



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: {{item.number}}

Agenda Date: October 2, 2024

In Control: Public Comment Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 6, ETJ

SUBJECT:

First public hearing regarding the Strategic Partnership Agreement between the City of San Antonio and the Medina County Water Control and Improvement District No. 4.

SUMMARY:

First public hearing regarding the Strategic Partnership Agreement between the City of San Antonio and the Medina County Water Control and Improvement District No. 4, located in the City of San Antonio's extraterritorial jurisdiction, in Medina County.

BACKGROUND INFORMATION:

During the 87th Regular Session of the Texas Legislature, House Bill (H. B.) 4668 created the Medina County Water Control and Improvement District (WCID) No. 4, which took effect on June 14, 2021. This legislation also established a temporary Board of Directors for the WCID. The WCID consists of 386.66 acres, generally located South of FM 1283 and west of FM 471, in the City of San Antonio's (City) extraterritorial jurisdiction (ETJ) in Medina County. The WCID is closest to City Council District 6.

As the WCID is in the City's ETJ, State law requires that the City provides its consent to the creation of the WCID, and the inclusion of land within the WCID's boundaries, via an ordinance

or resolution. Without the City's written consent, the WCID could not hold an election to confirm its creation and elect a permanent Board of Directors (Board). On February 10, 2022, the City provided its written consent to the creation of the WCID and approved the execution of a Development Agreement with the Owners of the WCID property (Owners). The Development Agreement included the Owners agreeing to comply with the City's development and land use regulations, voluntary annexation terms for the WCID land, and other provisions.

In addition, the Development Agreement included the framework of a Strategic Partnership Agreement (SPA) between the City and the WCID. City staff negotiated this SPA's conditions with the Board. The SPA binds each Owner and future Owners of land included in the WCID property on the date the SPA becomes effective.

ISSUE:

This is the first public hearing on the SPA between the City and the Medina County WCID No. 4. The second public hearing and consideration of the SPA will be held on October 3, 2024. The City provided notices for two public hearings on the SPA, published in the San Antonio Express newspaper on September 13, 2024. The City's public hearings and publication of the public hearing notices are required by State Law. The Board held its public hearings on May 15, 2023, and June 20, 2023, in advance of the City's public hearings, as required by State law.

The proposed SPA includes the following provisions:

- The WCID provides its consent to limited purpose annexation by the City of the commercial properties in the WCID for the purpose of imposing and collecting sales and use taxes in commercial properties effective upon the second plat application in the WCID. [The City cannot levy property taxes on these properties.]
- Future annexation terms and other provisions would bind each Owner and future Owners of land included within the territory of the WCID on the date the SPA becomes effective.
- The WCID will pay for costs related to the SPA and future limited purpose annexation and will reimburse the City for legal recordings of the SPA with Medina County Real Property Records.
- After the effective date of the limited purpose annexation of the commercial property, the City will begin sales tax collections in the annexed properties in the WCID. In the annexed properties, up to a two percent sales tax will be levied.
- The City will remit to the WCID an amount equal to 25% of the sales tax revenues collected within the annexed commercial property.

Currently, the WCID property is undeveloped and there are no residents in the commercial areas in the WCID. The City is not required to provide any services in the proposed limited purpose annexation areas.

ALTERNATIVES:

There is no alternative associated with this public hearing.

FISCAL IMPACT:

This public hearing does not have any fiscal impact to the City. The City will prepare a financial impact study when the City annexes the commercial properties in the WCID for limited purposes.

RECOMMENDATION:

Action will be required at the consideration of the Ordinance authorizing the execution of the SPA with the Medina County WCID No. 4.