

DRAFT

ORDINANCE NO.

AUTHORIZING THE RELEASE OF APPROXIMATELY 555.092 ACRES OF REAL PROPERTY, CONSISTING OF FOUR TRACTS OF LAND, GENERALLY LOCATED AT 17511 FM 1283, MICO, TEXAS IN MEDINA COUNTY, FROM THE CITY OF SAN ANTONIO EXTRATERRITORIAL JURISDICTION, AS PETITIONED BY THE LANDOWNERS BONNIE ZUMWALT AND ZUMWALT QUARRY, LLC, PURSUANT TO THE PROVISIONS OF CHAPTER 42 OF THE TEXAS LOCAL GOVERNMENT CODE.

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WHEREAS, in the 88th Regular Texas legislative session; Senate Bill (SB) 2038 was passed and is effective on September 1, 2023; and

WHEREAS, this newly enacted section of the Local Government Code, Chapter 42, Subchapters D and E, codified and established a process for the release of property from a city's extraterritorial jurisdiction (ETJ); and

WHEREAS, this section of code does not apply to certain areas of an ETJ, including areas within five miles of an active military base, areas within 15 miles of an active military base in counties with over 2 million in population, areas that were voluntarily annexed into cities' ETJ in certain counties, certain areas legally designated as industrial districts, or areas subject to a strategic partnership agreement; and

WHEREAS, Bonnie Zumwalt and Zumwalt Quarry, LLC, (Landowners) own 555.092 acres within San Antonio's ETJ and petitioned the City of San Antonio (City) on November 14, 2023, to release certain property in the ETJ, legally described in the landowners' petition, attached as **EXHIBIT "A"**; and

WHEREAS, the City verified that the petition complies with the newly enacted Subchapters of Chapter 42 of the Texas Local Government Code; and

WHEREAS, consistent with the San Antonio City Charter the San Antonio Planning Commission held a public hearing on December 13, 2023, and has considered the effect of amending the San Antonio ETJ boundaries by releasing 555.092 acres, as petitioned by the landowners, and as depicted in the exhibit attached as **EXHIBIT "B"**.

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

SECTION 1. A copy of the Landowners petition to remove their property from the City's ETJ is attached as **EXHIBIT "A"** and incorporated herein for all purposes.

SECTION 2. The release of certain property from the City of San Antonio ETJ, which includes approximately 555.092 acres of real property generally located at 17511 FM 1283, Mico, Texas, in Medina County, and which is legally described in the attached **EXHIBIT “A”**, and depicted in the exhibit attached as **EXHIBIT “B”**.

SECTION 3. This ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED on this 13th day of December 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney