

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

AN ORDINANCE

AUTHORIZING THE PLANNING DIRECTOR TO EXECUTE DEVELOPMENT AGREEMENTS GUARANTEEING THE CONTINUED EXTRATERRITORIAL STATUS OF THE PROPERTY WHICH IS APPRAISED FOR AD VALOREM TAX PURPOSES AS AGRICULTURAL, WILDLIFE MANAGEMENT OR TIMBER USE FOR A PERIOD OF 10 YEARS BETWEEN THE CITY OF SAN ANTONIO AND MULTIPLE PROPERTY OWNERS WITHIN THE PROPOSED LIMITED PURPOSE ANNEXATION AREA.

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WHEREAS, on January 9, 2014 the City of San Antonio initiated the limited purpose annexation for the area known as the “South San Antonio Proposed Limited Purpose Annexation Area” for limited purposes; and

WHEREAS, Local Government Code Section 43.035 requires the City of San Antonio to offer a development agreement in lieu of annexation to owners of property appraised for ad valorem tax purposes as land for agriculture or wildlife management use under Subchapter C or D, Chapter 23, Texas Tax Code, or as timber land under Subchapter E of that chapter; and

WHEREAS, notices and agreements were sent to property owners by certified mail and notarized agreements to be returned to the Planning and Community Development Department, postmarked no later than December 30, 2013, or hand delivered to 1400 S. Flores no later than January 2, 2014 (see attached **EXHIBIT A for list**); and

WHEREAS, the development agreements will guarantee the continued extraterritorial status of the properties which are appraised for ad valorem tax purposes as agricultural, wildlife management or timber use for a period of 10 years between the City of San Antonio and property owners within the proposed Limited Purpose Annexation area; and

WHEREAS, Section 43.035 authorizes the development agreements to extend regulations and planning authority of the city that do not interfere with the use of the area for agriculture, wildlife management or timber use and if the landowner declines to make the agreement or is non-responsive, the city may annex the property; and

WHEREAS, a public hearing was held on January 8, 2014 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the City Council finds that the best interest of the City of San Antonio would be served by approving the Development Agreements in Lieu of Annexation with various property owners; **NOW THEREFORE**,

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

SECTION 1. The City Council approves the Development Agreement In Lieu of Annexation between the City of San Antonio and various property owners, a copy of the list of property owners is attached hereto and incorporated herein, as **Exhibit "A", with the caveat that for** properties that are partially in the City Limits of San Antonio, this agreement only applies to that portion of those properties in the extraterritorial jurisdiction of San Antonio.

SECTION 2. The City Manager and her designees are hereby authorized and directed to execute the Agreement and to take any actions necessary to implement this ordinance, including but not limited to the execution of appropriate documents.

SECTION 3. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 9th day of January, 2014.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney