

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

AN ORDINANCE

**AUTHORIZING INTERLOCAL AGREEMENTS BETWEEN THE CITY
OF SAN ANTONIO AND THE BEXAR COUNTY EMERGENCY
SERVICES DISTRICTS #5 AND #6.**

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WHEREAS, upon COSA's December 2016 annexation of territory in the southeast and southwest portions of Bexar County, Chapter 43 of the Texas Local Government Code requires the newly annexed areas to receive fire protection services that are comparable to the level of services provided in other parts of the municipality; and

WHEREAS, Section 43.035 of the Texas Local Government Code states that parcels of land that are currently appraised for ad valorem tax purposes as land for agricultural or wildlife management use or as timber land may not be annexed unless the annexing municipality offers the owner(s) of each such parcel a development agreement (non-annexation agreement) pursuant to Section 212.172 that would guarantee the continuation of the extraterritorial status of the parcel; and

WHEREAS, a number of landowners in the newly annexed areas have entered into development agreements with COSA creating a complicated patchwork of respective jurisdictions of COSA, ESD#5, and ESD#6; and

WHEREAS, COSA, ESD #5 and ESD #6 desire to cooperate with each other to provide fire protection for the subject areas; **NOW THEREFORE**,

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

SECTION 1. The City Manager and her designated representative are hereby authorized to execute an Interlocal Agreement with BCE SD #5 and BCE SD #6 as agreed by the parties and described below and incorporated for all purposes. The terms and conditions of each agreement shall be substantially the same as those set out in the draft contract attached hereto as Exhibit 1. Should the parties fail to execute such an agreement within ninety days of the effective date of this Ordinance, subsequent authorization is required.

SECTION 2. No funding requirements exist for Interlocal Agreements. The San Antonio Fire Department has accounted for the newly annexed area in the service plan adopted with the annexation.

SECTION 3. 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 to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall become effective March 1, 2017

PASSED AND APPROVED this _____ day of _____, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney