

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

**AN ORDINANCE**

**AUTHORIZING THE RENEWAL OF A COOPERATIVE  
AGREEMENT WITH BEXAR COUNTY TO PERMIT THE  
COUNTY TO PROVIDE MANDATORY RESIDENTIAL SOLID  
WASTE COLLECTION AND DISPOSAL SERVICES IN THE  
CAMELOT II NEIGHBORHOOD, AN AREA WITHIN THE  
CITY'S EXTRATERRITORIAL JURISDICTION; RESIDENTS  
WILL PAY THE APPROPRIATE SOLID WASTE FEES TO BE  
DEPOSITED IN THE SOLID WASTE MANAGEMENT FUND**

\* \* \* \* \*

**WHEREAS**, the issue of illegal dumping and the collection of solid waste in unincorporated areas of Bexar County has been a continuing problem for a number of years; and

**WHEREAS**, in response to a 2012 request from Representative Ruth Jones McClendon, Texas Attorney General (AG) Opinion GA-0988, February 5, 2013, concluded that Section 364.031 of the Health and Safety Code authorizes cooperative agreements between a municipality and a county that would permit the county to provide mandatory solid waste disposal service in an area of the county that is within the extraterritorial jurisdiction (ETJ) of the municipality that is not receiving such services from the municipality; and

**WHEREAS**, in June 2015, Bexar County contacted the City to discuss solid waste disposal services in the Camelot II residential neighborhood, an area in unincorporated Bexar County and within the City of San Antonio's ETJ; and

**WHEREAS**, Bexar County does not require mandatory solid waste disposal services for residents of unincorporated Bexar County, and although the Camelot II neighborhood is within the City's ETJ, state statute does not allow the City to mandate or provide solid waste collection or disposal services in areas outside the City limits; and

**WHEREAS**, Ordinance 2015-08-06-0652 authorized the negotiation and execution of a Cooperative Agreement with Bexar County to permit the County to provide mandatory residential solid waste collection and disposal services for Bexar County's Camelot II neighborhood located within the City's extraterritorial jurisdiction; the Solid Waste Management Department (SWMD) provides solid waste services under a pilot program to this area under the Cooperative Agreement with Bexar County; fees for solid waste services are collected from the residents; the term of the Cooperative Agreement was from November 30, 2015 to December 31, 2018; and

**WHEREAS**, the pilot program has been successful in providing solid waste collection services to the residents, while decreasing illegal dumping in the area, and the County desires to continue the pilot program for one additional year, with minor modifications to the service levels; and

**WHEREAS**, this Ordinance would authorize the renewal of the Cooperative Agreement between the City and Bexar County to continue the pilot program for one additional year and permit the County to continue to provide mandatory solid waste collection and disposal services in the Camelot II neighborhood, an area within the City's ETJ, in accordance with the Texas Attorney General Opinion GA-0988; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager, or her designee, or the Director, Solid Waste Management Department, or his designee, is hereby authorized to negotiate and execute an amendment to renew the Cooperative Agreement with Bexar County to continue the pilot program for one additional year, from January 1 to December 31, 2019, and permit the County to provide mandatory residential solid waste collection and disposal service in the Camelot II neighborhood, an area within the City of San Antonio's ETJ.

**SECTION 2.** The City Manager, or her designee, or the Director, Solid Waste Management Department, or his designee, is hereby authorized to execute an amendment to the Cooperative Agreement with Bexar County, including any and all documents required to effectuate the purpose of this Ordinance, without further action by the San Antonio City Council. A draft copy of the Amendment One to the Agreement, in substantially final form, is attached and incorporated herein for all purposes as **Attachment I**.

**SECTION 3.** This Ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes or, if passed by fewer than eight (8) affirmative votes, shall be effective ten (10) days after passage.

**PASSED AND APPROVED this \_\_\_\_ day of November, 2018.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney