



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
June 18, 2024

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, JUNE 18, 2024 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 Macaluso)

Proclamations

National Park and Recreation Month - July 2024

Presentations

Presentation of Gov.Deals \$1,000,000.00 in Lifetime Sales Milestone Certificate to the Purchasing Department (S.Gonzalez/J.Kurz)

Presentation of Texas Association of Municipal Officers Awards to the Schertz Public Affairs Department (S.Gonzalez/L.Klepper)

Presentation on the Upcoming July 4th Jubilee (S.Gonzalez/L.Shrum/C.Paddock)

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 4, 2024. (S.Edmondson/S.Courney)
2. **Resolution 24-R-59** – Authorizing a contract with Qro Mex Construction Company, Inc., for construction of a 16-inch Water Main Extension: FM 1518 Aztec Lane Project. (B. James/K. Woodlee/E. Schulze)
3. **Resolution 24-R-58** - Authorizing an Economic Development Funding Agreement Between the City of Schertz Economic Development Corporation and the City of Schertz, Texas for the Parks CIP-Soccer Field Lights. (B.James/S.Wayman)
4. **Resolution 26-R-64**-Approve SRO ILA between SCUC ISD and the City of Schertz to provide SZPD officers as SROs.(S.Williams/J.Lowery)
5. **Ordinance 24-S-20** - Approving amendments to Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) to Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations. **Final Reading** (B.James/L.Wood/E.Delgado)

Discussion and Action Items

6. **Ordinance 24-S-26** - Approve a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres of land, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property Identification Number 70506, City of Schertz, Guadalupe County, Texas. ***Final Reading*** (B.James/L.Wood/D.Marquez).
7. **Discussion and/or Action on City Charter Review Final Report**-Charter Review Commission presents their City Charter Final Report on Charter Propositions for the November 5, 2024, Special Election. (Mayor/S.Edmondson/S.Courney)

Closed Session

8. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the evaluation process of the City Manager Steve Williams.
9. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the evaluation process of the City Secretary Sheila Edmondson.

Reconvene into Regular Session

10. Take any action based on discussion held in Closed Session under Agenda Item #8.
11. Take any action based on discussion held in Closed Session under Agenda Item #9.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

12. Annexation Update

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
- City and Community Events attended and to be attended (Council)

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 14th DAY OF JUNE 2024 AT 1:30 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

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 _____, 2024.

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 Member Audit Committee Investment Advisory Committee Main Street Committee</p> <p>Liaison Board of Adjustments Senior Center Advisory Board-Alternate</p>	<p>Councilmember Davis– Place 1 Member Interview Committee Main Street Committee - Chair TIRZ II Board</p> <p>Liaison Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Board</p>
<p>Councilmember Watson-Place 2 Member Audit Committee Interview Committee-Alternate</p> <p>Liaison Library Advisory Board Senior Center Advisory Board Cibolo Valley Local Government Corporation-Alternate</p>	<p>Councilmember Macaluso – Place 3 Member Interview Committee Animal Advisory Board-Alternate Hal Baldwin Scholarship Committee-Alternate</p> <p>Liaison TIRZ II Board</p>
<p>Councilmember Gibson – Place 4 Member Interview Committee Hal Baldwin Scholarship Committee</p> <p>Liaison Investment Advisory Committee Schertz Historical Preservation Society</p>	<p>Councilmember Westbrook – Place 5 Liaison Schertz-Seguin Local Government Corporation (SSLGC) Planning and Zoning Commission Schertz Historical Preservation Society</p> <p>Cibolo Valley Local Government Corporation (CVLGC)-Alternate</p>

Councilmember Heyward – Place 6

Member

Animal Advisory Commission

Audit Committee

Interview Committee-Chair

Investment Advisory Committee

Main Street Committee

Liaison

Building and Standards Commission

Economic Development Corporation - Alternate

Senior Center Advisory Board

Councilmember Brown – Place 7

Member

Main Street Committee

Schertz-Seguin Local Government Corporation (SSLGC)

Liaison

Economic Development Corporation

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Parks, Recreation & Community Servic
Subject: National Park and Recreation Month - July 2024

BACKGROUND

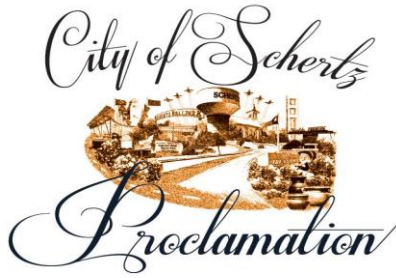
For nearly 40 years, we have celebrated Park and Recreation Month in July to promote building strong, vibrant and resilient communities through the power of parks and recreation. This month is dedicated to recognizing and celebrating the more than 160,000 full-time park and recreation professionals — along with hundreds of thousands of part-time and seasonal workers and volunteers — who maintain our country’s local, state and community parks.

This year's theme—“Where You Belong”—celebrates the many ways park and recreation professionals across the country foster a sense of belonging in their community by providing welcoming and inclusive programs, essential services for all ages and abilities, and safe, accessible spaces to build meaningful connections.

This Park and Recreation Month let’s unite and uplift the many reasons why local parks and recreation truly embodies the essence of belonging. Together, we can demonstrate why these spaces are Where You Belong.

Attachments

Parks and Recreation Month 2024



Park and Recreation Month-July 2024

WHEREAS, Parks and Recreation is an integral part of communities throughout this country, including in the City of Schertz; and

WHEREAS, Parks and Recreation promote health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, Parks and Recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, Parks and Recreation encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, Parks and Recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS, Parks and Recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, Parks and Recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, Parks and Recreation is fundamental to the environmental well-being of our community; and

WHEREAS, Parks and Recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Schertz recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, I, Ralph Gutierrez, Mayor of Schertz do hereby proclaim

July 1-31, 2024, National Park and Recreation Month

in the City of Schertz. I call upon the residents of this city to observe this month by getting out and enjoying the beautiful parks in the City of Schertz.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Schertz to be affixed on this the June 18th of 2024.

Ralph Gutierrez, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Public Affairs
Subject: Presentation of Texas Association of Municipal Officers Awards to the Schertz Public Affairs Department (S.Gonzalez/L.Klepper)

BACKGROUND

The Schertz Public Affairs Department recently attended the annual Texas Association of Municipal Information Officers Conference and was honored with six awards for projects and initiatives throughout 2023 and early 2024. The TAMI awards distinguish the efforts of municipal communications and marketing professionals from around the state. In 2024, the organization saw a record-breaking 688 award entries, an impressive 141 more entries than the previous year, making the competition especially tough.

The department was thrilled to receive TAMI awards (first place) for the following projects:

- Best External Magazine for *Schertz Magazine* - This external newsletter is published monthly by the City of Schertz Public Affairs Department. Unlike other cities that outsource printed newsletters or magazines to a third-party company, this publication is developed and edited completely in-house with assistance from a contracted graphic designer and freelance writers/photographers.
- Best Educational PSA for State of the City Video - The 2024 State of the City video was inspired by the popular James Corden show segment, Carpool Karaoke. Our goal this year was to create a funny and engaging video that communicated city accomplishments and future plans while highlighting the city's commitment to a high quality of life and well-planned infrastructure.

The department was honored to also receive the Award of Excellence (second place), for the following project:

- Best Marketing Plan or Campaign for Join our team Recruitment campaign - In the Spring of 2023, the city launched a comprehensive recruitment campaign aimed at increasing awareness of the job opportunities within our organization while also enhancing positive perceptions of working for the City of Schertz.

Finally, the department received three Awards of Honor (third place), for the following projects:

- Best Use of Humor for State of the City Video - The 2024 State of the City video was inspired by the popular James Corden show segment, Carpool Karaoke. Our goal this year was to create a funny and engaging video that communicated city accomplishments and future plans while highlighting the cities commitment to a high quality of life and well-planned infrastructure.
- Best Marketing PSA for Recruitment Video - Our primary goal for the recruitment video was to appeal to a diverse range of talents and skills by showcasing different job roles, emphasizing that various skills and expertise are valued. The utilization of "hero shots" featuring numerous city crews and teams served as a powerful visual representation, shining a spotlight on the often-overlooked heroes who tirelessly contribute to their communities. With a collaborative

approach, our staff actively contributed to shaping the storyboard and refining the layout of clips and animations, resulting in a visually stunning and impactful final product.

- Best Use of Short-Form Video for City Reels - The City of Schertz has embraced short-form videos, specifically Reels, as a dynamic tool for engaging with residents on social media. Reels offer a visually compelling and attention-grabbing format, allowing the city to showcase special events & programs, city messaging, and community connection.

Attachments

TAMIO 2024 Council Presentation

2024 TAMIO Awards

City Council Meeting - June 18, 2024

Linda Klepper | Director of Public Affairs



Schertz Magazine – External Magazine

TAMI Award (1st Place)

Judges Comment: “I was extremely impressed with both the award entry and the magazine itself. From the gorgeous photography to the engaging layout and useful information, this magazine is an incredible resource for the Schertz community.”

2024 State of the City



Educational PSA - TAMM Award (1st Place)

Judges Comment: “It’s not easy to use actual employees for a clearly communicated, smooth flowing, and entertaining video that isn’t cringy, but this one delivered. This was a fun video. I have seen a few carpool karaoke outreach videos, but felt this one had just the right amount of singing, humor, and important information. A lot of times people get lost in the gag - you hit the sweet spot.”

Best Use of Humor – Award of Honor (3rd Place)

Judges Comment: “This was fantastic! The level of research, planning, creativity, and overall humor used to execute a effective State of the City message was impressive. It struck the right balance of informative, clear, engaging, and most importantly, human. Well done!”

Recruitment Campaign

Best Marketing Plan or Campaign

Award of Excellence (2nd Place)

Judges Comment: “The focus on creating a positive work culture and highlighting career opportunities through employee testimonials and behind-the-scenes insights has undoubtedly contributed to this success. Overall, the campaign is a commendable effort in enhancing the city’s employment brand and engaging the community. Great job!”



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- PROFESSIONAL GROWTH AND DEVELOPMENT
- FLEXIBLE SCHEDULE AVAILABLE
- DIVERSE RANGE OF RESPONSIBILITIES
- SHOWCASE YOUR CREATIVITY
- MAKE AN IMPACT ON THE COMMUNITY

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[Schertz.com/jobs](https://www.schertz.com/jobs)

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EMPLOYEE PROMOTION ★

Fire Prevention Specialist

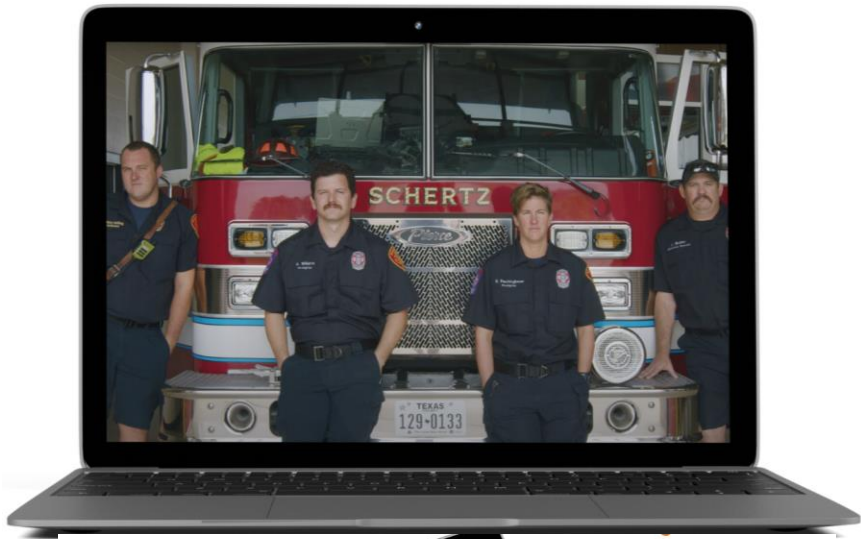
What is your professional passion?
I am passionate about fire safety and education for the community and doing all that I can to support the men and women in Fire Service.

What do you like most about working for the City of Schertz?
I enjoy working for the City of Schertz because of the family-like atmosphere. The city takes very good care of its employees by offering health and nutrition classes, opportunities for self-improvement as well as fun organized events, where everyone can come together, talk, learn or just sit down and enjoy a holiday meal together.

Felicia Canales

SCHERTZ
COMMUNITY * SERVICE * OPPORTUNITY





Recruitment Video – Marketing PSA

Award of Honor (3rd Place)

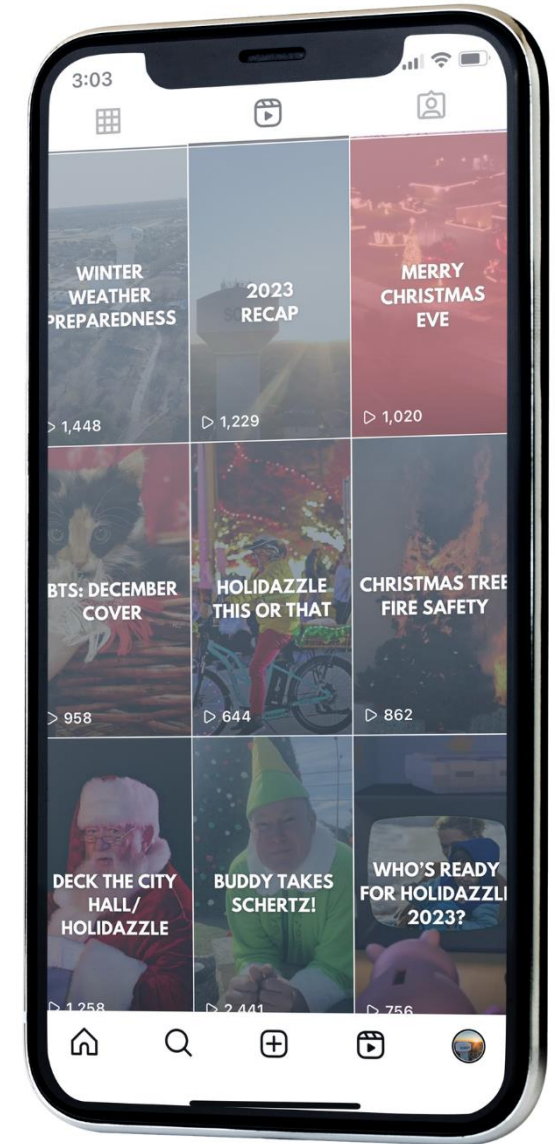
Judges Comment: “The message and video production were executed very well. The way that the video captured Schertz was excellent. The video was encouraging and it made me want to apply. Great job.”



Best Use of Short Form Video

Award of Honor (3rd Place)

Judges Comment: “These reels were a clever way to make public announcements and promote events. Nice job including trends and different elements into videos.”



COMMENTS AND QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Parks, Recreation & Community Service
Subject: Presentation on the Upcoming July 4th Jubilee
(S.Gonzalez/L.Shrum/C.Paddock)

BACKGROUND

City staff will present information regarding the upcoming July 4th Jubilee special event.

Attachments

Presentation July 4th Jubilee



4TH OF JULY JUBILEE

48th Annual Celebration

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

PROJECT FLAGLINE



Set Up:

Friday, June 28th
@ 7:30 AM

Take Down:

Monday, July 8th
@ 7:30 AM

11 Sections
Approx. 100 Volunteers

4TH OF JULY

Jubilee

THURSDAY, JULY 4

PICKRELL PARK ★ 9:30 AM TO 10:00 PM



FREEDOM 5K



PARADE



LIVE MUSIC



FAMILY FUN



FIREWORKS

SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

SCHERTZ
PARKS &
RECREATION
FUN

CAT

H-E-B

SCHERTZ CIROLO
EMERGENCY CLINIC

MARKETING

Billboard

May 20 - July 8

Media Advisories

Tuesday, June 18 & Monday, July 1

Communication

Website, Social Media, Magazine, E-mail
Blasts, Letters to all businesses and
residents in Aviation Heights

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Freedom 5K- 9:15AM

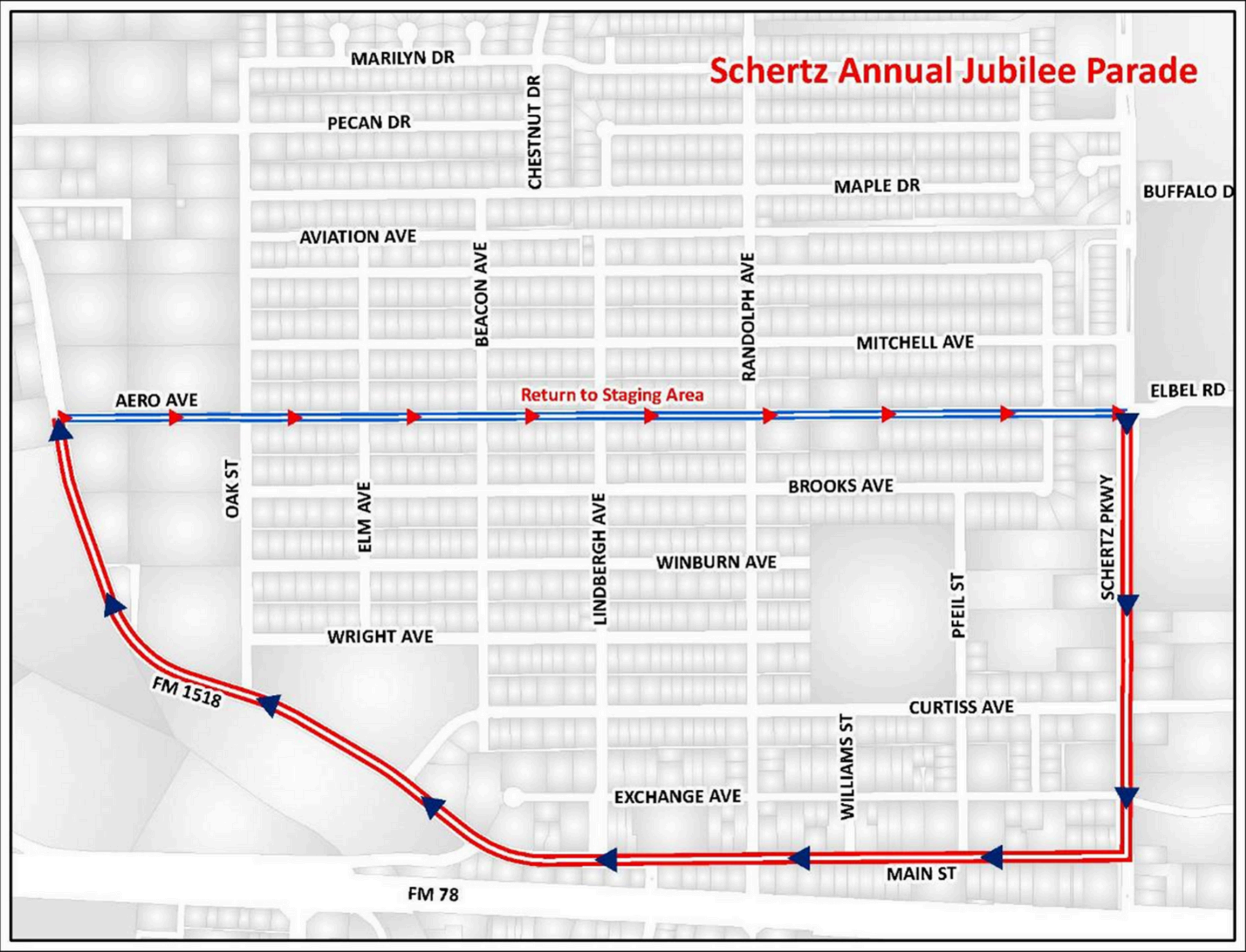
Begins from the Hal Baldwin
Municipal Complex



Parade- 9:30AM

“Let Freedom Reign”

Schertz Annual Jubilee Parade



Carnival opens at 11am

*Located at Thulemeyer
Park, 901 Oak Street*



CARNIVAL

JUBILEE- 6PM

Live Music with Groove Knight

Food Trucks Open

Family Zone Opens

- *Activities hosted by The Purpose Church, Skyhawks, and Monster's Vale*

Float & Fireworks

Parks Master Plan Feedback Booth

Located at Pickrell Park, 701 Oak Street

48TH ANNUAL 4TH OF JULY

Jubilee CELEBRATION

THURSDAY, JULY 4
PARKING & EVENT MAP / PICKRELL PARK

FREEDOM 5K

9:15 AM

PARADE

9:30 AM

CARNIVAL

11 AM

FAMILY ZONE

6 PM

FOOD VENDORS

6 PM

LIVE MUSIC

6 PM

FIREWORKS

9:15 PM



EVENING TIMELINE



7:00 PM

Mayor & Council
Welcome



9:13PM

Star Spangled Banner



9:15PM

Fireworks Spectacular

COMMENTS & QUESTIONS



CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: City Secretary
Subject: Minutes - Consideration and/or action regarding the approval of the regular meeting minutes of June 4, 2024. (S.Edmondson/S.Courney)

Attachments

06-04-2024 Minutes

DRAFT

MINUTES REGULAR MEETING June 4, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 4, 2024, 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 Paul Macaluso; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Tiffany Gibson; Councilmember Robert Westbrook; Councilmember Allison Heyward; Councilmember Tim Brown

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Secretary Sheila Edmondson; 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. (Councilmember Davis)

Councilmember Davis provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Presentations

Bond Issuance Timeline Presentation (S.Gonzalez/J.Walters)
James Walters, City of Schertz Finance Director, and Mr. Andrew Friedman, SAMCO representative, presented Council with the timeline for the \$20 million bond issuance for road projects.

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
Assistant City Manager Sarah Gonzalez provided a list of upcoming City events.
- Announcements and recognitions by the City Manager (S. Williams)
City Manager Steve Williams announced City Staff promotions.
- Announcements and recognitions by the Mayor (R. Gutierrez)
Mayor Gutierrez congratulated City Staff on their promotions.

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 Macaluso recognized the following residents:

- Daniel Jameson, VFW Post 8315, thanked residents for their participation in the Memorial Day events.
- Tracy Campos, 12340 Schaefer Rd, spoke against rezoning listed in item #120, stating the infrastructure is not in place.
- Marty Friesenhahn, 22900 Old Nacogdoches Rd, expressed his opposition to the annexation and rezoning of his properties listed as part of item #119.
- Andres Gonzalez, 360 Big John Ln, spoke in opposition of the annexation and rezoning.

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 May 21, 2024. (S.Edmondson/S.Courney)

Mayor Gutierrez asked for a motion to approve Consent Agenda Item #1.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

Closed Session

2. The City Council will meet in closed session under Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect.

- Project:E-94

Mayor Gutierrez recessed Open Session to Closed Session at 6:22 p.m.

Mayor Gutierrez convened Closed Session at 6:25 p.m.

Mayor Gutierrez recessed Closed Session at 6:39 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened to Open Session at 6:41 p.m.

3. Take any action based on discussion held in Closed Session under Agenda Item #2.

Mayor Gutierrez read Resolution 24-R-51 into the record and asked for motion to approve the resolution.

Moved by Mayor Pro-Tem Paul Macaluso, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

Public Hearings

4. **Ordinance 24-S-20** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) to Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations. **First Reading** (B.James/L.Wood/E.Delgado)

Mayor Gutierrez recognized Planning Manager Emily Delgado who provided a summary regarding the proposed amendment, UDC Article 7, Section 21.7.11 - Agricultural Operations.

Public Hearing opened at 6:50 p.m.

The following residents spoke in support of the amendment:

- Mark Peshorn, 8320 Trainer Hale Rd.
- Andres Gonzalez, 360 Big John Ln.

Public Hearing closed at 6:52 p.m.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-20.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

5. **Ordinance 24-S-26** - Conduct a public hearing and consider a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres of land, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property Identification Number 70506, City of Schertz, Guadalupe County, Texas. ***First Reading (B.James/L.Wood/D.Marquez)***

Mayor Gutierrez recognized Planner Daisy Marquez who provided the summary for Ordinance 24-S-26 and staff recommendation. Ashley Farrimond, Attorney for the Developer, presented renderings of the proposed development should the Ordinance pass.

Public Hearing opened at 7:04 p.m.

The following residents spoke in opposition to the Special Use Permit requested via this ordinance:

- Mary Sanborn, 4462 Brush Creek Dr.
- Robert Jameson, 4504 Brush Creek Dr.

Public Hearing closed at 7:10 p.m.

Council discussed briefly. Mayor Pro-Tem stated opposition to the ordinance citing the project is not unique and does not fit the esthetics of the area.

Mayor Gutierrez called for a motion to approve Ordinance 24-S-26.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

AYE: Councilmember Mark Davis, Councilmember Michelle Watson,
Councilmember Tiffany Gibson, Councilmember Robert Westbrook,
Councilmember Allison Heyward, Councilmember Tim Brown

NAY: Mayor Pro-Tem Paul Macaluso

Passed

6. **Ordinance 24-A-27-** Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Comal County Property Identification Number 75449 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Planning Manager Emily Delgado provided a brief summary of the annexations including maps showing the location of each subject property.

Public Hearing opened at 7:31 p.m.
No residents came forward to speak.
Public Hearing closed at 7:31 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

7. **Ordinance 24-A-28-** Conduct a public hearing and consider a request for voluntary annexation of approximately 26-acres, known as Comal County Property Identification Number 75463 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:32 p.m.
No residents came forward to speak.
Public Hearing closed at 7:32 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Mayor Pro-Tem Paul Macaluso, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

8. **Ordinance 24-A-29-** Conduct a public hearing and consider a request for voluntary annexation of approximately 74-acres, known as Comal County Property Identification Number 79012 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:33 p.m.
No residents came forward to speak.
Public Hearing closed at 7:33 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

9. **Ordinance 24-A-30-** Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Comal County Property Identification Number 75462 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:34 p.m.
No residents came forward to speak.
Public Hearing closed at 7:34 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

10. **Ordinance 24-A-31-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1.2-acres, known as Comal County Property Identification Number 78923 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:35 p.m.
No residents came forward to speak.
Public Hearing closed at 7:35 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

11. **Ordinance 24-A-32-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acre, known as Comal County Property Identification Number 374148 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:36 p.m.
No residents came forward to speak.
Public Hearing closed at 7:36 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

12. **Ordinance 24-A-33-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acre, known as Comal County Property Identification Number 79018 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:38 p.m.

No residents came forward to speak.
Public Hearing closed at 7:38 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Mark Davis, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 13. Ordinance 24-A-34-** Conduct a public hearing and consider a request for voluntary annexation of approximately 31-acres, known as Comal County Property Identification Number 79017 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:39 p.m.
No residents came forward to speak.
Public Hearing closed at 7:39 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Tim Brown, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 14. Ordinance 24-A-35-** Conduct a public hearing and consider a request for voluntary annexation of approximately 25-acres, known as Comal County Property Identification Number 75468 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:40 p.m.
No residents came forward to speak.
Public Hearing closed at 7:40 p.m.

Mayor Gutierrez called for a motion to approve the Ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 15. Ordinance 24-A-36-** Conduct a public hearing and consider a request for voluntary annexation of approximately 9-acres, known as Comal County Property Identification Number 374146 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:40 p.m.

Marty Friesenhahn, property owner, stated opposition to the annexation.

Public Hearing closed at 7:41 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 16. Ordinance 24-A-37-** Conduct a public hearing and consider a request for voluntary annexation of approximately 2-acres, known as Comal County Property Identification Number 374145 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:42 p.m.

Marty Friesenhahn, 22900 Nacogdoches Rd, property owner, stated opposition to the annexation.

Public Hearing closed at 7:43 p.m.

Motion was made by Councilmember Robert Westbrook; seconded by Councilmember Michelle Watson.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Tim Brown

Motion passed: 6-0

Councilmember Allison Heyward made a motion to reconsider Ordinance 24-A-37 because she was not on the dais for the initial vote; seconded by Mayor Pro-Tem Paul Macaluso.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Motion to reconsider passed: 7-0

Mayor Gutierrez asked for a motion to approve Ordinance 24-A-37.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

17. **Ordinance 24-A-38-** Conduct a public hearing and consider a request for voluntary annexation of approximately 3-acres, known as Comal County Property Identification Number 374144 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:44 p.m.

Marty Friesenhahn, 22900 Old Nacogdoches Rd, property owner, stated opposition to the annexation.

Public Hearing closed at 7:46 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

18. **Ordinance 24-A-39-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acre, known as Comal County Property Identification Number 374147 Comal County, Texas. **First Reading** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:46 p.m.

Marty Friesenhahn, 22900 Nacogdoches Rd, property owner, stated opposition to the annexation.

Public Hearing closed at 7:48 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

19. **Ordinance 24-A-40-** Conduct a public hearing and consider a request for voluntary annexation of approximately 63-acres, known as Comal County Property Identification Number 78218 Comal County, Texas. **First Reading** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:49 p.m.

Andres Gonzalez, property previously part of family's estate, stated opposition to the annexation.

Public Hearing closed at 7:51 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

20. **Ordinance 24-A-41**- Conduct a public hearing and consider a request for voluntary annexation of approximately 25.1-acres, known as Comal County Property Identification Number 78957 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 7:58 p.m.

Todd Hoffman, property owner, stated opposition to the annexation.

Public Hearing closed at 8:01 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

21. **Ordinance 24-A-42**- Conduct a public hearing and consider a request for voluntary annexation of approximately 2.3-acres, known as Comal County Property Identification Number 78960 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:02 p.m.

Todd Hoffman, property owner, stated opposition to the annexation.

Public Hearing closed at 8:03 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

22. **Ordinance 24-A-43**- Conduct a public hearing and consider a request for voluntary annexation of approximately 12-acres, known as Comal County Property Identification Number 78976 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:04 p.m.

No residents came forward to speak.
Public Hearing closed at 8:04 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 23. Ordinance 24-A-44-** Conduct a public hearing and consider a request for voluntary annexation of approximately 107-acres, known as Comal County Property Identification Number 79001 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:05 p.m.

Sandra Reeh, property owner, stated opposition to the annexation.

Public Hearing closed at 8:09 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 24. Ordinance 24-A-45-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1.1-acres, known as Comal County Property Identification Number 78945 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:11 p.m.

No residents came forward to speak.

Public Hearing closed at 8:11 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 25. Ordinance 24-A-46-** Conduct a public hearing and consider a request for voluntary annexation of approximately 3.1-acres, known as Comal County Property Identification Number 78946 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:12 p.m.
No residents came forward to speak.
Public Hearing closed at 8:12 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 26. Ordinance 24-A-47-** Conduct a public hearing and consider a request for voluntary annexation of approximately 8.4-acres, known as Comal County Property Identification Number 75480 Comal County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:13 p.m.
No residents came forward to speak.
Public Hearing closed at 8:14 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

27. **Ordinance 24-A-48-** Conduct a public hearing and consider a request for voluntary annexation of approximately 4-acres, known as Comal County Property Identification Number 78247 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:14 p.m.
No residents came forward to speak.
Public Hearing closed at 8:15 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

28. **Ordinance 24-A-49-** Conduct a public hearing and consider a request for voluntary annexation of approximately 29-acres, known as Comal County Property Identification Number 79009 Comal County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:16 p.m.
The following residents spoke in opposition to the annexation:

- Sharlene Fey, property owner
- Timothy Fey, 6028 FM 482, property owner
- Andres Gonzalez, 360 Big John Ln.
- Lloyd Fairley, Lower Seguin Rd

Public Hearing closed at 8:29 p.m.

Motion was made by Councilmember Michelle Watson; seconded by Councilmember Mark Davis.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,

Councilmember Allison Heyward, Councilmember Tim Brown

NAY: Councilmember Robert Westbrook

Motion passed: 6-1

Councilmember Robert Westbrook made a motion to reconsider Ordinance 24-A-49; seconded by Councilmember Allison Heyward.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Motion to reconsider passed: 7-0

Mayor Gutierrez asked for a motion to approve Ordinance 24-A-49.

Moved by Mayor Pro-Tem Paul Macaluso, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 29. Ordinance 24-A-50-** Conduct a public hearing and consider a request for voluntary annexation of approximately 68-acres, known as Comal County Property Identification Number 79006 Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:31 p.m.

Sharlene Fey, property owner, spoke in opposition to the annexation.

Public Hearing closed at 8:32 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

30. **Ordinance 24-A-51-** Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Comal County Property Identification Number 79004 Comal County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:34 p.m.

Sharlene Fey, property owner, spoke in opposition to the annexation.

Public Hearing closed at 8:35 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

31. **Ordinance 24-A-52-** Conduct a public hearing and consider a request for voluntary annexation of approximately 40.2-acres, known as Guadalupe County Property Identification Number 63992 Guadalupe County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:08 p.m.

No residents came forward to speak.

Public Hearing closed at 10:08 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

32. **Ordinance 24-A-53-** Conduct a public hearing and consider a request for voluntary annexation of approximately 47-acres, known as Guadalupe County Property Identification Number 61614 Guadalupe County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:09 p.m.
No residents came forward to speak.
Public Hearing closed at 10:09 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 33. Ordinance 24-A-54-** Conduct a public hearing and consider a request for voluntary annexation of approximately 0.5-acres, known as Guadalupe County Property Identification Number 68378 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:10 p.m.
No residents came forward to speak.
Public Hearing closed at 10:10 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 34. Ordinance 24-A-55-** Conduct a public hearing and consider a request for voluntary annexation of approximately 9.6-acres, known as Guadalupe County Property Identification Number 68377 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:11 p.m.
No residents came forward to speak.
Public Hearing closed at 10:11 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 35. Ordinance 24-A-56-** Conduct a public hearing and consider a request for voluntary annexation of approximately 73-acres, known as Guadalupe County Property Identification Number 68382 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:11 p.m.
No residents came forward to speak.
Public Hearing closed at 10:12 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 36. Ordinance 24-A-57-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1.1-acres, known as Guadalupe County Property Identification Number 68381 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:12 p.m.
No residents came forward to speak.
Public Hearing closed at 10:12 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 37. Ordinance 24-A-58-** Conduct a public hearing and consider a request for voluntary annexation of approximately 8.2-acres, known as Guadalupe County Property Identification Number 68380 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:13 p.m.
No residents came forward to speak.
Public Hearing closed at 10:13 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 38. Ordinance 24-A-59-** Conduct a public hearing and consider a request for voluntary annexation of approximately 13-acres, known as Guadalupe County Property Identification Number 68374 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:14 p.m.
No residents came forward to speak.
Public Hearing closed at 10:14 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

39. **Ordinance 24-A-60-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1.1-acres, known as Guadalupe County Property Identification Number 61615 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:14 p.m.
No residents came forward to speak.
Public Hearing closed at 10:15 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

40. **Ordinance 24-A-61-** Conduct a public hearing and consider a request for voluntary annexation of approximately 5.2-acres, known as Guadalupe County Property Identification Number 68384 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:15 p.m.
No residents came forward to speak.
Public Hearing closed at 10:15 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

41. **Ordinance 24-A-62-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acre, known as Guadalupe County Property Identification Number 68385 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:16 p.m.
No residents came forward to speak.
Public Hearing closed at 10:16 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Mayor Pro-Tem Paul Macaluso, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

42. **Ordinance 24-A-63-** Conduct a public hearing and consider a request for voluntary annexation of approximately 1.1-acres, known as Guadalupe County Property Identification Number 68383 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:17 p.m.
No residents came forward to speak.
Public Hearing closed at 10:17 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

43. **Ordinance 24-A-64-** Conduct a public hearing and consider a request for voluntary annexation of approximately 141-acres, known as Guadalupe County Property Identification Number 61511 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:18 p.m.

No residents came forward to speak.
Public Hearing closed at 10:18 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 44. Ordinance 24-A-65-** Conduct a public hearing and consider a request for voluntary annexation of approximately 47-acres, known as Guadalupe County Property Identification Number 61609 Guadalupe County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:18 p.m.
No residents came forward to speak.
Public Hearing closed at 10:19 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 45. Ordinance 24-A-66 -** Conduct a public hearing and consider a request for voluntary annexation of approximately 10-acres, known as Bexar County Property Identification Number 310064 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:56 p.m.
No residents came forward to speak.
Public Hearing closed at 8:56 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

46. **Ordinance 24-A-67** - Conduct a public hearing and consider a request for voluntary annexation of approximately 14.3-acres, known as Bexar County Property Identification Number 1141730 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:57 p.m.
No residents came forward to speak.
Public Hearing closed at 8:57 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

47. **Ordinance 24-A-68** - Conduct a public hearing and consider a request for voluntary annexation of approximately 9-acres, known as Bexar County Property Identification Number 339772 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:59 p.m.
No residents came forward to speak.
Public Hearing closed at 8:59 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

48. **Ordinance 24-A-69** - Conduct a public hearing and consider a request for voluntary annexation of approximately 2.3 -acres, known as Bexar County Property Identification Number 339773 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:00 p.m.
No residents came forward to speak.
Public Hearing closed at 9:00 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

49. **Ordinance 24-A-70** - Conduct a public hearing and consider a request for voluntary annexation of approximately 35.4-acres, known as Bexar County Property Identification Number 339362 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:01 p.m.
No residents came forward to speak.
Public Hearing closed at 9:01 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 50. Ordinance 24-A-71** - Conduct a public hearing and consider a request for voluntary annexation of approximately 20.4-acres, known as Bexar County Property Identification Number 339744 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:02 p.m.
No residents came forward to speak.
Public Hearing closed at 9:02 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 51. Ordinance 24-A-72** - Conduct a public hearing and consider a request for voluntary annexation of approximately 2-acres, known as Bexar County Property Identification Number 1050203 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:03 p.m.
No residents came forward to speak.
Public Hearing closed at 9:03 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 52. Ordinance 24-A-73** - Conduct a public hearing and consider a request for voluntary annexation of approximately 3.1 -acres, known as Bexar County Property Identification Number 340030 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:04 p.m.
No residents came forward to speak.
Public Hearing closed at 9:04 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 53. Ordinance 24-A-74** - Conduct a public hearing and consider a request for voluntary annexation of approximately 12-acres, known as Bexar County Property Identification Number 339348 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:04 p.m.
No residents came forward to speak.
Public Hearing closed at 9:05 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 54. Ordinance 24-A-75** - Conduct a public hearing and consider a request for voluntary annexation of approximately 33 -acres, known as Bexar County Property Identification Number 339359 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:05 p.m.
No residents came forward to speak.
Public Hearing closed at 9:05 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Mark Davis, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 55. Ordinance 24-A-76** - Conduct a public hearing and consider a request for voluntary annexation of approximately 15-acres, known as Bexar County Property Identification Number 339341 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:06 p.m.
No residents came forward to speak.
Public Hearing closed at 9:06 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 56. Ordinance 24-A-77** - Conduct a public hearing and consider a request for voluntary annexation of approximately 84.4-acres, known as Bexar County Property Identification Number 339353 Bexar County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:07 p.m.
No residents came forward to speak.
Public Hearing closed at 9:07 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 57. Ordinance 24-A-78** - Conduct a public hearing and consider a request for voluntary annexation of approximately 20-acres, known as Bexar County Property Identification Number 339778 Bexar County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:08 p.m.
No residents came forward to speak.
Public Hearing closed at 9:08 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 58. Ordinance 24-A-79** - Conduct a public hearing and consider a request for voluntary annexation of approximately 10-acres, known as Bexar County Property Identification Number 310012 Bexar County, Texas. ***First Reading***
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:09 p.m.
No residents came forward to speak.
Public Hearing closed at 9:09 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Robert Westbrook, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 59. Ordinance 24-A-80** - Conduct a public hearing and consider a request for voluntary annexation of approximately 8 -acres, known as Bexar County Property Identification Number 309842 Bexar County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:09 p.m.
No residents came forward to speak.
Public Hearing closed at 9:10 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 60. Ordinance 24-A-81** - Conduct a public hearing and consider a request for voluntary annexation of approximately 9.2-acres, known as Bexar County Property Identification Number 310125 Bexar County, Texas. ***First Reading*** (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:10 p.m.
No residents came forward to speak.
Public Hearing closed at 9:10 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 61. Ordinance 24-A-82** - Conduct a public hearing and consider a request for voluntary annexation of approximately 2-acres, known as Bexar County Property Identification Number 339293 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:11 p.m.
No residents came forward to speak.
Public Hearing closed at 9:11 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 62. Ordinance 24-A-83** - Conduct a public hearing and consider a request for voluntary annexation of approximately 78.1-acres, known as Bexar County Property Identification Number 339295 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:12 p.m.
No residents came forward to speak.
Public Hearing closed at 9:12 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 63. Ordinance 24-A-84** - Conduct a public hearing and consider a request for voluntary annexation of approximately 76.3-acres, known as Bexar County Property Identification Number 340059 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:13 p.m.
No residents came forward to speak.
Public Hearing closed at 9:13 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 64. Ordinance 24-A-85** - Conduct a public hearing and consider a request for voluntary annexation of approximately 32.2-acres, known as Bexar County Property Identification Number 1178479 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:14 p.m.
No residents came forward to speak.
Public Hearing closed at 9:14 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

65. **Ordinance 24-A-86** - Conduct a public hearing and consider a request for voluntary annexation of approximately 3-acres, known as Bexar County Property Identification Number 339276 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:15 p.m.
No residents came forward to speak.
Public Hearing closed at 9:15 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

66. **Ordinance 24-A-87** - Conduct a public hearing and consider a request for voluntary annexation of approximately 69.3-acres, known as Bexar County Property Identification Number 310059 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:16 p.m.
No residents came forward to speak.
Public Hearing closed at 9:16 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

67. **Ordinance 24-A-88** - Conduct a public hearing and consider a request for voluntary annexation of approximately 10.2-acres, known as Bexar County Property Identification Number 309418 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:17 p.m.
No residents came forward to speak.
Public Hearing closed at 9:17 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

68. **Ordinance 24-A-89** - Conduct a public hearing and consider a request for voluntary annexation of approximately 81.1-acres, known as Bexar County Property Identification Number 309421 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:17 p.m.
No residents came forward to speak.
Public Hearing closed at 9:18 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

69. **Ordinance 24-A-90** - Conduct a public hearing and consider a request for voluntary annexation of approximately 2.2 -acres, known as Bexar County Property Identification Number 339325 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:18 p.m.
No residents came forward to speak.
Public Hearing closed at 9:18 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 70. Ordinance 24-A-91** - Conduct a public hearing and consider a request for voluntary annexation of approximately 63.3-acres, known as Bexar County Property Identification Number 339284 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:19 p.m.
No residents came forward to speak.
Public Hearing closed at 9:19 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 71. Ordinance 24-A-92** - Conduct a public hearing and consider a request for voluntary annexation of approximately 15.2-acres, known as Bexar County Property Identification Number 309837 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:20 p.m.
No residents came forward to speak.
Public Hearing closed at 9:20 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

72. **Ordinance 24-A-93** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Bexar County Property Identification Number 1103093 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:20 p.m.
No residents came forward to speak.
Public Hearing closed at 9:21 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

73. **Ordinance 24-A-94** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Bexar County Property Identification Number 310111 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:21 p.m.
No residents came forward to speak.
Public Hearing closed at 9:21 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 74. Ordinance 24-A-95** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1 -acres, known as Bexar County Property Identification Number 310040 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:22 p.m.
No residents came forward to speak.
Public Hearing closed at 9:22 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 75. Ordinance 24-A-96** - Conduct a public hearing and consider a request for voluntary annexation of approximately 33-acres, known as Bexar County Property Identification Number 310004 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:40 p.m.
The following residents spoke in opposition to annexation:

- Gary Fairley, property owner
- Lloyd Failrey, property owner

Public Hearing closed at 8:48 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

76. **Ordinance 24-A-97** - Conduct a public hearing and consider a request for voluntary annexation of approximately 10-acres, known as Bexar County Property Identification Number 310225 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:23 p.m.
No residents came forward to speak.
Public Hearing closed at 9:23 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

77. **Ordinance 24-A-98** - Conduct a public hearing and consider a request for voluntary annexation of approximately 86-acres, known as Bexar County Property Identification Number 339274 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:24 p.m.
No residents came forward to speak.
Public Hearing closed at 9:24 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

78. **Ordinance 24-A-99** - Conduct a public hearing and consider a request for voluntary annexation of approximately 6.2-acres, known as Bexar County Property Identification Number 339275 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:25 p.m.
No residents came forward to speak.
Public Hearing closed at 9:25 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

79. **Ordinance 24-A-100** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acres, known as Bexar County Property Identification Number 339328 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:26 p.m.
No residents came forward to speak.
Public Hearing closed at 9:26 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 80. Ordinance 24-A-101** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5-acres, known as Bexar County Property Identification Number 1013798 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:50 p.m.

James Barr, property owner spoke in opposition to the annexation.

Public Hearing closed at 8:51 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 81. Ordinance 24-A-102** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5.1-acres, known as Bexar County Property Identification Number 310222 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:52 p.m.

No residents came forward to speak.

Public Hearing closed at 8:52 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 82. Ordinance 24-A-103** - Conduct a public hearing and consider a request for voluntary annexation of approximately 13-acres, known as Bexar County Property Identification Number 310026 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:27 p.m.
No residents came forward to speak.
Public Hearing closed at 9:27 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 83. Ordinance 24-A-104** - Conduct a public hearing and consider a request for voluntary annexation of approximately 38-acres, known as Bexar County Property Identification Number 1274920 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:27 p.m.
No residents came forward to speak.
Public Hearing closed at 9:27 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 84. Ordinance 24-A-105** - Conduct a public hearing and consider a request for voluntary annexation of approximately 87-acres, known as Bexar County Property Identification Number 339286 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:28 p.m.
No residents came forward to speak.
Public Hearing closed at 9:29 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 85. Ordinance 24-A-106** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1 -acres, known as Bexar County Property Identification Number 339285 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:29 p.m.
No residents came forward to speak.
Public Hearing closed at 9:29 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 86. Ordinance 24-A-107** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5.4-acres, known as Bexar County Property Identification Number 310019 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:30 p.m.
No residents came forward to speak.
Public Hearing closed at 9:30 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 87. Ordinance 24-A-108** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acres, known as Bexar County Property Identification Number 1139530 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:31 p.m.
No residents came forward to speak.
Public Hearing closed at 9:31 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 88. Ordinance 24-A-109** - Conduct a public hearing and consider a request for voluntary annexation of approximately 43.3-acres, save and except \pm 2.0 acres, known as Bexar County Property Identification Number 1056967, Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:32 p.m.
No residents came forward to speak.
Public Hearing closed at 9:32 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 89. Ordinance 24-A-110** - Conduct a public hearing and consider a request for voluntary annexation of approximately 10 -acres, known as Bexar County Property Identification Number 339331 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:34 p.m.
No residents came forward to speak.
Public Hearing closed at 9:34 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 90. Ordinance 24-A-111** - Conduct a public hearing and consider a request for voluntary annexation of approximately 16.4-acres, known as Bexar County Property Identification Number 1178480 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:35 p.m.
No residents came forward to speak.
Public Hearing closed at 9:35 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

91. **Ordinance 24-A-112** - Conduct a public hearing and consider a request for voluntary annexation of approximately 26-acres, known as Bexar County Property Identification Number 309427 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:36 p.m.
No residents came forward to speak.
Public Hearing closed at 9:36 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

92. **Ordinance 24-A-113** - Conduct a public hearing and consider a request for voluntary annexation of approximately 126-acres, known as Bexar County Property Identification Number 309425 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:37 p.m.
No residents came forward to speak.
Public Hearing closed at 9:37 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

93. **Ordinance 24-A-114** - Conduct a public hearing and consider a request for voluntary annexation of approximately 40 -acres, known as Bexar County Property Identification Number 310006 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 8:54 p.m.

Lloyd Fairley, property owner, spoke in opposition to annexation.

Public Hearing closed at 8:55 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

94. **Ordinance 24-A-115** - Conduct a public hearing and consider a request for voluntary annexation of approximately 197 -acres, known as Bexar County Property Identification Number 1056966 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:37 p.m.

No residents came forward to speak.

Public Hearing closed at 9:38 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

95. **Ordinance 24-A-116** - Conduct a public hearing and consider a request for voluntary annexation of approximately 14.4 -acres, known as Bexar County Property Identification Number 310002 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:38 p.m.
No residents came forward to speak.
Public Hearing closed at 9:39 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 96. Ordinance 24-A-117** - Conduct a public hearing and consider a request for voluntary annexation of approximately 42 -acres, known as Bexar County Property Identification Number 310048 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:47 p.m.
No residents came forward to speak.
Public Hearing closed at 9:47 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 97. Ordinance 24-A-118** - Conduct a public hearing and consider a request for voluntary annexation of approximately 11 -acres, known as Bexar County Property Identification Number 1311565 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:48 p.m.
No residents came forward to speak.
Public Hearing closed at 9:48 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Robert Westbrook, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 98. Ordinance 24-A-119** - Conduct a public hearing and consider a request for voluntary annexation of approximately 61 -acres, known as Bexar County Property Identification Number 310022 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:49 p.m.
No residents came forward to speak.
Public Hearing closed at 9:49 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 99. Ordinance 24-A-120** - Conduct a public hearing and consider a request for voluntary annexation of approximately 27.2 -acres, known as Bexar County Property Identification Number 312015 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:50 p.m.
No residents came forward to speak.
Public Hearing closed at 9:50 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 100. Ordinance 24-A-121** - Conduct a public hearing and consider a request for voluntary annexation of approximately 40-acres, known as Bexar County Property Identification Number 312017 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:51 p.m.
No residents came forward to speak.
Public Hearing closed at 9:51 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 101. Ordinance 24-A-122** - Conduct a public hearing and consider a request for voluntary annexation of approximately 9.5-acres, known as Bexar County Property Identification Number 310126 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:52 p.m.
No residents came forward to speak.
Public Hearing closed at 9:52 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Tiffany Gibson, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 102. Ordinance 24-A-123** - Conduct a public hearing and consider a request for voluntary annexation of approximately 63-acres, known as Bexar County Property Identification Number 339290 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:53 p.m.
No residents came forward to speak.
Public Hearing closed at 9:53 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 103. Ordinance 24-A-124** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acres, known as Bexar County Property Identification Number 339288 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:53 p.m.
No residents came forward to speak.
Public Hearing closed at 9:54 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Robert Westbrook, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 104. Ordinance 24-A-125** - Conduct a public hearing and consider a request for voluntary annexation of approximately 101-acres, known as Bexar County Property Identification Number 339790 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:54 p.m.
No residents came forward to speak.
Public Hearing closed at 9:54 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 105. Ordinance 24-A-126** - Conduct a public hearing and consider a request for voluntary annexation of approximately 11.2 -acres, known as Bexar County Property Identification Number 339334 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:55 p.m.
No residents came forward to speak.
Public Hearing closed at 9:55 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 106. Ordinance 24-A-127** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1-acres, known as Bexar County Property Identification Number 339329 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:56 p.m.
No residents came forward to speak.
Public Hearing closed at 9:56 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 107. Ordinance 24-A-128** - Conduct a public hearing and consider a request for voluntary annexation of approximately 11 -acres, known as Bexar County Property Identification Number 1140481 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:57 p.m.
No residents came forward to speak.
Public Hearing closed at 9:57 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 108. Ordinance 24-A-129** - Conduct a public hearing and consider a request for voluntary annexation of approximately 11 -acres, known as Bexar County Property Identification Number 310007 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:58 p.m.
No residents came forward to speak.
Public Hearing closed at 9:58 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 109. Ordinance 24-A-130** - Conduct a public hearing and consider a request for voluntary annexation of approximately 2-acres, known as Bexar County Property Identification Number 312008 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 9:58 p.m.
No residents came forward to speak.
Public Hearing closed at 9:59 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 110. Ordinance 24-A-131** - Conduct a public hearing and consider a request for voluntary annexation of approximately 38 -acres, known as Bexar County Property Identification Number 309429 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:00 p.m.
No residents came forward to speak.
Public Hearing closed at 10:00 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 111. Ordinance 24-A-132** - Conduct a public hearing and consider a request for voluntary annexation of approximately 44-acres, known as Bexar County Property Identification Number 1190132 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:02 p.m.
No residents came forward to speak.
Public Hearing closed at 10:02 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 112. Ordinance 24-A-133** - Conduct a public hearing and consider a request for voluntary annexation of approximately 193-acres, known as Bexar County Property Identification Number 310032 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:03 p.m.
No residents came forward to speak.
Public Hearing closed at 10:03 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 113. Ordinance 24-A-134** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5.5 -acres, known as Bexar County Property Identification Number 310039 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:03 p.m.
No residents came forward to speak.
Public Hearing closed at 10:03 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 114. Ordinance 24-A-135** - Conduct a public hearing and consider a request for voluntary annexation of approximately 6 -acres, known as Bexar County Property Identification Number 310090 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:04 p.m.
No residents came forward to speak.
Public Hearing closed at 10:04 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Robert Westbrook

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 115. Ordinance 24-A-136** - Conduct a public hearing and consider a request for voluntary annexation of approximately 1.4 -acres, known as Bexar County Property Identification Number 310107 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:05 p.m.
No residents came forward to speak.
Public Hearing closed at 10:05 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 116. Ordinance 24-A-137** - Conduct a public hearing and consider a request for voluntary annexation of approximately 11.1 -acres, known as Bexar County Property Identification Number 1103091 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:06 p.m.
No residents came forward to speak.
Public Hearing closed at 10:06 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Michelle Watson, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 117. Ordinance 24-A-138** - Conduct a public hearing and consider a request for voluntary annexation of approximately 5.1-acres, known as Bexar County Property Identification Number 1207560 Bexar County, Texas. *First Reading*
(B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:07 p.m.

No residents came forward to speak.
Public Hearing closed at 10:07 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 118. Ordinance 24-A-139** - Conduct a public hearing and consider a request for voluntary annexation of approximately 13 -acres, known as Bexar County Property Identification Number 1103092 Bexar County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Public Hearing opened at 10:07 p.m.
No residents came forward to speak.
Public Hearing closed at 10:07 p.m.

Mayor Gutierrez asked for a motion to approve the ordinance.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 119. Ordinance 24-S-22** – Conduct a public hearing and consider a request to rezone approximately 498.2 acres of land to Single-Family Residential District (R-2) known as Comal County Property Identification Numbers 79004, 79006, 78976, 78960, 78957, and Guadalupe County Property Identification Numbers 68374, 61615, 68384, 68385, 68383, 61511, 61609, 68381, 68378, 68382, 68380, 68377, 61614, 63992 and to rezone approximately 132.6 acres of land to General Business District (GB) known as Comal County Property Identification Numbers 79018, 75449, 78923, 374148, 374146, 374145, 374144, 374147, 78218, 79009, and a portion of 79012, and to rezone approximately 262.9 acres of land to Manufacturing District-Light (M-1) known as Comal County Property Identification Numbers 79001, 78945, 78946, 75480, 78247, 79017, 75468, 75462, 75463, a portion of

79012, Comal and Guadalupe County, Texas. **First Reading**(B.James/L.Wood/E.Delgado)

Planning Manager Emily Delgado provided a summary of the proposed rezoning to include a change from the Single-Family Residential District (R-2) to Agricultural District (AD) to align with the recommendation of the Planning and Zoning Commission at the May 8, 2024, meeting.

Public Hearing opened at 10:39 p.m.
No residents came forward to speak.
Public Hearing closed at 10:39 p.m.

Councilmember Tim Brown motioned to approve Ordinance 24-S-22 to rezone to Agricultural District for all parcels, seconded by Councilmember Michelle Watson.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 120. Ordinance 24-S-24** – Conduct a public hearing and consider a request to rezone approximately 2,030 acres to Single Family Residential District (R-2) known as Bexar County Property Identification Numbers 310064, 1141730, 339772, 339773, 339744, 1050203, 340030, 339348, 339341, 339778, 310012, 309842, 339293, 339275, 339328, 1013798, 310222, 310026, 1274920, 339286, 310019, 1139530, 1056967, 339331, 1178480, 309427, 309425, 310006, 310125, 1056966, 310002, 310048, 1311565, 310022, 312015, 312017, 310126, 339290, 339288, 339790, 339334, 339329, 1140481, 310007, 312008, 309429, 1190132, 310032, 310090, 310107, 1103091, 1207560, 1103092, 1103093, 339325, 339276, 1178479, 310111, 310039, 339284, 310004, 309421, 309837, 340059, 339295, 309418, 339285, 310059, 310225, 310040, a portion of 339274, and to rezone approximately 10.1 acres to Neighborhood Services District (NS) known as a portion of Bexar County Property Identification Number 339274 and approximately 152.4 acres to General Business District (GB) known as Bexar County Property Identification Numbers 339359, 339362 and 339353, Bexar County, Texas. **First Reading**(B.James/L.Wood/E.Delgado)

Planning Manager Emily Delgado provided a summary of the proposed rezoning to include a change from the Single-Family Residential District (R-2) to Agricultural District (AD), with the exception of Bexar County Property ID 339359, to align with the recommendation of the Planning and Zoning Commission at their May 8, 2024, meeting. Bexar County Property ID will be zoned General Business (GB) per the owner's request.

Public Hearing opened at 11:09 p.m.

Janice Lovett (by proxy Tracy Campos), property ID 1274920 owner, expressed opposition to being rezoned to Single-Family Residential District (R-2)

Public Hearing closed at 11:10 p.m.

Councilmember Mark Brown motioned to approve Ordinance 24-S-24 to rezone the parcels to Agricultural District, except Property ID 339359, which will be rezoned to General Business, seconded by Councilmember Allison Heyward.

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis, Councilmember Michelle Watson, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

121. 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
Councilmember Heyward requested a Workshop to discuss Council Board Liaison positions.
Mayor Pro-Tem Macaluso requested a Closed Session to discuss the performance evaluation criteria that will be used to score the City Manager during his next review.
- City and Community Events attended and to be attended (Council)
Councilmembers provided a list of events they had attended since the previous Council meeting.

Adjournment

Mayor Gutierrez adjourned the meeting at 11:22 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Engineering
Subject: Resolution 24-R-59 – Authorizing a contract with Qro Mex Construction Company, Inc., for construction of a 16-inch Water Main Extension: FM 1518 Aztec Lane Project. (B. James/K. Woodlee/E. Schulze)

BACKGROUND

Due to conflicts with the Texas Department of Transportation’s (TxDOT) proposed FM 1518 Road Widening project, the City of Schertz must relocate existing water lines and associated valves and fire hydrants. The relocated improvements will be rerouted away from the FM 1518 - FM 78 intersection due to conflicts with the proposed roadway improvements.

Bids for the 16-inch Water Main Extension: FM 1518 Aztec Lane Project were opened on May 23, 2024. Four bids were received. Of the four bids, the lowest bid was from Qro Mex Construction. Staff has reviewed the bids and supporting documentation and determined that the bid from Qro Mex Construction is acceptable.

GOAL

To obtain authorization from Council to execute a contract with Qro Mex Construction for \$884,270 plus \$115,730 of contingency for a not to exceed amount of \$1,000,000 for the 16-inch Water Main Extension: FM 1518 Aztec Lane Project.

COMMUNITY BENEFIT

The utility relocation is necessary to avoid conflicts with TXDOT’s proposed improvements near the intersection of FM 1518 and FM 78 and maintain water service to this area of the distribution system and south along FM 1518.

SUMMARY OF RECOMMENDED ACTION

Authorize execution of the construction contract for the 16-inch Water Main Extension: FM 1518 Aztec Lane Project with Qro Mex Construction for \$884,270 and a not to exceed expenditure amount of \$1,000,000.

FISCAL IMPACT

The cost of the project shall not exceed \$1,000,000. A portion of the American Rescue Plan (ARP) Tranche 1 Funding has been allocated for the project.

RECOMMENDATION

Approve Resolution 24-R-59.

Attachments

Recommendation Letter



May 29, 2024

AVO 35005.002

Eric Schulze, P.E.
Senior Engineer
City of Schertz Engineering & Public Works
10 Commercial Place
Building 2
Schertz, TX 78154

Re: 16-Inch Water Main Extension Project #2024-005 Award Letter

Dear Mr. Schulze:

On May 23, 2024, at 3:30 PM, bids for the referenced project were opened for 16-Inch Water Main Extension Project. Four (4) bids were received. After review of the bid packages, the low bidder was QRO Mex Construction with a base bid of \$884,270.00., as seen in the table below.

Bidder	Bid Total
QRO Mex Construction	\$884,270.00
Pesado Construction Company	\$1,148,076.50*
EZ-Bel Construction, LLC	\$1,182,545.07*
SER Construction Partners, LLC	\$1,490,502.92

*Corrected based on unit price.

Halff Associates followed up with two references on two different projects listed on the contractor's project list. The contractor was described as qualified for carrying out the work of each respective project. In addition to this, good quality of work and quick adaptation to changes were also types of responses given for the contractor's efforts on the referenced projects.

Therefore, should the City of Schertz find the contractor responsive, Halff recommends proceeding with a contract to QRO Mex Construction, for the bid of \$884,270.00.

Please contact me at (210) 704-1355 if you have any questions.

Sincerely,

Marcus Eli Garcia, PE
Senior Project Manager

City of Schertz Texas
16-Inch Water Main Extension Project 2024-005
Bid Summary

Bid Date: 05/23/2024

Item No.	Spec. No.	Description	Unit	Estimated Quantity	E-Z Bel Construction, LLC		SER CONSTRUCTION PARTNERS, LLC		QRO Mex Construction		Pesado Construction Company	
					Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price
1	01502	MOBILIZATION	LS	1	\$80,000.00	\$80,000.00	\$193,705.20	\$193,705.20	\$65,000.00	\$65,000.00	\$118,750.00	\$118,750.00
2	01555	TEMPORARY TRAFFIC CONTROL	LS	1	\$11,500.00	\$11,500.00	\$5,400.00	\$5,400.00	\$40,000.00	\$40,000.00	\$28,260.00	\$28,260.00
3	01570	STORM WATER POLLUTION CONTROL	LS	1	\$2,132.00	\$2,132.00	\$20,971.80	\$20,971.80	\$15,000.00	\$15,000.00	\$15,158.00	\$15,158.00
4	02221	REMOVE EXISTING CONCRETE DRIVEWAY	SY	27	\$23.00	\$621.00	\$26.70	\$720.90	\$45.00	\$1,215.00	\$79.00	\$2,133.00
5	02221	REMOVE EXISTING PAVEMENTS (ASPHALT & BASE)	SY	232	\$3.00	\$696.00	\$13.90	\$3,224.80	\$65.00	\$15,080.00	\$50.00	\$11,600.00
6	02233	CLEARING AND GRUBBING	AC	1.22	\$20,082.00	\$24,500.04	\$66,966.90	\$81,699.62	\$4,000.00	\$4,880.00	\$16,229.51	\$19,800.00
7	02447	JACKING, BORING & TUNNELING PIPE	LF	224	\$1,500.00	\$336,000.00	\$1,894.90	\$424,457.60	\$450.00	\$100,800.00	\$1,024.00	\$229,376.00
8	02511	8IN PVC C-900 DR-14 PIPE INSTALLATION	LF	6	\$150.00	\$900.00	\$214.00	\$1,284.00	\$200.00	\$1,200.00	\$461.50	\$2,769.00
9	02511	12IN PFC C-900 DR-14 PIPE INSTALLATION	LF	50	\$192.00	\$9,600.00	\$237.20	\$11,860.00	\$165.00	\$8,250.00	\$145.00	\$7,250.00
10	02511	16IN PVC C-900 DR-14 PIPE INSTALLATION	LF	1,176	\$235.00	\$276,360.00	\$233.30	\$274,360.80	\$185.00	\$217,560.00	\$250.36	\$294,423.36
11	02511	GREY IRON AND DUCTILE-IRON FITTINGS	TON	2.70	\$0.01	\$0.03	\$15,431.00	\$41,663.70	\$15,000.00	\$40,500.00	\$17,380.00	\$46,926.00
12	02511	TIE-IN (COMP)(12IN)	EA	3	\$18,000.00	\$54,000.00	\$3,769.00	\$11,307.00	\$8,500.00	\$25,500.00	\$7,370.00	\$22,110.00
13	02511	16IN PVC C-900 DR-14 PIPE INSTALLATION (CARRIER PIPE WITH SPACERS)	LF	224	\$260.00	\$58,240.00	\$310.50	\$69,552.00	\$250.00	\$56,000.00	\$195.00	\$43,680.00
14	02511	30IN STEEL CASING (WATER)	LF	224	\$200.00	\$44,800.00	\$280.00	\$62,720.00	\$250.00	\$56,000.00	\$167.00	\$37,408.00
15	02512	SERVICE RELAY (SHORT 1IN) (TYPE "K" COPPER)	EA	3	\$2,750.00	\$8,250.00	\$1,879.50	\$5,638.50	\$2,500.00	\$7,500.00	\$2,188.00	\$6,564.00
16	02520	FIRE HYDRANT	EA	2	\$8,500.00	\$17,000.00	\$10,920.90	\$21,841.80	\$7,500.00	\$15,000.00	\$6,765.00	\$13,530.00
17	02521	12IN GATE VALVE	EA	3	\$6,000.00	\$18,000.00	\$4,695.90	\$14,087.70	\$3,950.00	\$11,850.00	\$4,729.00	\$14,187.00
18	02521	16IN GATE VALVE	EA	6	\$16,000.00	\$96,000.00	\$12,031.20	\$72,187.20	\$11,500.00	\$69,000.00	\$11,195.00	\$67,170.00
19	02521	2IN BLOW OFF ASSEMBLY (PERM)	EA	1	\$5,700.00	\$5,700.00	\$7,452.80	\$7,452.80	\$4,500.00	\$4,500.00	\$3,170.50	\$3,170.50
20	02521	2IN BLOW OFF VALVE (TEMP)	EA	2	\$2,800.00	\$5,600.00	\$4,891.30	\$9,782.60	\$2,500.00	\$5,000.00	\$3,120.00	\$6,240.00
21	02524	2IN AIR RELEASE ASSEMBLY	EA	1	\$31,000.00	\$31,000.00	\$13,533.20	\$13,533.20	\$9,500.00	\$9,500.00	\$15,753.00	\$15,753.00
22	02741	ASPHALTIC CONCRETE PAVEMENT (TYPE D) (PG 70-22) (3IN) (COMPLETE IN PLACE)	TON	39	\$290.00	\$11,310.00	\$255.60	\$9,968.40	\$500.00	\$19,500.00	\$386.00	\$15,054.00
23	02921	HYDROMULCHING (AC)	AC	1.22	\$3,950.00	\$4,819.00	\$2,400.00	\$2,928.00	\$3,500.00	\$4,270.00	\$20,087.00	\$24,506.14
24	02926	EROSION CONTROL MATTING (COMPLETE IN PLACE)	SY	50	\$7.00	\$350.00	\$61.80	\$3,090.00	\$25.00	\$1,250.00	\$38.00	\$1,900.00
25	5066001	ROCK FILTER DAMN (INSTALL) (TY1)	LF	97	\$39.00	\$3,783.00	\$72.00	\$6,984.00	\$65.00	\$6,305.00	\$49.00	\$4,753.00
26	5306004	CONCRETE DRIVEWAY	SY	27	\$182.00	\$4,914.00	\$169.70	\$4,581.90	\$180.00	\$4,860.00	\$340.50	\$9,193.50
27	72666017	CONCRETE ENCASEMENT	CY	6	\$376.00	\$2,256.00	\$1,272.10	\$7,632.60	\$300.00	\$1,800.00	\$266.00	\$1,596.00
28	4016001	FLOWABLE FILL	CY	342	\$217.00	\$74,214.00	\$315.40	\$107,866.80	\$225.00	\$76,950.00	\$248.00	\$84,816.00
Total of All Unit Price Bid Items						\$1,182,545.07		\$1,490,502.92		\$884,270.00		\$1,148,076.50

RESOLUTION NO. 24-R-59

A RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT WITH QRO MEX CONSTRUCTION COMPANY, INC. RELATING TO THE 16" WATER MAIN EXTENSION PROJECT

WHEREAS, The City staff of the City of Schertz (the "City") has recommended that the City accept the bid from Qro Mex Construction relating to the 16" Water Main Extension: FM 1518 Aztec Lane Project and approve the project expenditures; and

WHEREAS, City staff has received qualifications indicating that Qro Mex Construction is qualified to provide such services for the City; and

WHEREAS, the project will be funded from the American Rescue Plan (ARP) Tranche 1

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

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the contract with Qro Mex Construction for an amount of \$884,270.00, with an amount not to exceed \$1,000,000.00.

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 _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)

City of Schertz Bid/RFP Response Log

Project #	2024-006	Due Date	5/23/2024
Project Name	16-Inch Water Main Extension	Due Time	3:30 PM

Name of Proposer	Date/Time Received	Bid Amount
E-Z Bel Construction, LLC	May 23rd 2024, 1:35 PM CDT	\$1,187,477.07
Qro Mex Construction Company, Inc	May 23rd 2024, 1:35 PM CDT	\$884,270.00
SER Construction Partners, LLC.	May 23rd 2024, 3:05 PM CDT	\$1,490,502.92
PESADO CONSTRUCTION COMPANY	May 23rd 2024, 12:46 PM CDT	\$1,148,076.50

Seal status
Unsealed by Jessica Kurz on May 23, 2024 3:31 PM CDT

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

THIS AGREEMENT is by and between City of Schertz (“Owner”) and
_____ (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: Removal of existing water main, installment of proposed water main, full depth pavement removal and repair, and jack and boring under creek.

ARTICLE 2 – THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: 16-Inch Water Main Extension Project.

ARTICLE 3 – ENGINEER

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

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

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

- A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract. Contract Times: Days
- B. If a contract is awarded for multiple schedules, the Work is expected to be substantially completed within 120 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 30 calendar days after the date of substantial completion. The number of days to substantial completion will be negotiated with the successful bidder and shall be within the range listed in this paragraph. If multiple schedules are awarded, the following Contract Times will apply for each schedule.
- C. Parts of the Work shall be substantially completed on or before the following Milestone(s):
 - 1.

4.02 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The Contractor acknowledges and recognizes that the Owner is entitled to full and beneficial occupancy and use of the completed work following expiration of the Contract Time. The Contractor further acknowledges and agrees that, if the Contractor fails to substantially, or cause the Substantial Completion of any portion of the Work within the Contract time, the Owner will sustain actual damages as a result of such failure. The exact amount of such damages will be difficult to ascertain. Therefore, the Owner and Contractor agree that, if the Contractor shall neglect, fail, or refuse to achieve substantial completion of the Work by the Substantial Completion date, subject to proper extension granted by the Owner, then the Contractor agrees to pay the Owner the sum of:
1. **Six hundred dollars (\$600.00) per day** for each day in which such Work is not completed, not as penalty, but as liquidated damages, for the damages ("Liquidated Damages") that would be suffered by Owner as a result of delay for each and every calendar day that the Contractor shall have failed to have completed the Work as required herein. The Liquidated Damages shall be in lieu of any and all other damages which may be incurred by Owner as a result of the failure of Contractor to complete within the Contract Time.

ARTICLE 5 – CONTRACT PRICE

- 5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:
- A. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit. The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

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

6.02 *Progress Payments; Retainage*

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

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract
 - a. 95 percent of Work completed (with the balance being retainage); and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to the full amount of the contract, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less such amounts as the Engineer shall determine for incomplete Work, retainage applicable to such work and unsettled claims.

6.03 *Final Payment*

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

ARTICLE 7 – INTEREST

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

ARTICLE 8 – CONTRACTOR’S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
 - E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of

construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.

- F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 *Contents*

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages A-1 to A-7, inclusive).
 - 2. Performance bond (pages PB-1 to PB-3, inclusive).
 - 3. Payment bond (pages PYB-1 to PYB-3, inclusive).
 - 4. General Conditions consisting of 65 pages of a modified version of EJCDC C-700, having a title page with the general title: STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT.
 - 5. Supplementary Conditions (pages SC-1 to SC-16, inclusive).
 - 6. Specifications as listed in the table of contents of the Project Manual.
 - 7. Drawings (not attached but incorporated by reference) consisting of 32 sheets with each sheet bearing the following general title: 16-INCH WATER MAIN EXTENSION PROJECT.
 - 8. Addenda (numbers ___ to ___, inclusive).
 - 9. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages BF-1 to BF-14, inclusive).
 - 10. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.

- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 Terms

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

10.02 Assignment of Contract

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

10.03 Successors and Assigns

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

10.04 Severability

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

10.05 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.
- B. Certifications required by State Law
1. *Non-Boycott of Energy.* Contractor certifies that either (a) it does not boycott Israel and will not boycott energy companies; and (b) will not boycott energy companies during the term of the contract resulting from this solicitation. Contractor shall state any facts that make it exempt from the boycott certification as an attachment to this agreement.
 2. *Non-Boycott of Firearm Entity.* Contractor certifies that it: (a) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (b) will not discriminate during the term of the contract against a firearm entity or firearm trade association.

10.06 *Other Provisions*

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

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

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

OWNER:

CONTRACTOR:

By: _____

By: _____

Title: _____

Title: _____

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

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

License No.: _____

(where applicable)

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

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: City Secretary
Subject: Resolution 24-R-58 - Authorizing an Economic Development Funding Agreement Between the City of Schertz Economic Development Corporation and the City of Schertz, Texas for the Parks CIP-Soccer Field Lights.
(B.James/S.Wayman)

BACKGROUND

Last year, the SEDC Board initiated the process to modify the goals and mission statement for their organization. During the Month of December 2023, the Board heard a presentation from Parks and Recreation Director Lauren Shrum detailing the efforts made to prioritize the Parks Capital Improvement Plan. At the meeting in March 2024, the SEDC took action to finalize their goals to include "Improve Quality of Life."

At their April 2024 meeting, the board approved a Memorandum of Understanding (MOU), pledging the Board's intent to provide funding of \$12,000,000 for Parks and Recreation Capital Improvement Projects. These projects include:

1. Soccer Field Lights at Maske Rd, Schertz Soccer Complex
2. Improvements to Hill Top Park
3. Improvements to Circle Park

The MOU details the process by which the projects will be started, progress reported to the board, as well as closed out. The MOU also provides a template of a funding agreement between the City and the SEDC. These funding agreements will then be brought to the board during the year that the projects will be started, and then taken to City Council.

GOAL

To provide funding for Soccer Field Lights on ten (10) Soccer Fields at the Schertz Soccer Complex on Maske Rd.

COMMUNITY BENEFIT

Enhance and increase soccer sports activity within the city limits of Schertz.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 24-R-58.

FISCAL IMPACT

This item before you is the Funding Agreement for the first of these projects. The request for lighting the remaining 10 fields at the Schertz Soccer Complex on Maske Rd. has been brought to both the City Council and the Parks and Recreation Commission prior. The cost is estimated at \$1.7M and the SEDC board of directors voted unanimously to support this project.

RECOMMENDATION

Staff recommends approval of Resolution 24-R-58

Attachments

Resolution 24-R-58 with attachment

RESOLUTION NO. 24-R-58

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ TEXAS AUTHORIZING AN ECONOMIC DEVELOPMENT FUNDING AGREEMENT BETWEEN THE CITY OF SCHERTZ ECONOMIC DEVELOPMENT CORPORATION AND CITY OF SCHERTZ, TEXAS AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Schertz Economic Development Corporation (“SEDC”) is a non-profit industrial development corporation duly established under the Development Corporation Act of 1979, as amended (Section 501.001 et seq. Texas Local Government Code, formerly the Development Corporation Act of 1979) (the “Act”);

WHEREAS, all of the powers of the corporation are vested in the SEDC Board of Directors (the “Board”) appointed by the governing body of the corporation’s authorizing unit; and

WHEREAS, Section 505.152 in addition, authorizes expenditures that are found by the board of directors to be required or suitable for the funding and coordination of Recreational or Community Facilities and Improvements to be required or suitable for use of amateur sports, including children’s sports, athletic, entertainment, tourism and Public Park Purposes; and

WHEREAS, the Schertz Economic Development Corporation and the City of Schertz are partnering to fund Soccer Field Lights for 10 of the 12 City Owned Soccer Fields located at the Schertz Soccer Complex at 75 Maske Rd, Schertz, Texas; and

WHEREAS, The SEDC held a public hearing at its May 23, 2024 meeting and the Board approved SEDC Resolution 2024-7 authorizing a Funding Agreement between the City of Schertz Economic Development Corporation and City of Schertz, Texas to fund Parks Capital Improvement Plan subject to the City Council’s authorization; and

WHEREAS, Section 501.073 of the Act requires the SEDC’s authorizing unit to approve all programs and expenditures.

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

Section 1. The City of Schertz City Council hereby authorizes the expenditure reflected in the Economic Development Funding Agreement attached hereto as ATTACHMENT 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 Board.

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 board 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 _____, 2024.

CITY OF SCHERTZ

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

ATTACHMENT A

FUNDING AGREEMENT

This **FUNDING AGREEMENT** by and between the **SCHERTZ ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the "SEDC"), and the **CITY OF SCHERTZ, TEXAS**, a Texas home-rule municipality (hereinafter referred to as the "City"), is made and executed on the following recitals, terms and conditions.

WHEREAS, the SEDC is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 505.152 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section"; and

WHEREAS, Section 505.152 in addition, authorizes expenditures that are found by the board of directors to be required or suitable for the funding and coordination of Recreational or Community Facilities and Improvements to be required or suitable for use for amateur sports, including children's sports, athletic, entertainment, tourism and Public Park Purposes

WHEREAS, the SEDC and City of Schertz are partnering to fund Soccer Field Lights for 10 of the 12 the City Owned Soccer Fields located at the Schertz Soccer Complex at 75 Maske Rd, Schertz TX (hereinafter referred to as the "Project"); and

WHEREAS, the SEDC's Board of Directors have determined the financial assistance provided to City is consistent and meets the definition of "project" as that term is defined in Section 505.152 of the Texas Local Government Code; and the definition of "cost" as that term is defined by Section 501.152 of the Texas Local Government Code; and

WHEREAS, City agrees and understands that Section 501.073(a) of the Texas Local Government Code requires the City Council of the City of Schertz, Texas, to approve all programs and expenditures of the SEDC, and accordingly this Agreement is not effective until City Council has approved this project at a City Council meeting called and held for that purpose.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the SEDC and City agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date, as defined herein, and shall continue thereafter until October 1st, 2026, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

The following words shall have the following meanings when used in this Agreement.

- (a) **Act.** The word “Act” means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word “Agreement” means this Performance Agreement, together with all exhibits and schedules attached to this Agreement from time to time, if any.
- (c) **City.** The words “City” means the City of Schertz, Texas, a Texas home-rule municipality, whose address for the purposes of this Agreement is 1400 Schertz Parkway Schertz, Texas 78154.
- (d) **Effective Date.** The words “Effective Date” mean the date of the latter to execute this Agreement by and between the City and the SEDC.
- (e) **Event of Default.** The words “Event of Default” mean and include any of the Events of Default set forth below in the section entitled “Events of Default.”
- (f) **SEDC.** The term “SEDC” means the Schertz Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 1400 Schertz Parkway Schertz, Texas 78154.
- (g) **Project.** The word “Project” means placement of lighting fixtures and poles on 10 of the 12 soccer playing fields at the Schertz Soccer Complex located at 75 Maske Rd, Schertz, Texas.
- (h) **Qualified Expenditures.** The words “Qualified Expenditures” mean those costs associated with planning and placement of Soccer Field Lighting poles and lights at the Schertz Soccer Complex, and which meet the definition of “project” as that term is defined in Section 505.152 of the Act, and meet the definition of “cost” as that term is defined in Section 501.152 of the Act.
- (i) **Term.** The word “Term” means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE COVENANTS OF THE CITY.

City covenants and agrees with SEDC that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Funding.** The City shall be entitled to funding from SEDC in the amount not to exceed ONE MILLION, SEVEN HUNDRED THOUSAND DOLLARS (\$1,700,000) for Qualified Expenditures. City covenants and agrees to submit to the SEDC invoices, receipts, or other documentation of the Qualified Expenditures in a form acceptable to the SEDC prior to Project acceptance.
- (b) **Public Purpose.** City agrees that the Project contemplated herein represents a public purpose for which the proposed funds are authorized to be used.
- (c) **Performance Conditions.** City agrees to provide, make, execute and deliver to SEDC such other documents and other agreements as SEDC or its attorneys may reasonably request to evidence the use of the funds for the Project.
- (d) **Performance.** City agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements between City and SEDC.

SECTION 5. AFFIRMATIVE COVENANTS OF SEDC.

SEDC covenants and agrees with City that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Financial Assistance for Qualified Expenditures.** SEDC covenants and agrees to provide funding in advance or by reimbursement for Qualified Expenditures made by the City pursuant to Section 4(a) of this Agreement, in an amount not to exceed the lesser of ONE MILLION, SEVEN HUNDRED THOUSAND DOLLARS (\$1,700,000) or the aggregate amount of said invoices, receipts, or other documentation submitted by the City to SEDC within thirty (30) days of receipt of said documentation.
- (b) **Performance.** SEDC agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the City and SEDC.

SECTION 6. EVENTS OF DEFAULT.

Each of the following shall constitute an Event of Default under this Agreement:

- (a) **General Event of Default.** Failure of City or SEDC to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of City or SEDC to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between City and SEDC is an Event of Default.

- (b) **False Statements.** Any warranty, representation, or statement made or furnished to SEDC by or on behalf of City under this Agreement that is false or misleading in any material respect, either now or at the time made or furnished is an Event of Default.

SECTION 7. EFFECT OF AN EVENT OF DEFAULT.

In the event of default under Section 6 of this Agreement, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default. Should said default remain uncured as of the last day of the applicable cure period, and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement. In the event, City defaults and is unable or unwilling to cure said default within the prescribed time period, the amounts provided by the SEDC to City pursuant to Section 5(a) of this Agreement shall become immediately due and payable by City to the SEDC.

SECTION 8. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Guadalupe County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Guadalupe County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. City warrants and represents that the individual or individuals executing this Agreement on behalf of City has full authority to execute this Agreement and bind City to the same. SEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.
- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

- (g) **Notices.** All notices required to be given under this Agreement shall be given in writing and shall be effective when actually delivered or when deposited in the United States mail, first class, postage prepaid, addressed to the party to whom the notice is to be given at the address shown in Section 3 of this Agreement. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, City agrees to keep SEDC informed at all times of City's current address.
- (h) **Severability.** If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- (i) **Time is of the Essence.** Time is of the essence in the performance of this Agreement.

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THE PARTIES ACKNOWLEDGE HAVING READ ALL THE PROVISIONS OF THIS PERFORMANCE AGREEMENT, AND THE PARTIES AGREE TO ITS TERMS. THIS AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS IS PROVIDED HEREIN.

CITY:

CITY OF SCHERTZ, TEXAS,
a Texas home-rule municipality,

By: _____
City Manager
Date Signed: _____

ATTEST:

City Secretary

SEDC:

SCHERTZ ECONOMIC DEVELOPMENT CORPORATION,
a Texas non-profit corporation

By: Samu Morall
SEDC Board President
Date Signed: 23 May 2024

ATTEST:

[Signature]
SEDC Board Secretary

The project will provide poles and lighting fixtures to Fields 3 – 12 of the City of Schertz Soccer complex at 75 Maske Rd, Schertz, TX 78154



CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Police Department
Subject: Resolution 26-R-64-Approve SRO ILA between SCUC ISD and the City of Schertz to provide SZPD officers as SROs.(S.Williams/J.Lowery)

BACKGROUND

The original ILA between SCUC ISD and the City of Schertz to provide SZPD officers as SROs was originally effective in 2011 and the current ILA was executed in 2022, due to the enactment of HB3 (September 1, 2023) amendments to the ILA are statutorily required. SCUC ISD wishes to continue to work collaboratively with SZPD to coordinate the use of police officers to act as SROs on school campuses throughout the district. This ILA includes changes as directed by the enactment of HB3.

GOAL

Update SRO ILA to ensure it is in compliance with HB3 and continue to provide SZPD officers as SROs on campuses within the school district.

COMMUNITY BENEFIT

Ensures trained SZPD officers will be immediately available to respond to calls for service that range from simple report taking to mitigating critical incidents. In addition, SZPD officers will be available to serve as mentors, educators, and emergency managers while working with the youth of our community.

SUMMARY OF RECOMMENDED ACTION

The ILA between SCUC ISD and the City of Schertz must be amended to be in compliance with HB3. Therefore, we need to authorize the amendments to extend the ILA with SCUC ISD.

FISCAL IMPACT

The ILA proposes assigning two sergeants and nine officers to fulfill the role of SROs. The City of Schertz is reimbursed on a prorated compensation rate equal to 10/12 (83.33%) proportion, and the remaining sergeant and seven officers will be reimbursed at 12/12 (100%). This compensation calculation includes salary & benefits and the utilization of a patrol vehicle. Total projected compensation cost for two sergeants and nine officers is \$1,348,849.00 and SCUC is reimbursing the City of Schertz for \$1,189,670.60 (88.20%).

RECOMMENDATION

Approve Resolution 24-R-64.

Attachments

Resolution 24-R-64

RESOLUTION NO. 23-R-64

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER IN AN INTERLOCAL COOPERATIONS AGREEMENT AMONG THE CITY OF SCHERTZ, TEXAS, AND SCHERTZ-CIBOLO-UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT (SCUC ISD) FOR PROVIDING POLICE OFFICERS TO PROVIDE SRO SERVICES WITHIN THE SCUC ISD.

WHEREAS, Chapter 791 of the Texas Government Code, as amended, entitled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and

WHEREAS, SCUC ISD is a public school district with campuses located within the jurisdictional boundaries of CITY where the CITY presently provides law enforcement services; and

WHEREAS, SCUC ISD and CITY each find that contracting for and with respect to the governmental services described herein will result in increased efficiency, economy and enhanced public safety for the constituents of both SCUC ISD and the CITY; and

WHEREAS, SCUC ISD and CITY warrant that both possess adequate legal authority to enter into this Interlocal Agreement and their respective governing bodies have authorized each signatory official to enter into this Agreement and bind the local governments to the terms of this Agreement and any subsequent amendments hereto; and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into this ILA with the SCUC ISD, pursuant to the ILA attached hereto as Exhibit A (the “supporting documentation”)

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

Section 1. The City Council hereby authorizes the City Manager to execute the Interlocal Cooperations Agreement with the SCUC ISD.

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 _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

EXHIBIT A
AGREEMENT

**INTERLOCAL COOPERATION AGREEMENT BETWEEN
SCHERTZ-CIBOLO-UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT AND
THE CITY OF SCHERTZ, TEXAS**

This Interlocal Cooperation Agreement (“Agreement”) is made and entered into by and between Schertz-Cibolo-Universal City Independent School District (“the District” or “SCUC ISD”), a political subdivision acting through its Board of Trustees, and the City of Schertz, Texas (“CITY”), a political subdivision of the State of Texas acting through its City Council (CITY and SCUC ISD collectively referred to herein as the “Parties”) and in this regard hereto mutually agree and state as follows:

PREMISES

WHEREAS, Chapter 791 of the Texas Government Code, as amended, entitled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services;

WHEREAS, SCUC ISD is a public school district with campuses located within the jurisdictional boundaries of CITY where the CITY presently provides law enforcement services;

WHEREAS, SCUC ISD and CITY each find that contracting for and with respect to the governmental services described herein will result in increased efficiency, economy and enhanced public safety for the constituents of both SCUC ISD and the CITY;

WHEREAS, SCUC ISD and CITY warrant that both possess adequate legal authority to enter into this Interlocal Agreement and their respective governing bodies have authorized each signatory official to enter into this Agreement and bind the local governments to the terms of this Agreement and any subsequent amendments hereto;

NOW THEREFORE, in consideration of the mutual covenants and agreements of the Parties, it is agreed as follows:

Article 1

LEGAL AUTHORITY AND PURPOSE

- 1.1 The legal authority for CITY and the SCUC ISD to enter into this agreement is the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. The purpose, terms, rights and duties of the parties are stated below.
- 1.2 The purpose of this Agreement is to set forth guidelines to ensure that CITY and SCUC ISD have a shared understanding of the role and responsibility of each in maintaining safe schools, improving the learning environment and supporting educational opportunities for all students.
- 1.3 The mission of the School Resource Officer (“SRO”) program is to place a community law enforcement officer(s) on each physical SCUC ISD campus to build working relationships with schools, students, parents, staff and visitors; to address on-site security; to maintain safe schools; to serve as a positive role-model for students; and to provide a direct link with the CITY.

Article 2

SRO PROGRAM STRUCTURE

- 2.1 Under this framework, the SROs are first and foremost law enforcement officers and employee for the CITY and not the District. The SROs shall be responsible for carrying

out all duties and responsibilities of a law enforcement officer and shall remain at all times under the control, through the chain of command, of the CITY. School officials should ensure that non-criminal student disciplinary matters remain the responsibility of school staff and not the SROs. Enforcement of the Student Code of Conduct is the responsibility of teachers and administrators. The SROs shall refrain from being involved in the enforcement of disciplinary rules that do not constitute violations of law, except to support staff in maintaining a safe school environment.

- 2.2 Although the SROs have been placed in a formal educational environment, the SROs retain official duties of law enforcement officers. The SROs shall intervene when it is necessary to prevent any criminal act or maintain a safe school environment. Citations shall be issued, and arrests made when appropriate and in accordance with Texas law and CITY policy. The SROs or the CITY will have the final decision on whether criminal charges shall be filed. The CITY reserves the right to temporarily remove SROs in the event that additional officers are needed during a critical incident, natural disaster or for immediate service of public safety.
- 2.3 The SROs are not formal counselors or educators and will not act as such. However, with the agreement of CITY, the SROs may be used as a law enforcement resource to assist students, faculty, staff, and all persons involved with the school. The SROs can be utilized to help instruct students and staff on a variety of subjects, ranging from alcohol and drug education to formalized academic classes. The SROs may use these opportunities to build rapport between the students, families and staff.
- 2.4 The SROs will confer with the principal or other appropriate administrator, as needed, to develop plans and strategies to prevent and/or minimize dangerous situations and criminal activity on or near the campus or involving students at school-related activities.
- 2.5 SROs shall be hired pursuant to CITY hiring policies, shall be fully qualified as police officers in the State of Texas and shall primarily be directed by the Chief of Police and other officers of the police force of the CITY to patrol and provide a police presence on such properties and campuses owned or leased by SCUC ISD as set forth herein.

Article 3 **SERVICES TO BE PROVIDED**

The CITY will be responsible for the following:

- 3.1. Providing nine (9) commissioned law enforcement officers licensed by the State of Texas for service as a school resource officer (SRO) to be assigned to SCUC ISD. SROs will be assigned to work for full school calendar years, which generally includes one hundred eighty-seven (187) days for eight (8) hours per day encompassing the beginning and end time of the school per the bell schedule listed on the District Calendar. One Hundred eighty-seven (187) days shall represent the total number of days school is in session and days school is not in session but are on-campus workdays for teachers. The number of SROs that will serve at each of the following SCUC ISD campuses (“Service Area”), SRO sergeants will make every effort to maintain consistency in personnel being assigned to a fixed service area, but daily personnel changes may be necessary to fill the campuses:

- Rose Garden Elementary School (One SRO)
- Green Valley Elementary School (One SRO)
- Norma J. Paschal Elementary School (One SRO)
- Schertz Elementary School (One SRO Sergeant)
- John A. Sippel Elementary School (One SRO)
- Laura Ingalls Wilder Intermediate School (One SRO)
- Ray D. Corbett Junior High School (One SRO)
- Samuel Clemens High School (Two SROs)
- Allison L. Steele Advanced Learning Center & District Alternative Education Program (combined) (One SRO)

Before and after school or while school is not in session, SROs shall perform their duties at all other District owned premises. Nothing in this Agreement shall limit an SRO from performing necessary law enforcement officer duties as set forth herein or required by City protocols or policy on school district premises.

3.1.1 Providing two (2) supervising sergeant SROs to coordinate campus-assigned SROs. The supervising SROs will be responsible for ensuring staffing levels are maintained in the case of an absence of a campus-assigned SRO. The Tactical supervising sergeant SRO will be the primary point of communication, while the Administrative supervising sergeant SRO will be the secondary point of communication, between SCUC ISD and the CITY for matters related to SROs. The Chief of Police will designate which supervising sergeant SROs is assigned to the Tactical or Administrative

3.1.2 The Administrative supervising sergeant SRO is to also serve as the second SRO at Clemens Hight School. But also serves as a “roving” officer and as the primary substitute for an absent campus-assigned officer.

3.1.3 The Chief of Police may designate one of the supervising SROs to serve on the SCUC ISD Safety and Security Committee per section 4.12.

3.1.4 If for reasons beyond the CITY’S control due to staffing, such as unforeseen sick leave, injury, position vacancies, etc., the supervising sergeant SROs will be authorized and responsible for attempting to schedule off-duty officers to ensure an SRO is on each designated campus

3.2 The Parties acknowledge the importance of having the same SROs present in SCUC ISD in order to promote continuity and familiarity with SCUC ISD and its students, families and staff. To that end, the Parties agree that every effort should be made to designate the same SROs to provide security at the same campus, whenever possible.

3.3 The SROs shall follow the policies and procedures of SCUC ISD to the extent those policies do not conflict with the policies and procedures of the CITY.

3.4 The SROs will coordinate and cooperate with the SCUC ISD Superintendent and other SCUC ISD administrative staff in carrying out their duties as SROs. The CITY retains

final authority over the SROs' law enforcement responsibilities. The SROs may, however, take the school's requests into consideration, as the officer deems appropriate.

3.5 SCUC ISD and CITY at least annually will evaluate the number of SROs to be provided and may increase or decrease the number of SROs by mutual agreement..

3.6 SROs DUTIES: The ultimate goal of the SRO is to maintain a peaceful environment that allows the learning process to continue uninterrupted. The duties performed by the SROs include, but are not limited to, the following:

- a. Establish a bond and act as liaison between the CITY and school administrators and students in an effort to reduce or eliminate the opportunity for crime, project a positive image of the CITY and improve the quality of life within the school and community.
- b. Patrolling areas within or in the vicinity of the geographical boundaries of SCUC ISD to protect all students, families, personnel and visitors.
- c. Being a visible presence during the school day in order to assist the SCUC ISD administration with general public safety services during school hours.
- d. Helping SCUC ISD administrators maintain the peace and/or address a breach of the peace as needed.
- e. Engaging in all law enforcement activities arising from the enforcement of criminal laws or SCUC ISD policies and rules, including, but not limited to, intervening in and investigating alleged crimes or violations of SCUC ISD rules, issuing citations, transporting arrested persons, completing follow-up activities, filing of affidavits and complaints and participating in legal proceedings resulting from the law enforcement services provided in accordance with this Agreement.
- f. Responding to calls for services during the course of the regular school day or when serving in support of an official SCUC ISD extracurricular or after-school activity.
- g. Assisting in providing security as needed for after-hour activities and events taking place at SCUC ISD facilities.
- h. Accompanying outside service providers during random canine searches conducted on SCUC ISD property.
- i. Preventing property loss due to theft or vandalism.
- j. Providing traffic control as needed.
- k. Assisting SCUC ISD with its Emergency Operation Plan.
- l. Assisting with school safety projects, scheduling and maintaining emergency drills, emergency response, and after-action reviews within SCUC ISD.

- m. Providing training for staff as requested by the SCUC ISD Superintendent.
 - n. Serving as a resource for law enforcement education at the request of the SCUC ISD Superintendent, such as speaking to classes on the law, search and seizure, drugs or motor vehicle laws.
 - o. Maintaining the confidentiality of student records as required by the Family Educational Rights and Privacy Act. The SROs shall not disclose to CITY any education records of a student which the SROs obtain by virtue of the SROs' position with the school unless such information is obtained by the SROs in the course and scope of performing their duties in accordance with this Agreement. The SROs shall not provide student education records to other law enforcement agencies or other agencies or parties informally for external investigations or any other reasons.
 - p. Preparing reports and documentation related to events occurring within the geographic boundaries of SCUC ISD, to the extent such information is required by law or SCUC ISD policy or CITY procedures.
- 3.7 When the SROs takes a person into custody in the course of performing their duties on behalf of SCUC ISD under this Agreement, SCUC ISD shall receive notification of the incident from the CITY within the timeframe required by law and of the disposition of the individual to the extent allowed by law. In addition, to the extent permitted by applicable law, SROs shall report to SCUC ISD all information obtained during the investigation of any reported incident involving a student for the purposes of determining appropriate disciplinary actions and modifications of education programs as a result of the incident.
- 3.8 **REPORTING DUTIES:** SCUC ISD and CITY shall maintain records of every campus-based incident resulting in police involvement.
- 3.9 If it is necessary to question or interview a student at school for any purpose other than a child abuse investigation, the SROs will contact the campus principal of the student's campus. As provided by SCUC ISD Board Policy GRA (Local), the principal will:
- a. Verify and record the identity of the officer or other authority and request an explanation of the need to interview the student at school.
 - b. Make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the SRO/designee raises what the principal considers to be a valid objection to the notification, the parent shall not be notified.
 - c. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer presents what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence.

- 3.10 If a student at school is arrested or taken into custody by an SRO, the principal shall immediately notify the Superintendent and notify the parent or other person having lawful control of the student. If the SRO raises what the principal considers to be a valid objection to notifying the parent at that time, the principal shall not notify the parent.
- 3.11 The District and CITY agree that canine contraband services may be conducted by a third party, approved in advance by both Parties. The third-party Canine Handler will coordinate with campus administration and the SRO to plan dates for the canine searches. The procedures for the searches will be determined by the third-party canine search provider, with input from the SCUC ISD and the SRO. The CITY will manage the contract(s) with all third-party Canine Handlers.

The SCUC ISD will be responsible for the following:

- 3.12 SCUC ISD will appoint a point of contact who will be responsible for the security audit of each campus and who will consult with SROs assigned under this Agreement for input and review of each campus.
- 3.13 SCUC ISD will maintain a Multi-Hazard Emergency Operations Plan in accordance with Chapter 37 of the Texas Education Code. SCUC ISD agrees to conduct drills and exercises required by the statute, jointly with the CITY and other identified stakeholders.
- 3.14 SCUC ISD will appoint School Attendance officers in accordance with Chapter 25 of the Texas Education Code who will maintain records, investigate offenses, make notifications, and file the appropriate violations in the court having jurisdiction over matters of attendance. The School Attendance officers may solicit the assistance of peace officers assigned under this Agreement to detain or escort a student in violation of Chapter 25 of the Texas Education Code.

Article 4

GENERAL DUTIES AND RESPONSIBILITIES

- 4.1 CITY agrees to perform any obligations required to maintain the SROs as commissioned law enforcement officers with full Texas peace officer status; including but not limited to, providing the SROs with any and all continuing training necessary to maintain their TCOLE certification and required active shooter response training, in accordance with Chapter 37 of the Texas Education Code.
- 4.2 The SROs assigned to SCUC ISD shall be subject to the approval of the SCUC ISD Superintendent and CITY. SCUC ISD understands that CITY may rotate or change any officer assigned to serve as an SRO; provided, however, that the Superintendent may refuse any particular officer assigned as an SRO and require assignment of a different officer.
- 4.3 The Parties agree that every effort should be made to schedule and/or designate vacation days, compensatory time, and other days off at times when school is not in session or at other times when the absence of SROs will not otherwise cause unnecessary risks.

- 4.4 Any properly licensed officer providing SRO services under this Agreement shall be vested with all powers, privileges, and immunities of a peace officer within all territory contained in the boundaries of SCUC ISD and while on any property under the control and jurisdiction of SCUC ISD or otherwise in the performance of his/her duties under the guidelines of SCUC ISD policies and regulations.
- 4.5 CITY authorizes the assigned SROs to carry a weapon and act as a peace officer at all times, in his/her official capacity. Likewise, SCUC ISD specifically authorizes each SRO to carry a weapon in performing services at all schools and property within SCUC ISD. When not on duty as SROs, the officers' rights to carry a firearm will be governed by provisions and rules set forth by TCOLE and CITY and District Policies CKE (Legal) and GKA (Legal).
- 4.6 As CITY employees, any disciplinary action taken against the SROs shall follow the policy and procedure set forth in the employee handbook of CITY.
- 4.7 SCUC ISD will report all required student misconduct to the CITY in accordance with Texas Education Code § 37.015. CITY will make all reports regarding students as required by Texas Code of Criminal Procedure Art. 15.27.
- 4.8 SROs are designated as "school officials" under SCUC ISD Policy FL (Local) for purposes of access to student records to enable the SROs to perform the duties set out in this Agreement and pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g.
- 4.9 The Parties shall each monitor, review and provide oversight and supervision of the services as they are provided and each agree to notify the other as soon as reasonably possible in the event the level or quality of any scheduling, operating, service or performance issue becomes unsatisfactory.
- 4.10 The Parties agree that they will use their best reasonable efforts to coordinate media relations pertaining to law enforcement incidents and investigations occurring pursuant to this Agreement prior to the release of information whenever possible. Information will only be released by a Party in accordance with established law and its existing policies and procedures or as otherwise agreed to by the Parties.
- 4.11 Nothing in this Agreement prevents SCUC ISD from continuing its practice of hiring off-duty police officers to provide security at sporting events, after-hour activities, or other events. This Agreement shall not govern off-duty peace officers hired for these purposes.
- 4.12 The Chief of Police for the CITY or his designee will serve as a member of the SCUC ISD School Safety and Security Committee.

Article 5
FINANCIAL RESPONSIBILITIES & EQUIPMENT

- 5.1 SROs are employees of CITY and not SCUC ISD. CITY shall provide the SROs with all wages, salaries, or other compensation, and benefits of similarly-situated and classified employees of the CITY. CITY shall also be directly responsible for the payment of all payroll taxes, bond costs, retirement contributions, overtime, social security taxes, if any, and all other payroll expenses.
- 5.2 SCUC ISD will be responsible to CITY for any overtime charges associated with, the provision of services under this Agreement.
- 5.3 SCUC ISD shall pay CITY at the rates and amounts set forth in **Attachment A** for the actual time spent by any substitute SRO as if they were the standard assigned SRO.
- 5.4 CITY shall invoice SCUC ISD quarterly, in accordance with the rates and amounts set forth in **Attachment A**, for the services rendered within thirty (30) days of the completion of the quarter. SCUC ISD shall pay CITY for the services rendered within thirty (30) days of the date that the invoice is received by SCUC ISD.
- 5.5 At all times during this Agreement, the proportionate cost allocation methodology utilized to determine amounts due to the CITY for the provision of services outlined herein shall be based on actual direct costs incurred by the CITY to supply these services to SCUC ISD. At no time may the CITY receive a profit under the terms of this Agreement.
- 5.6 The Parties acknowledge that the cost to CITY of providing the services described herein may change over time. Hence, the Parties agree that CITY may change the compensation rates by providing written Notice of Rate Change to SCUC ISD at least sixty (60) days prior to the effective date of the rate change. Such Notice of Rate Change shall include an itemization of costs that conforms to the required allocation methodology contained within Texas Education Code 37.081. If SCUC ISD does not agree to continue to receive services at the rates stated in the Notice of Rate Change, SCUC ISD and the City will make a good faith effort to arrive at a mutually-agreed-upon rate change prior to the effective date of the rate change. If the parties cannot arrive at a mutually-agreed-upon rate change, SCUC ISD may unilaterally terminate this Agreement upon thirty (30) days written notice. If SCUC ISD does not terminate this Agreement, SCUC ISD will be deemed to have accepted the rate change and shall pay the rates stated in the Notice of Rate Change for any services provided by the CITY pursuant to this Agreement on or after the effective date of the rate change.
- 5.7 CITY will provide services of one sergeant and two full-time SROs during the summer months. Attachment A will reflect the 12 month assignment of these SROs.
- 5.8 SCUC ISD will pay for any additional SRO training that SCUC ISD may require unrelated to TCOLE training requirements after having been provided notice of this additional cost and agreeing to such payment prior to the training.
- 5.9 The Parties agree to provide the following equipment and materials to the SROs:

- a. At its own cost, CITY shall furnish the SROs with all equipment routinely assigned to law enforcement personnel who serve the City. CITY will maintain and service all equipment used by the SROs in providing services to SCUC ISD. Equipment includes, but is not limited to, uniforms, computers and computer equipment, firearms, radios, and all other devices used by CITY law enforcement personnel in the performance of their duties. CITY will also provide a fully equipped patrol car to each SRO. Attachment A will reflect the prorated portion of the charge for equipment
- b. SCUC ISD will provide the SROs with office space on school property, a telephone, computer, and other office equipment to perform duties under this Agreement, and as mutually agreed by the Parties. SCUC ISD will provide a secure gun safe of an agreed-upon make and model. SCUC ISD will provide the SROs with a map and personnel roster for each campus and Central Office.
- c. CITY will provide the SROs with access to its facilities as needed to conduct law enforcement business regarding the securing of evidence in crimes and interviewing individuals in connection with a criminal investigation into crimes conducted on school property or in conjunction with a school event or activity.

Article 6
RELATIONSHIP BETWEEN THE PARTIES

- 6.1 Notwithstanding any provision to the contrary herein, this Agreement is a contract for and with respect to the performance of governmental functions by governmental entities. The relationship of SCUC ISD and CITY shall, with respect to that part of any service or function undertaken as a result of or pursuant to this Agreement, be that of independent contractors.
- 6.2 Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, partners, joint venture, or any other similar such relationship.
- 6.3 Officers employed by CITY and assigned by CITY to serve as SROs at SCUC ISD are and will remain employed by the CITY.
- 6.4 CITY shall have no liability whatsoever for or with respect to SCUC ISD's use of any SCUC ISD property or facility, or the actions of, or failure to act by, any employees, subcontractors, agents or assigns of SCUC ISD. SCUC ISD covenants and agrees that:
 - a. SCUC ISD shall be solely responsible, as between SCUC ISD and CITY and the agents, officers and employees of CITY, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by SCUC ISD or its agents, officers, employees, and subcontractors, while on SCUC ISD property or while using any SCUC ISD facility or performing any function or providing or delivering any service undertaken by SCUC ISD pursuant to this Agreement.

- b. For and with respect to the services to be provided by CITY to SCUC ISD pursuant to this Agreement, SCUC ISD hereby contracts, covenants, and agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, reasonably expected to insure SCUC ISD and its agents, officers, and employees from any and against any claim, cause of action or liability arising out of or from the action, omission, or failure to act by SCUC ISD, its agents, officers, employees, and subcontractors in the course of their duties.
- 6.5 SCUC ISD shall have no liability whatsoever for or with respect to CITY's use of any CITY property or facility, or the actions of, or failure to act by, any employees, subcontractors, agents, or assigns of CITY. CITY covenants and agrees that:
 - a. CITY shall be solely responsible, as between SCUC ISD and the agents, officers, and employees of the SCUC ISD, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by CITY or its agents, officers, employees, and subcontractors, while on CITY property or while using the any of CITY's facilities or performing any function or providing or delivering any service undertaken by the CITY pursuant to this Agreement.
 - b. For and with respect to the services to be provided by CITY to SCUC ISD pursuant to this Agreement, CITY hereby contracts, covenants, and agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in the amounts sufficient to insure CITY and its agents, officers, and employees from and against any claim, cause of action, or liability arising out of or from the action, omission, or failure to act by CITY, its agents, officers, employees, and subcontractors in the course of their duties.
- 6.6 It is specifically agreed that, as between the Parties, each party to this Agreement shall be individually and respectively responsible for responding to, dealing with, insuring against, defending, and otherwise handling and managing liability and potential liability pursuant to this Agreement. Each Party hereto reserves and does not waive any defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from the services provided and/or any circumstances arising under this Agreement. This Agreement shall not be interpreted nor construed to give to any third party the right to any claim or cause of action, and neither CITY nor SCUC ISD shall be held legally liable for any claim or cause of action arising pursuant to, or out of the services provided under, this Agreement except as specifically provided herein or by law.
- 6.7 Each party hereto reserves and does not waive any immunity or defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from the services provided and/or any circumstance arising under the Agreement. Neither SCUC ISD nor CITY waive, modify, or alter to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas on behalf of itself, its trustees, council members, officers, employees, and agents.
- 6.8 No term or provision of this Agreement shall benefit or obligate any person or entity not a party to it. This Agreement shall not be interpreted nor construed to give to any third

party the right to any claim or cause of action, and neither CITY nor SCUC ISD shall be held legally liable for any claim or cause of action arising pursuant to, or out of the services provided under, this Agreement except as specifically provided herein or by law. The Parties hereto shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release, or other consideration under this Agreement.

- 6.9 Nothing in this Agreement shall be deemed to extend, increase or limit the jurisdiction or authority of any of CITY or SCUC ISD except as necessary to implement, perform and obtain the services and duties provided for in this Agreement. Save and except only as specifically provided in this Agreement, all governmental functions and services traditionally provided by SCUC ISD, and all governmental and proprietary functions and services traditionally provided by City, shall be and remain the sole responsibility of each such party.

Article 7 **TERM**

- 7.1.1 The initial term of this Agreement shall commence upon approval by both parties and continue through August 31, 2025, unless terminated earlier, in writing, by either party. Subject to agreement on the Consideration by the Parties, this Agreement shall automatically annually renew on September 1 of each year for an additional period of twelve (12) months, unless the Parties hereto have previously exercised their right to terminate this Agreement as hereinafter provided.
- 7.1 This Agreement may be terminated at any time by either Party, without cause, by giving the other party a minimum of ninety (90) days written notice of its intention to terminate, such notice to be delivered by hand or U.S. Certified Mail to the other party.

ARTICLE 8 **NOTIFICATIONS**

- 8.1 All correspondence and communications regarding this Agreement shall be directed to:

CITY OF SCHERTZ, TEXAS

Attn: City Manager
1400 Schertz Parkway
Schertz, Texas 78154

SCHERTZ-CIBOLO-UNIVERSAL CITY
INDEPENDENT SCHOOL DISTRICT
Attn: Superintendent of Schools
1060 Elbel Road
Schertz, Texas 78154

- 8.2 Notices provided pursuant to this Agreement must be in writing and hand-delivered or sent by certified mail, return receipt requested.

ARTICLE 9 **MISCELLANEOUS PROVISIONS**

- 9.1 This Agreement inures to the benefit of and obligates only the Parties executing it. No term or provision of this Agreement shall benefit or obligate any person or entity not a

Party to it. The Parties hereto shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release, or other consideration under this Agreement.

- 9.2 If any provision of this Agreement shall be deemed void or invalid, such provision shall be severed from the remainder of this Agreement, which shall remain in force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Interlocal Cooperation Agreement as of the _____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

By: _____
Steve Williams, City Manager

SCHERTZ-CIBOLO-UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT

By: _____
Paige Meloni, Superintendent

ATTACHMENT A

**INTERLOAL COOPERATION AGREEMENT BETWEEN SCHERTZ-CIBOLO-
UNIVERSAL CITY INDEDEPENDANT SCHOOL DISTRICT AND THE CITY OF
SCHERTZ, TEXAS**

ATTACHMENT "A"

Rate of pay for SZPD personnel and equipment assigned to the SCU ISD is based on the following proportionate cost allocation methodology that allows SZPD to recoup direct costs incurred as a result of this ILA, and the SZPD does not profit under said ILA:

	OFFICER	SERGEANT
Salary & Benefits	\$92,259.00 (Step 4)	\$149,259.00 (Step 5)
Patrol Vehicle (\$100K – 5-year service life)	\$20,000.00	\$20,000.00
TOTAL	\$112,259.00	\$169,259.00

SROs will be assigned to SCUC ISD and billed at a 10/12 ratio, unless otherwise stated*:

	OFFICER	SERGEANT
10 months TOTAL	\$93,549.20	\$141,049.20

SRO ANNUAL COST		
10 months	\$654,844.40 (7 SROs)	\$141,049.20 (1 Sergeant)
12 months	\$224,518.00 (2 SROS)	\$169,259.00 (1 Sergeant)
SUB TOTAL	\$879,362.40	\$310,308.20
TOTAL CONTRACT	\$1,189,670.60	

*Two SROs and One Sergeant assigned to SCUC ISD for full 12 months.

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Planning & Community Development
Subject: Ordinance 24-S-20 - Approving amendments to Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) to Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations. *Final Reading (B.James/L.Wood/E.Delgado)*

BACKGROUND

In the Unified Development Code, Section 21.4.7 states that City Council may, from time to time, on its own motion, or at the request of the City Manager and his/her designee, amend, supplement, change or modify or repeal the text of any portion of this UDC in order to establish and maintain sound, stable and desirable development.

At the April 16, 2024 City Council Meeting, Resolution 24-R-41 and Resolution 24-R-42 were discussed by Council and passed. During the discussion of Resolution 24-R-41 and Resolution 24-R-42, City Council expressed concerns about nonconforming uses and protecting agricultural uses for properties proposed to be annexed. The proposed UDC amendment to Article 7 is intended to resolve these concerns by defining agricultural operations and ensuring that they can continue to operate if the properties are annexed into the City of Schertz.

Proposed Amendments

UDC Amendment: Article 7, Section 21.7.11: Nonconforming Uses, Lots, and Structures

Due to House Bill (HB) 1750, effective September 2023, the agricultural code was amended to remove provisions relating to the effect of a city's governmental requirements on an agricultural operation that was situated outside the city's corporate boundaries and that was later brought within the city's corporate boundaries. Additionally, HB 1750 defined agricultural operations and provided guidance and clarity to cities on generally accepted agricultural practices that do not pose a threat to public health. The definition of agricultural operations in the proposed UDC amendment comes from House Bill 1750.

The proposed UDC amendment to Article 7, would bring the City of Schertz in line with recent changes and definitions established in the Texas Agricultural Code.

Below is the proposed language that would be added as a new section in Article 7 titled Section 21.7.11- Agricultural Operations:

Sec. 21.7.11 Agricultural Operations.

1. Within the City of Schertz, there exists properties that have been utilized for Agricultural Operations prior to being annexed into the City of Schertz. Agricultural Operations per H.B. No 1750 include cultivating the soil, producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed or fiber, floriculture, viticulture, horticulture, silviculture, wildlife management, raising or keeping livestock or poultry,

including veterinary services, and planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop of livestock rotation procedures. Per Texas Agriculture Code Chapter 251 Section 251.0055 a city may not impose a governmental requirement that directly or indirectly prohibits the use of a generally accepted agricultural practice.

2. In order to ensure that properties within the City of Schertz that have been utilized for Agricultural Operations can continue the following are applicable:
 1. Land Use: Properties can be utilized for Agricultural Operations including alternating between growing crops and raising livestock regardless of the zoning designation for the property.
 2. Expansion of Agricultural Operations: Existing Agricultural Operations can expand to include:
 1. Increase of field crop area or increase of livestock or change in livestock species
 2. Construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 1. Issuance of building permits will not be required for any Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure that is less than 2,000 square feet.
 2. Platting of the property and connection to sanitary sewer will not be required for construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 3. This does not negate the requirement to obtain any necessary building permits or any Certificate of Occupancy requirements for a commercial business that will be occupied by or serves those that do not own or work for the agricultural operation.
 3. Construction of additional single family detached residential dwelling units which shall only be utilized for family members or employees of the Agricultural Operations on the same property with a minimum of 5 acres per unit, up to an additional four (4) units per property.
 1. Issuance of building permits will be required for any additional single family detached residential dwelling units.
 2. Platting of the property and connection to sanitary sewer will not be required for construction of additional single family detached residential dwelling units.
 4. Construction of new, or repair of existing agricultural fencing in conjunction with agricultural operations, including utilizing barbed wire, is permitted without obtaining a building permit as long as the proposed fencing is within the property boundaries and does not impede sight visibility.
 3. Development Process: Agricultural Operations are subject to all City of Schertz development regulations and processes to include but not limited to Platting, Site Plan, and Building Permits and Inspections with the exceptions provided within this section.

GOAL

To amend Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations.

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

When evaluating Unified Development Code Amendments, Staff uses the criteria listed in Unified Development Code Section 21.4.7.D Criteria for Approval. The criteria are listed below.

1. The proposed amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

By defining agricultural operations in Article 7, the City is able to establish a clear procedure moving forward on how agricultural operations can continue operations as a nonconforming use. Additionally, staff used the definition of agricultural operations from House Bill Number 1750 that strengthened agricultural operations.

2. An amendment to the text is consistent with other policies of the UDC and the City;

The amendments to Article 7 are meant to protect and preserve existing agricultural operations that have become nonconforming to ensure that the City does not impose governmental requirements that prohibit agricultural practice per state law.

3. Any proposed amendment is consistent with the goals and objectives of this UDC and the City; and

The UDC and its amendments should protect, promote, improve and provide for the public health, safety and general welfare of its citizens while also ensuring the safe, orderly, and efficient development and expansion of the City. The proposed amendments to Article 7 allow agricultural operations to continue on nonconforming properties within the City of Schertz.

4. Other criteria which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.

Staff has ensured that the UDC requirements have been met for the proposed Unified Development Code Amendment, and at this time have not received any special considerations from the City Council. During the May 8th Planning and Zoning Commission meeting, based on comments made during the public hearing the Commission requested staff make modifications to the proposed UDC amendment. These modifications would include clarity on when a building permit is required and clarity on the utilization of barbed wire fencing. These changes have been incorporated into the UDC amendment proposed with Ordinance 24-S-20.

RECOMMENDATION

Staff recommends approval of Ordinance 24-S-20 amending Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations.

The Planning and Zoning Commission met on May 8, 2024, and made a recommendation of approval with discussed modifications for clarity on when a building permit was necessary and the utilization of barbed wire fencing with a 5-2 vote.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-S-20 on first reading.

Attachments

Ordinance 24-S-20

Proposed UDC Amendment- Redlines

House Bill No. 1750

City Council Presentation Slides

ORDINANCE NO. 24-S-20

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 7 NONCONFORMING USES, LOTS AND STRUCTURES

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 8, 2024, the Planning and Zoning Commission conducted a public hearing and, thereafter recommended approval; and

WHEREAS, on June 4, 2024, 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.

NOW THEREFORE, BE IT RESOLVED 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 _____ of _____ 2024.

PASSED, APPROVED and ADOPTED ON SECOND READING, the _____ of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Proposed Unified Development Code (UDC) Amendments
Article 7 Section 21.7.11 - Agricultural Operations

- SCHERTZ UNIFIED DEVELOPMENT CODE
ARTICLE 7. NONCONFORMING USES, LOTS AND STRUCTURES

ARTICLE 7. NONCONFORMING USES, LOTS AND STRUCTURES

Sec. 21.7.1. Purpose and intent.

- A. Within the districts established by this UDC or amendments thereto, there may exist lots, structures, uses of land and structures, and characteristics of use which were lawfully in existence and operating before this UDC was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which they are located. It is the intent of this UDC to permit such nonconforming uses to continue, as long as the conditions within this section and other applicable sections of this UDC are met.
- B. It is further the intent of this UDC that nonconforming uses, lots and structures shall not be enlarged upon, expanded or extended, and shall not be used as a basis for adding other structures or uses prohibited elsewhere in the same district.
- C. Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

Sec. 21.7.2. Nonconforming status.

- A. Except as provided in section 21.7.9 below, any use, platted lot or structure that does not conform with the regulations of this UDC on the effective date hereof or any amendment hereto, shall be deemed a nonconforming use, platted lot or structure provided that:
 - 1. Such use, platted lot or structure was in existence under, and in compliance with, the provisions of the immediately prior UDC or code;
 - 2. Such use, platted lot or structure was a lawful, nonconforming use, platted lot or structure under the immediately prior UDC or code; or
 - 3. Such use, platted lot or structure was in existence at the time of annexation into the City, was a legal use of the land at such time, and has been in regular and continuous use since such time.
- B. Except as provided in section 21.7.9 below, any other use, platted lot or structure which does not conform with the regulations of the zoning district in which it is located on the effective date of this UDC or any amendment hereto, shall be deemed to be in violation of this UDC, and the City shall be entitled to enforce fully the terms of this UDC with respect to such use, platted lot or structure.

Sec. 21.7.3. Continuing lawful use of land and structures.

- A. A nonconforming use or structure may continue to be used, operated or occupied in accordance with the terms of the zoning regulations by which it was established, or in the case of annexed property, in accordance with the regulations under which it was created.
- B. A nonconforming structure occupied by a nonconforming use may be re-occupied by a conforming use, following abandonment of the nonconforming use.

Sec. 21.7.4. Expansion of nonconforming uses and structures.

- A. A nonconforming use may be extended throughout the structure in which it is located, provided that:
 - 1. The structure or its premises shall not be enlarged or increased in height, in floor area or in land area to accommodate extension of the nonconforming use;

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2. No alteration shall be made to the structure occupied by the nonconforming use, except those alterations that are required by law to preserve the integrity of the structure and alterations that would upgrade the quality, safety or aesthetic appeal of the structure; and
 3. The number of dwelling units occupying the structure shall not exceed the number of dwelling units existing at the time the use became nonconforming.
- B. A nonconforming use occupying a structure shall not be extended to occupy land outside the structure.
 - C. A nonconforming use or structure shall not be enlarged, increased or extended to occupy a greater area of land than was occupied at the time the use or structure became nonconforming, except to provide additional off-street parking or loading areas required by this UDC.

Sec. 21.7.5. Abandonment of nonconforming uses and structures, and cessation of use of structures or land.

- A. If a nonconforming use or structure is abandoned, any future use of the premises shall be in conformity with the provisions of this UDC, as amended, and with any other applicable City codes, ordinances or regulations that are in effect at the time the use is resumed or the structure is re-occupied.
- B. A nonconforming use or structure shall be deemed "abandoned" in the following circumstances:
 1. The use ceases to operate for a continuous period of 180 calendar days;
 2. The structure remains vacant for a continuous period of 180 calendar days; or
 3. In the case of a temporary use, the use is moved from the premises for any length of time.
- C. If the use of any lot, tract or property that does not have a building on it and that is used for open/outside storage as of the effective date of this UDC is made nonconforming by this UDC, as amended on the effective date, then such storage use shall cease within 180 calendar days following the effective date of this UDC. The lot, tract or property shall be cleaned up and all trash, debris, stored items and vehicles, and other materials shall be removed from the premises such that the property is not a physical or visual nuisance to the public or to surrounding property owners.

Sec. 21.7.6. Substitution of nonconforming uses.

- A. A nonconforming use shall not be changed to another nonconforming use.
- B. A nonconforming use may be changed to a conforming use provided that, once such change is made, the use shall not be changed back to a nonconforming use.
- C. A conforming use located in a nonconforming structure may be changed to another conforming use, but shall not be changed to another nonconforming use.
- D. Notwithstanding any of the provisions of this section, a nonconforming HUD-Code manufactured home may be exchanged or replaced by another HUD-Code manufactured home, provided the newly located residential unit is owner-occupied.

Sec. 21.7.7. Reconstruction or repair of nonconforming structure.

- A. If more than fifty percent (50%) of the total appraised value of a nonconforming structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, then the structure may be rebuilt only in conformity with the standards of this UDC.
- B. If less than fifty percent (50%) of the total appraised value of a nonconforming structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, then the structure may be reconstructed as it was before the partial destruction but only to its original dimensions

and floor area, and provided that such reconstruction is completed within 365 calendar days following the event that caused the partial destruction. If reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, then the 365 calendar day reconstruction period may be extended by the City Manager or his/her designee, at his/her sole discretion.

- C. If a nonconforming structure that is totally or partially destroyed was occupied by a nonconforming use at the time of such destruction, then the nonconforming use may be re-established subject to the limitations on expansion set forth in section 21.7.4 above.
- D. Any conforming structure that is totally or partially destroyed shall be reconstructed only in conformity with the standards of this UDC.
- E. Nothing in this UDC shall be construed to prohibit the upgrading, strengthening, repair or maintenance of any part of any structure, conforming or nonconforming, that is declared unsafe or uninhabitable by the proper authority, unless such repairs or maintenance exceeds fifty percent (50%) of the structure's appraised value, as determined by the applicable county appraisal district.

Sec. 21.7.8. Relocation of nonconforming structure.

No nonconforming structure or building shall be moved in whole or in part to any other location on the lot, or to any other location or lot, unless every portion of such structure is in compliance with all the regulations of the zoning district in which the structure is to be relocated. Such building relocation shall also require a structure relocation permit from the City, and may also require platting of the intended building site as well as Site Plan approval pursuant to this UDC.

Sec. 21.7.9. Nonconforming lots.

- A. The following types of platted lots shall be deemed in conformance with the provisions of this UDC, notwithstanding the fact that such lot does not meet the standards of this UDC in the zoning district in which it is located:
 - 1. Any vacant lot that conformed to the City's zoning district regulations at the time that it was platted; or
 - 2. Any lot occupied by a single-family dwelling authorized under the zoning district regulations in which the lot is located.
- B. Nothing in this UDC shall be construed to prohibit the use of a lot that does not meet the minimum lot standards of the zoning district in which it is located, provided that the lot is zoned for the land use(s) intended and the lot was platted as a lot of record prior to the effective date of this UDC.
- C. A lot of record located within the RA zoning district that is nonconforming may be occupied by a single-family dwelling provided that all applicable zoning standards with regard to building setbacks, building size and design criteria are met.

Sec. 21.7.10. Validation.

- A. Within the City, there exist on the following subdivisions: Belmont Park; Kramer Farm; Whisper Meadows; Northcliffe II; Tanglewood; Wynn Brook; Jonas Woods Unit 1 Lots 1-18, Block 3; Jonas Woods Unit 1 Lots 1-29, Block 2; Jonas Woods Unit 1 Lots 1-18 and 51-65, Block 1; Jonas Woods Unit 4; The Ridge at Scenic Hills; Fairhaven; The Links at Scenic Hills; and The Fairways at Scenic Hills (the "Subdivisions"), which include structural encroachments onto platted setbacks; plats with improperly designated setbacks or improper lot sizes; and improper master plans. It is the intent of this section to validate such improper encroachments, plats, and master plans in the subdivisions and to determine that such improper encroachments, plats, and master plans are deemed not to be in violation of this UDC, but only so long as the conditions within this section 21.7.10 of this UDC are met. The provisions of this section shall be limited to validate only the improper encroachments, plats, and master plans on February 24, 2009 in the subdivisions.

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- B. The portions of existing structures encroaching onto platted setbacks in any of the subdivisions on the effective date of this UDC (validated encroaching structures) shall not be enlarged upon, expanded, or extended into the platted setback area.
 - C. If more than fifty percent (50%) of (i) the total square footage of a validated encroaching structure or (ii) the total appraised value of the validated encroaching structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, the validated encroaching structure may not be rebuilt within the platted setback, except as may otherwise be permitted by this UDC (other than this section). If fifty percent (50%) or less of (i) the total square footage of a validated encroaching structure or (ii) the total appraised value of the validated encroaching structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, the validated encroaching structure may be reconstructed as it was before the partial destruction but only to its original dimensions and footprint area within the platted setback, and provided that such reconstruction is completed within 365 calendar days following the event that caused the partial destruction. If reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, the three hundred sixty-five calendar day reconstruction period may be extended by the City Manager or his/her designee, at his/her sole discretion.
 - D. No validated encroaching structure encroaching onto a platted setback shall be moved in whole or in part to any other location on the lot, unless every portion of such structure after such relocation is out of the platted setback and is in compliance with all the requirements of the zoning district for such lot and all other applicable requirements of this UDC and other applicable codes, ordinances or regulations of the City in effect at such time.
 - E. If application is made to have plats with improper setbacks, plats with improper lot sizes, and/or existing master plans for any of the subdivisions replatted or amended, any such replats or amendments shall be required to be in conformity with the provisions of this UDC (other than this section) and with all other applicable City codes, ordinances or regulations that are in effect at the time application for amendment or replatting is made.
 - F. This section is subject in all events to the property owner's rights set forth in Local Government Code Chapter 245.

Sec. 21.7.11 Agricultural Operations.

- A. Within the City of Schertz, there exists properties that have been utilized for Agricultural Operations prior to being annexed into the City of Schertz. Agricultural Operations per H.B. No 1750 include cultivating the soil, producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed or fiber, floriculture, viticulture, horticulture, silviculture, wildlife management, raising or keeping livestock or poultry, including veterinary services, and planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop of livestock rotation procedures. Per Texas Agriculture Code Chapter 251 Section 251.0055 a city may not impose a governmental requirement that directly or indirectly prohibits the use of a generally accepted agricultural practice.
- B. In order to ensure that properties within the City of Schertz that have been utilized for Agricultural Operations can continue the following are applicable:
 - a. Land Use: Properties can be utilized for Agricultural Operations including alternating between growing crops and raising livestock regardless of the zoning designation for the property.
 - b. Expansion of Agricultural Operations: Existing Agricultural Operations can expand to include:
 - i. Increase of field crop area or increase of livestock or change in livestock species

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- ii. Construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 1. Issuance of building permits will not be required for any Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure that is less than 2,000 square feet.
 - 2. Platting of the property and connection to sanitary sewer will not be required for construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 3. This does not negate the requirement to obtain any necessary building permits or any Certificate of Occupancy requirements for a commercial business that will be occupied by or serves those that do not own or work for the agricultural operation.
 - iii. Construction of additional single family detached residential dwelling units which shall only be utilized for family members or employees of the Agricultural Operations on the same property with a minimum of 5 acres per unit, up to an additional four (4) units per property.
 - 1. Issuance of building permits will be required for any additional single family detached residential dwelling units.
 - 2. Platting of the property and connection to sanitary sewer will not be required for construction of additional single family detached residential dwelling units.
 - iv. Construction of new, or repair of existing agricultural fencing in conjunction with agricultural operations, including utilizing barbed wire, is permitted without obtaining a building permit as long as the proposed fencing is within the property boundaries and does not impede sight visibility.
 - c. Development Process: Agricultural Operations are subject to all City of Schertz development regulations and processes to include but not limited to Platting, Site Plan, and Building Permits and Inspections with the exceptions provided within this section.

PROPOSED RED LINES

- SCHERTZ UNIFIED DEVELOPMENT CODE
ARTICLE 7. NONCONFORMING USES, LOTS AND STRUCTURES

ARTICLE 7. NONCONFORMING USES, LOTS AND STRUCTURES

Sec. 21.7.1. Purpose and intent.

- A. Within the districts established by this UDC or amendments thereto, there may exist lots, structures, uses of land and structures, and characteristics of use which were lawfully in existence and operating before this UDC was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which they are located. It is the intent of this UDC to permit such nonconforming uses to continue, as long as the conditions within this section and other applicable sections of this UDC are met.
- B. It is further the intent of this UDC that nonconforming uses, lots and structures shall not be enlarged upon, expanded or extended, and shall not be used as a basis for adding other structures or uses prohibited elsewhere in the same district.
- C. Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

Sec. 21.7.2. Nonconforming status.

- A. Except as provided in section 21.7.9 below, any use, platted lot or structure that does not conform with the regulations of this UDC on the effective date hereof or any amendment hereto, shall be deemed a nonconforming use, platted lot or structure provided that:
 - 1. Such use, platted lot or structure was in existence under, and in compliance with, the provisions of the immediately prior UDC or code;
 - 2. Such use, platted lot or structure was a lawful, nonconforming use, platted lot or structure under the immediately prior UDC or code; or
 - 3. Such use, platted lot or structure was in existence at the time of annexation into the City, was a legal use of the land at such time, and has been in regular and continuous use since such time.
- B. Except as provided in section 21.7.9 below, any other use, platted lot or structure which does not conform with the regulations of the zoning district in which it is located on the effective date of this UDC or any amendment hereto, shall be deemed to be in violation of this UDC, and the City shall be entitled to enforce fully the terms of this UDC with respect to such use, platted lot or structure.

Sec. 21.7.3. Continuing lawful use of land and structures.

- A. A nonconforming use or structure may continue to be used, operated or occupied in accordance with the terms of the zoning regulations by which it was established, or in the case of annexed property, in accordance with the regulations under which it was created.
- B. A nonconforming structure occupied by a nonconforming use may be re-occupied by a conforming use, following abandonment of the nonconforming use.

Sec. 21.7.4. Expansion of nonconforming uses and structures.

- A. A nonconforming use may be extended throughout the structure in which it is located, provided that:
 - 1. The structure or its premises shall not be enlarged or increased in height, in floor area or in land area to accommodate extension of the nonconforming use;
 - 2. No alteration shall be made to the structure occupied by the nonconforming use, except those alterations that are required by law to preserve the integrity of the structure and alterations that would upgrade the quality, safety or aesthetic appeal of the structure; and
 - 3. The number of dwelling units occupying the structure shall not exceed the number of dwelling units existing at the time the use became nonconforming.
- B. A nonconforming use occupying a structure shall not be extended to occupy land outside the structure.
- C. A nonconforming use or structure shall not be enlarged, increased or extended to occupy a greater area of land than was occupied at the time the use or structure became nonconforming, except to provide additional off-street parking or loading areas required by this UDC.

Sec. 21.7.5. Abandonment of nonconforming uses and structures, and cessation of use of structures or land.

- A. If a nonconforming use or structure is abandoned, any future use of the premises shall be in conformity with the provisions of this UDC, as amended, and with any other applicable City codes, ordinances or regulations that are in effect at the time the use is resumed or the structure is re-occupied.
- B. A nonconforming use or structure shall be deemed "abandoned" in the following circumstances:
 - 1. The use ceases to operate for a continuous period of 180 calendar days;
 - 2. The structure remains vacant for a continuous period of 180 calendar days; or
 - 3. In the case of a temporary use, the use is moved from the premises for any length of time.
- C. If the use of any lot, tract or property that does not have a building on it and that is used for open/outside storage as of the effective date of this UDC is made nonconforming by this UDC, as amended on the effective date, then such storage use shall cease within 180 calendar days following the effective date of this UDC. The lot, tract or property shall be cleaned up and all trash, debris, stored items and vehicles, and other materials shall be removed from the premises such that the property is not a physical or visual nuisance to the public or to surrounding property owners.

Sec. 21.7.6. Substitution of nonconforming uses.

- A. A nonconforming use shall not be changed to another nonconforming use.
- B. A nonconforming use may be changed to a conforming use provided that, once such change is made, the use shall not be changed back to a nonconforming use.
- C. A conforming use located in a nonconforming structure may be changed to another conforming use, but shall not be changed to another nonconforming use.
- D. Notwithstanding any of the provisions of this section, a nonconforming HUD-Code manufactured home may be exchanged or replaced by another HUD-Code manufactured home, provided the newly located residential unit is owner-occupied.

Sec. 21.7.7. Reconstruction or repair of nonconforming structure.

- A. If more than fifty percent (50%) of the total appraised value of a nonconforming structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, then the structure may be rebuilt only in conformity with the standards of this UDC.
- B. If less than fifty percent (50%) of the total appraised value of a nonconforming structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, then the structure may be reconstructed as it was before the partial destruction but only to its original dimensions and floor area, and provided that such reconstruction is completed within 365 calendar days following the event that caused the partial destruction. If reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, then the 365 calendar day reconstruction period may be extended by the City Manager or his/her designee, at his/her sole discretion.
- C. If a nonconforming structure that is totally or partially destroyed was occupied by a nonconforming use at the time of such destruction, then the nonconforming use may be re-established subject to the limitations on expansion set forth in section 21.7.4 above.
- D. Any conforming structure that is totally or partially destroyed shall be reconstructed only in conformity with the standards of this UDC.
- E. Nothing in this UDC shall be construed to prohibit the upgrading, strengthening, repair or maintenance of any part of any structure, conforming or nonconforming, that is declared unsafe or uninhabitable by the proper authority, unless such repairs or maintenance exceeds fifty percent (50%) of the structure's appraised value, as determined by the applicable county appraisal district.

Sec. 21.7.8. Relocation of nonconforming structure.

No nonconforming structure or building shall be moved in whole or in part to any other location on the lot, or to any other location or lot, unless every portion of such structure is in compliance with all the regulations of the zoning district in which the structure is to be relocated. Such building relocation shall also require a structure relocation permit from the City, and may also require platting of the intended building site as well as Site Plan approval pursuant to this UDC.

Sec. 21.7.9. Nonconforming lots.

- A. The following types of platted lots shall be deemed in conformance with the provisions of this UDC, notwithstanding the fact that such lot does not meet the standards of this UDC in the zoning district in which it is located:
 - 1. Any vacant lot that conformed to the City's zoning district regulations at the time that it was platted; or
 - 2. Any lot occupied by a single-family dwelling authorized under the zoning district regulations in which the lot is located.
- B. Nothing in this UDC shall be construed to prohibit the use of a lot that does not meet the minimum lot standards of the zoning district in which it is located, provided that the lot is zoned for the land use(s) intended and the lot was platted as a lot of record prior to the effective date of this UDC.
- C. A lot of record located within the RA zoning district that is nonconforming may be occupied by a single-family dwelling provided that all applicable zoning standards with regard to building setbacks, building size and design criteria are met.

Sec. 21.7.10. Validation.

- A. Within the City, there exist on the following subdivisions: Belmont Park; Kramer Farm; Whisper Meadows; Northcliffe II; Tanglewood; Wynn Brook; Jonas Woods Unit 1 Lots 1-18, Block 3; Jonas Woods Unit 1 Lots 1-29, Block 2; Jonas Woods Unit 1 Lots 1-18 and 51-65, Block 1; Jonas Woods Unit 4; The Ridge at Scenic Hills; Fairhaven; The Links at Scenic Hills; and The Fairways at Scenic Hills (the "Subdivisions"), which include structural encroachments onto platted setbacks; plats with improperly designated setbacks or improper lot sizes; and improper master plans. It is the intent of this section to validate such improper encroachments, plats, and master plans in the subdivisions and to determine that such improper encroachments, plats, and master plans are deemed not to be in violation of this UDC, but only so long as the conditions within this section 21.7.10 of this UDC are met. The provisions of this section shall be limited to validate only the improper encroachments, plats, and master plans on February 24, 2009 in the subdivisions.
- B. The portions of existing structures encroaching onto platted setbacks in any of the subdivisions on the effective date of this UDC (validated encroaching structures) shall not be enlarged upon, expanded, or extended into the platted setback area.
- C. If more than fifty percent (50%) of (i) the total square footage of a validated encroaching structure or (ii) the total appraised value of the validated encroaching structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, the validated encroaching structure may not be rebuilt within the platted setback, except as may otherwise be permitted by this UDC (other than this section). If fifty percent (50%) or less of (i) the total square footage of a validated encroaching structure or (ii) the total appraised value of the validated encroaching structure, as determined by the applicable county appraisal district, is destroyed by fire, the elements, or some other cause, the validated encroaching structure may be reconstructed as it was before the partial destruction but only to its original dimensions and footprint area within the platted setback, and provided that such reconstruction is completed within 365 calendar days following the event that caused the partial destruction. If reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, the three hundred sixty-five calendar day reconstruction period may be extended by the City Manager or his/her designee, at his/her sole discretion.
- D. No validated encroaching structure encroaching onto a platted setback shall be moved in whole or in part to any other location on the lot, unless every portion of such structure after such relocation is out of the platted setback and is in compliance with all the requirements of the zoning district for such lot and all other applicable requirements of this UDC and other applicable codes, ordinances or regulations of the City in effect at such time.
- E. If application is made to have plats with improper setbacks, plats with improper lot sizes, and/or existing master plans for any of the subdivisions replatted or amended, any such replats or amendments shall be required to be in conformity with the provisions of this UDC (other than this section) and with all other applicable City codes, ordinances or regulations that are in effect at the time application for amendment or replatting is made.
- F. This section is subject in all events to the property owner's rights set forth in Local Government Code Chapter 245.

Sec. 21.7.11 Agricultural Operations.

- A. Within the City of Schertz, there exists properties that have been utilized for Agricultural Operations prior to being annexed into the City of Schertz. Agricultural Operations per H.B. No 1750 include cultivating the soil, producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed or fiber, floriculture, viticulture, horticulture, silviculture, wildlife management, raising or keeping livestock or poultry, including veterinary services, and planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedures. Per Texas Agriculture Code Chapter 251 Section 251.0055 a city may not impose a governmental requirement that directly or indirectly prohibits the use of a generally accepted agricultural practice.
- B. In order to ensure that properties within the City of Schertz that have been utilized for Agricultural Operations can continue the following are applicable:
 - a. Land Use: Properties can be utilized for Agricultural Operations including alternating between growing crops and raising livestock regardless of the zoning designation for the property.
 - b. Expansion of Agricultural Operations: Existing Agricultural Operations can expand to include:
 - i. Increase of field crop area or increase of livestock or change in livestock species
 - ii. Construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 1. Issuance of building permits will not be required for any Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure that is less than 2,000 square feet.
 - 2. Platting of the property and connection to sanitary sewer will not be required for construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 3. This does not negate the requirement to obtain any necessary building permits or any Certificate of Occupancy requirements for a commercial business that will be occupied by or serves those that do not own or work for the agricultural operation.
 - iii. Construction of additional single family detached residential dwelling units which shall only be utilized for family members or employees of the

Agricultural Operations on the same property with a minimum of 5 acres per unit, up to an additional four (4) units per property.

1. Issuance of building permits will be required for any additional single family detached residential dwelling units.
 2. Platting of the property and connection to sanitary sewer will not be required for construction of additional single family detached residential dwelling units.
- iv. Construction of new, or repair of existing agricultural fencing in conjunction with agricultural operations, including utilizing barbed wire, is permitted without obtaining a building permit as long as the proposed fencing is within the property boundaries and does not impede sight visibility.
- c. Development Process: Agricultural Operations are subject to all City of Schertz development regulations and processes to include but not limited to Platting, Site Plan, and Building Permits and Inspections with the exceptions provided within this section.

AN ACT

relating to the applicability of certain city requirements to agricultural operations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 251, Agriculture Code, is amended to read as follows:

CHAPTER 251. EFFECT OF NUISANCE ACTIONS AND GOVERNMENTAL REQUIREMENTS ON CERTAIN [~~PREEXISTING~~] AGRICULTURAL OPERATIONS

SECTION 2. Sections 251.002(1) and (2), Agriculture Code, are amended to read as follows:

(1) "Agricultural operation" includes the following activities:

- (A) cultivating the soil;
- (B) producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed, or fiber;
- (C) floriculture;
- (D) viticulture;
- (E) horticulture;
- (F) silviculture;
- (G) wildlife management;
- (H) raising or keeping livestock or poultry, including veterinary services; and
- (I) planting cover crops or leaving land idle for

1 the purpose of participating in any governmental program or normal
2 crop or livestock rotation procedure.

3 (2) "Governmental requirement" includes any rule,
4 regulation, ordinance, zoning, license or permit requirement, or
5 other requirement or restriction enacted or promulgated by a
6 county, city, or other municipal corporation that has the power to
7 enact or promulgate the requirement or restriction.

8 SECTION 3. Section 251.005(c), Agriculture Code, is amended
9 to read as follows:

10 (c) A governmental requirement of a city:

11 (1) does not apply to any agricultural operation
12 located [situated] outside the corporate boundaries of the city;
13 and

14 (2) applies to an agricultural operation located in
15 the corporate boundaries of the city only if the governmental
16 requirement complies with Section 251.0055 [on the effective date
17 of this chapter. If an agricultural operation so situated is
18 subsequently annexed or otherwise brought within the corporate
19 boundaries of the city, the governmental requirements of the city
20 do not apply to the agricultural operation unless the requirement
21 is reasonably necessary to protect persons who reside in the
22 immediate vicinity or persons on public property in the immediate
23 vicinity of the agricultural operation from the danger of:

24 [~~(1) explosion, flooding, vermin, insects, physical~~
25 ~~injury, contagious disease, removal of lateral or subjacent~~
26 ~~support, contamination of water supplies, radiation, storage of~~
27 ~~toxic materials, or traffic hazards, or~~

1 ~~[(2) discharge of firearms or other weapons, subject~~
2 ~~to the restrictions in Section 229.002, Local Government Code].~~

3 SECTION 4. Chapter 251, Agriculture Code, is amended by
4 adding Section 251.0055 to read as follows:

5 Sec. 251.0055. LIMITATIONS ON CITY GOVERNMENTAL
6 REQUIREMENTS APPLICABLE WITHIN CORPORATE BOUNDARIES. (a) A city
7 may not impose a governmental requirement that applies to
8 agricultural operations located in the corporate boundaries of the
9 city unless:

10 (1) there is clear and convincing evidence that the
11 purposes of the requirement cannot be addressed through less
12 restrictive means and that the requirement is necessary to protect
13 persons who reside in the immediate vicinity or persons on public
14 property in the immediate vicinity of the agricultural operation
15 from the imminent danger of:

16 (A) explosion;

17 (B) flooding;

18 (C) an infestation of vermin or insects;

19 (D) physical injury;

20 (E) the spread of an identified contagious
21 disease that is directly attributable to the agricultural
22 operation;

23 (F) the removal of lateral or subjacent support;

24 (G) an identified source of contamination of
25 water supplies;

26 (H) radiation;

27 (I) improper storage of toxic materials;

1 (J) crops planted or vegetation grown in a manner
2 that will cause traffic hazards; or

3 (K) discharge of firearms or other weapons,
4 subject to the restrictions in Section 229.002, Local Government
5 Code;

6 (2) the governing body of the city makes a finding by
7 resolution, based on a report described by Subsection (b), that the
8 requirement is necessary to protect public health; and

9 (3) the requirement is not otherwise prohibited by
10 this section.

11 (b) Before making a finding described by Subsection (a)(2),
12 the governing body of the city must obtain and review a report
13 prepared by the city health officer or a consultant that:

14 (1) identifies evidence of the health hazards related
15 to agricultural operations;

16 (2) determines the necessity of regulation and the
17 manner in which agricultural operation should be regulated;

18 (3) states whether each manner of regulation under
19 Subdivision (2) will restrict or prohibit a generally accepted
20 agricultural practice listed in the manual prepared under Section
21 251.007; and

22 (4) if applicable, includes an explanation why the
23 report recommends a manner of regulation that will restrict the use
24 of a generally accepted agricultural practice that the manual
25 indicates does not pose a threat to public health.

26 (c) A city may not impose a governmental requirement that
27 directly or indirectly:

1 (1) prohibits the use of a generally accepted
2 agricultural practice listed in the manual prepared under Section
3 251.007, except as provided by Subsections (a) and (b);

4 (2) prohibits or restricts the growing or harvesting
5 of vegetation for animal feed, livestock forage, or forage for
6 wildlife management, except as provided by Subsection (d);

7 (3) prohibits the use of pesticides or other measures
8 to control vermin or disease-bearing insects to the extent
9 necessary to prevent an infestation; or

10 (4) requires an agricultural operation be designated
11 for:

12 (A) agricultural use under Section 1-d, Article
13 VIII, Texas Constitution; or

14 (B) farm, ranch, wildlife management, or timber
15 production use under Section 1-d-1, Article VIII, Texas
16 Constitution.

17 (d) A city may impose a maximum height for vegetation that
18 applies to agricultural operations only if:

19 (1) the maximum vegetation height is at least 12
20 inches; and

21 (2) the requirement applies only to portions of an
22 agricultural operation located no more than 10 feet from a property
23 boundary that is adjacent to:

24 (A) a public sidewalk, street, or highway; or

25 (B) a property that:

26 (i) is owned by a person other than the
27 owner of the agricultural operation; and

1 (ii) has a structure that is inhabited.

2 (e) A governmental requirement of a city relating to the
3 restraint of a dog that would apply to an agricultural operation
4 does not apply to a dog used to protect livestock on property
5 controlled by the property owner while the dog is being used on such
6 property for that purpose.

7 (f) A city may require a person to provide a written
8 management plan that meets the specifications described by Section
9 23.521(c), Tax Code, to establish that activities constitute an
10 agricultural operation on the basis of being wildlife management
11 activities.

12 SECTION 5. Chapter 251, Agriculture Code, is amended by
13 adding Sections 251.007 and 251.008 to read as follows:

14 Sec. 251.007. GENERALLY ACCEPTED AGRICULTURAL PRACTICES.
15 The Texas A&M AgriLife Extension Service shall develop a manual
16 that identifies generally accepted agricultural practices and
17 indicates which of those practices do not pose a threat to public
18 health, including a threat to public health posed by a danger listed
19 in Section 251.0055(a)(1).

20 Sec. 251.008. CONFLICT WITH OTHER LAW. If there is a
21 conflict between this chapter and other law, this chapter prevails.

22 SECTION 6. Sections 251.005(c-1) and (c-2), Agriculture
23 Code, are repealed.

24 SECTION 7. As soon as practicable after the effective date
25 of this Act, the Texas A&M AgriLife Extension Service shall develop
26 the manual described by Section 251.007, Agriculture Code, as added
27 by this Act.

1 SECTION 8. Sections 251.002 and 251.005, Agriculture Code,
2 as amended by this Act, and Section 251.0055, Agriculture Code, as
3 added by this Act, apply to a governmental requirement adopted
4 before, on, or after the effective date of this Act.

5 SECTION 9. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 1750 was passed by the House on April 11, 2023, by the following vote: Yeas 143, Nays 3, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1750 was passed by the Senate on May 15, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

Ordinance 24-S-20

UDC Amendment to Article 7- NonConforming Uses, Lots, and Structures

Emily Delgado | Planning Manager

Background

- At the April 16, 2024 City Council Meeting, Resolution 24-R-41 and Resolution 24-R-42 were discussed by Council and passed starting the annexation process for properties in Comal, Guadalupe, and Bexar County based on expiring Delayed Annexation Development Agreements.
- During the discussion of Resolution 24-R-41 and 24-R-42, City Council expressed concerns about nonconforming uses and protecting agricultural uses for properties proposed to be annexed.
- The proposed UDC amendment to Article 7 is intended to resolve these concerns by defining agricultural operations and ensuring that they can continue to operate if the properties are annexed into the City of Schertz.

Background- House Bill 1750

- Due to House Bill (HB) 1750, effective September 2023, the agricultural code was amended to remove provisions relating to the effect of a city's governmental requirements on an agricultural operation that was situated outside the city's corporate boundaries and that was later brought within the city's corporate boundaries.
- Additionally, HB 1750 defined agricultural operations and provided guidance and clarity to cities on generally accepted agricultural practices that do not pose a threat to public health.
- The definition of agricultural operations in the proposed UDC amendment comes from House Bill 1750.
- The proposed UDC amendment to Article 7, would bring the City of Schertz in line with recent changes and definitions established in the Texas Agricultural Code.

Proposed UDC Article 7 Amendment

Sec. 21.7.11 Agricultural Operations.

- A. Within the City of Schertz, there exists properties that have been utilized for Agricultural Operations prior to being annexed into the City of Schertz. Agricultural Operations per H.B. No 1750 include cultivating the soil, producing crops or growing vegetation for human food, animal feed, livestock forage, forage for wildlife management, planting seed or fiber, floriculture, viticulture, horticulture, silviculture, wildlife management, raising or keeping livestock or poultry, including veterinary services, and planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop of livestock rotation procedures. Per Texas Agriculture Code Chapter 251 Section 251.0055 a city may not impose a governmental requirement that directly or indirectly prohibits the use of a generally accepted agricultural practice.

Proposed UDC Article 7 Amendment Continued

- B. In order to ensure that properties within the City of Schertz that have been utilized for Agricultural Operations can continue the following are applicable:
 - a. Land Use: Properties can be utilized for Agricultural Operations including alternating between growing crops and raising livestock regardless of the zoning designation for the property.
 - b. Expansion of Agricultural Operations: Existing Agricultural Operations can expand to include:
 - i. Increase of field crop area or increase of livestock or change in livestock species
 - ii. Construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 1. Issuance of building permits will not be required for any Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure that is less than 2,000 square feet.
 - 2. Platting of the property and connection to sanitary sewer will not be required for construction of Maintenance Buildings or Equipment Sheds, Barns, Accessory Buildings, Animal Cages or Corrals, Feeders or Grain Storage, or any other miscellaneous Agricultural related structure.
 - 3. This does not negate the requirement to obtain any necessary building permits or any Certificate of Occupancy requirements for a commercial business that will be occupied by or serves those that do not own or work for the agricultural operation.

Proposed UDC Article 7 Amendment Continued

- iii. Construction of additional single family detached residential dwelling units which shall only be utilized for family members or employees of the Agricultural Operations on the same property with a minimum of 5 acres per unit, up to an additional four (4) units per property.
 - 1. Issuance of building permits will be required for any additional single family detached residential dwelling units.
 - 2. Platting of the property and connection to sanitary sewer will not be required for construction of additional single family detached residential dwelling units.
- iv. Construction of new, or repair of existing agricultural fencing in conjunction with agricultural operations, including utilizing barbed wire, is permitted without obtaining a building permit as long as the proposed fencing is within the property boundaries and does not impede sight visibility.
- c. Development Process: Agricultural Operations are subject to all City of Schertz development regulations and processes to include but not limited to Platting, Site Plan, and Building Permits and Inspections with the exceptions provided within this section.

UDC SECTION 21.4.7.D Criteria for Approval

1. The proposed amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

- By defining agricultural operations in Article 7, the City is able to establish a clear procedure moving forward on how agricultural operations can continue operations as a nonconforming use. Additionally, staff used the definition of agricultural operations from House Bill Number 1750 that strengthened agricultural operations.

2. An amendment to the text is consistent with other policies of the UDC and the City;

- The amendments to Article 7 are meant to protect and preserve existing agricultural operations that have become nonconforming to ensure that the City does not impose governmental requirements that prohibit agricultural practice per state law.

UDC SECTION 21.4.7.D Criteria for Approval

3. Any proposed amendment is consistent with the goals and objectives of this UDC and the City; and

- The UDC and its amendments should protect, promote, improve and provide for the public health, safety and general welfare of its citizens while also ensuring the safe, orderly, and efficient development and expansion of the City. The proposed amendments to Article 7 allow agricultural operations to continue on nonconforming properties within the City of Schertz.

4. Other criteria which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.

- Staff has ensured that the UDC requirements have been met for the proposed Unified Development Code Amendment, and at this time have not received any special considerations from the Planning and Zoning Commission or the City Council.

P&Z and Staff Recommendation

Staff recommends approval of Ordinance 24-S-20 amending Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations.

The Planning and Zoning Commission met on May 8, 2024, and made a recommendation of approval with discussed modifications for clarity on when a building permit was necessary and the utilization of barbed wire fencing with a 5-2 vote.

City Council Approval

Ordinance 24-S-20 amending Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations was heard for first reading by the City Council on June 4, 2024 and was approved as presented with a unanimous vote.

COMMENTS AND QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024

Department: Planning & Community Development

Subject: Ordinance 24-S-26 - Approve a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres of land, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property Identification Number 70506, City of Schertz, Guadalupe County, Texas. *Final Reading* (B.James/L.Wood/D.Marquez).

BACKGROUND

The applicant is requesting a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres of land. The subject property is currently undeveloped and not platted. Unified Development Code Article 16 defines Mixed-Use Self-Storage as a climate-controlled building containing ground floor retail, service, or office space with separate, individual storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units and such buildings shall be a minimum of 45 feet in height.

As per UDC Section 21.5.8, a Specific Use Permit is required for Mixed-Use Self-Storage in General Business District (GB). More specifically, the applicant is proposing a 140,600 square foot Mixed-Use Self-Storage building at the rear of a larger development that includes a 20,000-square-foot commercial retail strip closer to FM 3009 per the conceptual site plan.

On April 25, 2024, one (1) public hearing notice was mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, zero (0) responses in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the "San Antonio Express" on May 15, 2024. Additionally, one (1) sign was placed on the property along FM 3009. The Planning and Zoning Commission met on May 8, 2024 and held a public hearing on the item. Ordinance 24-S-26 went to the City of Schertz City Council on Tuesday, June 4, 2024, for the first reading of the Ordinance.

GOAL

The proposed Specific Use Permit is to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres of land.

COMMUNITY BENEFIT

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

SUMMARY OF RECOMMENDED ACTION

A Specific Use Permit allows for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in the Unified Development Code. Approval of a Specific Use Permit allows the applicant to submit subsequent development applications consistent with the approved Specific Use Permit.

When evaluating Specific Use Permits, Staff uses the criteria for approval listed in UDC Section 21.5.11.D. The criteria for approval are listed below.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan;

The proposed Specific Use Permit for Mixed-Use Self-Storage is consistent with the policies embodied in the adopted Comprehensive Land Plan. The Comprehensive Land Plan designates the subject property as Local Corridor. The Local Corridor land use type is intended for commercial and entertainment type areas typically along medium to high-volume collector roads with neighborhoods at their perimeter. This includes conventional retail centers, small-scale mixed-use, multifamily development, and residential uses that are compatible with surrounding neighborhoods.

As per Unified Development Code Article 16, Mixed-Use Self-Storage is defined as a climate-controlled building containing ground floor retail, service, or office space with separate, individual self-storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units and such buildings shall be a minimum of 45-feet in height. The proposed Mixed-Use Self-Storage is consistent with what is envisioned in Local Corridor as it requires a mix of uses within the self-storage climate-controlled building.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors. The proposed Specific Use Permit to allow Mixed-Use Self-Storage allows for retail and offices at the first floor of a multi-level enclosed storage facility.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage, or other similar adverse effects to adjacent development and neighborhoods.

The subject property is surrounded by other General Business District (GB) properties and is compatible with the surrounding properties and existing development to the north. The proposed development will need to meet all current City of Schertz site development standards stipulated in Unified Development Code Article 9.

The City of Schertz is the provider for water and sewer. There is an existing 16" Water Line to the South East of the proposed development and an existing 15" Sewer Line to the East of the proposed development. Offsite easements and mains will need to be extended in order to provide services to the site which will be reviewed during the platting process.

The proposed North and South Connector, Planned Commercial Collector A with 70-feet of Right of Way, cuts through the subject property. However, during the development process, this Commercial Collector will be reviewed, and the location can be adjusted, and the adjacent property has consented to the adjustment. The planned East and West Connector, Planned Secondary Arterial with 90-feet of Right-of-Way, is southeast of the Subject property.

4. The proposed use does not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The applicant is proposing two access points along FM 3009, per the conceptual site plan, which would need to be reviewed by the Schertz Engineering Department and the Texas Department of Transportation during the development process. Additionally, since the subject property is General Business District (GB) and the land to the north and south are also General Business District (GB), the subject property will be required to provide a cross lot access easement to the neighboring properties to limit the access points on FM 3009. Any proposed access points on FM 3009 will be reviewed by the City of Schertz Engineering Department and the Texas Department of Transportation during the development process.

5. The proposed use incorporates roadway adjustments and traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.

Access to the subject property will be along FM 3009. The proposed access points will be reviewed by the City of Schertz Engineering Department and the Texas Department of Transportation.

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are also zoned General Business District (GB) and are not being used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District as mentioned in UDC Section 21.5.7. Additionally, the proposed Specific Use Permit requires a minimum 45-foot height for the building. No variations to the requirements have been requested.

8. The proposed use promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

As part of promoting health, safety, and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. Due to the existing General Business District (GB) zoning of the surrounding properties and the location of the subject property on FM 3009, the proposed Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) would not pose an adverse impact on adjacent properties.

9. No application made under these provisions will receive final approval until all back taxes owed to the City have been paid in full; and

All back taxes owed to the City have been paid in full.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council are deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all Unified Development Code requirements have been met for the proposed Specific Use Permit, and have not received any special consideration from the Planning and Zoning Commission or the City Council.

RECOMMENDATION

Staff Recommendation

Staff recommends approval of Ordinance 24-S-26, the Specific Use Permit to allow Mixed-Use Self-Storage at the subject property, conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the SUP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
2. Twenty- Five (25%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual self-storage units for rent or lease, and must be along the side of the building facing the FM 3009 street frontage.

Planning and Zoning Commission

The Planning and Zoning Commission met on May 8, 2024, and made a recommendation of approval as presented by Staff, to City Council, with a 6-0 vote.

City Council

The Schertz City Council met on Tuesday, June 4, 2024 and approved Ordinance 24-S-26 with a 6-1 vote.

Attachments

Ordinance 24-S-26
CC Presentation Slides
Aerial Exhibit
Public Hearing Notice Map
Conceptual Site Plan Exhibit
Legal Metes and Bounds
Mixed-Use Self-Storage Ordinance
Applicant's Presentation Ord. 24-S-26

ORDINANCE NO. 24-S-26

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR MIXED-USE SELF-STORAGE ON APPROXIMATELY 2.2 ACRES OF LAND, LOCATED EAST OF THE INTERSECTION OF FM 3009 AND FOREST RIDGE, MORE SPECIFICALLY KNOWN AS A PORTION OF GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 70506, SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow Mixed-Use Self-Storage on approximately 2.2 acres of land, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property ID 70506, more specifically described in Exhibit A (herein, the “Property”) has been filed with the City; and

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

WHEREAS, on May 8, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the Specific Use Permit for Mixed-Use Self-Storage; and

WHEREAS, on June 4, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

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

Section 1. A Specific Use Permit for Guadalupe County Property ID 70506, more particularly described in the attached Exhibit A, is hereby approved to allow Mixed-Use Self-Storage conditioned upon the following occurring:

- a) A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
- b) Twenty-Five (25%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual self-storage units for rent or lease, and must be along the side of the building facing the FM 3009 street frontage.

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

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and

the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

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

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

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

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

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

PASSED ON FIRST READING, the ____ day of _____ 2024.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description- Legal Metes and Bounds

METES AND BOUNDS DESCRIPTION
FOR ZONING CHANGE

A 2.140 acre, or 93,200 square feet more or less, tract of land out of that called 150.231 acre tract conveyed to Edwin William Ripps, Jr., et. al. by deed recorded in Volume 2969, Page 150 of the Official Public Records of Guadalupe County, Texas, out of the John Saladin Survey No. 404, Abstract 299, in the City of Schertz, Guadalupe County, Texas. Said 2.140 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found 1" bar at the west most south corner of said called 150.231 acre tract, same being the west end of the cutback at the intersection of the northeast right-of-way line of F.M. 3009 (Roy Richard Drive), a variable width public right-of-way, with the northwest right-of-way line of Crest Oak Drive, a 50-foot public right-of-way, from which a found 1" iron bar at the east most south corner of said called 150.231 acre tract, same being the east end of said cutback, bears S 75°29'56" E, a distance of 70.27 feet;

THENCE: N 30°01'31" W, along and with the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, a common line, a distance of 848.29 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 59°58'29" E, departing said common line, over and across said called 150.231 acre tract, a distance of 237.00 feet to a calculated POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said called 150.231 acre tract, the following bearings and distances:

N 30°01'31" W, a distance of 400.00 feet to a calculated point, from which a found ½" iron rod with a yellow cap stamped "Pape-Dawson" on the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, bears S 59°58'29" W, a distance of 237.00 feet;

N 59°58'29" E, a distance of 233.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

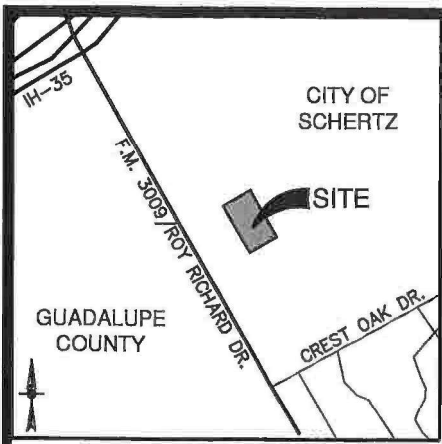
S 30°01'31" E, a distance of 400.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 59°58'29" W, a distance of 233.00 feet to the POINT OF BEGINNING and containing 2.140 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 13143-01 by Pape-Dawson Engineers.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers
DATE: March 14, 2024
JOB NO. 13143-01
DOC. ID. N:\CIVIL\13413-01\Word\13413-01 FN_ZN 2.140 AC.docx





LOCATION MAP

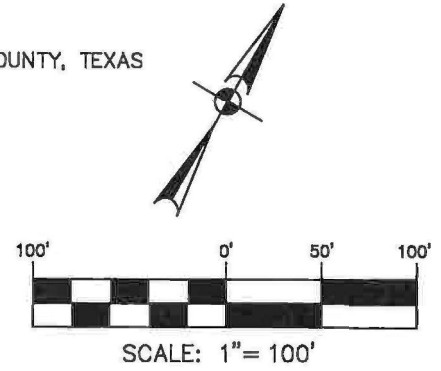
NOT-TO-SCALE

LEGEND:

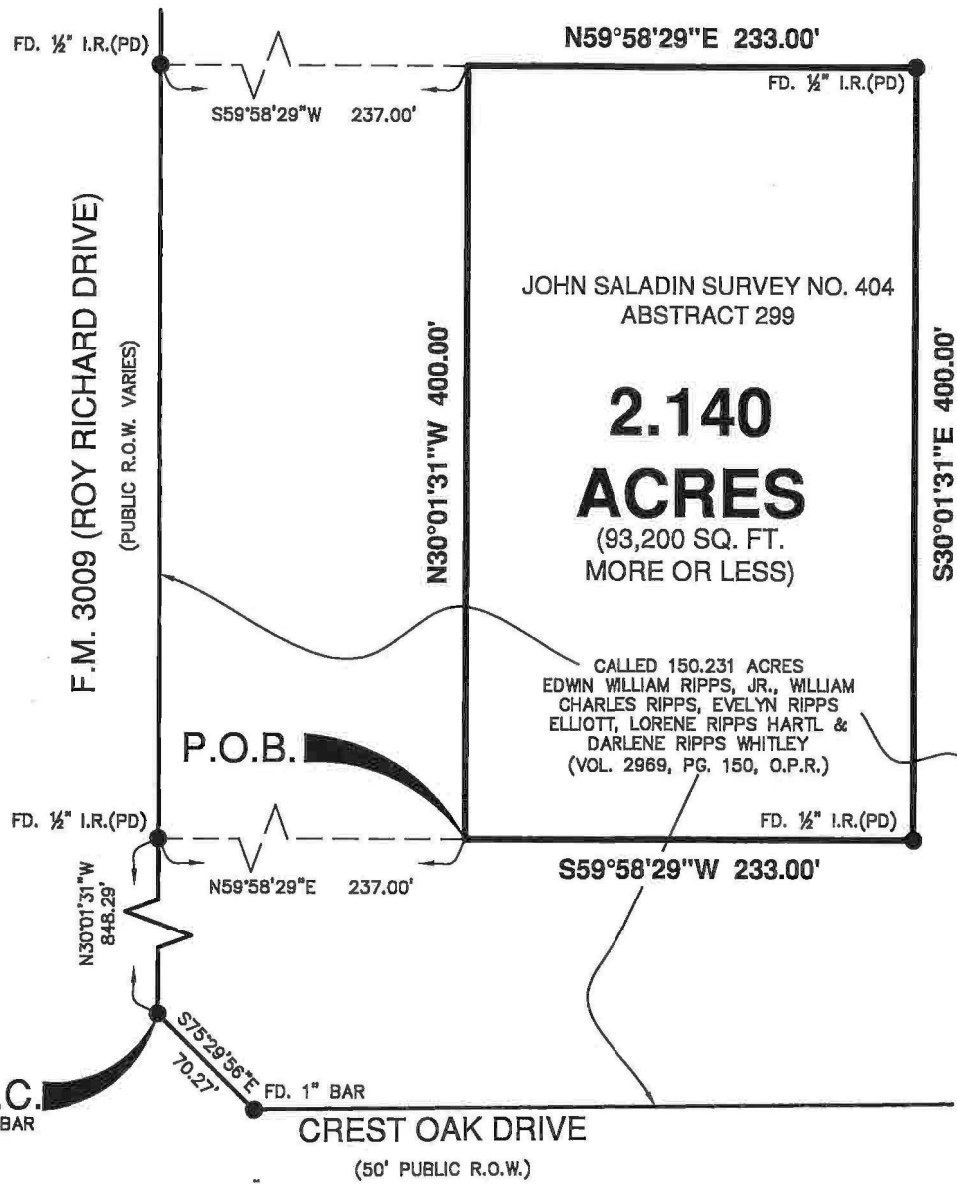
- OPR OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- (PD) PAPE-DAWSON CAP
- FOUND MONUMENT

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 13413-01 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



"This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



G. Buchanan



EXHIBIT FOR ZONING CHANGE

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

MARCH 14, 2024

SHEET 1 OF 1
 JOB No.: 13413-01

Date: Mar 13, 2024, 11:41am User: ID: etamilton
 File: N:\CML\13413-01\13413-01_EX_ZN 2140 AC.dwg

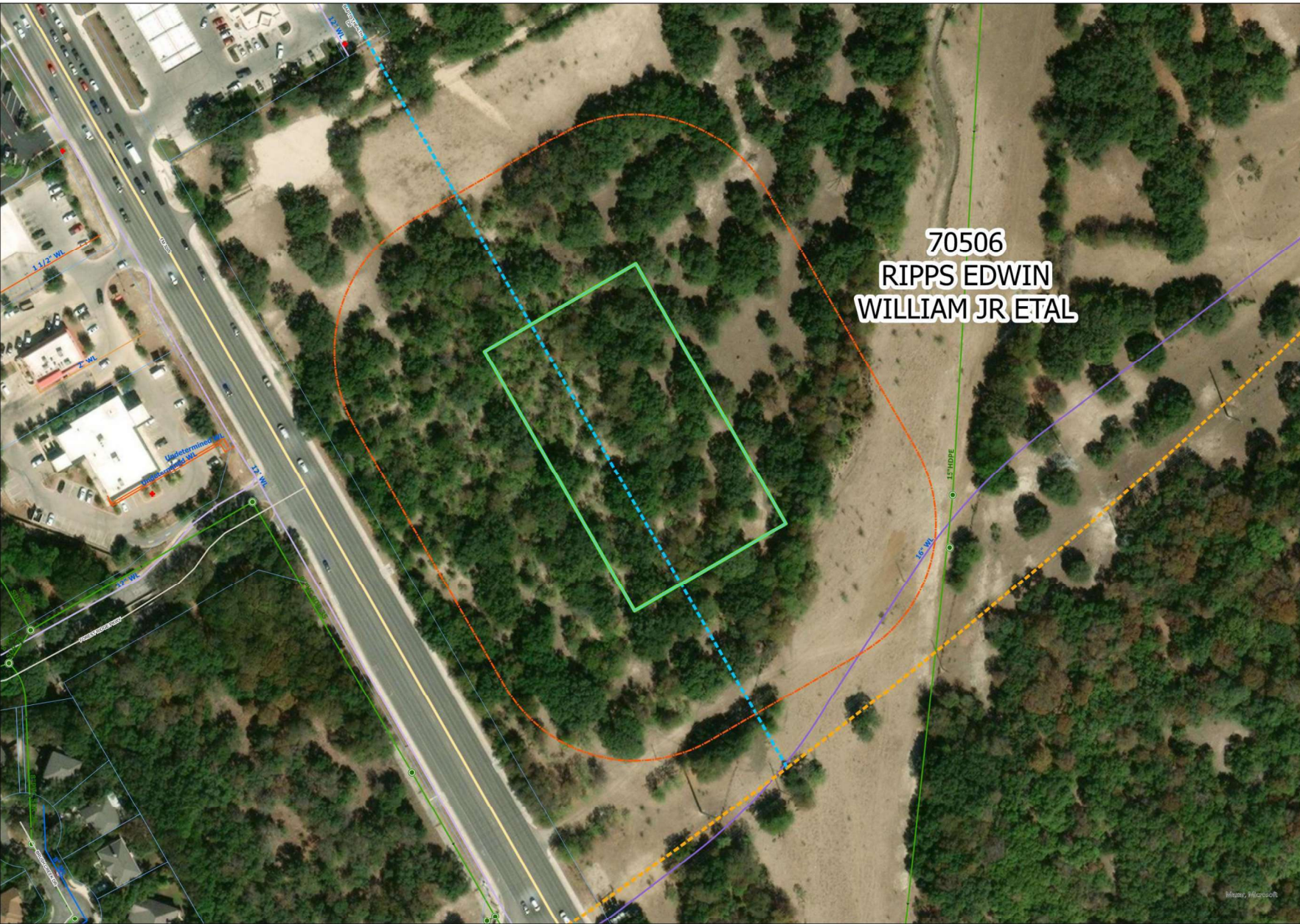
REFERENCE:

Ordinance 24-S-26

Specific Use Permit to allow Mixed-Use Self-Storage in General Business District
(GB) (2.2 acres)

Daisy Marquez | Planner

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.



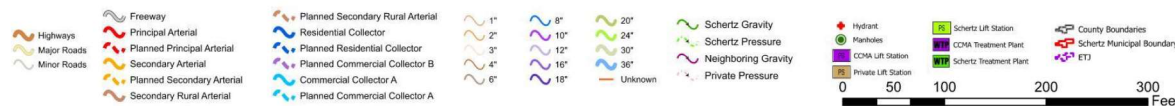
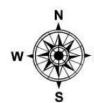
**70506
RIPPS EDWIN
WILLIAM JR ETAL**

Existing Zoning:

General Business District

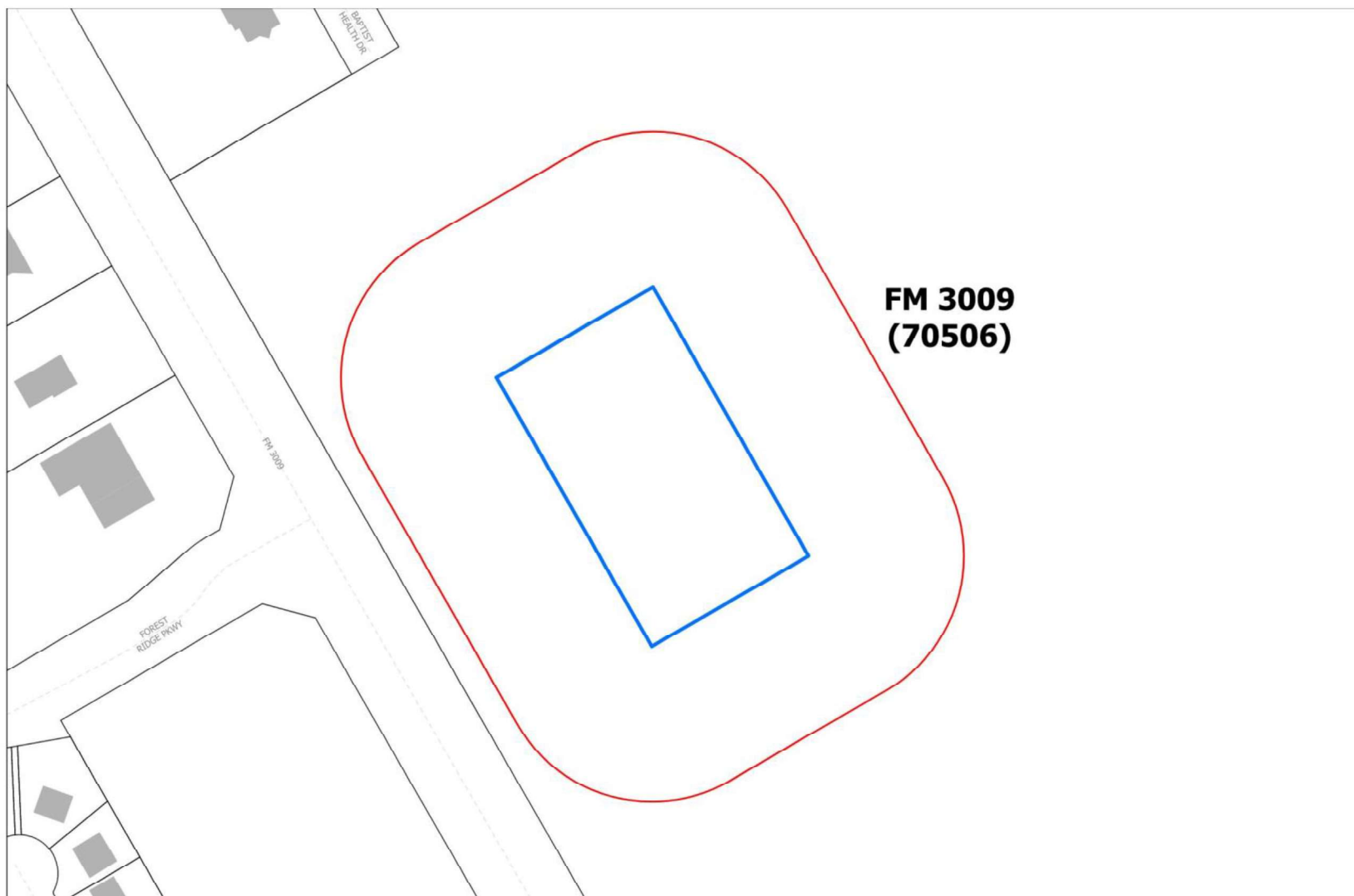
Proposed :

*General Business District with
Specific Use Permit (SUP) to allow
Mixed-Use Self-Storage*





Existing Zoning		Land Use
North	General Business District (GB)	Undeveloped
South	General Business District (GB)	Undeveloped
East	General Business District (GB)	Undeveloped
West	General Business District (GB)	Undeveloped





**FM 3009
(70506)**

SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: April 15, 2024
City of Schertz, GIS Specialist: Alesia Venezia Dase, adase@schertz.com (210) 619-1174
The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall the City of Schertz be liable for any special, indirect, or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

City of Schertz

Parcel ID: 70506; FM 3009
(PLSPU20240058)

 Project Boundary
 200' Buffer



0 50 100 200 300 Feet

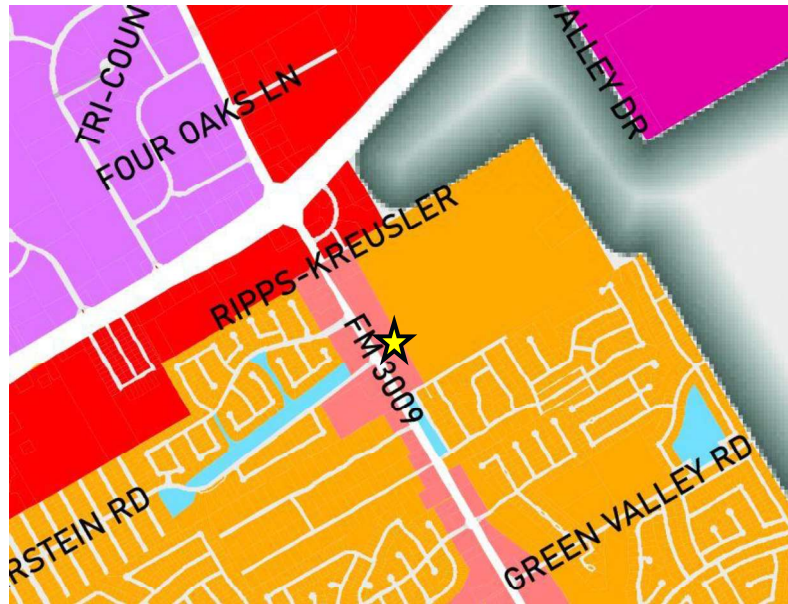
- April 25, 2024 a total of 1 Public Hearing Notices were sent out.
- Responses Received:
 - 0 – Opposition,
 - 0-In Favor
 - 0-Neutral
- 1 sign was posted on the property.
- Posted in the “San Antonio Express” on May 15, 2024.
- Planning and Zoning Commission held a public hearing on the item on May 8, 2024.

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

Proposed Specific Use Permit

- Unified Development Code Article 16 defines Mixed-Use Self-Storage as a climate-controlled building containing ground floor retail, service, or office space with separate, individual storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units and such buildings shall be a minimum of 45 feet.
- As per UDC Section 21.5.8, a Specific Use Permit is required for Mixed-Use Self-Storage in General Business District (GB).
- More specifically, the applicant is proposing a 140,600 square foot Mixed-Use Self-Storage building at the rear of a larger development that includes a 20,000 square foot commercial retail strip closer to FM 3009 per the conceptual site plan.
- A Specific Use Permit allows for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this Unified Development Code. Approval of a Specific Use Permit allows the applicant to submit subsequent development applications consistent with the approved Specific Use Permit.

UDC SECTION 21.5.11.D Criteria for Approval



- | | |
|---|---|
|  Regional Corridor |  Local Corridor |
|  Mixed Use Center |  Development Deferment |
|  Rural Living |  Industrial |
|  Complete Neighborhood |  Public Use |

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan;

- The proposed Specific Use Permit for Mixed-Use Self-Storage is consistent with the policies embodied in the adopted Comprehensive Land Plan.
- The Comprehensive Land Plan designates the subject property as Local Corridor.
- The Local Corridor land use type is intended for commercial and entertainment type areas typically along medium to high-volume collector roads with neighborhoods at their perimeter. This includes conventional retail centers, small-scale mixed-use, multifamily development, and residential uses that are compatible with surrounding neighborhoods.
- As per Unified Development Code Article 16, Mixed-Use Self-Storage is defined as a climate-controlled building containing ground floor retail, service, or office space with separate, individual self-storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units and such buildings shall be a minimum of 45-feet in height.
- The proposed Mixed-Use Self-Storage is consistent with what is envisioned in Local Corridor as it requires a mix of uses within the self-storage climate-controlled building.



UDC SECTION 21.5.4.D Criteria for Approval

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

- General Business District (GB) is intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community.
- These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors.
- The proposed Specific Use Permit to allow Mixed-Use Self-Storage allows for retail and offices at the first floor of a multi-level enclosed storage facility.

UDC SECTION 21.5.4.D Criteria for Approval

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage, or other similar adverse effects to adjacent development and neighborhoods.

- The subject property is surrounded by other General Business District (GB) properties and is compatible with the surrounding properties and existing development to the north. The proposed development will need to meet all current City of Schertz site development standards stipulated in Unified Development Code Article 9.
- The City of Schertz is the provider for water and sewer. There is an existing 16" Water Line to the South East of the proposed development and an existing 15" Sewer Line to the East of the proposed development. Offsite easements and mains will need to be extended in order to provide services to the site which will be reviewed during the platting process.
- The proposed North and South Connector, Planned Commercial Collector A with 70-feet of Right of Way, cuts through the subject property. However, during the development process, this Commercial Collector will be reviewed, and the location can be adjusted, and the adjacent property has consented to the adjustment. The planned East and West Connector, Planned Secondary Arterial with 90-feet of Right-of-Way is southeast of the Subject property.

UDC SECTION 21.5.4.D Criteria for Approval

4. The proposed use does not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The applicant is proposing two access points along FM 3009, per the conceptual site plan, which would need to be reviewed by the Schertz Engineering Department and the Texas Department of Transportation during the development process.

Additionally, since the subject property is General Business District (GB) and the land to the north and south are also General Business District (GB), the subject property will be required to provide a cross lot access easement to the neighboring properties to limit the access points on FM 3009.

Any proposed access points on FM 3009 will be reviewed by the City of Schertz Engineering Department and the Texas Department of Transportation during the development process.

UDC SECTION 21.5.4.D Criteria for Approval

5. The proposed use incorporates roadway adjustments and traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.

Access to the subject property will be along FM 3009. The proposed access points will be reviewed by the City of Schertz Engineering Department and the Texas Department of Transportation.

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are also zoned General Business District (GB) and are not being used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District as mentioned in UDC Section 21.5.7. Additionally, the proposed Specific Use Permit requires a minimum 45-foot height for the building. No variations to the requirements have been requested.



UDC SECTION 21.5.4.D Criteria for Approval

8. The proposed use promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

As part of promoting health, safety, and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.

Due to the existing General Business District (GB) zoning of the surrounding properties and the location of the subject property on FM 3009, the proposed Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) would not pose an adverse impact on adjacent properties.



UDC SECTION 21.5.4.D Criteria for Approval

9. No application made under these provisions will receive final approval until all back taxes owed to the City have been paid in full; and

All back taxes owed have been paid.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council are deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all Unified Development Code requirements have been met for the proposed Specific Use Permit, and have not received any special consideration from the Planning and Zoning Commission or the City Council.

Recommendation

Staff Recommendation

Staff recommends approval of Ordinance 24-S-26, the Specific Use Permit to allow Mixed-Use Self-Storage at the subject property, conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the SUP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
2. Twenty- Five (25%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual self-storage units for rent or lease, and must be along the side of the building facing the FM 3009 street frontage.

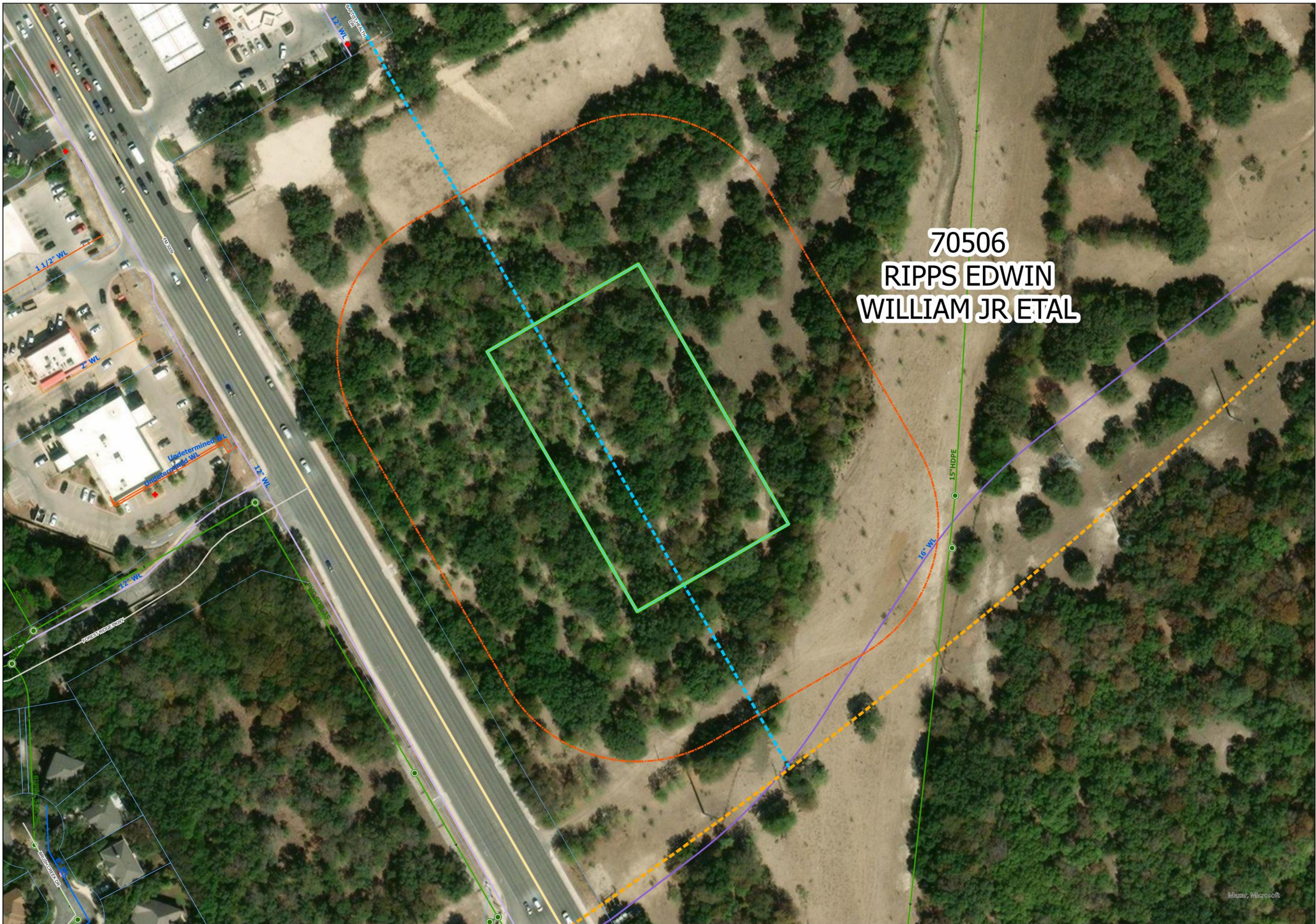
Planning and Zoning Commission Recommendation

The Planning and Zoning Commission met on May 8, 2024, and made a recommendation of approval with a 6-0 vote, to City Council.

City Council

The City of Schertz City Council met on June 4, 2024, and approved Ordinance 24-S-26 with a 6-1 vote.

COMMENTS AND QUESTIONS



**70506
RIPPS EDWIN
WILLIAM JR ETAL**

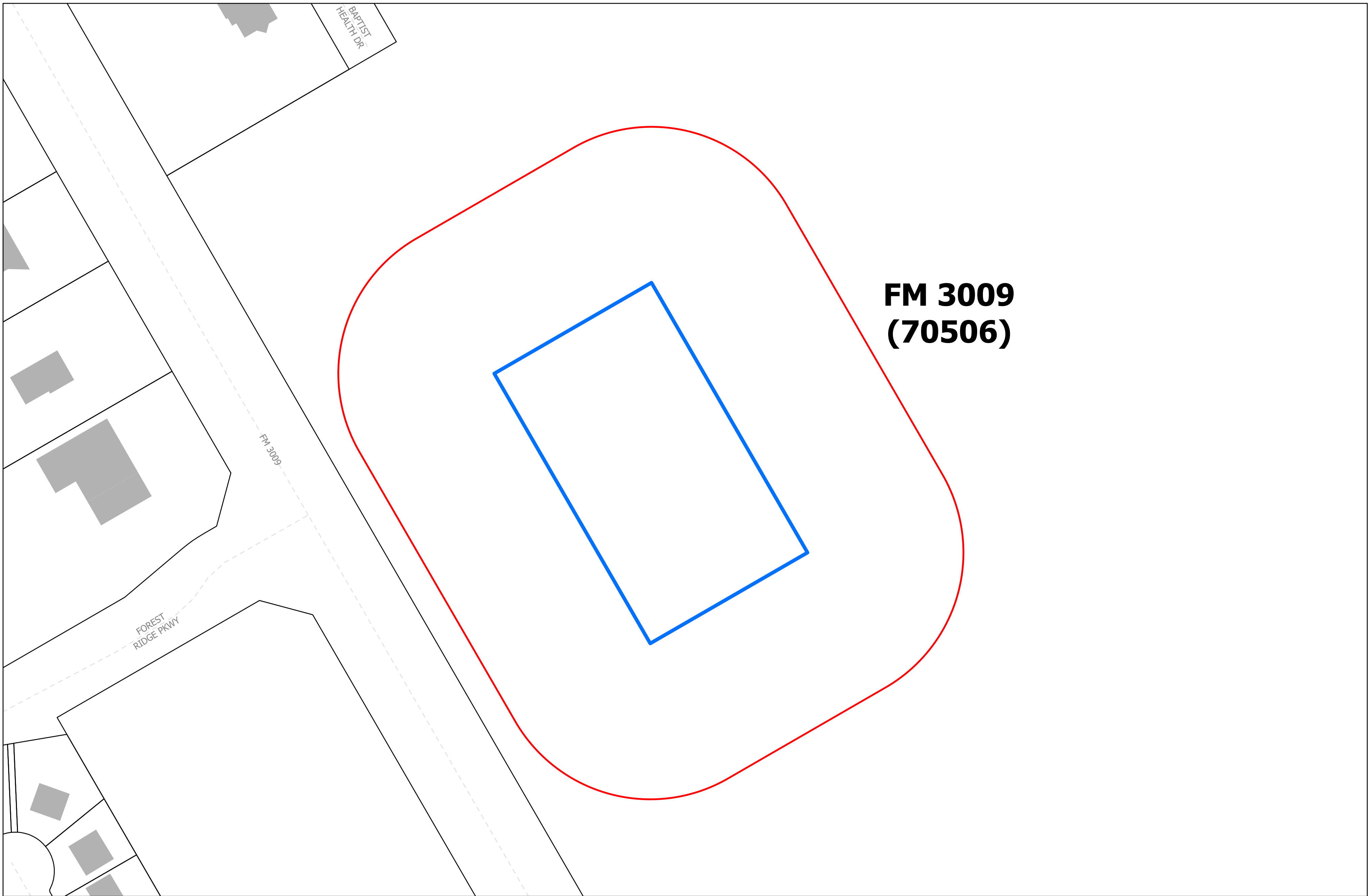


SCHIERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Parcel ID: 70506; FM 3009
(PLZC20240072)

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 8" 10" 12" 16" 18" 20" 24" 30" 36" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ
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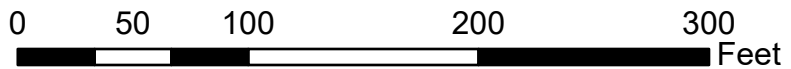
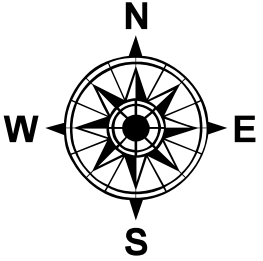
**FM 3009
(70506)**

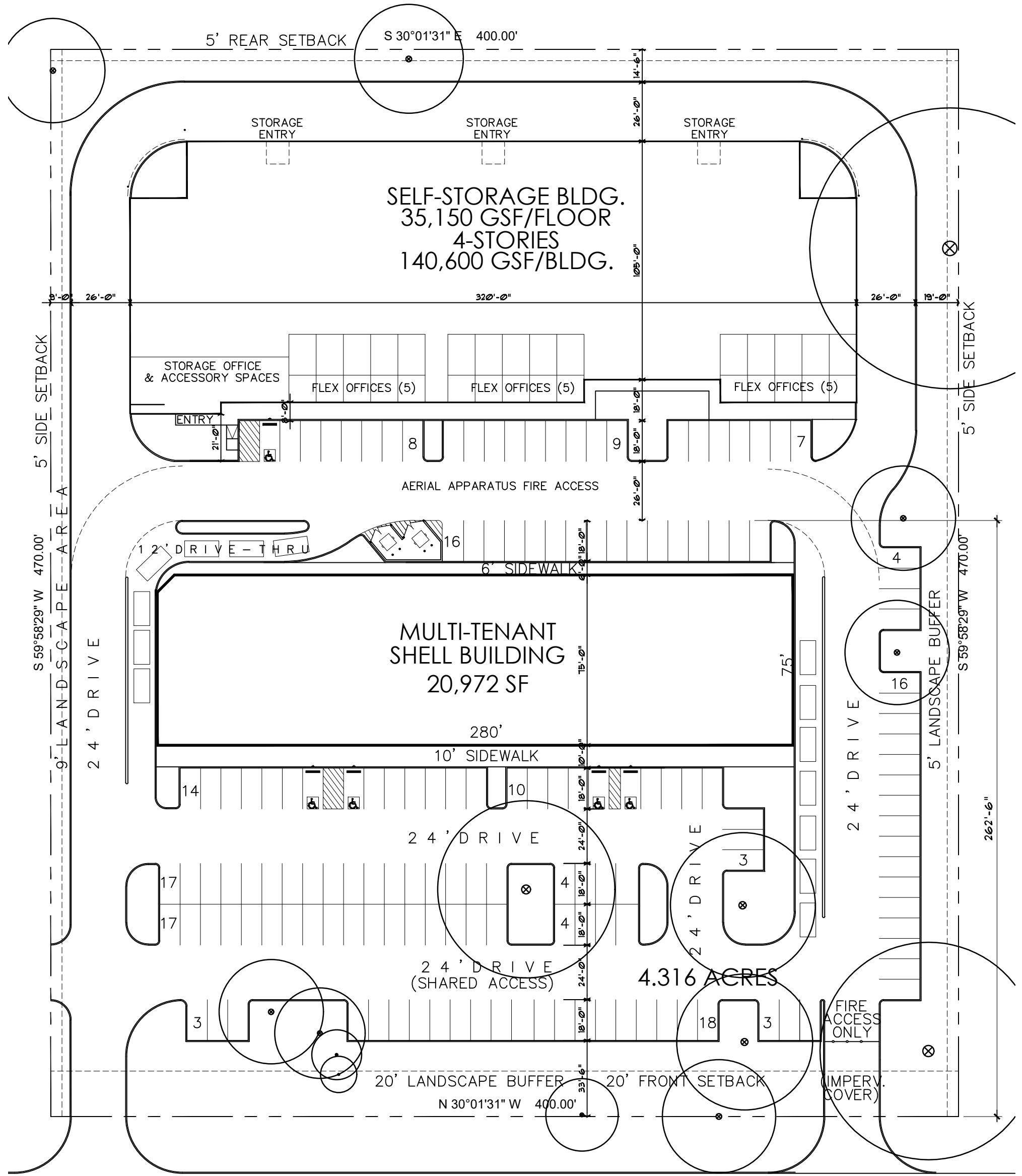
City of Schertz

Parcel ID: 70506; FM 3009
(PLSPU20240058)

 Project Boundary

 200' Buffer

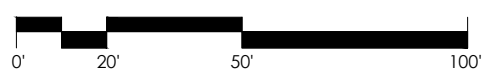




F.M. 3009

PROPOSED SITE DEVELOPMENT PLAN

SCALE: GRAPHIC



SITE TABULATIONS

	MULTI-TENANT
BUILDING AREA:	20,972 S.F.
PARKING PROV.	129 SPACES (6.15/1000 SF)

NOTE: THIS SITE PLAN BASED UPON PRELIMINARY AVAILABLE INFORMATION DEEMED RELIABLE. ALL DIMENSIONS AND AREA CALCULATIONS ARE SUBJECT TO FIELD VERIFICATION. NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

SPI-042424

SPI

DATE	04/24/24
PROJECT	F.M. 3009
NO.	23-150
SHEET	23-150

PROPOSED SITE DEVELOPMENT PLAN

F.M. 3009
SCHERTZ, TEXAS

VILLA PARK
ARCHITECTURE/PLANNING/INTERIORS, PLLC
PH: (210) 384-8900

METES AND BOUNDS DESCRIPTION
FOR ZONING CHANGE

A 2.140 acre, or 93,200 square feet more or less, tract of land out of that called 150.231 acre tract conveyed to Edwin William Ripps, Jr., et. al. by deed recorded in Volume 2969, Page 150 of the Official Public Records of Guadalupe County, Texas, out of the John Saladin Survey No. 404, Abstract 299, in the City of Schertz, Guadalupe County, Texas. Said 2.140 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found 1" bar at the west most south corner of said called 150.231 acre tract, same being the west end of the cutback at the intersection of the northeast right-of-way line of F.M. 3009 (Roy Richard Drive), a variable width public right-of-way, with the northwest right-of-way line of Crest Oak Drive, a 50-foot public right-of-way, from which a found 1" iron bar at the east most south corner of said called 150.231 acre tract, same being the east end of said cutback, bears S 75°29'56" E, a distance of 70.27 feet;

THENCE: N 30°01'31" W, along and with the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, a common line, a distance of 848.29 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 59°58'29" E, departing said common line, over and across said called 150.231 acre tract, a distance of 237.00 feet to a calculated POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said called 150.231 acre tract, the following bearings and distances:

N 30°01'31" W, a distance of 400.00 feet to a calculated point, from which a found ½" iron rod with a yellow cap stamped "Pape-Dawson" on the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, bears S 59°58'29" W, a distance of 237.00 feet;

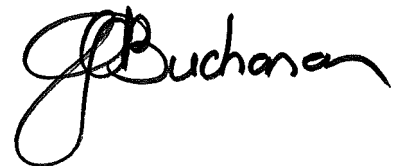
N 59°58'29" E, a distance of 233.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

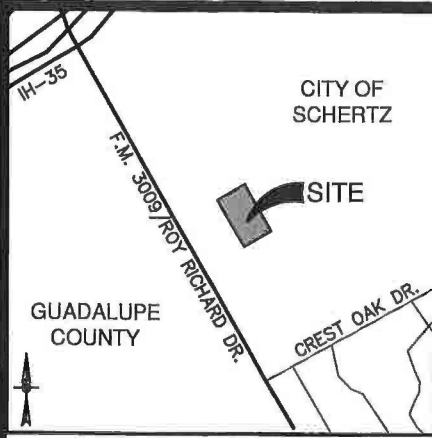
S 30°01'31" E, a distance of 400.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 59°58'29" W, a distance of 233.00 feet to the POINT OF BEGINNING and containing 2.140 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 13143-01 by Pape-Dawson Engineers.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers
DATE: March 14, 2024
JOB NO. 13143-01
DOC. ID. N:\CIVIL\13413-01\Word\13413-01 FN_ZN 2.140 AC.docx

A handwritten signature in black ink, appearing to read "J. Buchanan". The signature is fluid and cursive, with a large initial "J" and "B".



LOCATION MAP

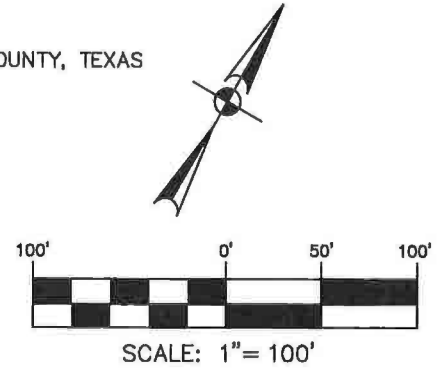
NOT-TO-SCALE

LEGEND:

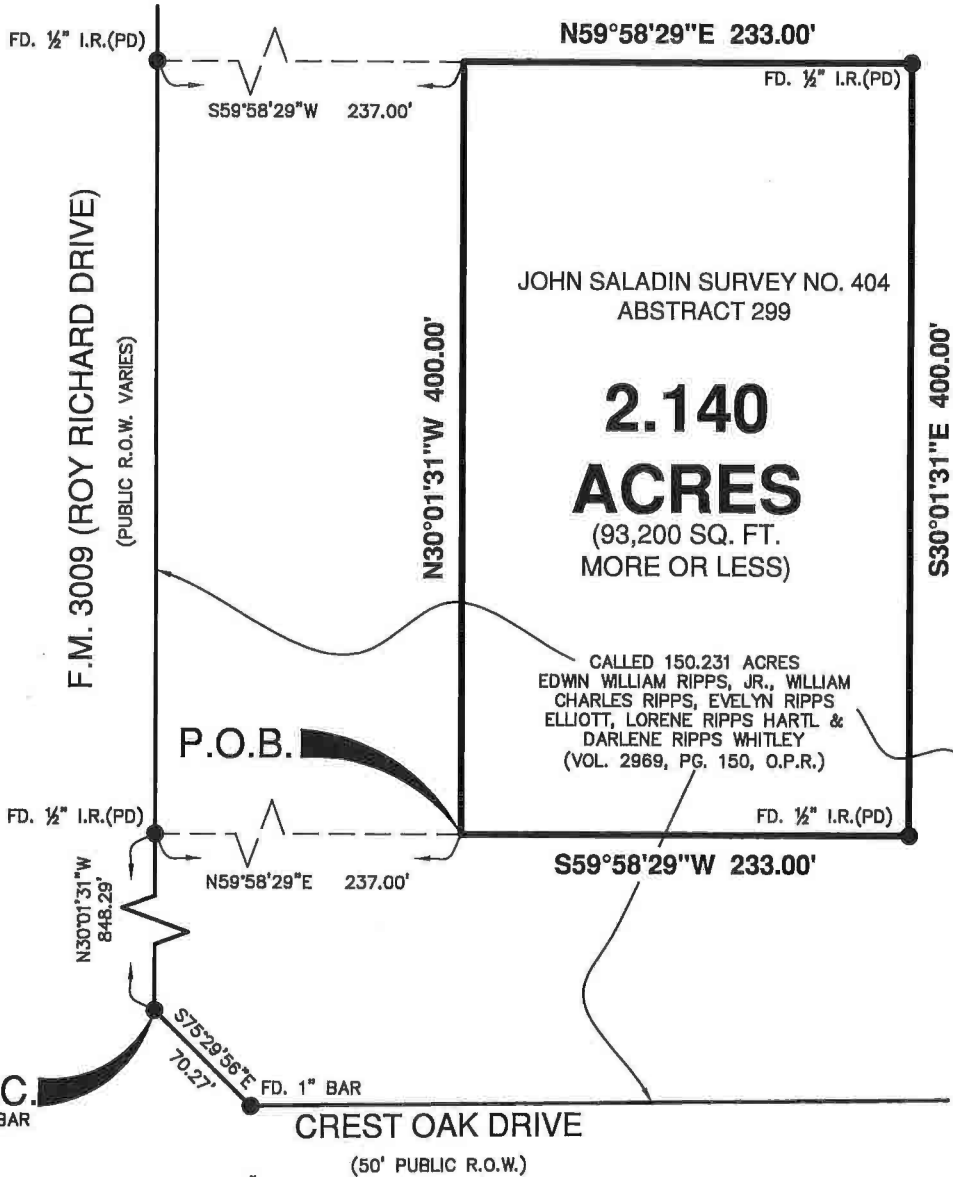
- OPR OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- (PD) PAPE-DAWSON CAP
- FOUND MONUMENT

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 13413-01 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



"This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



G. E. Buchanan



EXHIBIT FOR ZONING CHANGE

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

MARCH 14, 2024

SHEET 1 OF 1
JOB No.: 13413-01

Date: Mar 13, 2024, 11:41am User: ID: etamilton
File: N:\CML\13413-01\13413-01_EX_ZN 2.140 AC.dwg

REFERENCE:

ORDINANCE NO. 24-S-16

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 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 March 6, 2024, the Planning and Zoning Commission conducted a public hearing and, thereafter recommended approval; and

WHEREAS, on April 2, 2024, 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 and Exhibit B 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 _____ 2024.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"

Proposed Unified Development Code (UDC) Amendments

Article 5 – Zoning Districts

Proposed UDC Amendment

Article 5 – Permitted Use Table

Proposed changes to Article 5 – Permitted Use Table to add Mixed-Use Self-Storage

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Manufacturing – Light District (M-1)	P	Mixed-Use Self-Storage
Manufacturing – Heavy District (M-2)	P	Mixed-Use Self-Storage
General Business – 2 District (GB -2)	P	Mixed-Use Self-Storage
General Business District (GB)	S	Mixed-Use Self-Storage

No other changes are proposed.

Exhibit "B"

Proposed Unified Development Code (UDC) Amendments

Article 16 – Definitions

Proposed UDC Amendment

Article 16 - Definitions

Proposed changes to Article 16 - Definitions to add Mixed-Use Self Storage.

Mixed-Use Self-Storage: A climate-controlled building(s) containing ground floor retail, service, or office space with separate, individual self-storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units. Such building(s) shall be a minimum of 45-feet.

No other changes are proposed.



KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

Mixed-Use Self-Storage FM-3009- SUP

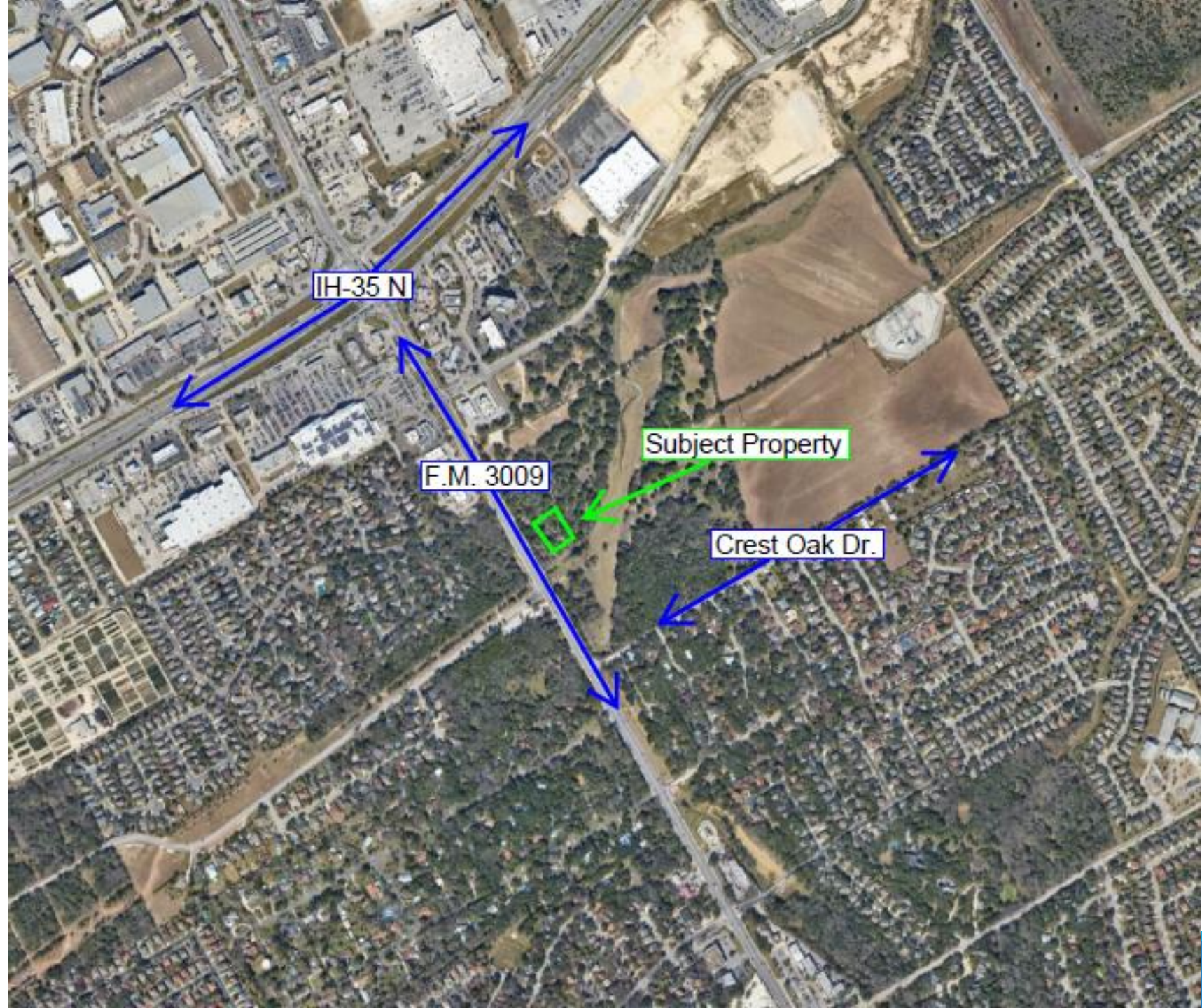
City Of Schertz City Council- June 4, 2024



KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

Property Details:

- Approximately 2.140 Acres
- Currently undeveloped
- Located on FM 3009 South of Ripps-Kreusler





KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

- **Current Base Zoning:**

“GB” General Business

- **Proposed Zoning:**

“GB SUP” General Business District with a Specific Use Permit for Mixed-Use Self-Storage

- **Staff Recommendation:**

Approval

- **Planning & Zoning Commission Recommendation:**

Approval





KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

Additional Conditions for SUP

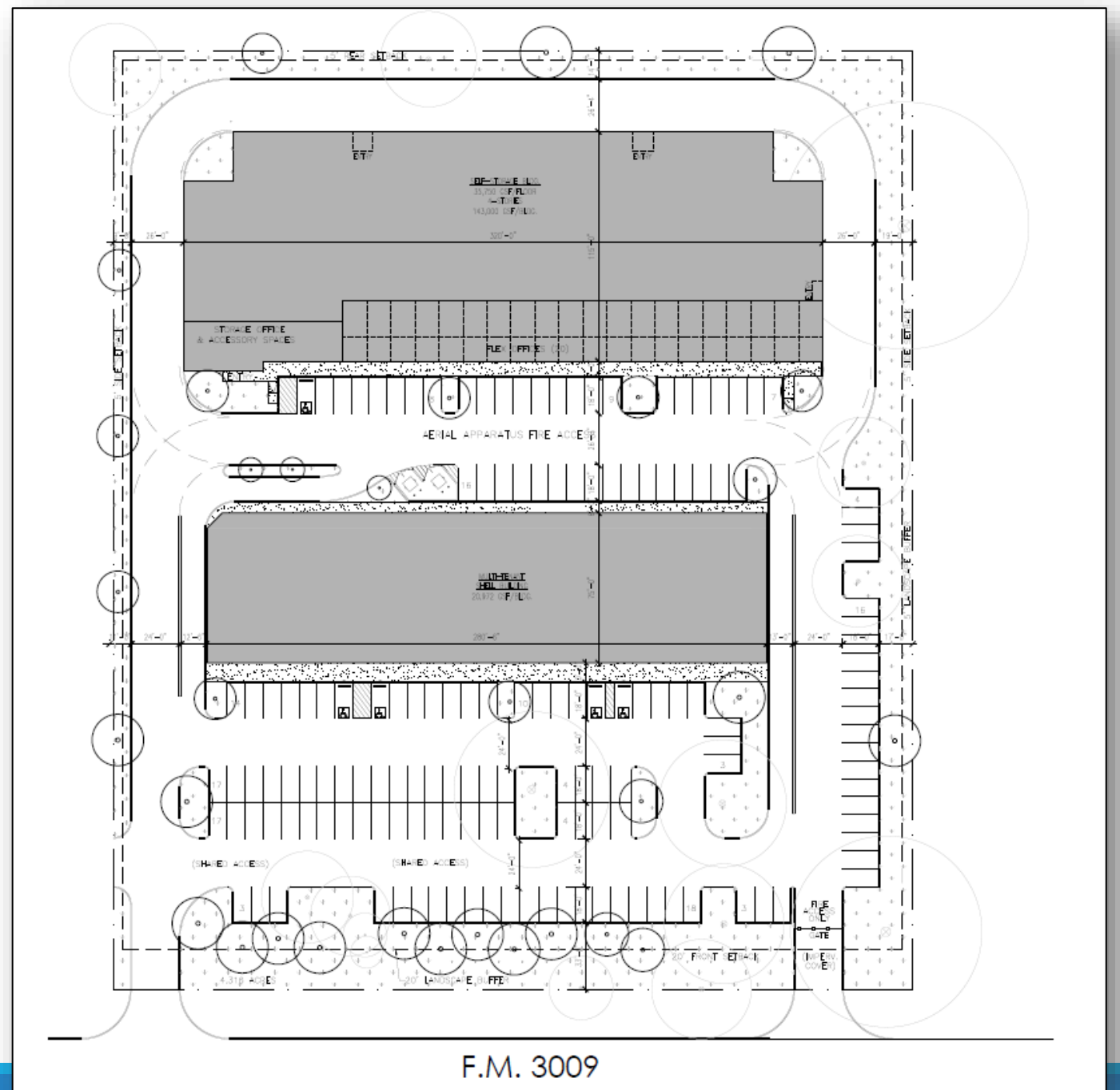
- A building permit is approved within two (2) years of the adoption of the SUP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
- **Twenty-five percent (25%)** of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for **office, service, or retail space**, separate from the individual self-storage units for rent or lease, and must be along the side of the building **facing the FM 3009 street frontage**.



KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

The Project

Brundage intends to develop and construct a retail strip center fronting on FM 3009, with a fully enclosed, climate-controlled self-storage facility to the rear of the Property





KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

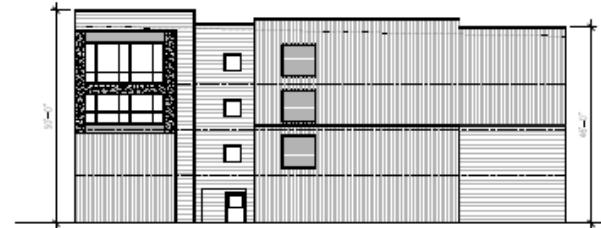




SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

ELEVATIONS

SCALE: 1" = 30'-0"

05.06.2024

STORAGE HUB AT 3009

SCHERTZ, TX

THIS DOCUMENT IS NOT FOR RE-ENTRY,
 APPROVAL, REVISION, OR CONTINUATION.
 JEFF S. HALLMARK, #4
 TX REGISTRATION NO. 10128
 COMPLETE THE PLAN AS SHOWN.
 REVISIONS MUST BE MADE IN ACCORDANCE
 WITH THE LATEST EDITION OF THE
 INTERNATIONAL
 BUILDING CODE
 05-2018

DALLENBACH-COLE
 ARCHITECTURE

215 NINTH STREET - SUITE 1
 SAN ANTONIO, TEXAS 78215
 WWW.DALLENBACHCOLE.COM
 P 210.492.8824





FM 3009, SCHERTZ RETAIL
05.07.24



FM 3009, SCHERTZ RETAIL
05.07.24

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: City Secretary
Subject: Discussion and/or Action on City Charter Review Final Report-Charter Review Commission presents their City Charter Final Report on Charter Propositions for the November 5, 2024, Special Election. (Mayor/S.Edmondson/S.Courney)

Attachments

Charter Review Final Report

An aerial photograph of a suburban neighborhood at sunset. The scene is bathed in a warm, golden light. In the center, a tall, cylindrical water tower stands out against the sky. The surrounding area is filled with rows of houses, streets, and some trees. The overall atmosphere is peaceful and serene.

Charter Review Commission 2024 Final Report

June 18, 2024

Charter Review Commission

1. In the City Charter, it states in Section 12.03 Charter Review Commission, the City Council shall periodically appoint a Charter Review Commission which shall consist of no less than 5 and no more than 11 citizens of the City. It shall be the duty of the Commission to: Inquire into the operation of the City government under the Charter provisions and determine whether any such provisions require revision and, to this end, public hearings may be held and the Commission shall have the power to compel the attendance of any officer or employee of the City to require the submission of City records which it may consider necessary to the conduct of such hearing.
2. Make any recommendations it considers desirable to insure compliance with the provisions of this Charter by the various departments of the City.
3. Propose amendments to this Charter to improve its effective application to current conditions.
4. Report its findings and present its proposed amendments, if any, to the City Council. The City Council shall receive any report submitted by the Charter Review Commission, may comment on any proposed amendment recommendations made, and, if any amendment or amendments are presented as a part of such report, shall order such to be submitted to the voters of the City in the manner provided in Section 12.04.
5. The term of office of the Charter Review Commission shall be 180 days after the date of the first meeting, said first meeting to occur within forty-five (45) days of the date of appointment. If during this term no report is presented to the City Council, then all records of the proceedings of the Commission shall be filed with the City Manager and the Charter Review Commission shall be dismissed.

Charter Review Commission

On December 5, 2024, the City Council approved Resolution 23-R-67 and called for a Charter Review. The Charter Review Commission had 11 Commissioners appointed:

Chair Dana Eldridge

Vice-Chair Richard Dziejewit

Mr. Paul Wiley

Mr. David Bennett

Mr. Marcus Forte

Mr. Demetric Herron

Dr. Roger L. Booker

Mr. Chris Evans

Ms. Michele Tereletsy

Ms. Danielle Craig

Mr. Benjamin Guerrero

Proposed Propositions

Measure A

Sec. 1.02. Boundaries; Extension, Annexation and Disannexation.

(b) The City Council shall have the power by ordinance to annex territory in accordance with State Law, lying adjacent to the City, with or without the consent of the owners or inhabitants thereof, thereby extending and enlarging the bounds and limits of the City. ~~Such annexations shall be limited and controlled by the applicable annexation laws of the State.~~

Proposition A

Shall the City Charter of the City of Schertz be amended to specify all annexations shall be in accordance with State Law?

Charter Review 2024

Measure B

Sec. 1.02. Boundaries; Extension, Annexation and Disannexation.

(c)(ii) Before the 10th day before the hearing date before the Planning and Zoning Commission, written notice of the public hearing shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within ~~200~~ 1000 feet of the area to be disannexed. The notice may be served by its deposit in the United States mail, properly addressed with postage paid.

Proposition B

Shall the City Charter of the City of Schertz be amended to increase the area for notification of disannexation from 200 feet to 1,000 feet from the area to be disannexed?

Charter Review 2024

Measure C

Sec. 4.04-Compensation.

Members of the City Council shall serve with such compensation as determined by the City Council. An increase in compensation shall not be effective for any member of the City Council during the term ~~for which he or she was elected, and the increase was approved~~ in which the increase is effectuated. Payment of expenses incurred in performance of official duty may be approved by the City Council.

Proposition C

Shall the City Charter of the City of Schertz be amended to clarify that any increase in city council compensation is not effective for members of the city council during the term which the increase is effectuated?

Charter Review 2024

Measure D

Sec. 4.05-Mayor and Mayor Pro Tem.

The Mayor shall be the official head of the City government. He or she shall be the chairman and shall preside at all meetings of the City Council. The Mayor may vote only in the event of a tie. He or she shall, unless another signatory is otherwise designated by the City Council, sign all official documents such as ordinances, resolutions, conveyances, grant agreements, ~~official plats~~, contracts, and bonds. He or she shall appoint special committees as instructed by City Council, with committee membership to be composed of nominees by the City Council. He or she shall perform such other duties consistent with this Charter or as may be imposed upon him or her by City Council. The Mayor shall not have veto powers.

Proposition D

Shall the City Charter of the City of Schertz be amended to remove the signing of plats from the list of official documents required to be signed by the Mayor?

Charter Review 2024

Measure E

Sec. 4.07-Prohibitions.

(a) Holding other Office. No Mayor or Councilmember shall hold any compensated City office, nor hold or employment with the city until two (2) years after the expiration of the term for which he or she was elected to the City Council.

Proposition E

Shall the City Charter of the City of Schertz be amended to clarify that no Mayor or Council Member may be employed by the City until two years after the expiration of their term of office?

Charter Review 2024

Measure F

Sec. 4.09-Meetings and Procedures.

~~(c) Quorum. Three Councilmembers (excluding the Mayor) shall constitute a quorum, and no action shall be valid unless adopted by the affirmative vote of three or more members of the City Council. If the Mayor Pro Tem is presiding, he or she shall be counted for purposes of determining a quorum.~~

(c) Quorum. Four Councilmembers (excluding the Mayor) shall constitute a quorum, and no action shall be valid unless adopted by the affirmative vote of four or more members of the City Council. If the Mayor Pro Tem is presiding, he or she shall be counted for purposes of determining a quorum. [EFFECTIVE THE FIRST REGULAR CITY COUNCIL IN NOVEMBER 2016 THAT CONSISTS OF SEVEN CITY COUNCIL MEMBERS]

Proposition F

Shall the City Charter of the City of Schertz be amended to remove unnecessary language?

Charter Review 2024

Measure G

Sec. 4.09-Meetings and Procedures.

(e) Passage of Ordinances and Resolutions. Ordinances and resolutions shall be introduced to the City Council only in written or printed form. The subject or subjects of all ordinances and resolutions shall be clearly expressed in the title. ~~Passage of any Ordinance or Resolution shall only require one reading. Except as may otherwise be prescribed in this Charter, an ordinance shall not be passed at the meeting of the City Council at which it is first introduced, but instead the ordinance or its caption shall be read, and the City Council will determine whether it shall be rejected or further considered at a subsequent meeting of the City Council. If rejected, no further action shall be required. The City Council must take second and final consideration of any ordinance not later than sixty days after the first reading of such ordinance. Notwithstanding the foregoing provisions, if the City Council, by a vote of not less than two-thirds of the members present at the meeting at which an ordinance is first introduced, determines that an emergency exists requiring immediate action, such ordinance may then be voted upon and rejected or passed at that meeting.~~ The enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS", and every ordinance shall be authenticated by the signature of the Mayor and the City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the City Council.

Proposition G

Shall the City Charter of the City of Schertz be amended to require that passage of an ordinance or resolution require one reading?

Charter Review 2024

Measure H

Sec. 5.01-Appointment; Qualifications; Compensation.

The City Council shall appoint a City Manager and fix his or her compensation. He or she shall be chosen on the basis of his or her executive and administrative training, experience, ability, and character. He or she need not be a resident of the City or State at the time of his or her appointment, but he or she must agree, prior to such appointment, to become a resident of the City. ~~within four months after the date of his or her appointment. If he or she thereafter fails to become a resident of the City within that four month period, he or she shall be deemed to have forfeited his or her appointment and the office shall be declared vacant by announcement of the Mayor at the first meeting of the City Council following the expiration of the four month period.~~ The City Manager shall serve at the will and pleasure of the City Council. He or she shall be employed for or relieved from his or her duties by a vote of a majority of the members of the entire City Council.

Proposition H

Shall the City Charter of the City of Schertz be amended to remove the requirement that the city manager become a resident of the city within four months after the date of his or her appointment?

Charter Review 2024

Measure I

Sec. 5.03-Powers and Duties of City Manager.

(j) He or she shall keep a written inventory of all real property and all permanent equipment belonging to the City, said inventory to be subject to annual audit. ~~A system shall be established to control the use and replacement of expendable items.~~

Proposition I

Shall the City Charter of the City of Schertz be amended to remove the requirement for the city manager to establish a system to control the use and replacement of expendable items?

Charter Review 2024

Measure J

Sec. 6.06-City Secretary.

(a) The City Council shall appoint a City Secretary who shall act as Secretary of the City Council and who shall hold office at the pleasure of the City Council. The City Secretary shall be the clerical officer of the City Council, and shall keep the minutes, agenda, ordinances and other official records of the City Council and the City. The City Secretary shall be the custodian of the official seal of the City and shall have such other duties and powers prescribed in this Charter and by the City Council. The City Council will set the compensation for the City Secretary. ~~The City Secretary shall report administratively to the City Manager but may be removed from office only by the City Council.~~

Proposition J

Shall the City Charter of the City of Schertz be amended to remove the requirement for the city secretary to report administratively to the city manager?

Charter Review 2024

Measure K

Sec. 10.03-Petitions.

(a) *Number of Signatures.* Initiative and referendum petitions must be signed by qualified voters of the City equal in number to at least ten (10) ~~fifteen (15)~~ percent of the number of voters registered to vote at the last general City election. Recall petitions must be signed by qualified voters of the City equal in number to at least twenty (20) percent of the number of voters registered to vote at the last general City election.

Proposition K

Shall the City Charter of the City of Schertz be amended to change the percentage of voters required to sign an initiative or referendum petition from fifteen percent to ten percent?

Charter Review 2024

Measure L

Sec. 10.03-Petitions.

(a) *Number of Signatures.* Initiative and referendum petitions must be signed by qualified voters of the City equal in number to at least fifteen (15) percent of the number of voters registered to vote at the last general City election. Recall petitions must be signed by qualified voters of the City equal in number to at least fifteen (15) ~~twenty (20)~~ percent of the number of voters registered to vote at the last general City election.

Proposition L

Shall the City Charter of the City of Schertz be amended to change the percentage of voters required to sign a recall petition from twenty percent fifteen percent?

Charter Review 2024

Measure M

Sec. 12.03-Charter Review Commission.

The City Council shall ~~periodically~~ appoint a Charter Review Commission not later than five years after the most recent Charter Review Commission was appointed which shall consist of no less than 5 and no more than 11 citizens of the City.

Proposition M

Shall the City Charter of the City of Schertz be amended to require the city council appoint a charter review commission not later than five years after the most recent charter review commission?

Charter Review 2024

Measure N

Sec. 12.03-Charter Review Commission.

~~The City Council shall periodically appoint a Charter Review Commission which shall consist of no less than 5 and no more than 11. Each Councilmember shall appoint one member to the Charter Review Commission and the Mayor shall appoint two members to the Charter Review Commission, one who shall serve as the Chair. The members of the Charter Review Commission shall be citizens of the City.~~

Proposition N

Shall the City Charter of the City of Schertz be amended to provide that each member of the city council appoints a citizen to the charter review commission and the mayor appoints two citizens to the charter review commission, one of which shall be the chair?

Charter Review 2024

Measure O

Sec. 1.02. Boundaries; Extension, Annexation and Disannexation.

iii. Not later than 30 days after the ~~of~~ completion of the public hearing by the Planning and Zoning Commission the City Council shall hold a public hearing on the proposed disannexation. Before the 15th day before the date of the public hearing, a general description of the property to be disannexed and notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the City.

Proposition O

Shall the City Charter of the City of Schertz be amended to clarify that City Council shall hold a public hearing on a proposed disannexation not later than 30 days after the public hearing by the Planning and Zoning Commission?

COMMENTS AND QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: June 18, 2024
Department: Planning & Community Development
Subject: Annexation Update

BACKGROUND

Ordinances 24-A-27 through Ordinance 24-A-139 will not be acted upon at the June 18, 2024 City Council meeting. These Ordinances will be heard at the July 2, 2024 City Council meeting where public hearings and final action on each ordinance will be taken.

In addition to these Ordinances, the corresponding zoning cases, Ordinance 24-S-22 and Ordinance 24-S-24 will not be acted upon at the June 18, 2024 City Council meeting. These ordinances will be heard for final reading, with no associated public hearing at the July 2, 2024 City Council meeting.
