



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
July 11, 2023

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

CITY OF SCHERTZ CORE VALUES
Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
TUESDAY, JULY 11, 2023 at 6:00 p.m.

Call to Order

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

Employee Introductions

- I.T : Andrew Conley-Senior Systems Administrator; Venny Nunez-I.T. Support Specialist
- Utility Billing: Tommy Perez-Utility Billing Clerk

City Events and Announcements

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

Hearing of Residents

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

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

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

Consent Agenda Items

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

1. **Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of June 20, 2023. (S.Edmondson/S.Courney)
2. **Appointment, Reappointment and Resignations on Boards, Commissions and Committees** - The Interview Committee met on June 22, 2023, to review applications for appointment and reappointment, and conduct interviews for the Board of Adjustment, Planning and Zoning Commission, Library Advisory Board, and Schertz Historical Preservation Committee. (S.Edmondson)
3. **Resolution 23-R-10** - Consideration and/or action approving a resolution by the City Council of the City of Schertz, Texas, authorizing a ninth amendment to the interlocal agreement with the Alamo Area Council of Governments (AACOG) to provide funding in the amount of \$42,666.00 for transit services in the City of Schertz. (S. Williams/B. James)
4. **Resolution 23-R-56** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a Task Order Agreement Modification to the Task Order with Halff Associates, adding design tasks and increasing the not to exceed amount to \$511,000.00 for the Lookout Road Reconstruction Project. (B. James/J. Nowak)

Discussion and/or Action

5. Discussion and/or Action on Electronic Voting.(Mayor/Scagliola)
6. **Resolution 23-R-55**– Consideration and/or action by the City Council of the City of Schertz, Texas, approving a Resolution calling for the November 7, 2023, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election and authorizing these elections to be held as Joint Elections. (Mayor/S.Edmondson)
7. Special Announcement: Charter Review (Mayor/S.Edmondson)

Public Hearings

8. **Ordinance 23-S-13** - Conduct a public hearing and/or action on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.8.5 Permitted Use Table, and Article 16 Definitions. (**First Reading** B. James, L. Wood, S. Haas)

Information available in City Council Packets - NO DISCUSSION TO OCCUR

9. **Monthly Update** - FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)
10. **Monthly Update** - Major Projects In Progress/CIP (B. James/K. Woodlee)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
- 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, SHEILA EDMONDSON, 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 7TH DAY OF JULY 2023 AT 6:00 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.

SHEILA EDMONDSON

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 _____, 2023. 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 Board of Adjustments Investment Advisory Committee Main Street Committee Senior Center Advisory Board-Alternate</p>	<p>Councilmember Davis– Place 1 Interview Committee for Boards and Commissions Main Street Committee - Chair Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Commission TIRZ II Board</p>
<p>Councilmember Watson-Place 2 Audit Committee Library Advisory Board Senior Center Advisory Board Interview Committee for Boards and Commissions Cibolo Valley Local Government Corporation-Alternate</p>	<p>Councilmember Whittaker – Place 3 Historical Preservation Committee Interview Committee for Boards and Commissions-Chair TIRZ II Board</p>
<p>Councilmember Dahle – Place 4 Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions Planning & Zoning Commission TIRZ II Board</p>	<p>Councilmember Scagliola – Place 5 Animal Advisory Commission - Alternate Hal Baldwin Scholarship Committee Schertz-Seguin Local Government Corporation</p>
<p>Councilmember Heyward – Place 6 Animal Advisory Commission Audit Committee Building and Standards Commission Economic Development Corporation - Alternate Investment Advisory Committee Main Street Committee Interview Committee for Boards and Commissions-Alternate Senior Center Advisory Board</p>	<p>Councilmember Brown – Place 7 Economic Development Corporation Main Street Committee Schertz-Seguin Local Government Corporation - Alternate</p>

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: City Secretary
Subject: Minutes - Consideration and/or action regarding the approval of the regular meeting minutes of June 20, 2023. (S.Edmondson/S.Courney)

Attachments

06-20-23 draft minutes

DRAFT

MINUTES REGULAR MEETING

June 20, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 20, 2023, 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 Tim Brown; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Jill Whittaker; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward

Staff present: City Manager Steve Williams; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Attorney Daniel Santee; Deputy City Secretary Sheree Courney

Call to Order

Mayor Gutierrez called the meeting to order at 6:00 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Mayor Pro-Tem Brown)

Mayor Gutierrez recognized Mayor Pro-Tem Brown who provided the opening prayer and the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Proclamations

- National Park and Recreation Month-July 2023

Councilmember Davis presented the National Parks and Recreation Month - July 2023 Proclamation to Lauren Shrum, Director of Parks and Recreation, and members of the Schertz Parks and Recreation team.

Presentations

- Presentation of 2023 TAMI Awards (S. Gonzalez/L. Klepper/D. Christensen)

Mayor Gutierrez recognized Public Affairs Director Linda Klepper, Communications Manager Devin Christensen, and Marketing and Communications Specialist Caanon Gibbons. Ms. Christensen stated that the City of Schertz Public Affairs Department submitted 5 entries for the 2023 TAMIO Awards for which they were selected from 547 entries as finalists in two of the categories. They received the Award of Honor, 3rd place, for the Schertz Magazine, and a TAMI Award, 1st place, for their Schertz Fire Rescue Recruitment Flyer.

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
Mayor Gutierrez recognized Deputy City Manager Brian James who provided the following:

Saturday, June 24

Float & Flick in the Park - "Hotel Transylvania 3"

7:00 p.m. - 9:00 p.m.

Pickrell Park Pool

Friday, June 30

Project Flagline

7:30 a.m. - 9:30 a.m.

Schertz Parkway

*Each year over 4,000 flags are placed along Schertz Parkway - Register to volunteer on Schertz.com>4th of July Jubilee>Volunteer Opportunities

Monday, July 3

City Offices Closed in observance of Independence Day

Tuesday, July 4

City Offices Closed in observance of Independence Day

4th of July Jubilee

Let Freedom Run 5K

Starts promptly at 9:15 a.m.

Don your best patriotic gear and run along the Jubilee parade route prior to the parade. 2023 marks the 11th race in Schertz. Register for the race on Schertz.com

Parade

Begins at 9:30 a.m.

*In a time-honored tradition, individuals and non-profit groups are welcome to join the City of Schertz for a Patriotic parade through downtown Schertz.

Kids Carnival

Opens at 11:00 a.m.

Thulemeyer Park

Float and Fireworks

6:00 p.m. - 10:00 p.m.

Live Music

Begins at 6:00 p.m.

Groove Knight will be providing Live Music

Pickrell Park

Fireworks Show (Sponsored by HEB)

Begins at approximately 9:15 p.m.

Pickrell Park

Thursday, July 6

Project Flagline Take-Down

7:30 a.m. - 9:30 a.m.

Schertz Parkway

Help remove the flags! Register to volunteer at Schertz.com>4th of July Jubilee>Volunteer Opportunities

Saturday, July 8

Nature Discovery Series - Discover Clues and Traces

Crescent Bend Nature Park

10:00 a.m. - 12:00 p.m.

Tuesday, July 11

Next Regular City Council Meeting

Council Chambers

6:00 p.m.

- Announcements and recognitions by the City Manager (S. Williams)

Mayor Gutierrez recognized City Manager Steve Williams who provided the following:

Junior Fire Academy

Graduation was held on Friday, June 9th. 15 junior high and 17 high school kids participated in the academy. They learned about Hazmat response, rope rescues, fire streams, vehicle extrication, fire prevention, pumping operations, thermal imaging, fire extinguisher training, and fire chemistry 101.

Recognition of Staff Promotions

Benjamin Potts was promoted from EMS Paramedic to EMS Field Training Officer

Ryan Wilson was promoted from EMS Field Training Officer to Lieutenant.

Michael Corner was promoted from EMT (PT) to EMS Paramedic (PT).

Rodolfo Rosales was promoted from Assistant Utility Billing Manager to Utility Billing Manager.

TML Legislative Update

Attended by Senior City Staff members. Discussion regarding the bills that had been passed by both the Texas House of Representatives and Texas Senate, bills that will be presented in Special Session, and bills vetoed by the governor. Mr. Williams stated that Linda Klepper, Public Affairs Director, has been designated as the legislative point person.

- Announcements and recognitions by the Mayor (R. Gutierrez)
Mayor Gutierrez congratulated the employees who had been promoted.

Hearing of Residents

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

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

Mayor Pro-Tem Brown recognized the following residents:

- Daniel Jameson, 1048 Richmond Drive, who commended Public Works staff for mowing the easements in the neighborhood stating it is difficult for the senior citizens in that area to maintain the property.
- Maggie Titterington, 1730 Schertz Parkway, provided the following Chamber updates:
 - The Chamber celebrates 18 years of being a Chamber of Commerce on June 21, 2023. Originally established in 1974 as the Schertz Business Club. In 2005, when The Chamber was established there were 29 members, today there are over 600.
 - Working on a visitors guide with Schertz Public Affairs team.
 - Friday, June 30, 2023 - hosting Summer Smoothie Celebration from 7:30 a.m. - 9:00 a.m. sponsored by Tropical Smoothie Cafe.
 - Five or six ribbon cuttings coming up. Notifications have been sent to Council.
- Richard Maus, 3434 Wimbledon Drive, spoke in opposition of the Villas at Bluebonnet based on citations within the UDC.

Consent Agenda Items

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1. **Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of June 6, 2023. (S.Edmondson/S.Courney)
2. **Resignations For Boards/Commissions/Committees** (S.Edmondson)
 - Accept resignation of Mr. Ken Bauer from the Library Advisory Board of Directors.
3. **Ordinance 23-T-12** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving an ordinance authorizing adjustments to the FY 2022-23 Budget, and other matters in connection therewith. *Final Reading* (S. Gonzalez/J. Walters)
4. **Resolution 23-R-53** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to enter into an Interlocal Agreement with the City of Cibolo for the sharing of services and financial obligation in the hiring of a Crime Victim Liaison to provide support and assistance needed for victims of crimes beyond the reasonable capabilities and resources that law enforcement may possess. (J.Lowery)
5. **Resolution 23-R-50** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to enter into an agreement with Texas State Library and Archives Commission relating to the reimbursement of expenses incurred through the lending of Schertz Public Library materials to other libraries (S. Gonzalez/M. Uhlhorn)

6. **Resolution 23-R-49** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the revised bylaws of the Schertz Library Advisory Board, and other matters in connection therewith. (S. Gonzalez/M. Uhlhorn)
7. **Resolution 23-R-54** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing EMS debt revenue adjustments, Utility Billing debt revenue adjustments and Schertz Magazine debt revenue adjustments. (S.Gonzalez/J.Walters)
8. **Ordinance 23-S-12** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving an ordinance authorizing a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, City of Schertz, Bexar County, Texas, property ID: 619232. *Final Reading* (B. James, L. Wood, S. Haas)

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1-8.

Moved by Mayor Pro-Tem Tim Brown, seconded by Councilmember Michelle Watson

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

Passed

Discussion and Action Items

9. **Resolution 23-R-51** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution nominating a candidate to fill the vacancy on the Comal Appraisal District Board of Directors. (S.Williams)

Mayor Gutierrez recognized City Manager Steve Williams who provided clarification regarding the nomination process for the Comal Appraisal District Board of Directors. Mayor Gutierrez then asked if there were any nominations from Council. There were no nominations, therefore, no action was required for Resolution 23-R-51.

10. **Resolution 23-R-52** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to enter into an agreement with Public Sector Personnel Consultants (PSPC) to conduct a Classification and Compensation Study. (S. Gonzalez/J. Kurz)

Mayor Gutierrez recognized City Manager Steve Williams who reminded Council of the priorities he identified at the pre-budget workshop held on March 28, 2023. The number one budget priority for the upcoming budget year being compensation. The City struggles with this issue on a daily basis as evidenced by the high vacancy rates and extremely high turnover rates. Mr. Williams added that the study would take approximately 120 days to complete, but they were shooting for a January 1, 2024, implementation date. There will also be an ECI adjustment effective October 1, 2023, to keep up with inflation. He stated this is a well-thought-out plan to ensure we do our due diligence and make sure we are competitive in the market. He reiterated the necessity to establish and maintain a competitive position in the market. He then turned the discussion over to HR Director Jessica Kurz who provided the

process from request for proposals, review of the proposals, and interviews with the three companies who responded. After the interview, the committee unanimously chose to go with Public Sector Personnel Consultants (PSPC). Criteria used in the selection process included qualifications and experience, company operational information, costs, reputation, capability, resources, project design and strategy.

Mayor Gutierrez opened the floor to Council for discussion.

Several councilmembers expressed concern with waiting for a compensation study to be completed before making necessary adjustments. There is great concern with the current inability to fill vacant positions as well as the high turnover rate. Ms. Kurz responded that the study will be looking at other things in addition to the rate of pay such as a benefit review, incentive pay, certification pay, career progression plan, pathway for employees to grow within the City, etc.

Council reiterated their concern with waiting for the completion of the study before starting to address the base compensation issue. They are largely supportive of doing the study with the caveat that the City had to address issues brought to light by the contractor.

Mayor Gutierrez asked for a motion to approve Resolution 23-R-52.

Moved by Councilmember Allison Heyward, seconded by Councilmember Jill Whittaker

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

Passed

Workshop

11. Discussion on the City Council Electronic Voting System (R.Gutierrez)

Mayor Gutierrez opened the floor to Councilmember Scagliola who requested the workshop. He views this issue from a standpoint of transparency, being obvious and consistent. Does not like the electronic voting system. Believes a verbal response is necessary, adds a strength of conviction without ambiguity. City Charter Rules and Procedures for accepting votes shall be by a roll call and the ayes and nays shall be recorded in the minutes. Councilmember Scagliola stated that his interpretation of a roll call includes having individuals of the council be called and verbally that individual will announce their vote which will be recorded in the minutes. He requests a return to the roll call vote as specified in the Charter.

Mayor Pro-Tem Brown supports open discussion and does not see that the electronic voting system limits it. Calling for the vote whether verbal or electronic provides Council with a platform for casting their votes. Use of the electronic system makes it easier for the City Secretary to ensure the accuracy of the vote in the minutes.

Councilmember Whittaker supports the use of the electronic voting system to eliminate the issue of influencing the vote based on the order in which they votes are cast. Everyone votes at the same time. Believes it's more transparent.

Mayor Gutierrez added that the electronic vote provides the ability to see how each Councilmember voted on YouTube. Freeze-frame on YouTube provides greater transparency. Also speeds up the meeting by eliminating the need for Roll Call Confirmation for each item.

Mayor Gutierrez asked City Attorney Dan Santee to confirm whether the electronic voting system constitutes official roll call voting. Mr. Santee indicated he could research the issue if Council wanted him to do so. If it is a Charter provision then Council must follow it to the letter. Mayor Gutierrez requested a review of the Charter and the Rules and Procedures regarding the process for roll call and make adjustments at that time. Mr. Santee stated that it was also important to see if there is anything that definitively states whether you can do roll call electronically.

No adjustments were made pending further clarification.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

12. Master Calendar has been updated to reflect City Council Meetings on the first and third Tuesdays of the month in accordance with the approval of Ordinance 23-M-11. Additional meetings were added due to cancelations necessitated by holidays and special events such as National Night Out and the General Election.

Requests and Announcements

- 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
 - Councilmember Scagliola requested a discussion and possible action on the Charter Committee selection process prior to the November election.
 - Councilmember Whittaker requested a workshop on compensation and requests for targeted departments prior to the pre-budget meeting.
 - Councilmember Dahle requested to expand on the workshop related to compensation to include a discussion on policy related to where Schertz wants to be on the pay scale and potential financial ramification costs. Requests this Workshop be on the agenda for July 18, 2023.
- Announcements by Mayor and Councilmembers
- City and Community Events attended and to be attended
 - Councilmember Davis attended the Schertz Housing Authority Board meeting.
 - Councilmember Scagliola attended The Chamber Luncheon.
 - Councilmember Heyward attended The Chamber Luncheon and the Legislative Update Workshop.
- 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

Mayor Gutierrez adjourned the meeting at 7:31 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: City Secretary
Subject: Appointment, Reappointment and Resignations on Boards, Commissions and Committees - The Interview Committee met on June 22, 2023, to review applications for appointment and reappointment, and conduct interviews for the Board of Adjustment, Planning and Zoning Commission, Library Advisory Board, and Schertz Historical Preservation Committee. (S.Edmondson)

BACKGROUND

The Interview Committee made the following recommendations:

Board of Adjustment

- Reappointment: Frank McElroy-Board Member; Reginna Agee-Board Member
- Appointment: Ferrando Heyward from Alternate 2 position to Board member replacing Danielene Salas whose term ended.
- Appointment: Alfred Degollado-Alternate 2

Library Advisory Board

- Reappointment: Patti Paulson-Board Member; Christine Bryan-Board Member; Laura Wilson -Board Member; Ruth Tienor-Board Member; Patti Dilworth-Board Member; Margaret Riley-Board Member
- Appointment: Lee Murphy-Board Member; Linda Duvall-Alternate 1; Danielle Craig-Alternate 2

Planning and Zoning Commission

- Reappointment: Gordon Rae-Board Member; Richard Braud-Board Member; Roderick Hector-Board Member
- Reappointment: Patrick McMaster-Alternate 2

Schertz Historical Preservation Committee:

- Appointment: Maggie Titterington-Board Member
-

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: Executive Team
Subject: Resolution 23-R-10 - Consideration and/or action approving a resolution by the City Council of the City of Schertz, Texas, authorizing a ninth amendment to the interlocal agreement with the Alamo Area Council of Governments (AACOG) to provide funding in the amount of \$42,666.00 for transit services in the City of Schertz. (S. Williams/B. James)

BACKGROUND

Schertz' residents benefit from access to ART (Alamo Regional Transit), the demand-response transit service operated by the Alamo Area Council of Governments (AACOG). ART makes it possible for the residents that use this service to be independent and improves their quality of life. Schertz and AACOG entered into an interlocal agreement for AACOG to provide the ART service in 2013. The agreement is amended annually to establish Schertz' financial contribution for the upcoming year. A match of \$42,666 is required this year, the same as the last four years. In addition to the on demand response service, last year ART began a one day a week fixed route. The route runs on Tuesdays and serves Schertz and Cibolo. Ridership has been disrupted this past few years due to COVID.

GOAL

Enter into the agreement with AACOG for the ART service to provide transportation service for Schertz residents.

COMMUNITY BENEFIT

Allow Schertz residents to use this transportation service to improve their quality of life.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 23-R-10 authorizing the City Manager to enter into this eighth amendment to the interlocal agreement with AACOG for ART service.

FISCAL IMPACT

Schertz' match will be \$42,666 which has been budgeted.

RECOMMENDATION

Approval of Resolution 23-R-10.

Attachments

Res 23 R 10 w Attachment
2022 ART Statistics

RESOLUTION NO. 23-R-10

A RESOLUTION BY THE CITY COUNCIL AUTHORIZING A NINTH AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) TO PROVIDE FUNDING IN THE AMOUNT OF \$42,666.00 FOR TRANSIT SERVICES IN THE CITY OF SCHERTZ.

WHEREAS the Alamo Area Council of Governments (AACOG) has been providing transit services to Schertz through the ART program, and

WHEREAS in 2013 the City entered into an agreement with AACOG to provide demand response transit services, and

WHEREAS, VIA Metropolitan Transit is the designated recipient for Urban Funds which can be used to support this program, and

WHEREAS a local match of \$42,666.00 is required for the 2022-2023 Fiscal Year,

WHEREAS AACOG has been designated by VIA as the recipient of funds to continue to provide transit services,

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

Section 1. The City Council desires to enter into an ninth amended agreement with AACOG to provide a match of \$42,666.00 to allow the Alamo Area Council of Governments (AACOG) to continue to provide this transportation service per the agreement attached as per Exhibit A.

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

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

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

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

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

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

PASSED AND ADOPTED, this ___th day of ____, 2023.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Sheila Edmondson

(CITY SEAL)

Exhibit "A"

Ninth Amendment to the Agreement with AACOG

NINTH AMENDMENT TO INTERLOCAL AGREEMENT FOR
City of Schertz Demand-Response Route

This Ninth amendment to the Interlocal Agreement for City of Schertz Demand-response Route (the "Agreement") is hereby entered into by and between the **City of Schertz** (the "City") and the **Alamo Area Council of Governments** ("AACOG"), to be effective October 1, 2022.

WITNESSETH:

WHEREAS, the City and AACOG entered into that certain interlocal agreement ("the Agreement"), dated October 1, 2013 in which the City agreed to provide a matching fund payment for demand-response services to AACOG and AACOG agreed to provide demand-response public transportation for the City; and

WHEREAS, the parties desire to amend and revise the Agreement as hereinafter set forth.

NOW, THEREFORE, the parties by mutually executing this Amendment, agree that the Agreement is amended as follows:

1. Add to Section 4.1 a subsection "a" to read as follows: "a. The City's Financial Contribution for Fiscal Year 2023 shall be \$42,666"

IT IS HEREBY AGREED BY THE PARTIES HERETO that with the exception of those terms and conditions specifically modified and amended herein, the herein referenced Interlocal Agreement shall remain in full force and effect in all its terms and conditions.

EXECUTED the day and year first above written.

CITY OF SCHERTZ:

**ALAMO AREA COUNCIL OF
GOVERNMENTS:**

By: _____
Steve Williams
City Manager

By: _____
Diane Rath
Executive Director

Date: _____

Date: _____

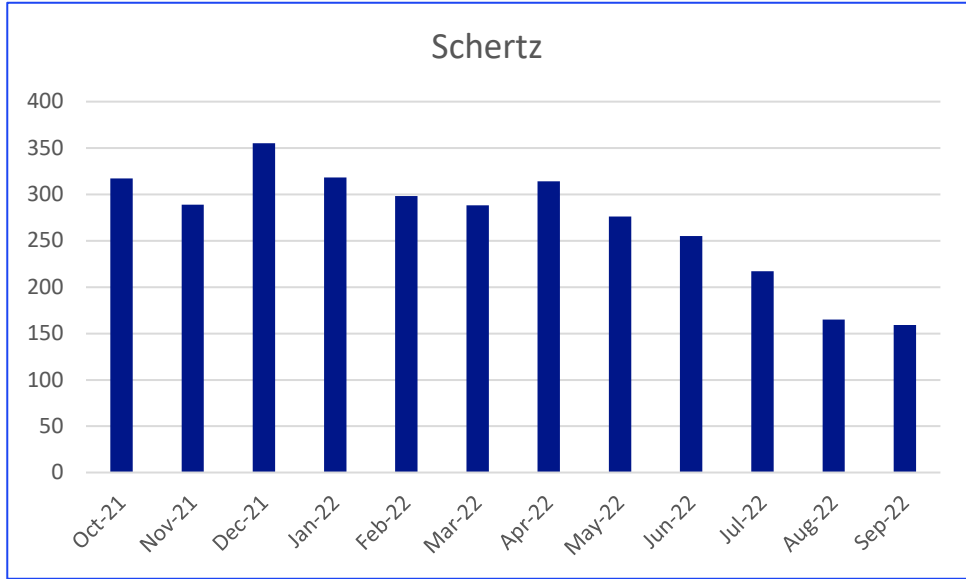
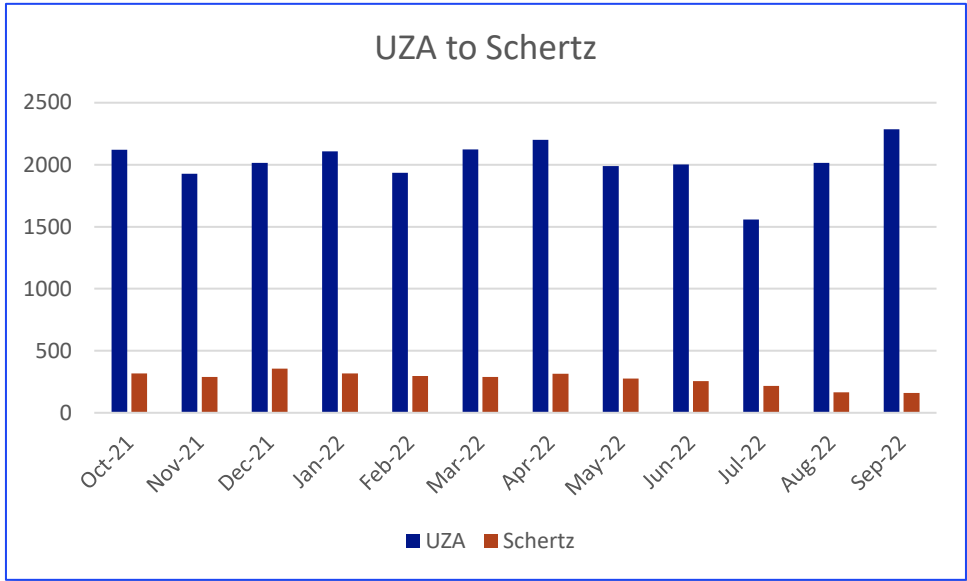


Alamo Area Council
of Governments



Schertz UZA Data

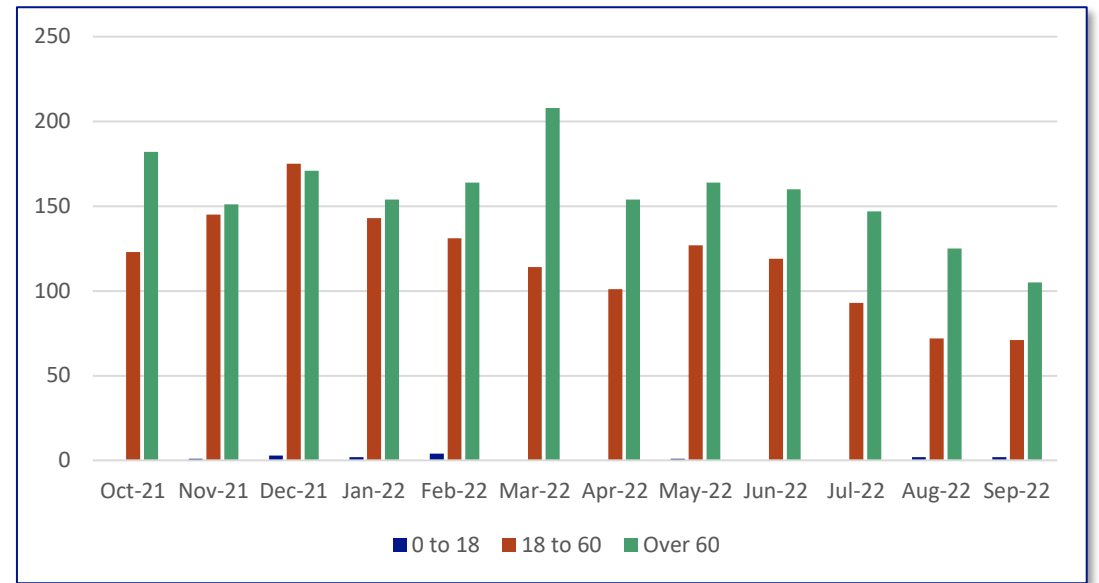
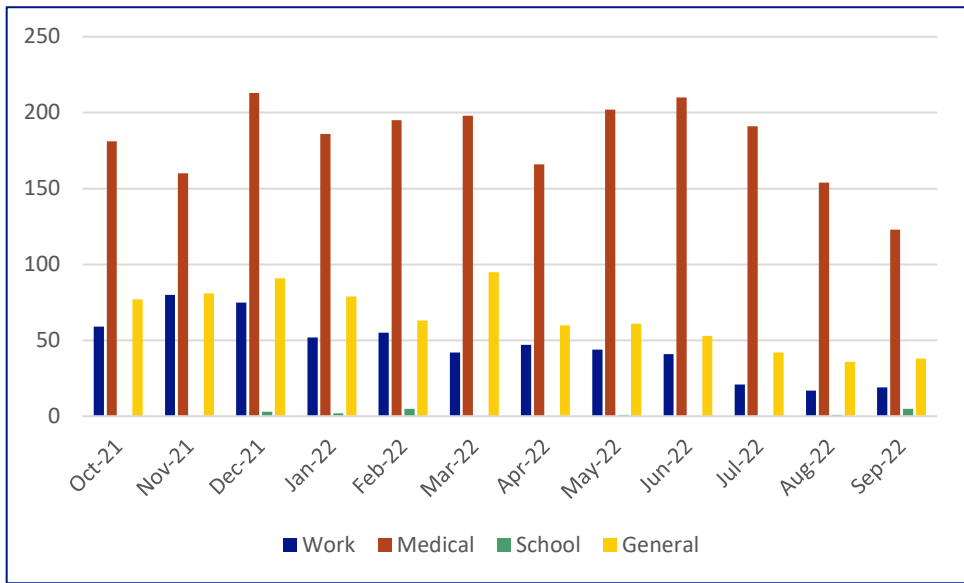
Oct 2021 to Sept 2022



	Oct - 21	Nov - 21	Dec - 21	Jan - 22	Feb - 22	Mar - 22	Apr - 22	May - 22	Jun - 22	Jul - 22	Aug - 22	Sep - 22
Total Art	10,291	9,570	9,929	9,096	9,007	11,364	10,504	10,976	11,155	9,695	11,090	12,012
Schertz	317	289	355	318	298	288	314	276	255	217	165	159

Trips – FY 2022



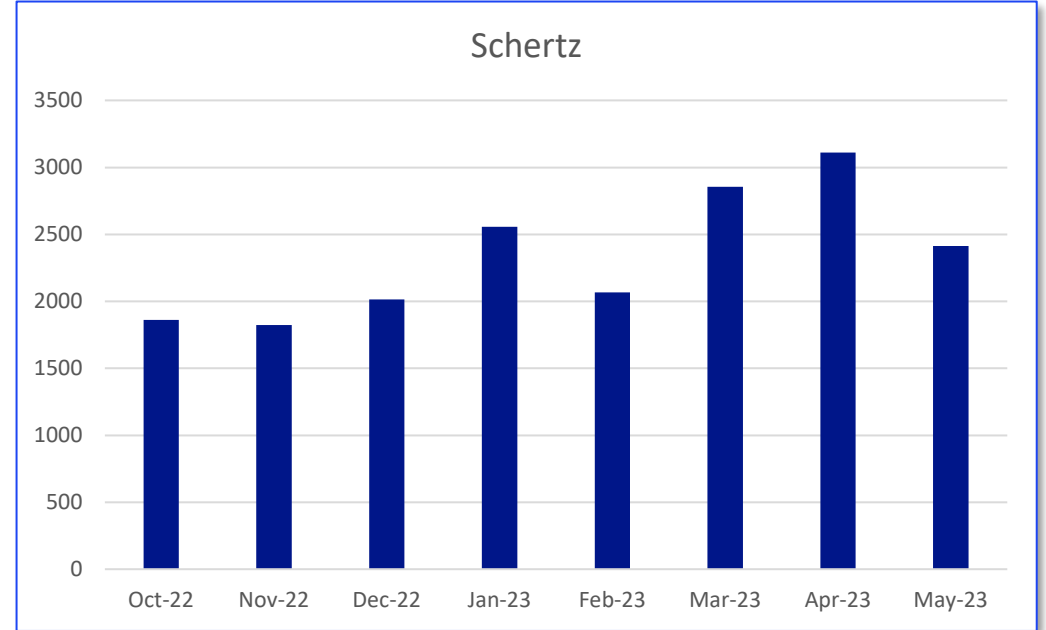
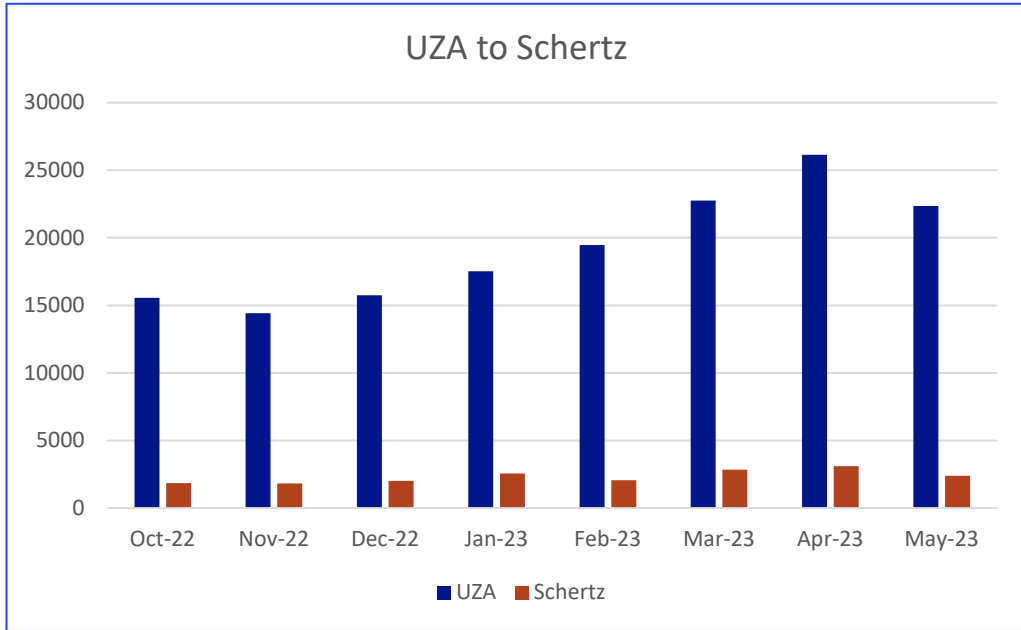


	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Work	59	80	75	52	55	42	47	44	41	21	17	19
Medical	181	160	213	186	195	198	166	202	210	191	154	123
General	81	81	91	79	63	95	60	61	53	42	36	38
School	0	0	3	2	5	0	0	1	0	0	1	5

AGE	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
0 to 18	0	1	3	2	4	0	0	1	0	0	2	2
18 to 60	123	145	175	143	131	114	101	127	119	93	72	71
Over 60	182	151	171	154	164	208	154	164	160	147	125	105

Trip Purpose and Age Demographic

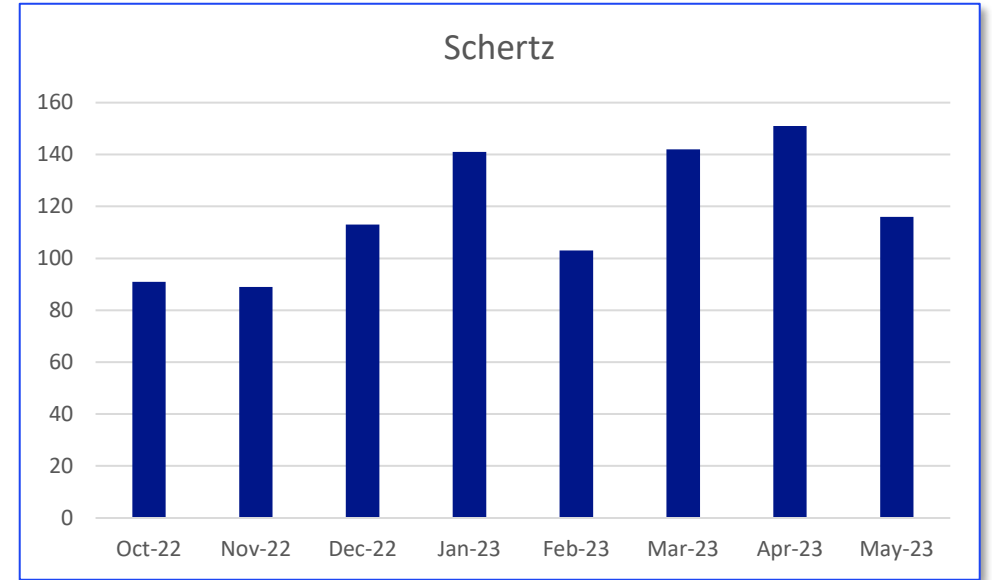
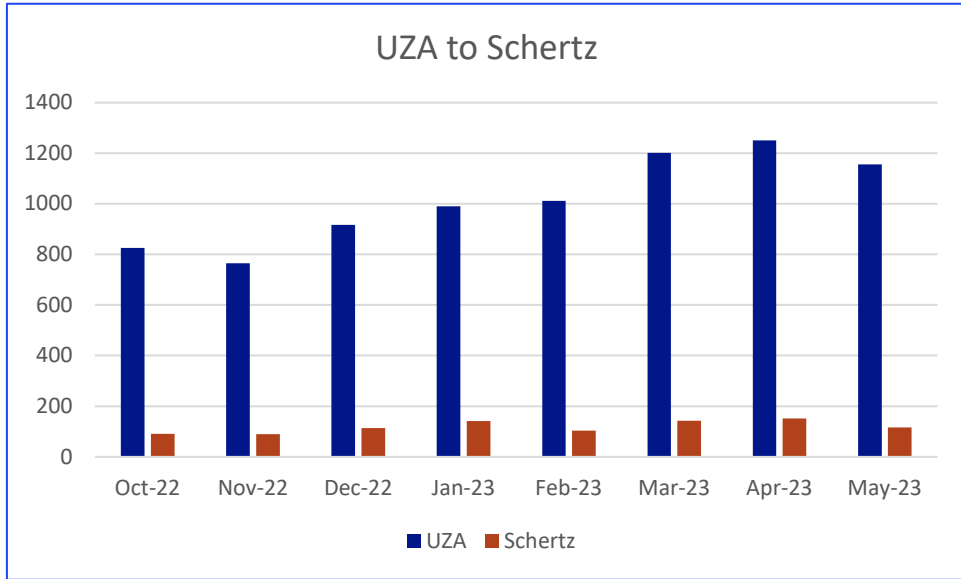




	Oct - 21	Nov - 21	Dec - 21	Jan - 22	Feb - 22	Mar - 22	Apr - 22	May - 22	Jun - 22	Jul - 22	Aug - 22	Sep - 22
Schertz	3,355	2,822	3,486	3,419	2,988	3,014	3,233	3,175	3,556	2,577	2,080	1,902

Revenue Miles Traveled FY 2022





	Oct - 21	Nov - 21	Dec - 21	Jan - 22	Feb - 22	Mar - 22	Apr - 22	May - 22	Jun - 22	Jul - 22	Aug - 22	Sep - 22
Schertz	157	136	166	161	133	176	198	167	167	127	101	96

Revenue Hours FY 2022



Alamo Regional Transit System Costs FY 2022

	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Per Trip	\$66.89	51.12	54.28	51.11	57.32	46.82	60.31	60.27	47.58	48.35	51.03	50.91
Per Rev. Mile	\$5.97	\$4.49	\$5.13	\$4.55	\$5.20	\$4.44	5.71	5.88	4.97	4.78	5.02	5.21
Per Rev Hour	\$133.64	\$98.07	113.68	100.66	106.00	89.35	113.60	119.58	100.36	96.86	98.29	106.46

Schertz Charged FY 2022

VIA matches amount of investment from Schertz

\$3,556 Per Month	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Per Trip	\$11.22	\$12.30	\$10.02	\$11.18	\$11.93	\$12.35	\$11.32	\$12.88	\$13.95	\$16.39	\$21.55	\$22.36
Per Rev. Mile	\$1.06	\$1.26	\$1.02	\$1.04	\$1.19	\$1.18	\$1.10	\$1.12	\$1.00	\$1.38	\$1.71	\$1.87
Per Rev Hour	\$22.65	\$26.15	\$21.42	\$22.09	\$26.74	\$20.20	\$17.96	\$21.29	\$21.29	\$28.00	\$35.21	\$37.04



Service Options

Alamo Regional Transit offers different service options that could bring increased economic and social benefits to the City of Schertz. The City of Schertz is outgrowing the current level of service. A more defined route system that connects to neighboring cities and has more convenient scheduling options would provide increased economic and social advantages for all partners.

Currently we operate Deviated Fixed Routes within the City of Seguin and in Atascosa county. The Atascosa route is a partnership that connects the cities of Pleasanton, Jourdanton and Poteet.

- The Connect Seguin route averages over 1,700 trips per month, it operates M-F from 6am to 6pm, the city is wanting to add additional routes.
- Atascosa Cowboy Connect route averages over 1,100 trips per month, it operates M-F from 6am to 6pm, the route has provided the opportunity for the City of Poteet to attract new investments despite lacking current infrastructure such as shopping and banking. Poteet has been able to utilize their partners to fill in the needs of the community.

In Cibolo and parts of Schertz we offer the El Sereno Shuttle. This service is operated on Tuesdays 8am to 3pm and primarily serves the over 60 population for the El Sereno Senior Living in Cibolo. The El Sereno Route now averages 55 trips per month and with additional funding the route could easily eclipse the other routes we operate in the region. In 2022 the El Sereno route performed 584 trips, of the 584 trips 69 trips went to Schertz.

A scheduled route system in the Schertz community would have immediate impact on the quality of life for the community. A scheduled M-F 6am to 6pm service averages 2,777 hours per year. This would be a cost of approximately \$270,000 annually. These cost could be split between partners.



Service Options



Summary for Schertz FY 2022

- Trips 3,251 (includes El Sereno trips 69)
- Revenue Hours 1,785
- Revenue Miles 35,606
- The Pandemic caused substantial increase in operating costs. The actual costs of service for Schertz in 2022 was \$176,777, this cost is based upon trip count. The City of Schertz contribution was \$42,667, and VIA matched the amount of \$42,667. Alamo Regional Transit received relief funding to cover the additional \$91,443 in costs.
- Due to carry over relief funds ART has requested that the funding for FY 2023 stay at the same level of funding from FY 2022, \$42,666.

Schertz FY 2022 Data

Thank You For Your Time

Sean Scott

Phone: 210-362-5228

2700 NE Loop 410

Suite 101

San Antonio, Texas 78217



CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: Engineering
Subject: Resolution 23-R-56 – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a Task Order Agreement Modification to the Task Order with Halff Associates, adding design tasks and increasing the not to exceed amount to \$511,000.00 for the Lookout Road Reconstruction Project. (B. James/J. Nowak)

BACKGROUND

The City Council previously approved Resolution 22-R-138 on December 6, 2022 approving a Task Order with Halff Associates to design the Lookout Road Reconstruction Project. The Resolution also specified a not to exceed amount of \$330,000 for this design effort.

As design work progressed on this project and on the complementary project to signalize the Lookout Road/Schertz Parkway intersection, it was discovered that the Lookout Road/Schertz Parkway and Lookout Road/Doerr Lane intersections needed to be widened to provide for turning movements for truck traffic. The widening would provide the additional room needed to provide for left turn lanes at the intersections. The left turn lanes will increase the operational efficiency of both intersections. With the recent development in the area, Staff expects truck traffic to increase at both of these intersections.

In addition to the intersection widening, it would also be beneficial to fill in the missing sidewalk segments in the project area. Approximately 4,800 feet of sidewalk would need to be installed to complete the sidewalk segments. While the sidewalk installation may seem relatively simple to add to the project, there are some issues that complicate this desired effort. There are some terrain issues that need to be resolved in order to accommodate the sidewalk. This involves construction of some retaining walls, re-doing part of the concrete rip-rap in the large drainage channel near the Schertz Parkway intersection, and modifications to the box culverts near the Schertz Parkway intersection. It is also anticipated there are several utility conflicts that will need to be addressed.

As a result, additional design effort is needed to provide proper construction plans for the sidewalk construction and the intersection widening. Halff Associates provided a scope and fee for the additional design efforts needed to accomplish these goals. Staff has met with the Schertz Economic Development Corporation (EDC) Board on multiple occasions to explain the increased design scope (fees) and the increased construction costs associated with these additions. During the June 29th Schertz EDC Board meeting, the Board directed Staff to proceed with the design of these additional elements and have the sidewalk construction be separate schedule in the bid package. Once the project is bid, the decision will be made whether to proceed with the sidewalk construction or not.

The EDC had previously provided funding for the design and construction of this project. The total amount the EDC allocated to the project design is \$770,000. The original scope and fee for the Lookout Road design authorized by Resolution 22-R-138 is \$330,000, which includes approximately \$30,000 of “contingency.” The additional design services for the intersection widening and sidewalk construction are \$181,112.59. If a new not to exceed amount of \$511,000 is approved for the Task Order amendment,

it will cover the additional design fees and still be below the original allocated funding amount.

GOAL

To obtain authorization from City Council to execute a Task Order amendment with Halff Associates to add to the design scope and increase the not to exceed amount to \$511,000.00 for the Lookout Road Reconstruction Project.

COMMUNITY BENEFIT

The additional design scope and fees will provide for some intersection improvements and construction of missing sidewalk segments. The intersection improvements will provide for separate turn lanes for truck traffic, which will improve intersection efficiency. The existing intersections are somewhat congested now and will become more congested due to the additional development in the area which will increase truck traffic. Increasing the intersection efficiency will help ease some of the congestion. Having complete sidewalks in the project area will provide a safe walking route for employees in the area.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 23-R-56 authorizing an amendment to the Task Order with Halff Associates to increase the scope to add for the design of intersection widening and sidewalk construction and increase the not to exceed amount to \$511,000.00 for the Lookout Road Reconstruction Project.

FISCAL IMPACT

Funding for the proposed scope and fee increase is available from the previously allocated funding from the EDC for this purpose.

Task Order	Approved Amount
Existing	\$330,000
Proposed Increase	\$181,000
Revised Task Order Total	\$511,000
Allocated Amount	\$770,000
Design Funding Available	\$259,000

RECOMMENDATION

Staff recommends approval of Resolution 23-R-56, authorizing an amendment to the Task Order with Halff Associates to increase the scope to add for the design of intersection widening and sidewalk construction and increase the not to exceed amount to \$511,000.00 for the Lookout Road Reconstruction Project.

Attachments

Resolution 23-R-56 and attachments

RESOLUTION NO. 23-R-56

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A TASK ORDER AGREEMENT MODIFICATION TO THE TASK ORDER WITH HALFF ASSOCIATES ADDING DESIGN TASKS AND INCREASING THE NOT TO EXCEED AMOUNT TO FIVE HUNDRED ELEVEN THOUSAND DOLLARS FOR THE LOOKOUT ROAD RECONSTRUCTION PROJECT

WHEREAS, the City Council of the City of Schertz approved Resolution 22-R-138 on December 6, 2022 authorizing a Task Order Agreement with Halff Associates for professional design services for the Lookout Road Reconstruction Project and a not to exceed amount of \$330,000.00; and

WHEREAS, that Task Order Agreement contained a set scope of work; and

WHEREAS, the City identified some additional professional design services they would like incorporated into the project, generally described as construction of missing sidewalk segments along Lookout Road and intersection widening at the Lookout Road and Schertz Parkway and Lookout Road and Doerr Lane intersections; and

WHEREAS, the Halff Associates has identified the additional design services and fee increase needed to accomplish the additional work the City wishes incorporated into the project; and

WHEREAS, Task Order Agreement Modification has been created to account for those additional design services and fee increase; and

WHEREAS, the funding for the proposed fee increase is available from the funding allocated by the Schertz Economic Development Corporation for design of the Lookout Road Reconstruction Project and the Schertz Economic Development Corporation has reviewed and agreed to the design scope additions and fee increase.

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

Section 1. The City Council hereby authorizes amending the Task Order Agreement with Halff Associates and authorizes the City Manager to execute the necessary Task Order Agreement Amendment documents in substantially the same form as attached and increase the not to exceed amount for the amended Task Order to **FIVE HUNDRED ELEVEN THOUSAND DOLLARS** (\$511,000.00) during the FY 2022-2023.

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 ____ day of _____, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

This is Task Order
No. 12, **Addendum #1**
consisting of 4 pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated October 17, 2019 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: TBD
- b. Owner: City of Schertz
- c. Engineer: Halff Associates, Inc.
- d. Lookout Road Reconstruction (0.65 Miles)
- e. Specific Project (description):
 - Reconstruct Lookout Road from Doerr Lane to Schertz Parkway to include 42-foot flexible pavement section utilizing existing curb and gutter,
 - Upsize and replace existing sewer lines with 18-inch sewer lines along the same corridor.

2. Services of Engineer

A. The specific services to be provided or furnished by Engineer under Task Order Addendum #1 are as follows:

- Design (90% & 100%)
 - Prepare construction documents for the additional roadway design limits at the Doerr Lane and Schertz Parkway intersections with Lookout Road and include the sidewalk design along both sides of Lookout Road.
 - Prepare Traffic Control Plans and plans for pavement markings, signing, and delineators for the two (2) intersections.
 - Prepare structural wall plan and profile sheets and detail sheets for the widening at the Lookout Road and Schertz Parkway intersection.
 - Design structural modification for RAC-R walls to accommodate specific site conditions (located along the proposed sidewalk on top of the existing box culverts)
 - Additional identification and coordination of all affected utilities and

- coordination of plans for utility relocation within the roadway widening limits.
- Extend the limits of the high-level hydrologic analysis of the existing conditions and include in the technical memo.
- Perform hydrologic and storm sewer calculations for the storm sewer relocations for roadway widening.
- Develop plan and profile sheets as well as details for the storm sewer relocations for roadway widening.
- Extend the limits of the Storm Water Pollution Prevention Plan and Best Management Practices Plan for control of erosion during and after construction.
- Survey
 - Perform additional site topography required to collect information needed in the design of the Project. The additional survey is along Doerr Lane, Schertz Parkway, and Lookout Road (west of Schertz Parkway) for the anticipated intersection widening.
 - Perform boundary survey to identify the existing ROW limits for four (4) properties.
 - Develop right-of-way (ROW) exhibits and metes and bounds for ROW to be acquired for the intersection widening at Lookout Road and Doerr Lane and Lookout Road and Schertz Parkway. ROW exhibits will be provided for four (4) properties.
- SUE Level B
 - Halff will designate an additional 830 linear feet of utilities per the original Task Order No. 12 scope. The additional Level B SUE designations are along Doerr Lane, Schertz Parkway and Lookout Road (west of Schertz Parkway) for the anticipated intersection widening.
- Geotechnical Services
 - Additional analysis for retaining wall recommendations, including an additional bore at the proposed wall and global stability analysis. Halff charges 10% on top of Raba-Kistner's fee for administrative effort.
- CCTV Sanitary Sewer Lines
 - Add the service for Fuquay, Inc. (Fuquay) to provide CCTV for the existing 8"-12" sanitary sewer lines.
 - Proposal provided by Fuquay under Attachment II and Attachment III, dated February 10, 2023. Halff charges 10% on top of Fuquay's fee for administrative effort.
- Bid Phase Services
 - Additional construction phase effort for the extended project limits and the addition of the proposed structural wall, sidewalk, and storm sewer.
- Construction Phase Services
 - Additional construction phase effort for the extended project limits and the addition of the proposed structural wall, sidewalk, and storm sewer.

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and as follows:

- Right-of-Entry
 - The City shall obtain right-of-entry to the four (4) properties, from which right-of-way will be acquired, prior to performing the additional surveys listed in Item 2 above.
- Cleaning of Existing Sanitary Sewer Lines
 - The City shall clean the existing sanitary sewer lines prior to the CCTV fieldwork.

4. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

<u>Party</u>	<u>Action</u>	<u>Schedule</u>
Engineer	Furnish: 1. The consultant will submit one set of plans and specifications at the 90% milestone and two sets of plans at the 100% milestone. 2. The consultant will submit a separate geotechnical report for the retaining wall recommendations. 3. The consultant will submit one video and one final report developed by Fuquay.	Half personnel will be available to commence work upon written notice to proceed and right-of-entry to private properties at the intersections.
Owner	1. Notice to Proceed 2. Provide right-of-entry 3. Clean existing Sanitary Sewer Lines	As Coordinated

5. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Fee provided shall be considered lump sum for the services described in this Task Order. ***See attached Exhibit B for Fee Schedule.***

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

6. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is to be determined.

OWNER:

ENGINEER:

By: _____

By: R. De Luna

Print Name: _____

Print Name: Rachel De Luna, PE

Title: _____

Title: Public Works Project Manager

Engineer License or Firm's: F-312

State of: Texas

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Name: _____

Title: _____

Title: _____

Address: _____

Address: _____

Email Address: _____

Email Address: _____

Phone: _____

Phone: _____

EXHIBIT B - FEE SCHEDULE

Lookout Road - City of Schertz Estimated Level of Effort for Intermediate and Final Design, and Construction Phase Services

POSITION DESCRIPTION	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Sr. GIS	Survey Technician	Admin Assistant	SUE Designating	RPLS Manager	SUE Field Manager	SUE/Survey Crew 2-man	SubConsultant Fee	Total Labor hrs.	Cost
BILLABLE LABOR RATES	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	Lump Sum		
INTERMEDIATE DESIGN PHASE SERVICES (90%)														
1) Engineering Services														
Project Administration and Coordination														
1. Project Management	1	8	6										15	\$3,165.00
2. Public Involvement Meetings (1 meeting, 3 exhibits)													0	\$0.00
3. Prepare Monthly Invoices and Progress Reports (Assumes 10 Invoices)													0	\$0.00
Roadway Design (90%)														
1. Develop Roadway Geometry (Horizontal & Vertical)		2	4	8									14	\$2,280.00
2. Develop Typical Sections			4	8									12	\$1,840.00
3. Develop Removal Plan Layout Sheets		2	4	8									14	\$2,280.00
4. Develop Title Sheet, Index Sheet, and Project Layout Sheets			2	4									6	\$920.00
5. Develop Roadway Plan & Profile Layout Sheets	1	2	12	24									39	\$6,225.00
6. Develop Traffic Control Plan Layout Sheets	1	2	16	32									51	\$8,065.00
7. Develop Traffic Control Sequence of Construction & Narrative		2	8	8									18	\$3,040.00
8. Develop Intersection Layouts		4	12	24									40	\$6,400.00
9. Develop Cross Sections		2	6	12									20	\$3,200.00
10. Structural Walls Plan, Section and Details	4	10	20	40									74	\$12,460.00
11. Develop Roadway Quantity Summaries		2	4	8									14	\$2,280.00
12. Develop Construction Cost Estimate		2	8	16									26	\$4,120.00
Utility Design/Coordination (90%)														
1. Utility Design/Coordination Meetings														
a. Utility Design/Coordination Meetings (Assumes 1 Meetings Total)		2	2										4	\$820.00
b. Coordination of Utility Adjustments			8	16									24	\$3,680.00
c. Technical Assistance and Meeting Exhibits		2		8									10	\$1,520.00
2. Develop Utility Tracking Report		2	4	16									22	\$3,360.00
3. Utility Investigation (As-Builts, Field Observations)			4	8									12	\$1,840.00
4. Prepare Sewer Plan and Profile													0	\$0.00
5. Prepare Schematic Bypass Plan													0	\$0.00
6. Develop Construction Cost Estimate													0	\$0.00
Drainage (90%)														
1. Hydrologic Data Collection, Review, and Analysis		2	4	8	1								15	\$2,405.00
2. Prepare Existing Watershed Maps			1	4	1								6	\$855.00
3. Develop Drainage Technical Memo			4	8									12	\$1,840.00
4. Develop SW3P Layouts			4	8									12	\$1,840.00
5. Prepare Drainage Plan and Profile		2	4	8	8								22	\$3,280.00
6. Perform Drainage Calculations			2	4									6	\$920.00
7. Develop Construction Cost Estimate		2	2	4									8	\$1,360.00
Signing and Pavement Markings (90%)														
1. Develop Signing/Striping Layout Sheets	1	2	4	16									23	\$3,625.00
2. Prepare Signing/Striping Quantity and Plan Summaries	1	2	4	16									23	\$3,625.00
Total Hours	9	54	153	316	10	0	0	0	0	0	0	0	542	
SUMMARY														
HOURS SUB-TOTALS	9	54	153	316	10	0	0	0	0	0	0	0	542	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	\$0.00		-
TOTAL - Engineering Services (Roadway Design Phase)	\$2,385.00	\$11,880.00	\$29,070.00	\$42,660.00	\$1,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$87,245.00
2) Surveying Services														
1. Record Research, Develop Base Map, and Establish Apparent ROW													0	\$0.00
2. Establish Project Control and Develop Topographic Survey, Culverts, Storm Sewer, Utilities		2				8			2		20		32	\$5,590.00
3. Tie Existing Surface Utilities and Locate Markings													0	\$0.00
4. Provide Control Sheets													0	\$0.00
5. Collect, Inventory and Photograph Existing Signs													0	\$0.00
6. Boundary Survey for 4 Properties at Intersections		4				8			2		20		34	\$6,030.00
7. Parcel Exhibits and Metes & Bounds for 4 Properties at Intersections		4				20			8		20		52	\$9,060.00
Total Hours	0	10	0	0	0	36	0	0	12	0	60	0	118	
SUMMARY														
HOURS SUB-TOTALS	0	10	0	0	0	36	0	0	12	0	60	0	118	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	\$0.00		-
TOTAL - Surveying Services	\$0.00	\$2,200.00	\$0.00	\$0.00	\$0.00	\$4,860.00	\$0.00	\$0.00	\$2,820.00	\$0.00	\$10,800.00	\$0.00		\$5,590.00

EXHIBIT B - FEE SCHEDULE

Lookout Road - City of Schertz Estimated Level of Effort for Intermediate and Final Design, and Construction Phase Services

POSITION DESCRIPTION	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Sr. GIS	Survey Technician	Admin Assistant	SUE Designating	RPLS Manager	SUE Field Manager	SUE/Survey Crew 2-man	SubConsultant Fee	Total Labor hrs.	Cost
BILLABLE LABOR RATES	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	Lump Sum		
FINAL ENGINEERING PHASE SERVICES (100%)														
1) Engineering Services														
Roadway Design (100%)														
1. Incorporate Comments From 90% Submittal		1	8	16									25	\$3,900.00
2. Final Title Sheet, Index Sheet, and Project Layout Sheets				2									2	\$270.00
3. Final Roadway Plan & Profile Layout Sheets				4									14	\$2,280.00
4. Final Structural Walls Plan, Section and Details	1	2	4	16									23	\$3,625.00
5. Final Traffic Control Plan	1	2	4	16									23	\$3,625.00
6. Final Intersection Layouts	1	2	4	8									15	\$2,545.00
7. Final Miscellaneous Details		2	4	8									14	\$2,280.00
8. Final Roadway Quantity Summaries		2	4	8									14	\$2,280.00
9. Final Construction Cost Estimate		2	4	8									14	\$2,280.00
10. Develop Specifications and General Notes	1	2	4	8									11	\$1,785.00
11. Develop Construction Schedule		2	4	8									6	\$1,200.00
12. Develop Project Technical Specification Manual		2	4	8									14	\$2,280.00
Utility Design/Coordination (100%)														
1. Incorporate Comments From 90% Submittal													0	\$0.00
2. Final Sewer Plan and Profile													0	\$0.00
3. Final Schematic Bypass Plan													0	\$0.00
4. Final Miscellaneous Details													0	\$0.00
Drainage (100%)														
1. Incorporate Comments from 90% Submittal		1	4	8									13	\$2,060.00
2. Final Drainage Computation Summary Sheets													0	\$0.00
3. Final SW3P Layout Sheets			2	4									6	\$920.00
4. Final Drainage Plan and Profile Sheets	1	1	2	4									8	\$1,405.00
5. Final Drainage Calculation Sheets		1	2	4									7	\$1,140.00
6. Final Construction Cost Estimate		2	4	4									6	\$980.00
Signing and Pavement Markings (100%)														
1. Final Signing/Striping Layout Sheets		1	2	4									7	\$1,140.00
2. Final Signing/Striping Quantity and Plan Summaries		1	2	4									7	\$1,140.00
Total Hours	5	28	58	138	0	0	0	0	0	0	0	0	229	
SUMMARY														
HOURS SUB-TOTALS	5	28	58	138	0	0	0	0	0	0	0	0	229	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	\$0.00		-
TOTAL - Engineering Services (Final Design Phase)	\$1,325.00	\$6,160.00	\$11,020.00	\$18,630.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$37,135.00
2) Bid Phase Services														
1. Develop Bid Form		1					1						2	\$300.00
2. Develop SW3P Manual		1	4	8			1						14	\$2,140.00
3. Attend Pre-Bid Meeting and Bid Opening													0	\$0.00
4. Provide Response to Contractor's Questions During Bidding Process		1	8	8									17	\$2,820.00
5. Develop Final Bid Tab Summary and Recommendation		2		4			1						7	\$1,060.00
Total Hours	0	5	12	20	0	0	3	0	0	0	0	0	40	
SUMMARY														
HOURS SUB-TOTALS	0	5	12	20	0	0	3	0	0	0	0	0	40	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	\$0.00		-
TOTAL - Bid Phase Services	\$0.00	\$1,100.00	\$2,280.00	\$2,700.00	\$0.00	\$0.00	\$240.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$6,320.00
CONSTRUCTION PHASE SERVICES														
1) Construction Phase Services														
Construction Services														
1. Attend Pre-Construction conference													0	\$0.00
2. Review Shop Drawings		2	4	8									14	\$2,280.00
3. Review & Respond to Requests for Information (RFI's)		2	4	8									14	\$2,280.00
4. Prepare Final As-Built Record Drawings		2		8									10	\$1,520.00
Total Hours	0	6	8	24	0	0	0	0	0	0	0	0	38	
SUMMARY														
HOURS SUB-TOTALS	0	6	8	24	0	0	0	0	0	0	0	0	38	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	\$0.00		-
TOTAL - Construction Phase Services	\$0.00	\$1,320.00	\$1,520.00	\$3,240.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$6,080.00

EXHIBIT B - FEE SCHEDULE

Lookout Road - City of Schertz Estimated Level of Effort for Intermediate and Final Design, and Construction Phase Services

POSITION DESCRIPTION	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Sr. GIS	Survey Technician	Admin Assistant	SUE Designating	RPLS Manager	SUE Field Manager	SUE/Survey Crew 2-man	SubConsultant Fee	Total Labor hrs.	Cost
BILLABLE LABOR RATES	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00	Lump Sum		
SPECIFIED ADDITIONAL SERVICES														
1) Specified Additional Services														
Specified Additional Services														
Subsurface Utility Engineering (SUE) Level B	1	2		2	2	1	1	10	1	4	8		32	\$5,209.00
Subsurface Utility Engineering (SUE) (3 Level A potholes @ \$3,000 each)													0	\$0.00
Geotechnical Engineering		2										\$7,865.55	2	\$8,305.55
CCTV Existing Sanitary Sewer Line		2										\$9,698.04	2	\$10,138.04
Total Hours	1	6	0	2	2	1	1	10	1	4	8		36	
SUMMARY														
HOURS SUB-TOTALS	1	6	0	2	2	1	1	10	1	4	8		36	-
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00			
TOTAL - Specified Additiona Services	\$265.00	\$1,320.00	\$0.00	\$270.00	\$250.00	\$135.00	\$80.00	\$1,350.00	\$235.00	\$744.00	\$1,440.00	\$17,563.59		\$23,652.59
TOTAL PROJECT SUMMARY														
HOURS SUB-TOTALS	15	109	231	500	12	37	4	10	13	4	68		1003	\$166,022.59
BILLABLE RATE PER HOUR	\$265.00	\$220.00	\$190.00	\$135.00	\$125.00	\$135.00	\$80.00	\$135.00	\$235.00	\$186.00	\$180.00			
TOTAL PROJECT SUMMARY	\$3,975.00	\$23,980.00	\$43,890.00	\$67,500.00	\$1,500.00	\$4,995.00	\$320.00	\$1,350.00	\$3,055.00	\$744.00	\$12,240.00	\$17,563.59		\$181,112.59

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: City Secretary
Subject: Discussion and/or Action on Electronic Voting.(Mayor/Scagliola)

BACKGROUND

A workshop to discuss the electronic voting system vs. verbal voting was requested by Councilmember Scagliola and held during the June 20, 2023, Regular City Council meeting. After a lengthy discussion, City Attorney Dan Santee was asked for clarification of the term "roll call" and whether electronic voting violated the City Charter or Rules and Procedures.

GOAL

Goal is to provide a transparent, efficient voting system.

COMMUNITY BENEFIT

Allows residents to see how each member of council has voted. When viewing the meeting live or watching the recorded version, residents have greater visibility of the votes cast.

SUMMARY OF RECOMMENDED ACTION

Use of the electronic voting system.

RECOMMENDATION

Staff recommends continued use of the electronic voting system.

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023

Department: City Secretary

Subject: Resolution 23-R-55– Consideration and/or action by the City Council of the City of Schertz, Texas, approving a Resolution calling for the November 7, 2023, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election and authorizing these elections to be held as Joint Elections. (Mayor/S.Edmondson)

BACKGROUND

The City of Schertz will hold a Joint General Election on November 7, 2023, for the purpose of electing Councilmembers for Place 3, Place 4, and Place 5 for a three-year term and making provision for the conduct of the election; authorizing the election to be held as a Joint Election; and authorizing the City Manager to enter into contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election.

GOAL

To elect Councilmembers for Place 3, Place 4 and Place 5.

COMMUNITY BENEFIT

Benefits of holding Joint Elections include:

- Cost savings - Entities share costs proportionately thereby creating a savings to each entity
- Enhance convenience for residents by providing multiple voting locations within all three counties
- Utilization of common Poll Locations/Vote Centers (Comal/Guadalupe/Bexar) for Early Voting and Election Day Voting.
- Utilization of common Voting Equipment
- Utilization of common Voting Clerks (Comal/Guadalupe/Bexar)

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 23-R-55.

FISCAL IMPACT

The fiscal impact is estimated to be \$45,633.00 based on Nov 8, 2022, General Election and Run-off Election costs. This total includes a possible Run-Off Election estimated at \$15,000.

RECOMMENDATION

Staff recommends approval of Resolution 23-R-55.

Res. 23-R-55

Exhibit A -Contracts

Cost estimate Guadalupe

Exhibit B-Vote sites/times

NOTICE OF ELECTION

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

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

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TAKE NOTICE that an election will be held in the City of Schertz, Texas on November 7, 2023, in obedience to a Resolution duly entered by the City Council of the City of Schertz on July 11, 2023, which Resolution reads substantially as follows:

RESOLUTION NO. 23-R-55

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CALLING AN ELECTION TO BE HELD ON NOVEMBER 7 , 2023 FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR PLACE 3, PLACE 4 AND PLACE 5 FOR A THREE YEAR TERM AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AUTHORIZING CONTRACTS WITH THE COUNTY CLERK OF COMAL COUNTY AND THE ELECTIONS ADMINISTRATORS OF BEXAR AND GUADALUPE COUNTIES TO CONDUCT THIS ELECTION; AUTHORIZING THE ELECTIONS TO BE HELD AS A JOINT ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 9.01(a) of the Home Rule Charter (the “**Charter**”) of the City of Schertz, Texas (the “**City**”), the regular City election shall be held annually on the uniform election date in November, or at such other times as may be authorized or specified by State Law; and

WHEREAS, the terms of the offices of the Councilmembers for Place 3, Place 4 and Place 5 will expire in November 2023 and therefore, the City is required to conduct an election to elect council members for the new term; and

WHEREAS, the City Council hereby finds and determines that holding a joint election on November 7, 2023, with eligible political subdivisions in accordance with the provisions of Texas Election Code section 271.002 is in the best interest of the City; and

WHEREAS, the City Council finds and determines that contracting for election services with the Comal County Clerk and the Election Administrators for Bexar and Guadalupe County (collectively, the “**Elections Administrators**”) to conduct this election is in the best interest of the City; and

WHEREAS, the City Council finds and determines that holding such an election as provided for herein in is the best interest of the health, safety and welfare of the City.

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

Section 1. An election shall be held on November 7, 2023, in and throughout the City, for the purpose of electing Councilmembers for Place 3, Pace 4 and Place 5 for a three-year term to expire November 2026.

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

Section 3. At said Election, the candidate receiving the most votes for Councilmember Place 3, Place 4, and Place 5 respectively, shall be declared elected for a term to expire in November 2026.

Section 4. Any candidate desiring to have his or her name on the Official Ballot for said General Election shall, no sooner than Saturday, July 22, 2023, and no later than Monday, August 21, 2023 at 5:00 p.m., file with the City Secretary an application in writing and in the form prescribed by the Texas Election Code requesting that his or her name be placed on the Official Ballot and declaring as a Candidate for Councilmember for either Place 3, Place 4 or for Place 5. The name of all eligible candidates whose applications have been duly and timely filed shall be placed on the ballot pursuant to a drawing as provided by law.

Section 5. The election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas, and conducted in accordance with the terms set forth in the Contracts for Election Services, attached hereto as **Exhibit A**.

Section 6. The City Secretary is hereby designated as the election officer for the City and is hereby authorized to perform all duties and take all actions as required pursuant to the Election Services or Joint Election Agreement and is further authorized to take any additional actions required by state law.

Section 7. The Early Voting Locations established for this election are designated on **Exhibit B**. A list of the City Election Precincts/Vote Centers and the polling places designated for each such election precinct are identified on **Exhibit C**.

Section 8. Polling on election day shall be held at the Vote Center Locations listed on **Exhibit B** on Tuesday, November 7, 2023, as prescribed by applicable law, and, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 9. The Election Administrators are hereby designated as the Early Voting Clerks to conduct such early voting in the election in accordance with the provisions of the Texas Election Code. The main Early Voting places at which early voting shall be conducted for those living respectively are in Bexar, Comal, and Guadalupe Counties.

- Bobbie Koepf, Comal County Clerk, mailing address 396 N. Seguin Avenue, New Braunfels, Texas 78130, (830-221-1230) or koepfb@co.tx.us
- Jacquelyn Callanen, the Elections Administrator of Bexar County, mailing address 1103 S. Frio, Suite 100 San Antonio, Texas 78207, (210-335-8683) and <https://www.bexar.org/1568/Elections-Department>
- Lisa Hayes, the Elections Administrator of Guadalupe County, mailing address is 215 S. Milam Street Seguin, Texas 78155 or PO Box 1346, Seguin Texas 78156-1346, (830-303-6363) and <https://www.co.guadalupe.tx.us/elections/>

Section 10. Early voting shall be conducted from Monday, October 23, 2023, through Friday, November 3, 2023, with some exceptions of certain Saturdays, Sundays, and official State holidays. The locations and hours for the early voting are attached to this Resolution as _

Section 11. The anticipated fiscal impact of conducting the election is currently estimated to be \$45,633.00.

Section 12. All resident qualified voters of the City shall be permitted to vote at any of the Early Voting locations designated in Comal, Bexar, or Guadalupe County. On Election Day, such voters shall vote at any Polling Place/Vote Centers located in their designated election county (Comal, Bexar, and Guadalupe). The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

Section 13. A substantial copy of this Resolution shall serve as proper notice of the Election. The City Secretary shall post and publish the election notice as required by the Texas Election Code.

Section 14. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into one or more joint election agreements with other governmental organizations in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 15. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into contracts with the County Clerk and Elections Administrators to conduct the Election in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 16. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 17. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordered herein.

Section 18. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 19. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Resolution would have been enacted without such invalid provision. The Council hereby authorizes the Mayor and the City Secretary of the City to make such technical modifications to this Resolution that are necessary for compliance with applicable Texas or Federal Law or to carry out the intent of this Council, as evidenced herein.

Section 20. All exhibits provided for herein are incorporated by reference.

Section 21. 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 22. This Resolution shall be in force and effect from and after its final passage and any publication required by law.

* * * *

PASSED, APPROVED, AND ADOPTED on this _____ day of _____, 2023.

Ralph Gutierrez, Mayor

ATEST:

Ia Edmondson, TRMC,
City Secretary

Shei

(SEAL OF CITY)

EXHIBIT A

THE STATE OF TEXAS }
 }
COUNTY OF GUADALUPE }



CONTRACT FOR ELECTION SERVICES

THIS CONTRACT made by and between the Elections Administrator of Guadalupe County, Texas (“Elections Administrator”) and the City of Schertz, Texas, hereinafter referred to as “Political Subdivision,” pursuant to Texas Election Code Sections 31.092(a) for an election to be held on November 7, 2023.

Said Political Subdivision is holding a General Election, at their expense on November 7, 2023.

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

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

GENERAL PROVISIONS

- A. The purpose of this Contract is to maintain consistency and accessibility in voting practices, polling places, and election procedures to best assist the voters. For purposes of this Contract the term “Election” will include any resulting recount or election contest. It will also apply to any election to resolve a tie.
- B. The Elections Administrator of Guadalupe County shall coordinate, supervise, and handle all aspects of administering the Election as provided in this Contract. The Political Subdivision agrees to pay Guadalupe County for equipment, supplies, services, and administrative costs as provided in this Contract.
- C. The Elections Administrator shall serve as the administrator for the Election; however, the Political Subdivision shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Political Subdivision.
- D. The Elections Administrator has the right to enter into agreements with other entities at any time and may require that authorities of the Political Entity holding elections on the same day in all or part of the same territory to enter into a joint election agreement as authorized in Chapter 271 of the Texas Election Code. The Political Subdivision agrees to enter into a joint election agreement required by Guadalupe County.

I. RESPONSIBILITIES OF ELECTIONS ADMINISTRATOR. The Elections Administrator shall be responsible for performing the following services and furnishing the following material and equipment in connection with the Election:

A. Nomination of Presiding Judges and Alternate Judges. The Elections Administrator shall recommend appointment of Election Day presiding and alternate judges, central accumulation station judges, and the Early Voting Ballot Board (EVBB) presiding judge, all of whom shall meet the eligibility requirements in Subchapter C of Chapter 32 of the Texas Election Code.

B. Notification to Presiding and Alternate Judges; Appointment of Clerks.

1. The Elections Administrator shall notify each presiding and alternate judge of his or her appointment. The notification will also include the assigned polling station, the date of the election training(s), the date and time of the Election, the rate of compensation, the number of clerks the judge may appoint, the eligibility requirements for Election workers, and the name of the presiding or alternate judge as appropriate.

2. The election judge will make the clerk appointments in consultation with the Elections Administrator. If a presiding judge or the alternate judge does not speak both English and Spanish, and the election precinct is one subject to Section 272.002 and 272.009 of the Texas Election Code, the Elections Administrator shall ensure that a bilingual election clerk is appointed. The Elections Administrator shall notify the clerks of the same information that the judges receive under this section.

C. Election Training. The Elections Administrator shall be responsible for conducting Election training for the presiding judges, alternate judges, clerks, and early voting deputies in the operation and troubleshooting of the voting system and the conduct of elections, including qualifying voters, issuing ballots, maintaining order at the polling location, and conducting provisional voting.

D. Logic and Accuracy Testing. In advance of Early Voting (including the sending of any mail ballots), the Elections Administrator, the tabulation supervisor, and the other members the Elections Administrator designates for the testing board shall conduct all logic and accuracy testing in accordance with the procedures set forth by the Texas Election Code and under guidelines provided by the Secretary of State's office. The Elections Administrator shall also be responsible for the publication of the required notice of such testing.

E. Election Supplies. The Elections Administrator shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day (and to the Early Voting clerks during Early Voting) the following Election supplies: election and early voting kits (including the appropriate envelopes, lists,

forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and subchapter B of chapter 66 of the Texas Election Code) seals, sample ballots, thermal paper rolls, batteries for use in the voting system equipment, supplies for the electronic poll books, and all consumable type office supplies necessary to hold an Election.

- F. **Registered Voters List.** The Elections Administrator shall provide lists of registered voters required by law for use on Election Day and for the Early Voting period.
- G. **Notice of Previous Polling Place.** The Elections Administrator shall post notices of a change in a polling place at the entrance to the previous polling location. Section 43.062 of the Texas Election Code provides that the notice shall state the location has changed and give the location of the new polling place.
- H. **Ballots.** The Elections Administrator or designee shall be responsible for the preparation, printing, programming and distribution of English and Spanish ballots and sample ballots, including the mail ballots, based on the information provided by the Political Subdivision, including the names of the candidates, names of the offices sought, order of names on the ballot, propositions on the ballot, and the Spanish translation of the offices and any propositions.
- I. **Applications for Mail Ballots.** The Political Subdivision and Elections Administrator agree that early voting by mail ballots shall be processed in accordance with the applicable provisions of the Texas Election Code and that 215 S. Milam St, Seguin, Texas 78155 or P.O. Box 1346, Seguin, Texas 78156 are the early voting clerk's mailing addresses to which ballot applications and ballots voted by mail shall be sent for the Political Subdivision.
- J. **Early Voting.** In accordance with Sections 31.096 and 32.097(b) of the Texas Election Code, the Elections Administrator shall serve as the Early Voting Clerk for the Election.
 - 1. The Elections Administrator shall supervise and conduct the early voting by mail and by personal appearance and shall secure personnel to serve as Early Voting Deputies.
 - 2. The Elections Administrator shall receive mail ballot applications on behalf of the Political Subdivision. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Elections Administrator or deputies at the Elections Office located at 215 S. Milam St., Seguin, Texas 78155. Applications for mail ballots sent to the Political Subdivision shall be promptly faxed to the Elections Administrator at (830)303-6373, or emailed to earlyvotingclerk@co.guadalupe.tx.us for timely processing and then the

original application forwarded to the Elections Administrator for proper retention.

3. Early voting ballots shall be secured and maintained at the Elections Office at 215 S. Milam St., Seguin, Texas 78155. In accordance with Chapter 87 of the Texas Election Code. The Early Voting Ballot Board shall meet at the same location unless posted differently.
4. Early Voting by personal appearance for the Election shall be conducted during the hours and time period and at the locations as determined by the Elections Administrator in consultation with the Political Subdivision and in accordance with the Texas Election Code.

K. Election Day Activities.

1. The Elections Administrator and staff shall be available from 6:00 am until the completion of the vote counting on Election Day to render technical support and assistance to voters and Election workers.
2. The Elections Administrator and staff shall prepare and conduct Election Night intake of election equipment, supplies, and records.
3. The Elections Administrator and designee shall serve as central counting station manager and tabulation supervisor, counting the votes in conjunction with the Early Voting Ballot Board and the Central Counting Station judges.
4. Election Day polling locations are determined by the Elections Administrator and in accordance with the Texas Election Code. The Elections Administrator shall arrange for the use of all polling places and shall arrange for the setting up of the polling location.

L. Election Night Reports. The Elections Administrator shall prepare the unofficial and official tabulation of precinct results under Section 66.056(a) of the Texas Election Code. The unofficial tabulation of Early Voting precinct results and Election Day precinct results shall be made available to the Political Subdivision via email as soon as they are prepared and may be released under law, but no earlier than 7:00 pm on Election Day. The tabulation reports may also be provided to other counties as necessary for the Election. As soon as reasonably possible, the Elections Administrator will post all reports for public review on the Guadalupe County Elections website at www.co.guadalupe.tx.us/elections.

M. Provisional Votes/ Determination of Mail Ballots Timely Received under Section 86.007(d) of the Texas Election Code. The Elections Administrator, serving as the Voter Registrar, shall retain the provisional voting affidavits and

shall provide the factual information on each of the voters' status. The Elections Administrator shall reconvene the EVBB after the Election within the time set forth in Section 65.051 of the Texas Election Code for the purpose of determining the disposition of the provisional votes. At the same time, the EVBB will review mail ballots timely received under Section 86.007(d) of the Texas Election Code to determine whether such will be counted and to resolve any issues with such ballots.

- N. **Canvass Material Preparation.** Promptly after determination of the provisional votes and resolution of any mail ballots, the Elections Administrator shall work with the EVBB and tabulation supervisor to tally the accepted provisional votes and resolved mail ballots, amend the unofficial tabulations, and submit new unofficial tabulations to the Political Subdivision. These reports will serve as the canvass materials for the Political Subdivision. The title of these reports will be changed to official upon notification to the Elections Administrator of the completion of the canvass. Official reports will be sent to the Political Subdivision upon completion of canvass and posted on the Elections Office website for archival.
- O. **Custodian of Election Records.** The Early voting Daily Roster as well as the Election Day Roster and Election results will be submitted to the Political subdivision as soon as practicable upon request. For the Early Voting Daily Roster, same will be provided the next business day after each day of Early Voting upon request. All other Election records will be maintained by the Elections Administrator as Voter Registrar in accordance with Section 66.051 of the Texas Election Code. The Elections Administrator is hereby appointed the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

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

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

P. Recount.

1. The Political Subdivision shall advise the Elections Administrator if a recount is required by law or requested and the Elections Administrator and the Political Subdivision shall discuss how such recount is to be conducted. The Political Subdivision shall reimburse the Elections Administrator for the cost of such recount which is not included in the original cost estimate.

Q. Schedule for Performance of Services. The Elections Administrator shall perform all Election services in accordance with and in compliance with the time requirements set out in the Texas Election Code.

R. Contracting with Third Parties. In accordance with Section 31.098 of the Texas Election Code, the Elections Administrator is authorized to contract with third parties for Election services and supplies. The cost of such third-party services and supplies will be paid by the Elections Administrator and reimbursed by the Political Subdivision.

S. Department of Justice Preclearance for General Elections. If required by law, any changes to the general conduct of voting in Guadalupe County will be precleared through the United States Department of Justice by the Elections Administrator with copies of the submission and response e-mailed to the Political Subdivision.

II. RESPONSIBILITIES OF THE POLITICAL SUBDIVISION. The Political Subdivision shall perform the following responsibilities:

- A. Election Orders, Election Notices, and Canvass.** The Political Subdivision shall be responsible for the preparing, adopting, publishing, and posting of all required election orders, resolutions, notices and other documents, including bilingual materials, evidencing action by the Political Subdivision of all actions necessary to call the Election. The Political Subdivision shall be responsible for conducting the official canvass of the Election.
- B. Map/Annexations.** The Political Subdivision shall provide the Elections Administrator with an updated map and street index (including address numbers) of its jurisdiction in and electronic or printed format and shall advise the Elections Administrator in writing of any new developments, annexations or de-annexations and any other changes to the master voter registration list within the jurisdiction.
- C. Department of Justice Preclearance for Special Elections.** If required by law, the Political Subdivision shall be individually responsible for obtaining appropriate preclearance from the United States Department of Justice for any special elections.

- D. **Ballot Information.** The Political Subdivision shall prepare the text for the Political Subdivisions official ballot in English and Spanish and provide to the Elections Administrator as soon as possible at the end of the period for ordering the Election or filing for candidacy. The ballot information shall include a list of propositions showing the order and the exact manner in which the candidates' name shall appear on the ballot. The Political Subdivision shall promptly review for correctness the ballot when requested by the Elections Administrator to do so prior to the finalization and shall approve by e-mail or by signature in person.
- E. **Precinct Reports to the Texas Secretary of State.** If a joint election is conducted with Guadalupe County, and the Political Subdivision is wholly contained within Guadalupe County, the Elections Administrator will file the precinct by precinct report with the Texas Secretary of State for elections conducted by the Guadalupe County Elections Office. If no joint election is conducted with Guadalupe County or if the Political Subdivision lies within multiple counties, then, utilizing the information provided by the Elections Administrator, the Political Subdivision shall prepare and file all required precinct by precinct reports with the Texas Secretary of State.
- F. **Annual Voting Report.** The Political Subdivision shall be responsible for filing its annual voting system report to the Texas Secretary of State as required under Chapter 123 et seq. of the Texas Election Code.

III. SPECIAL PROVISIONS RELATED TO ELECTION WORKERS

- A. **Number of Election Workers at Election Day Polling Locations.** It is agreed by the Elections Administrator and the Political Subdivision that there will be at least three Election workers at each Election Day polling location: the presiding judge, the alternate judge, and at least one election clerk appointed by the presiding judge. The number of necessary clerks is derived from the number of Elections at the poll and the number of registered voters at the poll.
- B. **Compensation for Election Workers.** The Elections Administrator shall compensate all Election workers in accordance with the Elections Administrator established compensation policies, in accordance with the Texas Election Code and using the rates set by the Guadalupe County Commissioners Court for county elections. The Elections Administrator shall pay the workers and be reimbursed by the entities sharing the polling locations.

IV. PAYMENT

- A. **Charges and Distribution of Costs.** In consideration of the joint election services provided by the Elections Administrator, the Political Subdivision will be charged a share of the Election costs and an administrative fee. The costs

distribution is set forth in the Joint Election Agreement. The estimated costs to be paid by the Political Subdivision are set forth in the Cost Estimate.

- B. **Administrative Fee.** The Elections Administrator shall charge a fee equal to 10% of the Political Subdivision's share of the cost of the Election or a minimum of \$75.00.
- C. **Payment.** The Elections Administrator's invoice shall be due and payable to the address set forth in the invoice within 30 days from the date of receipt by the Political Subdivision.

V. **MISCELLANEOUS PROVISIONS**

- A. **Nontransferable Functions.** In accordance with Section 31.096 of the Texas Election Code, nothing in this Contract shall authorize or permit a change in:
 - 1. The authority with whom or the place at which any document or record relating to the Election is to be filed;
 - 2. The officers who conduct the official canvass of the Election returns;
 - 3. The authority to serve as custodian of voted ballots or other Election records; or
 - 4. Any other nontransferable function specified under Section 31.096 or other provisions of law.
- B. **Cancellation of Election.** The Political Subdivision may withdraw from this Contract should it cancel its election in accordance with Sections 2.051 – 2.053 of the Texas Election Code, or should it be later ruled that the election is not needed. The Political Subdivision is fully liable for any expenses incurred by Guadalupe County on behalf of the Political Subdivision. Any monies deposited with the county by the withdrawing authority shall be refunded, minus the aforementioned expenses.
- C. **Contract Copies to Treasure and Auditor.** In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of the Contract with the County Treasurer and the County Auditor of Guadalupe County, Texas.
- D. **Election to Resolve a Tie.** In the event that an Election is necessary to resolve a tie vote, the terms of the Contract shall extend to the second Election, except:
 - 1. The Political Subdivision and the Contracting Officer will agree upon the date of the Election and the early voting schedule subject to provisions of

the Election Code and with regard to other elections being conducted by the Contracting Officer.

2. The Political Subdivision will be responsible for any Department of Justice preclearance submission under Section 5 of the Federal Voting Rights Act.
 3. An attempt will be made to use the Election workers that worked in the first Election; those poll workers will not have additional training provided by the Contracting Officer.
 4. The cost of the Election will be borne by the Political Subdivision; the Elections Administrator will work with the Political Subdivision on cost management.
- E. **Amendment/Modification.** Except as otherwise provided, this Contract may not be amended, modified, or changed in any respect except in writing, duly executed by the parties hereto. Both the Elections Administrator and the Political Subdivision may propose necessary amendments or modifications to this Contract in writing in order to conduct the Election smoothly and efficiently, except that any such proposals must be approved by the Elections Administrator and the governing body of the Political Subdivision or its authorized agent, respectively.
- F. **Severability.** If any provision of the Contract is found to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Contract and parties to this Contract shall perform their obligations under this Contract in accordance with the intent of the parties to this Contract as expressed in the terms and provisions.
- G. In the event that legal action is threatened and/or filed contesting Political Subdivision's election under Title 14 of the Texas Election Code, Political Subdivision shall choose and provide, at its own expense, separate and independent legal counsel for the County, the Elections Administrator and additional election personnel as necessary.
- H. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
- I. The parties agree that under the Constitution and laws of the State of Texas, neither Guadalupe County nor Political Subdivision can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.

- J. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Guadalupe County, Texas.
- K. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
- L. The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.
- M. **Force Majeure.** If the performance of the Agreement is adversely restricted or if either party is unable to conform to any obligation by reason of any Force Majeure Event then, the party affected, upon giving prompt written notice to the other party, shall be excused from such performance on a day-to-day basis to the extent of such restriction (and the other party shall likewise be excused from performance of its obligations on a day-to-day basis to the extent such party's obligations relate to the performance so restricted); provided, however, that the party so affected shall use all commercially reasonable efforts to avoid or remove such causes of non-performance and both parties shall proceed whenever such causes are removed or cease. "Force Majeure Event" means any failure or delay caused by or the result of causes beyond the reasonable control of a party or its service providers that could not have been avoided or corrected through the exercise of reasonable diligence, including natural catastrophe, internet access or related problems beyond the demarcation point of the party's or its applicable infrastructure provider's facilities, state-sponsored malware or state-sponsored cyber-attacks, terrorist actions, laws, orders, regulations, directions or actions of governmental authorities having jurisdiction over the subject matter hereof, or any civil or military authority, national emergency, insurrection, riot or war, or other similar occurrence. If a party fails to perform its obligations as a result of such restriction for a period of more than thirty (30) days, then the other party may terminate the affected Services without liability.
- N. **Representatives.** For the purposes of implementing this Contract and coordinating activities, the Elections Administrator and the Political Subdivision designate the following individuals for submission of information, documents and notice:

For the Guadalupe County Elections Office:

Lisa Hayes

Elections Administrator

215 S. Milam St.

Seguin, Texas 78155

Tel: (830) 303-6363

Fax: (830) 303-6373

Email: lisa.hayes@co.guadalupe.tx.us

For the POLITICAL SUBDIVISION:

Name

Title

Address

City, State and Zip

Tel:

Fax:

Email:

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

1. It has on this _____ day of _____, 2023, been executed on behalf of Guadalupe County by the Elections Administrator pursuant to the Texas Election Code so authorizing; and

2. It has on this _____ day of _____, 2023, been executed on behalf of the Political Subdivision by its Presiding Officer or authorized representative, pursuant to an action of the Political Subdivision so authorizing.

GUADALUPE COUNTY, TEXAS

ATTEST:
City of Schertz, Texas:

By: _____
Lisa Hayes
Elections Administrator

By: _____
Presiding Officer/Authorized Representative

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between Bexar County Elections Administrator (“ADMINISTRATOR”), acting on behalf of Bexar County and any and all political subdivisions that are holding a Tuesday, November 7, 2023 Amendment, General, Special, Charter or Bond Election. This MOU is the planning document necessary for the preparation and implementation of the Joint Agreement as required pursuant to Texas Election Code Section 271.002(a). The following entities have made a verbal confirmation to the Joint Election: Bexar County, (“County”); San Antonio River Authority (“SARA”); Castle Hills (“COCH”); Converse (“COC”); City of Helotes (“COH”); City of Sandy Oaks (“COSO”); City of Schertz (“COS”); City of Universal City (“COUC”); City of Windcrest (“COW”); Cibolo Creek Municipal Authority (“CCMA”); Emergency Service District #9 (“ESD# 9”); the Green Valley Special Utility District (“GVSUD”); the Comal ISD (“CISD”); ; Schertz Cibolo Universal City ISD (“SCUCISD they may also be joined by other entities acting by and through their duly appointed and qualified representatives, for the November 7, 2023 election. Any entity that is able to cancel their election will assume no cost for the planning of this election upon receipt of the proper paperwork. All costs will then be divided according to the pre determined pro rata share agreed upon. Contracts will be executed following the deadline to cancel an election and distributed for signatures and deposits.

WHEREAS, County will conduct an amendment election on Tuesday, November 7, 2023; and

WHEREAS, SARA will conduct a general election on Tuesday, November 7, 2023; and

WHEREAS, COC will conduct a general election on Tuesday, November 7, 2023; and

WHEREAS, COCH will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, COH will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, COSO will conduct a general election on Tuesday, November 7, 2023; and

WHEREAS, COS will conduct a general election on Tuesday, November 7, 2023; and

WHEREAS, COUC will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, COW will conduct a general and special election on Tuesday, November 7, 2023; and

WHEREAS, CCMA will conduct a general election on Tuesday, November 7, 2023; and

WHEREAS, ESD #9 China Grove will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, GVSUD will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, CISD will conduct a special election on Tuesday, November 7, 2023; and

WHEREAS, SCUCISD will conduct a general election on Tuesday, November 7, 2023; and

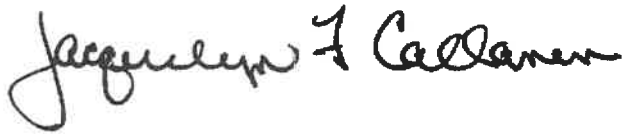
NOW THEREFORE, it is understood that the Entities will hold a joint election on November 7, 2023 (the "Joint Election").

The undersigned Entities are the duly authorized representatives of their governing bodies, and their signatures represent acceptance of the terms and conditions of this Memorandum of Understanding for planning purposes.

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

SIGNED and AGREED this _____ day of _____, 2023.

BEXAR COUNTY ELECTIONS ADMINISTRATOR



Jacquelyn F. Callanen

ENTITY

BY: _____

TITLE: _____

ITEMS AND ISSUES ON BALLOT: _____

GUADALUPE COUNTY ELECTIONS OFFICE


COST ESTIMATE

CITY OF SCHERTZ

NOVEMBER 7, 2023
GENERAL ELECTION

Includes 6 Guadalupe County Early Voting and 33 Election Day Vote Center Locations

Item #	Costs/Services	Estimate
1.	Ballots (printing, postage, processing of mail ballots; sample and provisional ballots)	\$ 2,340.00
2.	Electronic voting system programming and testing	3,000.00
3.	Publication of Electronic Voting Equipment Test and Notice of Election	25.00
4.	Election kits (Supplies, Maps, Laptops, Printers, Cell Phones, etc.)	550.00
5.	Rental of voting equipment	5,200.00
6.	Preparation and transportation of voting equipment	1,500.00
7.	Polling place rental	75.00
8.	Election Day Personnel	3,800.00
9.	Early Voting Personnel	5,200.00
10.	Early Voting Ballot Board Personnel	900.00
11.	Central Counting Station Personnel	90.00
12.	County Election Services Contract Administrative Fee	2,268.00
13.	*TOTAL ESTIMATED ELECTION COSTS:	24,948.00


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

DATE: June 30, 2023

*Please note, that this is an estimate and subject to change based on the number of jurisdictions contracting for the November Election. Actual Expenses will be billed and may vary from this estimate. Allocation of costs for the entire election, unless specifically stated otherwise, will be shared between the participating authorities based on a ratio formula involving the total number of registered voters eligible to vote in the Joint Election and the number of registered voters belonging to the participating authorities for the Joint Election. The participating authorities will be responsible for their percentage of the cost or a minimum cost of \$500.00, whichever is greater.

EXHIBIT B

COUNTY ELECTION DAY VOTE CENTERS

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

INFORMAITON ON LOCATIONS ONCE APPROVED WILL BE SENT OUT AND PLACED ON OUR CITY WEBSITE

THE ATTACHED ARE DRAFTS

PROPOSED EARLY VOTING LOCATIONS

(PROPUESTO SITIOS DE VOTACIÓN ANTICIPADA)

COMAL COUNTY, TEXAS

(EL CONDADO DE COMAL, TEXAS)

NOVEMBER 7, 2023 GENERAL ELECTION

(7 DE NOVIEMBRE DE 2023 ELECCIÓN GENERAL)

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

(Lugar, Fechas y Horas de los Centros Principales de Votación para la Votación Anticipada)

****MAIN LOCATION:** **Comal County Elections Office**
(los Centros Principales) **396 N. Seguin Ave., New Braunfels, Texas 78130**

DATES and HOURS: **October 23 - 27, 2023 – 8 a.m. - 5 p.m.**
(Fechas y Horas) *(23-27 de octubre de 2023 – 8 a.m. - 5 p.m.)*
October 28, 2023 – 7 a.m. - 7 p.m.
(28 de octubre de 2023 – 7 a.m. - 7 p.m.)
October 29, 2023 – 10 a.m. - 4 p.m.
(29 de octubre de 2023 – 10 a.m. - 4 p.m.)
October 30 – November 3, 2023 – 7 a.m. - 7 p.m.
(30 de octubre – 3 de noviembre de 2023 – 7 a.m. - 7 p.m.)

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

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

(Lugar, Fechas y Horas de las Sucursales de los Centros Temporal de Votación para la Votación Anticipada)

Mammen Family Public Library, Room A
131 Bulverde Crossing, Bulverde, Texas 78163

Comal County Offices, Bulverde Annex
JP #2 Courtroom
30470 Cougar Bend, Bulverde, Texas 78163

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

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

DATES and HOURS: **October 23 - 27, 2023 – 8 a.m. - 5 p.m.**
(Fechas y Horas) *(23-27 de octubre de 2023 – 8 a.m. - 5 p.m.)*
October 28, 2023 – 7 a.m. - 7 p.m.
(28 de octubre de 2023 – 7 a.m. - 7 p.m.)
October 29, 2023 – 10 a.m. - 4 p.m.
(29 de octubre de 2023 – 10 a.m. - 4 p.m.)
October 30 – November 3, 2023 – 7 a.m. - 7 p.m.
(30 de octubre - 3 de noviembre de 2023 – 7 a.m. - 7 p.m.)

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

DATES and HOURS: **October 23 - 27, 2023 – 8 a.m. - 5 p.m.**
(Fechas y Horas) *(23-27 de octubre de 2023 – 8 a.m. - 5 p.m.)*
October 28, 2023 – 7 a.m. – 7 p.m.
(28 de octubre de 2023 – 7 a.m. – 7 p.m.)
October 29, 2023 – 10 a.m. - 4 p.m.
(29 de octubre de 2023 – 10 a.m. - 4 p.m.)
October 30 - 31, 2023 – 7 a.m. - 7 p.m.
(30 - 31 de octubre de 2023 – 7 a.m. - 7 p.m.)
November 1, 2023 – 7 a.m. - 3 p.m.
(1 de noviembre de 2023 – 7 a.m. – 3 p.m.)
November 2 - 3, 2023 – 7 a.m. – 7 p.m.
(2 - 3 de noviembre de 2023 – 7 a.m. – 7 p.m.)

Applications for Ballot by Mail shall be mailed to: *(Las solicitudes para boletas que se votaran adelantada por correo deberan enviarse a)* Bobbie Koepp, Early Voting Clerk, 396 N. Seguin Ave., New Braunfels, Texas 78130.

Applications for Ballots by Mail must be received no later than the close of business on October 27, 2023. *(Las solicitudes para boletas que se votaran adelantada por correo deberan recibirse para el fin de las horas de negocio el 27 de octubre, 2023).*

NOVEMBER 7, 2023 PROPOSED ELECTION DAY POLLING LOCATIONS
 (7 DE NOVIEMBRE DE 2023 LUGARES DE VOTACION PROPUESTOS PARA EL DIA DE LAS ELECCIONES)
7 A.M. TO 7 P.M.

VOTE CENTER ELECTION (Elección de Centros de Votación). On Election Day, eligible Comal County VOTERS MAY VOTE AT ANY of the locations listed on this page. Voters are NOT limited to only voting in the precinct where they are registered to vote. (En el día de elección votantes elegibles del Condado de Comal podrán votar en cualquier sitio indicado en esta página. Votantes tienen más opciones en dónde votar, sin limitarse al precinto en donde están registrados para votar.)		
PCT	POLLING LOCATION (UBICACIÓN DE VOTACIÓN)	ADDRESS (DIRECCIÓN)
VC #1	Comal County Senior Citizens Center	710 Landa, New Braunfels 78130
VC #2	Mammen Family Public Library, Meeting Room A	131 Bulverde Crossing, Bulverde, Tx 78163
VC #3	Freedom Fellowship Church, Foyer	410 Oak Run Point, New Braunfels, Tx 78130
VC #4	Tye Preston Memorial Library	16311 South Access Rd., Canyon Lake, Tx 78133
VC #5	Canyon Springs Resort Clubhouse	691 Canyon Springs Dr., Canyon Lake, Tx 78133
VC #6	Emergency Services District No. 4 Fire Station No. 4	215 Rebecca Creek Road, Canyon Lake, TX 78133
VC #7	Vintage Oaks Amenity Center	1250 Via Principale, New Braunfels, Tx 78132
VC #8	Lakeside Golf Club	405 Watts Lane, Canyon Lake, Tx 78133
VC #9	Cibolo Creek Community Church	30395 Ralph Fair Rd., Boerne, Tx 78015
VC #10	Peace Lutheran Church, Foyer	1147 S. Walnut, New Braunfels, Tx 78130
VC #11	Christ Our King Anglican Church	115 Kings Way, New Braunfels, Tx 78132
VC #12	Comal County Offices, Bulverde Annex, JP 2 Courtroom	30470 Cougar Bend, Bulverde, Tx 78163
VC #13	Garden Ridge Community Center, Wildflower Room	9500 Municipal Parkway, Garden Ridge, Tx 78266
VC #14	Bulverde/Spring Branch Fire & EMS @ Johnson Ranch	30475 Johnson Way, Bulverde, Tx 78163
VC #15	Westside Community Center, Gym	2932 S. IH 35, New Braunfels, Tx 78130
VC #16	City of New Braunfels, Fire Department Training Room	424 S. Castell Ave., New Braunfels, Tx 78130
VC #17	New Braunfels Library, Large Meeting Room	700 E. Common, New Braunfels, Tx 78130
VC #18	Comal County Offices, Goodwin Annex, Training Room	1297 Church Hill Dr., New Braunfels, Tx 78130
VC #19	New Braunfels Christian Church, Fellowship Hall	734 N. Loop 337, New Braunfels, Tx 78130
VC #20	Eden Hill, Town Hall	631 Lakeview Blvd, New Braunfels, Tx 78130
VC #21	St. Francis by the Lake Episcopal Church, Large Room	121 Spring Mountain Dr., Canyon Lake, Tx 78133
VC #22	North Shore United Methodist Church	23880 N. Cranes Mill Rd, Canyon Lake, Tx 78133
VC #23	Gruene Methodist Church, Mission and Outreach Building	2629 E. Common St., New Braunfels, Tx 78130
VC #24	Rebecca Creek Baptist Church	11755 Hwy 281 N., Spring Branch, Tx 78070
VC #25	River Chase Clubhouse	436 River Chase Way, New Braunfels, Tx 78132

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: City Secretary
Subject: Special Announcement: Charter Review (Mayor/S.Edmondson)

BACKGROUND

The need for a review of the City Charter was discussed by Council during the May 9, 2023, Regular City Council Meeting. The last City Charter review was done in 2014, chaired by Councilmember Davis. Since that time new processes have been implemented that need to be clarified within the Charter such as audio/visual conferencing. The review is to be conducted by a committee appointed by the Council. This announcement is to provide a timeline and request Councilmembers bring forth nominations for the Charter Review Committee.

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: Planning & Community Development
Subject: Ordinance 23-S-13 - Conduct a public hearing and/or action on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.8.5 Permitted Use Table, and Article 16 Definitions. (*First Reading* B. James, L. Wood, S.Haas)

BACKGROUND

As stated in the Unified Development Code (UDC), City Council from time to time, on its own motion, or at the recommendation of City staff amend, change, or modify text in any portion of the UDC to establish and maintain stable and desirable development. It is generally considered good practice to periodically review and update the development regulations due to changing conditions, community goals, and/or State and Federal regulations.

The city has received interest for sites within the city for potential uses related to producing and/or storing solar energy. The interest is primarily centered around the undeveloped and underdeveloped Manufacturing - Light (M-1) Districts around the edges of the city. The current UDC has no language pertaining to solar energy land uses. Currently, this would be considered a "New and Unlisted Use", which requires a Specific Use Permit.

Several neighboring municipalities have language within their city codes defining and permitting solar related activities. Given the interest, staff is using these proposed amendments to make an effort to remain regionally competitive while fulfilling the intent of the Unified Development Code. Staff is proposing amendments to define solar activity land use and permit by right this use within the high intensity zoning districts of Manufacturing - Light Districts (M-1) and Manufacturing - Heavy Districts (M-2). As interest in solar energy/power storage related activities has increased within the City of Schertz, staff has researched neighboring municipalities to better understand how the region is addressing this industry with their respective codes, and believes that Schertz can include similar language to remain competitive. Given that solar energy production has less adverse impacts on surrounding properties as other forms of energy production, staff believes that Manufacturing - Light Districts (M-1) and Manufacturing - Heavy Districts (M-2) are appropriate as well as consistent with how other municipalities have handled solar energy related land uses.

In addition to solar related activities, there has been interest in power storage uses as well. The proposed amendments regarding solar activities includes language that allows for storing activities, however, as the energy grid is supplied by a variety of production sources, staff is proposing to further define the storage activities as to make it more flexible for potential uses. The idea being that we do not want to restrict storage activities as we cannot guarantee that the generated power is coming from strictly solar sources.

The Planning and Zoning Commission requested a modification that was added was to allow such uses in the Public Use Districts (PUB) with a Specific Use Permit (SUP). As PUB districts are located in a variety of places around the city, staff and the commissioned agreed that an SUP would be appropriate to look at potential uses on a case-by-case basis.

PROPOSED AMENDMENTS:

Proposed Amendments to Article 5, Section 21.5.8 Permitted Use Table:

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Manufacturing - Light District (M-1)	P	Solar/Photovoltaic Facility
Manufacturing - Heavy District (M-2)	P	Solar/Photovoltaic Facility
Public Use District (PUB)	S	Solar/Photovoltaic Facility
Manufacturing - Light District (M-1)	P	Power Storage System
Manufacturing - Heavy District (M-2)	P	Power Storage System
Public Use District (PUB)	S	Power Storage System

Proposed Amendments to Article 16 - Definitions:

- *Power Storage System:* A facility or installation whose primary function is to store produced electrical energy, regardless of source.
- *Solar Energy:* Radiant energy (direct, diffuse, and reflected) received from the sun.
- *Solar/Photovoltaic Facility:* A structure, assembly, equipment, or any combination thereof relating to the generation, transportation, and storage of solar energy.

No other modifications to Article 5, Section 21.5.8 Permitted Use Table or Article 16 Definitions are proposed with this UDC Amendment.

GOAL

To amend the UDC to review and update the development regulations due to changing conditions and community goals in order to establish and maintain sound, stable and desirable development.

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 recommends approval of Ordinance 23-S-13, amendments to the Unified Development Code (UDC) as proposed and discussed.

The Planning and Zoning Commission met on May 24, 2023, and recommended approval with the modification, to allow the proposed land uses with a Specific Use Permit within the Public Use (PUB) zoning district, to City Council with a 5-0 vote

RECOMMENDATION

Approval of Ordinance 23-S-13

Ord. 23-S-13

City Council Presentation Slides

ORDINANCE NO. 23-S-13

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO AMEND PART III, SCHERTZ CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE (UDC) ARTICLE 5 ZONING DISTRICTS, SUBSECTION 21.5.8 PERMITTED USE TABLE AND ARTICLE 16 DEFINITIONS.

WHEREAS, pursuant to Ordinance No. 10-S-06, the City of Schertz (the “**City**”) adopted and Amended and Restated Unified Development Code on April 13, 2010, as further amended (the “Current UDC”); and

WHEREAS, City Staff has reviewed the Current UDC and have recommended certain revision and updates to, and reorganization of, the Current UDC;

WHEREAS, on May 24, 2023, the Planning and Zoning Commission conducted public hearings and, thereafter recommended approval; and

WHEREAS, on July 11, 2023, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the proposed amendments are appropriate and in the interest of the public safety, health, and welfare.

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

Section 1. The current UDC is hereby amended as set forth on Exhibit A hereto.

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

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

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

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

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this

Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

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

PASSED ON FIRST READING, the ____ day of _____ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit “A”

Proposed Unified Development Code (UDC) Amendments

Article 5 Section 21.5.8 – Permitted Use Table

&

Article 16 Definitions

Proposed UDC Amendment

Article 5 – Permitted Use Table

Proposed changes to Article 5 – Permitted Use Table to add Solar/Photovoltaic Facilities and Power Storage System

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Manufacturing – Light District (M-1)	P	Solar/Photovoltaic Facilities
Manufacturing – Heavy District (M-2)	P	Solar/Photovoltaic Facilities
Public Use District (PUB)	S	Solar/Photovoltaic Facilities
Manufacturing – Light District (M-1)	P	Power Storage System
Manufacturing – Heavy District (M-2)	P	Power Storage System
Public Use District (PUB)	S	Power Storage System

No other changes are proposed.

Proposed UDC Amendment

Article 16 - Definitions

Proposed changes to Article 16 - Definitions to add Solar Energy and Solar/Photovoltaic Facility.

Power Storage System: A facility or installation whose primary function is to store produced electrical energy, regardless of source.

Solar Energy: Radiant energy (direct, diffuse, and reflected) received from the sun.

Solar/Photovoltaic Facility: A structure, assembly, equipment, or any combination thereof relating to the generation, transportation, and storage of solar energy. Pertains to standalone facilities and not solar equipment that is added to residential structures.

No other changes are proposed.

Ord. 23-S-13

Amendments to Article 5 Section 21.5.8 –
Permitted Use Table & Article 16 -
Definitions

Samuel Haas | SENIOR PLANNER

Background

- **Interest in Schertz for energy-based land uses, specifically solar and battery/storage.**
- **Regional research to determine competitiveness of Schertz UDC.**
- **The Planning and Zoning Commission recommended approval with adjustments at the May 24th meeting.**

Article 16 - Definitions

- ***Solar Energy:*** Radiant energy (direct, diffuse, and reflected) received from the sun.
- ***Solar/Photovoltaic Facility:*** A structure, assembly, equipment, or any combination thereof relating to the generation, transportation, and storage of solar energy. Pertains to standalone facilities and not solar equipment that is added to residential structures.
- ***Power Storage System:*** A facility or installation whose primary function is to store produced electrical energy, regardless of source.

Article 5 Permitted Use Table

- Recommended adjustments from the Planning & Zoning Commission were to allow such uses in the Public Use District (PUB) with a Specific Use Permit.

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Manufacturing – Light District (M-1)	P	Solar/Photovoltaic Facilities
Manufacturing – Heavy District (M-2)	P	Solar/Photovoltaic Facilities
Public Use District (PUB)	S	Solar/Photovoltaic Facilities
Manufacturing – Light District (M-1)	P	Power Storage System
Manufacturing – Heavy District (M-2)	P	Power Storage System
Public Use District (PUB)	S	Power Storage System

Staff Recommendation

- **Power Storage and Solar Energy Production have less adverse impacts on surrounding properties as other forms of energy-based land uses.**
- **Therefore, staff recommends approval of the amendments to the Unified Development Code (UDC) as proposed and discussed.**

COMMENTS & QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023
Department: Executive Team
Subject: Monthly Update - FY 2022-23 Approved Expanded Programs (S. Williams/S. Gonzalez)

BACKGROUND

City staff has provided the attached update.

Attachments

July 2023 Expanded Program Update

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023

Department: City Manager

Subject: FY 2022-23 Expanded Program Budget Update – July 2023

Background

City Staff held a Council Workshop on October 21, 2022. At this workshop staff committed to providing monthly updates to Council on the expanded programs and personnel that were approved as part of the FY 2022-23 budget. If Council desires more information on any item, please reach out to staff and that information will be provided.

Note: Completed programs reflected in green.

Fire

- 3 Firefighters – Complete
- Fire Inspector – No change since last month – In process
- Public Safety Radios – No change since last month – In process; plans to order in the next month

Engineering

- Engineer Inspector – Complete
- Engineer – No change since last month – Position posted
- Water/Sewer Gems software – No update since last month – Working with Model Consultant and IT to coordinate purchase of appropriate licenses

Parks

- Recreation Coordinator – Complete
- 3 Parks Maintenance Technicians – Complete
- Trail Funding – AAMPO opened the funding call and staff is preparing to submit an application by June 30 – staff will submit application for the Dietz Creek Trail project

Planning & Community Development

- Plans Examiner – Complete
- Permit Tech – Complete
- Neighborhood Services Officer – Complete
- Cibolo Creek Clean-Up – Complete

Police

- 2 School Resource Officers – Complete
- Records Specialist – Complete

- Traffic Officer – Complete
- Cellebrite system – Complete
- Breaching tools and shields – Complete
- RMS Replacement – No change since last month – evaluation process underway by RMS Team
- Replace body armor for SWAT team – Purchase order created to purchase vests

Public Works

- 600-gallon Emulsion Tank – Complete
- Skid steer with mulch head – Complete
- SPAM Funding – Project is currently out for bid and bidding closes July 19th
- Mobile bypass pump – Council action required due to value from quotes; staff will get item on agenda in July

Library

- 2 10-hour positions to 2 20-hour positions – Complete
- Hotspot Program – Complete
- Library Materials – Complete
- PT Programming Specialist – Submitted new posting to begin 6/28/23

Public Affairs

- Event Attendant – Complete

EMS

- 8 Paramedics/EMTS – Complete

Purchasing

- eProcurement Software – Company selected; will present a recommendation to management to move forward with purchase

Utility Billing

- Utility bill text messaging service – Complete

Internal Services

Fleet

- Parts Clerk – Complete

Facilities

- Building 27 Parking Lot – No update since last month – Pending replat certification – Parking lot design was finalized with Building 27 Project; site plan has been submitted based on current design; creating PO to move forward with the replat to include a storage area for 27 Commercial Place
- Manager+ Upgrade – No updates since last month (still under review) – Public Works, IT, Purchasing, and Finance are coordinating on a demo of the software to ensure all required features are available; demos are being scheduled with other vendors to explore software options compatible with more departments needs
- Noise mitigation tiles for Library – No update since last month – Facilities staff working on finding a vendor to meet project requirements

- Increase cleaning contract for emergency cleanings – No change since last month
– discussion with Facilities about emergency cleaning; they are working on procedures

IT

- GIS Specialist – Complete
- Internet Upgrades – Complete
- Fiber Upgrades – Complete
- Office 365 training – Complete
- Public Safety Technician – Complete
- Security Cameras at Public Safety Buildings – Vendor plans to begin installs in July

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2023

Department: Engineering

Subject: Monthly Update - Major Projects In Progress/CIP (B. James/K. Woodlee)

Attachments

July 2023 Major Project Update

CITY COUNCIL MEMORANDUM

City Council Meeting: July 7, 2023
Department: City Manager
Subject: Update on Major Projects in Progress

Background

This is the monthly update on large 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. Borgfeld Facility Renovation Project

- Project Status: Scope development phase - Demo of existing drywall, insulation, HVAC system and water heater.
- Projected Completion: Unknown.
- Project Update: No change from last update. Project is on hold at this time. Project consists of renovating approximately 1600 SF of office space. This will be primarily done in house by the Facilities Team. Holes in metal siding and roofing have been sealed to keep out wildlife. New door has been installed leading to old kennel area to keep out wildlife.

2. Building 10 Parks Renovation

- Project Status: Design phase
- Projected Completion: Unknown
- Estimated Cost: \$250,000
- Project Update: No change from last update. M&S Engineering is working on the additional scope of work to include the bay area of the building.

3. Kramer House Deck Replacement

- Project Status: Partially complete.
- Previously Projected Completion: Fall 2022
- Estimated Cost: Estimated \$85,000 - \$100,000
- Project Update: No change from last update. All surface decking was replaced with additional minor structural repairs that were done in house by the Facilities team at a cost of less than \$8,000. Items still pending include painting of deck boards, shrub removal, landscaping, and adding steps. Staff has selected to contract with J&J Painting to add stairs to the front of the building and painting the deck boards. Services should start within 2 weeks Landscaping will take place after the deck remodel is complete.

4. Fleet Building Parking Lot

- Project Status: Permit phase
- Consultant: M&S Engineering
- Contractor: To Be Determined
- Project Completion: 2023
- Project Update: No change from last update. Site Plan Certification for project in process. A proposal is under review for professional services relating to the replat of the subdivision, as four lots are currently being used as one purpose. Awaiting completion of replat. M&S Engineering will assist design scope of work.

Drainage Projects:

1. FM 78 South Channel Silt Removal

- Project Status: Bidding
- Design Engineer: Unintech Consulting Engineers, Inc.
- Project Start: September 2022
- Project Cost: \$32,100 (Design) + \$4,600 Drainage Report
- Construction Costs: \$172,587.31 base bid, \$268,545.00 alternate in lieu
- Project Update: The project was bid on May 11, 2023. Stout Excavating Group submitted the low base bid and C3 Environmental submitted the low bid with alternative in lieu. Construction contract is to be awarded in July due to access easement acquisition.

Water and Wastewater Projects:

1. Woman Hollering Creek Wastewater Interceptor Main and Lift Station

- Project Status: Construction
- Construction Contractor: Thalle Construction Co., Inc.
- Construction Management: AG|CM
- Design Engineer: Cobb, Fendley & Associates, Inc.
- Construction Start: January 2022
- Estimated Cost of Construction (including construction and ancillary contracts): \$12 million
- Project Update: Installation of the 30-inch gravity pipe and manholes is approximately 90 percent complete. The lift station wet well and storage well are under construction and installation of electrical conduit at the lift station site has begun.

Woman Hollering Creek Wastewater Project:



electrical conduit at lift station site



dewatering of trench for installation of gravity main on west side of FM 1518

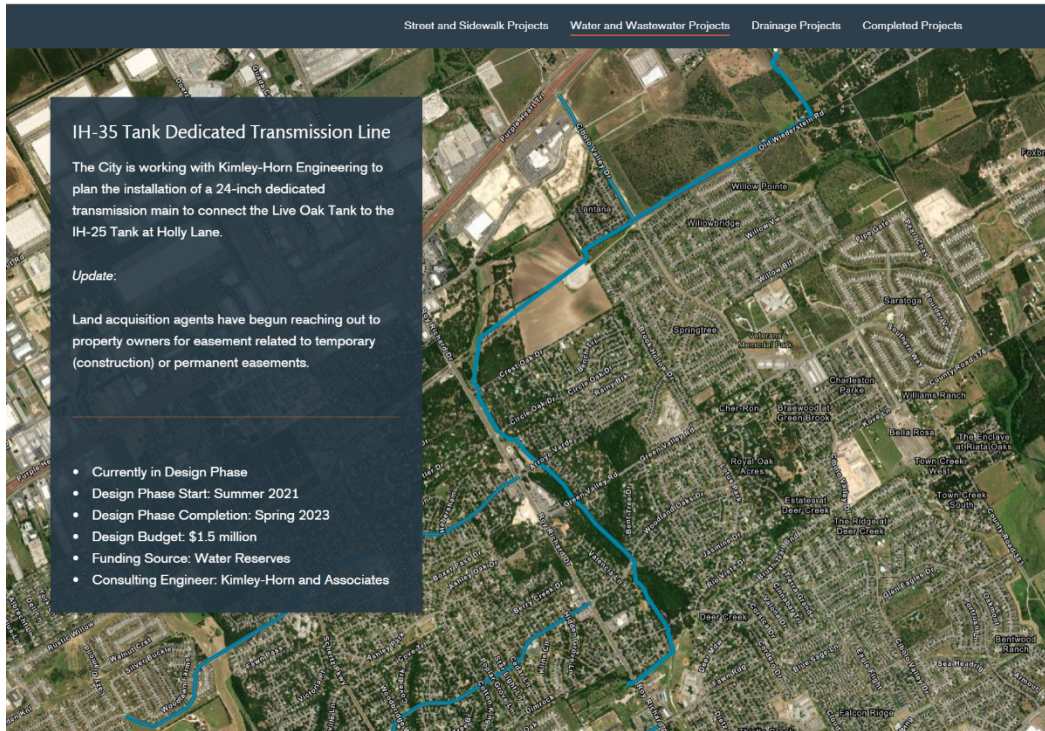
- Issues:

The contractor continues to track delayed delivery of electrical components for the lift station which may impact the completion date of the project. Completion was initially scheduled for February 2023 however, material and equipment delays continue to cause the date to shift. Recently, the electrical subcontractor shared notification from the electrical supplier that a transfer switch that is part of the motor control center gear is delayed until the end of September. Installation and completion will take three weeks after arrival of the switch. Staff and the Contractor are investigating any available options to expedite the completion of the control equipment installation.

2. 24" Dedicated Transmission Main Design Phase II

Overall project intent is the construction of a 24" dedicated water transmission main to connect the Live Oak water storage facility to the IH 35 storage tank. Phase 1 (route study) was completed in March 2021. Phase 2 (construction design) is nearing completion.

- Project Status: Design Phase – moving into Easement Acquisition Phase
- Consultant: Kimley-Horn & Associates
- Design Project Start Date: June 1, 2021
- Phase 2 Project Completion Date: Summer 2023
- Project Cost (Phase 2 Design): \$1,508,875.50 (Easement Acquisition): \$900,000



- **Project Update:** No change from June update. The final route of the Dedicated Transmission Main can be seen on the City web site CIP Map. 100% design was received in April and is in review by Staff. It should be noted that while the design is indicated to be at 100%, minor changes are still possible and the design will be updated as appropriate. The IH-35 Tank will require a test shut-down for this project and Public Works will monitor pressures throughout the system during the test shut-down. Easement acquisition has been authorized by Council and initiated. Land acquisition agents continue to reach out to property owners for easement related to temporary (construction) and permanent easements. Several property owners have agreed to the initial offer letters. Meetings have been held and others are planned with HOA representatives (Greenshire and Arroyo Verde) to discuss the needed easements and impacts to the property. Staff is working with the design team to make modifications to the specific alignment through HOA greenbelts based on feedback from those communities.

3. Riata Lift Station Relocation (Design Phase)

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

- Project Status: Design Phase
- Consultant: Utility Engineering Group, PLLC (UEG)
- Design Project Start Date: August 2020
- Expected Design Project Completion Date: Summer 2023
- Total Project Cost (Design Phase): \$129,795 (NTE \$143,000)

- Estimated Construction Cost: \$2,388,705
- Estimated Property Acquisition: \$300,000
- Project Update: Council approved the Standard Utility Agreement (SUA) with TxDOT. Site and easement acquisition has been authorized by Council and is planned to be finalized in July. After any necessary platting and permitting, the project will move to bidding and construction.

4. FM 1518 Utility Relocations

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

- Project Status: Design Phase
- Consultant: Halff Associates
- Design Project Start Date: June 2021
- Expected Design Project Completion Date: Spring 2023
- Total Project Cost (Design Only): \$548,370 (NTE \$600,000)
- Project Update: Halff is completing the easement acquisition for the 16” water line proposed across Aztec Lane. The joint bid design has completed final review by TxDOT. The latest update from TxDOT is that they are planning for a July 2023 letting date. Advance Funding Agreements for the joint bid portion of the project and a Standard Utility Agreement for reimbursable work was approved by council and is being routed for signatures.

5. Corbett Ground Storage Tank

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

- Project Status: Construction Phase
- Construction Contractor: Pesado Construction Company, Inc.
- Consultant: Unintech Consulting Engineers, Inc. (previously Ford Engineering)
- Construction Start Date: Original date January 7, 2023 (approx.). Project is delayed due to federal regulation uncertainty related to grant funding requirements – see update below.
- Expected Project Completion Date: 550 calendar days after construction begins
- Total Design Cost: Design \$466,265.00
- Total Construction Cost: \$7,028,017.00
- Project Update: The EPA communicated that a requirement of the federal funding includes adherence to American Iron and Steel (AIS) provisions and the Buy American, Build American (BABA) Act. Because this project was commenced prior to the City’s knowledge of those conditions, the project is eligible for a Public Interest Waiver of those requirements. Requests for the waivers were submitted on April 25. It was anticipated that the review by the EPA and the US Office of Management and Budget of those requests will take 30 to 45 days. As of June 28, there is no update on the status of the waiver requests. Staff also continues to await a response to application for a categorical exemption of the project by the EPA (request was submitted December 23, 2022). The construction contractor has agreed to hold costs through August, so a decision regarding a path forward for the funding of the project will be determined within the next month.

Street Projects:

1. Tri-County Parkway Reconstruction Project

- Project Status: Construction
- Consultant: Halff Associates
- Construction Start: Spring 2022
- Cost of Construction: \$4,900,000
- Project Update: The punch list items are nearly fully complete. The contractor is re-grading and re-seeding some areas disturbed by the project. Staff expects to issue the final payment to the contractor this month.

2. Main Street Improvements Project

- Project Status: Design
- Consultant: Kimley-Horn Associates
- Project Update: Utility coordination efforts are on-going. Staff is providing feedback to the consultant on some of the plan elements. Staff is also working on funding sources for the project.

3. Schertz Parkway/Lookout Road Signalization

- Project Status: Design
- Consultant: Halff Associates
- Current Estimated Construction Cost: \$300,000 (\$100,000 of which will come from Selma)
- Project Status: Final plans are nearly complete. The plans will be completed once the proposed widening at the intersection has been identified. The proposed widening will dictate where the signal poles will be located. All other comments on the plans have been addressed by the consultant.

4. Lookout Road Reconstruction

- Project Status: Design
- Consultant: Halff Associates
- Current Estimated Construction Cost: \$6 million
- Project Update: Staff is waiting on direction from the Board on how to proceed with the project's additional elements (sidewalks and widening). Staff attended the Board meeting on the 29th to get clear direction from them on how best to proceed with the project.

Parks & Recreation Projects:

1. Wendy Swan Memorial Park Splashpad

- Project Status: Under Construction
- Construction Start Date: September 29, 2022
- Construction Contractor: T.F. Harper & Associates
- Estimated Project Completion: March 2023
- Project Cost: \$297,350.09
- Project Status: Splash pad construction is 99% complete. Training for the controllers is scheduled for July 11 as we are still waiting on a replacement control board for the UV filter to be delivered and installed. A new swing with integrated shade was added to the park for an additional cost (funded through General Fund Parks budget) and restroom renovations are still on-going. We are currently scheduling plumbing and electrical

contractors to make restroom repairs. The basketball courts had new goals installed and were repainted (and pickleball lines were striped to make it multi-use) also from the General Fund Parks Budget. The goal is to have a soft opening mid-July with a Grand Opening of August 1. The splashpad would remain open daily 9 am – 9 pm until October 31.

2. Schertz Soccer Complex Irrigation Water Storage Project

- Project Status: Phase I Under Construction, Phase II pending schedule
- Construction Start Date: October 2022
- Construction Management: City staff
- Construction Contractor: various subcontractors
- Estimated Project Completion: March 2023
- Project Estimated Cost: \$107,036.90
- Project Status: Original single bid received over the summer was rejected due to being significantly higher than engineer's estimate. Project was phased out into various subspecialties and is being managed by city staff to contract individual subcontractors. Phase I included demolition of existing fence and placing of temporary fencing. Phase II was electrical work to bring panel up to code and add capacity for larger pumps and is completed. Phase III is replacing the well pump and piping and bids have been received and the work is being scheduled. Project is on a brief hold while we push on the splashpad project.

TxDOT Roadway Projects:

1. **FM 1103 Improvement Project:** The project has been officially under construction since November 2022. Anticipated completion of the project that runs from IH 35 to Rodeo Way in Cibolo is currently fall of 2026. Unexpected utility conflicts are currently causing delay of the overall project. Updates will be shared as available from TxDOT. General project updates are available by signing up at this link: [FM 1103 Construction Newsletter](#)
2. **FM 1518 Improvement Project:** The scheduled let date for the project has been rescheduled to October 5, 2023. Acquisition of needed right of way from JBSA appears to be proceeding positively so that full build out can be completed without the need for an interim solution along that stretch of roadway.
3. **IH-35 NEX (I-410 South to FM 1103):** The central segment of the I-35 Northeast Expansion project continues with Alamo NEX Construction handling the design-build project. The central section runs from 410 N to FM 3009.

Utility coordination work for the northern segment of the project is also underway. TxDOT consultants have met with Public Works and Engineering Staff to begin establishing relocation needs. The City will be reimbursed for costs of all needed relocations except for any upsizing or improvements above current conditions.

Updates about the project can be obtained by signing up at the following link: [I 35 NEX Project Updates](#)

4. **IH-10 Graytown Road to Guadalupe County Line:** Work for the widening of the main lanes and utility relocations continues. Work on the FM 1518 bridge over IH 10 continues and will

involve numerous episodes of the rerouting of traffic including shifting lanes and detours as necessary. Final completion of the bridge including turnarounds and full signalization is expected in summer 2023.

Updates regarding the IH 10 project are available by signing up at the following link: [IH 10 Expansion Information](#)

Note: If links do not work, please contact engineering@schertz.com.

Studies and Plans:

1. 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 2023
- Total Project Cost: \$467,280 (NTE \$500,000)
- Project Update: No change from June update. LAN is making revisions to the wastewater Capital Improvement Plan based on updated information provided by Staff due to changing patterns of development judged to be significant. The technical memo on the water model is currently in review with Staff. Capital Improvement Plans will be submitted for final review.

2. 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: Summer 2023
- Total Project Cost: \$35,000
- Project Update: No change from last project update. Consultant and City staff have visited City sites for information collection. Consultant has submitted a final draft from the compiled information and Inventory Assessment is under review by staff.

3. PCI Data Collection Study

- Project Status: Nearly fully complete
- Consultant: Fugro, Inc.
- Project Cost: \$123,200
- Project Update: Staff is working with IT and our consultant to get the revised file uploaded so the data can be used. The new PCI data will be used to identify future resurfacing projects and to update the streets CIP.

Planning and Community Development Projects:

1. Comprehensive Land Use Plan Update

Focus Group meetings have been scheduled for the first two weeks of July. The focus groups will consist of HOA's (7/06) Boards and Commissions (7/06), JBSA/RAFB (7/10), Business & Developers (7/11), and the city's Staff Development Review Team (7/12). A detailed update will be sent to City Council reiterating this information along with a timeline of tentative dates and milestones for the process. The next Comprehensive Plan Advisory Committee (CPAC) meeting will be in July, and it will be a joint session between the Planning and Zoning Commission and City Council. Freese and Nichols will have an interactive presentation and staff will organize it as a Public Hearing. There will be CPAC invites sent to the various city Boards and Commissions as well as select Department Heads in the event they would like to participate, give input, or just to be present and listen to the discussion.

Information Technologies Projects

1. Master Communications Plan Citywide Network Upgrade

Vendor was here last week installing radios at Northcliff, Scenic Hills, and Pickrell Park. While progress is being made, we continue to fight supply chain issues. Vendor will return once the trenching is complete at Nacogdoches. Final completion is expected to be summer 2023.

2. Council Chambers AV Upgrade

We are still working with vendor on the remaining punch list items. Most issues have been corrected and vendor has been working with us on the remaining items. Microphones are expected to ship mid-month July and then there will be additional programming required when they arrive. Council meetings will continue in the Council chambers with temporary microphones until the new ones arrive.