this item stating a few meetings back Council discussed and concurred to have City Council Liaisons appointed to the various City of Schertz Boards, Commissions and Committees and set up guidelines. Ms. Dennis stated that this Ordinance amends the Council's Rules of Conduct and Procedures to include the appointment procedures under Article 5 adding Section 5.3 - Appointment procedures for City Council Liaison Positions. The following was reviewed:

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. They are to facilitate communications between the City Council and their assigned Board, Commission, or Committee.
- g. 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.
- h. Council reserves the right to alter this procedure at any time by resolution or rule.

Ms. Dennis addressed question from Mayor Pro-Tem Scagliola regarding (d) regarding removal by Council by a two-thirds vote and was that correct. Ms. Dennis stated that she would look into it and make sure it was correct. As there were no more questions, Mayor Gutierrez call for a motion.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem David Scagliola to approve Ordinance No. 22-M-29 on first reading.

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

Passed

## 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)

Mayor Gutierrez read the following into record:

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

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 287 ACRES OF LAND LOCATED 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.**

Mayor Gutierrez recognized City Planner Megan Harrison who presented a PowerPoint presentation 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.

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 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).

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 on Ordinance 22-S-27.

Mayor Gutierrez opened the Public Hearing, as no one spoke, closed the Public Hearing for Council comments. There were no comments from Council.

No action taken.

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)

Mayor Gutierrez read the following into record:

**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.**

Mayor Gutierrez recognized City Planner Megan Harrison who presented a PowerPoint presentation on the 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.

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'.

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 from the current: 32 square feet per sign face to the proposed 200 square feet per sign face and from the current: 1 Primary Entry Sign and 1 Second Entry Sign which is 75% of the Primary to the proposed 2 Primary Entry Signs (no secondary) both of which would be located on Trainer Hale Road.

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 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 22-S-27. Since the annexation of the property cannot proceed until proper noticing is completed, the zone change required Ordinance 22-S-28 also cannot proceed forward with an action/motion.

Mayor Gutierrez opened the Public Hearing, and as no one spoke, Mayor Gutierrez closed the Public Hearing for Council Comments.

Councilmember Jill Whittaker liked that the developer is going to have 1/2 acre lots, however with the applicant only putting in 55 feet wide lots, it does not meet the discussion where the developer stated their intentions would be to have mixed lot sizes. She would like it written into the PDD that there will be mixed lot sizes.

Assistant City Manager Brian James explained that he understands what Councilmember Whittaker is saying, however the "mixed lot sizes" need to be determined by Council. Technically there could be a "foot" added, and it would change the lot of size (from 55 feet), so having Council determine what "other lot sizes" (60,65,70 feet) that would be acceptable would help Staff explain it to developers.

Councilmember Dahle stated he agrees with what Councilmember Whittaker said, and would like to see another "tier level" of lot sizes added.

Council had questions about the request for a sign size change. City Planner Megan Harrison stated she would have the developer bring a conceptual drawing to see what they are proposing.

No action taken.

### **Roll Call Vote Confirmation**

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided a roll call vote confirmation for Consent Agenda Items 1-6, 7. Items 8 and 9, no action taken.

### **Closed Session**

Mayor Gutierrez read the following into record:

- 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.

Mayor Gutierrez recessed the Regular Meeting at 7:14 p.m.

### **Reconvene into Regular Session**

Mayor Gutierrez reconvened into Regular Session at 8:56 p.m.

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

Mayor Gutierrez stated the Closed Session for Agenda Item 10 started at 7:19 pm and was closed at 7:26 pm.

No action was taken.

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

Mayor Gutierrez stated the Closed Session for Agenda Item 11 started at 7:32 pm and closed at 8:21 pm.

No action was taken.

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

Mayor Gutierrez stated that the Closed Session for Agenda Item 12 started at 8:22 pm and ended at 8:49 pm.

No action was taken.

### **Roll Call Vote Confirmation**

No roll call vote needed, no action was taken.

## Requests and Announcements

- Announcements by the City Manager.

None at this time

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

None at this time.

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

Mayor Pro-Tem Scagliola would like to have discussion or find a way or process for a resident to get information, help, or assistance or possible services that are not city related. City Manager Dr. Browne stated he would meet with Mayor Pro-Tem Scagliola to get some specifics on his request.

Councilmember Davis asked for an update on the delayed annexations. Assistant City Manager Brian James stated he would get that information for Council.

Councilmember Heyward would like to be part of the discussion with City Manager Dr. Browne and Mayor Pro-Tem Scagliola about assisting residents with non-city related information. There is some information Councilmember Heyward would like to include.

- Announcements by Mayor and Councilmembers.

Mayor Pro-Tem Scagliola attended the 4th of July Jubilee and participated in the parade. He had a great time and thanked all who were involved.

Councilmember Mark Davis attended the 4th of July Jubilee and thanked staff for their effort on the Jubilee.

Councilmember Jill Whittaker attended the 4th of July Jubilee and stated the parade was great. She attended the carnival, bands and fireworks and enjoyed it all. She thanked Parks and Rec and all the departments who were out there supporting the Jubilee.

Councilmember Dahle attended the Chamber's Tropical Smoothie event and the 4th of July Jubilee. He congratulated the staff who put in a lot of effort and extra hours to provide a wonderful Jubilee.

Councilmember Allison Heyward attended the CRASE/Stop the Bleed Class on June 25th, 2022. It was great class. She also attended a Chamber ribbon cutting ceremony in Cibolo. Ms. Heyward also attended the 4th of July Jubilee and had a great time.

Councilmember Tim Brown thanked the staff and volunteers for a wonderful Jubilee.

## **Adjournment**

Mayor Gutierrez adjourned the meeting at 9:03 pm.

ATTEST:

---

Ralph Gutierrez, Mayor

---

Brenda Dennis, City Secretary



**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 12, 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. *Final Reading* (M. Browne/B. Dennis/S. Edmondson)

---

**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.

City Council approved this on first reading at their meeting on July 5, 2022.

**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 Final 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 Final Reading.

---

**Attachments**

Ordinance 22-M-29  
Amended Council Rules of Conduct/Procedure

---

## **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 5. 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. They are to facilitate communications between the City Council and their assigned Board, Commission, or Committee.
- (g) 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
- (h) 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.

---

Mayor, Ralph Gutierrez

ATTEST:

---

City Secretary, Brenda Dennis

(Seal of City)

## **CITY OF SCHERTZ**

### **CITY COUNCIL**

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

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

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

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

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

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



## TABLE OF CONTENTS

### Page

#### ARTICLE 1. AUTHORITY

- 1.1 City Charter 1
- 1.2 Effective Date; Amendment 1

#### ARTICLE 2. GENERAL RULES

- 2.1 Meetings to be Public 1
- 2.2 Attendance 1
- 2.3 Minutes of Meetings 1
- 2.4 Questions to Contain One Subject 2
- 2.5 Right to the Floor 2
- 2.6 City Manager 2
- 2.7 City Attorney 2
- 2.8 City Secretary 2
- 2.9 Officers and Employees 2
- 2.10 Rules of Order 2
- 2.11 Suspension of Rules 2
- 2.12 Amendment to Rules 2
- 2.13 Matters Not Addressed by Rules 2

#### ARTICLE 3. TYPES OF MEETINGS

- 3.1 Regular Meetings 2
- 3.2 Special Meetings 2&3
- 3.3 Recessed Meetings 3
- 3.4 Adjourned Meetings 3
- 3.5 Closed Sessions 3
- 3.6 Emergency Meetings 3

#### ARTICLE 4. PRESIDING OFFICER AND DUTIES

- 4.1 Mayor 3
- 4.2 Call to Order 3
- 4.3 Preservation of Order 3
- 4.4 Rulings by Presiding Officer 3

## TABLE OF CONTENTS

(continued)

Page

4.5 Questions to be Stated 3

4.6 Substitution of Mayor 3

### ARTICLE 5. APPOINTMENT PROCEDURES

5.1 Appointment Procedure for the Mayor Pro Tem 4

5.2 Appointment Procedure for a Councilmember 4&5

5.3 Appointment Procedures for Councilmember Liaison positions to the City of Schertz  
Boards Commissions and Committees..... 5&6

### ARTICLE 6. ORDER OF BUSINESS

6.1 Agenda 5&6

6.2 Communication to Mayor and Council 6

6.3 Approval of Minutes 6

6.4 Presentations by Members of Council 6

6.5 Consent Agenda 6

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

7.1 Printed, Typewritten, or Electronic Form 6

7.2 City Manager Review 6

7.3 City Attorney to Approve 7

7.4 Funding 7

7.5 Reading of Caption Only 7

7.6 Ordinances—Two Readings; Emergencies 7

7.7 Recording of Votes 7

7.8 Vote Required 7

7.9 Tie Vote 7

7.10 Numbering Ordinances and Resolutions 7

7.11 Ordinance Passage Procedure 7

### ARTICLE 8 RULES OF DECORUM

8.1 Recognition by presiding officer 7



## TABLE OF CONTENTS

(continued)

### Page

8.2	Order	7
8.3	Presiding Officer	7&8
8.4	Improper References to be Avoided	8
8.5	Interruptions	8

### ARTICLE 9. MOTIONS AND MEETING PROCEDURES

9.1	Motions	8
9.2	Debate	8
9.3	Motion Procedures	8&9
9.4	Point of Privilege	9
9.5	Point of Procedure or Order	9
9.6	To Appeal a Ruling	9&10
9.7	To Recess	10
9.8	To Withdraw	10
9.9	To Postpone or Extend	10
9.10	To Refer	10
9.11	To Amend	10&11
9.12	To Limit or Close Debate or “Call the Question”	11
9.13	To Count the Vote	11
9.14	To Take Action or Reconsider an Action; Main Motions	11
9.15	To take action or Rescind motion	11
9.16	To Take Action; Main Motions	11&12
9.17	Effect of Abstentions.....	12

### ARTICLE 10. ENFORCEMENT OF DECORUM

10.1	Warning	12
10.2	Removal	12
10.3	Resisting Removal	12
10.4	Motions to Enforce	12
10.5	Adjournment	12&13

## TABLE OF CONTENTS

(continued)

**Page**

### ARTICLE 11.

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

- 11.1 Standing Committees 13
- 11.2 Special Committees 13

### ARTICLE 12.

#### CITIZENS' RIGHTS

- 12.1 Addressing the Council 13
- 12.2 Manner of Addressing the Council – Time Limit 13
- 12.3 Personal and Slandorous Remarks 13
- 12.4 Public Hearings 13&14
- 12.5 Written Communications 14
- 12.6 Hearing of Residents 14

### ARTICLE 13.

#### COUNCIL AND STAFF RELATIONS

- 13.1 City Manager to Provide Information 14
- 13.2 City Manager's Responses to Requests 14&15
- 13.3 Directions to City Manager 15
- 13.4 City Manager's Duty to Inform 15
- 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. They are to facilitate communications between the City Council and their assigned Board, Commission, or Committee.
- (g) 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

- (h) 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.

---

\*

\* 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.

---

\*\* 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

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 12, 2022  
**Department:** Emergency Medical Services  
**Subject:** Resolution No. 22-R-72 - 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 Interlocal Agreement for EMS billing services with the City of Alamo Heights, and other matters in connection therewith. (C. Kelm/J. Mabbitt)

---

**BACKGROUND**

In August of 2012, the EMS department was contacted by the Alamo Heights Fire Department regarding EMS Billing. Alamo Heights Fire Department provides EMS transport services for their City as well as the cities of Terrell Hills and Olmos Park. The City entered into a five-year agreement with the City of Alamo Heights to provide Billing Services and was renewed again on October 1, 2017.

This agreement expires on September 30, 2022. The EMS Department has been successful in providing Alamo Heights with Billing Services and there is interest by both city staff in continuing to provide billing services to the City of Alamo Heights.

**GOAL**

To provide EMS billing services to the City of Alamo Heights. This agreement will automatically renew after the initial one-year term for a total of three years expiring on September 30, 2025.

**COMMUNITY BENEFIT**

Providing EMS billing services will provide EMS with some additional revenue to allow continued services for the cities we serve.

**SUMMARY OF RECOMMENDED ACTION**

Staff recommends City Council authorize the City Manager to enter into an inter-local agreement with the City of Alamo Heights for the provision of EMS Billing Services.

**FISCAL IMPACT**

Based upon historical collections for Alamo Heights, this fiscal impact would equate to approximately \$25,000 annually. Being compensated on a percentage of collections provides an incentive to our billing staff as the more dollars we collect for Alamo Heights, the higher our compensation.

This billing fee would be collected every month based upon the collections of that month and is a source of additional revenue for the EMS Department.

**RECOMMENDATION**

Staff recommends approval of Resolution No. 22-R-72

---

**Attachments**



## RESOLUTION NO. 22-R-72

### **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT FOR EMS BILLING SERVICES WITH THE CITY OF ALAMO HEIGHTS, AND OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, the City staff of the City of Schertz (the "City") has recommended that the City enter into an interlocal agreement to provide EMS Billing Services for the City of Alamo Heights, a political subdivision of the State of Texas ("Alamo Heights"); and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with Alamo Heights pursuant to the Interlocal Agreement for EMS Billing Services attached hereto as Exhibit A (the "Agreement").

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 execute and deliver the Agreement with Alamo Heights in substantially the form set forth on Exhibit A.

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

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

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

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

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

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

PASSED AND ADOPTED, this 12th day of July, 2012.

CITY OF SCHERTZ, TEXAS

Mayor Gutierrez

ATTEST:

City Secretary

(CITY SEAL)

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 12, 2022  
**Department:** City Secretary  
**Subject:** City Council Liaison Appointments - Discussion and possible action regarding various City Council Liaison Appointments to the City of Schertz Boards, Commissions and Committees. (Mayor/Council/B. Dennis)

---

**BACKGROUND**

With the passage of Ordinance No: 22-M-29, Council will discuss the various Boards, Commissions and Committees Liaison openings and make assignments.

Below is a list of the various Boards, Commissions and Committees:

Animal Advisory Commission - Meets Quarterly on the 1st Wednesdays in February, May, August and November (Councilmember Heyward is the current Council Liaison)

EDC - Meets on the 4th Thursday of each month

Board Of Adjustments - Meets on an as needed basis

Building and Standards Commission - Meets on an as needed basis

Historical Preservation Committee - Meets quarterly on the 4th Thursday of the month, January, April, July and October

Library Advisory Board - Meets on the 1st Monday of each month

Parks & Recreation Advisory Board - Meets bi-monthly on the 4th Monday of the month

Planning & Zoning Commission - Meets on the 2nd and 4th Wednesdays of the month

Transportation Safety Advisory Commission - Meets on the 1st Thursday of the month

**GOAL**

To appoint Council Liaison positions to the various City Boards, Commissions and Committees

**COMMUNITY BENEFIT**

To provide communication and updates to the community and members of Council.

**SUMMARY OF RECOMMENDED ACTION**

N/A

**FISCAL IMPACT**



None

**RECOMMENDATION**

Staff recommends Council discuss the City Liaison positions and make assignments.

---

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 12, 2022  
**Department:** Planning & Community Development  
**Subject:** Resolution No. 22-R-70 - Conduct a public hearing and consideration and/or action approving a Resolution of the City of Schertz Texas Authorizing the Approval of Development Agreements with Wiederstein Trust Fund, Brian Beutnagel and Valerie Hartmann, for approximately 124 acres of land to install on-site sewage facilities and other matters in connection therewith. (B. James/L. Wood/M. Harrison)

---

**BACKGROUND**

The rezoning of the Sterling Grove went before the Planning and Zoning Commission meeting on June 22, 2022 where the applicant discussed with the Commission of having the half acre lots be on septic. For these lots to be on septic the applicant would have to submit a wavier that would be associated with the preliminary plat. The Commission spoke at length about the sewer for the proposed 160 half acre lots being with Green Valley Special Utility District (GVSUD) Certificates of Convenience & Necessity (CCN). Due to this portion of the property not being within the City of Schertz Certificates of Convenience & Necessity (CCN), they would be unable to tie into the proposed sewer that will serve the rest of the development and would be required to extend the GVSUD sewer line to this area as there is not currently sewer in place.

Given the discussion between the applicant and the Commission, the applicant felt that with the uncertainty of the waiver approval with the preliminary plat, the applicant has requested to enter into a development agreement with the City of Schertz.

**GOAL**

The goal of Resolution 22-R-70 is to allow the approximately 124 acres of land, proposed to be 160 half-acre lots, to install on-site sewage facilities.

**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**

Staff recommends that the City Council approve Resolution 22-R-70, allowing on-site sewage facilities for the 160 half-acre lots within the Sterling Grove Subdivision.

**FISCAL IMPACT**

There is no fiscal impact to the City of Schertz.

**RECOMMENDATION**

Staff recommends that the City Council approve Resolution 22-R-70, allowing on-site sewage facilities to be installed on the 160 half-acre lots.

---

---

### **Attachments**

Res. No. 22-R-70

Aerial Map

Res. No. 22-R-70 Development Agreements

Exhibit B: Outside CCN Exhibit

---

---

## **RESOLUTION NO. 22-R-70**

### **A RESOLUTION OF THE CITY COUNCIL OF SCHERTZ, TEXAS AUTHORIZING THE APPROVAL OF A DEVELOPMENT AGREEMENTS WITH WIEDERSTEIN TRUST FUND, BRIAN BEUTNAGEL AND VALERIE HARTMANN FOR APPROXIMATELY 124 ACRES OF LAND TO INSTALL ON-SITE SEWAGE FACILITIES AND OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the City staff of the City of Schertz (the “City”) has been approached by the applicant Wiederstein Trust Fund, Brian Beutnagel and Valerie Hartmann (“Owner(s)”) to enter into a Development Agreements to allow approximately 124 acres of land to install on-site sewage facilities.

**WHEREAS**, Texas Local Government Code Section 212.172 allows the City to enter into an agreement with an owner of land that is located in the extraterritorial jurisdiction of the municipality

**WHEREAS**, the exhibit B is attached illustrating the approximately 124 acres to be serviced by on-site sewage facilities; and,

**WHEREAS**, the City staff has recommended that the development agreement for on-site sewage facilities be accepted; and

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

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Development Agreements with Wiederstein Trust Fund, Brian Beutnagel and Valerie Hartmann (Owner(s)”) generally per the attached Exhibit A, subject to changes approved by the City Manager and City Attorney.

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 12<sup>h</sup> day of July, 2022.

CITY OF SCHERTZ, TEXAS

---

Ralph Gutierrez, Mayor

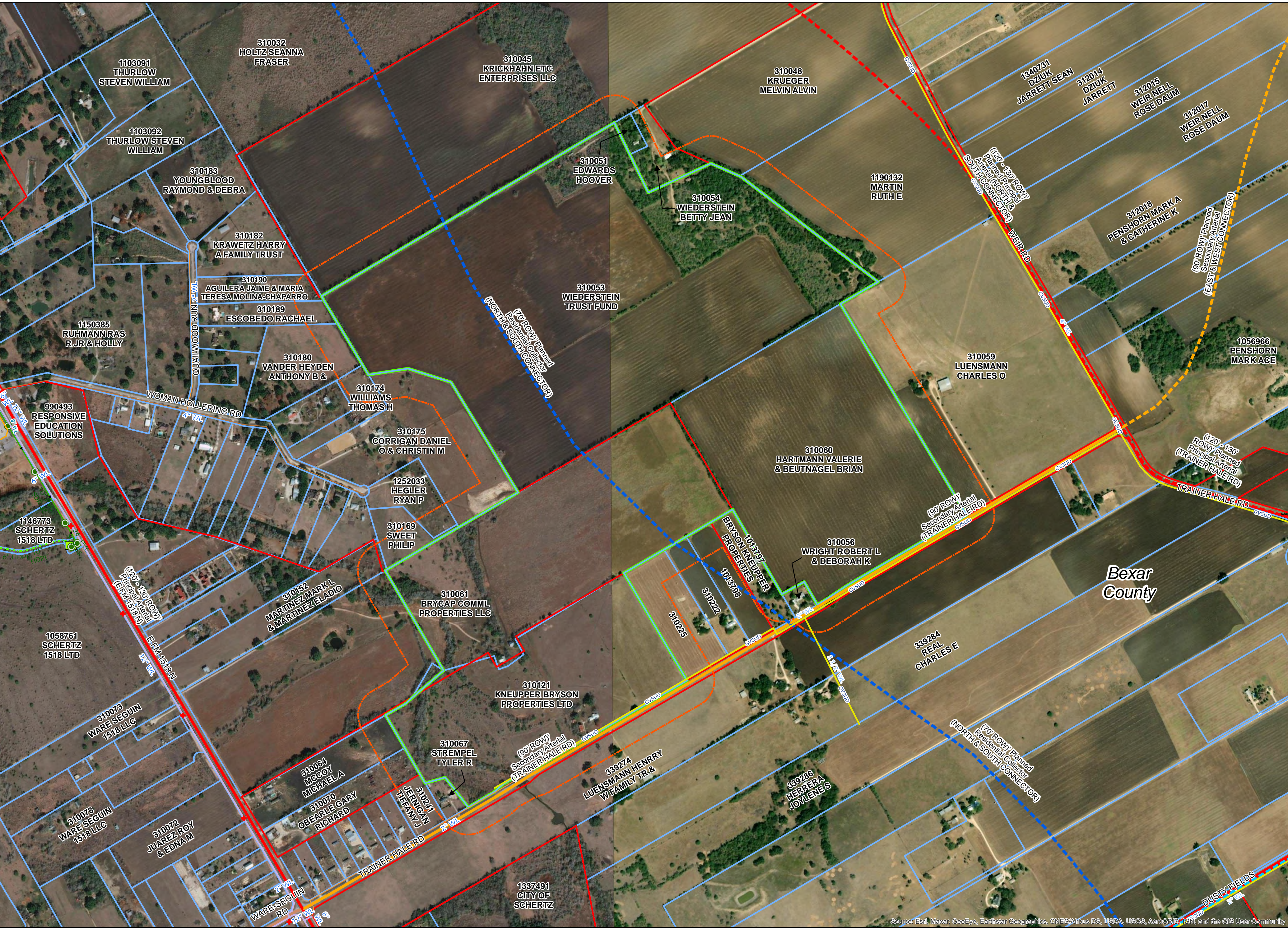
ATTEST:

---

City Secretary, Brenda Dennis

(CITY SEAL)





# SCHERTZ

COMMUNITY • SERVICE • OPPORTUNITY

## STERLING GROVE TRAINER HALE RD


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

1 Inch = 500 Feet

0 250 500 1,000 Feet



## **DEVELOPMENT AGREEMENT ADDENDUM**

This DEVELOPMENT AGREEMENT ADDENDUM (“Addendum”) is entered into effective as of the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Schertz, Texas, a Texas Municipal Corporation (“City”) and the Wiederstein Trust Fund (“Owner”). The City and the Owner may be individually referred to herein as “Party” or collectively as the “Parties”.

**WHEREAS**, the Owner owns approximately 165.410 acres located northwest of Trainer Hale Road within the City of Schertz Extraterritorial Jurisdiction (“Property”), as further described in **Exhibit “A”**; and

**WHEREAS**, on August 9, 2011 the City and the Owner entered into a Development Agreement (“2011 Agreement”) pursuant to Texas Local Government Code Sections 43.035(b)(1) and 212.172, and recorded as Document #20110157662 in the Official Public Records of Bexar County; and

**WHEREAS**, effective March 23, 2021, the 2011 Agreement was extended in Document #20210108026 of the Official Public Records of Bexar County (“Extension”), and it remains in full force and effect; and

**WHEREAS**, the Owner is under contract to sell the Property to a developer for the creation of a master-planned single-family residential community, including residential lots, street and utility improvements, community amenities, open space, and park space (the “Project”); and

**WHEREAS**, pursuant to the 2011 Agreement and the Extension (referred to herein individually, or collectively as the Development Agreement”), if development is planned for the Property, the Development Agreement shall serve as a voluntary annexation petition by the Owner; and

**WHEREAS**, based on the Project plans and the terms of the Development Agreement, the City has initiated annexation proceedings for the Property; and

**WHEREAS**, to promote consistent future planning and development of the Property, and in support of larger residential lots, the City is agreeable to approving on-site sewer facilities (“OSSF”) for single-family residential lots that are one-half acre or greater in size and located outside of the City’s sewer certificate of convenience and necessity (“CCN”) area; and

**WHEREAS**, approximately 46 acres of the Property are located outside of the City’s CCN and are proposed for development as a minimum one-half acre lots serviced by OSSF (“OSSF Area”), as further shown in the attached **Exhibit “B”**; and

**WHEREAS**, in recognition of the mutual benefits to be derived from the controlled and planned development of the Property, Developer and City desire to enter into this Addendum to evidence their agreement; and

**WHEREAS**, the City of Schertz City Council authorized and approved this Addendum at a regularly scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances of the City on \_\_\_\_\_, 2022; and

**NOW THEREFORE**, in consideration of the terms and conditions described herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

## **I. Addendum**

**Section 1.1. Existing Agreement.** The 2011 Agreement and the Extension shall remain in full force and effect in accordance with the terms therein. This Addendum is intended to supplement the 2011 Agreement and the Extension. In the event of a conflict, the terms of this Addendum shall control.

**Section 1.2. City Consent for On-Site Sewage Facilities.** Through this Addendum, the City hereby approves the use of OSSF for the treatment and disposal of wastewater for the OSSF Area in accordance with the standards of City of Schertz Unified Development Code Section 21.15.3(E). The use of OSSF is restricted to any residential lot that is a half-acre in size or greater. The installation of any OSSF on the Property shall occur at the time of development, and the design and installation shall be consistent with all City, County, and State regulations applicable to the OSSF. The OSSF Area is approximate acreage and may increase or decrease in size; however, the OSSF authorization is limited to the portion of the Property outside of the City's CCN.

## **II. General Terms**

**Section 2.1. Covenant Running With the Land.** This Addendum shall be recorded in the Official Property Records of Bexar County and shall be a covenant running with the land binding upon all parties having any right, title or interest in the Property or any part thereof, including their heirs, successors and assigns. The terms and conditions of this Addendum shall survive the termination of the 2011 Agreement and the Extension and shall inure to the benefit of the Property.

**Section 2.2. Provisions Severable.** If a court of competent jurisdiction determines that any covenant of this Addendum is void or unenforceable, then the remainder of this Addendum shall remain in full force and effect.



**Section 2.3. Enforcement.** This Addendum may be enforced by the Owner, including successors and assigns, or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Addendum thereafter.

**Section 2.4. Governmental Powers.** It is understood that by execution of this Addendum, the City does not waive or surrender any of its governmental powers.

**Section 2.5. Modification of Addendum.** This Addendum cannot be modified or amended without the written consent of the Parties hereto and attached and made a part of this Addendum.

**Section 2.6. Governing Law and Venue.** Venue shall be in the state courts located in Bexar County, Texas or the United States District Court for the Western District of Texas, San Antonio Division and construed in conformity with the provisions of the Texas Local Government Code. In the event that a Party initiates a cause of action in court, the prevailing party shall be entitled to reasonable and necessary attorney's fees and costs of court.

**EXECUTED** to this \_\_\_\_ day of \_\_\_\_\_, 2022.

***SIGNATURE PAGES TO FOLLOW***

**CITY:**

**The City of Schertz,**  
a Texas Municipal Corporation.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**STATE OF TEXAS**                   §  
   §  
**COUNTY OF GUADALUPE**       §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by \_\_\_\_\_, the \_\_\_\_\_ of the City of Schertz, on behalf of  
said City.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

**Wiederstein Trust Fund**

\_\_\_\_\_  
David Wiederstein, co-trustee

**STATE OF TEXAS**

§

§

**COUNTY OF** \_\_\_\_\_

§

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by David Wiederstein, co-trustee of the Wiederstein Trust Fund, who acknowledged that  
he is authorized to execute this document on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

**Wiederstein Trust Fund**

\_\_\_\_\_  
Vickie McDaniel, co-trustee

**STATE OF TEXAS**

§

§

**COUNTY OF** \_\_\_\_\_

§

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by Vickie McDaniel, co-trustee of the Wiederstein Trust Fund, who acknowledged that  
she is authorized to execute this document on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

**Wiederstein Trust Fund**

\_\_\_\_\_  
Diane Hunter, co-trustee

**STATE OF TEXAS**

§

§

**COUNTY OF** \_\_\_\_\_

§

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by Diane Hunter, co-trustee of the Wiederstein Trust Fund, who acknowledged that she is  
authorized to execute this document on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

**Wiederstein Trust Fund**

\_\_\_\_\_  
Rebecca Robertson, co-trustee

**STATE OF TEXAS**

§

§

**COUNTY OF** \_\_\_\_\_

§

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by Rebecca Robertson, co-trustee of the Wiederstein Trust Fund, who acknowledged that  
she is authorized to execute this document on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas

## EXHIBIT A The Property



### 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:

Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 210-375-9000 address: 2000 NW LOOP 410 SAN ANTONIO, TX 78213 website: PAPE-DAWSON.COM  
San Antonio | Austin | Houston | Fort Worth | Dallas | New Braunfels Texas Engineering Firm #470 Texas Surveying Firm #10028800

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;

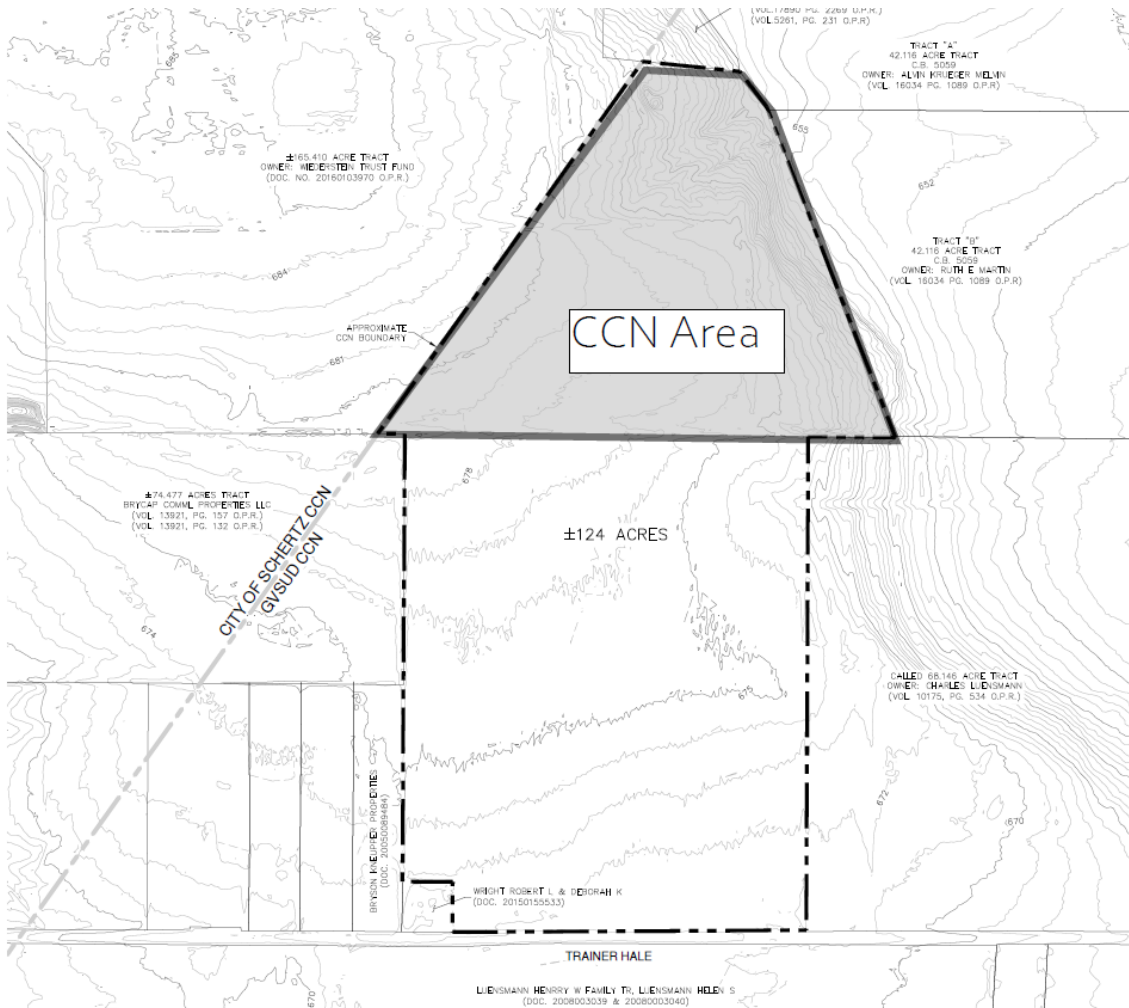
THENCE: S 51°58'59" E, along and with the east line of said called 188.68 acre tract the west line of said Tract "B", a distance of 1473.61 feet to a found ½" iron rod on the north line of said called 68.146 acre tract;

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



## EXHIBIT B CCN AREA



## **DEVELOPMENT AGREEMENT ADDENDUM**

This DEVELOPMENT AGREEMENT ADDENDUM (“Addendum”) is entered into effective as of the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Schertz, Texas, a Texas Municipal Corporation (“City”) and Brian Beutnagel and Valerie Hartmann (collectively, the “Owners”). The City and the Owners may be individually referred to herein as “Party” or collectively as the “Parties”.

**WHEREAS**, the Owners own approximately 78.146 acres located on Trainer Hale Road within the City of Schertz Extraterritorial Jurisdiction (“Property”), as further described in **Exhibit “A”**; and

**WHEREAS**, on August 9, 2011 the City and the predecessors to the Owners entered into a Development Agreement (“2011 Agreement”) pursuant to Texas Local Government Code Sections 43.035(b)(1) and 212.172, and recorded as Document #20110157664 in the Official Public Records of Bexar County; and

**WHEREAS**, effective March 23, 2021, the 2011 Agreement was extended in Document #20210108025 of the Official Public Records of Bexar County (“Extension”), and it remains in full force and effect; and

**WHEREAS**, the Owners are under contract to sell the Property to a developer for the creation of a master-planned single-family residential community, including residential lots, street and utility improvements, community amenities, open space, and park space (the “Project”); and

**WHEREAS**, pursuant to the 2011 Agreement and the Extension (referred to herein individually or collectively the Development Agreement”), if development is planned for the Property, the Development Agreement shall serve as a voluntary annexation petition by the Owners; and

**WHEREAS**, based on the Project plans and the terms of the Development Agreement, the City has initiated annexation proceedings for the Property; and

**WHEREAS**, to promote consistent future planning and development of the Property, and in support of larger residential lots, the City is agreeable to approving on-site sewer facilities (“OSSF”) for single-family residential lots that are one-half acre or greater in size and located outside of the City’s sewer certificate of convenience and necessity (“CCN”) area; and

**WHEREAS**, approximately 78.146 acres of the Property are located outside of the City’s CCN and are proposed for development as a minimum one-half acre lots serviced by OSSF (“OSSF Area”), as further shown in the attached Exhibit “B”; and

**WHEREAS**, in recognition of the mutual benefits to be derived from the controlled and planned development of the Property, Developer and City desire to enter into this Addendum to evidence their agreement; and

**WHEREAS**, the City of Schertz City Council authorized and approved this Addendum at a regularly scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances of the City on \_\_\_\_\_, 2022; and

**NOW THEREFORE**, in consideration of the terms and conditions described herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

## **I. Addendum**

**Section 1.1. Existing Agreement.** The 2011 Agreement and the Extension shall remain in full force and effect in accordance with the terms therein. This Addendum is intended to supplement the 2011 Agreement and the Extension. In the event of a conflict, the terms of this Addendum shall control.

**Section 1.2. City Consent for On-Site Sewage Facilities.** Through this Addendum, the City hereby approves the use of OSSF for the treatment and disposal of wastewater for the Property in accordance with the standards of City of Schertz Unified Development Code Section 21.15.3(E). The use of OSSF is restricted to any residential lot that is a half-acre in size or greater. The installation of any OSSF on the Property shall occur at the time of development, and the design and installation shall be consistent with all City, County, and State regulations applicable to the OSSF.

## **II. General Terms**

**Section 2.1. Covenant Running With the Land.** This Addendum shall be recorded in the Official Property Records of Bexar County and shall be a covenant running with the land binding upon all parties having any right, title or interest in the Property or any part thereof, including their heirs, successors and assigns. The terms and conditions of this Addendum shall survive the termination of the 2011 Agreement and the Extension and shall inure to the benefit of the Property.

**Section 2.2. Provisions Severable.** If a court of competent jurisdiction determines that any covenant of this Addendum is void or unenforceable, then the remainder of this Addendum shall remain in full force and effect.

**Section 2.3. Enforcement.** This Addendum may be enforced by the Owners, including successors and assigns, or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Addendum thereafter.

**Section 2.4. Governmental Powers.** It is understood that by execution of this Addendum, the City does not waive or surrender any of its governmental powers.

**Section 2.5. Modification of Addendum.** This Addendum cannot be modified or amended without the written consent of the Parties hereto and attached and made a part of this Addendum.

**Section 2.6. Governing Law and Venue.** Venue shall be in the state courts located in Bexar County, Texas or the United States District Court for the Western District of Texas, San Antonio Division and construed in conformity with the provisions of the Texas Local Government Code. In the event that a Party initiates a cause of action in court, the prevailing party shall be entitled to reasonable and necessary attorney's fees and costs of court.

**EXECUTED** to this \_\_\_\_ day of \_\_\_\_\_, 2022.

***SIGNATURE PAGES TO FOLLOW***

**CITY:**

**The City of Schertz,**  
a Texas Municipal Corporation.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**STATE OF TEXAS**                   §  
   §  
**COUNTY OF GUADALUPE**       §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by \_\_\_\_\_, the \_\_\_\_\_ of the City of Schertz, on behalf of  
said City.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

\_\_\_\_\_  
Brian Buetnagel

**STATE OF TEXAS**           §  
                                     §  
**COUNTY OF GUADALUPE** §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by Brian Beutnagel.

\_\_\_\_\_  
Notary Public, State of Texas

**OWNER:**

\_\_\_\_\_  
Valerie Hartmann

**STATE OF TEXAS**           §  
                                     §  
**COUNTY OF GUADALUPE** §

This instrument was acknowledged before me on the \_\_\_\_\_day of \_\_\_\_\_, 2022,  
by Valerie Hartmann.

\_\_\_\_\_  
Notary Public, State of Texas



## EXHIBIT A The Property



### 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  $\frac{1}{2}$ " 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  $\frac{1}{2}$ " 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  $\frac{1}{2}$ " 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  $\frac{1}{2}$ " 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  $\frac{1}{2}$ " 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;

Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 210-375-9000 address: 2000 NW LOOP 410 SAN ANTONIO, TX 78213 website: PAPE-DAWSON.COM  
San Antonio | Austin | Houston | Fort Worth | Dallas | New Braunfels Texas Engineering Firm #470 Texas Surveying Firm #10028800

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;

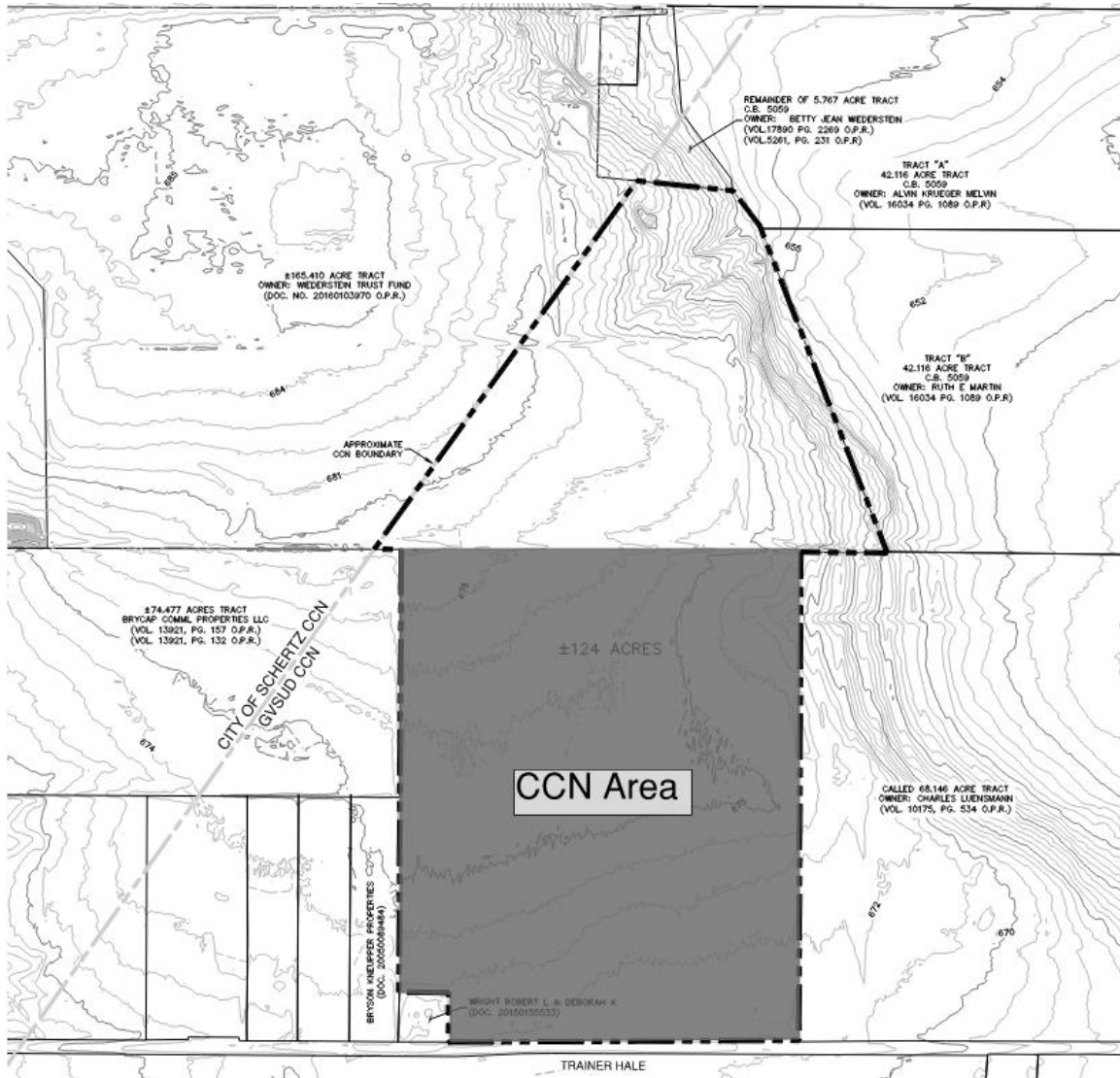
THENCE: N 59°43'43" E, along and with the north line of said 78.294 acre tract, a distance of 1676.34 feet to a set ¼" iron rod with a yellow cap stamped "Pape-Dawson" at the northeast corner of said called 78.294 acre tract, at the northwest corner of said 68.146 acre tract;

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



## Exhibit B CCN Area





**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** July 12, 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)

---

**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 July 1, 2022. City Staff also sent written notice of the proposed annexation to the Board of Trustees for Schertz-Cibolo-Universal City ISD and all property owners within 200 feet on June 30, 2022. Additionally, a public hearing notice has been published on the City of Schertz website on June 30, 2022. At the time of this staff report, Staff has received three (3) responses in favor of the proposed annexation.

**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.

---

---

#### **Attachments**

Ord. No. 22-S-27

Ord. No. 22-S-27 Exhibit A: Metes and Bounds

Ord. No. 22-S-27 Exhibit B: Service Plan

Ord. No. 22-S-27 Petitions

Aerial Map

Annexation Exhibit

Public Hearing Notice Responses

---

---

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

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 287 ACRES OF LAND LOCATED 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 July 1 for the hearing on July 12<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 12th day of July, 2022.

CITY OF SCHERTZ, TEXAS

---

Ralph Gutierrez, Mayor

ATTEST:

---

City Secretary, Brenda Dennis

(CITY SEAL)

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";

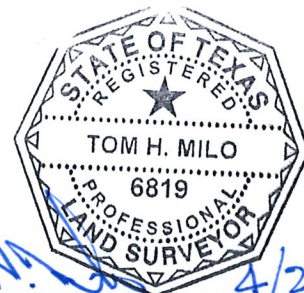
N 56°49'29" W, a distance of 326.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north line of said called 144 acre tract, same being the south line of a portion of Lot 1, conveyed to Phillip Sweet, in deed recorded in Volume 17967, Page 1563, of said Official Public Records,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



## 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.

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

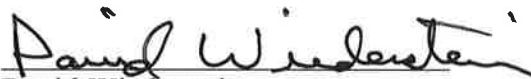
**Re: Voluntary Annexation - 9275 Weir Avenue Schertz, Texas 78154**

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,

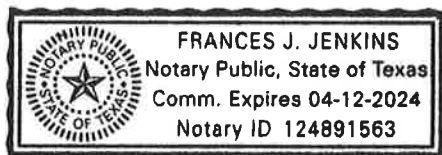
**Wiederstein Trust Fund**


  
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,

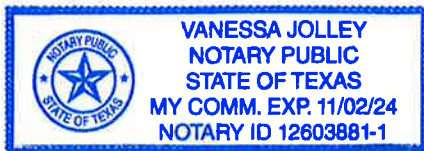
**Wiederstein Trust Fund**

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

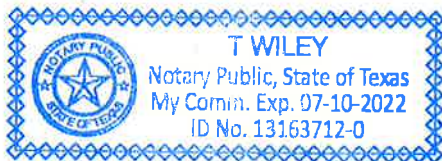
STATE OF TEXAS


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.

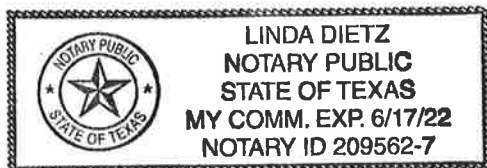
Sincerely,


  
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.

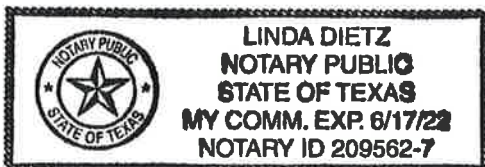
Sincerely,


  
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

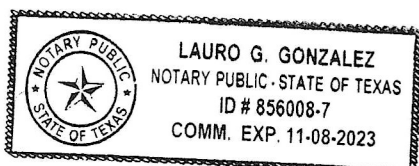
STATE OF TEXAS

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*

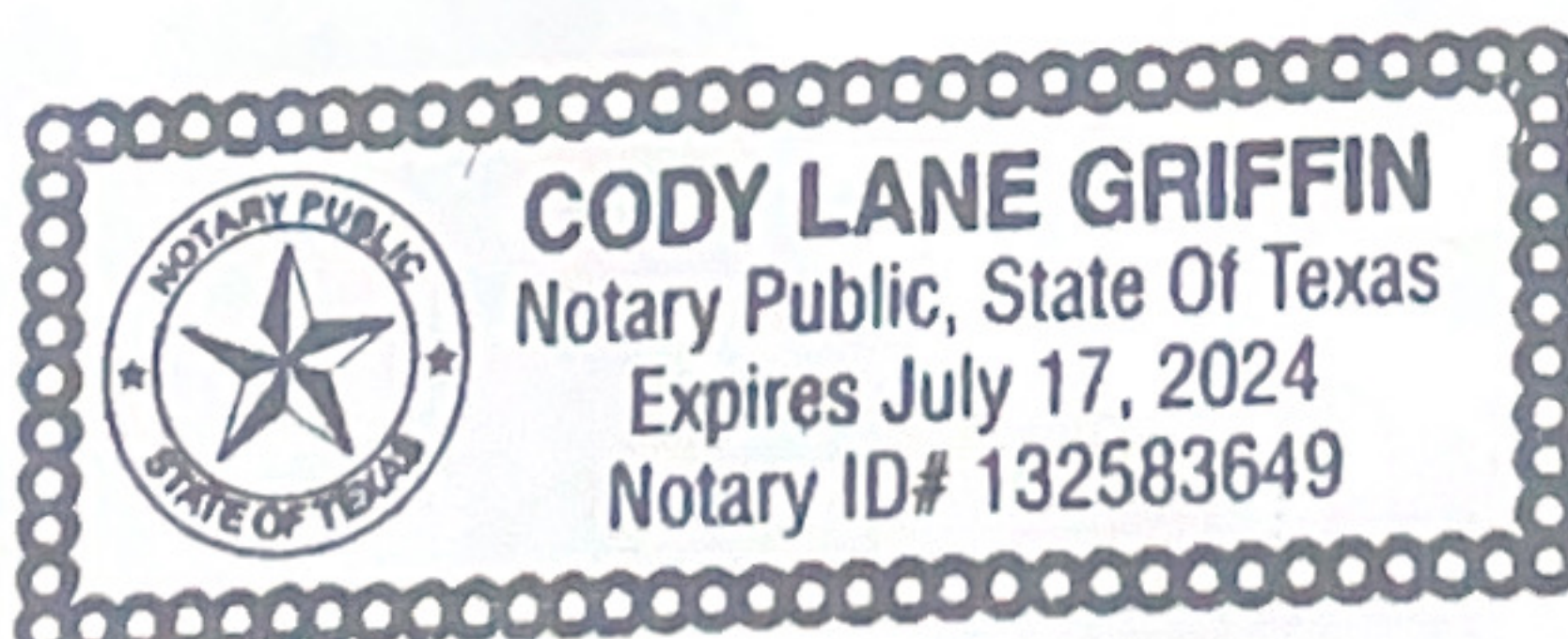
STATE OF TEXAS

COUNTY OF *TARRANT*

§  
§  
§

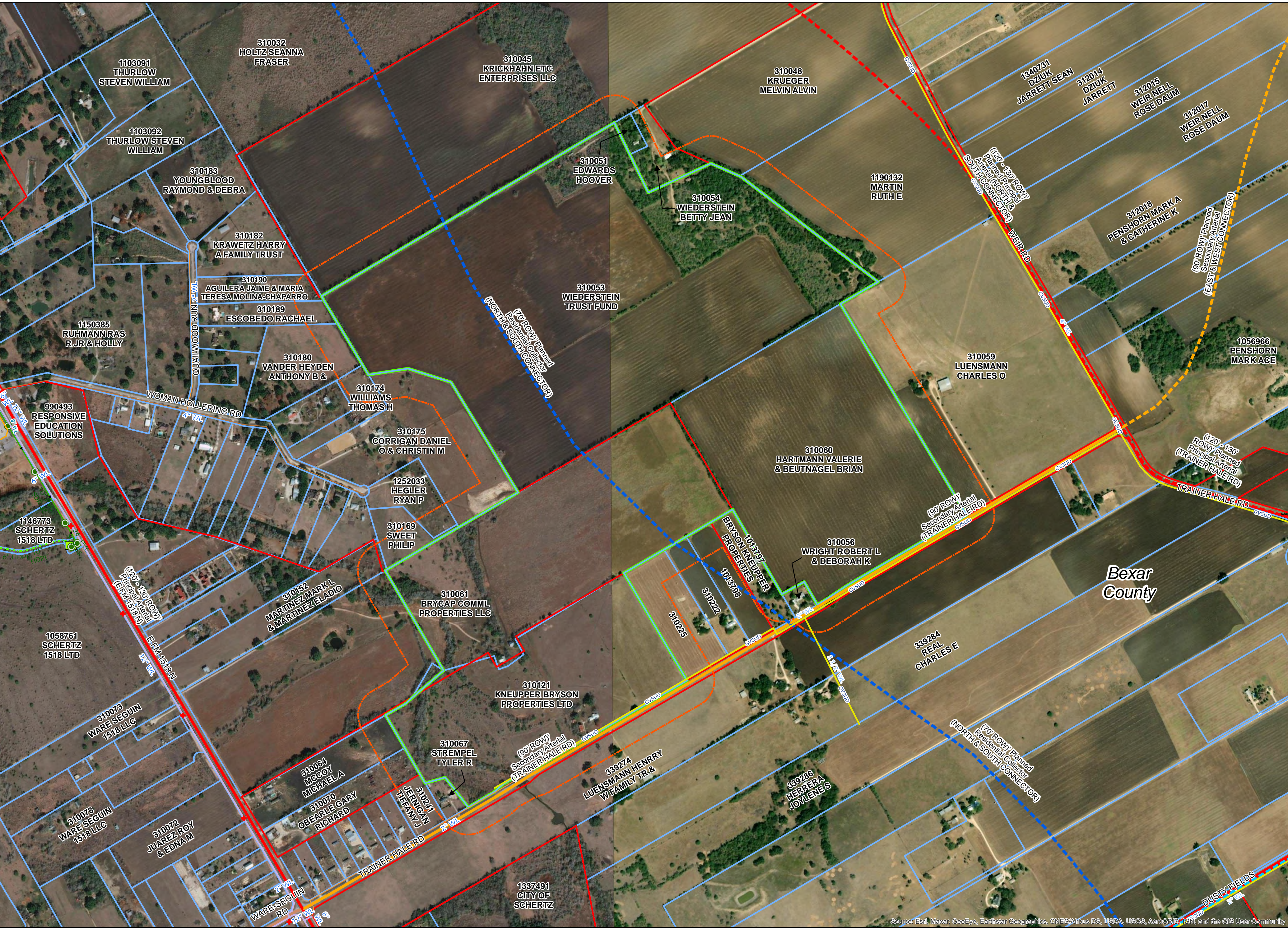
BEFORE ME, the undersigned authority, on this day personally appeared *Caprice Suzanne Fredrickson, Manager* of EdPat Management, LLC, a Texas limited liability company, General Partner of Kneupper Bryson Properties, Ltd., a Texas limited partnership, who acknowledged he is authorized to execute this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





**SCHERTZ**  
COMMUNITY • SERVICE • OPPORTUNITY

STERLING GROVE  
TRAINER HALE RD

<all other values>

Highways

Major Roads

Minor Roads

Other Cities

<all other values>

Freeway

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"

2", 2 1/2"

3"

4"

6"

8"

10"

12"

16"

18"

20"

24"

30"

36"

Neighboring Main

Private

Schertz Parcels

Schertz Gravity

Schertz Pressure

Neighboring Gravity

Private Pressure

Hydrant

Manholes

200' Buffer

Schertz Municipal Boundary

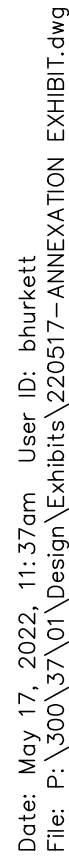
County Boundaries

02505001,000

Feet

1 Inch = 500 Feet





- | PROPERTIES IN 200' NOTIFICATION AREA |             |   |                    |                            |   |
|--------------------------------------|-------------|---|--------------------|----------------------------|---|
|                                      | PROPERTY ID | OWNER NAME + ADDRESS  | PROPERTY USE       | CITY JURISDICTION + ZONING | SUBDIVISION AND/OR RECORDING INFO.                                |
| 1                                    | 310045      | KRICKHAHN ETC<br>ENTERPRISES LLC, 449<br>STEARMAN LN, MARION, TX<br>78124.                          | LAND               | SHERTZ - PRE               | UNPLATTED (DOC.<br>20050073324)                                   |
|                                      | 310051      | EDWARDS HOOVER, PO BOX<br>41, CIBOLO, TX, 78108.  | RURAL              | SHERTZ - PRE               | UNPLATTED (VOL. 8227, PG.<br>351, OPR)                            |
| 2                                    | 310054      | WEDERSTEIN BETTY JEAN,<br>9275 WEIR RD<br>SCHERTZ, TX, 78108.                                       | LAND               | SHERTZ - PRE               | UNPLATTED (DOC.<br>20160103970)                                   |
| 3                                    | 310048      | KRUEGER MELVIN ALVIN,<br>334 PRIVATE ROAD 5936<br>WANTIS, TX, 75497                                 | LAND               | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20130066514)                                   |
|                                      | 1190132     | MARTIN RUTH E, 3051<br>HAECKERVILLE RD<br>CIBOLO, TX, 78108.  | LAND               | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20130066514)                                   |
| 4                                    | 310059      | LUENSMANN CHARLES O,<br>8447 TRAINER HALE RD<br>SCHERTZ, TX, 78154.                                 | LAND               | SHERTZ ETJ - DVL           | UNPLATTED (VOL. 10175, PG.<br>534, OPR)                           |
| 5                                    | 339274      | LUENSMANN HENRRY W<br>FAMILY TR. LUENSMANN<br>HELEN S<br>8745 TRAINER HALE RD<br>SCHERTZ, TX, 78154 | LAND               | SHERTZ ETJ - DVL           | UNPLATTED (DOC. 2008003039<br>& 20080003040)                      |
|                                      | 310056      | WRIGHT ROBERT L &<br>DEBORAH K, 8712 TRAINER<br>HALE RD<br>SCHERTZ, TX, 78154.                      | RURAL              | SHERTZ - PRE               | UNPLATTED (DOC.<br>20150155533)                                   |
| 6                                    | 1013797     | BYRON KNEUPPER<br>PROPERTIES, 1601 EASY<br>ST, AUSTIN, TX, 78746.                                   | RURAL              | SHERTZ - PRE               | UNPLATTED (DOC.<br>20050089484)                                   |
| 7                                    | 310061      | BRYCAP COMMERCIAL<br>PROPERTIES, LLC, 1601<br>EASY ST, AUSTIN, TX, 78746.                           | RURAL              | SHERTZ - PRE               | UNPLATTED (VOL. 13921, PG.<br>157, OPR)                           |
| 8                                    | 310175      | CORRIGAN DANIEL O &<br>CHRISTIN M, 12839 WOMAN<br>HOLLERING RD, SCHERTZ,<br>TX, 78154.              | SINGLE<br>FAMILY   | OCL                        | UNPLATTED (DOC.<br>20110199838)                                   |
| 9                                    | 310174      | WILLIAMS THOMAS H, PO<br>BOX 127, SCHERTZ, TX,<br>78154.  | RURAL              | OCL                        | UNPLATTED (VOL. 10847, PG.<br>1809, OPR)                          |
| 10                                   | 310180      | VANDER HEYDEN ANTHONY<br>B & SUSAN P, 12737 WOMAN<br>HOLLERING RD, SCHERTZ,<br>TX, 78154.           | RURAL              | OCL                        | UNPLATTED (VOL. 6501, PG.<br>630, OPR)                            |
| 11                                   | 310189      | ESCOBEDO RACHAEL, 8646<br>QUAILWOOD RUN,<br>SCHERTZ, TX, 78154.                                     | RURAL              | OCL                        | UNPLATTED (DOC.<br>20120078512)                                   |
| 12                                   | 310190      | CARDENAS JESUS PADILLA &<br>TRUJILLO MARIANA, 8730<br>QUAILWOOD RUN,<br>SCHERTZ, TX, 78154.         | RURAL              | OCL                        | UNPLATTED (DOC.<br>20210310535)                                   |
| 13                                   | 310225      | VRANA GERALD WAYNE &<br>DIANA KELLY, 8770 TRAINER<br>HALE RD, SCHERTZ, TX,<br>78154.                | RURAL              | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20180028404)                                   |
| 14                                   | 310121      | KNEUPPER BYRON<br>PROPERTIES LTD, 1601<br>EASY ST, AUSTIN, TX, 78746.                               | LAND               | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20160111010)                                   |
| 15                                   | 310067      | STREMPPE TYLER R, 9010<br>TRAINER HALE RD,<br>SCHERTZ, TX, 78154.                                   | RURAL              | SHERTZ - PRE               | UNPLATTED (DOC.<br>20200312366)                                   |
| 16                                   | 310241      | JERNIGAN TIFFANY L, 9034<br>TRAINER HALE RD,<br>SCHERTZ, TX, 78154.                                 | RURAL              | SHERTZ - PRE               | LOT 9, CB 5059; TRAINER HALE<br>SUBDIVISION (VOL. 9545, PG<br>20) |
| 17                                   | 310070      | WELCH GEORGE M, 122<br>RIVER RD, SCHERTZ, TX,<br>78154.   | INDUSTRIAL/<br>RES | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20210267814)                                   |
| 18                                   | 310064      | MCCOY MICHAEL A, 7668 E<br>FM 1518 N, SCHERTZ, TX,<br>78154.  | RURAL              | SHERTZ ETJ - DVL           | UNPLATTED (DOC.<br>20190080891)                                   |
| 19                                   | 310061      | BRYCAP COMM<br>PROPERTIES LLC, 1601<br>EASY ST, AUSTIN, TX, 78746.                                  | LAND               | SHERTZ - PRE               | UNPLATTED (DOC.<br>20090056951)                                   |
| 20                                   |             |   |                    |                            |   |
| 21                                   |             |   |                    |                            |   |
| 22                                   |             |   |                    |                            |   |

**STERLING GROVE**  
**SCHERTZ, TEXAS**

PLAT NO. \_\_\_\_\_  
JOB NO. 30037-01  
DATE 05-17-2022  
DESIGNER HF  
CHECKED HF DRAWN BH  
SHEET 1 OF 1

[illegible]

NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

COMMENTS: I am signing on behalf of the Wiederstein Trust Fund c/o Ray Joy Wiederstein as he is deceased + I am the executor of his estate.

NAME: Rebecca Robertson  
(PLEASE PRINT)

SIGNATURE Rebecca Robertson

STREET ADDRESS: 9275 Weir Road, Cibola, TX 78108

DATE: 7 July 2022

NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

COMMENTS: I am signing on behalf of Betty Jean Wiederstein as she is deceased & I am the executor for her estate.

NAME: Rebecca Robertson  
(PLEASE PRINT)

SIGNATURE Rebecca Robertson

STREET ADDRESS: 9275 West Road, Cibola, TX 7808

DATE: 7 July 2022



NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

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

NAME: Valerie Hartmann SIGNATURE Valerie Hartmann  
(PLEASE PRINT) Brian Beutnagel Brian Beutnagel

STREET ADDRESS: 621 Beutnagel Seguin, TX 78155

DATE: 7/6/22 307 W. Wetz Madison, TX 78124



## CITY COUNCIL MEMORANDUM

**City Council Meeting:** July 12, 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)

---

### 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-nine (29) public hearing notices were mailed to the surrounding property owners on June 30th, 2022 with a public hearing notice published in the "San Antonio Express" on July 1, 2022, prior to the City Council public hearing. At the time of this report staff has received three (3) response in favor of the proposed rezoning.

### 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 it will allow six hundred seventy-two (672) suburban single-family lots and one hundred sixty (160) 0.5 acre lots. Of the 672 suburban single-family lots, thirty-five percent (35%) will have minimum lot dimensions of 65' by 110' (SFR2). The remaining sixty-five percent (65%) of the 672 suburban single-family lots will have minimum lot dimensions of 55' by 110' (SFR1). 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.

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
SFR1	Single Family	6,050	55	110	25*	10	15	2	35	60%
SFR2	Single Family	7,150	65	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.

- Maximum 672 lots will be comprised of SFR1 and SFR2
- 65% of the 672 lots will SFR1 or larger.
- 35% of the 672 lots will be SFR2 or larger.

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 subdivision will be composed of six hundred seventy-two (672) suburban single-family lots and approximately one hundred sixty (160) 0.5 acre lots. Of the 672 suburban single-family lots, thirty-five percent (35%) will have a minimum lot size of 65' by 110'. The remaining sixty-five percent (65%) suburban single-family lots will have a minimum lot

sizes of 55' by 110'.

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.

The City Council held a public hearing on July 5th, 2022 where the Council discussed the proposed concept plan and having the applicant add more variety of lot sizes to the overall development. The Council discussed having the 672 lots and of those be the 55' by 110' but then also having 35% of the 672 be 65' by 110' or larger. The Council also discussed the proposed sign to be installed and having a visual provided. Due to the noticing error for the July 5th, 2022 meeting the Council was only able to discuss the project but no action/motion was taken.

Staff went back to the applicant and discussed the comments that were had by the Council. The applicant requested that instead of having the 65' by 110' (7,150sqft) lot size have it be 60' by 110' (6,600sqft). The applicant also provided a graphic of the proposed sign, which has been added into the staff report attachments.

Staff recommends approval of Ordinance 22-S-28, a request to rezone approximately 362 acres of land to Planned Development District (PDD) as proposed, specifically with a maximum of 672 of the suburban style lots, 65% of which will be a minimum of SFR1 (55'x110') or larger and 35% of which will be a minimum of SFR2 (65' x 110') or larger.

---

### **Attachments**

Ord. No. 22-S-28

Ord. No. Exhibit A: Metes and Bounds

Ord. No. 22-S-28 Exhibit B: Concept Plan

Ord. No. 22-S-28 Exhibit C: PDD Design Standards

Ord. No. 22-S-28 Exhibit D: Sign

Aerial Map

Public Hearing Notice Map

Zoning Exhibit

Public Hearing Notice Responses

---



## **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 12, 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 12<sup>th</sup> day of July 2022.

PASSED, APPROVED AND ADOPTED on final reading the 26<sup>th</sup> day of July 2022.

---

Ralph Gutierrez, Mayor

ATTEST:

---

Brenda Dennis, City Secretary  
(SEAL OF THE CITY)

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";

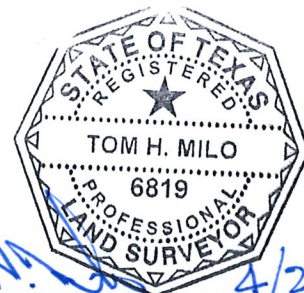
N 56°49'29" W, a distance of 326.34 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the north line of said called 144 acre tract, same being the south line of a portion of Lot 1, conveyed to Phillip Sweet, in deed recorded in Volume 17967, Page 1563, of said Official Public Records,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

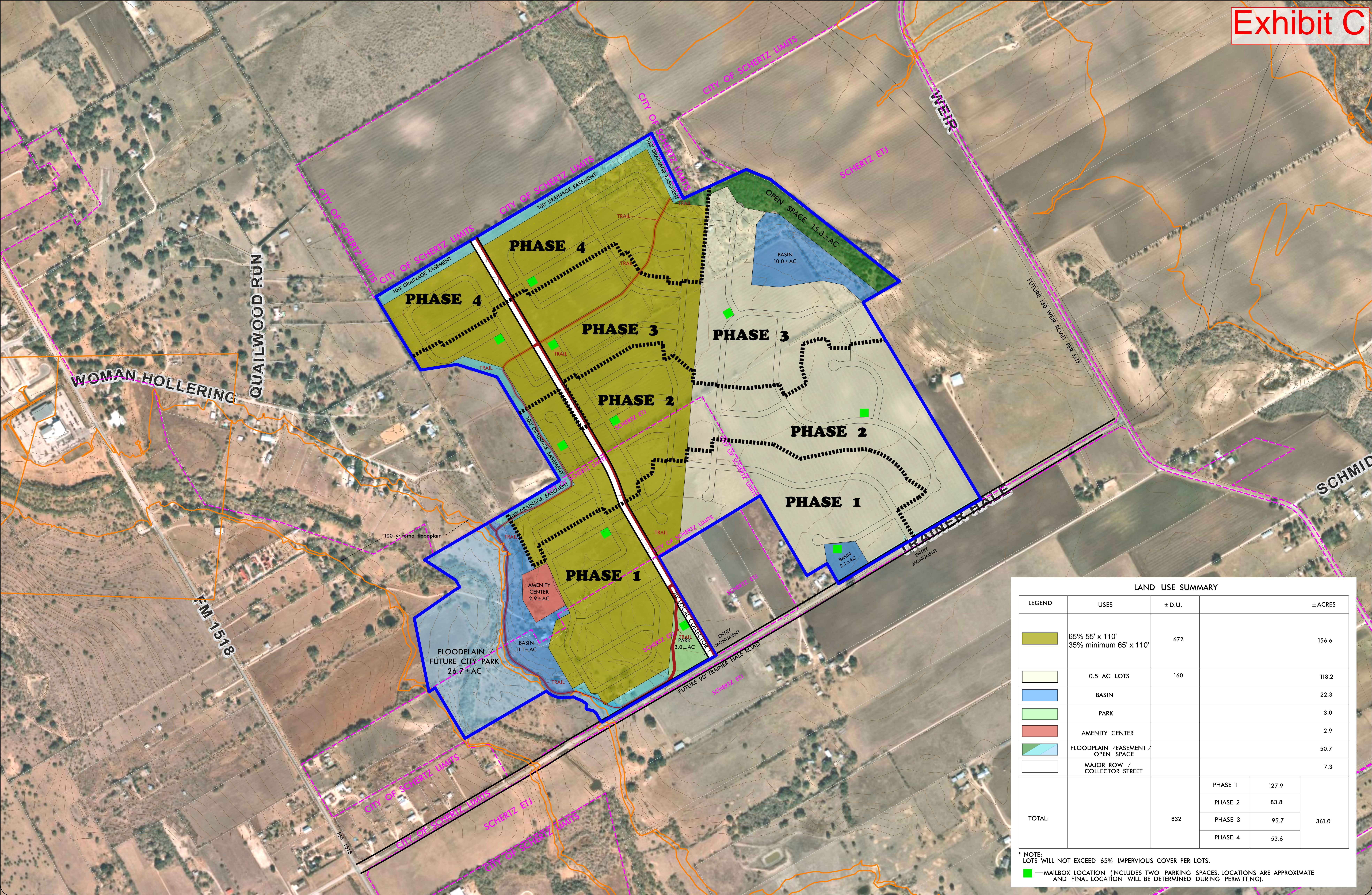
N 59°39'37" E, a distance of 1064.20 feet to a found ½" iron rod at the northeast corner of said 53.28 acre tract, same being the northwest corner of a remainder of a 9.966 acre tract, conveyed to Gerald and Diana Vrana, in deed recorded in Volume 18990, Page 1515, of said Official Public Records;

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		
<div></div>	65% 55' x 110' 35% minimum 65' x 110'	672	156.6		
<div></div>	0.5 AC LOTS	160	118.2		
<div></div>	BASIN		22.3		
<div></div>	PARK		3.0		
<div></div>	AMENITY CENTER		2.9		
<div></div>	FLOODPLAIN /EASEMENT / OPEN SPACE		50.7		
<div></div>	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).



**STERLING GROVE**

Planned Development District  
Schertz, Texas

April 2022



## TABLE OF CONTENTS

<b>I. General .....</b>	<b>3</b>
<b>II. Zoning Districts (Article 5) .....</b>	<b>3</b>
<b>III. Special Uses (Article 8).....</b>	<b>3</b>
<b>IV. Site Design Standards (Article 9) .....</b>	<b>4</b>
<b>V. Subdivision Entry Signs (Section 21.11.15) .....</b>	<b>5</b>
<b>VI. Adjustments to the Planned Development District (PDD).....</b>	<b>5</b>
Exhibit “A” – Metes and Bounds.....	6
Exhibit "B" – Conceptual Planned Development District Master Plan.....	18
Exhibit “C” – Proposed Subdivision Entry Sign.....	19

**STERLING GROVE**  
Planned Development District Schertz,  
Texas

**I. General**

The City of Schertz (“City”) Unified Development Code (and as amended) will govern development of the Property, as further described in Exhibit “A”, unless provided otherwise in this PDD.

**Affected UDC Articles**

**II. Zoning Districts (Article 5)**

**A. Single-Family Residential District per the PDD**

The uses and street layout shall conform to the attached conceptual master plan as shown in Exhibit “B”. The PDD is comprised of suburban single-family residential lots, 0.5 acre lots and open space/parkland. The 0.5 acre lots will be subject to the Single Family Residential/Agricultural District (RA) standards unless otherwise stated in the following development standards.

**B. Single-Family Residential Dwelling Units per the PDD**

The PDD will allow six hundred seventy-two (672) suburban single-family lots and one hundred sixty (160) 0.5 acre lots. Of the 672 suburban single-family lots, thirty-five percent (35%) will have minimum lot dimensions of 65’ by 110’ (SFR2). The remaining sixty-five percent (65%) of the 672 suburban single-family lots will have minimum lot dimensions of 55’ by 110’ (SFR1).

**III. Special Uses (Article 8)**

- A.** The Sterling Grove Subdivision will establish a Homeowners Association to provide upkeep within the development including the maintenance of common areas, open space, drainage, landscape buffers, and maintaining exterior masonry fences and/or walls.

#### IV. Site Design Standards (Article 9)

##### A. Lots (Section 21.9.3)

Lot sizes and dimensions will conform to the minimum requirements recognized in Table One of this PDD.

Table One– Dimensional Requirements										
		Min Lot Size			Min. 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. Ht.	Max. Cover
<b>SFR1</b>	Single Family	6,050	55	110	25*	10	15	2	35	<b>60%</b>
<b>SFR2</b>	Single Family	7,150	65	110	25*	10	15	2	35	<b>60%</b>
<b>0.5 Ac</b>	Single Family	21,780	N/A	N/A	25	10	15	2	35	<b>50%</b>

- \* Buildings constructed on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 20 feet.
  - a. Maximum 672 lots will be comprised of SFR1 and SFR2
  - b. 65% of the 672 lots will SFR1 or larger.
  - c. 35% of the 672 lots will be SFR2 or larger.



## **V. Subdivision Entry Signs (Section 21.11.15)**

UDC Section 21.11.15 is replaced with the following: Subdivision Entry Signs shall be monument like, signs located at the primary and secondary entrance(s) into the subdivision. An entry feature that is appropriate in scale to the size of the development and incorporating masonry walls, berms and/or decorative fencing, in combination with or part of the Subdivision Entry Signs, may be constructed at the subdivision entrance(s).

Subdivision Entry Signs may include a maximum sign face/subdivision name identification area not to exceed two hundred (200) square feet per sign face. Each Subdivision Entry Signs may also include a logo in addition to the sign face/subdivision name identification area. The proposed subdivision entry sign will look generally as depicted in Exhibit "C". There shall be no more than one subdivision entry sign per entrance.

## **VI. Adjustments to the Planned Development District (PDD)**

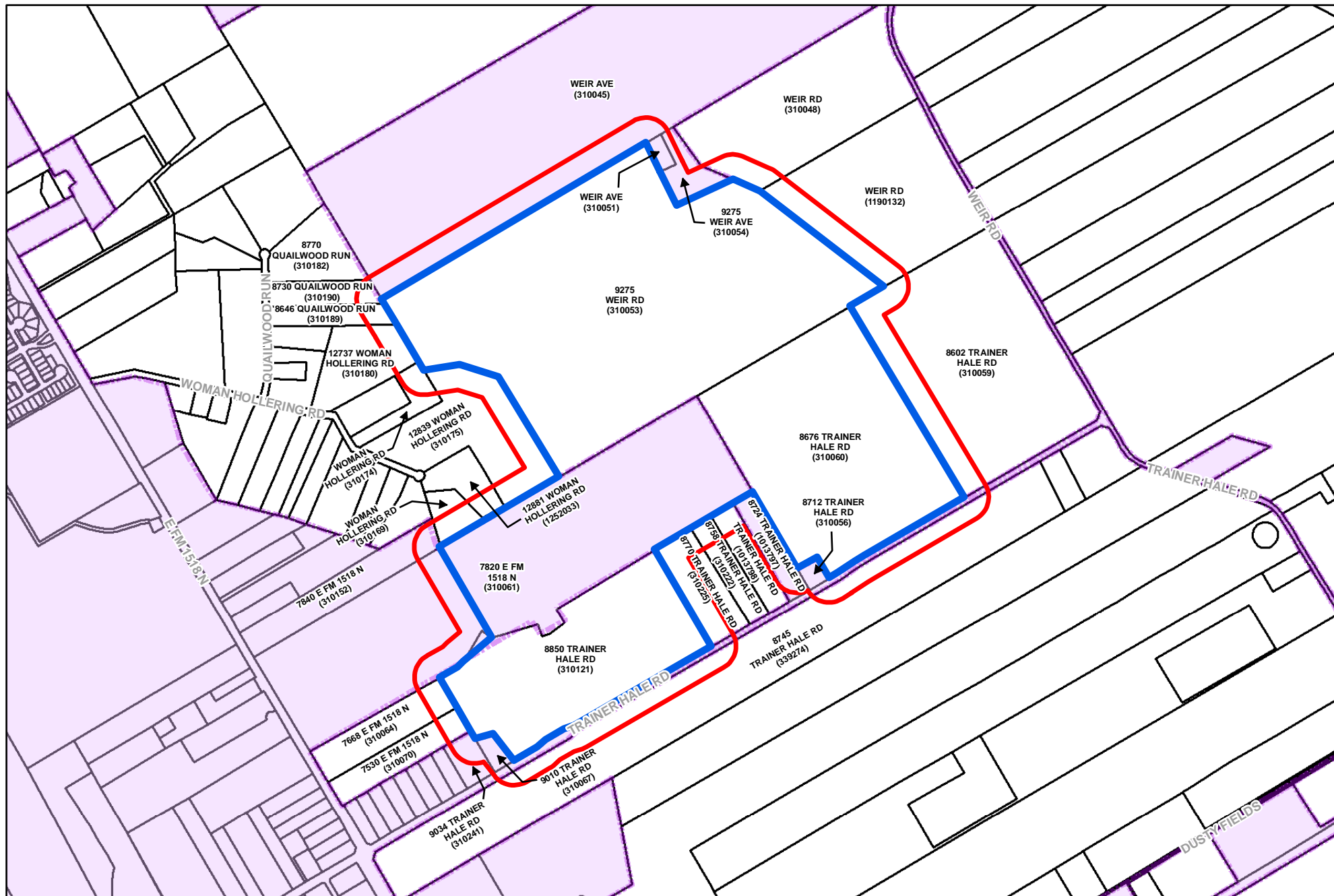
Minor changes which do not change the concept or intent of the development shall be approved or denied administratively. Minor changes include adjustments to the acreage of phases and order of development.











# City of Schertz

## Sterling Grove

## Trainer Hale Rd



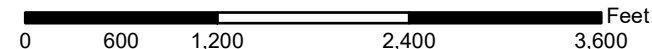
Parcel Boundaries



Schertz City Boundary

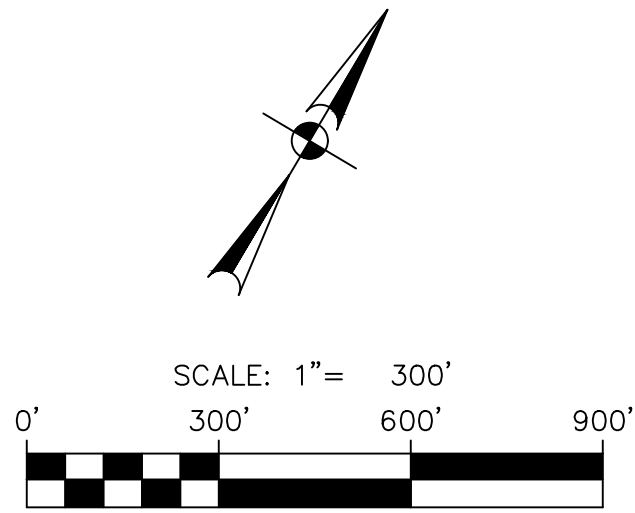
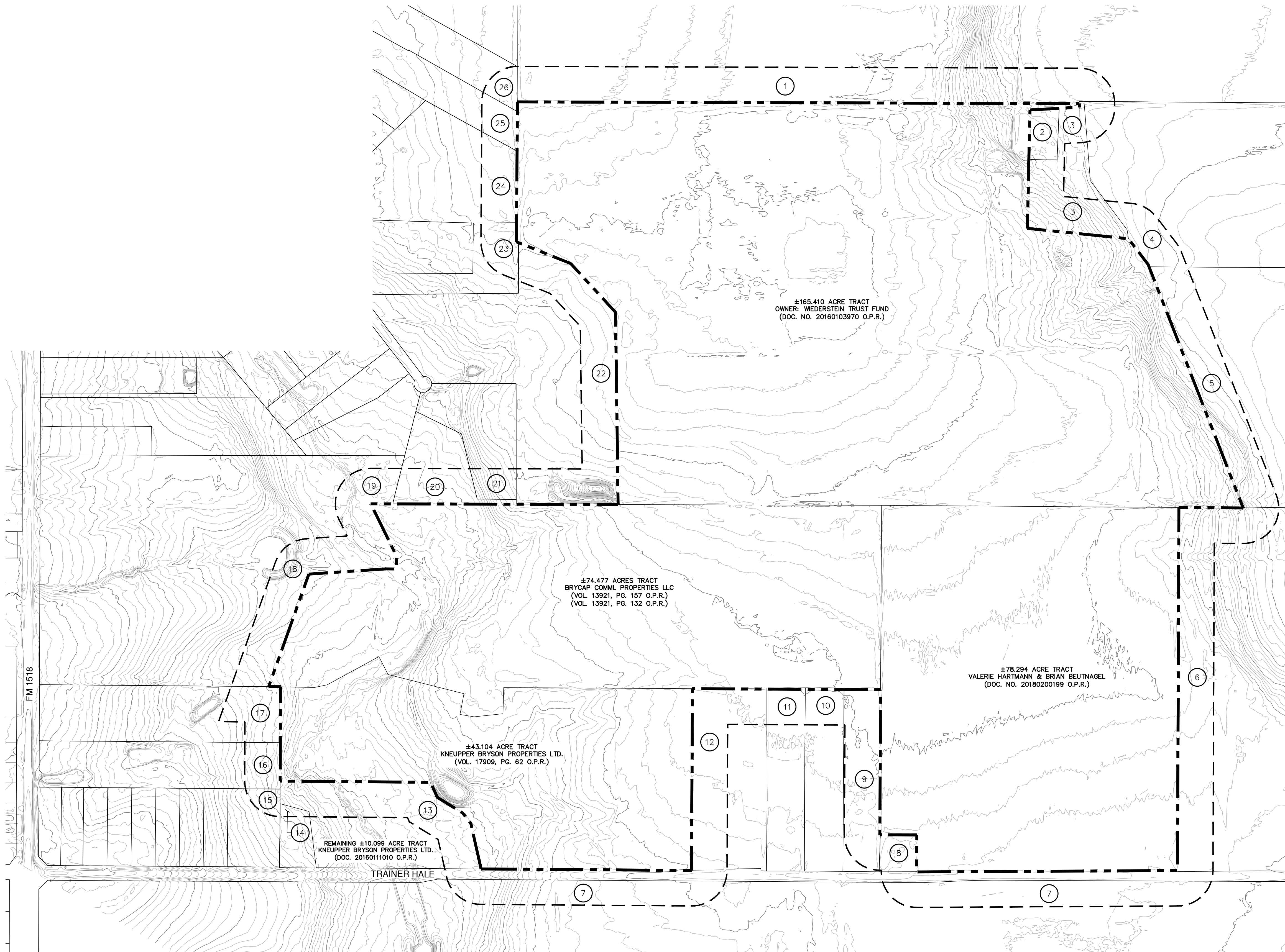


200' Buffer



Date: May 17, 2023 11:35am User: JD: hmrack1  
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, CAPOCO, Digital Globe, Texas Orthomography 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)



NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

COMMENTS: I am signing on behalf of the Wiederstein Trust Fund c/o Ray Joy Wiederstein as he is deceased + I am the executor of his estate.

NAME: Rebecca Robertson  
(PLEASE PRINT)

SIGNATURE Rebecca Robert

STREET ADDRESS: 9275 Weir Road, Cibola, TX 78108

DATE: 7 July 2022



NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

COMMENTS: I am signing on behalf of Betty Jean Wiederstein as she is deceased & I am the executor for her estate.

NAME: Rebecca Robertson  
(PLEASE PRINT)

SIGNATURE Rebecca Robertson

STREET ADDRESS: 9275 West Road, Cibola, TX 7808

DATE: 7 July 2022

NOTICE OF PUBLIC HEARING

June 30, 2022

Dear Property Owner,

The Schertz City Council will conduct a public hearing on **Tuesday, July 12, 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:

Ord. 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, and 310121, Bexar County, Texas.

Ord. No. 22-S-28: Conduct 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.

The City Council 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 Ord. No. 22-S-27; Ord. No. 22-S-28

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

NAME: Valerie Hartmann SIGNATURE: Valerie Hartmann  
(PLEASE PRINT) Brian Beutnagel Brian Beutnagel

STREET ADDRESS: 621 Beutnagel Seguin, TX 78155

DATE: 7/6/22 307 W. Wetz Madison, TX 78124

