

RESOLUTION 25-R-101

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 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 areas located 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 upon the result of a lawfully-called election in which a majority of the voters in the areas proposed for annexation vote in favor of said annexation; and

WHEREAS, the annexation proposition must 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 recommended 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 intends to annex the area, and finds that submitting such proposition and holding an election as provided therein, is in the best interests 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. 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 2. A special election shall be held on Monday, November 4, 2025, in accordance with this Resolution and Order of Election, the City Charter, and State law.

Section 3. 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 substantial form, subject to final approval by the applicable counties, 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 4. The Proposition shall be placed on the ballot as provided in substantial form as Exhibit B.

Section 5. At the special election, the voters in the areas will consider Proposition A, wherein they may select Option 1 or Option 2. Leaving the ballot blank or voting for both Option 1 and 2 will result in authorization of Option 2.

Option 1 would authorize the City of Schertz to annex for full-purpose annexation, certain areas in the city's extraterritorial jurisdiction within five miles of the boundary of the Joint Base San Antonio.

If the voters select full purpose annexation, the following services would be provided immediately upon annexation.

- (A) police protection;
- (B) fire protection;
- (C) emergency medical services;
- (D) operation and maintenance of water and wastewater facilities in the annexed area;
- (E) operation and maintenance of roads and streets, including road and street lighting;
- (F) operation and maintenance of parks, playgrounds, and swimming pools; and
- (G) operation and maintenance of any other publicly owned facility, building, or Service

Option 2 would authorize the City of Schertz, instead of annexation of the area, 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.

Section 6. If Proposition Option 1 is approved, the City shall initiate full-purpose annexation pursuant to Chapter 43 of the Texas Local Government Code in the area located within five miles of the boundary of Joint Base San Antonio-Randolph, more particularly described in Exhibit A.

Section 7. The Proposition Option 1, if approved by a majority of the qualified voters of the proposed annexation areas in the ETJ of the City of Schertz, Texas, who vote in the November 4, 2025 election, is effective when the City Council enters an order stating an effective date of the Proposition Option 1.

Section 8. As soon as practicable after the election and the declaration by the City Council that the Proposition Option 1 has been approved and adopted, the Mayor shall certify to the Secretary of State an

authenticated copy of the Proposition Option 1, under the City's seal, showing the approval by the qualified voters of the proposed full-purpose annexation areas in the ETJ of the municipality.

Section 9. Proposition Option 1, if disapproved by a majority of the resident qualified voters of the proposed annexation area automatically approves Option 2, which authorizes the City to adopt and enforce ordinances regulating land use in the manner recommended by the most recent Joint Land Use Study, and the authority to impose fees, fines and other charges related to the enforcement of the land use regulations. The effective date and certification shall be provided as set forth in Section 7 and 8 above.

Section 10. The City of Schertz will conduct two public hearings, to be held on September 2, 2025 and on September 16, 2025 to consider ordering a Special Election for the submission to the qualified voters of a specific area pursuant to Section 43.0017, Texas Local Government Code, the question whether such area, as situated within the City of Schertz Extraterritorial Jurisdiction and within a five-miles of a 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 (JLUS).

Section 11. 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 12. The City election precincts established for this election shall be precincts named, in substantial form, and subject to final list approval provided by the applicable counties. A list of the City election precincts and the polling places designed for each such election precinct are identified in substantial form, and subject to approval by the applicable counties. 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 13. The election shall be held in the City at the precinct locations listed by Bexar County Election Office. Precinct locations will be available from Bexar County Elections Office by August 31, 2025.

Section 14. 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 15. An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. Michele Carew, Elections Administrator of Bexar 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 16. All residents who live on the property listed on Exhibit A and who are resident qualified voters 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 17. The anticipated fiscal impact of conducting the election and implementing modifications, if any, to the City is currently estimated to be \$22,000.

Section 18. 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) the notice of election publication occurring not less than fourteen (14) full days prior to the day of the election.

Section 19. 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 20. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution, including Resolution 25-R-083 as approved on July 15, 2025, 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 21. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 22. 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 23. 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 24. 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:

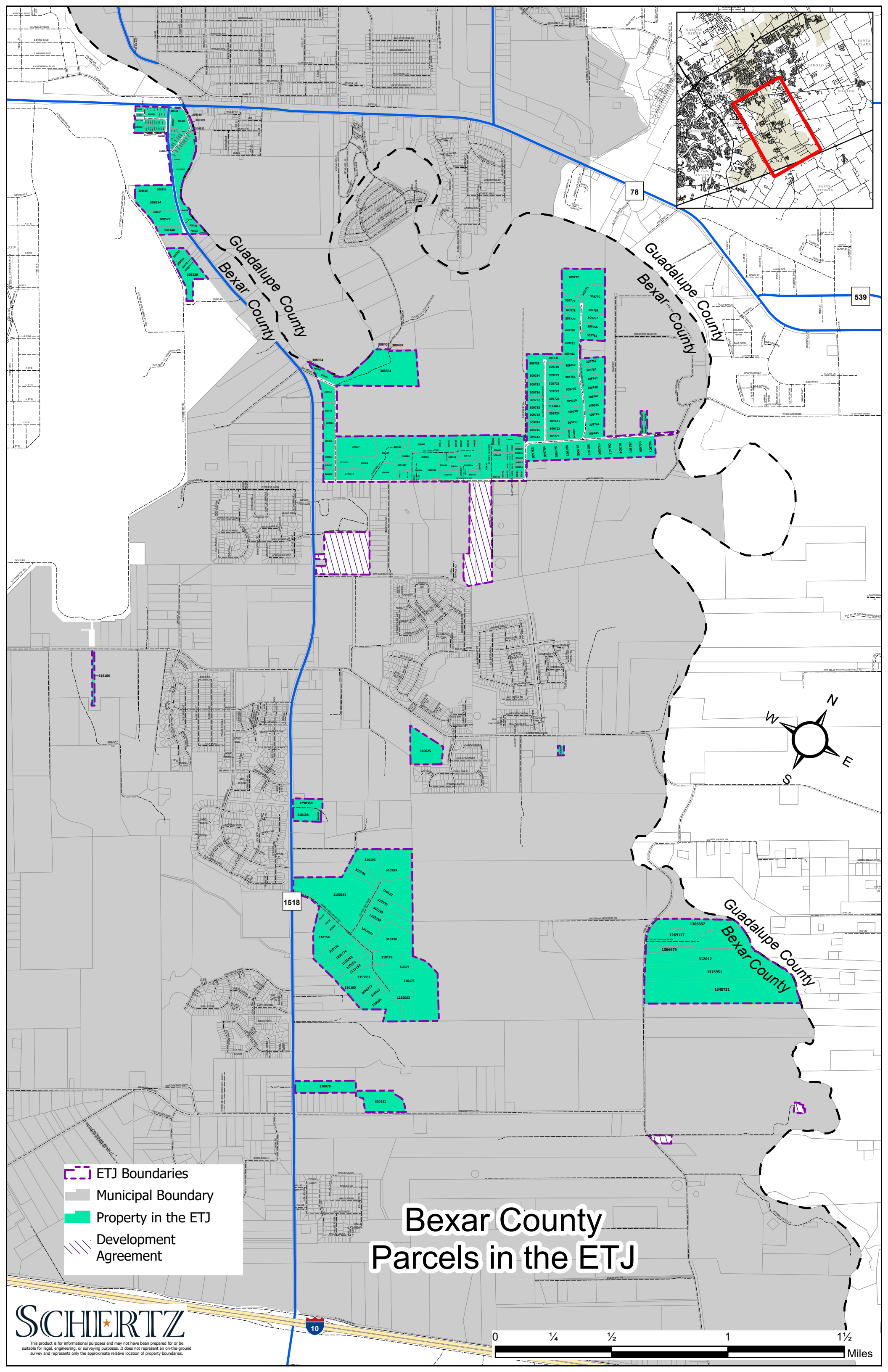
Sheila Edmondson, City Secretary

EXHIBIT A

(Map of Extraterritorial Jurisdiction within a Five-Mile Boundary of JBSA-Randolph)

Parcel ID numbers of properties within the five-mile boundary of JBSA-Randolph

308523	308418	308574	308415	1139334	308425	1150385
358551	308416	308575	308413	1149642	308502	310157
358531	308414	308576	308411	1139333	308380	310155
358533	308412	308577	309743	1262993	309384	310154
358550	308367	308579	1434884	309721	309385	310156
358549	308354	308581	309744	309742	309386	310158
358548	308339	308572	309757	309722	309387	1235774
358535	308349	308434	309745	309741	309388	310180
358536	308348	308535	309758	309723	309389	1103248
358537	308342	308439	309746	309740	309390	310159
358547	308347	308440	309759	309724	309391	310176
358538	308345	308533	309747	309739	309783	1117192
358546	308341	354068	309760	1161016	309392	1313852
358539	308340	308537	309748	309738	309784	1078777
358544	308338	308539	309749	309726	309785	310175
358541	308528	308543	309761	309737	309786	310167
308309	308527	308544	309750	309727	309787	310166
308322	308337	308546	309762	309736	309788	1252033
1050386	308514	308302	309752	309728	309789	310200
308310	308515	309334	309782	309735	309790	310160
308320	308331	308562	309781	309729	309791	310174
308526	1050385	354097	309765	309734	309792	
308467	308326	354096	309780	309730	309793	
308465	358529	308551	309766	309733	309463	
308513	358552	354082	309779	309731	309465	
308484	358553	308559	309767	308315	309462	
1213954	358554	308560	309778	1413691	309464	
308463	358555	308561	309768	1103239	309794	
308512	308318	308563	309776	310189	1151124	
308531	308317	308564	309772	310190	1160408	
308464	308316	308565	309770	310182	1434885	
308529	308305	308554	309775	310194	310121	
308530	308556	308555	310025	310193	308394	
308466	308548	308567	619106	310183	308402	
310070	308298	309395	1367390	1371073	308497	
1061511	308582	308424	1196135	308518	1340731	
310108	1129970	308447	308379	1062177	312012	
	1298380	308525	308382	1062176	1269117	
	308571	308420	1395831	1367041	1366687	
	308573	1371072	1091021	308429	1315951	
		308421			1366676	
		308377				



- ETJ Boundaries
- Municipal Boundary
- Property in the ETJ
- Development Agreement

Bexar County Parcels in the ETJ

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?