

RESOLUTION 25-R-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CALLING AND ORDERING A SPECIAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A SPECIFIC AREA PURSUANT TO SECTION 43.0117, TEXAS LOCAL GOVERNMENT CODE, THE QUESTION OF WHETHER SUCH AREA, AS SITUATED WITHIN THE CITY OF SCHERTZ EXTRATERRITORIAL JURISDICTION AND WITHIN FIVE-MILES OF THE JOINT BASE SAN ANTONIO-RANDOLPH BOUNDARY, SHOULD BE ANNEXED INTO THE CITY, OR WHETHER THE CITY SHALL BE PROVIDED WITH THE AUTHORITY TO ADOPT AND ENFORCE AN ORDINANCE REGULATING THE LAND USE IN THE AREA IN THE MANNER RECOMMENDED BY THE MOST RECENT JOINT LAND USE STUDY; PROVIDING FOR CONDUCT AND NOTICE OF THE ELECTION; DESIGNATING NOVEMBER 4, 2025 AS THE DATE OF THE SPECIAL ELECTION; PRESCRIBING THE FORM OF THE BALLOT; DESIGNATING THE POLLING PLACE; PROVIDING FOR THE METHOD OF VOTING; PROVIDING FOR NOTICE OF THE ELECTION; PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Schertz, Texas (sometimes the “City”), is a Home Rule Municipality acting under authority of its Charter and laws of the State of Texas; and

WHEREAS, the City will be holding a general election on November 4, 2025; and

WHEREAS, pursuant to Section 43.0117 of the Texas Local Government Code, a municipality may annex certain area within five miles of the boundary of a “military base,” defined therein as a presently functioning federally owned or operated military installation or facility in which an active training program is conducted; and

WHEREAS, the annexation proposition shall be stated to allow the voters of the area to be annexed to choose between either annexation for full or limited purposes, or providing the municipality with the authority to adopt and enforce an ordinance regulating the land use in the area in the manner recommend by the most recent joint land use study; and

WHEREAS, the most recent joint land use study was completed in 2015; and

WHEREAS, the special election would be held in conjunction with the general election on November 4, 2025; and

WHEREAS, the City Council of the City of Schertz finds that submitting such

proposition, under the annexation provisions applicable to the City under Local Government Code Section 43.0117, and holding an election as provided herein, is in the best interest of the health, safety, and welfare of the City, and protects the mission of JBSA-Randolph;

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

Section 1. A special election shall be held on Monday, November 4, 2025, between the hours of 7:00 A.M. and 7:00 P.M., in accordance with this Resolution and Order of Election, the City Charter, and State law.

Section 2. The special election will provide for the question to be submitted to those certain voters of the area located in the City of Schertz ETJ and within the five-mile boundary of Joint Base San Antonio Randolph (JBSA-Randolph), and as more specifically listed and depicted in Exhibit A, to allow the voters of the area to choose between either full-purpose annexation, or to provide municipality with the authority to adopt and enforce an ordinance regulating the land use in the area in the manner recommended by the most recent joint land use study.

Section 3. The Proposition shall be placed on the ballot as provided as Exhibit B.

Section 4. Pursuant to Section 61.012, as amended, Texas Election Code, the City shall provide at least one accessible voting system in each polling place used in the election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Touch screen machines may be used for early voting and election day voting by personal appearance. Certain early voting may be conducted by mail. The Election Administrators shall also utilize a Central Counting Station (the "Station") as provided by Section 127.001, et seq., as amended, Texas Election Code. Michele Carew, the Elections Administrator for Bexar County has been appointed as the Manager and Presiding Judge of the Station, and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Election Administrator will appoint the Tabulation Supervisor, who will also serve as the Programmer for the Station. Lastly, the Election Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

Section 5. The City election precincts established for this election shall be precincts named on attached Exhibit C hereto. A list of the City election precincts and the polling places designed for each such election precinct are identified on Exhibit C to this Resolution, and this Exhibit is incorporated by reference for all purposes. At least 63 days prior to the scheduled election date, the Council, in coordination with the Elections Administrator, will identify and formally approve the appointment of the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for this election.

Each Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to act as clerks to properly conduct the election. However, if the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. The appointment of such clerks may include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election. In the absence of the Presiding Judge named above, the Alternate Presiding Judge shall perform the duties of the Presiding Judge.

Section 6. The election shall be held in the City at the precinct locations listed on Exhibit C as prescribed by applicable law, and, on the day of the election, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 7. The Bexar County Elections Office, 203 W. Nueva St#300, San Antonio, Texas 78207 is hereby designated as the main early voting places at which early voting shall be conducted. Michele Carew, Elections Administrator (whose mailing address is 203 W. Nueva Ste#300, San Antonio, Texas 78207 is hereby appointed as the Early Voting Clerk to conduct such early voting in the election. The Early Voting Clerk shall appoint not less than two (2) Deputy Early Voting Clerks in accordance with the provisions of the Texas Election Code. Early voting shall be conducted on the dates and at the times, and at the locations, identified in Exhibit C.

Section 8. An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. Jacquelyn Callanen and Lisa Adam, the Elections Administrators of Bexar and Guadalupe County, will appoint the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two (2) nor more than ten (10) resident qualified voters of the County to serve as members of the Early Voting Ballot Board.

Section 9. All property owners as listed on Exhibit A who are resident qualified voters of the City shall be permitted to vote at any one of the early voting locations, and, on the day of the election, such voters shall vote at any one of the designated polling places. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of Texas Revised Civil Statutes, Chapter 1 of Title 22, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

Section 10. The anticipated fiscal impact of conducting the election and implementing modifications, if any, to the City is currently estimated to be **\$xx,xxx.**

Section 11. A substantial copy of this Resolution shall serve as a proper notice of the election. This notice, including a Spanish translation thereof, shall be posted at the City Hall not less than twenty-one (21) days prior to the date the election is to be held, and be published in a newspaper of general circulation in the City, (a) not more than thirty (30) days, and not less than ten (10) days prior to the day of the election, and (b) on the same day in each of two successive weeks with the first publication occurring not less than fourteen (14) full days prior to the day of the

election.

Section 12. The Council authorizes the City Manager or their designee to negotiate and enter into a joint election agreement and a contract to conduct the election with the Elections Administrator in accordance with the provisions of the Texas Election Code.

Section 13. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 14. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordered herein.

Section 15. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 16. 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 to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Resolution would have been enacted without such invalid provision. The Council hereby authorizes the Mayor and the City Manager of the City to make such technical modifications to this Resolution that are necessary for compliance with applicable Texas or federal law or to carry out the intent of this Council, as evidenced herein.

Section 17. 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 18. This Resolution shall be in force and effect from and after its final passage and any publication required by law.

PASSED, APPROVED and ADOPTED ON THIS, the ____ day of _____, 2025.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

EXHIBIT A

[placeholder]

EXHIBIT B

The official ballots for the Special Election shall be prepared in accordance with the Texas Local Government Code and the Texas Election Code to permit the electors to vote for one of two options in the proposition, with the ballots to contain such provisions, markings, and language as required by law, as follows:

CITY OF SCHERTZ PROPOSITION A

OPTION 1: YES ANNEXATION: SHALL THE CITY OF SCHERTZ ANNEX FOR FULL PURPOSES CERTAIN AREAS IN THE CITY'S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE BOUNDARY OF THE JOINT BASE SAN ANTONIO RANDOLPH?

OPTION 2: NO ANNEXATION BUT WITH LAND USE REGULATIONS: SHALL THE CITY OF SCHERTZ BE PROVIDED WITH THE AUTHORITY TO ADOPT AND ENFORCE AN ORDINANCE REGULATING THE LAND USE IN THE CITY'S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE BOUNDARY OF THE JOINT BASE SAN ANTONIO RANDOLPH IN THE MANNER RECOMMENDED BY THE MOST RECENT JOINT LAND USE STUDY, FOR THE PURPOSE OF PROTECTING THE MILITARY MISSIONS, AND INCLUDING THE AUTHORITY TO ADOPT AND IMPOSE RELATED FEES, FINES AND OTHER CHARGES?

EXHIBIT C