

RESOLUTION NO. 25-R-031

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN AMENDMENT TO A MEMO OF UNDERSTANDING (MOU) BETWEEN THE 502ND AIR BASE WING AND THE SCHERTZ POLICE DEPARTMENT FOR LAW ENFORCEMENT RESPONSE ASSISTANCE AND INFORMATION SHARING.

WHEREAS, the 502nd Air Base Wing and the Schertz Police Department previously entered into a MOU for Law Enforcement Response Assistance and Information Sharing on February 25, 2022; and

WHEREAS, the MOU provides documentation for interoperability supports between the 502nd Air Base Wing and Schertz Police Department to outline response procedures; and

WHEREAS, the City of Schertz and the 502nd Air Base Wing desire to amend the MOU on the terms and conditions contained herein.

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 amend and extend the Memo of Understanding with the 502nd Air Base Wing (attached hereto as Exhibit A).

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

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

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

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

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

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

PASSED AND ADOPTED, this ____ day of _____, 2025.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

EXHIBIT A

(Addendum MOU for Law enforcement Response Assistance and Information Sharing)



DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO



26 Feb 25

MEMORANDUM FOR SCHERTZ POLICE DEPARTMENT

FROM: 502 ABW/CC

SUBJECT: Addendum Request to Existing Memorandum of Understanding for Law Enforcement Response Assistance and Information Sharing (Agreement # **FB3089-22056-038**)

1. The 502d Air Base Wing is seeking an addendum to the above referenced Memorandum of Understanding with the Schertz Police Department (SZPD) regarding support with Unmanned Aerial Systems (UAS) response. Title 18 United States Code, Section 795, Photographing and Sketching Defense Installations: It is unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of vital military installations without base commander approval and whoever violates this section shall be fined or imprisoned not more than one year, or both. Additionally, Title 18, United States Code, Section 796, Use of Aircraft for Photographing Defense Installations; Whoever uses or permits the use of an aircraft or any contrivance used, or designed for navigation or flight in the air, for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of Section 795 of this title, shall be fined under this title or imprisoned not more than one year, or both.

2. The 502d Air Base Wing is seeking to add the below verbiage into the existing Memorandum of Understanding (Agreement # FB3089-22056-038) to obtain the Schertz Police Department (SZPD) assistance:

(Add) 3.5.11. SZPD agrees to support the 502d Security Forces Group (502 SFG) in their investigation with Unmanned Aerial Systems (UAS) sightings when patrols are available. It may be assumed that some UAS operators will not be within the Federal jurisdictional boundary of the 502 SFG, which necessitates the need for collaboration between agencies to deter, detect, and investigate incidents of this nature. When appropriate, SZPD should undertake enforcement actions to stop unauthorized or unsafe UAS operations near JBSA installations, as stated in Title 18 USC, Section 795 – Photographing and Sketching defense installations, and Title 18 USC, Section 796 – Use of aircraft for photographing defense installations. Refer to paragraph 3.5.1. for intelligence gathering.

3. If agreed, the above paragraph (3.5.11.) will be inserted into the existing MOU upon its annual or triennial review. In the interim, this memorandum will serve as the addendum for all parties upon signatory agreement of the below parties.

4. This addendum memorandum will become effective upon the date after the last party signs.

STEVE WILLIAMS
City Manager, City of Schertz

RANDY P. OAKLAND
Brigadier General, USAF
Commander

Date: _____

Date: _____