

DRAFT AN ORDINANCE

AUTHORIZING 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 as described in the ILA schedule attached as **Exhibit “C”** and the ILA map attached as **Exhibit “D”**; and

WHEREAS, CoSA agrees to release approximately 11.1 square miles of property within its ETJ, as depicted in the ILA map, attached as **Exhibit “D,”** 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, as depicted in the ILA map attached as **Exhibit “D”**; and

WHEREAS, both municipalities have now agreed to amend the Original Agreement as described in the schedule described in **Exhibit “C”** and the ILA map depicted in **Exhibit “D”**; and

WHEREAS, following a public hearing on October 23, 2019, the San Antonio Planning Commission recommended approval of the proposed Amended ILA with the City of Converse; NOW THEREFORE:

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

SECTION 1. The City Manager or designee is hereby authorized to execute a First Amendment to the Interlocal Agreement with the City of Converse, a copy of which is attached hereto as **ATTACHMENT 1** and fully incorporated herein verbatim for purposes.

SECTION 2. Said First Amended shall amend the terms and conditions under the Original Agreement and revise the schedule and areas, both attached and incorporated herein for all purposes **EXHIBITS “C” and “D”**..

SECTION 3. This ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it effective ten day after passage.

PASSED AND APPROVED ON THIS 5th DAY OF DECEMBER, 2019.

MAYOR
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

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