

RESOLUTION NO.

RECOMMENDATION APPROVING THE SECOND AMENDMENT TO THE “AGREEMENT FOR SERVICES IN LIEU OF ANNEXATION” BETWEEN THE CITY OF SAN ANTONIO AND [CUMBERLAND POTRANCO JOINT VENTURE, CUMBERLAND 211, LTD., KD CIRI I, L.L.C., CIRI LAND DEVELOPMENT COMPANY AND CUMBERLAND 90, LTD., THE PROPERTY OWNERS OF THE WESTSIDE 211 SPECIAL IMPROVEMENT DISTRICT WHICH IS LOCATED IN THE CITY’S EXTRATERRITORIAL JURISDICTION.

WHEREAS, on September 20, 2007, the City Council authorized an “Agreement for Services in lieu of Annexation” between the City of San Antonio and Cumberland Potranco Joint Venture, Cumberland 211, Ltd., Navigators Stevens Ranch L.P. KD CIRI I, L.L.C., CIRI Land Development Company and Cumberland 90, Ltd., Property Owners of the Westside 211 Special Improvement District; and

WHEREAS, the primary purpose of the Westside 211 Special Improvement District is to pay for public improvement costs related to State Highway 211 and Potranco Road, which were approved for Pass-Through Financing by the Texas Department of Transportation; and

WHEREAS, on December 5, 2013 the First Amendment to the Agreement extended the term of the agreement by five years to December 30, 2042, and amended the Property Owners, by removing Navigators Stevens Ranch L.P.; and

WHEREAS, this Second Amendment to the Agreement proposes to extend the term of the agreement by ten years until December 30, 2052; and

WHEREAS, Section 123A of the Charter of the City of San Antonio requires that the Planning Commission shall make recommendations to City Council on proposed annexation; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 14, 2018, and **APPROVED** the amendment on February 14, 2018; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this agreement to the Comprehensive Plan and found the agreement 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 approval of the Second Amendment to the “Agreement for Services in lieu of Annexation Between the City of San Antonio and Cumberland Potranco Joint Venture, Cumberland 211, Ltd., KD CIRI I, L.L.C., CIRI Land Development Company and Cumberland 90, Ltd., the Property Owners of the Westside 211 Special Improvement District, which is located in the City’s extraterritorial jurisdiction. A copy of the “The Second Amendment to the Agreement for Services in lieu of Annexation” is attached hereto and incorporated herein for all purposes as **“Attachment 1.”**

PASSED AND APPROVED ON THIS 14th DAY OF FEBRUARY 2018.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

George Peck, Chair
San Antonio Planning Commission