

AN ORDINANCE 101156

**RELEASING APPROXIMATELY 252 ACRES FROM THE CITY OF SAN ANTONIO EXTRATERRITORIAL JURISDICTION (ETJ), AS PETITIONED BY THE CITY OF ELMENDORF CONTINGENT ON THE RELEASE OF APPROXIMATELY 183 ACRES FROM THE CITY OF ELMENDORF ETJ.**

\* \* \* \* \*

**WHEREAS**, the City of Elmendorf has requested that certain property consisting of approximately 252 acres be released from the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio; and,

**WHEREAS**, the release would be contingent upon reciprocal actions by the City of Elmendorf releasing approximately 183 acres from the ETJ of the City of Elmendorf; and,

**WHEREAS**, the actions of the City of San Antonio and the City of Elmendorf shall be mutually dependent and shall be effective upon a common date; and,

**WHEREAS**, the property released from the City of Elmendorf shall become subject to the City of San Antonio's Extraterritorial Jurisdiction upon the effective date of the ordinances; and,

**WHEREAS**, the Planning Commission of the City of San Antonio has considered the proposed release of the property from the ETJ and has recommended approval; **NOW, THEREFORE**,

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

**SECTION 1.** The property containing approximately 252 acres as more particularly described at **Exhibit A** is hereby released from the Extraterritorial Jurisdiction of the City of San Antonio upon fulfillment of the conditions stated in this Ordinance. The City Manager, an Assistant City Manager or an Assistant to the City Manager is authorized to execute any necessary documents to implement this Ordinance and to evidence fulfillment of any stated conditions.

**SECTION 2.** The release set forth in Section 1 is expressly conditioned upon the release of approximately 183 acres as more particularly described at **Exhibit B** from the ETJ of the City of Elmendorf by the governing body of the City of Elmendorf, Texas.

**SECTION 3.** The release approved in **Section 1** shall be effective concurrently with the effective date of the approval by the City of Elmendorf of the actions required by **Section 2**.

**SECTION 4.** This ordinance shall be effective on the tenth day after its adoption. Further, the authority granted herein shall expire at midnight on February 11, 2006, if the reciprocal actions

required of the City of Elmdorf have not become effective on or before that date. If the City of Elmdorf fails to take such actions on or before that date, then this Ordinance shall be null and void and of no further effect. In all other events, the authority conferred shall continue so long as necessary to implement this Ordinance.

**PASSED AND APPROVED** this 11<sup>th</sup> day of August, 2005.



M A Y O R

PHIL HARDBERGER

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



City Attorney

# Agenda Voting Results

**Name:** 5.

**Date:** 08/11/05

**Time:** 09:04:48 AM

**Vote Type:** Multiple selection

**Description:** An Ordinance releasing approximately 252 acres from the City of San Antonio Extraterritorial Jurisdiction (ETJ), as petitioned by the City of Elmendorf contingent on the release of approximately 183 acres from the City of Elmendorf ETJ. [Presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. McNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		