

AN ORDINANCE 2018-12-13-1044

PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 90.5065 ACRES OF LAND, AS REQUESTED BY HAND-UP HOMES, LLC., GENERALLY LOCATED IN COUNTY BLOCK 4298, ADJACENT TO WATSON ROAD, CONTIGUOUS TO THE CITY OF SAN ANTONIO LIMITS AND LOCATED WITHIN THE SAN ANTONIO EXTRATERRITORIAL JURISDICTION IN BEXAR COUNTY, ADOPTING A SERVICE AGREEMENT FOR THE AREA, AND ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 13, 2018.

* * * * *

WHEREAS, Chapter 43 of the Texas Local Government Code provides that a City may conduct annexation for full purposes upon the request of the landowner of the subject property; and

WHEREAS, the Hand-Up Homes, LLC. (Owners) requested the annexation of approximately 90.5065 acres of land generally located along Watson Road in County Block 4298; and

WHEREAS, on November 9, 2018 and November 23, 2018, notice of the above-mentioned public hearings was published in the San Antonio Express-News, being a newspaper of general circulation in the municipality and in the area proposed for annexation and posted on the internet web site maintained by the City of San Antonio; and

WHEREAS, on the November 28, 2018 and December 13, 2018, the San Antonio City Council held public hearings on the proposed annexation of the HAND-UP HOMES, LLC., and the public hearings gave all interested persons the right to appear and be heard on the proposed annexation; and

WHEREAS, the above-mentioned public hearings were conducted not less than ten (10) days apart prior to the adoption of the annexation ordinance; 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 petition requesting the annexation of the property known as the HAND-UP HOMES, LLC., that was submitted by the persons having an interest in the property is hereby granted. The property is more particularly described in **EXHIBIT "A"** and depicted in **EXHIBIT "B"** attached hereto and incorporated herein for all purposes.

SECTION 2. The land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, more particularly described and depicted in **EXHIBITS "A"** and **"B,"** 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 and depicted in **EXHIBITS "A"** and **"B,"** are

altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

SECTION 3. The land and territory so described and so amended, shall be a part of the City of San Antonio, Texas, and the property so added shall bear its share of the taxes levied by the City of San Antonio, Texas. The inhabitants thereof shall be entitled to all of the rights and the privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of San Antonio, Texas.

SECTION 4. A Service Agreement outlining the provisions of municipal service to the property described and depicted in **EXHIBITS "A" and "B,"** and is hereby approved and the implementation of said Agreement is hereby authorized. Such Agreement is attached hereto and incorporated herein as if set out verbatim for all purposes as **EXHIBIT "C."**

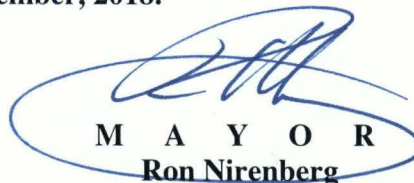
SECTION 5. In accordance with Section 35-307(a) of the City of San Antonio Unified Development Code, this property shall be zoned by separate ordinance and the assigned zoning district will be effective upon annexation.

SECTION 6. The land and territory annexed by this ordinance shall be represented by and be a part of City Council District 4.

SECTION 7. The statements set forth in the recitals of this ordinance are true and correct, and are incorporated as a part of this ordinance.

SECTION 8. This ordinance shall be effective on December 13, 2018.

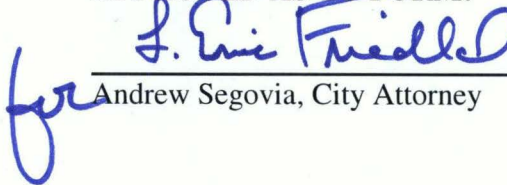
PASSED AND APPROVED on this 13th day of December, 2018.


M A Y O R
Ron Nirenberg

ATTEST:

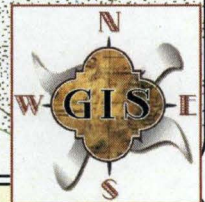
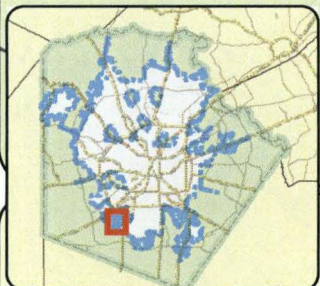
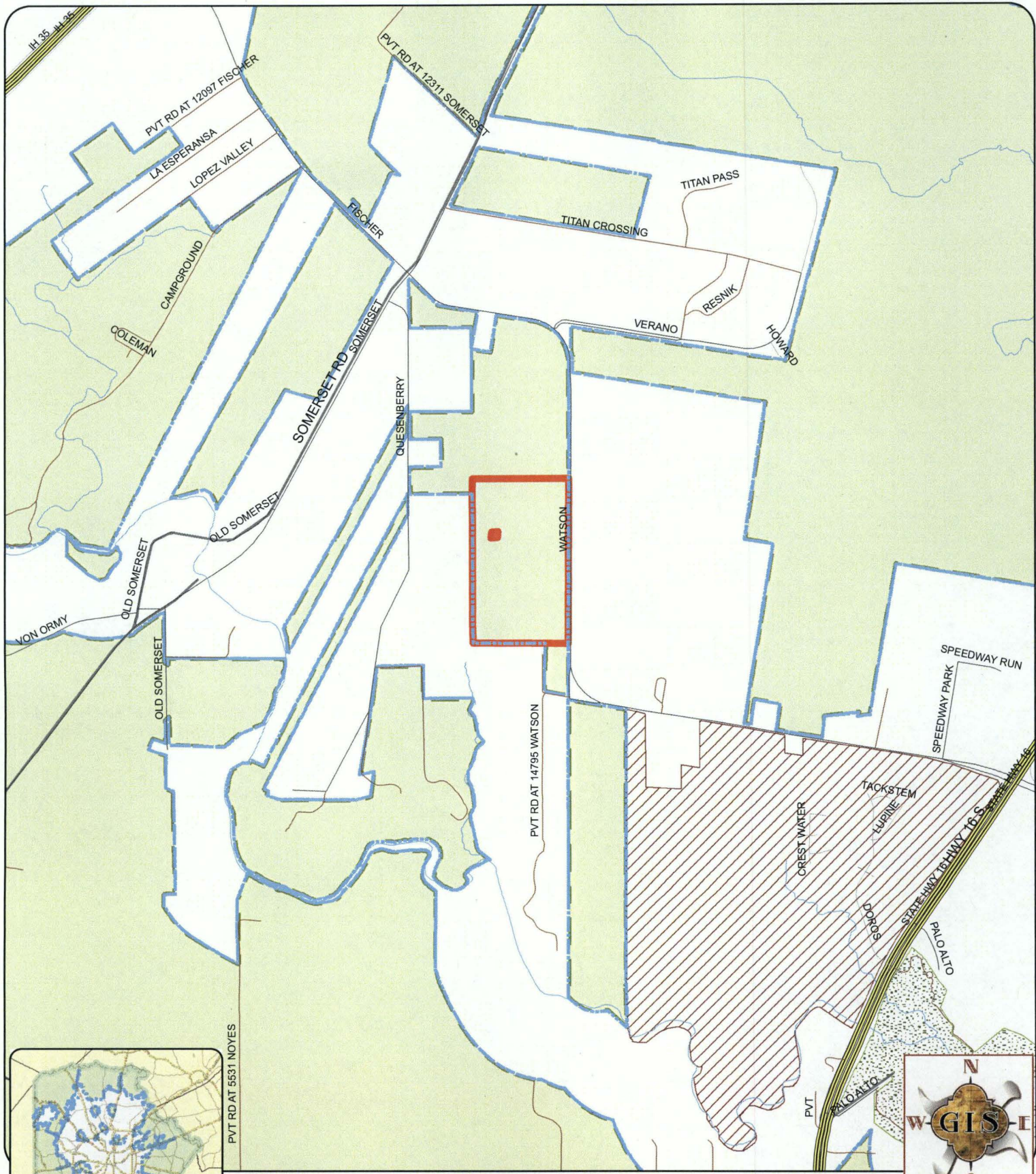

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

| Agenda Item: | 53 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 43, 44, 45, 46, 47, 48, 49A, 49B, 50A, 50B, 50C, 51A, 51B, 51C, 52, Z-1, 53, Z-2) | | | | | | |
|---------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| Date: | 12/13/2018 | | | | | | |
| Time: | 11:10:11 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | Ordinance extending the City limits by the full purpose annexation of approximately 90.5065 acres of land, as requested by the property owners, Hand-Up Homes, LLC., generally located in County Block 4298, adjacent to Watson Road, contiguous to the City of San Antonio limits and located within the San Antonio extraterritorial jurisdiction in Bexar County, adopting a Service Agreement, and establishing an effective annexation date. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning Department]. | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Ron Nirenberg | Mayor | | x | | | | |
| Roberto C. Treviño | District 1 | | x | | | | |
| William Cruz Shaw | District 2 | | x | | | | x |
| Rebecca Viagran | District 3 | | x | | | x | |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Greg Brockhouse | District 6 | | x | | | | |
| Ana E. Sandoval | District 7 | | x | | | | |
| Manny Pelaez | District 8 | x | | | | | |
| John Courage | District 9 | | x | | | | |
| Clayton H. Perry | District 10 | | x | | | | |

EXHIBIT “A”



- Property ID 1280837
- Cosa Boundary
- ETJ CoSA
- Limited Annexation
- Other Cities Towns
- Bexar County

0 0.05 0.1 0.2 0.3 0.4 Miles

Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District
 This geographic information system product, prepared by the City of San Antonio, is provided "as is" without warranty of any kind, and the City of San Antonio expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The City of San Antonio does not warrant, guarantee, or make any representation regarding the use, or the results of the use, of the information provided by the City of San Antonio or Bexar County. Accuracy, reliability, timeliness or otherwise of the data is the responsibility of the user. The City of San Antonio is not responsible for any errors or omissions in this product or for any consequences arising from the use of the information. The City of San Antonio is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of the information. The City of San Antonio is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of the information.

Map Path: \\nascent\m\m\2019\GIS\Projects\2019\Planning\13886\WatsonRd.mxd
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 PDF Filename: 13886WatsonRd.pdf

2018 City of San Antonio Annexation of 90.5065 Acre Tract on Watson Road

City of San Antonio
 Information Technology Services Department
 GIS Public Service Unit

Riverview Towers
 111 Soledad St. 9th Floor, Suite 900
 San Antonio, TX 78205

EF
12/13/2018
Item No. 53

EXHIBIT “B”

Exhibit B

STATE OF TEXAS

COUNTY OF BEXAR

Page 1 of 2

TRACT A

Field Note Description of 90.73 acres of land, save and except 0.2235 of an acre of land hereinafter described, leaving a total of 90.5065 acres of land situated in the Cruz Landin Survey No. 46, Abstract No. 421, County Block 4298, Bexar County, Texas, and being out of and a part of a tract of land called to contain 97.872 acres of land and described in a deed recorded June 27, 2013 to David Friesenhahn and wife Linda Friesenhahn of record in Doc. 20130132508, Official Public Records of Bexar County, Texas. Said 90.73 acres of land was surveyed by **BCE, Ltd.** on Oct. 26, 2017 and is more particularly described by metes and bounds as follows:

BEGINNING at a 1-1/2" iron pipe found in the west line of Watson Road and being the northeast corner of said 97.872 acre tract of land and this 90.73 acre tract of land;

THENCE along the west line of said Watson Road, same being the east line of said 97.872 acre tract of land and this 90.73 acre tract of land and being along or near a wire fence, South 00° 09'49" West for a distance of 2599.71 feet to a 1/2" iron rod set with red plastic cap marked BCE, Ltd, RPLS 4540 set for the southeast corner of this 90.73 acre tract of land;

THENCE crossing said 97.872 acre tract of land with the south line of this 90.73 acre tract of land, North 89° 39'24" West at 390.00 feet passing a 3/4" iron pipe found at an interior corner of said 97.872 acre tract of land and continuing along a southerly line of said 97.872 acre tract of land and being along or near a wire fence, for a total distance of 1511.53 feet to a 3/4" iron pipe found at an exterior the corner of said 97.872 acre tract of land and this 90.73 acre tract of land;

THENCE with the west line of said 97.872 acre tract of land and this 90.73 acre tract of land, and being along or near a wire fence, North 00°16'45" West at 257.62 feet passing a 1" rebar found, at 660.61 feet passing a survey cap found and continuing for a total distance of 2595.48 feet to a 1" iron pipe found for the northwest corner of said 97.872 acre tract of land and this 90.73 acre tract of land;

THENCE with the north line of said 97.872 acre tract of land and this 90.73 acre tract of land and being along or near a wire fence, South 89°49'12" East for a distance of 1531.58 feet to the **POINT OF BEGINNING**.

SAVE AND EXCEPT – TRACT B

A 0.2235 of an acre tract of land, or 9,736 square feet of land area, situated in the Cruz Landin Survey No. 46, Abstract No. 421, County Block 4298, Bexar County, Texas, and being out of and a part of a tract of land called to contain 97.872 acres of land and described in a deed recorded June 27, 2013 to David Friesenhahn and wife Linda Friesenhahn of record in Doc. 20130132508, Official Public Records of Bexar County, Texas, Said 0.2235 of an acre of land also being out of and a part of this 90.73 acre tract of land and is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with red plastic cap marked BCE, Ltd, RPLS 4540 set at the northwest corner of this 0.2234 of an acre of land and from which a 1" iron pipe found for the northwest corner of

90.5065 Ac
October 26, 2017
Page 2 of 2

said 97.872 acre tract of land bears South 89°43'15" West a distance of 301.91 feet to a point in the west line of said 97.872 acre tract of land and North 00°16'45" West a distance of 851.28 feet and from said point in the west line of said 97.872 acre tract of land a ¾" iron pipe found at the most westerly, southwest corner of said 97.872 acre tract of land bears South 00°16'45" West a distance of 1744.20 feet;

THENCE crossing said 97.872 acre tract of land with the following four courses:

1. with the north line of this 0.2235 of an acre of land, North 88°22'23" East for a distance of 102.05 feet to a 1/2" iron rod with red plastic cap marked BCE, Ltd, RPLS 4540 set at the Northeast corner of this 0.2235 of an acre of land;
2. with the east line of this 0.2235 of an acre of land, South 05°47'08" West for a distance of 96.21 feet to a 1/2" iron rod with red plastic cap marked BCE, Ltd, RPLS 4540 set at the southeast corner of this 0.2235 of an acre of land;
3. with the south line of this 0.2235 of an acre of land, South 88°22'23" West for a distance of 102.05 feet to a 1/2" iron rod with red plastic cap marked BCE, Ltd, RPLS 4540 set at the southwest corner of this 0.2235 of an acre of land;
4. with the west line of this 0.2235 of an acre of land, North 05°47'08" East for a distance of 96.21 feet to the **POINT OF BEGINNING**.

NOTE – Bearing called out hereinabove are grid and based on The Texas Coordinate System, NAD 83, South Central Zone.

NOTE – There is a map of survey this day drafted to accompany this metes and bounds description.

By: _____

R.P. Shelley, RPLS 4540
Briones Consulting and Engineering
4515 Briar Hollow Pl., Suite 106
Houston, Texas 77027
713-960-3255
rick.shelley@brionesengineering.com



EXHIBIT “C”

Exhibit C

City of San Antonio Service Agreement for the 90.5065 Acres of Land on Watson Road Annexation as Requested by Hand-Up Homes LLC.

Introduction

The City ("City") of San Antonio, Texas, is making this Service Agreement ("Agreement") available pursuant to Chapter 43 of the Texas Local Government Code. This Agreement relates to the annexation by the City of an "Annexation Area" known as the 90.5065 Acres on Watson Road Annexation, consisting of approximately 90.5065 acres, located on Watson Road in Southwest Bexar County. Hand-Up Homes LLC, the property owner has requested annexation by the City and will be developing the property as a residential use.

ARTICLE 1. EFFECTIVE TERM

This Agreement shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Agreement. Renewal of the Agreement 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 Agreement and specifically renews this Agreement for a stated period of time. The Agreement may be extended upon the mutual consensus of the City and the Property Owner.

ARTICLE 2. INTENT

It is the intent of the City that services under this Agreement 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 Agreement 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 Agreement unworkable or obsolete or unlawful.

ARTICLE 3. SERVICE AGREEMENT

In general this Agreement includes three service components: *(1) Annexation Service Requirements, (2) Additional Services and (3) a Capital Improvement Program.* As used in this Agreement, 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 services will be provided in the Annexation Area 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 newly annexed area 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 area will become part of an existing patrol district 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 as requested to discuss police issues.

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:

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

The Annexation Area will be served by the South Patrol Substation, located at 711 Mayfield Boulevard, San Antonio, TX 78211. The Annexation Area is approximately 7.6 miles from the South Patrol Substation. The area falls within District 6160. There is no specific number of officers that can be assigned to a patrol district. 239 total sworn personnel are assigned to South Patrol covering 4 shifts per day, 24 hours a day, 7 days a week.

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.

Current citywide average emergency response time is 6 minutes 49 seconds (September 2018) and average citywide response to all calls for service is 18 minutes 13 seconds. At this time the San Antonio Police Department's inclusion of this area will have no measurable impact.

B. Fire Protection and Emergency Medical Service (EMS) – The San Antonio Fire Department (SAFD) will provide fire protection services and EMS to the Annexation Area consistent with the provision of services in like areas of San Antonio. Service will be provided through the use of fire engines, ladder trucks, full-time and peak period EMS ambulances, Medical Officers and Chief Officers. SAFD will be providing fire protection and EMS from Fire Station #50 located at 15000 Applewhite Road, San Antonio, TX 78264.

C. Solid Waste Collection Services – The City of San Antonio Solid Waste Management Department will provide solid waste collection services at a level equivalent to those property owners within the current City limits. Services are provided and fees are assessed in accordance with Chapter 14 of the City Municipal Code, as may be amended. Fees for services are assessed monthly on CPS Energy Utility bills. In accordance with State Law, City of San Antonio solid waste services will not be provided the first two years after annexation. After two years all single family residential properties accessible from public streets must use City-provided service. The Environmental Fee described below will be assessed upon annexation.

Residential Solid Waste Services - Two years after the effective date of annexation, all residents, except those living on a property with private streets as outlined below, must use and will be billed for City-provided service.

Residents living within gated communities or on properties with private streets, without public road access, may elect to either contract with private service providers or be considered for City-provided services after two years. If private collection services are used, the City solid waste fees will not be assessed at these locations. 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 and the City must have capacity to add homes to collection routes

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 “Current Monthly Solid Waste Service 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.

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 taller 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 or 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/sack 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 – The City's Commercial garbage collection is available on a case by case basis for qualifying businesses in a manner similar to residential services. Bulky item, brush and bagged leaf collections are not provided to businesses. Monthly Solid Waste Service Fees at Table 1 will be assessed. If City-provided commercial service is not desired, businesses may utilize private service providers.

Monthly Solid Waste Fees - Upon annexation, all residential and non-residential properties 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. These fees are 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.

Residents assessed an Environmental Fee may use the Drop-off sites and are eligible for Dial-A-Trailer cleanups.

Table 1. Current Monthly Solid Waste Fees:

| Size of Garbage Container | Fiscal Year 2019 Monthly Fee |
|---------------------------|------------------------------|
| Small (48 gallons) | \$16.76 |
| Standard(64 gallons) | \$18.76 |
| Large (96 gallons) | \$26.76 |

The Solid Waste Fees assessed will be those in effect two years after the effective date of annexation. Solid Waste and Environmental fees are set annually by City Council.

D. 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 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 and are published on www.SAWS.org. SAWS customers, after annexation, will pay the lower Inside City Limit rate as opposed to the Outside City Limit rate.

SAWS Water Conservation Programs & Rebates –SAWS water conservation education programs and rebates are available to SAWS residential and commercial customers. Educational resources regarding drought-tolerant plants are available at www.GardenStyleSA.com.

With commercial customers accounting for 5.8% of the customer base and 37.7% 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.

E. Operation and Maintenance of Roads and Streets, including Street Lighting – The Transportation and Capital Improvements Department (TCI) is responsible for the maintenance and repair of the City street, bridge and alley infrastructure within its jurisdiction. Curbs, sidewalks, driveways approaches, curb ramps and other street infrastructures are constructed in accordance with the City 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

- Street Base and Pavement Repair
- Preventative Street Maintenance
- Guard Post and Guard Rail Maintenance
- De-icing and Snow Removal Services
- Neighborhood Access and Mobility Program (NAMP)
- Emergency Street Closure Services
- Street Re-striping and Marking Services

Infrastructure Management Program (IMP) is a five-year rolling program which focuses on the maintenance of City 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 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.

Transportation Systems Management & Operations 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. Requests for signage should be called into the 311 call center.

Storm Water Utility – The Storm Water Utility is housed within the TCI Department. 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.sanantonio.gov/TCI/Projects/Storm-Water-Fee>.

The storm water utility fee is billed by SAWS on behalf of the City. Billing and technical services are currently provided by SAWS, in accordance with the SAWS approved business plan and as limited by applicable codes, laws, ordinances and special agreements. The fee will be assessed on each property based on its estimated impact on existing City drainage facilities.

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.

F. Operation and Maintenance of Parks, Playgrounds and Swimming Pools – Maintenance responsibilities for municipally owned parks in annexed area 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).

G. 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 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 DSD are subject to changes by the City Council

B. Zoning – The City will initiate the zoning process for a permanent zoning classification. The Zoning Commission will conduct at least one public hearing and make a recommendation to the City Council regarding the proposed zoning. The City Council will consider the proposed zoning district concurrently with the annexation of the area at a public hearing. Zoning will be effective upon the effective date of annexation.

C. Building Permits – Incomplete construction may require permits or field inspections according to the tables below:

| | |
|---|--|
| Vacant Lot Only; Construction not yet begun | Complete set of plans required |
| Foundation Only, up to 25% | Complete set of plans required; Engineer's letter required on foundation |
| Foundation and Partial Framing over 25% but not over 50% complete | Complete set of plans required minus foundation plans; Engineer's letter required on foundation |
| Foundation and Partial Framing over 50% complete | No plans required; fill out application only and declare percentage completed |
| Foundation, framing, sheetrock, mechanical, electric, plumbing, etc. Approximately 75% to 99% completed. Needs textone, flatwork, fence, finals only, etc. | No plans required; fill out application only for meter and CPS release |

| | No slab poured | Slab poured | Frame, no sheetrock | Sheetrocked |
|------------|----------------|---|---|---|
| Building | 100% | 75% | 50% Frame Inspection Required | 25% Frame Inspection Required |
| Plumbing | 100% | 66% Rough-in required 100% gas permit | 66% Rough-in required 100% gas permit | 33% Plumbing final and 50% gas permit |
| Electrical | 100% | 100% | 100% Rough-in required | 50% Final Inspection |
| Mechanical | 100% | 100% | 100% Rough-in required | Equipment only. Permit for air handler, cooling coil and condenser required |
| Plans | Yes 100% | Yes 100% | No (0%) (Steel frame – engineer's sealed plans on site) | No (0%) (Steel frame – engineer's sealed plans on site) |

For new construction initiated after annexation, permits, plan reviews, and inspections for all

applicable codes shall be obtained and successfully passed. Other field inspections may be applicable for new commercial construction depending on the specific use and/or location of the project.

Permits may be applied for at the 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 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 TCI 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 adopted 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.

E. Library Services – The nearest library to the voluntary annexation area is the Cortez Library branch located at 2803 Hunter Blvd, San Antonio, TX 78224.

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, which is available seven days a week through the web address www.mysapl.org/digital.

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.

F. Health Department Services - The San Antonio Metropolitan Health District (Metro Health) currently provides certain public health services to include communicable disease control, emergency preparedness and response, and health education to individuals residing in the Annexation Area 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 and Tobacco 21

- ordinance;
- Access to community health clinics; and
- Referrals to medical assistance program benefits

Metro Health would provide additional services for oversight of day care centers, semi-public swimming pools, air pollution education and source registration. For more information visit: www.sanantonio.gov/health.

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

G. Animal Care Services – Newly annexed area will receive the same level of service as within 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.

H. Other Services – City Departments with jurisdiction in the area 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 – No capital improvements are necessary to provide fire services,

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 – No capital improvements are necessary at this time to provide parks and recreation services.

G. Library Services – No capital improvements are necessary at this time.

H. Capital Improvements Planning – The Annexation Area 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 community plans, existing neighborhood plans, community associations, neighborhood requests and other community processes.

ARTICLE 4. AMENDMENT: GOVERNING LAW

This Agreement 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 Agreement, and the City reserves the right to make such changes. This Agreement 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.

ARTICLE 5. FORCE MAJEURE

In case of an emergency, such as Force Majeure as that term is defined in this Agreement, in which the City is forced to temporarily divert its personnel and resources away from the Annexation Area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the Annexation Area of the level described in this Agreement 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 Agreement.

ARTICLE 16. SUMMARY OF THE WATER AND WASTE WATER UTILITY SERVICE REGULATIONS

Summary of the Water and Waste Water Utility Service Regulations, adopted in 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 Agreement 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 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.

THEREFORE, IN WITNESS WHEREOF, the Parties have executed this Service Agreement this _____ day of _____, 2018.

CITY OF SAN ANTONIO

BY: _____

Name: _____

Title: _____

REPRESENTATIVES OF THE

State of Texas §

County of Bexar §

This instrument was acknowledged before me on this ____ day of _____, 2018 by _____, with a title of _____ for the City of San Antonio, Texas municipal Corporation, on behalf of said corporation.

Date: _____

Notary Public, State of Texas

My Commission expires: _____