

**DRAFT RESOLUTION NO.**

**RECOMMENDING APPROVAL OF THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF CONVERSE REGARDING THE CITY OF SAN ANTONIO RELEASING LAND FROM ITS EXTRATERRITORIAL JURISDICTION (ETJ); AND FROM ITS CORPORATE AREA TO CONVERSE IN AN AREA BOUNDED BY I.H. 35 NORTH ON THE NORTH, THE CITY LIMIT LINE EAST OF NE LOOP 1604 ON THE EAST AND I.H. 10 EAST ON THE SOUTH IN BEXAR COUNTY, TEXAS.**

**WHEREAS**, to further the respective desire of each city to work together to provide urban level services to high population areas, enhance growth in the area, and to ensure that such growth optimizes the health, safety and welfare of its inhabitants; and

**WHEREAS**, the City of Converse (Converse) has requested that the City of San Antonio (CoSA) release approximately 12 square miles of land from its extraterritorial jurisdiction (“*ETJ*”) so that the land may be annexed by Converse; and

**WHEREAS**, the Parties entered into an agreement entitled "City of San Antonio and City of Converse Interlocal Agreement" (“Original Agreement”) pursuant to Ordinance No. 2017-03-09-0146, under which the Parties set forth their agreement regarding phased municipal boundary adjustments (MBA) and phased Extraterritorial Jurisdiction (ETJ) releases; and

**WHEREAS**, pursuant to Ordinance No. 2017-03-09-0147 CoSA agreed to release the Phase 1 Area of ETJ consisting of 600 acres, (0.94 square miles) and on June 20, 2017 Converse completed the annexation of the Phase 1 Area described in **Exhibit “A”**; and

**WHEREAS**, pursuant to Ordinance No. 2017-12-14-1020 the Parties mutually agreed to two municipal boundary adjustments (MBAs) in the Northampton Neighborhood near Gibbs Sprawl Road; MBA 1 consisting of 236 acres, completed by December 31, 2017 and MBA 2 consisting of 57 acres completed by January 30, 2018, MBA 1 and MBA 2 are more specifically described in **Exhibit “B”**; and

**WHEREAS**, the Texas Legislature subsequently enacted laws that affected annexation, extraterritorial jurisdiction, municipal boundary adjustments and other land controls and the new laws have an adverse effect on the Parties' ability to perform their respective actions in the Agreement, the Parties are desirous of entering into this first amendment to the Original Agreement to continue their mutually respective goals to enhance growth in the area and to ensure that such growth optimizes the health, safety and welfare of its inhabitants; and

**WHEREAS**, in light of the changes to state law, the Parties mutually agreed to pause all actions related to the Original Agreement including MBAs and ETJ releases, to amend the Original Agreement, reconfigure the schedule and redraw the boundaries of the geographical areas; and

**WHEREAS**, CoSA agrees to release approximately 11.1 square miles of property within its ETJ to Converse as permitted by the Texas Local Government Code, Section 42.022; and

**WHEREAS**, Converse agrees to annex the area within the released ETJ in accordance with the appropriate provisions of the Texas Local Government Code, Chapter 43; and

**WHEREAS**, upon the completion of annexation, the Parties agree to adjust their respective municipal boundaries as permitted by the Texas Local Government Code, Section 43.015 with COSA releasing approximately 3.1 square miles to the City of Converse and

**WHEREAS**, both municipalities have now agreed to amend the Original Agreement as described in the schedule attached as **Exhibit “C”** and the ILA map attached as **Exhibit “D”** both attached and incorporated herein for all purposes; and

**WHEREAS**, the San Antonio Planning Commission held a public hearing on October 23, 2019 and considered the effect of the proposed Amended ILA and found it to be consistent with City policies, plans and regulations and

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO**

**SECTION 1.** The San Antonio Planning Commission recommends to City Council the approval of the first amendment to the Interlocal Agreement with the City of Converse, attached as **ATTACHMENT I** and incorporated herein for all purposes, including the release of COSA’s corporate area and the City’s ETJ as depicted in **EXHIBITS “C”** and **“D,”** in accordance with the schedule and under the conditions contained in the Agreement (**ATTACHMENT I**) is forwarded to City Council for approval.

**PASSED AND APPROVED ON THIS 13th DAY OF NOVEMBER 2019.**

Attest:

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Christopher Garcia, Chair  
San Antonio Planning Commission

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Executive Secretary  
San Antonio Planning Commission