

AN ORDINANCE 2016-11-10-0882

PROVIDING FOR THE EXTENSION OF THE CITY OF SAN ANTONIO LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 36.266 ACRES OF LAND KNOWN AS THE FMC TECHNOLOGIES TRACT; ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 31, 2016, AND ADOPTING A SERVICE PLAN FOR THE AREA.

* * * * *

WHEREAS, the City Council of the City of San Antonio at its meeting in November 6, 2014, approved the Limited Purpose Annexation of 36.266 acres of undeveloped land, located at 3890 South Loop 1604, described as CB 4167A, BLK 1, LOT 4 (IVY SUBD), known as the FMC TECHNOLOGIES TRACT and as depicted on the ATTACHMENT in **ATTACHMENT "A"**, with the City; and

WHEREAS, the subject tract known as the FMC TECHNOLOGIES TRACT that was annexed for limited purposes effective on December 6, 2014, is now subject to annexation for full purposes pursuant to Chapter 43 of the Texas Local Government Code; and

WHEREAS, the population of the City of San Antonio, Texas, is in excess of 1,469,845 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction of the City of San Antonio, Texas, and lie adjacent to and adjoin the City of San Antonio, Texas; **NOW THEREFORE**,

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

SECTION 1. The land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, known as the FMC TECHNOLOGIES TRACT more generally described as CB 4167A, BLK 1, LOT 4 (IVY SUBD) and depicted in **ATTACHMENT "A"**, attached hereto and incorporated herein verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, and said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city, at the various points contiguous to the area described in **ATTACHMENT "A"**, are altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

SECTION 2. The land and territory known as the FMC TECHNOLOGIES TRACT, which is annexed hereby for full purposes, shall be a part of the City of San Antonio, Texas and the property, the residents and landowners thereof shall be subject to and enjoy the rights conferred by Chapter 43 of the Texas Local Government Code and the provisions of this ordinance.

SECTION 3. A service plan applicable to the property described in **ATTACHMENT "A"** is hereby adopted and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein verbatim for all purposes as **ATTACHMENT "B"**.

SECTION 4. Zoning classifications that currently exist are hereby adopted and assigned to the subject properties described in **Attachment "A"**.

SECTION 5. This Ordinance shall be effective December 31, 2016.

PASSED AND APPROVED on this 10th day of November, 2016.


M A Y O R
Ivy Taylor

ATTEST:


Leticia M. Vacek, City Clerk

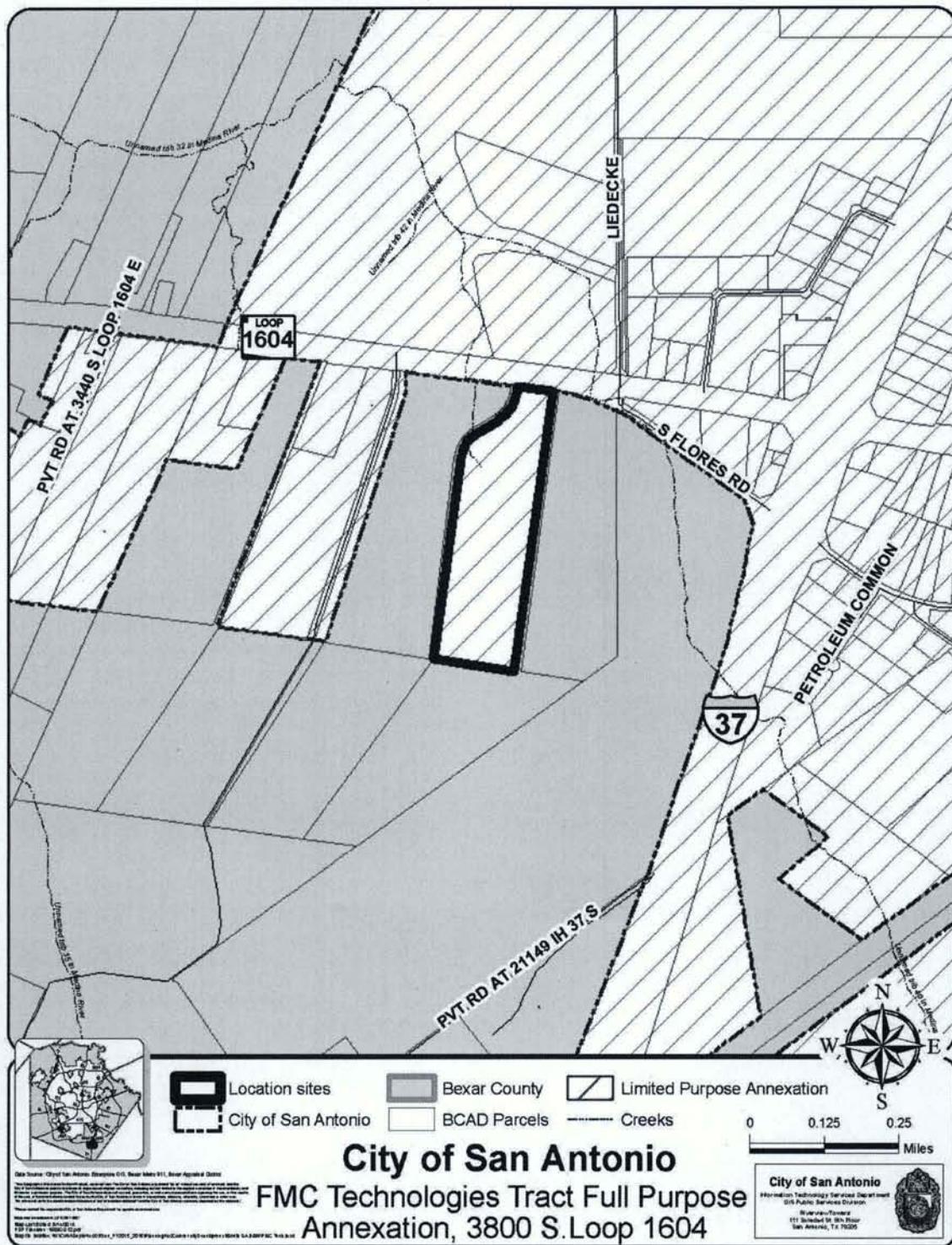
APPROVED AS TO FORM:


for L. Eric Friedell
City Attorney

| Agenda Item: | 4D (in consent vote: 4A, 4B, 4C, 4D, 4E, 4F, 4G) | | | | | | |
|---------------------|---|-------------|-----|-----|---------|--------|--------|
| Date: | 11/10/2016 | | | | | | |
| Time: | 12:01:17 PM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance extending the City of San Antonio limits by the Full Purpose Annexation of approximately 36.266 acres of land known as the FMC Technologies Tract effective December 31, 2016, and adopting a Service Plan for the area. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning and Community Development] | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Ivy R. Taylor | Mayor | | x | | | | |
| Roberto C. Treviño | District 1 | | x | | | | |
| Alan Warrick | District 2 | | x | | | | x |
| Rebecca Viagran | District 3 | | x | | | x | |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | x | | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Cris Medina | District 7 | | x | | | | |
| Ron Nirenberg | District 8 | x | | | | | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | | |

ATTACHMENT A

Map



ATTACHMENT B

Service Plan

CITY OF SAN ANTONIO SERVICE PLAN FOR SOUTH SAN ANTONIO ANNEXATION AREAS

Introduction

The City ("City") of San Antonio, Texas, is making this Service Plan ("Plan") available pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation by the City of an "annexation area" known as the South San Antonio Areas 1, 2, 3 and 4, the South San Antonio Voluntary Annexation Areas and the FMC Technologies Tract. The annexation area is located in south Bexar County and consists of approximately 12,983.2 acres or 20.29 square miles.

The annexation area consists of the following areas:

- The South San Antonio Areas 1, 2, 3 and 4 encompasses approximately 12,558 acres, generally located south of Loop 410, between Old Pearsall Road and State Highway 181. These areas were annexed for "limited purposes" with the effective date of January 19, 2014 and were scheduled for "full purpose" annexation within three years of the effective date of limited purpose annexation.
- The South San Antonio Voluntary Annexation Area consists of ten tracts of land and totaling approximately 388.9 acres, generally north of Priest Road, south of Loop 410, east of I-35, and west of I-37. Nine properties consisting of approximately 184.7 acres currently have non-annexation agreements for agricultural valuation for a period of 10 years. The individual non-annexation agreements provided the property owners' consent to full purpose annexation in the instance that the properties were no longer appraised for agricultural valuation developed, and/or subdivided. An additional voluntary annexation tract is the Southwest Independent School District (SWISD) property. A development agreement for services in lieu of annexation between the City of San Antonio and Southwest Independent School District was approved on January 9, 2014 with a termination date of November 30, 2016.
- The FMC Technologies Tract located at 3890 South Loop 1604 consists of 36.266 acres. The tract was annexed for "limited purposes" with the effective date of December 11, 2014 and is scheduled for "full purpose" annexation within three years of the effective date of limited purpose annexation.

Effective Term

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time. Residents of the annexation areas may request extension of the service plan, and the plan may be extended upon the mutual agreement of the City and the residents.

Intent

It is the intent of the City of San Antonio that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code. The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

Service Components

In general this Plan includes three service components: **(1) Annexation Service Requirements (2) Additional Services, and (3) a Capital Improvement Program.** As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public and private non-profit service organizations to provide such services by contract in whole or in part. It may also include separate agreements with associations or similar entities. Services are provided and fees are assessed in accordance with City of San Antonio Municipal Code, as may be amended.

1. ANNEXATION SERVICE REQUIREMENTS

The following will be provided in the annexation areas commencing on the effective date of the annexation for full purposes, unless otherwise noted.

A. Police Protection

The San Antonio Police Department (SAPD) will provide protection and law enforcement services in the new areas upon the effective date of annexation. These services include:

- Routine patrols and responses;
- Handling of complaints and incident reports;
- Special units, such as traffic enforcement, criminal investigations, covert operations, K-9 Unit, Family Assistance Crisis Teams, Bomb Squad, and Special Weapons and Tactics Team (SWAT); and
- Any other services or programs provided to the citizens of San Antonio at the time of annexation.

The newly annexed areas will either become a new patrol district or part of an existing one based upon factors such as the size of the area, population, and the expected number of calls for service. These factors will also determine the need for hiring additional patrol officers to ensure all patrol districts are adequately staffed 24 hours a day, seven days a week, and to maintain an average response time comparable to other areas of the city. SAPD San Antonio Fear Free Environment Unit (SAFFE) officers will be available to meet with residents as requested to discuss police issues in the neighborhoods.

The City currently has six Police Substations. Each Substation is responsible for a Patrol "Service Area," under the command of a Captain. These Service Areas are divided into Patrol Sections. The Patrol Sections, with supervisory responsibilities assigned to Sergeants, are divided into "Patrol Districts." The "Patrol Districts" are geographically defined areas established for several reasons, including but not limited to:

- Serve as a manpower distribution tool based on call volume, population, area size, and geographic variables;
- Provide a means of establishing primary responsibility to individual officers, during their tour of duty, for various activities within a specific geographic area; and
- Provide an efficient and effective means of assigning, identifying, and locating officers, within a generalized area, using currently available technology.

The annexation areas will be served by the South Patrol Substation, located at 711 Mayfield. Currently 19 Patrol Districts serve the service area. This Substation currently has 142 Patrol Officers, nine Property Crimes Detectives, four Robbery Detectives and 16 SAFFE Officers assigned to the service area. The annexation areas will become part of new patrol district #6180. There is no specific number of officers that can be assigned to a patrol district. Patrol districts are staffed with at least one officer, 24 hours a day, 7 days a week. Many times multiple officers are assigned to single districts.

Police services are initiated by on-sight officer activity, citizen requests, and any other means available. The most common means by which officers receive their assignments is through direct supervisory command and radio/computer transmissions by police dispatchers.

B. Fire Protection

The *Fire Suppression* Division of the San Antonio Fire Department (SAFD) currently operates 70 fire apparatus out of 51 facilities. This equipment is staffed with firefighters 24 hours a day. The Ladder Trucks (19) are maintained with four persons on a daily basis. The pumper (51) are maintained with four persons on a minimum of 40 of the 48 units per day. Firefighters work a 24-hour shift every three days.

SAFD will be providing fire protection from two new stations, Fire Station #52 located at 10440 Quintana Road and Fire Station #53 located at 14102 Donop Road. Fire stations are located where the first responding fire unit is no further than 5 minutes away from 90% of all city blocks.

Structure Fire Response – When a fire occurs, SAFD has several levels of response based on the structure's hazard. The standard response is three pumper, one ladder truck and a command officer. High hazard occupancies such as a hospital or apartment building would receive an enhanced response that consists of four pumper, two ladder trucks and a command officer. As the need arises on any incident, additional units and command officers may be called for. Additional alarms consist of four pumper, two ladder trucks and a command officer along with several other units.

As fire units become depleted in a particular area due to a large number of calls or a large incident, the SAFD dispatch will move units from other areas into those areas. This strategy utilizes the total resources of the department to maintain a reasonable response at all times.

Other SAFD Services

Fire prevention services – SAFD perform fire prevention, fire code enforcement and inspection as well as issuing of permits. The SAFD's Community Resources Office provides fire safety education to school age children. The Mobile Fire Safety House is a tool used to teach children how to exit a burning building. The Juvenile Fire Setter Intervention Program also provides general presentations to elementary school children and provides counseling to children whom have set fires in an effort to modify their behavior.

Arson Investigation – The arson investigation staff are also sworn police officers highly trained in determining fire causes and in criminal investigation. This unit brings a high level of expertise to investigating, apprehending and convicting criminals whom participate in arson related activities.

Hazardous Materials (haz-mat) Response – SAFD has two hazardous materials (haz-mat) response teams, available 24 hours a day. A haz-mat incident that occurs on a roadway near a residential neighborhood can have disastrous effects. These teams are highly trained and well equipped to handle any haz-mat situation.

Technical Rescue – SAFD has two technical rescue teams, trained in all types of special rescues such as cave rescue, collapsed trench rescues, water rescues, vehicle extrications and many others requiring special expertise and equipment. These teams are also staffed and available 24 hours a day.

C. Emergency Medical Service (EMS)

The SAFD EMS Division will replace the current provider of emergency medical services in the annexation areas. The EMS Division will provide the following emergency and safety services to the annexation areas:

- Emergency dispatch,
- Pre-arrival first aid instructions and coordination of other public safety support agencies; and
- Emergency paramedic ambulance response.

As part of the EMS response, the fire companies provide first responder service. First responder service involves dispatching a fire unit to respond to a medical emergency. All SAFD firefighters are trained to the basic EMT level. When a critical medical emergency occurs or the paramedic unit is delayed, the first in Fire Company will respond with first aid, basic life support and defibrillator capabilities. The EMS Division has 33 full time units and averages 6 to 8 peak period ambulances per day. A peak period unit is an ambulance that is put into service to cover a specific time period and area based on historical run data.

An EMS unit will respond to calls for advanced life support. Currently, the closest full time EMS units to the annexation areas are Medical unit (M) 22, located with the SAFD at 1100 March Drive, M50, located at 15000 Applewhite Rd, M36 located at 5826 Ray Ellison Boulevard, and M29 located at 827 Hot Wells. A peak period unit is located at Fire Station #2 located at 601 Gillette Boulevard. The response goal for the EMS division is to maintain an average of 6 minute travel time to all calls within the city limits. Through the first 6 months of Fiscal Year 2016, the average travel time was 6.07 minutes.

D. Solid Waste Collection Services

The San Antonio Solid Waste Management Department will provide residential solid waste collection services in these areas. Collection services will be provided by City personnel or by solid waste service providers under contract with the City. Services provided will be at a level equivalent to those provided to residents in the current City limits. Services are provided in accordance with Chapter 14 of the City Municipal Code, as may be amended. Fees for services will be assessed monthly on the CPS Energy (CPS) bill.

Upon annexation, residents may choose to either retain their present private service provider or use City-provided service. If residents elect to retain private service, City solid waste service fees will not be assessed. After two years after the effective date of annexation, all residents, except those living on a property with private street as outlined below, must use and will be billed for City-provided service.

Residents living within gated communities or on a property with private streets without public road access may elect to either contract with private service providers or use City-provided services. If private

collection service is used, the City solid waste fees will not be assessed to these areas. If City-provided collection services are desired, the private street community or property must consent to an indemnity agreement allowing the City or its contractor entry onto private streets and exempting the City from liability. In addition, the pavement condition of the privately owned street, road or driveway must safely support collection trucks.

Residential Solid Waste Services – Garbage, recycling and organics collection is provided once per week using an automated collection system. All materials must be inside the container for collection. The City retains ownership of the containers. Customers are required to safeguard the containers and to maintain them in a sanitary condition. For an additional monthly fee, additional garbage containers can be requested.

Garbage Collection – Each residential unit is provided one (brown) garbage container. Monthly fees will be assessed in accordance with the garbage container size. Residents will have the option to select a small, medium or large size container for garbage. [See Table I for the "Pay-as-You-Throw" fees.]

Recycling Collection - Each residential unit is provided with one (blue) container in which to place specified items defined as recyclable materials. Acceptable recyclable materials shall be designated by the city and include: newspaper, mixed office paper, magazines, corrugated cardboard, paper bags, aluminum and tin cans, steel aerosol cans, plastic bottles, tops and containers, glass bottles and jars; and single-use plastic bags bundled (soccer ball-size).

Organics Collection – Each residential unit is provided one (green) organics collection container to place specific items defined as organic materials. Acceptable green container materials shall be designated by the city and include the following: leaves, tree trimmings (no longer than height of cart), yard trimmings, small branches, food scraps, food-soiled paper and cardboard, and other organic materials may be added to the program at the discretion of the director of his designee.

Bagged Leaf Collection – Residential customers may request up to two free special collections of grass clippings, leaves, and weeds, per fiscal year. Each collection request should not exceed eight cubic yards and fifty paper bags /cardboard boxes. Additionally, bags and boxes should not exceed 0.16 cubic yards. Each bag or box must not weigh more than forty (40) pounds. Paper bags must be composed of two-ply kraft paper capable of containing the contents when handled. Cardboard boxes must be made of brown bio-degradable cardboard that contains no deleterious substances.

Brush and Bulky Item Collection is provided in accordance with an annual schedule. Residents receive a notice prior to each collection cycle. For an additional fee, residents may schedule special collections.

Dead Animal Collection within the City's right-of-way is available, upon request.

Drop-off Sites are available for brush recycling, bulky trash and household hazardous waste. Special collection events, such as Free Disposal Days and Dial-A-Trailer neighborhood cleanups are available to all Solid Waste ratepayers.

Commercial Solid Waste Services– Commercial collection for garbage is available for qualifying businesses in a manner similar to residential services. Bulky item, brush and bagged leaf collections are not provided to businesses. If City-provided commercial service is not desired, businesses may utilize private service providers.

Monthly Solid Waste Fees are set annually by City Council as described below:

Environmental Services Fee – All properties, residential and non-residential, shall be assessed a monthly environmental service fee of \$3.24 per unit. The environmental fee is comprised of a \$2.24 Solid Waste environmental fee and a \$1.00 Parks environmental fee. This fee is intended to defray municipal expenses necessary to cleaning up illegally dumped waste, collecting and disposing of dead animals, performing regulatory maintenance on closed landfills, providing environmental services to the City's park system, and equitably sharing costs for neighborhood clean-ups benefiting residents and businesses that do not pay a monthly solid waste processing fee.

Solid Waste Service Fees – Residents (single-or multi-family residential units) will be assessed monthly fees on their CPS Energy utility statement. The Pay-as-You-Throw is a volume based fee program that allows residents to choose what size brown garbage cart they want based on the amount of garbage thrown away. Non-residential/ Commercial Solid Waste Service Fees are the same as the residential monthly fees but only for garbage and recycling collection. *Miscellaneous one-time fees* may be assessed for damaged containers, exchanges for larger size garbage containers and special collections. The current monthly fees are:

Table1: Pay- as-You-Throw Solid Waste Containers and Fees

| The Pay-as-You-Throw Garbage Container Sizes | Fees per Month (without the Environmental Fee) |
|---|---|
| Small (48 gallon) container | \$18.19 |
| Medium (64 gallon) container | \$18.69 |
| Large (96 gallon) container | \$19.94 |

E. Operation and Maintenance of Water and Wastewater Facilities

San Antonio Water System (SAWS) will maintain and operate the public water and wastewater facilities that are within its certified service area. Routine standard maintenance of the facilities is performed on a scheduled basis. Emergency maintenance and repairs receive immediate attention, and are available 24 hours a day, 7 days a week. The facilities will be maintained and operated in accordance with standard SAWS policies and procedures, and under the provisions of the SAWS Utility Service Regulations for the extension of facilities.

SAWS Monthly Rates – The average residential customer's bill for water, wastewater, and water supply fee is \$58.91 (Inside City Limits) and \$69.73 (Outside City Limits) (based on a winter average consumption of 7,092 gallons of water per month, and 5,668 gallons of sewer use per month). The SAWS rate structure is designed to provide balance between residential and business rates and to encourage conservation with rates that increase at higher levels of consumption. The current rates were approved by City Council to be effective as of the beginning of January 2016. SAWS customers, after annexation, will pay the lower Inside City Limit rate as opposed to the Outside City Limit rate. For the average residential customer, this will amount a cost reduction in combined monthly water/sewer charges of 15.5%. The rates are set by City Council and can be amended in the future.

SAWS Water Conservation Programs & Rebates –SAWS water conservation education programs and rebates are available to SAWS residential and commercial customers. SAWS residential customers can access other water saving programs including WaterSaver landscape coupons to replace lawn-dominated landscape areas with attractive. Educational resources regarding drought-tolerant plant are available at www.GardenStyleSA.com.

With commercial customers accounting for 6.1% of the customer base and 37.4% of SAWS' annual water sales, there is great potential for water savings through commercial conservation programs. Commercial customers also have access to water conservation education and incentives. There are programs to make irrigation systems more efficient and customer rebates for big projects that address operational efficiencies. Detailed information on these and other programs can be found on the SAWS website at www.saws.org.

F. Operation and Maintenance of Roads and Streets, including Street Lighting

The Transportation and Capital Improvements Department (TCI) will maintain public streets over which the City has jurisdiction. TCI is responsible for the maintenance and repair of the City street, bridge and alley infrastructure. Curbs, sidewalks, driveways approaches, curb ramps and other street infrastructures are constructed in accordance with the City of San Antonio and the Americans with Disability Act (ADA) standards. Service requests or community concerns for TCI's response, such as pothole and base and pavement repairs are initiated by contacting the City's 311 call center or online services. These services include:

Emergency Pavement Repair – Potholes are collapsed areas within the roadway that do not exceed 3 feet by 3 feet. The City's goal is to repair reported potholes within 48 hours or two business days.

Street Base and Pavement Repair – Areas of collapsed pavement that exceed 3 feet by 3 feet in need of a base and pavement repair, which require different maintenance equipment and has a 90-day service window.

Preventative Street Maintenance activities are conducted upon approval and identification of funding by City Council to include crack seal, chip seal coat, slurry seal, asphalt overlay and other structural treatments.

Guard Post and Guard Rail Maintenance – The TCI's goal is to repair damaged guard posts and guard rails within 60 days of being reported to the Street Operations Division. The Adopted Goal for FY 2015/2016 is 99% of flex beam service requests will be repaired within 45 days.

De-icing and Snow Removal Services – TCI also monitors ice and snow on public right of ways including bridge infrastructures, major thoroughfares, public facilities, and downtown sidewalks.

Neighborhood Access and Mobility Program (NAMP) – Street projects are selected and funded by the City Council on a citywide basis upon availability of funding and scheduled based on workforce capacity under NAMP as approved by City Council. Current base funding for NAMP is \$200,000 per Council District in FY 2016-2017. NAMP was designed to help neighborhoods control traffic speed and provide mobility for pedestrians. NAMP Projects include the following: sidewalks for pedestrian traffic, speed humps for vehicular traffic, traffic improvements and school flashers.

Emergency Street Closure Services – The Street Operations Division performs barricading service for emergency situations, twenty-four (24) hours a day, and 365 days a year. Vehicular and pedestrian hazards are barricaded immediately. Requests for service and/or necessary action is reported and monitored through the 311 call center system.

Street Re-striping and Marking Services – For major arterials and collectors, the repainting of street markings is on an 11 year frequency. All improved intersections and roadways are striped in conformance with the Texas Manual on Uniform Traffic Control Devices. All roadways are re-striped and remarked as needed.

Infrastructure Management Program (IMP) is a five-year rolling program which focuses on the maintenance of San Antonio's infrastructure. Services needs are identified city-wide and are scheduled for street maintenance, alley maintenance, drainage maintenance, sidewalks, traffic signals, pavement marking and Advance Transportation District (ATD) projects. The IMP provides the City of San Antonio a structured program schedule, potential for additional multiple year contract awards and improved utility coordination. During the budget process for each City fiscal year, the IMP is presented to City Council for approval. Amendments may occur throughout the year due to coordination with utilities or unforeseen conditions, such as inclement weather. The goal of the IMP is to provide the best possible maintenance for the City of San Antonio.

Traffic Management is responsible for the development and monitoring of the City's traffic signal system. This includes responding to community concerns for various signal maintenance needs. If necessary, TCI will provide regulatory signage services in the annexation area. Traffic signal, stop and all other regulatory studies are conducted in conjunction with growth of traffic volumes. Traffic signs, signals, and markings are installed in conformance with the Texas Manual on Uniform Traffic Control Devices. Faded, vandalized, or missing signs are replaced as needed. "Call back" service is provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs. The current goal for critical regulatory signs is repaired within 72 hours of being reported to TCI. Requests for signage should be called into the 311 call center. On average, regulatory signs are replaced within 48 hours.

Storm Water Utility – The Storm Water Utility is housed within TCI. The Storm Water Utility is responsible for drainage services as well as the installation, operation, and maintenance of drainage infrastructure throughout San Antonio.

The Storm Water Utility Fee is intended to cover capital and maintenance expenses associated with drainage projects and fund operational services related to the Municipal Separate Storm Sewer System (MS4) Permit as required by Federal regulations. On September 10, 2015, the San Antonio City Council

approved revisions to the Storm Water Fee structure using an impervious cover approach and adopted a five-year rate plan. The revised Storm Water Fee rates became effective January 1, 2016. The rates each year after 2016 shall be effective on the October 1 date occurring prior to the start of the succeeding calendar year (e.g. October 1, 2016 for new rates shown for FY 2017, October 1, 2017 for new rates shown for FY 2018, etc.). More information about the storm water rate plan is available at http://www.saws.org/service/rates/stormwater_fee.cfm.

The storm water utility fee is billed by SAWS on behalf of the City of San Antonio. Services are currently provided by the SAWS, in accordance with the SAWS's approved business plan and as limited by applicable codes, laws, ordinances and special agreements. The fee will be assessed for the subject property as the storm water will drain into the exiting City of San Antonio facilities. Examples of services funded by the Storm Water Utility fee include but are not limited to the following:

- Street Sweeping consists of sweeping residential streets two times per year and arterial and collector streets four times per year;
- Channel Mowing/ Restoration consists of inspection and maintenance of rivers, creekways and improved drainage channels and mowing improved channels in public rights-of- ways six (6) times per fiscal year;
- Drainage Infrastructure Maintenance includes replacing and cleaning underground drainage pipes, repairing and cleaning storm drainage inlets and maintaining and operating high water detection system and flood control structures; and
- Natural Creekway Debris Removal consists of de-silting and re-grading of improved channels, natural waterways and creeks and removal of debris from drainage ways and low water crossings.

Street lighting – The planning of public street lights is coordinated by the City's Development Services Department (DSD). CPS Energy will maintain public street lighting in accordance with Sec. 43.056 (b) (6) of the Texas Local Government Code and the City's policies. The City assumes the cost of electricity for public street lights.

G. Operation and Maintenance of Parks, Playgrounds and Swimming Pools

Maintenance responsibilities for municipally owned parks in annexed areas are the responsibility of the City. Any proposed or existing privately owned parks, playgrounds, swimming pools, recreational facilities and common spaces in the subject property are the responsibility of the property owner(s).

H. Operation and Maintenance of Any Other Publicly Owned Facility, Building, or Service

Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the subject property, an appropriate City department will provide maintenance services for them.

2. ADDITIONAL SERVICES

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

A. Code Compliance

The Code Compliance Division of the Development Services Department (DSD) enforces City codes and regulations to protect the health, safety and general welfare of the community. Current enforcement is provided to the following and is not limited to:

- Vacant dangerous premises and structures,
- Junked vehicles,
- Weeded vacant lots,
- Zoning (Unified Development Code),
- Property maintenance,
- Minimum housing, including unsanitary premises,
- Front yard parking,
- Alley and right-of-way violations,
- Monthly inspections of salvage/junk yards,
- Monitoring and enforcing materials received at salvage/junk yards, and
- Enforcement of Garage sale permits.

The Code and ordinances enforced by this department are subject to changes by the City Council.

B. Zoning

The South San Antonio Limited Purpose Annexation Areas and FMT Technologies Tract were zoned in accordance with the City's land use plan. The current zoning districts shall remain upon the effective date of Full Purpose Annexation. The Voluntary Annexation South San Antonio Areas will be zoned in accordance with the City's land use plan. The proposed zoning districts for the voluntary annexation areas shall be effective upon the effective date of Full Purpose Annexation.

C. Building Permits

Incomplete construction must obtain building permits from the DSD in accordance with City codes. Incomplete construction implies that final inspections have not been conducted and approved. For new residential construction, incomplete construction indicates approved final inspections for building, mechanical, plumbing, and electric field inspections have not been obtained. For new commercial construction, incomplete construction indicates, approved final inspections for building, mechanical, plumbing, electric, fire, traffic, drainage, sidewalks, irrigation, tree, and landscape field inspections have not been obtained. Other field inspections may be applicable for new commercial construction depending on the specific use and/or location of the project. Building permits may be applied for at Cliff Morton Development and Business Services Center located at 1901 South Alamo Street, San Antonio, TX. In addition, as part of the permitting process, applicant(s) will be required to adhere to the City's Tree and Landscape requirements. A one-stop development service counter has been created to assist the public with any development questions that relate to Building, Planning and Transportation and Capital Improvements issues.

D. Certificate of Occupancy

New and existing businesses must obtain a Certificate of Occupancy and related licenses required by City code from the DSD, San Antonio Metropolitan Health District, and/or City Tax Office. In accordance with the 2015 International Building Code, no person may occupy a building or a space without first obtaining a Certificate of Occupancy. Certificates of Occupancy may be applied for at the Cliff Morton Development and Business Services Center located at 1901 South Alamo Street.

E. Nonconforming Rights

To establish nonconforming rights for zoning, property owners with existing land uses are encouraged to register within 90 days of the annexation date with the DSD. Uses that existed legally prior to annexation, generally become nonconforming after annexation because of the new zoning classification placed on the land.

Registration of legal nonconforming uses allows property owners to apply for a Certificate of Occupancy. Upon the issuance of the Certificate of Occupancy, property owners may continue the legal nonconforming uses that existed prior to annexation. A Certificate of Occupancy will be issued certifying only those uses required by applicable City and State codes.

F. Library Services

Residents in the annexations areas may choose to go to any library branch. The nearest libraries to the annexation areas are:

- Cortez Branch Library, 2803 Hunter Boulevard, San Antonio, TX 78224
- Pan American Branch Library, 1122 Pyron Avenue, San Antonio, TX 78221
- Mission Branch Library, 3134 Roosevelt Ave, San Antonio, TX 78214
- The San Antonio public library locations provide the following services:
- Library materials for adults, young adults and children including books, periodicals, compact disks, DVD, videos, audio books, and electronic books;
- Programming for adults, young adults and children such as regularly scheduled story time;
- Book discussion groups and other topics of interest to the community; and
- Access to the Internet, databases and other computer programs.

Professional staff is available to assist library customers with reference and reader's advisory questions and public meeting room space are available. More information is available at the San Antonio Public Library Website: www.mysapl.org.

G. Health Department Services

The San Antonio Metropolitan Health District (SAMHD) currently provides certain public health services, including dental screening and treatment, communicable disease control, emergency preparedness and

response, and health education to person residing in the annexation areas through an interlocal agreement with Bexar County/University Health Systems. Upon full purpose annexation the following additional services will become available:

- Investigation of public health related complaints including food borne illness, recreational water quality, and public swimming pools and spas, and investigation of toxic exposures;
- Permitting and routine sanitation inspections of food establishments, schools, day cares, swimming pools and mobile living parks;
- Enforcement of the City's smoking ordinance in public places;
- Investigation of reported elevated Blood Lead Levels (BLL) in children;
- Access to community health clinics; and
- Medical Assistance Program benefits.

SAMHD would provide additional services for oversight of day care centers, semi-public swimming pools, air quality permits and livestock issues.

H. Animal Care Services

Newly annexed areas will receive the same level of service as the current San Antonio city limits. These services include, but may not be limited to, animal enforcement and control, educational and public outreach, low cost animal related resources as microchips and spay/neuter services, and community cat program services.

I. Other Services

All other City of San Antonio Departments with jurisdiction in the areas will provide services according to City policy and procedure.

3. CAPITAL IMPROVEMENTS PROGRAM

The City will initiate the construction of capital improvements as may be necessary for providing municipal services to the annexation area. The timing for the construction of capital projects that may be necessary for the delivery of municipal services will be done in accordance with the requirements of Subchapter C of Chapter 43, Local Government Code.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

- A. Police Protection** – No capital improvements are necessary at this time to provide Police services.
- B. Fire Protection** – SAFD will be providing fire protection from Fire Station #52 located at 10440 Quintana Road and Fire Station #53 located at 14102 Donop Road.
- C. Emergency Medical Service** – No capital improvements are necessary at this time to provide EMS services.
- D. Solid Waste Collection** – No capital improvements are necessary at this time to provide solid waste collection services.
- E. Roads and Streets** – No newly constructed road or street related capital improvements are necessary at this time to provide services. The City will assume maintenance responsibilities for all public streets.
- F. Parks, Playgrounds and Swimming Pools** – The Parks and Recreational Department will substantially complete a park(s) of approximately 20 acres to serve the annexation areas by end of the service plan term.
- G. Library Services** – No capital improvements are necessary at this time
- H. Capital Improvements Planning** – The annexation areas will be included with other territory within the municipality in connection with planning for new or expanded facilities and/or services. All other capital improvements will be considered through the 6-Year Capital Budget that represents the City's

long-range physical infrastructure development and improve plan. Major funding sources are General Obligation Bonds, Certificates of Obligation, Storm Water Revenue Bonds, and Community Development Block Grants as applicable. Capital projects are placed in inventory by the City Council representative through input from neighborhood plans, community association, neighborhood requests and other community processes.

AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

FORCE MAJEURE

In case of an emergency, such as Force Majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation areas for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation areas of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

Summary of the Water and Waste Water Utility Service Regulations 2016

The following information is a summary of the SAWS Utility Service Regulations for the extension of water and/or waste water facilities as incorporated by reference in the latest version of the Unified Development Code, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and waste water service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or waste water facilities connecting to the SAWS system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have SAWS water or wastewater service fronting the property, the owner may make an application for an extension of service to SAWS Director of Infrastructure Development Department for review. If the Director determines that adequate capacity is available, or will be and if the project does not include SAWS cost participation or reimbursement, and if the proposed facilities are a logical extension of SAWS water and/or wastewater system and the requested extension meets the requirements of SAWS Utility Service Regulations, the extension size, capacity, and routing may be approved by the Director. Funding and construction of the facilities will be the responsibility of the developer.

Depending on the size of the new facilities and other conditions, with SAWS Board of Trustees approval, SAWS may reimburse the developer for a portion of the cost of constructing certain facilities. With Board approval, SAWS may reimburse costs associated with the oversize capacity of water and wastewater mains. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in SAWS Utility Service Regulations as incorporated by reference in the UDC.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees.

For property(s) served by a septic system, the property owner(s) remains responsible for the operation and maintenance of the septic system. If the septic system fails, the property owner must repair the system or

pay to extend SAWS wastewater facilities to the property, if unavailable. Under certain circumstances the City of San Antonio Health Department and/or applicable regulatory agency for septic tanks may require the property owner to connect to SAWS public waste water facilities.

This policy is set by the City Council and can be amended in the future by ordinance.