



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 22

**Agenda Date:** April 20, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Government Affairs

**DEPARTMENT HEAD:** Sally Basurto

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Bexar County Emergency Services Districts' Requests to Incur Debt Policy.

**SUMMARY:**

This ordinance approves the required documentation needed for the City to process requests to incur debt from Bexar County Emergency Services Districts and commits to bringing such requests to City Council for approval within 30 days or the earliest available regular council meeting thereafter. The City has previously revised the requirements to streamline the process and ensure document standardization.

**BACKGROUND INFORMATION:**

Emergency Services Districts (ESD) are political subdivisions established to provide local emergency services, to include medical and fire protection services. The Texas Health and Safety Code, Chapter 775, allows for the creation of ESDs through a petition and election process initiated by residents of the proposed district. ESD territory may include portions of municipal extraterritorial jurisdiction (ETJ) if the governing body of the municipality consents to inclusion of ETJ within the boundaries of the ESD.

During the 77th State Legislative Session in 2001, the City of San Antonio, in coordination with Bexar County, proposed and successfully advanced legislation that would allow the City to negotiate and impose certain conditions on ESDs in exchange for the consent to include municipal ETJ in the ESDs territory. The conditions allowable include: limiting the district's ability to incur debt; require equipment compatibility, and; requiring mutual aid agreements. The City and County have included these conditions on each of the Bexar County ESDs as they have been created.

Since 2013, the City has received and approved eleven requests totaling over \$80 million in debt from Bexar ESDs. These approvals were reviewed, approved by the Intergovernmental Relations Committee, and approved by Council in an average time of 2.7 months. To date, the City has only denied one request from ESD 5 due to a high number of development agreements in the ESDs territory set to expire in a few years, thereby affecting their tax base, and ongoing litigation initiated by the ESD related to annexations. One additional request to incur debt from ESD No. 12 is currently active and to be considered for approval by Council on April 20, 2023.

#### **ISSUE:**

ESDs have recently communicated that the list of required documents has been burdensome to acquire and that the process for approving debt takes too long to complete. The City has previously revised the information required from ESDs requesting to incur debt, primarily in an effort to streamline the process and ensure standardization of documentation.

To further streamline the process, City staff is proposing an update to the checklist of required documentation for the City to review requests to incur debt and proposing a policy to bring these requests to City Council for consideration in an expedited manner.

#### **ALTERNATIVES:**

The City could choose not to approve the updated document checklist and debt request approval process policy. City staff will continue using existing document requirements and process ESD debt requests as quickly as possible.

#### **FISCAL IMPACT:**

Approval of this ordinance has no fiscal impact.

#### **RECOMMENDATION:**

Staff recommends approving the updated ESD debt request document checklist and processing policy.

