



City of San Antonio

Agenda Memorandum

File Number: 14-2482

Agenda Item Number: 22.

Agenda Date: 11/6/2014

In Control: City Council A Session

DEPARTMENT: Planning and Community Development

DEPARTMENT HEAD: John Dugan, AICP

COUNCIL DISTRICTS IMPACTED: 3

SUBJECT:

Reading and consideration of an ordinance approving the extension of the City limits by Full Purpose Annexation of 9.19 acres of land, located at 3610 Valley Road, as requested by the San Antonio Water System (SAWS); and adopting a Municipal Service Plan.

SUMMARY:

Reading and consideration of an ordinance approving the extension of the City limits by Full Purpose Annexation of 9.19 acres of land, located at 3610 Valley Road, which contiguous to the existing City limits and within San Antonio's Extraterritorial Jurisdiction, as requested by the San Antonio Water System (SAWS); and adopting a Municipal Service Plan.

BACKGROUND INFORMATION:

In February 2014, the SAWS Board of Directors requested annexation by the City of San Antonio of two tracts totaling approximately 9.19 acres of land located at 3610 Valley Road, which is contiguous to the existing City limits. The subject property is generally located northwest of the IH 37 and Loop 1604 intersection within San Antonio's Extraterritorial Jurisdiction (ETJ) and Bexar County. (*See Exhibit A for the description of the property, Exhibit B for an exhibit of the SAWS Property and Exhibit C for the SAWS Board's petition for annexation.*)

The subject property is the site of the existing SAWS environmental laboratory. The laboratory has a vital role in preserving the drinking water quality of the City of San Antonio and surrounding area. At the laboratory,

SAWS staff performs in-house testing of drinking water and wastewater, quality control, and other environmental and safety testing.

The annexation will bring the subject property into the City limits, and provide full City services. Presently, SAWS has beneficial use and control of all of the properties surrounding the subject property. Located to the north of subject property is the Dos Rios Water Recycling Center, which has been within San Antonio limits since 1987. SAWS leased the land, which bounds the proposed annexation area on the other three sides, to the Sun Edison solar farm complex. In September 2011, the City of San Antonio established the Sun Edison Industrial District, and entered into a 15-year non-annexation agreement with SAWS and Sun Edison, which will expire on December 31, 2026.

State law requires that the municipality follow certain provisions for annexation which includes the governing body's direction to the Planning Department to prepare a service plan, publication of the public hearing notification, two public hearings by the governing body and the adoption of the annexation ordinance and a "Municipal Service Plan." In addition, the City Charter requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption.

On June 19, 2014, the City Council of the City of San Antonio by ordinance (2014-06-19-0467) directed the Department of Planning and Community Development to prepare a service plan regarding SAWS property, prior to the publication of notice of the required public hearings, in accordance to Chapter 43 of the Texas Local Government Code. Generally, a municipal service plan includes the method of providing city services, the level of the services, and when such services will be provided to the proposed annexation area. "Full municipal services" means city-level services including public safety services, such as, fire fighting, hazmat, and emergency medical services provided within the city limits.

As required by State law, the notices regarding the public hearings were posted on the City of San Antonio Department of Planning and Community (DPCP)'s internet web site, on September 12, 2014. This notice was published in the Daily Commercial Recorder newspaper on September 16 and 17, 2014. The Municipal Service Plan for the SAWS Property is available for public viewing at the DPCP Office, located at 1400 South Flores Street and is posted on the DPCP web page.

On October 1 and 2, 2014, the City Council held public hearings on the proposed annexation of the subject property for limited purposes. At the public hearings, the City presented the Service Plan as a requirement of Section 43.056(j) of the Texas Local Government Code. On October 7, 2014, the City published the ordinance in the Daily Commercial Recorder newspaper, thirty days prior to passage of the ordinance, as required by the City of San Antonio charter.

ISSUE:

Reading and consideration of an ordinance approving the extension of the City limits by Full Purpose Annexation of 9.19 acres of land, located at 3610 Valley Road, which contiguous to the existing City limits and within San Antonio's Extraterritorial Jurisdiction, as requested by the San Antonio Water System (SAWS); and adopting a Municipal Service Plan.

The annexation of the subject property is needed to provide an equivalent level of services to all SAWS properties in order to protect the health, safety and well-being of the community. Once it is annexed into San

Antonio, the subject property would benefit from full City services, including public safety services, especially fire fighting, hazardous material response (hazmat), and emergency medical services. Annexation will avoid the difficulties often associated with multi-jurisdictional boundaries of public safety entities within the area. In addition, the annexation will expand San Antonio's municipal boundaries.

Staff proposes that the City annex and zone the subject property, according to the same provisions used for the recent limited purpose annexation and zoning of the surrounding area. To be consistent with the adjacent zoning districts, an "L" (Light Industrial) zoning district is proposed. The associated zoning case will be considered after action on the annexation.

ALTERNATIVES:

An alternative is that Council denies extending the City limits by Full Purpose Annexation and zoning of the subject property in which it would remain as an unincorporated area of the ETJ.

FISCAL IMPACT:

The expansion of City Limits through limited purpose annexation of the subject property will have a negligible fiscal impact. The SAWS property is exempt by law from state and local taxes, and hence will not generate local property tax revenue in the future. No significant fiscal impact related to services is anticipated due that the subject property is contiguous to current City limits and will be served by existing fire and police resources.

RECOMMENDATION:

Staff recommends the approval of the extension of the City limits by Full Purpose Annexation of 9.19 acres of land, located at 3610 Valley Road, which contiguous to the existing City limits and within San Antonio's Extraterritorial Jurisdiction, as requested by the San Antonio Water System (SAWS); and adoption of a Municipal Service Plan.

On August 20, 2014, the Infrastructure and Growth Committee was briefed on the annexation.

On September 24, 2014, the Planning Commission held a public hearing regarding the annexation and recommended approval.