

RESOLUTION 26-R-011

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD ON APRIL 4, 2026, FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR PLACE 6 WITH GUADALUPE COUNTY, BEXAR COUNTY, AND COMAL COUNTY AND APPROVING THE GUADALUPE COUNTY ELECTION CONTRACT STATING THAT GUADALUPE COUNTY WILL OVERSEE THE SPECIAL ELECTION AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Pursuant to The Texas Constitution Article 11. Municipal Corporations Sec. 11 Term of Office Exceeding Two Years in Home Rule and General Law Cities; Vacancies. (c) Any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur; and

WHEREAS, the City has received a resignation from a councilmember, effective December 8, 2025, Texas Constitution Article 11, Sec. 11 and Article 16, Sec. 65 b) If any of the officers named herein shall announce their candidacy, or shall in fact become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time when the unexpired term of the office then held shall exceed one year and 30 days, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to the law in the same manner as other vacancies for such office are filled; and

WHEREAS, the City Council hereby finds and determines that a special election will be held on April 4, 2026, to fill the unexpired term of Place 6. Guadalupe County Elections Administrator will oversee the entire election for Guadalupe, Comal, and Bexar Counties; and

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

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

Section 1. A Special Election shall be held on April 4, 2026, in and throughout the City, for the purpose of electing Councilmember for Place 6 to serve the remainder of the three-year term which will expire November 2027.

Section 2. At said Special Election, the candidate receiving at least fifty (50) percent plus one (1) of the votes for Councilmember Place 6 respectively, shall be declared elected to fill remainder of the three-year term which will expire November 2027.

Section 3. Any candidate desiring to have his or her name on the Official Ballot for said Special Election shall, no sooner than Wednesday, January 21, 2026, and no later than Monday, February 2, 2026, at 5:00 p.m., file with the City Secretary an application

in writing and in the form prescribed by the Texas Election Code requesting that his or her name be placed on the Official Ballot and declaring as a Candidate for Councilmember for Place 6. The name of all eligible candidates whose applications have been duly and timely filed shall be placed on the ballot pursuant to a drawing as provided by law.

Section 4. The election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas, and conducted in accordance with the terms set forth in the Contract for Election Services, attached hereto as Exhibit A.

Section 5. The City Secretary is hereby designated as the election officer for the City and is hereby authorized to perform all duties and take all actions as required pursuant to the Election Services and is further authorized to take any additional actions required by state law.

Section 6. Election Code Sec. 4.004 (d) all precincts in the City of Schertz in Bexar, Comal, and Guadalupe Counties have been consolidated. The Early Voting Location and Election Day Vote site established for this election are at Schertz Annex Building, 1101 Elbel Rd, Schertz, TX 78154 and Seguin Elections Office, 3251 TX-123, Seguin, TX, 78155.

Section 7. Polling on Election Day shall be held at the Vote Center Location at Schertz Annex Building, 1101 Elbel Rd, Schertz, TX 78154, on Saturday, April 4, 2026, as prescribed by applicable law, and, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 8. The Election Administrator are hereby designated as the Early Voting Clerk to conduct such early voting in the election in accordance with the provisions of the Texas Election Code. The main Early Voting places at which early voting shall be conducted for those living respectively are in Bexar, Comal, and Guadalupe Counties.

- Michelle Shields, the Elections Administrator of Guadalupe County, mailing address is 3251 Highway 123, Seguin, Texas 78155 or PO Box 1346, Seguin Texas 78156-1346, (830-303-6363) and <https://www.guadalupe.tx.gov/page/elections.home>

Section 9. Early voting shall be conducted from Wednesday, March 18, 2026, through March 31, 2026, with some exceptions of certain Saturdays, Sundays, and official State holidays. Early Voting by personal appearance for the Election shall be conducted and at the locations as determined by the Elections Administrator in consultation with the Political Subdivision and in accordance with the Texas Election Code.

Section 10. The anticipated fiscal impact of conducting the election will be determined by the Elections Administrator.

Section 11. All resident qualified voters of the City shall be permitted to vote at the Early Voting location(s) designated by the Elections Administrator. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

Section 12. A substantial copy of this Resolution shall serve as proper notice of the Election. The City Secretary shall post and publish the election notice as required by the Texas Election Code.

Section 13. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into one or more joint election agreements with other governmental organizations in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 14. The Council authorizes the City Manager, or his/her designee, to negotiate and enter into contracts with the County Clerk and Elections Administrators to conduct the Election in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

Section 15. 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 16. 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 17. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 18. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Resolution would have been enacted without such invalid provision. The Council hereby authorizes the Mayor and the City Secretary of the City to make such technical modifications to this Resolution that are necessary for compliance with applicable Texas or Federal Law or to carry out the intent of this Council, as evidenced herein.

Section 19. All exhibits provided for herein are incorporated by reference.

Section 20. 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 21. This Resolution shall be in force and effect from and after its final passage and any publication required by law.

PASSED, APPROVED AND ADOPTED on this _____ day of _____ 2026.

CITY OF SCHERTZ

Ralph Rodriguez, Mayor

ATTEST:

Sheila Edmondson TRMC
City Secretary

Exhibit A
Contract for Election Services