



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 25

Agenda Date: January 11, 2024

In Control: City Council A Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Rudy Nino

COUNCIL DISTRICTS IMPACTED: District 2, ETJ

SUBJECT:

The dissolution of the Interlocal Agreement (ILA) between the City of San Antonio and the City of Converse.

SUMMARY:

Ordinance approving the dissolution of the ILA between the City of San Antonio and the City of Converse Automatic Aid Agreement.

BACKGROUND INFORMATION:

In 2016, the City of San Antonio and the City of Converse staff had on-going discussions about developing a regional approach to provide an urban level of service to high growth population areas in the far eastern part of San Antonio's extraterritorial jurisdiction (ETJ). The City of Converse (Converse) requested that the City of San Antonio (San Antonio) release land from its ETJ for annexation by Converse, and to adjust its municipal boundaries to allow Converse to grow and have the capacity to serve annexed areas in the future.

On March 9, 2017, San Antonio, and Converse (Cities) approved an Interlocal Agreement (ILA), which established numerous Municipal Boundary Adjustments (MBAs) and ETJ Releases in multiple phases until 2034 (*Ordinance No. 2017-03-09-0146*). The original ILA also transferred

the operations and maintenance of Northampton Park from San Antonio to Converse. San Antonio will transfer Northampton Park's improvement to Converse upon expiration of the applicable San Antonio bonds.

In 2006, the Cities entered into an Automatic Aid Agreement in which Converse would be the first responder for fire service and emergency medical service calls within the San Antonio's city limits along IH 10 East and Loop 1604 East (*Ordinance No. 2016-12-01-0919*). After the ten-year agreement expired in November 2016, the Cities agreed to a three-month extension with three term extensions. In 2017, San Antonio opened a temporary SAFD station located on Foster Road near IH 10 East. Furthermore, the ILA ordinance incorporated the obligations delineated in the Automatic Aid Agreement into the ILA.

In 2017 and 2019, the Texas Legislature enacted laws that affected municipal annexation, municipal ETJs, municipal boundary adjustments, and other land use management by cities. These new laws had an adverse effect on the Cities' ability to perform their respective actions as delineated in the ILA. In light of changes to State law, the Cities amended the ILA in December of 2019 to allow Converse to perform actions in accordance with State laws (*Ordinance No. 2019-12-05-0997*).

Since 2017, the San Antonio Fire Department (SAFD) and Converse FD have not performed the actions required by the Automatic Aid Agreement. Thus, neither City has made or received any reimbursements in the last six years. In 2020, the opening of a permanent SAFD station on Foster Road further diminishes the need for the Automatic Aid Agreement.

Recently, Converse submitted the City of Converse Resolution (*No.850-2022*) to San Antonio. The Converse Resolution states that it was unable to perform the actions delineated in the ILA within the requisite three years. Thus, Converse recognizes that the ILA is now terminated.

As part of their resolution, a request was made to transfer the remaining part of a neighborhood to Converse via the municipal boundary adjustment (MBA) process. Any future MBAs will require the Cities to re-negotiate the terms and present them to their respective City Councils for approval. Overall, between 2017 and 2020, the ILA actions allowed Converse to add about 2.37 square miles to their city limits and 1.41 square miles to their ETJ.

ISSUE:

This Ordinance authorizes the dissolution of the City of San Antonio and City of Converse Interlocal Agreement (ILA), which was initially passed by the San Antonio City Council on March 9, 2017, and amended on December 5, 2019. The dissolution of the ILA will also complete any obligations pertaining to the Automatic Aid Agreement between the Cities.

Below is the public hearing timeline:

- December 13, 2023 – City of San Antonio Planning Commission
- January 11, 2024 – City of San Antonio City Council.

ALTERNATIVES:

Alternatives would be to deny the dissolution of the ILA or to modify the terms of the ILA. An alternative course of action would leave the ILA and the Automatic Aid Agreement in perpetuity without remedy to benefit from the ILA.

FISCAL IMPACT:

This ordinance authorizes the dissolution of the ILA between the City of San Antonio and the City of Converse, and completes or releases any obligations, including financial, pertaining to the Automatic Aid Agreement.

RECOMMENDATION:

The Planning Department recommends approval of the Ordinance approving the dissolution of the Interlocal Agreement (ILA) between the City of San Antonio and City of Converse.

The Planning Commission considered and made a recommendation at their December 13, 2023, meeting.