

AN ORDINANCE 2006-03-02-0264

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF EMERGENCY SERVICE DISTRICT #7 WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION FOR THE PROVISION BY THE DISTRICT OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES FOR INDIVIDUALS RESIDING WITHIN ITS BOUNDARIES.

* * * * *

WHEREAS, certain residents of Bexar County have filed a petition with Bexar County Commissioners' Court in which they seek to form an Emergency Services District #7 ("ESD #7"), which would include a portion of the Extraterritorial Jurisdiction ("ETJ") of the City of San Antonio; and,

WHEREAS, the citizens involved in the project have applied to the City of San Antonio for permission to include that portion of the Extraterritorial Jurisdiction within the proposed special district as required by Chapter 775 of the Texas Health & Safety Code; and,

WHEREAS, the affected portion of the City's Extraterritorial is more particularly described in the Petition for Formation of the District attached at **Exhibit B**; and,

WHEREAS, representatives of Bexar County, Texas ("County") and the City of San Antonio ("City") have negotiated an agreement pursuant to state law which, if approved by the County and City, will be incorporated into the call for the election on formation of the proposed ESD #7; and,

WHEREAS, the proposed boundaries of ESD #7 include certain property that is owned by the City of San Antonio; and,

WHEREAS, the negotiated agreement clarifies that the City may petition for the removal of the city owned property without incurring a financial obligation to ESD #7 that otherwise might have been afforded by Chapter 775, Texas Health & Safety Code; and,

WHEREAS, City staff has reviewed the proposal and has recommended that permission be granted on the conditions set forth in the attached agreement; **NOW THEREFORE**,

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

SECTION 1. Permission is hereby granted to include the portion of the Extraterritorial Jurisdiction of the City of San Antonio within the proposed Bexar County Emergency Services

District #7 in accordance with the terms of Chapter 775, Texas Health & Safety Code and the Agreement for Approval of ESD #7 which is set forth in substantially final form at **Exhibit A**. A copy of the petition for formation of ESD #7 is attached hereto as **Exhibit B** and contains a description of the area to be included within the district. **Exhibits A and B** are attached hereto and incorporated herein for reference. The City Manager or her designee is hereby authorized to execute the Agreement on behalf of the City and to take such further and necessary acts to implement this Ordinance.

SECTION 2. The City Clerk is directed to forward a copy of this action to the County Judge, Bexar County on behalf of the City.

SECTION 3. This ordinance is effective on the tenth day after its passage.

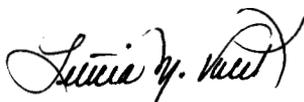
PASSED AND APPROVED this 2nd day of March, 2006.



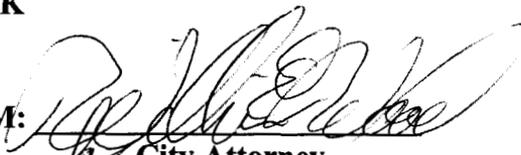
M A Y O R

PHIL HARDBERGER

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: 34.

Date: 03/02/06

Time: 09:18:47 AM

Vote Type: Multiple selection

Description: Ordinance approving the terms and conditions and authorizing the execution of an agreement with Bexar County which establishes certain terms by which the City of San Antonio will consent to the creation of Emergency Services District #7 within the City's extraterritorial jurisdiction (ETJ) for the provision by the District of fire suppression and emergency medical services for individuals residing within its boundaries. [Presented by Ray Baray, Intergovernmental Manager, External Relations; Michael D. Bernard, City Attorney]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

THE STATE OF TEXAS
COUNTY OF BEXAR

THE PEOPLE OF THE AREA PROPOSED AS BEXAR COUNTY EMERGENCY SERVICES
DISTRICT NO. 7, BEXAR COUNTY, TEXAS

TO: NELSON W. WOLFF, COUNTY JUDGE OF BEXAR COUNTY, TEXAS

FOR: CREATION AND OPERATION OF BEXAR COUNTY EMERGENCY SERVICES
DISTRICT NO. 7

PETITION

WE, THE UNDERSIGNED, who are fully qualified voters and who own taxable real property in the area proposed for Bexar County Emergency Services District No. 7, Bexar County, Texas, do hereby respectfully petition the Honorable Nelson W. Wolff, County Judge, Bexar County, Texas for authority to organize an Emergency Services District in the northwestern part of Bexar County, Texas.

(1) The proposed Emergency Services District is to be created and operated under Article III, Section 48-e, of the Texas Constitution, as proposed by S.J.R. No. 27, Acts of the 70th Legislature, Regular Session, 1987, and adopted by the voters at an election held November 3, 1987.

(2) The name of the proposed district, which lies wholly within the bounds of Bexar County, Texas, shall be

"BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 7"

(3) The area to be included in said Emergency Services District is composed of eight (8) unincorporated areas in northwestern Bexar County, Texas (not including the incorporated areas of the Cities of San Antonio, Grey Forest, or Helotes) generally described as bounded on the west by the Bexar County-Medina County boundary line; on the south and east by the city limits of the City of San Antonio; and on the north by the Grey Forest Volunteer Fire Department Response Area; the boundaries of the District areas more specifically described as:

AREA 1:

BEGINNING at the point on the city limits of the City of San Antonio (located at approximately 29E 35' 54.58" North Latitude, 98E 40' 49.79" West Longitude);

THENCE westerly along an imaginary line to a turning point (located at approximately 29E 35' 52.81" North Latitude, 98E 41' 11.76" West Longitude);

THENCE northwesterly along an imaginary line to a turning point (located at approximately 29E 38' 15.76" North Latitude, 98E 42' 48.05" West Longitude);

THENCE northwesterly along an imaginary line to its intersection with the Bexar County-Medina County boundary line (located at approximately 29E 41' 26.68" North Latitude, 98E 48' 23.76" West Longitude);

THENCE southerly along the Bexar County-Medina County boundary line to its intersection with the city limits of the City of San Antonio;

Exhibit B

THENCE easterly along the city limits of the City of San Antonio;

THENCE northeasterly along the city limits of the City of San Antonio;

THENCE southeasterly along the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio;

THENCE easterly along the city limits of the City of San Antonio to its intersection with the city limits of the city of Helotes;

THENCE easterly along the city limits of the City of Helotes to its intersection with the city limits of the City of San Antonio;

THENCE northerly along the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio to the POINT OF BEGINNING.

AREA 2:

BEGINNING at the intersection of the Bexar County boundary line with the city limits of the city of Helotes and the city limits of the City of San Antonio and south of the terminus of Huisache Way (located at approximately 29E33' 57.24" North Latitude , 98E 40' 53.91" West Longitude);

THENCE southwesterly along the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes;

THENCE northeasterly along the city limits of the City of Helotes to the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio;

THENCE westerly along the city limits of the City of San Antonio to the POINT OF BEGINNING.

AREA 3:

BEGINNING at the intersection of the centerline of State Highway 211 with the Bexar County-Medina County boundary line (located at approximately 29E 32' 52.42" North Latitude, 98E 48' 20.09" West Longitude);

THENCE northerly along the Bexar County-Medina County boundary line to its intersection with the city limits of the City of San Antonio;

THENCE easterly along the city limits of the City of San Antonio;

THENCE northerly along the city limits of the City of San Antonio;

THENCE Southeasterly along the city limits of the City of San Antonio;

THENCE southerly along the city limits of the City of San Antonio;

THENCE westerly along the city limits of the City of San Antonio to its intersection with an imaginary line following the same bearing as the Kallison Lane centerline;

THENCE northwesterly along an imaginary line following the same bearing as the Kallison Lane centerline to its intersection with the Bexar County-Medina County boundary line;

THENCE northerly along the Bexar County-Medina County boundary line to the POINT OF BEGINNING.

AREA 4:

BEGINNING at the point of intersection of the northwest right-of-way line of Kallison Lane and the city limits line of the City of San Antonio formed by a line 200 feet southeast of and parallel to the northwest boundary line of Parcel P-2, C.B. 4451 (located at approximately 29E 31' 57.53" North Latitude, 98E 46' 33.44" West Longitude);

THENCE southwesterly from the point of intersection of the northeast right-of-way line of Kallison Lane and the city limits line of the City of San Antonio to the centerline of Kallison Lane;

THENCE northwesterly along the centerline of Kallison Lane to its termination;

THENCE following an imaginary line northwesterly from the terminating point of Kallison Lane, following the same bearing line as the Kallison Lane centerline to its intersection with the city limits of the City of San Antonio;

THENCE northerly along the city limits of the City of San Antonio;

THENCE northeasterly along the city limits of the City of San Antonio;

THENCE southeasterly along the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio to the POINT OF BEGINNING.

AREA 5:

BEGINNING at the point of intersection of the northwest right-of-way line of Galm Road and the city limits line of the City of San Antonio, approximately 500 feet northeast of and parallel to the northeast right-of-way line of Farm to Market Road 471 (located at approximately 29E 32' 12.19" North Latitude, 98E 44' 51.46" West Longitude);

THENCE northwesterly along the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio;

THENCE southeasterly along the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio to its intersection with the centerline of Kallison Lane;

THENCE southeasterly along the centerline of Kallison Lane;

THENCE southwesterly along the centerline of Kallison Lane to its intersection with the city limits of the City of San Antonio;

THENCE southeasterly along the city limits of the City of San Antonio to the POINT OF BEGINNING.

AREA 6:

BEGINNING at the point of intersection of the southeast right-of-way line of Galm Road and the city limits line of the City of San Antonio, approximately 500 feet northeast of and parallel to the northeast right-of-way line of Farm to Market Road 471 (located at approximately 29E 30' 58.35" North Latitude, 98E 45' 28.64" West Longitude);

THENCE northeast along the city limits of the City of San Antonio to its intersection with the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes;

THENCE southwesterly along the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes;

THENCE northeasterly along the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes;

THENCE southwesterly along the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes to its intersection with the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio;

THENCE southwesterly along the city limits of the City of San Antonio;

THENCE southeasterly along the city limits of the City of San Antonio;

THENCE northwesterly along the city limits of the City of San Antonio to the POINT OF BEGINNING.

AREA 7:

BEGINNING at the intersection of the centerline of Adobe Walls Drive with the city limits of the City of Helotes (located at approximately 29E 34' 21.26" North Latitude, 98E 41' 36.78" West Longitude);

THENCE northwesterly along the city limits of the City of Helotes;

THENCE southwesterly along the city limits of the City of Helotes;

THENCE southeasterly along the city limits of the City of Helotes;

THENCE northeasterly along the city limits of the City of Helotes;

THENCE northwesterly along the city limits of the City of Helotes to the POINT OF BEGINNING.

AREA 8:

BEGINNING at the intersection of the centerline of Legend Trail Drive with the Bexar County-City of San Antonio boundary line (located at approximately 29E 33' 26.12" North Latitude, 98E 40' 19.01" West Longitude);

THENCE southeasterly along the Bexar County-City of San Antonio boundary line;

THENCE southwesterly along the Bexar County-City of San Antonio boundary line;

THENCE southeasterly along the Bexar County-City of San Antonio boundary line;

THENCE southwesterly along the Bexar County-City of San Antonio boundary line to its intersection with the Bexar County-City of Helotes boundary line;

THENCE northeasterly along the Bexar County-City of Helotes boundary line;

THENCE northwesterly along the Bexar County-City of Helotes boundary line;

THENCE northeasterly along the Bexar County-City of Helotes boundary line to its intersection with the Bexar County-City of San Antonio boundary line;

THENCE southwesterly along the Bexar County-City of San Antonio boundary line;

THENCE southeasterly along the Bexar County-City of San Antonio boundary line to the POINT OF BEGINNING.

(4) None of the land encompassed within the proposed district is now included in any other Emergency Services District.

(5) The following named two Petitioners, and each of them, each a qualified voter in and owner of taxable real estate property within the bounds of the proposed Emergency Services District, do hereby specifically agree to stand responsible for the cost incident to the formation of the proposed Bexar County Emergency Services District No. 7, not to exceed the sum of ONE HUNDRED AND FIFTY AND NO/100 (\$150.00) DOLLARS, and shall include among other necessary and incidental expenses, the costs of publication of notices and election costs as provided by law.

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(6) The consent of the Cities of San Antonio, Helotes, and Grey Forest must be obtained under Health and Safety Code Section 775.014.

(7) The proposed district will provide firefighting and other emergency services.

(8) The creation of the proposed district complies with Health and Safety Code Section 775.020 and 775.0205.

(9) Herein below are set out the signatures and mailing addresses of at least one hundred (100) or more qualified voters in the proposed Emergency Services District who also own taxable real property within the bounds of such proposed Emergency Service District.

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

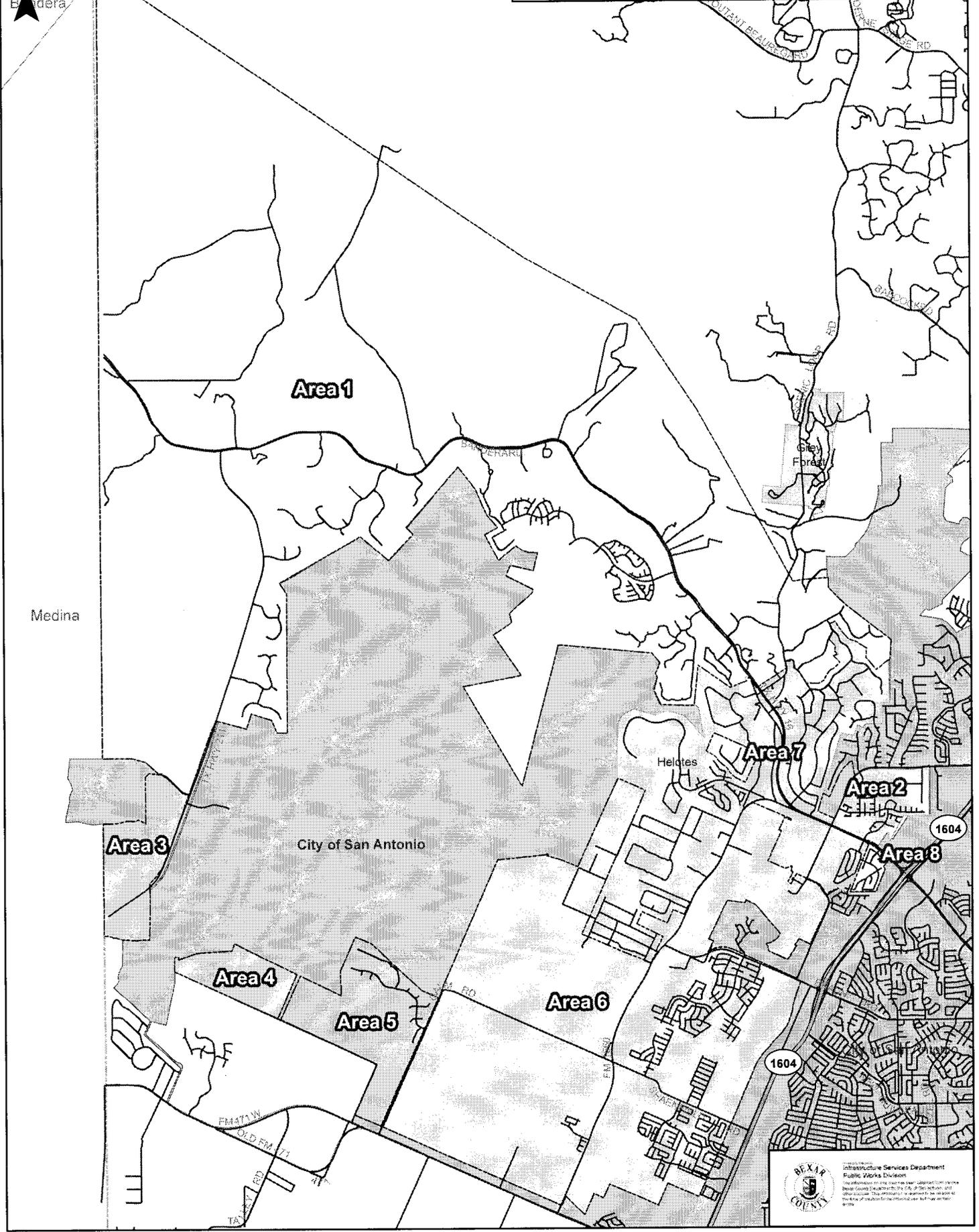
(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)

(Printed Name)	(Voter Registration No.)
(Residence Address)	
(Mailing Address)	(County of Registration)
(Date of Signing)	(Signature)



Bexar County Emergency Services District #7



BEXAR COUNTY
Infrastructure Services Department
Public Works Division
This information was prepared for the City of San Antonio and Bexar County. It is not to be used for any other purpose without the written consent of Bexar County.