

*THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL*

AN ORDINANCE

AUTHORIZING THE RELEASE OF APPROXIMATELY 141.5 ACRES OF REAL PROPERTY, GENERALLY LOCATED NORTH OF LOOKOUT ROAD, EAST OF EVANS ROAD, SOUTH OF NACOGDOCHES RD-FM 2252, AND WEST OF DOERR LANE IN COMAL COUNTY, TEXAS FROM THE CITY OF SAN ANTONIO EXTRATERRITORIAL JURISDICTION TO THE CITY OF SCHERTZ AND ASSOCIATED AGREEMENT.

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WHEREAS, the City of Schertz requested the City of San Antonio to release approximately 141.5 acres (Subject Property) generally located north of Lookout Road, east of Evans Road, south of Nacogdoches Rd-FM 2252, and west of Doerr Lane, from the City of San Antonio extraterritorial jurisdiction (ETJ); and,

WHEREAS, the Texas Local Government Code authorizes adjacent municipalities to seek the release of territory from another municipality's existing ETJ with written consent from the releasing municipality's governing body; and,

WHEREAS, the City of San Antonio Annexation Policy recommends an equal exchange of land or equivalent value; and hence the City of Schertz has agreed to remit 50 percent of property taxes, sales and use taxes, and franchise fees from the Subject Property to the City of San Antonio to be paid annually over the next 30 years; and

WHEREAS, the proposed ETJ boundary adjustment from San Antonio to the City of Schertz will provide more logical planning boundaries; uniform regulations, service delivery and capital improvements to the Subject Property, which is consistent with the City of San Antonio's Annexation Policy and

WHEREAS, the City of San Antonio recognizes the need for its regional partner cities to remain economically viable in support of the overall economic health of the region; and

WHEREAS, the City of San Antonio Planning Commission held a public hearing on November 18, 2020, and recommended approval of the proposed ETJ release and associated agreement; and

WHEREAS, the City Council has considered the effect of this ETJ release and finds that it is in the best interest of the City of San Antonio and its citizens; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council authorizes the release of approximately 141.5 acres of real property, generally north of Lookout Road, east of Evans Road, south of Nacogdoches Rd-FM 2252, and west of Doerr Lane, more particularly described by the metes and bounds and

depicted on the map in **Exhibit “A”** and **Exhibit “B”** from the City of San Antonio ETJ to the City of Schertz and the execution of the associated Agreement as attached in **Exhibit “C”**, upon fulfillment of the conditions stated in this Ordinance property.

SECTION 3. The ETJ Agreement provides that the City of Schertz will remit 50 percent of ad valorem, sales and use taxes and franchise fees from the Subject Property, beginning the date of annexation and continuing for a period of thirty (30) years; and the City of Schertz paid for the surveying work related to producing boundary descriptions for the released area and geographical information system (GIS) work to produce GIS shapefiles and maps. Schertz will reimburse San Antonio for the recording of the ETJ agreement in the Comal County Real Property Records

SECTION 4. Fund 11001000 and Internal Order 250-022 and General Ledger #4406759 are designated for use in the accounting for the fiscal transaction in authorization of this agreement.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary for the purpose of this Ordinance.

SECTION 6. This Ordinance will be effective on the passage of this Ordinance.

PASSED AND APPROVED ON THIS 10th DAY OF DECEMBER 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

City Attorney