



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 14

**Agenda Date:** February 6, 2025

**In Control:** City Council A Session

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**DEPARTMENT:** Government Affairs

**DEPARTMENT HEAD:** Sally Basurto

**COUNCIL DISTRICTS IMPACTED:** ETJ

**SUBJECT:**

Creation of Kendall County Emergency Services District No. 1.

**SUMMARY:**

An ordinance authorizing consent to the creation of Emergency Services District No. 1 in Kendall County that will include a portion of the City's Extraterritorial Jurisdiction for the provision of fire suppression and emergency medical services by the District.

**BACKGROUND INFORMATION:**

The creation of Emergency Services Districts (ESD) was authorized by the State of Texas in 1989 to provide fire suppression and emergency medical services to individuals residing within the boundaries of a District. Generally, ESDs serve unincorporated areas of Counties. The procedures for creating an ESD are set out in Chapter 775 of the Texas Health and Safety Code. To initiate the creation of an ESD a County Judge must receive a petition signed by at least one-hundred qualified voters who own real property in the boundaries of the proposed District. Any municipality whose Extraterritorial Jurisdiction (ETJ) would be included in the proposed boundaries of an ESD must consent to the creation of the ESD before the petition can proceed.

On December 3, 2024, Kendall County Commissioner's Court received a petition for the creation

of Kendall County Emergency Services District No. 1. The proposed ESD territory would encompass a portion of City of San Antonio ETJ that extends north of Bexar County and Fair Oaks Ranch. In early January 2025, the City of San Antonio received notification of the petition and a request for consent to the creation of ESD No. 1 to include a part of the City's ETJ within the proposed boundaries of the district. This is the second time the creation of Kendall County ESD No. 1 is being proposed. City Council approved a petition in June 2022 and Kendall County called an election on the issue, however, the creation of the ESD was not approved by Kendall County voters.

The area of the proposed ESD is now served partly by the Bergheim Volunteer Fire Department. The Bergheim VFD is supportive of the creation of the ESD to improve the services provided to residents of the area. The City's Fire Department and Planning Department reviewed the request and recommended approving the request for the creations on ESD No. 1.

#### **ISSUE:**

The City of San Antonio's consent is required for the petition to create Kendall County Emergency Services District No. 1 to continue and for Kendall County to call an election on the petition. This ordinance would consent to the creation of ESD No. 1 to include a portion of City of San Antonio ETJ.

The City has previously recognized the needs served by ESDs in Bexar County. This is the first time that the City of San Antonio has been petitioned to consent to the creation of an ESD outside of Bexar County.

#### **ALTERNATIVES:**

The City could choose to not grant consent to the creation of Kendall County ESD No. 1. If consent is not granted, the residents of the proposed ESD territory may petition the City to provide fire suppression and emergency medical services. If the City refuses to act on the petition or does not provide the requested services within six months of the petition, the refusal or failure to act constitutes consent for the City's ETJ to be included in the proposed ESD.

#### **FISCAL IMPACT:**

This ordinance grants consent to create ESD No. 1 and will have no immediate fiscal impact on the City of San Antonio.

#### **RECOMMENDATION:**

Staff recommends adoption of the ordinance granting consent to the creation of Kendall County ESD No. 1.