

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

ADOPTION OF A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BOERNE STAGE ROAD SPECIAL IMPROVEMENT DISTRICT.

* * * * *

WHEREAS, the City of San Antonio (“City”) provided its consent to the creation by Bexar County of the Boerne Stage Road Special Improvement District (“District”) and approved the execution of the Development Agreement with the Owner of the District property (Owner), Chesmar Homes LLC on April 20, 2023; and

WHEREAS, as a condition of the City’s consent, the Owner of the District property and the City entered into a Development Agreement, which included the Owner agreeing to comply with the City’s development and land use regulations, voluntary annexation terms for the District land and other provisions, and to enter into a Strategic Partnership Agreement between the City and the Boerne Stage Road Special Improvement District; and

WHEREAS, the City and the District negotiated a Strategic Partnership Agreement (“Agreement”), attached hereto as **ATTACHMENT “A”**, specifying the terms of limited and full-purpose annexation of approximately 167.732 acres, generally located southwest of the intersection of Interstate 10 West and W State Highway 46, and west of Boerne Stage Road, in the extraterritorial jurisdiction (“ETJ”) of the City of San Antonio, as depicted in **Exhibit “A”** and more fully described by metes and bounds in **Exhibit “B”** within **ATTACHMENT “A”** attached hereto; and

WHEREAS, the Agreement establishes terms and conditions upon which (i) the City will annex the land within the District for limited purposes and full purposes; (ii) allow the City to impose a sales tax and use tax within the boundaries of the part of the District that is annexed for limited purposes, and (iii) limitations on the District’s ability to incur debt, liabilities, or obligations without prior approval of the municipality; and

WHEREAS, the City provided notices for two public hearings concerning adoption of the Agreement published in a newspaper of general circulation in the District and in the City on September 13, 2024; and

WHEREAS, the Agreement was made available prior to the public hearings in accordance with the requirements of the Local Government Code; and

WHEREAS, the City conducted two public hearings regarding the Agreement with the District on October 2, 2024, and October 3, 2024; and

WHEREAS, the Board of Directors of the District (the “Board”) conducted two public hearings, regarding the Agreement on November 13, 2023, and December 11, 2023; and

WHEREAS, the Agreement was adopted by the Board on December 11, 2023; and

WHEREAS, the City and the District have complied with all procedural requirements in accordance with Section 43.0751 of the Local Government Code for the adoption of the Agreement; **NOW THEREFORE**,

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

SECTION 1. The City Council hereby adopts and approves the Strategic Partnership Agreement with Boerne Stage Road Special Improvement District, attached hereto as **ATTACHMENT “A”**, specifying the terms of limited and full-purpose annexation of approximately 167.732 acres located within the extraterritorial jurisdiction of the City, as depicted and legally described in **Exhibits “C” and “D”**, within **ATTACHMENT “A”** attached hereto.

SECTION 2. The City Manager or designee is hereby authorized to execute the Strategic Partnership Agreement and any and all documents necessary to fulfill the purpose and intent of this Ordinance.

SECTION 3. The District will pay for costs related to the Agreement and future limited purpose annexation and will reimburse the City for legal recordings of the District with Bexar County Real Property Records in Fund 110010, Internal Order 207000000712 and General Ledger 6301120.

SECTION 4. The statements set forth in the recitals of this ordinance are true, correct, and are incorporated as a part of this ordinance.

SECTION 5. This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED on this 3rd day of October 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

SG/ml
10/03/2024
Item No. _

ATTACHMENT “A”
Strategic Partnership Agreement