



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
March 2, 2021

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

CITY OF SCHERTZ CORE VALUES

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

AGENDA
TUESDAY, MARCH 2, 2021 at 6:00 p.m.

City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, March 2, 2021, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

Call to Order

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

Employee Recognition

- Adriana Rutledge - EMS Administrative Assistant (C. Kelm/J. Mabbitt/B. Hill)
- Jack Bluebird Sr. - IT Systems Administrator, and Andrew Conley IT Support Specialist (B. James/M. Clauser)
- Luis Hinojosa - Public Works Street Worker 1 (J. Kelm/S. Williams/D. Letbetter)

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

Residents who choose to watch the meeting via live stream, but who would like to participate in Residents to be Heard, should email their comments to City Secretary, Brenda Dennis, at bdennis@schertz.com by 5:00 p.m. on Monday, March 1, 2021, **SO THAT THE CITY SECRETARY MAY READ THE PUBLIC COMMENTS INTO THE RECORD UNDER THE HEARING OF RESIDENTS.** In the body of the email please include your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.

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

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

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

Consent Agenda Items

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

- 1. Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of February 23, 2021. (B. Dennis)
- 2. Resolution No. 21-R-18** - Consideration and/or action approving a Resolution accepting the Semi-annual report with respect to the progress of the Capital Improvements Plan, and other matters in connection therewith. (B. James/J. Walters)
- 3. Ordinance No. 21-A-05** - Consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, Bexar County, Texas. **Final Reading** (B. James, L. Wood, N. Kopyay)
- 4. Resolution No.21-R-15** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a contract with San Antonio Constructors, LTD, relating to the Schertz Parkway Concrete Pavement Repair Project and authorizing the budget expenditures for the project. (M. Browne/B. James/K. Woodlee/J. Nowak)

Discussion and Action Items

5. **Ordinance No. 21-S-06** - Consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas. *Final Reading* (B. James, L. Wood, N. Kopyay)

Roll Call Vote Confirmation

Workshop

6. **Workshop Discussion and Update (Ordinance 20-H-18)** - Discussion and update regarding the COVID-19 virus and our current Ordinance No. 20-H-18 Declaration of Local Disaster. (M. Browne/K. Long/S. Hall)

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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

Requests and Announcements

- Announcements by the City Manager.
- Requests by Mayor and Councilmembers for updates or information from staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda.
- Announcements by Mayor and Councilmembers
 - City and community events attended and to be attended
 - City Council Committee and Liaison Assignments (see assignments below)
 - Continuing education events attended and to be attended
 - Recognition of actions by City employees
 - Recognition of actions by community volunteers

Adjournment

CERTIFICATION

I, BRENDA DENNIS, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 26th DAY OF FEBRUARY 2021 AT 4:00 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 _____, 2021. TITLE: _____

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

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

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

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Audit Committee Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Scagliola – Place 5 Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation</p>
<p>Councilmember Davis– Place 1 Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board</p>	<p>Councilmember Scott – Place 2 Interview Committee for Boards and Commissions Schertz Animal Services Advisory Commission</p>
<p>Councilmember Whittaker – Place 3 Audit Committee TIRZ II Board</p>	<p>Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board</p>
<p>Councilmember Heyward – Place 6 Audit Committee Investment Advisory Committee Main Street Committee</p>	<p>Councilmember Brown – Place 7 Main Street Committee Schertz-Seguin Local Government Corporation - Alternate</p>

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021
Department: City Secretary
Subject: Minutes – Consideration and/or action regarding the approval of the minutes of the regular meeting of February 23, 2021. (B. Dennis)

BACKGROUND

The City Council held a Regular City Council meeting on February 23, 2021.

RECOMMENDATION

Recommend Approval.

Attachments

2-23 draft min

DRAFT

MINUTES REGULAR MEETING February 23, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 23, 2021, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Jill Whittaker; Councilmember Mark Davis; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Rosemary Scott

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

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 Scagliola)

Councilmember Scagliola provided the opening prayer followed by the pledges of allegiance to the Flags of the United States and State of Texas.

Mayor Gutierrez stated he has a special announcement: Council and guests, while seated it is perfectly fine for you to remove your mask or while speaking at the podium, but as you approach the dais or depart the Chamber we respectfully ask that you place your face mask back on.

Presentations

- Texas Festival & Event Association's Kaliff Marketing Awards. (M. Browne/B. James/L. Shrum)

Mayor Gutierrez recognized Parks, Recreation and Community Services Director

Lauren Shrum who provided the following information regarding the recent Kaliff Marketing Awards they received:

First Place: Best Miscellaneous On-Site Decor - Daddy Daughter Dance (featured recognition Michelle Yang, Robert Dobratz, Niki Kromer, Art Ortiz)

First Place: Best Other Merchandise - Kick Cancer-Pep Rally 5K Run (featured recognition City of Schertz Public Affairs)

First Place: Best Educational Program - Nature Discovery Series (featured recognition Texas Master Naturalists Program)

First Place: Best Inclusivity Program - Trunk-or-Treat Sensory Area (featured recognition Special Education Parent Advisory Committee and the City of Cibolo)

Second Place: Best Single Magazine Display Ad - Daddy Daughter Dance (featured recognition City of Schertz Public Affairs)

Third Place: Best Outdoor Billboard - Holidazzle (featured recognition City of Schertz Public Affairs)

Mayor and Council congratulated the Parks, Recreation and Community Services department and others who assisted on these accomplishments.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez who provided the following announcements:

Tuesday, March 2nd

Next regular scheduled Council meeting

March 4th-May 6th

The Schertz Police Department is hosting the Citizens Police Academy starting March 4, 2021 and ending on May 6, 2021. The classes are every Thursday from 6pm-9pm. At this time, the location of the class is to be determined. Depending on how many applications we receive will depend on having the classes in the PD training room or another location. Applications are available at the Police Department or by visiting the Schertz website at www.Schertz.com/351/Schertz-Citizens-Police-Academy, completing the PDF application, and returning the application to the Schertz Police Department, attention Officer Anna Kraft.

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

Mayor Gutierrez recognized City Manager Dr. Mark Browne who thanked our tremendous staff for all the work they did last week during the Winter storm. It was unbelievable the amount of effort and hours they put in, some literally 24 hours per day to ensure that our systems were safe. Particularly our Public Works Staff, Public Safety Staff. He stated that it would take him too long to start recognizing them by name. The staff really went above and beyond the call of duty to make sure the City was as safe as possible. A tremendous effort by the entire team - thanks to all. We look forward to some appropriate ceremony where we can honor some of the individual efforts that took place.

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

Mayor Gutierrez asked to please join him in applauding our Public Works Crews, they did an excellent job. Their dedication and commitment to providing the services that were needed to our city, he cannot say enough. Thank you to our team for their efforts and dedication to this community.

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.

Mayor Gutierrez recognized the following who spoke:

- Carl Douglas, 2550 Woodland Village, who addressed the Council regarding Henry Gutierrez who died approximately three/four years ago, Christmas Eve. He asked if it was now a cold case type incident or has it been turned over to another jurisdiction. He addressed the Council regarding the recent power outages and the ability for the city to notify the residents. He addressed the Council regarding the COVID-19 vaccination sign-up and how to sign-up and get on this list and the need to get more information out to community regarding the process.
- Mr. Dean Weirtz, 4301 Monument Pass who stated that the effects of the last 12 months have had a negative effect on communities, individuals and cities. Mr.

Weirtz reflected as to the nature of each of the events and provided information on (1) COVID-19 Pandemic; (2) the terrible divide citizens of our nation have been forced to endure during and beyond the Presidential political campaign of 2020, political distrust and hate from those possessing different opinions; (3) the destructive winter weather that produced serious hardships and even death within many of the Texas communities. These three events occurring together might well be considered what we sometimes call the perfect storm.

He spoke regarding his dealing with COVID and the winter survival issues over the past few weeks. He spoke about the outstanding community responses to at least two of the three aforementioned crises which deserves public acknowledgement and praise; that is the COVID Pandemic event and the winter crises. He feels strongly enough about his family's experience which has had such appreciation for the services received that it prompted him to appear at this public forum to publicly commend those responsible for relief services provided. He continued complimenting staff on the outstanding planning and accommodations of the vaccines and the outstanding services of providing warming stations during the winter crisis.

- Mr. Richard Elder, 4317 Willow Oak who spoke regarding Schertz survival of the recent winter storm - cold blast, a well-timed rolling blackout from GVEC and water availability from the City of Schertz. He spoke regarding the Schertz Fire/EMS and Ambulance crews performed very well. Schertz 911 Center made a well-timed 911 call back when the AT&T Uverse digital phone could receive calls but not complete calls - the call back procedure worked well.

He spoke regarding the COVID-19 Vaccine situation and process in San Antonio. He addressed the Council regarding the need to get information out to Schertz Seniors. Suggestions on how to contact them, via Meals on Wheels program list, enlisting church, fraternal and club organizations to contact seniors. Enlist the Congressional staff to accomplish an emergency FCC Media Brach "STA" or Special temporary authority FM Broadcast station to play a tape of the current status of appointments. The "STA" is good for 6 months and is renewable.

He suggested using a wait list system, if coded as to a category date of sign up, the sequence number for that day, that information can be broadcast on the FM station without a personal information issue.

Is Schertz prepared for the really big event? Are critical support functions backed up with standby - backup generators? Are backup resources exercised on a regular basis and realistically? Are functional systems like sewer lift stations equipped with backup? When was the last time the Schertz Emergency Operations Center ran on generator for 3-5 days requiring a refueling contractor to support continued generator operations?

Lastly, he spoke about a possible section within the City of Schertz website, might

outline how Schertz is prepared for disaster situations of this recent degree and operational test and evaluation - life is full of examples.

Mayor Gutierrez recognized and asked City Secretary Brenda Dennis if she had received any emails for inclusion, she indicated no.

Consent Agenda Items

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

Mayor Gutierrez read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the Special Workshop Retreat Meeting of February 5, 2021 and the minutes of the Regular Meeting of February 9, 2021. (B. Dennis)
2. **Boards, Commissions and Committee Member Resignations** - Consideration and/or action approving the resignation of Mr. Paul Ryson from the Transportation Safety Advisory Commission. (M. Browne/B. Dennis)
3. **Resolution 21-R-16.** Presentation and consideration and/or action regarding the 2020 Annual Racial Profiling Report. (M. Browne/C. Kelm/M. Hansen)

Mayor Gutierrez asked Council if there were any items they wished to be removed for separate action. Mayor Gutierrez recognized Mayor Pro-Tem Whittaker who requested that agenda item 3 be removed.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Mark Davis to approve consent agenda items 1 & 2.

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

Passed

Discussion and Action Items

3. **Resolution 21-R-16** - Presentation and consideration and/or action regarding the 2020 Annual Racial Profiling Report. (M. Browne/C. Kelm/M. Hansen)

Mayor Gutierrez recognized Mayor Pro-Tem Whittaker who addressed several questions to staff and provided her observations of the 2020 Annual Racial Profiling report. Members of Council also provided their observations of the report and addressed questions. Council continued with a lengthy discussion of this item.

Moved by Councilmember David Scagliola, seconded by Councilmember Allison Heyward to approve Resolution No: 21-R-16.

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

Passed

Public Hearings

4. **Ordinance No. 21-A-05** - Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, Bexar County, Texas. *First Reading* (B. James, L. Wood, N. Kopyay)

Mayor Gutierrez recognized Senior Planner Nick Kopyay who provided a PowerPoint presentation introducing this item.

Mayor Gutierrez stated that as this is a public hearing he opened the public hearing for those wishing to speak. As no one spoke; Mayor Gutierrez closed the public hearing for Council comments. No comments were made or provided by Council.

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-A-05 on first reading.

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

Passed

5. **Ordinance No. 21-S-06** - Conduct a public hearing and consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas. *First Reading* (B. James, L. Wood, N. Kopyay)

Mayor Gutierrez recognized Senior Planner Nick Kopyay who provided a PowerPoint presentation introducing this item. As this was a public hearing, Mayor Gutierrez opened the public hearing for those wishing to speak. As no one spoke, Mayor Gutierrez closed the public hearing for Council questions and comments.

Senior Planner Nick Kopyay addressed several questions from Councilmembers. A lengthy discussion was held by each member of Council who provided their views and thoughts on approval or disapproval of the proposed zoning change.

Moved by Councilmember Michael Dahle, seconded by Councilmember Tim Brown to approve Ordinance No. 21-S-06 on first reading.

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

NAY: Councilmember David Scagliola

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 1 through 5.

Workshop

6. **Workshop Discussion and Update (Ordinance 20-H-18)** - Discussion and update regarding the COVID-19 virus and our current Ordinance No. 20-H-18 Declaration of Local Disaster. (M. Browne/K. Long/S. Hall)

Mayor Gutierrez recognized Emergency Management Coordinator Summar Hall who provided information regarding the following:

- Vaccination update (vaccination clinic this week (February 25th))

Received 1st Dose Allocations - Moderna 300 - did not receive last week due to storm

Received 1st Dose Allocations - Pfizer 1170 - week 11 allocation

- Current Case Numbers for Guadalupe, Comal and Bexar County
- EOC Activities - Current Numbers
- Active County Case Counts
- SCUCISD Active Case Counts
- State of Texas Testing Positivity Rates
- State Disaster Declaration - February 4, 2021, Governor Abbot extended State Disaster Declaration for additional 30 days. City of Schertz declaration follows State.
- Daily New Cases - State
- State Hospitalization Rates
- Hospitalizations Bexar County

7. **Winter Weather Emergency Declaration of Local Disaster for Schertz, Texas** - Workshop discussion and update regarding the Winter Weather Emergency Response, our Declaration of Local Disaster, and impacts of power outages on our residents and water system. (M. Browne/C. Kelm/K. Long/S. Hall)

Mayor Gutierrez recognized Assistant City Manager Charles Kelm who provided a PowerPoint presentation regarding the Winter Storm Response. Highlights included:

Winter Storm Timeline:

Emergency Response Operations

- Public Safety Calls (Feb 15-19, 2021)
- Police Department Operations
- Fire Department Operations
- Emergency Medical Services Operations
- Public Works Operations (24 Hour Operations)
- Utilities
- Utility Recovery
- Significant Challenges

- Stone Crest Apartments
- Recovery Efforts

Roll Call Vote Confirmation

Mayor Gutierrez no roll call vote confirmation was required regarding the workshop items.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned agenda items 8 and 9 that were in the City Council packets as well as the information could be found online. No action necessary.

8. Mayor and Council Compensation. (B. James/J. Walters)
9. SEDC Annual Report FY 2019-2020. (M. Browne/A. Perez)

Requests and Announcements

- Announcements by the City Manager.

No further announcements were provided.

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

No requests were given at this time.

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

No items requested at this time.

- Announcements by Mayor and Councilmembers

- City and community events attended and to be attended
- City Council Committee and Liaison Assignments (see assignments below)
- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Mayor Gutierrez recognized the following:

Mayor Pro-Tem Whittaker stated that she attended the Northeast Partnership Luncheon last week, as well as assisted with the COVID Clinic.

Councilmember Scagliola stated he attended The Chamber Luncheon today.

Councilmember Heyward stated she attended and assisted with the COVID Call Clinic, attended the Northeast Partnership meeting, assisted with the COVID Clinic, attended the Guadalupe County Precinct 3 Constable Food Drive, and attended the Chamber Luncheon today. She commented on the State of the City Videos that the Cities of Schertz, Selma and Cibolo provided.

Councilmember Brown stated he attended the Chamber Luncheon today, and the City of Schertz State of the City Video is the best one.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:30 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021
Department: Finance
Subject: Resolution No. 21-R-18 - Consideration and/or action approving a Resolution accepting the Semi-annual report with respect to the progress of the Capital Improvements Plan, and other matters in connection therewith. (B. James/J. Walters)

BACKGROUND

Section 395.058 (c) (4) of the Texas Local Government Code requires the Capital Improvements Advisory Committee (CIAC) to file semi-annual reports with respect to the progress of the capital improvements plan and report to City Council any perceived inequities in implement the plan or imposing impact fees. Section 90-158 of the City's Code of Ordinance includes this same requirement. The CIAC is a citizen group made up of our current Planning and Zoning Commission, a real estate-type representative and a resident in the Extraterritorial Jurisdiction, all of whom are appointed by the City Council.

Impact fees can only be charged to new development and used in compliance with a specific adopted plan. Projects in the plan must be designed to increase the capacity of our water and sewer infrastructure to accommodate our growth. General maintenance or replacing old pipes would not be acceptable uses of these funds.

The attached report includes capital recovery balance reports for April 1, 2020 through September 30, 2020 and the draft CIAC minutes from November 18, 2020.

GOAL

To accept the Semi-annual Reports on the revenue and expenditures relating to the water, wastewater, and roadway impact fees as filed by the City of Schertz Capital Improvements Advisory Committee (CIAC).

COMMUNITY BENEFIT

To ensure compliance with State Law and the City's Code of Ordinances and to ensure that impact fees are being collected and spent appropriately.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 21-R-18 accepting the Semi-annual Report as filed by the Capital Improvements Advisory Committee.

FISCAL IMPACT

The report indicates the amounts collected and spent for water, wastewater, and roadway impact fees.

RECOMMENDATION

Approval of Resolution 21-R-18 accepting the Semi-annual Report as filed by the Capital Improvements Advisory Committee.

Attachments

Resolution 21-R-18

Capital Recovery Balance Report

CIAC Minutes Nov 18, 2020

Project Updates

RESOLUTION NO. 21-R-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS ACCEPTING THE SEMIANNUAL REPORTS WITH RESPECT TO THE PROGRESS OF THE CAPITAL IMPROVEMENTS PLAN, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Capital Improvements Advisory Committee has reviewed the revenue and expenditures relating to the established Capital Recovery Fees in accordance with the Capital Improvements Plan for the City of Schertz; and

WHEREAS, the City Council accepts the Semiannual Reports as filed by the Capital Improvements Advisory Committee in accordance with Texas Local Government Code Chapter 395; then

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

Section 1. The City Council hereby accepts the Capital Recovery Balance Report with respect to the progress of the Capital Improvements Plan for the City of Schertz, Texas for the periods of April 1, 2020 through September 30, 2020 as shown in the attached Exhibit A and the draft minutes of the November 13, 2020 City of Schertz Capital Improvements Advisory Committee as shown in the attached Exhibit B.

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 2nd day of March, 2021.

CITY OF SCHERTZ, TEXAS

Rafael Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

**CITY OF SCHERTZ
CAPITAL RECOVERY IMPACT FEE REPORT
APRIL 1, 2020 TO SEPTEMBER 30, 2020**

Apr 1, 2020 to Sept 30, 2020

	***** IMPACTS FEES *****		
	Water	Sewer	Total
Beginning Allocated Impact Fee Balance ¹	1,161,122.42	152,267.99	1,313,390.41
Net Change in Allocated Impact Fees	1,161,122.42	0.00	1,161,122.42
Ending Allocated Impact Fee Balance	0.00	152,267.99	152,267.99
Beginning Unallocated Impact Fee Balance	7,080,227.76	7,125,712.81	14,205,940.57
Revenues:			
Impact Fees	680,106.00	361,985.48	1,042,091.48
Transfer In	0.00	0.00	0.00
Interest Earned	232.44	118.82	351.26
Investments Income	22,499.69	19,295.03	41,794.72
Misc Income	0.00	0.00	0.00
Reimbursement	0.00	0.00	0.00
Expenses:			
Advertising	0.00	0.00	0.00
Engineering	0.00	0.00	0.00
Legal Svcs	0.00	0.00	0.00
Professional Services	57,301.03	159,004.84	216,305.87
CCMA-NorthCliffe Impact Fees	0.00	0.00	0.00
Auditor/Accounting Services	0.00	0.00	0.00
Investment Mgt Fee - Sewer	0.00	2,273.24	2,273.24
Transferred Out	0.00	0.00	0.00
Total Revenue Over/(Under) Expense	645,537.10	220,121.25	865,658.35
Ending Unallocated Impact Fee Balance	7,725,764.86	7,345,834.06	15,071,598.92
Estimated Cost of Unfunded Projects			
Corbett Ground Storage Tank	5,000,000.00		
NE Quad Distribution Mains	1,300,000.00		
Impact Fee Study Update	127,216.28		
Woman Hollering Trunk Line		7,860,000.00	
Cibolo West Trunk Line		6,000,000.00	
Impact Fee Study Update		156,477.85	
Total Unfunded Project Costs	6,427,216.28	14,016,477.85	20,443,694.13
Unfunded Projects to Ending Unallocated Impact Fee Balance ²	1,298,548.58	(6,670,643.79)	(5,372,095.21)

¹ Allocated Impact Fee Balances only include Capital Recovery funds and not funds from any other source. It also assumes Capital Recovery Funds are used first when allocated.

² Negative Unfunded Projects to Ending Impact Fee Balance to be funded by future revenues or through other sources

Capital Recovery Water Projects

Capital Improvements Program	SE Quad Pump Station	SE Quad GST	SE Quad Elevated Tank	SE Quad Distribution Mains	NE Quad Distribution Mains	IH10 Corridor Distribution Mains
Original Cost Estimate	\$ 1,688,289	\$ 1,100,000	\$ 1,250,000	\$ 1,700,000	\$ 1,600,000	\$ 1,000,000
Current Project Designation	Corbett Ground Storage Tank	Corbett Ground Storage Tank	Corbett Elevated Tank - RL1	Corbett Elevated & Ground Tanks		
Current Cost Estimate		\$ 5,000,000	\$ 5,650,000		\$ 1,300,000	

Capital Recovery Funding/Allocation

2011						
2012						
2013			\$ 12,251.14			
2014			\$ 500.00			
2015			\$ 86,166.10			
2016			\$ 3,050,000.00			
2017						
2018						
2019			\$ 1,375,000.00			
2020						

Capital Recovery Funding Balance	\$ -	\$ -	\$ 4,523,917.24	\$ -	\$ -	\$ -
Other Funding Sources	\$ -	\$ -	\$ 1,022,245.46	\$ -	\$ -	\$ -
Total Project Funding Sources	\$ -	\$ -	\$ 5,546,162.70	\$ -	\$ -	\$ -

Project Annual Expenses

First Half 2011						
Second Half 2011						
First Half 2012						
Second Half 2012						
First Half 2013						
Second Half 2013			\$ 12,251.14			
First Half 2014			\$ 6.77			
Second Half 2014			\$ 2,081.13			
First Half 2015			\$ 980.00			
Second Half 2015			\$ 120,233.32			
First Half 2016			\$ 87,843.28			
Second Half 2016			\$ 22,763.75			
First Half 2017			\$ -			
Second Half 2017			\$ 40,403.20			
First Half 2018			\$ 6,248.00			
Second Half 2018			\$ 7,485.13			
First Half 2019			\$ 50,510.63			
Second Half 2019			\$ 1,994,741.24			
First Half 2020			\$ 1,385,858.48			
Second Half 2020			\$ 1,161,122.42			
Total Expenses	\$ -	\$ -	\$ 4,892,528.49	\$ -	\$ -	\$ -

Allocated Impact Project Fee Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Project Balance	\$ -	\$ -	\$ 653,634.21	\$ -	\$ -	\$ -

Project Status	Future	Future	Ongoing	Future	Future	Future
----------------	--------	--------	---------	--------	--------	--------

Capital Recovery Sewer Projects

Capital Improvements Program	Final South Sewershed Master Plan	Town Creek Phase III	Town Creek Phase IV	Woman Hollering Creek STP PH II	South Schertz Trunk Lines and Lift Station	South Schertz Trunk Lines and Lift Station
Original Cost Estimate	\$ 15,000	\$ 659,126	\$ 1,000,000	\$ 600,000	\$ 9,600,000	
Current Project Designation		Town Creek Phase III - QA3		Crossvines Batch Plant Expansion - QA4	Woman Hollering Trunk Line - QA2/Q01	Cibolo West Truck Line
Current Cost Estimate		\$ 931,740		\$ 487,848	\$ 10,860,000	\$ 6,000,000.0

Capital Recovery Funding/Allocation

2011						
2012						
2013						
2014						
2015						
2016						
2017						
2018				\$ 487,848.00		
2019				\$ -		
2020						

Capital Recovery Funding Balance	\$ -	\$ -	\$ -	\$ 487,848.00	\$ -	\$ -
Other Funding Sources		Bond 2007 \$ 931,739.74			Bond 2013 \$ 3,000,000.00	
Total Project Funding Sources	\$ -	\$ 931,739.74	\$ -	\$ 487,848.00	\$ 3,000,000.00	\$ -

Project Annual Expenses

First Half 2011						
Second Half 2011						
First Half 2012						
Second Half 2012					\$ 82,262.17	
First Half 2013					\$ 49,861.30	
Second Half 2013		\$ 980.00			\$ 17,032.55	
First Half 2014		\$ 28,743.00			\$ 61,364.70	
Second Half 2014		\$ 46,690.62			\$ 34,775.84	
First Half 2015		\$ 5,858.72			\$ 5,382.50	
Second Half 2015		\$ 815,683.00			\$ 38,315.41	
First Half 2016		\$ 33,784.40			\$ 121,438.32	
Second Half 2016					\$ 83,983.26	
First Half 2017					\$ 6,220.00	
Second Half 2017					\$ 4,048.18	
First Half 2018					\$ 247,870.62	
Second Half 2018				\$ 68,609.20	\$ 212,479.83	
First Half 2019				\$ 225,595.33	\$ 56,860.59	
Second Half 2019				\$ 41,375.48	\$ 225,106.41	
First Half 2020				\$ -	\$ 98,737.52	
Second Half 2020				\$ -	\$ 135,710.99	
Total Expenses	\$ -	\$ 931,739.74	\$ -	\$ 335,580.01	\$ 1,481,450.19	\$ -

Allocated Impact Project Fee Balance	\$ -	\$ -	\$ -	\$ 152,267.99	\$ -	\$ -
Project Balance	\$ -	\$ -	\$ -	\$ 152,267.99	\$ 1,518,549.81	\$ -

Project Status	Future	Complete	Future	On Going	On Going	Future
----------------	--------	----------	--------	----------	----------	--------

**CITY OF SCHERTZ
ROADWAY IMPACT FEE REPORT
APRIL 1, 2020 TO SEPTEMBER 30, 2020**

Apr 1, 2020 to Sept 30, 2020

	***** ROADWAY IMPACTS FEES *****				
	Area 1	Area 2	Area 3	Area 4	Total
Beginning Allocated Impact Fee Balance	0.00	0.00	0.00	0.00	0.00
Net Change in Allocated Impact Fees	0.00	0.00	0.00	0.00	0.00
Ending Allocated Impact Fee Balance	0.00	0.00	0.00	0.00	0.00
Beginning Unallocated Impact Fee Balance	169,631.63	95,690.55	195,504.27	3,570.62	464,397.07
Revenues:					
Impact Fees	168,062.00	50,072.98	251,891.21	2,696.00	472,722.19
Transfer In	0.00	0.00	0.00	0.00	0.00
Interest Earned	178.29	88.84	238.95	2.83	508.91
Investments Income	0.00	0.00	0.00	0.00	0.00
Misc Income	0.00	0.00	0.00	0.00	0.00
Reimbursement	0.00	0.00	0.00	0.00	0.00
Expenses:					
Advertising	0.00	0.00	0.00	0.00	0.00
Engineering	0.00	0.00	0.00	0.00	0.00
Legal Svcs	0.00	0.00	0.00	0.00	0.00
Professional Services	0.00	0.00	0.00	0.00	0.00
Auditor/Accounting Services	0.00	0.00	0.00	0.00	0.00
Transferred Out	0.00	0.00	0.00	0.00	0.00
Total Revenue Over/(Under) Expense	168,240.29	50,161.82	252,130.16	2,698.83	473,231.10
Ending Unallocated Impact Fee Balance	337,871.92	145,852.37	447,634.43	6,269.45	937,628.17

CAPITAL IMPROVEMENT ADVISORY COMMITTEE MINUTES

November 18, 2020

The Schertz Capital Improvement Advisory Committee convened on November 18, 2020 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building#4, Schertz, Texas.

Present: Ernie Evans, Member; Richard Braud, Member; Ricky Haynes, Member; Glen Outlaw, Member; Earl Platt, Member; Mark Penshorn, Member; Judy Goldick, Member; Jimmy Odom, Member

Absent: Gordon Rae, Member; Ken Greenwald, Member

City Staff: Brian James, Assistant City Manager; Charles Kelm, Assistant City Manager; Lesa Wood, Planning and Community Development Director; James Walters, Finance Director; Nick Kopyay, Planner; Megan Harrison, Planner; Daniel Santee, City Attorney

1. CALL TO ORDER / ROLL CALL THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING

Mr. Outlaw called the CIAC meeting to order at 6:00P.M.

2. HEARING OF RESIDENTS

Residents who choose to watch the meeting via live stream, but who would like to participate in Residents to be Heard, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Tuesday, November 17, 2020, so that the Planning Division may read the public comments into the record under the hearing of residents. In the body of the email please include your name, your address, phone number, agenda item number if applicable or subject of discussion, and your comments.

This time is set aside for any person who wishes to address the Capital Improvement Advisory Committee. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission 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.

There were no residents who spoke.

3. PUBLIC HEARING

A. Hold a public hearing, consider and file the semi-annual report evaluating the progress of the city on achieving the capital improvements program and identifying any problems in implementing the plans or administering the capital recovery fees.

Mr. Outlaw opened the public hearing at 6:05 P.M.

No one spoke during the public hearing.

Mr. Outlaw closed the public hearing at 6:06 P.M.

There was a brief discussion.

Motioned by Member Ricky Haynes to recommend to the City Council approval of the semi-annual report, seconded by Member Jimmy Odom

Vote: 8 - 0 Passed

4. ADJOURNMENT OF THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEETING

Mr. Outlaw adjourned the CIAC meeting at 6:07 P.M

WATER AND WASTEWATER CAPITAL RECOVERY PROJECT UPDATES

October 1, 2020

Corbett Elevated Water Storage Tank:

- Project Status: Under Construction
- Construction Start: March 2019
- Construction Completion: Summer 2020
- Cost of Construction: \$4,682,000.00
- Project Update: The electrical and SCADA work continued throughout August. Delays in the electrical and final pump station work delayed the initial start up to late August. The tank is expected to be filled for the first time in early September. The onsite paving was completed in August and the work on the site fence continued throughout August.



Woman Hollering Creek Wastewater Interceptor Main and Lift Station:

- Project Status: Design
- Consultant: Cobb, Fendley & Associates, Inc.
- Estimated Construction Start: Fall 2020
- Estimated Cost of Construction: \$12 million
- Project Update: City Staff is reviewing final construction plans and specifications submitted by CobbFendley. Staff also continues to work on the Final Plat and Site Plan processes. The total number of easements acquired is 20 out of a total of 21. Negotiation of the final needed easement is in process. The project is expected to be advertised for bid this Fall.

Water and Wastewater Master Plan Update and Impact Fee Study:

- Project Status: Study
- Consultant: Lockwood, Andrews, and Newnam, Inc.
- Project Start Date: December 2019
- Project Completion Date: Spring 2021
- Total Project Cost: \$467,280 (NTE \$500,000)
- Project Update: Meeting scheduled for September for Consultant to review water and wastewater models with City Staff.

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021

Department: Planning & Community Development

Subject: Ordinance No. 21-A-05 - Consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, Bexar County, Texas. *Final Reading* (B. James, L. Wood, N. Kopyay)

BACKGROUND

This item was approved following the public hearing at the February 23, 2021 City Council Meeting by a 6-0 vote; this is the final reading of Ordinance 21-A-05.

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 for processing of voluntary annexation requests.

On behalf of each of the property owners, Moy Tarin Ramirez Engineers, LLC submitted a petition for voluntary annexation to the City of Schertz for approximately 214 acres of land generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013.

On January 26, 2021, City Council approved Resolution 21-R-06, 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) immediately following action of Ordinance 21-A-05.

A public hearing notice was published in the San Antonio Express News for the public hearing associated with the annexation ordinance on February 10, 2021. 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 February 10, 2021. Additionally, a public hearing notice has been published on the City of Schertz website since February 11, 2021. At the time of this report, Staff has received four responses in favor of the proposed annexation.

GOAL

The property owners are requesting voluntary annexation into the City of Schertz because they want the subject property to be located within the Schertz City limits in order to develop the land as a residential subdivision under the Planned Development Zoning 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 21-A-05.

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 this annexation was already accounted for given that the subject properties are under delayed annexation development agreements, which all expire in August 2021. Per the original agreement, the subject properties were already planned to be annexed, and thus the aforementioned services were already planned to be provided, in August 2021.

RECOMMENDATION

Staff recommends approval of Ordinance 21-A-05 and the annexation of the approximately 214 acres.

Attachments

Ordinance 21-A-05

Ordinance 21-A-05 Exhibit A

Ordinance 21-A-05 Exhibit B

Annexation Exhibit

Aerial Map

Public Hearing Notice Map

Public Hearing Notice Responses

ORDINANCE NO. 21-A-05

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 214 ACRES OF LAND LOCATED IN BEXAR COUNTY APPROXIMATELY 6,000 FEET EAST OF THE INTERSECTION BETWEEN FM 1518 AND LOWER SEGUIN ROAD, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 309419, 309811, 310011, AND 310013.

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 January 6, 2021 for the hearing held on January 26, 2021, and notice was published in the San Antonio Express News on February 10, 2021 for the hearing on February 23, 2021; and

WHEREAS, on January 26, 2021 the City Council conducted a public hearing and after considering the request for voluntary annexation, adopted Resolution 21-R-06 accepting a 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.

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

Section 1. The City 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.

Approved on first reading the 23rd day of February, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 2nd day of March, 2021.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary
(SEAL OF THE CITY)

Field Notes for a Tract of Land
Containing 213.898 acre (9,317,414.98 square feet)

A 213.898 acre (9,317,414.98 square feet) tract of land partially situated in the Julian Diaz Survey No. 66, Abstract 187, County Block No. 5059, partially situated in the William Bracken Survey No. 65, Abstract No. 48, County Block 5055, and partially situated in the William Bracken Survey No. 74, Abstract No. 43, County Block 5056, Bexar County, Texas, said 213.898 acre (9,317,414.98 square feet) tract of land being all of a 36.92 acre tract as conveyed to David Neal Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Pages 159-164, and a portion of a 135.06 acre tract as conveyed to Milton Friesenhahn in Warranty Deed with Vendor's Lien as recorded in Volume 7423, Page 621, with undivided three-fourths interest conveyed to Elizabeth Ann Basha, Jeanne Marie Zwicke, and Katherine Menk, in Special Warranty Deed as recorded in Volume 15867, Pages 1756-1759, and a portion of a 11.680 acre tract designated as Tract I, and a portion of a called 70.824 acre tract designated as Tract II, both tracts conveyed to Donnie K. Fischer and Cindy A. Fischer in Substitute Trustee's Deed as recorded in Volume 13622, Page 2403, all of the Official Public Records of Bexar County, Texas, said 213.898 acre (9,317,414.98 square feet) tract of land being more particularly described as follows:

Beginning: at a found 5/8" iron rod on the southeasterly right of way line of Raf Burnette Road, a public right of way, being the west corner of a 14.25 acre tract, as conveyed to Bruce J. Wales by Warranty Deed, as recorded in Volume 14209, Pages 1254-1258 of the Official Public Records of Bexar County, Texas, being the northeast corner of said 36.92 acre tract, and being the north corner of the herein described tract;

Thence, leaving the southeasterly right of way line of said Raf Burnette Road, with the east boundary of said 36.92 acre tract, South 16 degrees 47 minutes 34 seconds East, a distance of 1,964.71 feet to a found 1/2" iron rod, being the east corner of said 36.92 acre tract, and being an angle point in the herein described tract;

Thence, with the southeasterly boundary of said 36.92 acre tract, South 48 degrees 43 minutes 14 seconds West, a distance of 142.65 feet to a found 5/8" iron pipe, being the north corner of said 135.06 acre tract, and being an interior corner of the herein described tract;

Thence, with the easterly boundary of said 135.06 acre tract, South 30 degrees 30 minutes 40 seconds East, a distance of 2,296.74 feet to a found 5/8" iron pipe on the northwesterly boundary of said 70.824 acre tract, being an angle point in the herein described tract;

Thence, with the northwesterly boundary of said 70.824 acre tract, North 59 degrees 30 minutes 13 seconds East, a distance of 218.72 feet to a found iron rod with a destroyed yellow plastic cap, being the north corner of said 70.824 acre tract, being the west corner of said 11.680 acre tract, and being an angle point in the herein described tract;

Thence, with the northwesterly boundary of said 11.680 acre tract, North 59 degrees 12 minutes 56 seconds East, a distance of 337.37 feet to a found 1/2" iron rod, being the north corner of said 11.680 acre tract, and being an angle point in the herein described tract;

Thence, with the easterly boundary of said 11.680 acre tract, South 28 degrees 40 minutes 09 seconds East, a distance of 1,271.70 feet to a point on a southeasterly Schertz City Limits Line, and being the most easterly corner of the herein described tract;

Thence, with a southeasterly boundary of said Schertz City Limits Line, South 59 degrees 29 minutes 09 seconds West, passing the westerly boundary of said 11.680 acre tract and continuing said course passing the westerly boundary of said 70.824 acre tract for a total distance of 2,938.88 feet to a point on a westerly boundary of said 135.06 acre tract, and being the most southerly corner of the herein described tract;

Thence, with the northwesterly boundary of said 135.06 acre tract and the Schertz City Limits Line, the following two (2) courses:

North 30 degrees 05 minutes 14 seconds West, a distance of 1,567.11 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being an angle point in the herein described tract;

North 30 degrees 32 minutes 28 seconds West, a distance of 715.57 feet to a found iron rod with a red plastic cap, being the south corner of a called 25.01 acre tract as conveyed to Board of Trustees of the Schertz-Cibolo-Universal City Independent School District in Special Warranty Deed as recorded in Volume 14298, Pages 7-11 of the Official Public Records of Bexar County, Texas, being the west corner of the herein described tract;

Thence, leaving the southwesterly boundary of said 135.06 acre tract, with the south and east boundary of said 25.01 acre tract and the Schertz City Limits Line, the following two (2) courses:

North 49 degrees 37 minutes 09 seconds East, a distance of 1,342.29 feet to a found iron rod with a red plastic cap, being the east corner of said 25.01 acre tract, and being an interior corner in the herein described tract;

North 40 degrees 07 minutes 58 seconds West, a distance of 858.27 feet to a found iron rod with a red plastic cap stamped "CEC 210 641-999", being the north corner of said 25.01 acre tract, being the south corner of a called 37.921 acre tract as conveyed to Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Pages 152-158 of the Official Public Records of Bexar County, Texas, being an angle point in the herein described tract;

Thence, leaving the Schertz City Limits Line, with the southeasterly boundary, and the east boundary of said 37.921 acre tract, the following two (2) courses:

North 49 degrees 56 minutes 07 seconds East, a distance of 603.34 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being the east corner of said 37.921 acre tract, and being the south corner of said 36.92 acre tract, being an interior corner of the herein described tract;

With the west boundary of said 36.92 acre tract, North 20 degrees 10 minutes 44 seconds West, a distance of 2,087.07 feet to a found nail in asphalt on the southeasterly right of way line of said Raf Burnette Road, being the north corner of said 37.921 acre tract, being the west corner of said 36.92 acre tract, and being the most northerly northwest corner of the herein described tract;

Thence, with the southeasterly right of way line of said Raf Burnette Road, and the northwesterly boundary of said 36.92 acre tract, North 60 degrees 11 minutes 04 seconds East, a distance of 870.32 feet to the **Point of Beginning**, containing 213.898 acre (9,317,414.98 square feet) of land.

Note: Basis of bearing was established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone. An Exhibit of even date was prepared for this description.



Stephanie L. James

Stephanie L. James, R.P.L.S.
Registered Professional Land Surveyor
No. 5950
Date: 2021-01-21 Job No. 19037
VB

CITY OF SCHERTZ, TEXAS

ANNEXATION SERVICE PLAN

AREA ANNEXED

A 213.898 acre (9,317,414.98 square feet) tract of land partially situated in the Julian Diaz Survey No. 66, Abstract 187, County Block No. 5059, partially situated in the William Bracken Survey No. 65, Abstract No. 48, County Block 5055, and partially situated in the William Bracken Survey No. 74, Abstract No. 43, County Block 5056, Bexar County, Texas, said 213.898 acre (9,317,414.98 square feet) tract of land being all of a 36.92 acre tract as conveyed to David Neal Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Pages 159-164, and a portion of a 135.06 acre tract as conveyed to Milton Friesenhahn in Warranty Deed with Vendor's Lien as recorded in Volume 7423, Page 621, with undivided three-fourths interest conveyed to Elizabeth Ann Basha, Jeanne Marie Zwicke, and Katherine Menk, in Special Warranty Deed as recorded in Volume 15867, Pages 1756-1759, and a portion of a 11.680 acre tract designated as Tract I, and a portion of a 70.824 acre tract designated as Tract II, both tracts conveyed to Donnie K. Fischer and Cindy A. Fischer in Substitute Trustee's Deed as recorded in Volume 13622, Page 2403, all of the Official Public Records of Bexar County, Texas.

See Exhibit A, "*Metes and Bounds Description*", attached hereto for a complete description of the property.

INTRODUCTION

This service plan has been prepared in accordance with Local Government Code Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the city at the following levels and in accordance with the following schedule:

POLICE PROTECTION

Patrolling, responses to calls, and other police services will be provided on the effective date of the annexation at the same level as provided throughout the city.

FIRE PROTECTION AND FIRE PREVENTION

Fire protection and fire prevention services will be provided on the effective date of the annexation at the same level as provided throughout the city.

EMERGENCY MEDICAL SERVICES

Emergency medical services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

SOLID WASTE COLLECTION AND DISPOSAL

Solid waste collection and disposal services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city. However, no obligation exists for the city to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider.

OPERATION AND MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY

Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

OPERATION AND MAINTENANCE OF ROADS AND STREETS

Operation and maintenance of roads and streets will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

STREET LIGHTING

Street lighting will be made available on the effective date of the annexation on the same basis and at the same level in comparable areas as provided throughout the city.

OPERATION AND MAINTENANCE OF PUBLIC PARKS AND OTHER PUBLICLY OWNED FACILITIES

If any public park, playground, swimming pool, or any other publicly owned facility, building or service is located within the annexed area, it will be maintained on the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the city.

OTHER SERVICES

Other services that may be provided by the city such as planning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

CAPITAL IMPROVEMENTS

The city will make available to the annexed area any necessary water, sewer, street, and drainage facilities within two and one-half (2-1/2) years of the effective date of the annexation unless the construction of the necessary facilities is interrupted by circumstances beyond the control of the city, or unless this period is extended by an arbitration decision. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with Local Government Code Ch. 395. Construction of other capital improvements shall be considered by the city in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED

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 area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

TERM

This service plan shall be valid for a term of ten (10) years.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Local Government Code Section 43.0561.

OWNER(S):

Signature: _____

Print Name: _____

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2021 by Raymond Tarin Jr., Principal of Moy Tarin Ramirez Engineers, LLC, a Texas limited liability company, the Authorized Agent for the owners of the real property.

(SEAL)

Notary Public in and for
The State of Texas

My Commission Expires:_____

ATTEST:

City Secretary

SIGNED:

City Manager

Exhibit A

Metes and Bounds Description

213.898 ACRES

Field Notes for a Tract of Land
Containing 213.898 acre (9,317,414.98 square feet)

A 213.898 acre (9,317,414.98 square feet) tract of land partially situated in the Julian Diaz Survey No. 66, Abstract 187, County Block No. 5059, partially situated in the William Bracken Survey No. 65, Abstract No. 48, County Block 5055, and partially situated in the William Bracken Survey No. 74, Abstract No. 43, County Block 5056, Bexar County, Texas, said 213.898 acre (9,317,414.98 square feet) tract of land being all of a 36.92 acre tract as conveyed to David Neal Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Pages 159-164, and a portion of a 135.06 acre tract as conveyed to Milton Friesenhahn in Warranty Deed with Vendor's Lien as recorded in Volume 7423, Page 621, with undivided three-fourths interest conveyed to Elizabeth Ann Basha, Jeanne Marie Zwicke, and Katherine Menk, in Special Warranty Deed as recorded in Volume 15867, Pages 1756-1759, and a portion of a 11.680 acre tract designated as Tract I, and a portion of a called 70.824 acre tract designated as Tract II, both tracts conveyed to Donnie K. Fischer and Cindy A. Fischer in Substitute Trustee's Deed as recorded in Volume 13622, Page 2403, all of the Official Public Records of Bexar County, Texas, said 213.898 acre (9,317,414.98 square feet) tract of land being more particularly described as follows:

Beginning: at a found 5/8" iron rod on the southeasterly right of way line of Raf Burnette Road, a public right of way, being the west corner of a 14.25 acre tract, as conveyed to Bruce J. Wales by Warranty Deed, as recorded in Volume 14209, Pages 1254-1258 of the Official Public Records of Bexar County, Texas, being the northeast corner of said 36.92 acre tract, and being the north corner of the herein described tract;

Thence, leaving the southeasterly right of way line of said Raf Burnette Road, with the east boundary of said 36.92 acre tract, South 16 degrees 47 minutes 34 seconds East, a distance of 1,964.71 feet to a found 1/2" iron rod, being the east corner of said 36.92 acre tract, and being an angle point in the herein described tract;

Thence, with the southeasterly boundary of said 36.92 acre tract, South 48 degrees 43 minutes 14 seconds West, a distance of 142.65 feet to a found 5/8" iron pipe, being the north corner of said 135.06 acre tract, and being an interior corner of the herein described tract;

Thence, with the easterly boundary of said 135.06 acre tract, South 30 degrees 30 minutes 40 seconds East, a distance of 2,296.74 feet to a found 5/8" iron pipe on the northwesterly boundary of said 70.824 acre tract, being an angle point in the herein described tract;

Thence, with the northwesterly boundary of said 70.824 acre tract, North 59 degrees 30 minutes 13 seconds East, a distance of 218.72 feet to a found iron rod with a destroyed yellow plastic cap, being the north corner of said 70.824 acre tract, being the west corner of said 11.680 acre tract, and being an angle point in the herein described tract;

Thence, with the northwesterly boundary of said 11.680 acre tract, North 59 degrees 12 minutes 56 seconds East, a distance of 337.37 feet to a found 1/2" iron rod, being the north corner of said 11.680 acre tract, and being an angle point in the herein described tract;

Thence, with the easterly boundary of said 11.680 acre tract, South 28 degrees 40 minutes 09 seconds East, a distance of 1,271.70 feet to a point on a southeasterly Schertz City Limits Line, and being the most easterly corner of the herein described tract;

Thence, with a southeasterly boundary of said Schertz City Limits Line, South 59 degrees 29 minutes 09 seconds West, passing the westerly boundary of said 11.680 acre tract and continuing said course passing the westerly boundary of said 70.824 acre tract for a total distance of 2,938.88 feet to a point on a westerly boundary of said 135.06 acre tract, and being the most southerly corner of the herein described tract;

Thence, with the northwesterly boundary of said 135.06 acre tract and the Schertz City Limits Line, the following two (2) courses:

North 30 degrees 05 minutes 14 seconds West, a distance of 1,567.11 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being an angle point in the herein described tract;

North 30 degrees 32 minutes 28 seconds West, a distance of 715.57 feet to a found iron rod with a red plastic cap, being the south corner of a called 25.01 acre tract as conveyed to Board of Trustees of the Schertz-Cibolo-Universal City Independent School District in Special Warranty Deed as recorded in Volume 14298, Pages 7-11 of the Official Public Records of Bexar County, Texas, being the west corner of the herein described tract;

Thence, leaving the southwesterly boundary of said 135.06 acre tract, with the south and east boundary of said 25.01 acre tract and the Schertz City Limits Line, the following two (2) courses:

North 49 degrees 37 minutes 09 seconds East, a distance of 1,342.29 feet to a found iron rod with a red plastic cap, being the east corner of said 25.01 acre tract, and being an interior corner in the herein described tract;

North 40 degrees 07 minutes 58 seconds West, a distance of 858.27 feet to a found iron rod with a red plastic cap stamped "CEC 210 641-999", being the north corner of said 25.01 acre tract, being the south corner of a called 37.921 acre tract as conveyed to Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Pages 152-158 of the Official Public Records of Bexar County, Texas, being an angle point in the herein described tract;

Thence, leaving the Schertz City Limits Line, with the southeasterly boundary, and the east boundary of said 37.921 acre tract, the following two (2) courses:

North 49 degrees 56 minutes 07 seconds East, a distance of 603.34 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being the east corner of said 37.921 acre tract, and being the south corner of said 36.92 acre tract, being an interior corner of the herein described tract;

With the west boundary of said 36.92 acre tract, North 20 degrees 10 minutes 44 seconds West, a distance of 2,087.07 feet to a found nail in asphalt on the southeasterly right of way line of said Raf Burnette Road, being the north corner of said 37.921 acre tract, being the west corner of said 36.92 acre tract, and being the most northerly northwest corner of the herein described tract;

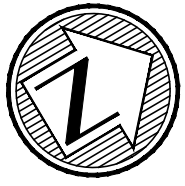
Thence, with the southeasterly right of way line of said Raf Burnette Road, and the northwesterly boundary of said 36.92 acre tract, North 60 degrees 11 minutes 04 seconds East, a distance of 870.32 feet to the **Point of Beginning**, containing 213.898 acre (9,317,414.98 square feet) of land.

Note: Basis of bearing was established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone. An Exhibit of even date was prepared for this description.

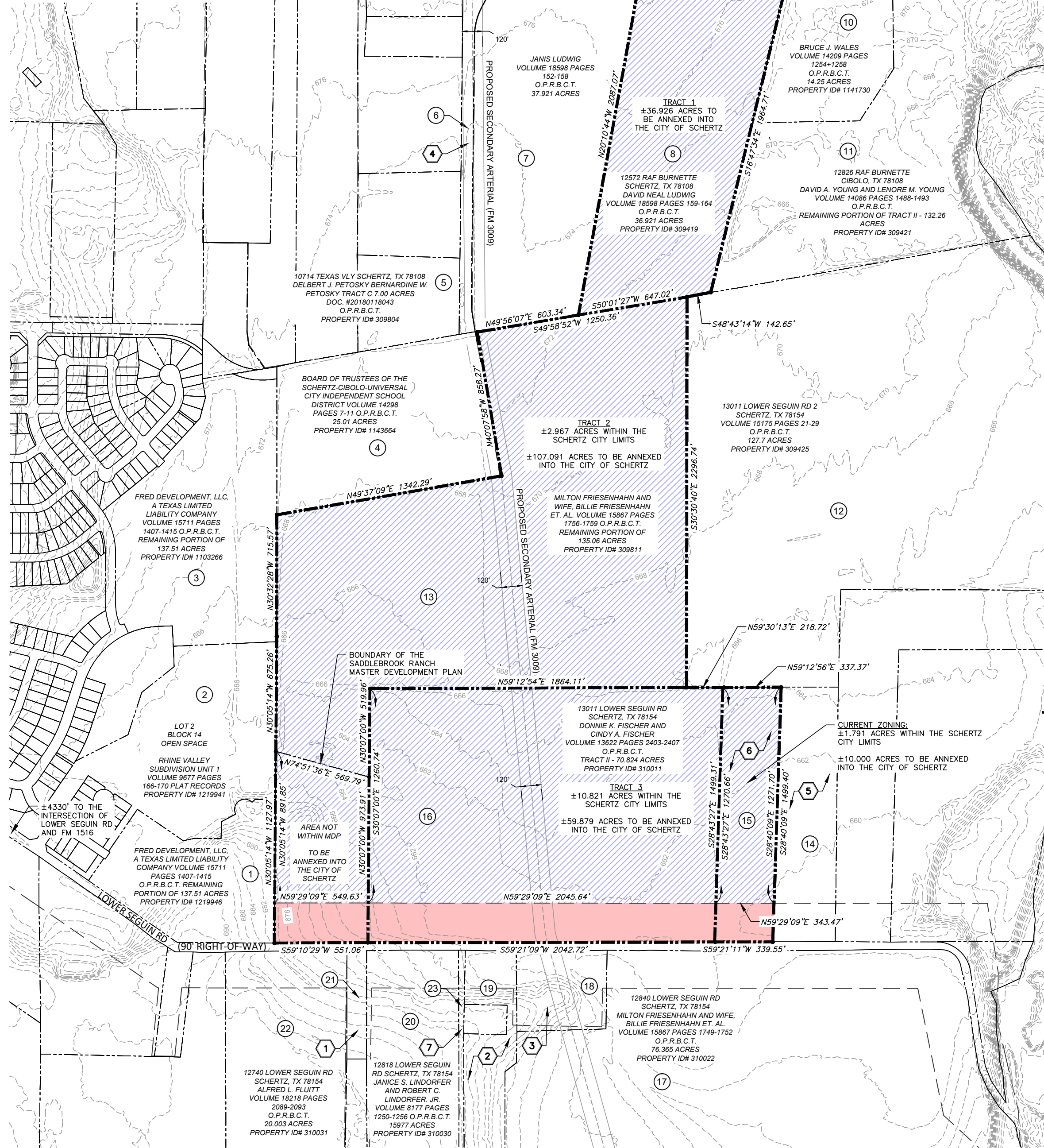
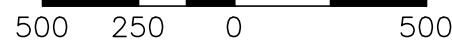


Stephanie L. James

Stephanie L. James, R.P.L.S.
Registered Professional Land Surveyor
No. 5950
Date: 2021-01-21 Job No. 19037
VB

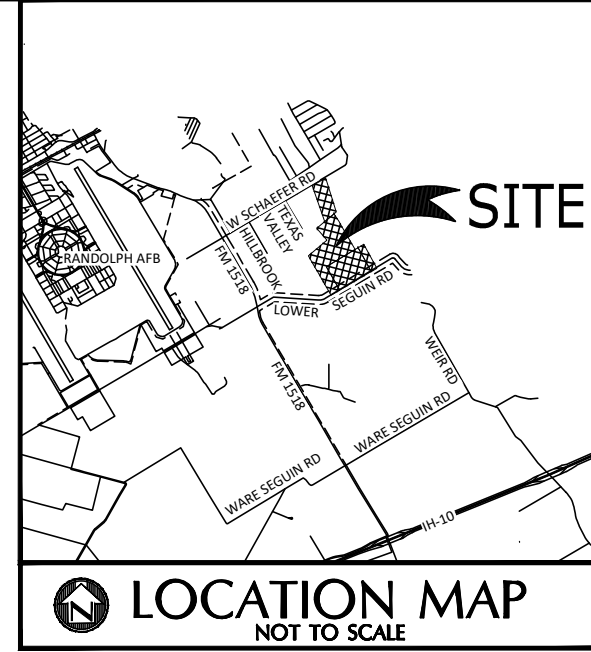


SCALE: 1"=500'



PROPERTY INFORMATION

- 1 12746 LOWER SEGUIN RD SCHERTZ, TX 78154
CARLOS GARZA, JR. AND WIFE,
MARGRET L. CARTY
VOLUME 6541 PAGES 807-811
O.P.R.B.C.T.
2.005 ACRES
PROPERTY ID# 310027
- 2 12840 LOWER SEGUIN RD SCHERTZ, TX 78154
KAREN MARX FISCHER
VOLUME 18819 PAGES 1418-1423
O.P.R.B.C.T.
8.132 ACRES
PROPERTY ID# 310019
- 3 GUILLERMO J. GUAJARDO AND
MARTHA C. GUAJARDO
VOLUME 18616 PAGES 400-405
O.P.R.B.C.T.
5.500 ACRES
PROPERTY ID# 310021
- 4 BOARD OF TRUSTEES OF THE
SCHERTZ-CIBOLO-UNIVERSAL CITY INDEPENDENT
SCHOOL DISTRICT VOLUME 14325 PAGES 2280-2287
O.P.R.B.C.T.
4.100 ACRES
PROPERTY ID# 1146856
- 5 MILTON FRIESENHAHN AND WIFE, BILLIE
FRIESENHAHN ET. AL. VOLUME 15867 PAGES
1753-1755 O.P.R.B.C.T.
11.651 ACRES
PROPERTY ID# 310012
- 6 TRACT 4
13011 LOWER SEGUIN RD SCHERTZ, TX 78154
DOWNE K. FISCHER AND
CINDY A. FISCHER
VOLUME 13622 PAGES 2403-2407
O.P.R.B.C.T.
TRACT I - 11.680 ACRES
PROPERTY ID# 310013



LEGEND

- SUBJECT PROPERTY BOUNDARY
- PROPERTY BOUNDARY
- EXISTING CONTOUR
- SCHERTZ CITY LIMITS
- O.P.R.B.C.T.
- AREA TO BE ANNEXED INTO THE CITY OF SCHERTZ
- AREA WITHIN THE SCHERTZ CITY LIMITS

LAND USE TABLE

1	BASE RATE LOT
2	BASE RATE LOT
3	BASE RATE LOT
4	UNDEVELOPED LAND
5	RANGE IMPROVED DRYLAND
6	BASE RATE LOT
7	TILLABLE DRY (FARM)
8	R/1 FAMILY HOMESITE SINGLE & TILLABLE DRY (FARM)
9	BASE RATE LOT
10	TILLABLE DRY (FARM) & NON QUALIFYING
11	FLOOD PLAIN, RANGE IMPROVED DRYLAND & PTD LAND TYPE - ORCHARDS
12	R/1 FAMILY HOMESITE SINGLE, TILLABLE IRRIGATED & RANGE IMPROVED DRYLAND
13	TILLABLE DRY (FARM) & RANGE NATIVE PASTURE
14	TILLABLE DRY (FARM)
15	TILLABLE DRY (FARM)
16	TILLABLE DRY (FARM)
17	TILLABLE DRY (FARM)
18	RANGE IMPROVED DRYLAND
19	NON QUALIFYING & RANGE IMPROVED DRYLAND
20	TILLABLE DRY (FARM)
21	BASE RATE LOT
22	RANGE IMPROVED DRYLAND

NOTE:

- NO PORTION OF THIS PROPERTY IF LOCATED WITHIN THE 100-YEAR (1% CHANCE) FLOODPLAIN AS ACCORDING TO FEMA FIRM PANEL #48187C0240F
- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

OWNERS INFORMATION	APPLICANT	SURVEYOR
DONNIE K FISCHER PO BOX 850 STOCKDALE, TX 78160	PAUL LANDA, JR., PE, CFM MOY TARIN RAMIREZ ENGINEERS, LLC 12770 CIMARRON PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-5051	STEPHANIE L. JAMES, RPLS MOY TARIN RAMIREZ ENGINEERS, LLC 12770 CIMARRON PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-5051
MILTON & BILLIE FRIESENHAHN 12891 LOWER SEGUIN RD SCHERTZ, TX 78154	DAVID LUDWIG 7519 DELL OAK DR SAN ANTONIO, TX 78218	

MTR
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5297 & TBPLS NO. 10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5058

DRAWING NAME: ANNEXATION EXHIBIT		
PROJECT NAME: SADDLEBROOK RANCH SUBDIVISION ±213.896 AC. TO BE ANNEXED INTO THE CITY OF SCHERTZ		
PROJECT No.:	DATE:	SCALE:
19037	JANUARY 20, 2021	1"=500'

A 229.478 ACRE (9,996,064.69 SQUARE FEET) TRACT OF LAND PARTIALLY IN THE CITY OF SCHERTZ, BEXAR COUNTY, TEXAS, PARTIALLY SITUATED IN THE JULIAN DIAZ SURVEY NO. 66, ABSTRACT 187, COUNTY BLOCK NO. 5059, PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 65, ABSTRACT NO. 48, COUNTY BLOCK 5055, AND PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 74, ABSTRACT NO. 43, COUNTY BLOCK 5056, BEXAR COUNTY, TEXAS, SAID 229.478 ACRE (9,996,064.69 SQUARE FEET) TRACT OF LAND BEING COMPRISED OF A PORTION OF A CALLED 135.06 ACRE TRACT OF LAND AS CONVEYED TO ELIZABETH ANN BASHA, JEANNE MARIE ZWICKE, AND KATHERINE MENK IN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 15867, PAGE 1756, ALL OF A CALLED 11.680 ACRE TRACT OF LAND DESIGNATED AS TRACT I, AND ALL OF A CALLED 70.824 ACRE TRACT OF LAND DESIGNATED AS TRACT II, AS CONVEYED TO DONNIE K. FISCHER AND CINDY A. FISCHER IN SUBSTITUTE TRUSTEE'S DEED AS RECORDED IN VOLUME 13622, PAGE 2403, AND ALL OF A CALLED 36.921 ACRE TRACT OF LAND AS CONVEYED TO DAVID NEAL LUDWIG AND JANIS LUDWIG IN EXECUTOR'S DISTRIBUTION DEED AS RECORDED IN VOLUME 18598, PAGE 159, ALL OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.



SADDLEBROOK RANCH

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

NOTICE OF PUBLIC HEARING

February 9, 2021

Dear Property Owner,

The Schertz City Council at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following items:

Ord. No. 21-A-05 Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

Ord. No. 21-S-06 Conduct a public hearing and consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, 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 Nick Kopyay, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for Ord. No. 21-A-05 & No. 21-S-06

COMMENTS: 309811

NAME: Milton Friesenhahn
(PLEASE PRINT)

SIGNATURE Milton Friesenhahn

STREET ADDRESS: 12691 Lower Seguin Rd Schertz TX 78154

DATE: 2-17-2021

NOTICE OF PUBLIC HEARING

February 9, 2021

Dear Property Owner,

The Schertz City Council at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following items:

Ord. No. 21-A-05 Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

Ord. No. 21-S-06 Conduct a public hearing and consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, 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 Nick Kopyay, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



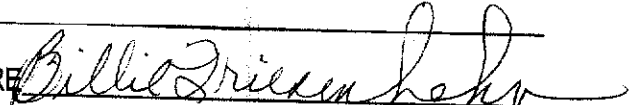
Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for Ord. No. 21-A-05 & No. 21-S-06

COMMENTS: 309811

NAME: Billie Friesentahn
(PLEASE PRINT)

SIGNATURE 

STREET ADDRESS: 12691 Lower Seguin Rd Schertz TX 78154

DATE: 2-17-2021

NOTICE OF PUBLIC HEARING

February 9, 2021

Dear Property Owner,

The Schertz City Council at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following items:

Ord. No. 21-A-05 Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

Ord. No. 21-S-06 Conduct a public hearing and consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, 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 Nick Kopyay, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely, Nick Kopyay Senior Planner

Reply Form

I am: in favor of [checked] opposed to [] neutral to [] the request for Ord. No. 21-A-05 & No. 21-S-06

COMMENTS: 309811

NAME: Elizabeth Basha (PLEASE PRINT) SIGNATURE Elizabeth Basha

STREET ADDRESS: 637 Santa Clara Loop Marion TX 78124

DATE: 2-17-2021

NOTICE OF PUBLIC HEARING

February 9, 2021

Dear Property Owner,

The Schertz City Council at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following items:

Ord. No. 21-A-05 Conduct a public hearing and consideration and/or action on a request for voluntary annexation of approximately 214 acres generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

Ord. No. 21-S-06 Conduct a public hearing and consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, 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 Nick Kopyay, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,

Nick Kopyay (handwritten signature)

Nick Kopyay
Senior Planner

Reply Form

I am: in favor of [checked] opposed to [] neutral to [] the request for Ord. No. 21-A-05 & No. 21-S-06

COMMENTS:

NAME: Katherine Menk (PLEASE PRINT) SIGNATURE Katherine Menk

STREET ADDRESS: 12691 Lower Seguin, Schertz

DATE: 2-18-21

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021
Department: Engineering
Subject: Resolution No.21-R-15 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a contract with San Antonio Constructors, LTD, relating to the Schertz Parkway Concrete Pavement Repair Project and authorizing the budget expenditures for the project. (M. Browne/B. James/K. Woodlee/J. Nowak)

BACKGROUND

Previously the City completed a project constructing concrete pavement on Schertz Parkway between East Live Oak and Maske Road. After construction was completed, there were multiple water line leaks along the west side of Schertz Parkway. The water line leaks caused instability in the base material underneath portions of the concrete pavement sections. The instability resulted in voids underneath the concrete pavement, causing it to shift and crack at multiple locations. To avoid further deterioration of the concrete pavement and provide for a smoother driving surface, the damaged panels of concrete pavement need to be removed and replaced.

Additionally, the City wishes to have the entire surface of the concrete pavement diamond ground to improve the surface smoothness. The damaged concrete panels should be replaced before the grinding is done in order to have a more uniform and overall smoother surface of the street.

Bids for replacement of the damaged concrete panels were opened on February 11th, 2021. Five bids were received. of the five bids, the lowest bid was from San Antonio Constructors, LTD. One bid was rejected as being non-response because the bidder did not provide all the information required for the bid submittal. Staff has reviewed the bids and supporting documentation and determined that the bid from San Antonio Constructors is acceptable.

GOAL

To obtain authorization from Council to execute a contract with San Antonio Constructors, LTD for \$52,063, and a not to exceed amount of \$60,000, for the Schertz Parkway Concrete Pavement Repair Project.

COMMUNITY BENEFIT

Due to the water line leaks, some concrete pavement panels have shifted and cracked. This has increased the surface roughness in some areas, causing a more rough ride in vehicles. The cracks also provide an avenue for more moisture to enter the subgrade, which can cause further issues. Replacing the damaged concrete panels will restore the surface smoothness to original condition and prevent further deterioration.

SUMMARY OF RECOMMENDED ACTION

Authorize execution of the construction contract for the Schertz Parkway Concrete Pavement Repair project with San Antonio Constructors, LTD, for \$52,063 and a not to exceed amount of \$60,000.

FISCAL IMPACT

The cost of the project shall not exceed \$60,000 and funding is available from Certificates of Obligation for Road Improvements not spent on other SPAM projects. The final cost of the 2018 SPAM Rehabilitation project (completed Fall 2020) was less than the budgeted amount, leaving adequate funding for this contract.

RECOMMENDATION

Staff recommends Council approve Resolution 21-R-15 and authorize award of the bid for the Schertz Parkway Concrete Pavement Repair Project to San Antonio Constructors, LTD for \$52,063 and a not to exceed amount of \$60,000.

Attachments

Resolution 21-R-15

Bid Tabulation

AGREEMENT

RESOLUTION NO. 21-R-15

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT WITH SAN ANTONIO CONSTRUCTORS, LTD. RELATING TO THE SCHERTZ PARKWAY CONCRETE PAVEMENT REPAIR PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT

WHEREAS, The City staff of the City of Schertz (the “City”) has recommended that the City accept the bid from San Antonio Constructors, Ltd. relating to the Schertz Parkway Concrete Pavement Repair Project and approve the project expenditures; and

WHEREAS, City staff has received qualifications indicating that San Antonio Constructors, Ltd. is qualified to provide such services for the City; and

WHEREAS, the project will be funded from Certificates of Obligation for Road Improvements,

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 contract with San Antonio Constructors, Ltd. for an amount of \$52,063 with an amount not to exceed \$60,000.

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

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

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

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

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

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

PASSED AND ADOPTED, this 2nd day of March, 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

BID/RFP#	2021-005	BID/RFP NAME:	Schertz Parkway Concrete Pavement Repair		BUYER:	JULIE GOHLKE							
			VENDOR ONE (1)		VENDOR TWO (2)		VENDOR THREE (3)		VENDOR FOUR (4)		VENDOR FIVE (5)		
Company Name			D&S Concrete Contractors		San Antonio Constructors, LTD		Presidio Contracting LLC		RCO Construction LLC		Myer's Concrete Construction		
Point of Contact			Joe Dominquez		Monica		NON-RESPONSIVE DISQUALIFIED		Roland Davila		Chase Botkin		
Phone Number			830-556-8794		210-681-0211				210-739-5085		512-847-8000		
Email Address			j.dominguez@dsconcretecontractors.net		monica@sanantonioconstructorsltd.com				rdelagarza@rcollc.com		chase@myersconcrete.com		
HUB Status													
Item#		QTY	UOM	Item Price	Extended Price	Item Price	Extended Price	Item Price	Extended Price	Item Price	Extended Price	Item Price	Extended Price
1	1502 Mobilization (including Staging Area SWPPP)	1.00	LS	\$20,000.00	\$20,000.00	\$4,733.00	\$4,733.00	\$6,825.00	\$6,825.00	\$9,000.00	\$9,000.00	\$5,587.00	\$5,587.00
2	1555 Traffice Control and Regulation	1.00	LS	\$10,000.00	\$10,000.00	\$3,200.00	\$3,200.00	\$8,855.00	\$8,855.00	\$14,357.00	\$14,357.00	\$3,475.00	\$3,475.00
3	2221.1 Removal of Concrete Pavement (12")	291.00	SY	\$65.00	\$18,915.00	\$30.00	\$8,730.00	\$56.00	\$16,296.00	\$72.00	\$20,952.00	\$47.00	\$13,677.00
4	2221.2 Removal of Curb and Gutter	180.00	LF	\$12.00	\$2,160.00	\$5.00	\$900.00	\$22.00	\$3,960.00	\$20.00	\$3,600.00	\$19.00	\$3,420.00
5	2751.1 Concrete Pavement (12")	291.00	SY	\$130.00	\$37,830.00	\$100.00	\$29,100.00	\$129.00	\$37,539.00	\$150.00	\$43,650.00	\$156.00	\$45,396.00
6	2771 Curb and Gutter	180.00	LF	\$30.00	\$5,400.00	\$30.00	\$5,400.00	\$46.00	\$8,280.00	\$40.00	\$7,200.00	\$53.00	\$9,540.00
TOTALS				VENDOR 1 TOTAL	\$94,305.00	VENDOR 2 TOTAL	\$52,063.00	VENDOR 3 TOTAL	\$81,755.00	VENDOR 4 TOTAL	\$98,759.00	VENDOR 5 TOTAL	\$81,095.00

**AGREEMENT
BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)**

THIS AGREEMENT is by and between City of Schertz (“Owner”) and
SAN ANTONIO CONSTRUCTORS, LTD (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

ARTICLE 2 – THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: Schertz Parkway Concrete Pavement Repair.

ARTICLE 3 – ENGINEER

3.01 The part of the Project that pertains to the Work has been designed by the City of Schertz.

3.02 The Owner has retained the City of Schertz Engineering Department (“Engineer”) to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

- A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract. Contract Times: Days
- B. If a contract is awarded for multiple schedules, the Work is expected to be substantially completed within 30 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 30 calendar days after the date of substantial completion.

4.02 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The Contractor acknowledges and recognizes that the Owner is entitled to full and beneficial occupancy and use of the completed work following expiration of the Contract Time. The Contractor further acknowledges and agrees that, if the Contractor fails to substantially, or cause the

Substantial Completion of any portion of the Work within the Contract time, the Owner will sustain actual damages as a result of such failure. The exact amount of such damages will be difficult to ascertain. Therefore, the Owner and Contractor agree that, if the Contractor shall neglect, fail, or refuse to achieve substantial completion of the Work by the Substantial Completion date, subject to proper extension granted by the Owner, then the Contractor agrees to pay the Owner the sum of:

1. **Six hundred dollars (\$600.00) per day** for each day in which such Work is not completed, not as penalty, but as liquidated damages, for the damages (“Liquidated Damages”) that would be suffered by Owner as a result of delay for each and every calendar day that the Contractor shall have failed to have completed the Work as required herein. The Liquidated Damages shall be in lieu of any and all other damages which may be incurred by Owner as a result of the failure of Contractor to complete within the Contract Time.

ARTICLE 5 – CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:

- A. For all Unit Price Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item):

Unit Price Work					
Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price
1502	MOBILIZATION (INCLUDING STAGING AREA SWPPP)	LS	1	\$4,733.00	\$4,733.00
1555	TRAFFIC CONTROL AND REGULATION	LS	1	\$3,200.00	\$3,200.00
2221.1	REMOVAL OF CONCRETE PAVEMENT (12")	SY	291	\$30.00	\$8,730.00
2221.2	REMOVAL OF CURB AND GUTTER	LF	180	\$5.00	\$900.00
2751.1	CONCRETE PAVEMENT	SY	291	\$100.00	\$29,100.00
2771	CURB AND GUTTER	LF	180	\$30.00	\$5,400.00
Total of all Extended Prices for Unit Price Work (subject to final adjustment based on actual quantities)					\$52,063.00

The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 Progress Payments; Retainage

- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

- 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract
 - a. 95 percent of Work completed (with the balance being retainage); and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to the full amount of the contract, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less such amounts as the Engineer shall determine for incomplete Work, retainage applicable to such work and unsettled claims.

6.03 Final Payment

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 – INTEREST

- 7.01 All amounts not paid when due shall bear interest at the maximum rate allowed by law, not to exceed 1% per month.

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

- C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.
- F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages A-1 to A-7, inclusive).
 - 2. Performance bond (pages PB-1 to PB-3, inclusive).
 - 3. Payment bond (pages PYB-1 to PYB-3, inclusive).
 - 4. General Conditions consisting of 73 pages of a modified version of EJCDC C-700, having a title page with the general title: STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT.
 - 5. Supplementary Conditions (pages SC-1 to SC-8, inclusive).

6. Specifications as listed in the table of contents of the Project Manual.
 7. Drawings (not attached but incorporated by reference) consisting of 2 sheets with each sheet bearing the following general title: SCHERTZ PARKWAY CONCRETE PAVEMENT REPAIR.
 8. Addenda (N/A).
 9. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages BF-1 to BF-5, inclusive).
 10. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 Terms

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 Assignment of Contract

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 Successors and Assigns

- A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 Severability

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid

and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

10.06 *Other Provisions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are based on EJCDC® C-700, Standard General Conditions for the Construction Contract, published by the Engineers Joint Contract Documents Committee®, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on (which is the Effective Date of the Contract).

OWNER:

CONTRACTOR:

By: _____

By: _____

Title: _____

Title: _____

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

License No.: _____

(where applicable)

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021
Department: Planning & Community Development
Subject: Ordinance No. 21-S-06 - Consideration and/or action on a request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas. *Final Reading* (B. James, L. Wood, N. Koplyay)

BACKGROUND

This item was approved following the public hearing at the February 23, 2021 City Council Meeting by a 5-1 vote; this is the final reading of Ordinance 21-S-06.

Public Notice

Eighteen (18) public hearing notices were mailed to surrounding property owners on January 15, 2021 prior to the Planning and Zoning Commission public hearing, and a public hearing notice was published in the "San Antonio Express" on February 3, 2021 prior to the City Council public hearing. City Staff also sent written notice of the proposed annexation to the Board of Trustees for Schertz-Cibolo-Universal City ISD. At the time of this report staff has received eleven (11) responses in favor of the zone change and one (1) response opposed.

Proposed Zoning

The applicant is proposing to rezone approximately 229 acres of land to Planned Development District (PDD), which will consist of single-family residential uses, commercial uses, and private parkland. Currently, 12.423 acres of the subject property along Lower Seguin Road are located within the City limits and zoned Single-Family Residential Agricultural District (R-A), and the remaining 217.055 acres are outside the City limits and under various delayed annexation development agreements.

According to the proposed Saddlebrook Ranch PDD Development Standards, the subdivision will have three different base zoning districts: the 'SF 55', 'SF 60', and 'SF 70' lot codes will have a base zoning district of Single-Family Residential (R-1), the 'Garden' lot code will have a base zoning district of Garden Home (GH), and the 'Comm' lot code will have a base zoning district of General Business (GB). Please see "Table Two - Dimensional Requirements" within the Saddlebrook Ranch PDD Development Standards for full details on lot sizes and building setback requirements. The proposed mix of detached single-family residential lots would result in a median lot size of 60'x118' (these calculations do not include the 49 garden homes sized at 50'x100').

The PDD also outlines other modifications for residential lots, including a single-story height restriction for 75% of lots abutting arterial roadways; modified width requirements for lots on cul-de-sacs, knuckles, or curves (39' at lot frontage line and 50' at the building setback line); and driveway location restrictions that prevent side orientation and access of lots on street corners. In addition to the 636 single-family residences and 3.43 acres of commercial development shown on the conceptual land use plan, the developer is also proposing to construct 4.82 acres of private parkland that will include active and passive improvements, as well as a trail system that will connect the surrounding neighborhoods

through the open space corridors.

The Saddlebrook Ranch PDD Development Standards proposes to modify the regulations for subdivision entry signs and development signs. The applicant is requesting to increase the maximum area and maximum number of subdivision entry signs, and is requesting to increase the maximum area, maximum height, maximum number, and maximum installation duration of development signs. Please see the sign regulations within the Saddlebrook Ranch PDD Development Standards for full details on the modifications to UDC Sec. 21.11.15 Subdivision Entry Signs and UDC Sec. 21.11.18 Development Signs. Please note that the Development Sign regulations in UDC Sec. 21.11.18 have been split into two different categories: wayfinding signs and model ID signs. Wayfinding signs will give directional cues to drivers to locate the Parks, trail heads, the next door school and builder model homes. The Model ID Signs may be monument signs and are made of wood, masonry, or metal built signs that are located at a builder's Model Home, identifying the builder name and to clearly designate that the home is a Model Home

The Saddlebrook PDD Development Standards also modify UDC Sec. 21.14.1 Streets to increase the pavement width for a 'Paved Alley' from 20 feet to 24 feet. The remainder of the thoroughfare classifications within the Saddlebrook subdivision will remain consistent with the UDC regulations as amended.

Comprehensive Plan Goals and Objectives

A Comprehensive Land Use Plan Amendment was approved by the Schertz City Council on June 23, 2020, which changed the future land use designations of the 229 acre subject area from the Mixed Use Neighborhood and Agricultural Conservation land use designations to the Single-Family Residential land use designation. Areas classified under the Single-Family Residential land use designation are intended to utilize a traditional neighborhood design that includes a mix 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 designation, and is therefore in conformance with the Comprehensive Land Use Plan.

Impact to Infrastructure

In order to service the subject property the developer will be obligated to design water and sanitary sewer services throughout the subdivision during the Master Development Process in order to connect to public utility systems. The developer is also proposing to construct a lift station in order to connect the proposed Saddlebrook subdivision to the public sanitary sewer system. The property owner will also be required to dedicate the necessary Right-Of-Way and construct the necessary roadway improvements to fulfill their half of the obligation to improve roads identified on the Master Thoroughfare Plan to their ultimate build-out. Relevant Master Thoroughfare Plan roadways for the proposed Saddlebrook PDD include FM 3009, Lower Seguin Road, and Raf Burnette. In addition, other improvements to existing and planned public roadways and intersections will be identified through the Traffic Impact Analysis Study that will be finalized with the Master Development Plan process.

Impact to Public Facilities/Services

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide public services to the land on the effective date of the annexation, which is scheduled to occur roughly simultaneously with the zone change application. However, the impact of providing these services in association with the annexation of the subject property was already accounted for given that the subject properties are currently under delayed annexation development agreements, which all expire in August 2021. Per the original agreement, in August 2021 the subject properties would have been annexed, and thus public services would have been provided to the subject properties. The voluntary annexation application associated with this zoning application will require the City to provide public services approximately six months sooner than originally anticipated, so this proposed zoning application should

have a minimal impact on the City's ability to provide public services.

Compatibility with Existing and Potential Adjacent Land Uses

The subject property is currently surrounded by land that is undeveloped or used for agricultural purposes, as well as land utilized for single-family residences. The proposed zone change to PDD, given the single-family residential base zoning throughout most of the subdivision and commercial base zoning at the hard corner of FM 3009 and Lower Seguin Road, is compatible with the existing and potential adjacent land uses.

GOAL

The project goal is to rezone approximately 229 acres of land from Single-Family Residential Agricultural District (R-A) and Development Agreement (DVL)/Outside City limits to Planned Development District (PDD), located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013. The Saddlebrook Ranch PDD will consist of single-family residences, limited commercial development, and a network of interconnected private trails, parkland, and open space.

COMMUNITY BENEFIT

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

SUMMARY OF RECOMMENDED ACTION

Staff Recommendation

The proposed zone change to PDD, which proposes a mix of detached single-family residential housing, limited commercial development at the intersection of two arterial roadways on our Master Thoroughfare Plan in order to support the surrounding neighborhood, and an interconnected system of private trails and parkland, would allow the property to develop in accordance with the recently-approved Single-Family Residential future land use designation. Therefore, the proposed zone change meets the goals and objectives of the Comprehensive Land Use Plan.

During the public hearings for the owner-requested comprehensive plan amendment for this subject property, City Council and Mayor Gutierrez spoke at length regarding their vision for residential development in Southern Schertz; they would like to grant the flexibility for property owners and developers to implement smaller lot sizes than previously desired in order to offer single-family residential housing options to Schertz residents at a wider range of price points. City Council has also indicated their preference for Staff to reduce the amount of oversight on neighborhood design elements, allowing property owners to more efficiently develop their land in accordance with evolving market conditions. Therefore, Staff recommends approval of the proposed zone change to Planned Development District (PDD).

Planning and Zoning Commission Recommendation

The Schertz Planning and Zoning Commission met on January 27, 2021 and voted to recommend that City Council deny Ordinance 21-S-06 (ZC2019-010) by a 5-2 vote.

City Staff and the Planning and Zoning Commission had a lengthy discussion regarding the proposed development standards for the Saddlebrook Ranch Subdivision. The Commission's primary concern was the proposed density of the single-family residential subdivision, with the vast majority of the proposed single-family residential lot sizes measuring 55'x125' and 60'x118', in addition to the garden home lots measuring 50'x100'. According to the Saddlebrook Ranch Conceptual Plan, the applicant is proposing to develop 636 lots on the subject property, which the Commission believes is too many

given the size and location of the subject properties. The Commission noted that while other Planned Development Districts also proposed smaller lots than what would be typically allowed through city zoning districts, the other subdivisions had some sort of innovative design elements or increased public benefit that were befitting of a Planned Development District. They believe that Saddlebrook Ranch offers nothing above and beyond typical Schertz development regulations that would balance the proposed density.

City Staff explained that City Council had indicated their preference to allow a greater amount of smaller lot sizes and reduce the amount of oversight on neighborhood design elements in an effort to allow property owners to develop their land as they best see fit for the current market. These discussions on the future of residential development in Southern Schertz occurred during the public hearings for the two property owner requested Comprehensive Plan amendments in 2020. However, the Planning and Zoning Commission noted they have not been given any specific instruction from City Council on whether they should allow Planned Development Districts with the level of density and/or the abbreviated development regulations proposed with the Saddlebrook Ranch subdivision. The Planning and Zoning Commission would like guidance from City Council on how they should be evaluating single-family residential development in relation to density and design regulation.

Other major topics addressed by the Planning and Zoning Commission include the potential road improvements and traffic flow of the subdivision given the proposed density, as well as the construction and operation of the proposed lift station.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends approval of Ordinance 21-S-06.

Attachments

Ordinance 21-S-06

Ordinance 21-S-06 Exhibit A

Ordinance 21-S-06 Exhibit B

Ordinance 21-S-06 Exhibit C

Aerial Map

Public Hearing Notice Map

Public Hearing Notice Responses

ORDINANCE NO. 21-S-06

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 229 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED APPROXIMATELY 6,000 FEET EAST OF THE INTERSECTION BETWEEN FM 1518 AND LOWER SEGUIN ROAD, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 309419, 309811, 310011, AND 310013, CITY OF SCHERTZ, BEXAR COUNTY, TEXAS.

WHEREAS, an application to rezone approximately 229 acres of land located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, and more specifically described in the Exhibit A and Exhibit B 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 January 27, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to disapprove the requested rezoning according to the development standards set forth in Exhibit C attached herein (the “Development Standards”); and

WHEREAS, on February 23, 2021, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested 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 and Exhibit B, 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 23rd day of February, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 2nd day of March, 2021.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary
(SEAL OF THE CITY)



- Engineers
- Surveyors
- Planners

Moy Tarin Ramirez Engineers, LLC

Field Notes for a Tract of Land
Containing 229.478 acre (9,996,064.69 square feet)

A 229.478 acre (9,996,064.69 square feet) tract of land partially in the City of Schertz, Bexar County, Texas, partially situated in the Julian Diaz Survey No. 66, Abstract 187, County Block No. 5059, partially situated in the William Bracken Survey No. 65, Abstract No. 48, County Block 5055, and partially situated in the William Bracken Survey No. 74, Abstract No. 43, County Block 5056, Bexar County, Texas, said 229.478 acre (9,996,064.69 square feet) tract of land being comprised of a portion of a called 135.06 acre tract of land as conveyed to Elizabeth Ann Basha, Jeanne Marie Zwicke, and Katherine Menk in Special Warranty Deed as recorded in Volume 15867, Page 1756, all of a called 11.680 acre tract of land designated as Tract I, and all of a called 70.824 acre tract of land designated as Tract II, as conveyed to Donnie K. Fischer and Cindy A. Fischer in Substitute Trustee's Deed as recorded in Volume 13622, Page 2403, and all of a called 36.921 acre tract of land as conveyed to David Neal Ludwig and Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Page 159, all of the Official Public Records of Bexar County, Texas, said 229.478 acre (9,996,064.69 square feet) tract of land being more particularly described as follows:

Beginning: at a found 5/8" iron pipe on the northwesterly right of way line of Lower Seguin Road, a public right of way, being the southwest corner of said 135.06 acre tract;

Thence, leaving the northwesterly right of way line of Lower Seguin Road, with the southwesterly boundary of said 135.06 acre tract, the following two (2) courses:

North 30 degrees 05 minutes 14 seconds West, a distance of 1803.23 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being an angle point in the herein described tract;

North 30 degrees 32 minutes 28 seconds West, a distance of 715.57 feet to a found iron rod with a red plastic cap, being the south corner of a called 25.01 acre tract of land as conveyed to Board of Trustees of the Schertz-Cibolo-Universal City Independent School District in Special Warranty Deed as recorded in Volume 14298, Page 7 of the Official Public Records of Bexar County, Texas, said iron rod being the west corner of the herein described tract;

Thence, leaving the southwesterly boundary of said 135.06 acre tract, with the south and east boundary of said 25.01 acre tract, the following two (2) courses:

North 49 degrees 37 minutes 09 seconds East, a distance of 1342.29 feet to a found iron rod with a red plastic cap, being the east corner of said 25.01 acre tract, and being an interior corner in the herein described tract;

North 40 degrees 07 minutes 58 seconds West, a distance of 858.27 feet to a found iron rod with a red plastic cap stamped "CEC 210 641-999", being the north corner of said 25.01 acre tract, said iron rod being the south corner of a called 37.921 acre tract of land as conveyed to Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Page 152 of the Official Public Records of Bexar County, Texas, being an angle point in the herein described tract;

Thence, with the southeasterly boundary, and the east boundary of said 37.921 acre tract, the following two (2) courses:

North 49 degrees 56 minutes 07 seconds East, a distance of 603.34 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being the east corner of said 37.921 acre tract, and being the south corner of said 36.921 acre tract;

With the west boundary of said 36.921 acre tract, North 20 degrees 10 minutes 44 seconds West, a distance of 2087.07 feet to a found nail in asphalt on the southeasterly right of way line of Raf Burnette Road, a public right of way, being the northeast corner of said 37.921 acre tract, and being the west corner of said 36.921 acre tract, said nail being the most northerly northwest corner of the herein described tract;

Thence, with the southeasterly right of way line of said Raf Burnette Road, and the northerly boundary of said 36.921 acre tract, North 60 degrees 11 minutes 04 seconds East, a distance of 870.32 feet to a found 5/8" iron rod being the northeast corner of said 36.921 acre tract, and being the north corner of the herein described tract;

Thence, leaving the southeasterly right of way line of said Raf Burnette Road, with the east boundary of said 36.921 acre tract, South 16 degrees 47 minutes 34 seconds East, a distance of 1964.71 feet to a found ½” iron rod, being the east corner of said 36.921 acre tract, and being an angle point in the herein described tract;

Thence, with the southeast boundary of said 36.921 acre tract, South 48 degrees 43 minutes 14 seconds West, a distance of 142.65 feet to a found 5/8” iron pipe, being the north corner of said 135.06 acre tract, and being an angle point in the herein described tract;

Thence, with the easterly boundary of said 135.06 acre tract, South 30 degrees 30 minutes 40 seconds East, a distance of 2296.74 feet to a found 5/8” iron pipe on the northerly boundary of said 70.824 acre tract, being an angle point in the herein described tract;

Thence, with the northerly boundary of said 70.824 acre tract, North 59 degrees 30 minutes 13 seconds East, a distance of 218.72 feet to a found iron rod with a destroyed yellow plastic cap, being the north corner of said 70.824 acre tract, and being the west corner of said 11.680 acre tract;

Thence, with the northerly boundary of said 11.680 acre tract, North 59 degrees 12 minutes 56 seconds East, a distance of 337.37 feet to a found ½” iron rod, being the north corner of said 11.680 acre tract, being an angle point in the herein described tract;

Thence, with the easterly boundary of said 11.680 acre tract, South 28 degrees 40 minutes 09 seconds East, a distance of 1499.40 feet to a found ½” iron rod on the northwesterly right of way line of said Lower Seguin Road, being the east corner of said 11.680 acre tract, and being the most easterly corner of the herein described tract;

Thence, with the northwesterly right of way line of said Lower Seguin Road, the following three (3) courses:

With the southerly boundary of said 11.680 acre tract, South 59 degrees 21 minutes 11 seconds West, a distance of 339.55 feet to a found ½” iron rod, being the south corner of said 11.680 acre tract, being the east corner of said 70.824 acre tract, said iron rod being an angle point in the herein described tract;

With the southerly boundary of said 70.824 acre tract, South 59 degrees 21 minutes 09 seconds West, a distance of 2042.72 feet to a found 5/8” iron pipe, being the south corner of said 70.824 acre tract, said iron pipe being an angle point of said 135.06 acre tract;

With the southerly boundary of said 135.06 acre tract, South 59 degrees 10 minutes 29 seconds West, a distance of 551.06 feet to the **Point of Beginning**, containing 229.478 acre (9,996,064.69 square feet) of land.

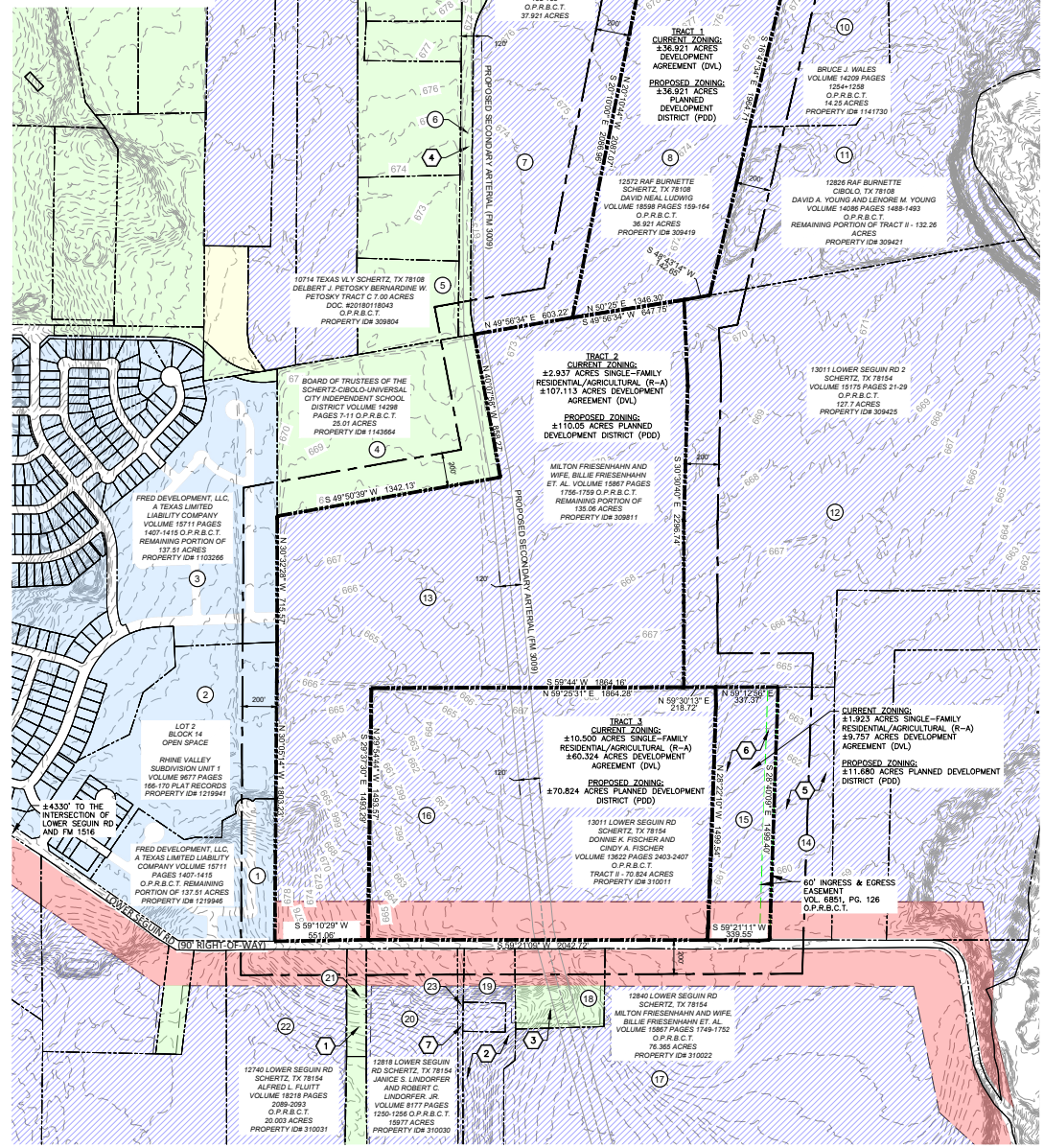
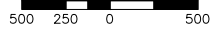
Note: Basis of bearing was established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone. An Exhibit of even date was prepared for this description.



Stephanie L. James
Stephanie L. James, R.P.L.S.
Registered Professional Land Surveyor
No. 5950
Date: 2019-10-29 Job No. 19037

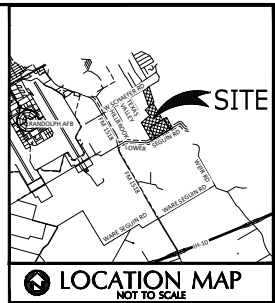


SCALE: 1"=500'



LEGEND

- SUBJECT PROPERTY BOUNDARY
- PROPERTY BOUNDARY
- 200' NOTIFICATION LINE
- EXISTING CONTOUR
- EXISTING EASEMENT
- SCHERTZ CITY LIMITS
- O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS



PROPERTY INFORMATION

- 1 12746 LOWER SEGUIN RD SCHERTZ, TX 78154
CARLOS GARZA, JR. AND WIFE, MARGRETT L. CARY
VOLUME 6541 PAGES 807-811
O.P.R.B.C.T.
2,005 ACRES
PROPERTY ID# 310027
- 2 12840 LOWER SEGUIN RD SCHERTZ, TX 78154
KAREN MARX FISCHER
VOLUME 1819 PAGES 1418-1422
O.P.R.B.C.T.
8,132 ACRES
PROPERTY ID# 310019
- 3 GUILLEMO J. GUALARDO AND MARTHA C. GUALARDO
VOLUME 1816 PAGES 400-405
O.P.R.B.C.T.
5.500 ACRES
PROPERTY ID# 310021
- 4 BOARD OF TRUSTEES OF THE SCHERTZ-CIBOLO UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT
VOLUME 14298 PAGES 711
O.P.R.B.C.T.
29.01 ACRES
PROPERTY ID# 114294
- 5 MILTON FRIESEHANN AND WIFE, BILLIE FRIESEHANN ET AL.
VOLUME 1587 PAGES 175-176
O.P.R.B.C.T.
11.651 ACRES
PROPERTY ID# 310012
- 6 TRACT 4
13011 LOWER SEGUIN RD SCHERTZ, TX 78154
DONNIE K. FISCHER AND CINDY A. FISCHER
VOLUME 1902 PAGES 3403-3407
O.P.R.B.C.T.
11,680 ACRES
PROPERTY ID# 310013
- 7 12820 LOWER SEGUIN RD SCHERTZ, TX 78109
SEANNA FRASER HOLTZ
VOLUME 333 PAGES 541
O.P.R.B.C.T.
PROPERTY ID# 310032

ZONING LEGEND

- DEVELOPMENT AGREEMENT (DELAYED ANNEXATION)
- PRE-DEVELOPMENT
- PLANNED DEVELOPMENT
- R-A SINGLE-FAMILY RESIDENTIAL/AGRICULTURAL
- PUBLIC USE

LAND USE TABLE

- 1 BASE RATE LOT
- 2 BASE RATE LOT
- 3 BASE RATE LOT
- 4 UNDEVELOPED LAND
- 5 RANGE IMPROVED DRYLAND
- 6 BASE RATE LOT
- 7 TILLABLE DRY (FARM)
- 8 R/1 FAMILY HOMESITE SINGLE & TILLABLE DRY (FARM)
- 9 BASE RATE LOT
- 10 TILLABLE DRY (FARM) & NON QUALIFYING
- 11 FLOOD PLAIN, RANGE IMPROVED DRYLAND & PTD LAND TYPE - ORCHARDS
- 12 R/1 FAMILY HOMESITE SINGLE, TILLABLE IRRIGATED & RANGE IMPROVED DRYLAND
- 13 TILLABLE DRY (FARM) & RANGE NATIVE PASTURE
- 14 TILLABLE DRY (FARM)
- 15 TILLABLE DRY (FARM)
- 16 TILLABLE DRY (FARM)
- 17 TILLABLE DRY (FARM)
- 18 RANGE IMPROVED DRYLAND
- 19 NON QUALIFYING & RANGE IMPROVED DRYLAND
- 20 TILLABLE DRY (FARM)
- 21 BASE RATE LOT
- 22 RANGE IMPROVED DRYLAND
- 23 R/1 FAMILY HOMESITE SINGLE & RANGE IMPROVED DRYLAND

CONDITION	ZONING	AREA (AC.)
EXISTING	"R-A" & "DVL"	229,478
PROPOSED	"PDD"	229,478

NOTE:

1. NO PORTION OF THIS PROPERTY IF LOCATED WITHIN THE 100-YEAR (1% CHANCE) FLOODPLAIN AS ACCORDING TO FEMA FIRM PANEL #48187C0240F
2. THE THROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

OWNERS INFORMATION	APPLICANT	SURVEYOR
DONNIE K. FISCHER PO BOX 860 STOCKDALE, TX 78160	MILTON & BILLIE FRIESEHANN 12819 LOWER SEGUIN RD SCHERTZ, TX 78154	STEPHANIE L. JAMES, RPLS 10770 CRAWFORD PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-0001
DAVID LUDWIG 7510 DELL OAK DR SAN ANTONIO, TX 78218	PAUL LANDA, JR., PE, CFM 10770 CRAWFORD PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-0001	STEPHANIE L. JAMES, RPLS 10770 CRAWFORD PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-0001

MIR
 May Tain Ramirez Engineers, LLC
 FIRM TYPE NO. F-5297 & TBPLS NO. 10131500
 12770 CRAWFORD PATH, SUITE 100 SAN ANTONIO, TEXAS 78249
 TEL: (210) 698-2200 FAX: (210) 698-5265

DRAWING NAME:
ZONING EXHIBIT

PROJECT NAME:
SADDLEBROOK RANCH SUBDIVISION

PROJECT NO.: 19037 DATE: DECEMBER 21, 2020 SCALE: 1"=500'

A 229,478 ACRE (9,996,064.69 SQUARE FEET) TRACT OF LAND PARTIALLY IN THE CITY OF SCHERTZ, BEXAR COUNTY, TEXAS, PARTIALLY SITUATED IN THE JULIAN DIAZ SURVEY NO. 66, ABSTRACT 187, COUNTY BLOCK NO. 5059, PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 65, ABSTRACT NO. 48, COUNTY BLOCK 5055, AND PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 74, ABSTRACT NO. 43, COUNTY BLOCK 5056, BEXAR COUNTY, TEXAS, SAID 229,478 ACRE (9,996,064.69 SQUARE FEET) TRACT OF LAND BEING COMPRISED OF A PORTION OF A CALLED 135.06 ACRE TRACT OF LAND AS CONVEYED TO ELIZABETH ANN BASHA, JEANNE MARIE TWING, AND KATHERINE MENEZ IN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 15867, PAGE 1756, ALL OF A CALLED 11,680 ACRE TRACT OF LAND DESIGNATED AS TRACT 1A, AS CONVEYED TO DONNIE K. FISCHER AND CINDY A. FISCHER IN SUBSTITUTE TRUSTEE'S DEED AS RECORDED IN VOLUME 18622, PAGE 2403, AND ALL OF A CALLED 36,921 ACRE TRACT OF LAND AS CONVEYED TO ELIZABETH ANN BASHA, JEANNE MARIE TWING, AND KATHERINE MENEZ IN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 15867, PAGE 1756, ALL OF A CALLED 11,680 ACRE TRACT OF LAND DESIGNATED AS TRACT 1A, AS CONVEYED TO DONNIE K. FISCHER AND CINDY A. FISCHER IN SUBSTITUTE TRUSTEE'S DEED AS RECORDED IN VOLUME 18622, PAGE 2403, AND ALL OF A CALLED 36,921 ACRE TRACT OF LAND AS CONVEYED TO DAVID NEAL LUDWIG AND JAMES LUDWIG IN EXECUTOR'S DISTRIBUTION DEED AS RECORDED IN VOLUME 18038, PAGE 156, ALL OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

SADDLEBROOK RANCH

A Planned Development District
Schertz, Texas

January 2021

TABLE OF CONTENTS

I. General	1
A. Introduction.....	1
B. Purpose and Intent.....	1
C. The Property.....	1
Table One – Units and Land Use.....	2
 <u>Affected UDC Articles</u>	
II. Zoning Districts (Article 5)	2
A. Single- Family Residential District per the PDD.....	2
B. Commercial District per the PDD.....	3
C. Dimensional and Development Standards (Section 21.5.7).....	3
Table Two - Dimensional and Development Standards.....	4
III. Special Uses (Article 8)	5
A. Home Owners Association - Section 21.8.1(C.).....	5
B. Architectural Review Committee.....	5
IV. Site Design Standards (Article 9)	5
A. Lots (Section 21.9.3).....	5
V. Signs (Article 11)	5
A. Subdivision Entry Signs (Section 21.11.15).....	5
B. Development Signs (Section 21.11.18).....	6
VI. Transportation (Article 14)	7
A. Street Improvement Standards (Section 21.14.1).....	7
Table Three - Street Improvement Standards.....	7
VII. Amendments to the Planned Development District (PDD)	8
 APPENDIX	
Exhibit "A" – Conceptual Overall Recreation and Open Space Plan.....	9
Exhibit "B" – Conceptual Planned Development District Master Plan.....	10
Exhibit "C" – Metes and Bounds.....	11

SADDLEBROOK RANCH

A Planned Development District Schertz, Texas

I. General

A. Introduction

Understanding that there would be circumstances in which a development might not be able to adhere to the strict regulations and design standards set forth in the Schertz Unified Development Code (UDC), the UDC established Article 5, Section 21.5.10, a Planned Development District (**PDD**), as an alternative approach to conventional land development.

The City of Schertz Unified Development Code as amended will govern development of the property, except for the following statements.

Development within the subject property is subject to general development plan review and approval by the City Council. Such general development plan review is to ensure conformance with the guidelines required herein and the goals and objectives of the City of Schertz Comprehensive Plan.

B. Purpose and Intent

The purpose of PDD regulations is to encourage and promote more creative, innovative, and imaginative land development than would not be possible under the regulations found in a typical zoning district. The intent is to allow substantial flexibility in planning, design and development standards in exchange for greater land values and amenities, such as enhanced parkland and open space, preservation of natural resources, pedestrian friendly environment, and deviation from the typical traffic patterns. It is this intrinsic flexibility, in the form of relief from the normal zoning ordinances, design standards, land use densities, and subdivision regulations, that allows for the definition of uses, densities and standards that will permit the alternative planning associated with a PDD and this development known as Saddlebrook Ranch ("**Saddlebrook**").

C. The Property

The attached metes and bounds (Exhibit "C") place the property within the corporate limits of the City of Schertz upon annexation and Bexar County, Texas. The property is bounded on the north by Raf Burnette Road and on the south by Lower Seguin Road and intersected by the extension of FM 3009. The property contains 217.59 acres of land.

Analysis of the property does not reveal any physical constraints or potential health or safety hazards. Further evaluation of the tract reveals that utilities are available and that the property's demands can be served.

The Overall Recreation and Open Space Master Plan (exhibit "A") are proposed. Such amenities will include both passive and active areas, as well as pathways and hike and bike trails. Multi-purpose walkways will provide links between park areas, open spaces, neighborhood units, a school site, and such amenities as playscapes, sports courts, picnic tables, and natural water features. All of which to promote a safe and pedestrian friendly environment and overall livable community.

Table One – Units and Land Use	
Unit	Land Use
1	SF – 55' Lots & Drainage - Open Space
2	SF – 60' Lots & Drainage - Open Space
3	SF – 70' Lots & Park Area & Drainage - Open Space
4	SF – 60' Lots
5	SF - 70' Lots
6	SF - 55' Lots
7	SF – 60' Lots & Drainage - Open Space
8	SF – 60' Lots & Drainage - Open Space
9	SF – 55' Lots & Garden Home & Park Area
10	SF – 55' Lots & Garden Home & Drainage - Open Space
11	Commercial
12	Lift Station
13	Drainage Easement - Open Space

Affected UDC Articles

II. Zoning Districts (Article 5)

There are circumstances, due to property constraints or external factors, which do not always support the notion that one size fits all especially in applying zoning subdivision codes as such relates to property development.

As a planned development, the attached PDD Master Plan (Exhibit “B”) as well as this document defines the types of uses for this proposed PDD. The plan delineates land uses that are both commercial and residential in character as well as shows parks, and open space. This document requests that those Articles and Sections affected by the zoning change be amended or modified and granted by ordinance. The following districts would be defined or modified as:

A. Single-Family Residential District per the PDD

Each area, as shown and identified on the PDD Master Plan, is comprised of a single-family residential dwelling on four (4) minimum size lots of 6,875 sf for 55-foot wide lots, 7,080 sf for 60-foot wide lots, 8,260 sf for 70-foot wide lots, and a garden home minimum lot size of 5,000 sf. The SF 55, SF 60, & SF 70 residential district areas will be subject to the same zoning regulations as the Single Family Residential District (R-1) in the Schertz UDC, and the Garden residential district areas will be

subject to the same zoning regulations as the Garden Home District (GH) in the Schertz UDC, unless otherwise stated in the following development standards.

B. Commercial District per the PDD

There are approximately 3.427 acres along the Principal Arterial (FM 3009) thoroughfare extension that is considered commercial use. Commercial use areas will be subject to the same land use restrictions as the General Business District (**GB**) as stated in the Schertz UDC 21.5.6 (C) General Business District (GB), unless otherwise stated in the following development standards.

C. Dimensional and Developmental Standards (Section 21.5.7)

The applicable dimensional and development standards for the land use districts are shown in Table Two and reflect those changes proposed by this PDD development.

1. Additional Standards

Lots developed under this PDD for residential purposes will comply with the minimum requirements established in Table Two. Such lots designated as residential will have at least the minimum area and width and depth indicated in Table Two of this proposal.

No portion of the main or primary structure on a residential lot may be located any closer to any lot line or to the street right-of-way line than is authorized in Table Two. The front yard setback shall be measured from the property line to the front face of the main or primary building. Eaves and roof line of the main structure may project into any setback line by no more than two (2) feet.

2. Double Frontage Lots

Where residential lots have double frontage, running from one street to another, no access from the rear of the property will be permitted to the street. Only one access point will be permitted from a residential lot, so long as the access is from the front of the lot. All lots with double frontage within that block will have the same restriction and orientation as the lot on either side. Access in this case shall mean, but not limited to any opening or gate for use by vehicles or pedestrians.

Table Two – 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	Keys
SF 55	Single Family	6,875	55	125	30(c)	10	15	2	35	65%(f) 50%(g)	a, c, f, g
SF 60	Single Family	7,080	60	118	25(d)	10	15	2	35	65%(f) 50%(g)	a, d, f, g
SF 70	Single Family	8,260	70	118	25(d)	10	15	2	35	65%(f) 50%(g)	a, d, f, g
Garden	Single Family	5,000	50	100	10	10	10	2	35	75%	a, e
COMM	Commercial	10,000	100	100	25	10	20	(b)	120	80%	b

Key:

- a. Corner lots against a street, not an alley, shall have a minimum fifteen (15) foot side yard building setback adjacent to the street side.
- b. See Article 10 in the Schertz UDC for parking requirements.
- c. Houses on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 25 feet.
- d. Houses on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 20 feet.
- e. Garden homes require rear ingress/egress, a 30 foot ROW and a twenty-four paved alley shall be provided.
- f. One-story homes to have a maximum impervious coverage at 65%.
- g. Two-story homes to have a maximum impervious coverage at 50%.

3. Height Restriction for Lots abutting the Principal Arterial (FM 3009) and Lower Seguin Road.

Only 25% of the Lots that abut the Principal Arterial and Lower Seguin Road may be two-story homes.

III. Special Uses (Article 8)

A. Home Owners Association - Section 21.8.1(C)

Even though Saddlebrook is not proposed as a gated community, a Homeowners Association (**HOA**) will be established to provide upkeep within the development including the maintenance of common areas, landscape buffers, and maintaining fences, and/or walls, except for fences and/or walls located on individual or private lots, as well as hiking trails and multi-use paths within the development's common areas.

B. Architectural Review Committee

The Developer will establish an Architectural Review Committee (**ARC**) which will be responsible for reviewing and approving construction plans for all residential construction within the Saddlebrook PDD. The ARC will consist of members appointed by the Developer until all of the property within the Saddlebrook PDD has been transferred to an independent third party purchaser or to the HOA.

Construction of residential and community amenities within the Saddlebrook PDD shall first be submitted to the ARC for approval and to verify compliance with the terms, conditions and obligations of the PDD and deed restrictions. The ARC shall review such contemplated construction and shall, if approved, provide verification in a form acceptable to the City by which the ARC verifies that the plan for the contemplated construction complies with the PDD and associated guidelines.

IV. Site Design Standards (Article 9)

This proposed development conforms to the Comprehensive Land Plan for orderly and unified development of streets, utilities, neighborhood design, and public land and facilities.

A. Lots (Section 21.9.3)

Lot sizes and dimensions will conform to the minimum requirements recognized in Table Two of this PDD. In addition, the following requirements will apply to this PDD:

- On a residential corner lot, orientation of the dwelling will be forward facing and in similar physical orientation with the other houses next-door and on the same street. Side orientation will not be permitted;
- No driveway cuts or garage access will be permitted from a side orientation of a corner lot;
- The width of a residential lot located on a cul-de-sac, knuckle or curve will be no less than thirty-nine (39) feet wide at the property line, and at least fifty (50) feet wide at the building line.

V. Signs (Article 11)

A. Subdivision Entry Signs (Section 21.11.15)

The provisions of this section shall only apply to entry signs that identify the residential or commercial development associated with this PDD and include the Subdivision Entry Signs, Wayfinding Signs, and Park ID Signs.

1. Subdivision Entry Signs (Section 21.11.15)

Subdivision Entry Signs are two types, being Primary Subdivision Entry Signs and Secondary Entry Signs. Primary Subdivision Entry Signs may be located at both sides of the primary entrance into the subdivision located on FM 3009 which meets up with the connecting road into Rhine Valley. Secondary entrances may have one (1) subdivision entry sign per entrance which shall be a maximum of seventy-five percent (75%) of the size of the primary entrance sign.

2. Maximum Area

i. Project Entry Signs:

Primary Subdivision Entry Signs will allow for a maximum area not to exceed one-hundred and eighty-seven (187) square feet per sign face and may consist of a surface with lettering and logo or a combination of both.

3. Subdivision Entry Feature

An entry feature which is appropriate in scale to the size of the development and incorporating masonry walls, berms and/or decorative fencing, in combination with the Primary Subdivision Entry Signs, may be constructed at the primary subdivision entrance on FM 3009 and the Secondary Entry locations provided the maximum area per entry sign(s) shall not exceed the square footage noted above.

B. Development Signs (Section 21.11.18)

Development Signs are typically wood, durable plastic, or metal and advertise the community, builders, land uses within the community, and communities within the development. The signs may also be used for providing traffic direction to specific internal destinations. Development signs may be categorized into two types, being Wayfinding Signs and Model ID Signs.

Wayfinding signs will give directional cues to drivers to locate the Parks, trailheads, the next door school and builder model homes. The Model ID Signs may be monument signs and are made of wood, masonry, or metal built signs that are located at a builder's Model Home, identifying the builder name and to clearly designate that the home is a Model Home.

1. Maximum Area

Wayfinding Signs: Wayfinding Signs are internal to the community, and shall not exceed thirty-two (32) square feet per sign face. These signs will be double-faced and placed perpendicular to the street

2. Maximum Height

Wayfinding Signs: Wayfinding Signs shall not exceed eight (8) feet in height.

Model ID Signs: The Model ID Signs, will allow for a maximum face height of six (6) feet.

3. Number of Signs

Wayfinding Signs: One Wayfinding Signs is allowed per the number of recorded Units.

Model ID Signs: One Model ID Sign may be installed at each Model Home.

4. Duration

Wayfinding Signs: Wayfinding Signs per Unit may be installed at any time after approval and recordation of the Final Plat for each Unit identified on the Master Development Plan (Exhibit "B").

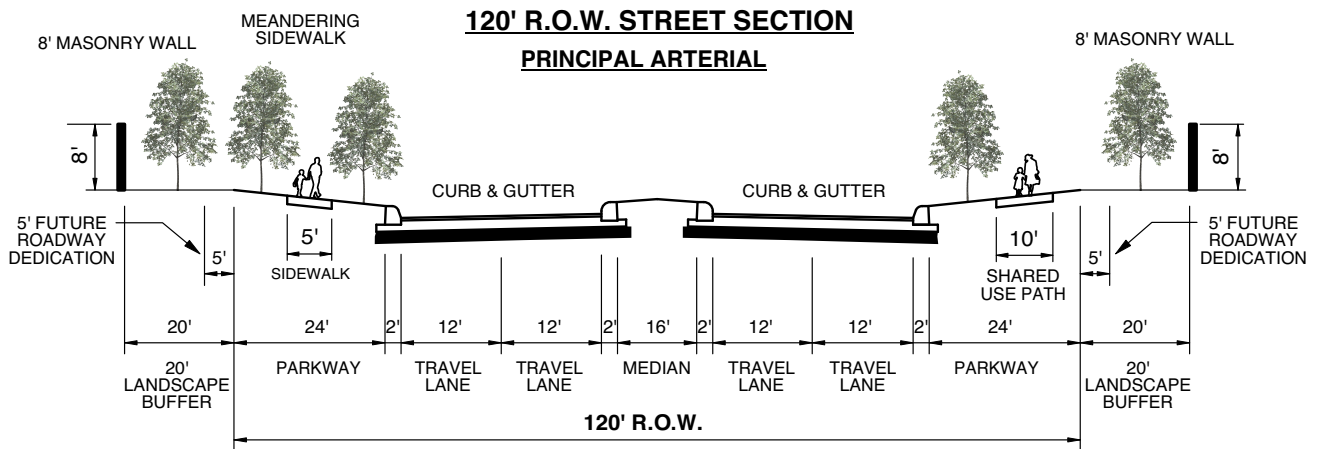
Model ID Signs: The Model ID Signs may be installed at any time after the approval and recordation of the Final Plat of the Unit in which the Model Home resides. The Model ID Signs must be removed when a model home is sold and closes.

VI. Transportation (Article 14)

A. Street Improvement Standards (Section 21.14.1)

Street Improvement Standards for the Saddlebrook master development plan are described in Table Three.

Table Three – Street Improvement Standards					
Classification	ROW	Pavement	Drainage Width	Sidewalk Width	Hike/Bike Trail
Principal Arterial – w/ 10' Future Roadway Dedication	120 feet	48 feet (see Section Drawing)	Curb or Curb and Gutter	5 feet one side	10 feet other side
Collector – Local B Residential	60 feet	42 feet	Curb or Curb and Gutter	5 feet both sides	-
Local Street – Local A Residential	50 feet	30 feet	Curb or Curb and Gutter	5 feet both sides	-
Paved Alley	30 feet	24 feet Rear Ingress/Egress	Curb or Curb and Gutter	None	-



Note: Only 25% of the Lots that abut the Principal Arterial and Lower Sequin Road may be two-story homes.

VII. Amendments to the Planned Development District (PDD)

Any significant future changes from the established Dimensional Requirements for the approved PDD, which alter the concept of the PDD or increase the density, will cause the plan to be re-submitted for approval by the Planning & Zoning Commission and the City Council, including a new public hearing with applicable fees. Minor changes which do not change the concept or intent of the development shall be approved or denied administratively.

**SADDLEBROOK RANCH PDD
SCHERTZ, TEXAS**

**MASTER PLAN 35
TOTAL PROJECT AREA 217.59 ± AC**

**EXHIBIT "A"
CONCEPTUAL
Overall Recreation
and Open Space Plan**

Legend	Lot Count	Typ Size	
	49 Lots	50' X 120'	Alleys One-Way
	213 Lots	55' X 125'	*30' Bldg Setback
	264 Lots	60' X 118'	**See Note
	110 Lots	70' X 118'	**See Note
TOTALS	636 Lots		

Average Lot Size - 8,456 SF - Excluding Garden Lots

- Commercial - General Business
- Park - 4.82 Acres
- Lift Station Site
- Drainage - Open Space - 38.121 Acres
- Future Townhomes
- Trail System
- 8-Foot Masonry Wall at rear of all Single Family Lots that back up to Principal Arterial, Lower Sequin Road, and Raf Burnette Road.
- *25' Bldg Setback at Irregular lots
- **20' Bldg Setback at Irregular lots
- Only 25% of the Lots that about the Principal Arterial and Lower Sequin Road may be two-story

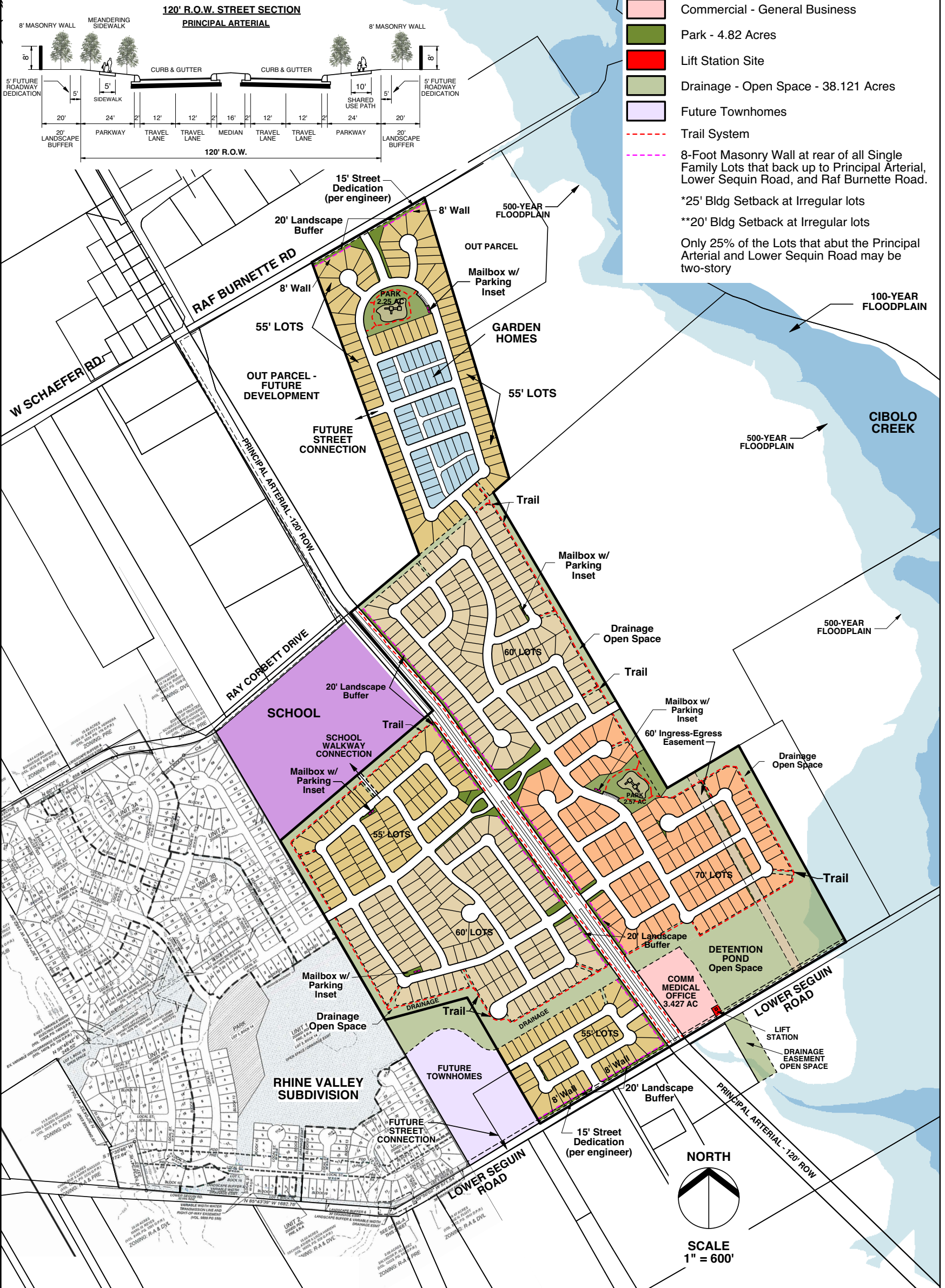
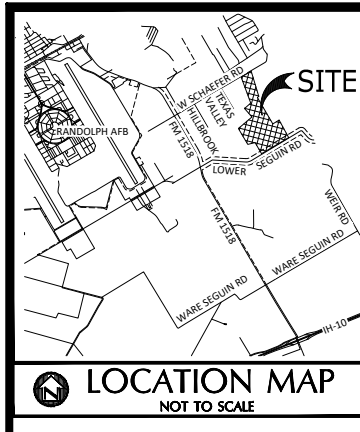


EXHIBIT "B"
CONCEPTUAL



OPEN SPACE SUMMARY

REQUIRED OPEN SPACE : 636 LOTS x 1 ACRE = 6.36 ACRES
100 LOTS

PROVIDED OPEN/LANDSCAPE/DRAINAGE SPACE : 36.721 ACRES
PROVIDED DRAINAGE EASEMENT/OPEN SPACE : 1.400 ACRES
PROVIDED PARK SPACE : 4.82 ACRES
TOTAL PROVIDED OPEN SPACE : 42.941 ACRES

ACREAGE/DENSITY SUMMARY

UNIT	LAND USE	GROSS AREA (AC.)	NUMBER OF DWELLING UNITS (D.U.)	OVERALL DENSITY (D.U./AC.)	OPEN & PARK SPACE (AC.)	NET DENSITY (D.U./AC.)	ESTIMATED COMPLETION DATE
1	SINGLE FAMILY RESIDENTIAL	15,300	49	3.20	3,605	4.19	OCTOBER 2021
2	SINGLE FAMILY RESIDENTIAL	24,967	68	2.72	3,664	3.19	OCTOBER 2021
3	SINGLE FAMILY RESIDENTIAL	39,015	44	1.13	20,970	2.44	OCTOBER 2021
4	SINGLE FAMILY RESIDENTIAL	15,502	63	4.06	0,000	4.06	OCTOBER 2021
5	SINGLE FAMILY RESIDENTIAL	19,416	66	3.40	1,348	3.65	OCTOBER 2022
6	SINGLE FAMILY RESIDENTIAL	24,247	75	3.09	4,103	3.72	OCTOBER 2022
7	SINGLE FAMILY RESIDENTIAL	19,548	66	3.38	1,495	3.66	OCTOBER 2022
8	SINGLE FAMILY RESIDENTIAL	17,762	67	3.77	1,775	4.19	OCTOBER 2023
9	SINGLE FAMILY RESIDENTIAL	17,805	58	3.26	3,133	3.95	OCTOBER 2023
10	SINGLE FAMILY RESIDENTIAL	19,115	80	4.19	1,448	4.53	OCTOBER 2023
11	COMMERCIAL	3,427					OCTOBER 2021
12	LIFT STATION	0,090					OCTOBER 2021
13	DRAINAGE ESM/OPEN SPACE	1,400			1,400		OCTOBER 2021
TOTAL DEVELOPMENT		217,592	636	2.92	42,941	3.64	

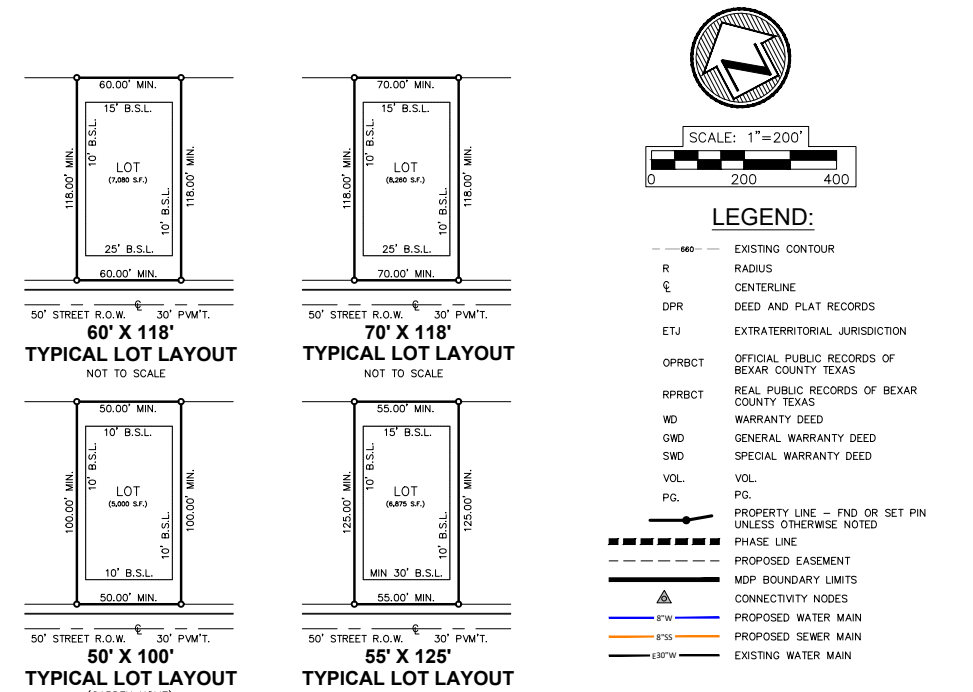
SADDLEBROOK RANCH

UNIT	TOTAL LOTS	PROPOSED ZONING	LOT SIZE (TYPICAL)				TOTAL LOTS
			70'x118'	60'x118'	55'x125'	50'x100'	
1	49	PDD			49	49	
2	68	PDD		68		68	
3	44	PDD	44			44	
4	63	PDD		63		63	
5	66	PDD		66		66	
6	75	PDD		75		75	
7	66	PDD		66		66	
8	67	PDD		67		67	
9	58	PDD		41	17	58	
10	80	PDD		48	32	80	
TOTAL OVERALL LOTS	636		110	264	213	49	636

*MEAN LOT SIZE = 70'x118'
*MEDIAN LOT SIZE = 60'x118'
AVERAGE SF/LOT: 8,456 SQ. FT.
MEAN AND MEDIAN LOT CALCULATIONS DO NOT INCLUDE THE GARDEN HOMES (50'x100')

- PROPERTY INFORMATION**
- CARLOS GARZA, JR. AND WIFE MARIBEL C. GARZA
12746 LOWER SEGUIN RD SCHERTZ, TX 78154
VOLUME 1819 PAGES 107-111 O.P.R.B.C.T.
ZONING: RA, PDD
LAND USE: AGRICULTURE, LARGE LOT RESIDENTIAL
2.905 ACRES, PROPERTY ID# 310027
 - KAREN MARX FISCHER
12801 LOWER SEGUIN RD SCHERTZ, TX 78154
VOLUME 1819 PAGES 1419-1423 O.P.R.B.C.T.
ZONING: RA, PDD
LAND USE: AGRICULTURE
8.132 ACRES, PROPERTY ID# 310019
 - GUILLERMO J. GUJARDO AND MARTHA C. GUJARDO
VOLUME 1816 PAGES 400-405, O.P.R.B.C.T.
ZONING: RA, PDD
LAND USE: AGRICULTURE
5.300 ACRES, PROPERTY ID# 310021
 - BOARD OF TRUSTEES OF THE SCHERTZ-CIBOLO UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT
VOLUME 1425 PAGES 2200-2207 O.P.R.B.C.T.
ZONING: PDE
LAND USE: AGRICULTURE
4.100 ACRES, PROPERTY ID# 114856
 - MILTON FRIESENHAN AND WIFE, BILLIE FRIESENHAN ET AL.
VOLUME 1587 PAGES 1753-1755 O.P.R.B.C.T.
ZONING: RA, PDD
LAND USE: AGRICULTURE
PROPERTY ID# 310112
 - SEANNA FRIESEHOLTZ
12801 LOWER SEGUIN RD SCHERTZ, TX 78154
VOLUME 1819 PAGES 1419-1423 O.P.R.B.C.T.
ZONING: RA, PDD
LAND USE: AGRICULTURE
PROPERTY ID# 310022

- NOTE:**
THIS MDP IS ASSOCIATED WITH THE SADDLEBROOK RANCH PDD ZONE CHANGE APPLICATION
- NOTES:**
- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLATTING.
 - THIS PROPERTY IS NOT LOCATED ON THE EDWARDS AQUIFER RECHARGE ZONE.
 - BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983. BEARINGS AND DISTANCES SHOWN DO NOT REPRESENT AN ON-THE-GROUND SURVEY.
 - ACCORDING TO FLOOD INSURANCE RATE MAP, PANEL 48029C0315F DATES SEPT. 29, 2010, SITE IS NOT WITHIN THE 100-YEAR FLOODPLAIN.
 - ALL OPEN SPACE, COMMON AREAS, GREENBELTS, LANDSCAPE, DRAINAGE EASEMENT OR OTHER AREAS IDENTIFIED AS PRIVATE SHALL BE THE RESPONSIBILITY OF THE OWNER OR OWNER'S SUCCESSORS AND/OR ASSIGNS.
 - THIS PROPERTY IS WITHIN THE CITY LIMITS OF THE CITY OF SCHERTZ.
 - DEVELOPMENT PHASING MAY NOT FOLLOW SEQUENTIAL UNIT NUMBERS.
 - THIS PROJECT IS LOCATED WITHIN THE SCHERTZ-CIBOLO UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT
 - THIS PROJECT IS LOCATED WITHIN THE CIBOLO CREEK WATERSHED
 - DETAILED DRAINAGE ANALYSIS WILL BE SUBMITTED WITH INDIVIDUAL SUBDIVISION PLATS
 - WATER SERVICE TO BE PROVIDED BY CITY OF SCHERTZ
 - SANITARY SEWER SERVICE WILL BE PROVIDED BY CITY OF SCHERTZ
 - ELECTRICITY SERVICE TO BE PROVIDED BY CPS ENERGY
 - LOT DIMENSIONS TO BE SHOWN ON THE SUBDIVISION PLATS.



SUBMITTED BY:
MOY TARIN RAMIREZ ENGINEERS, LLC.
PAUL LANDA JR., PE, CFM
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

SURVEYOR:
MOY TARIN RAMIREZ ENGINEERS, LLC.
STEPHANIE L. JAMES, RPLS
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

OWNERS:
DONNIE K. FISCHER
PO BOX 550
STOCKDALE, TX 78160
PH# 210-643-5515

MILTON & BILLIE FRIESEHAN
12691 LOWER SEGUIN RD
SCHERTZ, TX 78154
PH# 210-325-4799

DAVID LUDWIG
7519 DELL OAK DR SAN ANTONIO, TX 78218
PH# 210-885-2519

UTILITY PURVEYORS

WATER: CITY OF SCHERTZ
GAS, ELECTRIC: CITY PUBLIC SERVICE
TELEPHONE: AT&T
CABLE TELEVISION: SPECTRUM
SEWER: CITY OF SCHERTZ

LEGAL DESCRIPTION:
217.59 ACRE SCHERTZ TRACT

A 216.19 ACRE GROSS (8417,267.08 SQUARE FEET) TRACT OF LAND PARTIALLY IN THE CITY OF SCHERTZ, BEAR COUNTY, TEXAS, PARTIALLY SITUATED IN THE JULIAN DIAZ SURVEY NO. 66, ABSTRACT 187, COUNTY BLOCK NO. 5059, PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 65, ABSTRACT NO. 48, COUNTY BLOCK 5055, AND PARTIALLY SITUATED IN THE WILLIAM BRACKEN SURVEY NO. 74, ABSTRACT NO. 43, COUNTY BLOCK 5056, BEAR COUNTY, TEXAS, SAID 216.19 ACRE TRACT OF LAND CONSISTING OF A 96.778 ACRE (4,215,659.98 SQUARE FEET) TRACT OF LAND DESIGNATED AS SURVEYED TRACT "A", BEING A PORTION OF THE REMAINDER OF A 135.06 ACRE TRACT OF LAND AS CONVEYED TO MILTON FRIESEHAN IN WARRANTY DEED WITH VENDORS LIEN AS RECORDED IN VOLUME 7423, PAGE 621, WITH UNDIVIDED THREE-FOURTHS INTEREST CONVEYED TO ELIZABETH ANN BASHA, JEANNE MARIE ZWICKE, AND KATHERINE MENK, IN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 1587, PAGES 1756-1759, AN 82.462 ACRE (3,593,359.75 SQUARE FEET) TRACT OF LAND DESIGNATED AS SURVEYED TRACT "B", BEING ALL OF AN 11.681 ACRE TRACT OF LAND (DESIGNATED AS TRACT I), ALL OF A 70.824 ACRE TRACT OF LAND (DESIGNATED AS TRACT II) AS CONVEYED TO DONNIE K. FISCHER, AND CINDY A. FISCHER IN SUBSTITUTE TRUSTEE'S DEED AS RECORDED IN VOLUME 1587, PAGE 2403, AND A 36.900 ACRE (1,608,472.26 SQUARE FEET) TRACT OF LAND DESIGNATED AS SURVEYED TRACT "C", BEING ALL OF A 36.921 ACRE TRACT OF LAND AS CONVEYED TO DAVID NEAL LUDWIG IN EXECUTOR'S DISTRIBUTION DEED AS RECORDED IN VOLUME 1898, PAGES 159-164, ALL OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY; AND A 1,400 ACRES (60,984 SQUARE FEET) TRACT OF LAND IN THE CITY OF SCHERTZ, BEAR COUNTY, TEXAS, SITUATED IN THE JULIAN DIAZ SURVEY NO. 66, ABSTRACT 187, COUNTY BLOCK 5059, BEAR COUNTY, TEXAS, OUT OF A 76.385 ACRE TRACT OF LAND AS CONVEYED TO MILTON FRIESEHAN AND WIFE, BILLIE FRIESEHAN, WITH UNDIVIDED THREE-FOURTHS INTEREST CONVEYED TO ELIZABETH ANN BASHA, JEANNE MARIE ZWICKE, AND KATHERINE MENK IN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 1587, PAGES 1748-1752 OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS, FOR A TOTAL ACREAGE OF 217.59 ACRES (9,475,251.08)

SADDLEBROOK RANCH

PREPARED ON JULY 16, 2020

MIR
Moy Tarin Ramirez Engineers, LLC
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085



• Engineers
• Surveyors
• Planners

Moy Tarin Ramirez Engineers, LLC

Field Notes for a Tract of Land
Containing 229.478 acre (9,996,064.69 square feet)

A 229.478 acre (9,996,064.69 square feet) tract of land partially in the City of Schertz, Bexar County, Texas, partially situated in the Julian Diaz Survey No. 66, Abstract 187, County Block No. 5059, partially situated in the William Bracken Survey No. 65, Abstract No. 48, County Block 5055, and partially situated in the William Bracken Survey No. 74, Abstract No. 43, County Block 5056, Bexar County, Texas, said 229.478 acre (9,996,064.69 square feet) tract of land being comprised of a portion of a called 135.06 acre tract of land as conveyed to Elizabeth Ann Basha, Jeanne Marie Zwicke, and Katherine Menk in Special Warranty Deed as recorded in Volume 15867, Page 1756, all of a called 11.680 acre tract of land designated as Tract I, and all of a called 70.824 acre tract of land designated as Tract II, as conveyed to Donnie K. Fischer and Cindy A. Fischer in Substitute Trustee's Deed as recorded in Volume 13622, Page 2403, and all of a called 36.921 acre tract of land as conveyed to David Neal Ludwig and Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Page 159, all of the Official Public Records of Bexar County, Texas, said 229.478 acre (9,996,064.69 square feet) tract of land being more particularly described as follows:

Beginning: at a found 5/8" iron pipe on the northwesterly right of way line of Lower Seguin Road, a public right of way, being the southwest corner of said 135.06 acre tract;

Thence, leaving the northwesterly right of way line of Lower Seguin Road, with the southwesterly boundary of said 135.06 acre tract, the following two (2) courses:

North 30 degrees 05 minutes 14 seconds West, a distance of 1803.23 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being an angle point in the herein described tract;

North 30 degrees 32 minutes 28 seconds West, a distance of 715.57 feet to a found iron rod with a red plastic cap, being the south corner of a called 25.01 acre tract of land as conveyed to Board of Trustees of the Schertz-Cibolo-Universal City Independent School District in Special Warranty Deed as recorded in Volume 14298, Page 7 of the Official Public Records of Bexar County, Texas, said iron rod being the west corner of the herein described tract;

Thence, leaving the southwesterly boundary of said 135.06 acre tract, with the south and east boundary of said 25.01 acre tract, the following two (2) courses:

North 49 degrees 37 minutes 09 seconds East, a distance of 1342.29 feet to a found iron rod with a red plastic cap, being the east corner of said 25.01 acre tract, and being an interior corner in the herein described tract;

North 40 degrees 07 minutes 58 seconds West, a distance of 858.27 feet to a found iron rod with a red plastic cap stamped "CEC 210 641-999", being the north corner of said 25.01 acre tract, said iron rod being the south corner of a called 37.921 acre tract of land as conveyed to Janis Ludwig in Executor's Distribution Deed as recorded in Volume 18598, Page 152 of the Official Public Records of Bexar County, Texas, being an angle point in the herein described tract;

Thence, with the southeasterly boundary, and the east boundary of said 37.921 acre tract, the following two (2) courses:

North 49 degrees 56 minutes 07 seconds East, a distance of 603.34 feet to a found iron rod with a yellow plastic cap stamped "BUTZ LAND SURVEYING", being the east corner of said 37.921 acre tract, and being the south corner of said 36.921 acre tract;

With the west boundary of said 36.921 acre tract, North 20 degrees 10 minutes 44 seconds West, a distance of 2087.07 feet to a found nail in asphalt on the southeasterly right of way line of Raf Burnette Road, a public right of way, being the northeast corner of said 37.921 acre tract, and being the west corner of said 36.921 acre tract, said nail being the most northerly northwest corner of the herein described tract;

Thence, with the southeasterly right of way line of said Raf Burnette Road, and the northerly boundary of said 36.921 acre tract, North 60 degrees 11 minutes 04 seconds East, a distance of 870.32 feet to a found 5/8" iron rod being the northeast corner of said 36.921 acre tract, and being the north corner of the herein described tract;

Thence, leaving the southeasterly right of way line of said Raf Burnette Road, with the east boundary of said 36.921 acre tract, South 16 degrees 47 minutes 34 seconds East, a distance of 1964.71 feet to a found ½” iron rod, being the east corner of said 36.921 acre tract, and being an angle point in the herein described tract;

Thence, with the southeast boundary of said 36.921 acre tract, South 48 degrees 43 minutes 14 seconds West, a distance of 142.65 feet to a found 5/8” iron pipe, being the north corner of said 135.06 acre tract, and being an angle point in the herein described tract;

Thence, with the easterly boundary of said 135.06 acre tract, South 30 degrees 30 minutes 40 seconds East, a distance of 2296.74 feet to a found 5/8” iron pipe on the northerly boundary of said 70.824 acre tract, being an angle point in the herein described tract;

Thence, with the northerly boundary of said 70.824 acre tract, North 59 degrees 30 minutes 13 seconds East, a distance of 218.72 feet to a found iron rod with a destroyed yellow plastic cap, being the north corner of said 70.824 acre tract, and being the west corner of said 11.680 acre tract;

Thence, with the northerly boundary of said 11.680 acre tract, North 59 degrees 12 minutes 56 seconds East, a distance of 337.37 feet to a found ½” iron rod, being the north corner of said 11.680 acre tract, being an angle point in the herein described tract;

Thence, with the easterly boundary of said 11.680 acre tract, South 28 degrees 40 minutes 09 seconds East, a distance of 1499.40 feet to a found ½” iron rod on the northwesterly right of way line of said Lower Seguin Road, being the east corner of said 11.680 acre tract, and being the most easterly corner of the herein described tract;

Thence, with the northwesterly right of way line of said Lower Seguin Road, the following three (3) courses:

With the southerly boundary of said 11.680 acre tract, South 59 degrees 21 minutes 11 seconds West, a distance of 339.55 feet to a found ½” iron rod, being the south corner of said 11.680 acre tract, being the east corner of said 70.824 acre tract, said iron rod being an angle point in the herein described tract;

With the southerly boundary of said 70.824 acre tract, South 59 degrees 21 minutes 09 seconds West, a distance of 2042.72 feet to a found 5/8” iron pipe, being the south corner of said 70.824 acre tract, said iron pipe being an angle point of said 135.06 acre tract;

With the southerly boundary of said 135.06 acre tract, South 59 degrees 10 minutes 29 seconds West, a distance of 551.06 feet to the **Point of Beginning**, containing 229.478 acre (9,996,064.69 square feet) of land.

Note: Basis of bearing was established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone. An Exhibit of even date was prepared for this description.



Stephanie L. James
Stephanie L. James, R.P.L.S.
Registered Professional Land Surveyor
No. 5950
Date: 2019-10-29 Job No. 19037



SADDLEBROOK RANCH

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, January 27, 2021 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, TX 78154 to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Senior Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

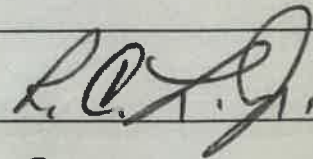
Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: _____

NAME: Bob Lindorfer
(PLEASE PRINT)

SIGNATURE



STREET ADDRESS: 12816 Lower Seguin Rd

DATE: 1/26/2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: _____

NAME: Katherine Menk
(PLEASE PRINT)

SIGNATURE Katherine Menk

STREET ADDRESS: 12691 Lower Seguin Rd, Schertz

DATE: 1-21-21

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. This form is used to calculate the percentage of landowners that support and oppose the request. You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,

Nick Kopyay

Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: owner Property ID 309811

NAME: Billie Friesenbahn SIGNATURE: *Billie Friesenbahn*
(PLEASE PRINT)

STREET ADDRESS: 12691 Lower Seguin Rd, Schertz, Tx 78154

DATE: Jan 20, 2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: owner Property ID 309811

NAME: Elizabeth Basha SIGNATURE Elizabeth Basha
(PLEASE PRINT)

STREET ADDRESS: 637-Santa Clara Loop, Marlon TX 78124

DATE: 1-21-2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m., located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: Owner Property ID 309811

NAME: JEANNE ZWICKE
(PLEASE PRINT)

SIGNATURE Jeanne Zwicke

STREET ADDRESS: 1545 GIN RD SEGUIN, TX 78155

DATE: 1-21-21

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS: owner Property ID 309811

NAME: Milton Friesenhahn SIGNATURE Milton Friesenhahn
(PLEASE PRINT)

STREET ADDRESS: 12091 Lower Seguin Rd Schertz, TX 78154

DATE: Jan 20, 2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, January 27, 2021 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,



Nick Kopyay
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **ZC2019-010**

COMMENTS: _____

NAME: Donnie Fischer (PLEASE PRINT) SIGNATURE Donnie Fischer

STREET ADDRESS: 13011 Lower Seguin Road

DATE: 1-20-2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. This form is used to calculate the percentage of landowners that support and oppose the request. You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,

Nick Kopyay

Nick Kopyay
Senior Planner

Reply Form

I am: in favor of [checked] opposed to [] neutral to [] the request for ZC2019-010

COMMENTS:

NAME: Cindy Fischer (PLEASE PRINT) SIGNATURE: Cindy Fischer

STREET ADDRESS: 13011 Lower Seguin Road

DATE: 1-20-2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. This form is used to calculate the percentage of landowners that support and oppose the request. You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,

Nick Kopyay

Nick Kopyay
Senior Planner

Reply Form

I am: in favor of [checked] opposed to [] neutral to [] the request for ZC2019-010

COMMENTS: I am very much in favor of request ZC2019-010

NAME: Alfred L. Fluff SIGNATURE [Signature] (PLEASE PRINT)

STREET ADDRESS: 538 Appaloosa Run, Round Mt, Tx 78663

DATE: Jan. 23, 2021

NOTICE OF PUBLIC HEARING

January 15, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, January 27, 2021 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

ZC2019-010 – A request to rezone approximately 229 acres of land to Planned Development District (PDD), generally located approximately 6,000 feet east of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 309419, 309811, 310011, and 310013, City of Schertz, Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. This form is used to calculate the percentage of landowners that support and oppose the request. You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail nkopyay@schertz.com. If you have any questions please feel free to call Nick Kopyay, Senior Planner directly at (210) 619-1782.

Sincerely,

Nick Kopyay (handwritten signature)

Nick Kopyay
Senior Planner

Reply Form

I am: in favor of [X] opposed to [] neutral to [] the request for ZC2019-010

COMMENTS:

NAME: Dawn Wakes (PLEASE PRINT) SIGNATURE [handwritten signature]

STREET ADDRESS: 12700 Laf Burnette

DATE: 1-22-21

Reply Form

I am: in favor of opposed to neutral to the request for ZC2019-010

COMMENTS:

NAME: DAVID LUDWIG
(PLEASE PRINT)

SIGNATURE

David Ludwig

STREET ADDRESS: 12572 RAF BURNETTE SCHERTZ, TX

DATE: 1/20/2021

1400 Schertz Parkway

Schertz, Texas 78154

210.619.1000

schertz.com

Reply Form

I am: in favor of opposed to neutral to the request for **ZC2019-010**

COMMENTS: _____

NAME: Jani's K. Ludwig SIGNATURE Jani's K Ludwig
(PLEASE PRINT)

STREET ADDRESS: 403 Woodcrest Dr. San Antonio, TX 78209

DATE: 1-19-2021

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021
Department: City Secretary
Subject: Workshop Discussion and Update (Ordinance 20-H-18) - Discussion and update regarding the COVID-19 virus and our current Ordinance No. 20-H-18 Declaration of Local Disaster. (M. Browne/K. Long/S. Hall)

BACKGROUND

Staff will provide Council with an update regarding the COVID-19 Virus. Discussion will include the recent Executive Order 29 relating to the use of face coverings.

Attachments

Revised 20-H-18

Ordinance No. 20-H-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCHERTZ TO SUPERSEDE ORDINANCE 20-H-15; EXTENDING A DECLARATION OF LOCAL DISASTER; RESTRICTING CERTAIN ACTIVITIES; ESTABLISHING PENALTIES FOR VIOLATIONS. PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY; FIRST AND FINAL READING

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 20, 2020, the World Health Organization (WHO) Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 13, 2020, President Trump declared a state of emergency due to COVID- 19; and

WHEREAS, President Trump has invoked the Stafford Act, which will allow state and local governments to access federal disaster relief funds; and

WHEREAS, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for counties in the state of Texas; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID- 19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, to date, there have been 48,693 confirmed positive cases in Texas; and

WHEREAS, the crisis that is now a pandemic has infected 4,805,430 people around the world resulting in 318,554 deaths, with 1,537,830 cases confirmed in the United States; and

WHEREAS, on March 31, 2020 Governor Abbott issued GA-14 superseding local authority invoked under Chapter 418 of the Government Code, and Chapter 81 and 122 of the Health and Safety Code where local order conflict with GA-14 or any previous order of the Governor related to the pandemic;

WHEREAS, also on April 17, 2020, Governor Abbott issued Executive Order GA-16 to replace Executive Order GA- 14, and while Executive Order GA- 16 generally continued through April 30, 2020, the same social-distancing restrictions and other obligations for Texans according to federal guidelines, it offered a safe, strategic first step to Open Texas, including permitting retail pick-up and delivery services; and

WHEREAS, Texas must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders and the continued gradual reopening of Texas pursuant to GA-18- GA-23 and subsequent orders of the Governor; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Schertz, and may exercise the powers granted by the governor on an appropriate local scale; and

WHEREAS, Ralph Gutierrez, the Mayor of the City of Schertz previously determined and declared that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be impacted by COVID-19;

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources.

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

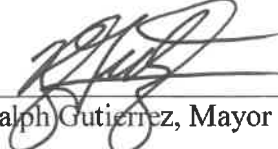
- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the local state of disaster and public health emergency originally declared by Mayor Ralph Gutierrez for the City of Schertz, Texas, pursuant to §418.108(a) of the Texas Government Code and renewed and extended to May 26, 2020 at 11:59 p.m. by City Council Ordinance 20-H-15 pursuant to §418.108(b) of the Government Code, including all rules and regulations, is hereby further amended and extended until the Disaster Declaration put in place by Governor Abbott for the State of Texas expires.
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Schertz, Texas, emergency management plan.
- Section 5. All ordinances 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 herein except those portions deemed to conflict with any emergency orders of Governor Abbott.

- Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 7. 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 Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 8. 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, Texas Government Code, as amended.
- Section 9. Should Governor Abbott lift the statewide disaster declaration and orders now in place prior to the date of expiration stated herein, this ordinance shall no longer be subject to enforcement by the City and shall be repealed by the City Council at the first legally posted meeting thereafter.
- Section 10. Any peace officer or other person with lawful authority is further authorized to enforce the provisions of this Ordinance or the orders of the Governor in accordance with the authority granted under the Texas Disaster Act of 1975, as applicable, which allows a fine not to exceed \$1000.00 and confinement not to exceed 180 days pursuant to Government Code 418.173.
- Section 11. This Ordinance shall be in force and effect from its first and final passage, and any publication required by law.


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ TEXAS THIS ORDINANCE WAS PASSED, ON FIRST AND FINAL READING, THE 23rd DAY OF JUNE 2020.

CITY OF SCHERTZ, TEXAS

By: _____


Ralph Gutierrez, Mayor

ATTEST:


Brenda Dennis, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021

Department: Engineering

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

Attachments

March 2021 Major Project Update

CITY COUNCIL MEMORANDUM

City Council Meeting: March 2, 2021

Department: City Manager

Subject: Update on Major Projects in Progress

Background

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

Facilities Projects:

1. 27 Commercial Place Renovation

- Project Status: Design Phase
- Estimated Construction Start: Spring 2021
- Estimated Cost of Construction: \$1.65 million
- Project Update: Project plans are out for bid. GMP contract submittal for review and discussion is expected on March 8, 2021. Weekly project meetings continue.

2. Civic Center Kitchen Remodel

- Project Status: Phase 1 is complete, Phase 2 is under construction
- Construction Start: October 2020
- Estimated Completion: March 2021
- Estimated Project Cost: \$168,000
- Project Update: Phase 1 is the Grand Ballroom Kitchen. Phase 1 is complete. Phase 2 is the Blue Bonnet Kitchen and is scheduled to start on March 1, 2021. Work will be coordinated around the COVID shot clinics. Phase 2 is expected to be completed by the end of March.

3. Emergency Services Restroom Remodel Project

- Project Status: Phase 1 and 2 are complete, Phase 3 is under construction
- Construction Start: August 2020
- Estimated Completion: March 2021
- Cost of Construction (All Phases): \$224,075
- Project Update: Fire Station 1, Phase 1, and Police Station, Phase 2, are complete. EMS Station 1 is Phase 3 of the project and is currently under construction. Some plumbing issues were discovered during demolition, so the contractor is working to resolve those issues. Rough in electrical work is under way.

Streets Projects:

1. Curtiss Avenue Sidewalk

- Project Status: Closeout Phase
- Estimated Start: October 2020
- Estimated Completion: January 2021
- Cost of Construction: \$314,289
- Project Update: C-3 Environmental continues to work on the last few punch list items which are expected to be completed the last week of February. The project will be fully complete once the punch items are complete.

Drainage Projects:

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

- Project Status: Under Construction
- Start: November 2020
- Estimated Completion: Spring 2021
- Cost of Construction: \$378,425.15 (NTE \$416,267.68)
- Project Update: C-3 Environmental has completed the Colony Drive Channel. C-3 has completed installing all of the concrete rip rap in the Castle Hills Channel. The Castle Hills Channel still needs to be backfilled and revegetated. C-3 has started on the Osage Avenue Channel. The existing concrete has been removed and grading for the hydroturf has begun.

2. Savannah Pond, Westchester Channel, Arroyo Verde

- Project Status: Design Phase
- Consultant: Ford Engineering
- Estimated Construction Start: Spring 2021
- Project Update: No change from previous update. Design is 90% complete on the project. City Staff has provided comments to the design consultant. The project is expected to be advertised for bid in the next two months.

3. Fire Station #2 Channel Improvements

- Project Status: Design Phase Complete
- Consultant: Ford Engineering
- Estimated Construction Start: February 2021
- Project Update: No change from previous update. Design and the contract documents are complete on the project. The project is being advertised for bid currently with contract award following in March 2021.

Water Projects:

1. FM 1103 Utility Relocation Project Phase I

- Project Status: Closeout Phase
- Construction Start: August 2019
- Construction Completion: Fall 2020

- Cost of Construction: \$964,424.12
- Project Update: No change from last update. The contractor is working on the punch list items. City Staff is working on verifying those items are complete in order to finalize the project.

2. FM 1103 Utility Relocation Project Phase II

- Project Status: Closeout Phase
- Construction Start: September 2020
- Construction Completion: November 2020
- Cost of Construction: \$130,283.75 (NTE: \$143,312)
- Project Update: Project is complete.

3. E. Live Oak Pump Additions Project

- Project Status: Under Construction
- Construction Start: April 2020
- Construction Completion: Winter 2021
- Cost of Construction: \$1,560,000
- Project Update: The contractor installed the two new pumps and motors in December. The contractor also installed the new generator and continued to do the final electrical work. Startup of the pumps has taken place. The project is expected to be completed in Winter 2021.

Engineering Projects:

1. 2018 Street Preservation and Maintenance Reconstruction Project

- Project Status: Substantially Complete
- Construction Start: January 2020
- Construction Completion: Summer 2020
- Cost of Construction: \$1,501,199
- Project Update: No change from last report. Geotechnical testing has been performed in the damaged concrete panel areas. A bid package for repairing the damaged concrete panels has been prepared and advertising for bids began on January 13th. The bid opening is scheduled for February 11th and contract award is scheduled for March 2nd. Once the panels have been repaired, the pavement grinding will be scheduled as soon as possible.



2. 2018 Street Preservation and Maintenance Rehabilitation Project

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

3. 2018 Street Preservation and Maintenance Resurfacing Project

- Project Status: Under Construction
- Construction Start: March 2020
- Construction Completion: Summer 2020
- Cost of Construction: \$791,174.34
- Project Update: The first round of “enhanced sweeping” for the chip sealed areas has been completed. The sweeping did uncover some additional areas in some other cul-de-sacs where the chip seal has not adhered properly. The contractor will be required to repair these areas also before the rest of the remediation work is done. The second round of enhanced sweeping is planned for the end of March.

4. Cibolo Valley Drive Expansion Project

- Project Status: Under Construction
- Construction Start: May 2020
- Construction Completion: Summer 2021
- Cost of Construction: \$4,806,762 total (\$1,300,000 City of Schertz Contribution)
- Project Update: The recent rainy weather, then the cold and snowy weather has caused a construction delay on the project. Some of the storm drain elements did not get completed as originally planned. The piping is all installed but there are

some concrete headwalls that need to be completed. The contractor hopes to have these remaining items completed by the end of next week. This has caused a delay in starting the cement stabilization. The contractor is in the process of updating his schedule and expects the cement stabilization to start later this month.

5. Cherry Tree Rehabilitation Project

- Project Status: Bidding complete
- Consultant: Ford Engineering
- Project Start Date: November 2020
- Project Completion Date: December 2020
- Total Project Cost: \$273,193.80 (NTE amount \$300,600)
- Project Update: No change since last report. The project is nearly fully complete. The contractor has a couple of punch list items to complete.

6. Elbel Road Storm Drain and Paving

- Project Status: Design
- Consultant: Ford Engineering
- Project Start Date: August 2020
- Project Completion Date: Summer 2021
- Total Project Cost: \$1,341,000
- Project Update: With Council approval of the contract amendment, Ford Engineering has begun designing the traffic signal for the Westchester intersection. Staff expects to have traffic signal plans to review later this month.

7. 2020 Street Preservation and Maintenance (Resurfacing) Project

- Project Status: Design
- Consultant: Kimley-Horn & Associates
- Project Update: No change since the last report. Based on the January 26th Workshop discussion, Staff has provided Kimley-Horn with direction to complete the project design. The project will include specifying slurry seal instead of chip seal for the resurfacing. The contract will also include applying a slurry seal first to the Estates at Wilson's Preserve and a couple of the 2020 streets for further evaluation.

8. Tri-County Parkway Reconstruction Project

- Project Status: Design
- Consultant: Halff Associates
- Project Update: Design work has continued for the project. Staff is working with EDC to set up some initial public meetings to present the project and get feedback from the businesses in the project area. These public meetings will be conducted virtually. We anticipate the first virtual meeting to occur the week of March 2nd. Staff received 75% project plans on Friday, February 26th and is in the process of reviewing them.

9. Corbett Elevated Water Storage Tank

- Project Status: Closeout Phase
- Construction Start: March 2019

- Construction Completion: Fall 2020
- Cost of Construction: \$4,682,000.00
- Project Update: No change from the last update. The tank continues to operate on the system as designed. The contractor continues to finalize items on the site and complete punch list items.

10. Woman Hollering Creek Wastewater Interceptor Main and Lift Station

- Project Status: Design
- Consultant: Cobb, Fendley & Associates, Inc.
- Estimated Construction Start: Spring 2021
- Estimated Cost of Construction: \$12 million
- Project Update: City Staff is working with consultant (CobbFendley) to finalize bid documents. Site Plan submittal will be made the first week of March 2021. The project is expected to be advertised for bid in March 2021.

11. Pedestrian Routes and Bike Lanes Project

- Project Status: Bidding Complete
- Estimated Construction Start: Spring 2021
- Estimated Cost of Construction: \$1.3 million
- Project Update: No change since the last report. Staff is coordinating with TXDOT and the contractor to get the necessary project and reporting forms completed so the pre-construction meeting can be held. Staff is also setting up a formal property acquisition closing for the needed right-of-way at the FM3009/Live Oak intersection with the property owner. The right-of-way acquisition will not impact construction starting.

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

- Project Status: Study
- Consultant: Lockwood, Andrews, and Newnam, Inc.
- Project Start Date: December 2019
- Project Completion Date: TBD 2021
- Total Project Cost: \$467,280 (NTE \$500,000)
- Project Update: Consultant is finalizing the existing system evaluation technical memorandums. Completion of the future conditions evaluation is tentatively scheduled for March and the Master Plan report is expected to be submitted in April. The Impact Fee update of this project will follow that and the schedule will be set by how well the statutorily required meetings with various groups can be coordinated with Board, Committee, and Council meeting. Staff will meet with LAN early in March to continue coordination of the project.

The water model created as part of this project is already being put to use to model the impact of the proposed 16" Dedicated Transmission Main on surrounding development. Also, data from wastewater flow monitoring is being shared with CCMA for their use in development of their updated Capital Improvement Plan.

13.16 Dedicated Transmission Main Phase I

Overall project intent is the construction of a 16" dedicated water transmission main to connect the Live Oak water storage facility to the IH 35 storage tank. Phase 1 of the project includes a route study, land acquisition coordination, and preliminary design of the main.

- Project Status: Study
- Consultant: Kimley-Horn & Associates
- Project Start Date: August 2020
- Project Completion Date: Spring 2021
- Project Cost (Phase I Study): \$267,848 (NTE \$294,000)
- Project Update: Signed right of entry forms have been received from all but one property owner. City Staff will participate in the second workshop with Kimley Horn and have begun scoping preliminary (30% design) tasks. Coordination with the Parks Department for a future trail will continue.

14. Stormwater Control Inventory and City Operations Assessment

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

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

- Project Status: Study
- Consultant: Utility Engineering Group, PLLC
- Project Start Date: July 2020
- Project Completion Date: Spring 2021
- Total Project Cost: \$35,000
- Project Update: No change from last update. City staff has provided comments of consultant-provided list of City sites proposed for visits. Consultant is working on scheduling visits to facilities.

15. Riata Lift Station Relocation (Design Phase)

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

- Project Status: Design Phase
- Consultant: Utility Engineering Group, PLLC (UEG)
- Project Start Date: August 2020
- Expected Project Completion Date: Spring 2021
- Total Project Cost: \$129,795 (NTE \$143,000)
- Project Update: The 60% design submittal has been reviewed by Engineering and Public Works and resubmitted to UEG to proceed with their 90% design.

16. Aviation Heights Water Main Construction Phases 5, 6, and 7 (Design Phase)

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

- Project Status: Design Phase
- Consultant: Ford Engineering
- Project Start Date: October 2020
- Expected Project Completion Date: Summer 2021
- Total Project Cost: \$113,135 (NTE \$125,000)
- Project Update: No change since last report. Ford Engineering provided final construction plans for City review. Bidding schedule is pending.

TxDOT Roadway Projects:

- 1. FM 1103 Improvement Project:** No change from February update. Utility relocations continue (including electric and communications). Delays in the relocation of other utilities has caused further rescheduling of the target let date for a construction contract from January 2021 to July 2021.
- 2. FM 1518 Improvement Project:** TxDOT is in the Plans, Specs, and Estimates (PS&E) stage of the project. At this time, a consultant for TxDOT has prepared 30% construction plans and is working toward 60% complete plans. TxDOT continues acquiring property needed as right of way for the expansion project. As parcels are acquired, TxDOT contractors are physically clearing the right of way in preparation for final surveying and design.

TxDOT has not yet acquired parcels needed from JB SA-Randolph. That process is proceeding, however slowly. Because of delays with that acquisition and increased costs, the project may be split into segments. Staff met with TxDOT in early February to receive an update regarding the plan to address the budget shortfall. It is likely that TxDOT will submit the remaining funding need to AAMPO during this season's call for projects. Bexar County has indicated a willingness to contribute additional funds and the City will likely be requested to contribute also. Staff will bring a proposal to Council for consideration at a future meeting.

At least a portion of the project is still currently scheduled for letting in September 2022; construction may begin as early as January 2023. Staff is working with Halff Associates to finalize a design contract for the relocation of water and sewer lines along the newly acquired ROW.

- 3. I-35 Operational Improvements Project (FM 2252 to Schwab Road):** No change from February update. Contractor continues work on retaining walls, grading of ditches and swales, placing electrical components, repair of frontage road failures, and placement of new curb, sidewalk, and riprap. Estimated final cost of the project is \$25.5 million. The current schedule includes an expectation of substantial completion in Summer 2021.

4. **I-35 NEX (I-410 South to FM 1103):** A full description of the project to expand I-35 from I 410 South to FM 1103 can be found by searching keywords "I-35 from I-410" at TxDOT.gov. Schematic exhibits of the proposed improvements are available on that website. Public Works and Engineering staff are participating in utility coordination meetings with TxDOT and its contractors regarding relocations that may need to take place in advance of or in conjunction with the roadway construction. Construction is expected to begin in spring 2021 and take 4 to 5 years to complete. The portion of the I-35 NEX project from the Cibolo Creek to its termination at FM 1103 has a cost of \$621 million.

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

5. **IH-10 Graytown Road to Guadalupe County Line:** No change from February update. Construction activities have begun on the IH-10 expansion project. Traffic controls have been placed and work has begun on the transition of the access roads from two-way to one-way. More information on this \$157 million project with a construction timeline of 53 months will be provided in the April update.

Planning and Community Development Projects:

1. **CityView Permitting and Development Software**

City Staff has continued to meet with CityView since the last update to discuss existing City software program integration. The data collections for all City View Modules is complete and has been submitted to CityView for configuration. The Code Enforcement Module has been configured and City Staff has been validating (verify configuration) of the module. **CityView has submitted a preliminary project scope document for City review. It is lacking a few components, but City of Schertz review is underway. Once the scope document has been approved by all parties and the document has been executed CityView will start the configuration of all the software components.** When the configuration is complete by CityView and the software is validated (tested) by City Staff, we move to end user staff training and then go live. A proposed timeline to go-live with the software will be determined once configuration and validation of modules have been completed.

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