

AN ORDINANCE

AUTHORIZING AN INTERLOCAL AGREEMENT FOR PHASED MUNICIPAL BOUNDARY ADJUSTMENTS AND PHASED EXTRATERRITORIAL JURISDICTION (ETJ) RELEASES BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF CONVERSE WITH SAN ANTONIO RELEASING APPROXIMATELY 12 SQUARE MILES FROM ITS ETJ; AND APPROXIMATELY 3.6 SQUARE MILES FROM ITS CORPORATE AREA TO CONVERSE WITHIN AN AREA GENERALLY BOUNDED BY IH 35 ON THE NORTH, THE CITY LIMIT LINE EAST OF NE LOOP 1604 ON THE EAST AND IH 10 EAST ON THE SOUTH AND NORTH FOSTER ROAD ON THE WEST IN BEXAR COUNTY, TEXAS, AND AUTHORIZING AN ASSOCIATED MUTUAL AID FIRE AGREEMENT.

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WHEREAS, the City of Converse requested the release of approximately 12 square miles from the City of San Antonio's Extraterritorial Jurisdiction; and

WHEREAS, if subject area is released, as requested it would provide more logical planning boundaries; and

WHEREAS, the TEXAS LOCAL GOVERNMENT CODE, Section 42.022 authorizes municipalities to expand their ETJ with the consent of the adjacent municipality; and

WHEREAS, the City of Converse requested the adjustments to mutual municipal boundaries releasing approximately 3.6 square miles from the City of San Antonio's corporate area; and

WHEREAS, the Texas Local Government Code Section 43.031 authorizes adjacent cities to make mutually agreeable city limit adjustments that are less than 1,000 feet in width; and

WHEREAS, the City of San Antonio and the City of Converse have determined that a Mutual Aid Agreement for basic fire services is beneficial for the prompt provision of such services within the area for the term of this Agreement; and

WHEREAS, Chapter 791 of the Texas Local Government Code authorizes agreements between local governments in which one local government provides to the other a governmental function or service that each party to the contract is authorized to perform individually; and

WHEREAS, pursuant to Ordinance No. 2016-12-01-0919, passed and approved on December 1, 2016, the San Antonio City Council authorized the execution of a San Antonio/Converse Automatic Aid Agreement with the City of Converse to provide first responder services; and

WHEREAS, the Automatic Aid Agreement is currently in force but needs to be amended as a result of the attached Interlocal Agreement for the gradual release by the City of San Antonio of areas within its city limits and extraterritorial jurisdiction to the City of Converse and make municipal boundary adjustments; and

WHEREAS, to further the respective desire of each city to work together to enhance growth in the area and to ensure that such growth optimizes the health, safety and welfare of its inhabitants; and

WHEREAS, a public hearing was held on February 22, 2017 by the City of San Antonio's Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the City Council has considered the effect of this boundary adjustment and finds that it is in the best interest of the City of San Antonio and its citizens; **NOW THEREFORE**,

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

SECTION 1. The Interlocal Agreement with the City of Converse, attached as **ATTACHMENT I** and incorporated herein for all purpose, is hereby approved.

SECTION 2. The First Amendment to the San Antonio/Converse Automatic Aid Agreement attached as **ATTACHMENT II** and incorporated herein for all purposes, is hereby approved. The City of Converse will charge the City of San Antonio \$778 per valid run as defined in the Original Agreement. Funding in the amount of \$155,000.00 is the estimated cost of this ordinance for FY 2017. Funding is available in Fund 11001000, Cost Center 2015040002, and General Ledger 5201040, as part of the Fiscal Year 2017 budget and should be encumbered with a purchase order.

SECTION 3. The City Manager or designee is hereby authorized to enter into and execute an Interlocal Agreement contained in **ATTACHMENT I**.

SECTION 4. The City Manager or designee is hereby authorized to release approximately 12 square miles of the City's ETJ and approximately 3.6 square miles in the City's corporate area in accordance with schedule and under the conditions contained in **ATTACHMENT I**.

SECTION 5. The City Manager or designee is hereby authorized to enter into and execute the Mutual Aid Fire Services Agreement with the City of Converse for the provision of basic fire services in accordance with the provisions of **ATTACHMENT II**.

SECTION 6. 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 on this 9th day of March, 2017.

M A Y O R
Ivy Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney