



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
July 16, 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, JULY 16, 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 Westbrook)

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 July 2, 2024. (S.Edmondson/S.Courney)
2. **Resolution 23-R-76** - Authorizing a Schertz Main Street local flavor grant for 820 Main Street. (S.Williams/B.James)
3. **Ordinance 24-S-140** - Approving a request to rezone approximately 1-acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308497, more specifically known as 11639 Voges Pass, City of Schertz, Bexar County, Texas. ***Final Reading*** (B.James/L.Wood/D.Marquez).
4. **Ordinance 24-S-141** – Approving a request to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A), known as Comal County Property Identification Number 78940, more specifically known as 6691 FM 482, New Braunfels, Comal County, Texas. ***Final Reading*** (B.James/L.Wood/D.Marquez)
5. **Ordinance 24-S-142** - Approving a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, known as Guadalupe County Property Identification Number: 64548, generally located at the intersection of Maske Road & E FM 1518, City of Schertz, Guadalupe County, Texas. ***Final Reading*** (B.James/L.Wood/S.Haas)
6. **Resolution 24-R-77** - Nominating Councilmember Allison Heyward to be re-appointed to Place 12 of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool. (S.Williams/S.Edmondson)

Discussion and Action Items

7. **Resolution 24-R-81-** Authorizing the Approval of Development Agreements with Sharlene E & Timothy A Fey and Sandra Reeh ET AL, for approximately 223 acres of land in relation to Annexation, Extraterritorial Jurisdiction Status and other matters in connection therewith. (B. James/L. Wood/E. Delgado)
8. **Ordinance 24-A-50-** Consider a request for voluntary annexation of approximately 68-acres, known as Comal County Property Identification Number 79006 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
9. **Ordinance 24-A-44-** Consider a request for voluntary annexation of approximately 107-acres, known as Comal County Property Identification Number 79001 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
10. **Ordinance 24-A-46-** Consider a request for voluntary annexation of approximately 3.1-acres, known as Comal County Property Identification Number 78946 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
11. **Ordinance 24-A-47-** Consider a request for voluntary annexation of approximately 8.4-acres, known as Comal County Property Identification Number 75480 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
12. **Ordinance 24-A-48-** Consider a request for voluntary annexation of approximately 4-acres, known as Comal County Property Identification Number 78247 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
13. **Ordinance 24-A-49-** Consider a request for voluntary annexation of approximately 29-acres, known as Comal County Property Identification Number 79009 Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
14. **Resolution 24-R-60** – Ordering the November 5, 2024, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election and authorizing these elections to be held as Joint Elections. (Mayor/S.Edmondson)
15. **Resolution 24-R-61** - Ordering the November 5, 2024, City of Schertz Special Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election.(Mayor/S.Edmondson)
16. **Resolution 24-R-80** - Approving Disaster Pay Policy (S.Gonzalez/J.Kurz)
17. **Resolution 24-R-75** - Authorizing a Water CCN Transfer Agreement between the City of Selma and City of Schertz to amend CCN boundaries and other matters in connection therewith. (B.James/L.Busch)
18. **Resolution 24-R-79** – Authorizing the revised bylaws of the Schertz Planning and Zoning Commission, and other matters in connection therewith. (B.James/L.Wood/S.Haas)
19. **Resolution 24-R-71** Approve a Service Contract for non-consensual towing services between Road Runner Towing and the City of Schertz to provide wrecker services within the City for public safety.

(S.Williams/J.Lowery)

20. **Resolution 24-R-78** - Authorizing city support for state legislation that would establish a dedicated funding mechanism for the Disabled Veterans Homestead Exemption (DVHS) during the 89th legislative session of the State of Texas (S.Williams/S.Gonzalez/L.Klepper)
21. **Interview Committee Process and Procedure**-Discussion and/or action on the Interview Committee process and procedures. (Mayor/Councilmember A.Heyward/S.Edmondson)

Public Hearings

22. **Ordinance 24-M-124** - Conduct a public hearing to amend the City of Schertz Code of Ordinances and certain other ordinances by amending and establishing fees for certain licenses, permits, and other services. *First Reading* (S.Gonzalez/J.Walters)

Workshop

23. Street Preservation and Maintenance Workshop (B.James/L. Busch/K. Woodlee/J. Nowak)
24. Public Works Design Guide Update Workshop (B. James/K. Woodlee)

Information available in City Council Packets - NO DISCUSSION TO OCCUR

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 12TH DAY OF JULY 2024 AT 4:45 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

Mayor Gutierrez Member Audit Committee Investment Advisory Committee Main Street Committee Liaison Board of Adjustments Senior Center Advisory Board-Alternate	Councilmember Davis– Place 1 Member Interview Committee Main Street Committee - Chair TIRZ II Board Liaison Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Board
Councilmember Watson-Place 2 Member Audit Committee Interview Committee-Alternate Liaison Library Advisory Board Senior Center Advisory Board Cibolo Valley Local Government Corporation-Ex-Officio	Councilmember Macaluso – Place 3 Member Interview Committee Hal Baldwin Scholarship Committee Liaison TIRZ II Board Animal Services Advisory Committee
Councilmember Gibson – Place 4 Member Interview Committee Hal Baldwin Scholarship Committee Investment Advisory Committee Liaison Schertz Historical Preservation Society	Councilmember Westbrook – Place 5 Liaison Schertz-Seguin Local Government Corporation (SSLGC) Planning and Zoning Commission Schertz Historical Preservation Society Cibolo Valley Local Government Corporation (CVLGC)-Alternate
Councilmember Heyward – Place 6 Member Animal Services Advisory Committee 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: 07/16/2024
Department: City Secretary
Subject: Minutes - Consideration and/or action regarding the approval of the regular meeting minutes of July 2, 2024. (S.Edmondson/S.Courney)

Attachments

07-02-2024 Draft Minutes

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Resolution 23-R-76 - Authorizing a Schertz Main Street local flavor grant for 820 Main Street (S.Williams/B.James)

BACKGROUND

The property owner of 820 Main Street is seeking an additional Schertz Main Street Local Flavor Grant in order to use the grant for additional parking. If approved, this grant of \$14,098.21 would use up the remaining grant available for this property.

GOAL

Promote and enhance commercial activity along Main Street to promote the economic, cultural and general welfare of the community. The area around Main Street in Schertz once served as the commercial and social hub of the community. The City wants to improve the image of the area around Main Street through matching grants that promote local economic development and stimulate business and commercial activities.

COMMUNITY BENEFIT

Encourage the attraction of small businesses that will create local charm and help develop a sense of place around Main Street. Promote commercial development. Stabilize and improve property values. Foster civic pride. Strengthen the economic vitality of the City by protecting and enhancing the attractiveness of the Main Street area to residents and visitors, as well as promoting local businesses.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 24-R-76, approving a Schertz Main Street Local Flavor Economic Development Grant for up to \$14,098.21 for 820 Main Street.

FISCAL IMPACT

The maximum fiscal impact of this grant is \$14,098.2100. Currently, \$22,946.47 in grants has been paid this fiscal year. There are \$34,652.50 in grants that are open.

RECOMMENDATION

Approval of Resolution 24-R-76.

Attachments

Resolution 24-R-76 with attachment

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024

Department: Planning & Community Development

Subject: Ordinance 24-S-140 - Approving a request to rezone approximately 1-acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308497, more specifically known as 11639 Voges Pass, City of Schertz, Bexar County, Texas. *Final Reading* (B.James/L.Wood/D.Marquez).

BACKGROUND

The applicant is requesting to rezone approximately 1 acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A). The subject property is currently undeveloped and not platted.

On May 20, 2024, seven (7) public hearing notices were 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 June 12, 2024. Additionally, one (1) sign was placed on the property by the applicant. The Planning and Zoning Commission met on Wednesday, June 5, 2024, and held a public hearing on this item.

GOAL

The proposed zone change is for approximately 1 acre of land to Single-Family Residential/ Agricultural District (R-A).

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 zone changes, staff uses the criteria listed in UDC Section 21.5.4.D. The criteria are listed below.

1. Whether the proposed zoning change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map.

Yes, the proposed Single-Family Residential/ Agricultural District (R-A) does implement the policies of the Comprehensive Land Plan. The subject property is designated as Complete Neighborhood in the Comprehensive Land Use Plan - Future Land Use Map. The Complete Neighborhood Land Use Designation is identified as areas with a mixture of housing options and supporting land uses. Additionally, the Comprehensive Land Use Plan stipulates when considering the appropriateness of housing density, factors such as roadway classification, and conflicts between land uses and buildings shall be considered.

The subject property is currently undeveloped, unplatted, has access from a private road, and is surrounded by existing agricultural uses and agricultural homes. Due to the location of the subject property, the current zoning designations of surrounding properties, and access, the proposed Single-Family Residential/ Agricultural District (R-A) at the subject property does implement the policies of the Comprehensive Land Plan and the Complete Neighborhood Land Use Designation of the Future Land Use Map.

2. Whether the proposed zoning change or zoning map amendment 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. The proposed Single-Family Residential/ Agricultural District (R-A) dimensional and development standards as stated in UDC Section 21.5.7.A of the Unified Development Code, are compatible with what is immediately in the surrounding area.

Table 21.5.7.A										
Dimensional Requirements for Residential Zoning Districts										
		Minimum Lot Size Dimensions			Minimum Yard Setbacks				Miscellaneous Lot Requirements	
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Impervious Coverage Requirements
R-A	Single-Family Residential/ Agricultural District	21,780	-	-	25	25	25	2	35	50%

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

Yes, the uses permitted in Single-Family Residential/ Agricultural District (R-A) are appropriate within the immediate area of the land to be reclassified. The purpose and intent of the Single-Family Residential / Agricultural District (R-A) is to provide areas in which agricultural land may be held in such use for as long as is practical and reasonable with residences a minimum of half-acre in size, and where development is premature due to lack of utilities, capacity or services, as per UDC Section 21.5.5. A majority of the surrounding properties are zoned Pre-Development District (PRE) and are used for single family residential and agriculture.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

There is no existing development on the subject property. The applicant does not have any plans for development at this time. A public hearing notice was mailed to Schertz-Cibolo-Universal City Independent School District to notify them of the proposed zone change. Included as attachments are the most recent Demographic Report 3Q23 for SCUCISD as well as the most recent 10-Year Campus Forecasting Presentation.

5. Whether there have been environmental and/or economical changes which warrant the requested change.

No, there have been no environmental or economic changes that warrant the requested zone change. The subject property has been designated as Pre-Development District (PRE) and was given this designation, like many other properties in the area and Southern Schertz, after its annexation.

6. Whether there is an error in the original zoning of the property for which a change is requested.

No, there was no error in the original zoning of the subject property. The Pre-Development District (PRE) zoning designation is intended as a placeholder as per UDC Section 21.5.5.A.

7. Whether all of the applicant's back taxes owed to the City have been paid in fullThis does not impact the Planning and Zoning Commission recommendation to City Council.

All back taxes owed have been paid.

8. Whether other criteria are met, 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 all UDC requirements have been met for the proposed zone change, and at this time have not received any special consideration from the Planning and Zoning Commission or the City Council.

RECOMMENDATION

Staff Recommendation

The proposed zone change to Single-Family Residential District (R-A) is compatible with the Comprehensive Land Use Plan- Future Land Use Map and is appropriate within the immediate area of the subject property, thus Staff recommends approval of Ordinance 24-S-140.

Planning and Zoning Commission

The Planning and Zoning Commission met on Wednesday, June 5, 2024, and made a recommendation of approval to City Council with a unanimous vote.

City Council

City Council met on July 2, 2024, and unanimously approved Ordinance 24-S-140.

Attachments

Ordinance 24-S-140 With Attachments
Public Hearing Notice Map
Legal Metes and Bounds
SCUCISD Demographic Report
SCUCISD 10 Year Campus Forecasting
City Council Presentation Slides

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024

Department: Planning & Community Development

Subject: Ordinance 24-S-141 – Approving a request to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A), known as Comal County Property Identification Number 78940, more specifically known as 6691 FM 482, New Braunfels, Comal County, Texas. *Final Reading* (B.James/L.Wood/D.Marquez)

BACKGROUND

The property owners are requesting to rezone approximately 3.6 acres of land to Single-Family Residential/ Agricultural District (R-A). The subject property is currently not platted and contains a residence.

On May 20, 2024, nine (9) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, one (1) response 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 June 12, 2024. Additionally, one (1) sign was placed on the subject property by the applicant. The Planning and Zoning Commission held a public hearing for this item on June 5, 2024.

GOAL

The applicant is requesting to rezone approximately 3.6 acres from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A).

COMMUNITY BENEFIT

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

SUMMARY OF RECOMMENDED ACTION

When evaluating zone changes, staff uses the criteria listed in UDC Section 21.5.4.D. The criteria are listed below.

1. Whether the proposed zoning change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map.

The subject property is designated as Local Corridor in the Comprehensive Land Plan - Future Land Use Map. Local Corridor is described as areas with commercial and entertainment along major thoroughfares with a development ratio of 20% Residential and 80% Non-Residential development.

Although Single-Family Residential/ Agricultural District (R-A) does not allow for commercial or entertainment uses, the subject property and immediate area consist of agricultural uses and rural residences. The property is currently a residence, no development is being proposed, and the immediate area consists of agricultural uses, thus the Single-Family Residential/ Agricultural District (R-A) being requested is appropriate in this area as there is still a lack of development that meets the Local Corridor Land Use Designation. Additionally, the Comprehensive Land Use Plan stipulates that a percentage of residential areas could still exist in the Local Corridor Land Use Designation. In the future, if there is a proposed zone change to a more intense zoning district, that zoning district will be evaluated based on its implementation of the policies of the adopted Comprehensive Land Use Plan and Future Land Use Map.

2. Whether the proposed zoning change or zoning map amendment 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. The dimensional requirements for Single-Family Residential/ Agricultural District (R-A), as listed in Table 21.5.7.A of UDC Section 21.5.7, are compatible within the immediate area of the subject property. The subject property is approximately 3.6 acres and surpasses the minimum square footage required in the Single-Family Residential/ Agricultural District (R-A).

Table 21.5.7.A Dimensional Requirements Residential Zoning Districts										
		<i>Minimum Lot Size Requirements</i>			<i>Minimum Yard Setbacks</i>					<i>Miscellaneous Lot Requirements</i>
Code	Zoning District	Area Sq.Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height	Max Impervious Coverage
R-A	Single-Family Residential/ Agricultural District	21,780	-	-	25	25	25	2	35	50%

The existing Pre-Development District (PRE) zoning, as per UDC Section 21.5.5, is only intended as a temporary designation for existing uses for newly annexed property, but no improvements, construction, or structures may be undertaken without obtaining a building permit. A building permit cannot be pulled without the proper zoning. The proposed zone change to Single-Family Residential/ Agricultural District (R-A), would allow the applicant to pull building permits to ensure safe and orderly development.

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

Yes, the uses permitted in Single-Family Residential/ Agricultural District (R-A) are appropriate in the immediate area of the land to be reclassified. The purpose and intent of the Single-Family Residential/ Agricultural District (R-A) is to provide areas in which agricultural land may be held in such use for as long as is practical and reasonable, with minimum half-acre lots, and where development may be premature due to lack of utilities, capacity or services, as per UDC Section 21.5.5.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

The subject property utilizes an on-site septic system and is in the Green Valley CCN for water. FM 482 is a TXDOT road that is only two lanes, with one lane in each direction. Per the Master Thoroughfare Plan, FM 482 is identified as a principal arterial with a planned 120'-130' right-of-way width. In the current Master Thoroughfare Plan, Friesenhahn Lane is identified as a Commercial Collector A, with a proposed final 70-foot right-of-way width. Although no development is being proposed at this time, any proposed improvements or access points will need to be reviewed by the Texas Department of Transportation and the City of Schertz Engineering Department. A public hearing notice was mailed to Comal Independent School District to notify them of the proposed zone change.

5. Whether there have been environmental and/or economical changes which warrant the requested change.

No, there are no environmental or economic changes that warrant the requested zone change. The subject property was annexed into the City of Schertz in 2010 with Ordinance 10-A-19. The subject property currently has the Pre-Development District (PRE) zoning designation, which was meant to be a temporary designation for properties annexed into the City of Schertz as per UDC Section 21.5.5.A.

6. Whether there is an error in the original zoning of the property for which a change is requested.

No, there was no error in the original zoning of the property.

7. Whether all of the applicant's back taxes owed to the City have been paid in full.

All back taxes owed have been paid in full.

8. Whether other criteria are met, 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 all UDC requirements have been met for the proposed zone change application and at this time have not received special considerations from the Planning and Zoning Commission or City Council.

RECOMMENDATION**Staff Recommendation**

The proposed zone change to Single-Family Residential/ Agricultural District (R-A) is compatible with the immediate area, thus Staff recommends approval of Ordinance 24-S-141.

Planning and Zoning Commission

The Planning and Zoning Commission met on Wednesday, June 5, 2024, and made a recommendation of approval to City Council by a unanimous vote.

City Council

The City of Schertz City Council met on July 2, 2024, and approved Ordinance 24-S-141 a unanimous vote.

Attachments

Ordinance 24-S-141 With Attachments

Aerial Exhibit

Public Hearing Notice Map

Public Hearing Responses

Property Description

City Council Presentation Slides

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024

Department: Planning & Community Development

Subject: Ordinance 24-S-142 - Approving a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, known as Guadalupe County Property Identification Number: 64548, generally located at the intersection of Maske Road & E FM 1518, City of Schertz, Guadalupe County, Texas. *Final Reading (B.James/L.Wood/S.Haas)*

BACKGROUND

The applicant is requesting a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, located at the intersection of Maske Road & E FM 1518. The subject property is zoned General Business District (GB) and is currently undeveloped. The applicant is also proposing to build a drive-thru restaurant and spaces for retail on the site.

On May 24, 2024, eight (8) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of this staff report, (3) responses in favor, (0) responses neutral, and (1) response in opposition have been received.

A public hearing notice was published in the San Antonio Express on June 12th for this Specific Use Permit.

Subject Property:

	Zoning	Land Use
Existing	General Business District (GB)	Undeveloped
Proposed	General Business District (GB)	Convenience Store with Gas Pumps

Adjacent Properties:

	Zoning	Land Use
North	Right of Way	Maske Road
South	General Business District (GB)	Undeveloped
East	General Business District (GB)	Under-construction/Undeveloped
West	Right of Way	FM 1518

GOAL

The proposed Specific Use Permit is to allow a convenience store with gas pumps on the property. Per UDC Article 5, Section 21.5.8 Permitted Use Table, properties within the General Business District (GB) must first be approved for a Specific Use Permit to do so.

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 Specific Use Permits, staff uses the criteria listed in UDC section 21.5.11.D. The criteria are listed below.

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

Comprehensive Land Plan.

The Comprehensive Plan designates this property as Industrial Hub. While Industrial Hub is intended to be a center for manufacturing and logistics activity, complimentary commercial services, especially in the buffer areas, are appropriate transitional uses. For these reasons, this proposal on this particular site conforms with the Comprehensive Land Use plan.

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. The convenience store with gas pumps would meet the intent of the zoning district.

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.

Adjacent to the property is a business park-style commercial development that is under construction. Also, to the south is a large area with primarily higher-intensity commercial and some light-industrial activity. The property also abuts FM 1518, which is a secondary arterial. Given this, the proposed land use is compatible with the surrounding area.

The applicant will have to meet all site design standards in Article 9, which is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

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

The proposed development will have two points of access on two separate roads, Maske Road and FM 1518. This will minimize the hazardous effect of traffic. Engineering will review a more detailed traffic impact analysis at the time of the site plan process.

5. The proposed use incorporates roadway adjustments, 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.

Engineering will review a more detailed traffic impact analysis at the time of the site plan process, and will determine what traffic mitigation methods will be required.

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 requirements in Article 9 including the screening and buffering that will be required. Article 9 is in place to ensure adverse effects are minimized and mitigated.

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 (GB) as stipulated in UDC Section 21.5.7. 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. Given the existing General Business (GB) zoning of the subject property and the similar commercial zoning of adjacent properties, this development is compatible with surrounding land uses.

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

This does not impact consideration by P&Z or the first reading from Council.

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 UDC requirements have been met, and at this time have not received and special considerations from the Planning and Zoning Commission or the City Council.

JBSA has reviewed this proposal and submitted a letter of no objection to staff. Also, a Specific Use Permit was approved as Ord. 18-S-34 on October 23, 2018, for the same property with the same use, and has since expired. This is important to note as this proposal is similar to what has already been previously approved by City Council.

Therefore, Staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps at the subject property conditioned upon the following: A building permit is approved within two years of the adoption of the SUP Ordinance.

On June 5, 2024, the Planning and Zoning Commission recommended approval of the specific use permit request with a 6-1 vote. Commissioner Craig voted in opposition to the request for the reason that this SUP does not promote "health" as the UDC directs.

On July 2, 2024 The Scertz City Council voted to approve the Specific Use Permit with a 7-0 vote.

RECOMMENDATION

Approval of Ordinance 24-S-142.

Attachments

Ord. 24-S-142 with Exhibits
Aerial Exhibit
Public Hearing Notice Map
Public Hearing Responses
City Council Presentation Slides

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: City Secretary
Subject: Resolution 24-R-77 - Nominating Councilmember Allison Heyward to be re-appointed to Place 12 of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool.(S.Williams/S.Edmondson)

BACKGROUND

Every even-numbered year, the term of office for one-third of the elected Trustees expires, and an election is held to fill those designated Places.

Terms for Trustees in Places 11-14 expire October 1, 2024.

The governing body of each Member of the Pool may nominate one qualified person for the election.

The City of Schertz will nominate Councilmember Allison Heyward to be re-appointed to Place 12 of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool.

Nominations must be received by the Board Secretary at the address below by 11:59 p.m. on Friday, August 2, 2024.

The Board Secretary will distribute a ballot to each Pool Member by August 17, 2024.

Attachments

Resolution 24-R-77 Support Heyward Nomination
TML Nomination Information

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: City Secretary
Subject: Resolution 24-R-81- Authorizing the Approval of Development Agreements with Sharlene E & Timothy A Fey and Sandra Reeh ET AL, for approximately 223 acres of land in relation to Annexation, Extraterritorial Jurisdiction Status and other matters in connection therewith. (B. James/L. Wood/E. Delgado)

BACKGROUND

Sharlene and Timothy Fey own approximately 102 acres of property, of which approximately 5 acres is utilized for residential purposes and the remaining approximately 97 acres is utilized for Agricultural Operations and rental housing. Sandra Reeh owns approximately 113 acres of property, of which approximately 1 acre is utilized for residential purposes and the remaining approximately 112 acres is utilized for Agricultural Operations. The proposed Development Agreements with these property owners would allow for the annexation of the approximately 123 acres that is utilized for Agricultural Operations and rental housing. The proposed Agreements would also allow for the approximately 1.5 acres that is utilized for residential purposes to remain within the City of Schertz Extraterritorial Jurisdiction, or in other words, could not be annexed into the City of Schertz for the term of the agreement.

GOAL

The goal of Resolution 24-R-73 is to authorize Development Agreements with Sharlene E & Timothy A Fey and Sandra Reeh ET AL, for approximately 101 and 123 acres of land.

COMMUNITY BENEFIT

The community benefit is to promote safe, orderly, efficient development and bring about the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 24-R-81, authorizing Development Agreements with Sharlene E & Timothy A Fey and Sandra Reeh ET AL.

RECOMMENDATION

Staff recommends that the City Council approve Resolution 24-R-81

Attachments

Resolution 24-R-81 with attachments

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-50- Consider a request for voluntary annexation of approximately 68-acres, known as Comal County Property Identification Number 79006 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-50 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-50, if approved, would annex Comal County Property Identification Number 79006, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-50. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 79006 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-50 for voluntary annexation of approximately 68-acres known as Comal County property identification number 79006.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-50.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-50 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-50
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-44- Consider a request for voluntary annexation of approximately 107-acres, known as Comal County Property Identification Number 79001 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-44 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-44, if approved, would annex Comal County Property Identification Number 79001, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-44. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 79001 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-44 for voluntary annexation of approximately 107-acres known as Comal County property identification number 79001.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-44.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-44 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-44
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-46- Consider a request for voluntary annexation of approximately 3.1-acres, known as Comal County Property Identification Number 78946 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-46 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-46, if approved, would annex Comal County Property Identification Number 78946, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-46. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 78946 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-46 for voluntary annexation of approximately 3.1-acres known as Comal County property identification number 78946.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-46.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-46 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-46
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-47- Consider a request for voluntary annexation of approximately 8.4-acres, known as Comal County Property Identification Number 75480 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-47 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-47, if approved, would annex Comal County Property Identification Number 75480, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-47. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 75480 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-47 for voluntary annexation of approximately 8.4-acres known as Comal County property identification number 75480.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-47.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-47 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-47
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-48- Consider a request for voluntary annexation of approximately 4-acres, known as Comal County Property Identification Number 78247 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-48 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-48, if approved, would annex Comal County Property Identification Number 78247, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-48. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 78247 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-48 for voluntary annexation of approximately 4-acres known as Comal County property identification number 78247.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-48.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-48 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-48
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Executive Team
Subject: Ordinance 24-A-49- Consider a request for voluntary annexation of approximately 29-acres, known as Comal County Property Identification Number 79009 Comal County, Texas. *Final Reading* (B.James/L.Wood/E.Delgado)

BACKGROUND

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-49 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Annexation of land into the City's corporate limits may be voluntary or involuntary. The Texas Local Government Code (LGC) provides requirements and outlines the annexation process based on the annexation type. The proposed annexations are voluntary based on the Delayed Annexation Development Agreements that were originally entered into in 2010 and 2011 and the extensions that were offered in 2020 and 2021 thus Chapter 43, Subchapter C-3 of the Texas Local Government Code applies. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions for processing of voluntary annexation requests.

In 2010 and 2011 the City of Schertz entered into Delayed Annexation Development Agreements with property owners based on Texas Local Government Code Section 43.016. Per the agreements that were signed and executed specifically Section 5. Term; Annexation at End of Term stipulates that ten (10) years after the effective date of the agreement the property is to be annexed into the City of Schertz.

In 2020 and 2021 the City of Schertz City Council authorized the City Manager and Staff to offer Development Agreement Extensions based on the nationwide and statewide declaration of public health emergency in relation to COVID -19. In addition, to the Development Agreement Extensions would allow City staff to complete the Comprehensive Land Use Plan update which would be utilized when zoning the annexed properties. These extensions would provide the same rights as previously established in the original agreements but would delay the annexation of the properties to a later date. The prohibition on annexations would be in effect until January 1, 2024, at which time the City of Schertz would begin annexation proceedings and conclude them no later than December 31, 2024.

At this time, the first date identified in the agreement (January 1, 2024) has passed. Additionally, with the approval of Ordinance 24-S-06, the Comprehensive Land Use Plan has officially been adopted and can be utilized for zoning cases moving forward. Per the Development Agreement Extensions, City staff started the annexation and zoning process in accordance with the extensions in the fall of 2023. Resolution 24-R-41 approved by City Council on April 16, 2024 accepted petitions for voluntary annexation of 25 properties, approximately 507-acres within Comal County and 14 properties, approximately 387- acres within Guadalupe County. Ordinance 24-A-49, if approved, would annex Comal County Property Identification Number 79009, which was part of Resolution 24-R-41, into the City of Schertz.

The Planning and Zoning Commission held a public hearing for the associated zoning for the subject property on May 8, 2024. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site.

A public hearing notice was published on May 24, 2024, in the "San Antonio Express" for Ordinance 24-A-49. A public hearing notice was mailed to Comal ISD on May 24, 2024. Additionally, a public hearing notice was posted on the City of Schertz website on May 23, 2024.

Although the original notice encompassed all of the Comal and Guadalupe County parcels proposed for

annexations, it has been determined that it is more appropriate for City Council to take action on each individual parcel separately. Comal County Property Identification Number 79009 was included as part of the notice that was published in the San Antonio Express News and posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-49 for voluntary annexation of approximately 29-acres known as Comal County property identification number 79009.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. The subject properties have been proposed to be annexed into the City of Schertz since 2010 and 2011. The Development Agreement Extensions explicitly state that the properties will be annexed into the City of Schertz before December 31, 2024.

RECOMMENDATION

Approval of Ordinance 24-A-49.

The City Council conducted a public hearing on June 4, 2024 and unanimously approved Ordinance 24-A-49 on first reading. The City Council conducted a public hearing on July 2, 2024 and tabled the item.

Attachments

Ordinance 24-A-49 with attachments
Annexation Presentation
Annexation Map

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: City Secretary
Subject: Resolution 24-R-60 – Ordering the November 5, 2024, City of Schertz Joint General Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election and authorizing these elections to be held as Joint Elections. (Mayor/S.Edmondson)

BACKGROUND

The City of Schertz will hold a Joint General Election on November 5, 2024, for the purpose of electing Councilmembers for Place 6 and Place 7 for a three-year term and making provision for the conduct of the election; authorizing the election to be held as a Joint Election; and authorizing the City Manager to enter into contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election.

*We have not received the Bexar County MOU or draft contract for the General Election-November 5, 2024. The City of Schertz will be contracting with Bexar County Elections Office to assist with the November 5, 2024, General Election.

GOAL

To elect Councilmembers for Place 6 and Place 7.

COMMUNITY BENEFIT

Benefits of holding Joint Elections include:

- Cost savings - Entities share costs proportionately, thereby creating savings for each entity
- Enhance convenience for residents by providing multiple voting locations within all three counties
- Utilization of common Poll Locations/Vote Centers (Comal/Guadalupe/Bexar) for Early Voting and Election Day Voting.
- Utilization of common Voting Equipment
- Utilization of common Voting Clerks (Comal/Guadalupe/Bexar)

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 24-R-60

FISCAL IMPACT

The fiscal impact is estimated to be \$45,000.00 based on Nov 7, 2023, General Election and Run-off Election costs. This total includes a possible Run-Off Election estimated at \$8,500.00.

RECOMMENDATION

Staff recommends approval of Resolution 24-R-60

Attachments

Resolution 24-R-60

Guadalupe draft Election contract
Guadalupe County-Schertz Contract
Guadalupe County Cost Estimate
Comal County draft Election Contract

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: City Secretary
Subject: Resolution 24-R-61 - Ordering the November 5, 2024, City of Schertz Special Election with Comal County, Bexar County and Guadalupe County and making a provision for the conduct of the election; authorizing contracts with the County Clerk of Comal County and the Election Administrators of Bexar and Guadalupe Counties to conduct this election.(Mayor/S.Edmondson)

BACKGROUND**GOAL****COMMUNITY BENEFIT****SUMMARY OF RECOMMENDED ACTION****FISCAL IMPACT****RECOMMENDATION**

Attachments

Resolution 24-R-61 Ordering a Special Election

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Human Resources
Subject: Resolution 24-R-80 - Approving Disaster Pay Policy (S.Gonzalez/J.Kurz)

BACKGROUND

State and federal law do not require a city to pay hazard pay to employees who perform hazardous or arduous tasks during an emergency or disaster. As such, whether to provide hazard pay to such employees is a local decision. Because cities are prohibited from granting additional compensation that is not agreed upon before work begins, the decision to provide hazard pay must be made in advance of the employee performing services that are entitled to hazard pay. Therefore, in order to provide hazard pay to employees during a declared disaster and be eligible for applicable State or Federal reimbursement for said pay, the City must have a Disaster Pay policy in place prior to the declared disaster.

GOAL

Approval of Disaster Pay Policy

COMMUNITY BENEFIT

Appropriately compensating City employees who are completing hazardous or arduous work during an emergency or disaster is vital to maintaining essential life safety services to Schertz residents.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 24-R-80 - Disaster Pay Policy

RECOMMENDATION

Approval of Resolution 24-R-80 - Disaster Pay Policy

Attachments

Resolution 24-R-80 with attachments

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Public Works
Subject: Resolution 24-R-75 - Authorizing a Water CCN Transfer Agreement between the City of Selma and City of Schertz to amend CCN boundaries and other matters in connection therewith. (B.James/L.Busch)

BACKGROUND

The City of Selma provides retail water service CCN No. 11522, issued by the Public Utility Commission of Texas ("PUC") for the provision of retail water services to certain areas in and about Bexar County, Comal County and Guadalupe County. The City of Schertz provides retail water service CCN No. 10645, issued by the PUC, for the provision of retail water to certain areas in and about Bexar County, Comal County, and Guadalupe County. The boundaries of the City of Selma water CCN and the City of Schertz water CCN are adjacent to one another in various areas. The property owner has requested Selma transfer approximately 150.289 acres of its water CCN to the City of Schertz.

GOAL

To provide water service to new developing areas inside the City Limits of Schertz.

COMMUNITY BENEFIT

To ensure the future water customers in this recently annexed portion of the City have the same water and wastewater provider to better serve the citizens of the City.

SUMMARY OF RECOMMENDED ACTION

Staff recommends Council approve the Resolution authorizing execution of the water CCN transfer agreement from the City of Selma to the City of Schertz for the Royal Manufacturing Subdivision Phase II.

FISCAL IMPACT

Ongoing maintenance of the water system in this CCN transfer area will be accomplished through the Water & Sewer Fund.

RECOMMENDATION

Approval of Resolution 24-R-75.

Attachments

Resolution 24-R-75 with attachment

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Planning & Community Development
Subject: Resolution 24-R-79 – Authorizing the revised bylaws of the Schertz Planning and Zoning Commission, and other matters in connection therewith.
(B.James/L.Wood/S.Haas)

BACKGROUND

At the December 5, 2023, City Council meeting, Ordinance 23-S-29 was approved which amended the UDC granting administrative approval authority to staff in relation to subdivision plats (preliminary, final or replats). With subdivision plats no longer requiring to be heard by the Planning and Zoning Commission, the necessity for two meetings per month was discussed at the December 13, 2023, Planning and Zoning Commission Meeting and the bylaws were proposed to be modified to reduce the regularly scheduled meetings to one (1) meeting per month.

The Planning and Zoning Commissioners also requested to change the bylaw language regarding abstention votes. Currently, the by-law language states: "When a Commission Member has no legal obligation to abstain from voting, the Commission Member is prohibited from casting a vote of abstention and must cast an "aye or yes" vote or "nay or no" vote. This language was discussed as being unclear when, in practice, the abstention vote is counted as a no vote when not legally required. Staff provided language that is consistent with City Council: "When a Commission Member has no legal obligation to abstain from voting, then an abstention shall be recorded in the minutes as an abstention and shall procedurally be treated as a "no" vote."

Finally, Ordinance 22-M-20 changed the expiration date for the terms of the appointed Planning and Zoning Commissioners from May 31st to June 30th.

The proposed bylaw revisions will reflect these changes.

GOAL

To revise the by-laws for the Planning and Zoning Commission.

COMMUNITY BENEFIT

The revised Planning and Zoning Commission by-laws will reflect current practice, and be in alignment with City Council's Boards and Commissions Appointment Calander. These changes will help eliminate confusion for the community.

SUMMARY OF RECOMMENDED ACTION

The proposed revisions will help align the city's practices and policies. Therefore, Staff is recommending approval of Resolution 24-R-79

RECOMMENDATION

Approval of Resolution 24-R-79

Attachments

Resolution 24-R-79 with Exhibits
Planning and Zoning Commission Bylaws - Redlines

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Police Department
Subject: Resolution 24-R-71 Approve a Service Contract for non-consensual towing services between Road Runner Towing and the City of Schertz to provide wrecker services within the City for public safety.(S.Williams/J.Lowery)

BACKGROUND

The Schertz Police Department has a need to have access to a non-consensual tow service to conduct routine police services. Therefore, a Non-Consensual towing agreement with a Towing Company relating to the non-consensual towing of wrecked, disabled, or illegally parked vehicles for which the driver is incapable of driving, vehicles to be processed for evidence, and vehicles belonging to subjects being arrested by City police officers is necessary. The current contract was expiring, and a new RFP was issued for said services.

GOAL

Update the current non-consensual towing service contract that was up for review and just went through an RFP process to provide Schertz PD access to non-consensual wrecker service.

COMMUNITY BENEFIT

Improve and maintain traffic safety management on the roadways within the City of Schertz, via a non-consensual towing agreement.

SUMMARY OF RECOMMENDED ACTION

The current non-consensual wrecker service contract was up for review and the City released an RFP for non-consensual towing and wrecker services. Road Runner Towing was the highest ranked responded and City Staff hereby recommends that the City approve the recommendation to award the contract to Road Runner Towing.

FISCAL IMPACT

This is not an expenditure contract, it is a revenue generating service contract based on the number of non-consensual tows Schertz PD utilizes.

RECOMMENDATION

Approve Resolution 24-R-71.

Attachments

Resolution 24-R-71 with attachments

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Public Affairs
Subject: **Resolution 24-R-78 - Authorizing city support for state legislation that would establish a dedicated funding mechanism for the Disabled Veterans Homestead Exemption (DVHS) during the 89th legislative session of the State of Texas (S.Williams/S.Gonzalez/L.Klepper)**

BACKGROUND

In 2011, the Texas State Legislator passed a bill creating the 100% Disabled Veterans' Homestead (DVHS) exemption to provide property tax relief to veterans who are 100% disabled. Since the passage of this bill, approximately \$19 million in City of Schertz ad valorem tax revenue has been exempted. State law does provide limited relief for cities touching a US military installation who lose more than 2% of their city general fund revenue. However, this existing aid is inadequate for cities who have high concentrations of this exemption.

- In Schertz, the 100% DVHS exemption makes up 19% of all homestead residences.
- In FY 2023-24, Schertz will exempt approximately \$4 million in ad valorem tax revenue, which equals 7.5 cents on the city's tax rate.

In 2023, during the 88th legislative session of the State of Texas, legislation was proposed to create a dedicated funding mechanism for cities disproportionately impacted and, unfortunately, it did not pass. Ahead of the next legislative session beginning in January 2025, the City of Schertz is proposing a resolution to support legislation that aims to establish a funding mechanism for the DVHS program.

Key Points of the resolution:

- Recognizes the valuable contributions and sacrifices of our veterans and expresses support for the original legislation aimed at addressing property tax relief for disabled veterans.
- Expresses strong support for proposed state legislation that will create a dedicated funding mechanism for the DVHS exemption program.
- Directs the City Manager and other appropriate city officials to advocate for such legislation, including engaging with state legislators and participating in relevant discussions to support its passage.
- Emphasizes the importance of exploring all measures to provide financial relief to cities disproportionately impacted by the DVHS exemption.

GOAL

To support and advocate for the passage of legislation that would create a dedicated funding mechanism for the DVHS property tax relief program bringing financial relief to cities disproportionately impacted by this exemption.

COMMUNITY BENEFIT

Proper funding reimbursement for the DVHS exemption would allow Schertz to address projects and services that have been delayed due to funding such as street repairs, facility additions, and emergency service workers.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 24-R-78, authorizing City support of state legislation that would create a dedicated funding mechanism for the DVHS exemption and authorizing the City Manager and other

appropriate city officials to actively advocate for the passage of such legislation.

RECOMMENDATION

Staff recommends approval of Resolution 24-R-78.

Attachments

Resolution 24-R-78

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: City Secretary
Subject: Interview Committee Process and Procedure-Discussion and/or action on the Interview Committee process and procedures. (Mayor/Councilmember A.Heyward/S.Edmondson)

BACKGROUND

Define the composition of the Interview Committee members and create the process and procedure for appointments/re-appointments of applicants to the City Boards, Commissions and Committees.

Attachments

Interview Committee Process

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Finance
Subject: Ordinance 24-M-124 - Conduct a public hearing to amend the City of Schertz Code of Ordinances and certain other ordinances by amending and establishing fees for certain licenses, permits, and other services. *First Reading* (S.Gonzalez/J.Walters)

BACKGROUND

City Departments collect a wide variety of fees for permits, services, fines and other charges that are all part of everyday operations of municipal government. Since September 2008, the fees have been incorporated into a single fee schedule. Ordinance 08-M-43 established the consolidated fee schedule and allows for the modification of existing fees to be done by resolution while new fees are established or added to the Fee Schedule by ordinance.

The Fee Schedule ordinance provides a single document with all City fees that directly affect the users. The changes to the fees ensure the continued operation of public utilities, provides for essential services to the community and to adequately maintain the investment in existing infrastructure. All changes to the fee schedule will have a 45-day period before the new fees take effect. This allows staff to update and advise citizens on the upcoming changes. The recommended effective date of these fee changes will be October 1, 2024.

Library

Library proposes to remove late fees as studies, and the experience of fine-free libraries, suggest that small fines aren't effective at encouraging wanted behavior, and may in fact discourage the return of library materials. Being fine-free encourages former library patrons who stopped using the library due to fines to come back, and it attracts new patrons who are fearful of accruing fines. Seguin, New Braunfels, San Antonio, Bulverde, Canyon Lake, and San Marcos are all fine-free, and all are part of a national trend of fine-free libraries. The goal of the library is to provide information and other resources, not collect fines, and staff feels it can better serve the community by removing these overdue fines. This would decrease revenue by 50% or \$5,600 but overall this drop is small enough for the General Fund to absorb without any reduction in service.

Game and Experience Kit totes and parts will be charged to the patrons if those items are lost or damaged. If the item is paid for, any overdue fines are waived and are not additive.

Parks

Parks no longer has Large Pavilions without facilities and will be removing those rates from the schedule. Staff also proposes to increase rental rates for the Large Pavilions by \$25 for weekdays and \$50 for weekend rentals to match similar offerings by other cities in the area. Current level of demand for these rental types is high and rates were last adjusted in 2021. This increase could result in an additional \$6,750 in revenue.

Neighborhood Services

Food establishment fee structure is proposed to be changed from the 5 categories the City has currently to 2. Both sets were based on number of employees but now there would be 1 rate for establishments with 10 and less employees and 1 rate for 11 and more. This model is comparable to what other cities are doing but are still less than what larger cities are charging.

Mobile vendor permits are also proposed to increase from \$100 to \$250. The state charges \$150 and other cities charge \$350 so staff was aiming for the middle ground with this update. This fee was last updated in 2022 and the City will still accept permits acquired in other cities for only a \$25 registration fee in lieu of getting the

\$250 permit through Schertz.

Staff also proposes to remove Sanitation Inspection Fees for services provided outside the City Limits. Staff has not been called to perform these services and have not used these fees.

Emergency Medical Service (EMS)

EMS proposes to increase the response services fees. These fees are the actual charges for services provided during transport and have not been updated since 2013 or earlier. Fees for Basic Life Support and Advanced Life Support increase between 9 and 14% with this jump due to not updating these fees in over a decade.

EMT Class fees are also proposed to increase \$100 to meet cost increases for providing the class.

Per Capita, what the City charges to provide EMS support to other cities, is proposed to increase 2.65% to match the medical CPI. This increase is stated in the contracts with each other local government to which Schertz provides EMS services.

Engineering

Engineering proposes to add a Wasterwater Liftstation Plan Review and Inspection fees to the schedule. This item was missed in the last update and should be included on the fee schedule to provide clear communication to developers. Liftstations are vital to the City's infrastructure and needs to be properly reviewed and inspected to ensure the integrity of the City's system once its brought online. Repairs and replacements later can be very costly to the City and residents.

Planning & Zoning/Drainage

Proposes adding a Floodplain Development Review Fee. Most floodplain review occurs throughout entitlement process, so staff proposes adding the fee in the Planning section. This change will also specify the Floodplain permit fee under Drainage is for new construction only.

Utility Billing

With new development, certain areas of Schertz will have water provided by the Guadalupe Valley Special Utility District (GVSUD) but have wastewater and garbage provided by Schertz. Due to the fact the City is not providing full services, staff proposes to lower the deposit for water and wastewater services from \$125 to \$75 for new residents in these designated areas.

Water & Sewer

Water rates are proposed to increase 2% and Sewer rates by 3% for residential and commercial accounts, following the Year 2 of the 5 year rate plan accepted by the City in 2023. This rate plan was set to fund annual increases in operating costs, pay debt, and to fund known capital improvement projects. The overall impact to a resident using 10,000 gallons of water and 5,000 gallons of sewer would be \$2.44 per month.

Public Works

Public Works is adding Bulk Water sales to the fee schedule that was in the water ordinance but not included in the fee schedule as well as increasing the Wholesale Water Distribution Rate by the recommended 2% water increase.

GOAL

To conduct a public hearing to update the Adopted Fee Schedule for FY 2024-25.

COMMUNITY BENEFIT

Provide a single place for information on City fees.

SUMMARY OF RECOMMENDED ACTION

Staff recommends council approve the proposed changes to the fees schedule.

FISCAL IMPACT

The overall impact of the Library Fee reduction, Park Fee increase, and the restructuring of Neighborhood Services Fees and Plan Review Fees will be minimal to the General Fund and mostly offset.

The EMS Fee changes could add \$1.2 million in additional revenue for the fund which is needed to meet rising costs of providing services.

On average, residential utility customers would see an increase of \$2.44 per month, under the recommended second year of the 5-year rate plan and fund the projected operational costs. This would raise \$288,000 in water revenue and \$297,000 in sewer revenue.

RECOMMENDATION

Adopt Ordinance 24-M-124 and updated fees for FY 2024-25

Attachments

Ordinance 24-M-124
Proposed Fee Schedule-Redline Version
5 Year Water-Wastewater Rate Study 2023

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Engineering
Subject: Street Preservation and Maintenance Workshop (B.James/L. Busch/K. Woodlee/J. Nowak)

BACKGROUND

Workshop presentation by City Staff outlining the City's pavement preservation efforts (SPAM) and street maintenance efforts. The presentation will also demonstrate the map "dashboards" for SPAM and street maintenance.

Attachments

Streets Workshop Presentation

CITY COUNCIL MEMORANDUM

City Council Meeting: 07/16/2024
Department: Engineering
Subject: Public Works Design Guide Update Workshop (B. James/K. Woodlee)

BACKGROUND

Workshop presentation by City Staff to present planned updates to the Public Works Design Guide.

Attachments

Draft Design Guide Update
Design Guide Workshop Presentation
