

AN ORDINANCE **100132**

AUTHORIZING A ONE (1) YEAR RENEWAL OF INDUSTRIAL DISTRICT NON-ANNEXATION AND FIRE PROTECTION AGREEMENTS WITH QVC SAN ANTONIO, INC. ("QVC"); PROVIDING FOR A PAYMENT OF \$27,500.00 ANNUALLY TO THE CITY FOR FIRE PROTECTION SERVICES; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE SAID AGREEMENTS.

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WHEREAS, in 1992 the City and QVC entered into Industrial District Non-Annexation and Fire Protection Agreements (the "Agreements") as provided for in Section 42.044 of the Texas Local Government Code; and

WHEREAS, by the terms of the Agreements the City agrees to refrain from annexing the real property and adjacent areas where QVC is located for a period of seven years and to provide fire protection services to QVC for an annual fee during that time period; and

WHEREAS, in 1999, a five (5) year extension of the Agreements was authorized by the passage of Ordinance No. 85258, thereby extending the date of expiration of the Agreements until December 31, 2004; and

WHEREAS, QVC is now requesting a second extension of the Agreements which would require the City to refrain from annexing the real property and adjacent areas where QVC is located and to provide fire protection services to QVC for an annual fee of \$27,500.00 for an additional one (1) year period expiring on December 30, 2005; and

WHEREAS, the real property and adjacent areas where QVC is located have not been included in the City's proposed annexation plans, and though the property could be annexed prior to December 31, 2005, the City has no plans to do so; and

WHEREAS, City staff has proposed this extension and is also recommending that the application fee associated with these Agreements be waived; **NOW THEREFORE:**

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

SECTION 1. The negotiation and one (1) year renewal of Industrial District Non-Annexation and Fire Protection Agreements (the "Agreements") between the City and QVC San Antonio, Inc. ("QVC") is hereby approved. The Interim City Manager or his designee is authorized for a period of 45 days following the effective date of this Ordinance to execute the Agreements in accordance with this Ordinance. Copies of the Agreements in substantially their final form are attached and are hereby made a part of this Ordinance.

SECTION 2. Said Agreements shall provide that the City will provide fire protection services to QVC for the duration of the extension and shall be paid an annual amount of \$27,500.00 for such services.

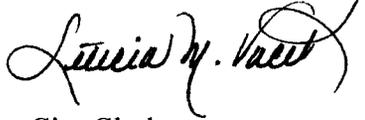
SECTION 3. The application fee associated with these Agreements is hereby waived.

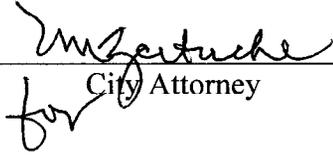
SECTION 4. The proceeds of the Agreements shall be deposited into Fund 11-000000 entitled "General Fund," Material Number 9000049, entitled "Industrial District Fire Service" and Internal Order 220000000004, entitled "Office of Chief-Firefighting Operations."

SECTION 5. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 9th day of DECEMBER 2004.


M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: 54.

Date: 12/10/04

Time: 12:19:06 AM

Vote Type: Multiple selection

Description: An Ordinance authorizing the negotiation and renewal of Industrial District Non-Annexation and Fire Protection Agreements with QVC San Antonio, Inc., ("QVC") for a time period of one (1) year commencing on December 30, 2004 and expiring on December 29, 2005; providing for payment of \$27,500.00 annually for the term of the renewal to the City for fire protection services; and authorizing the Interim City Manager or his designee to execute said agreements. [Presented by Ramiro A. Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR	Not present			